

AGENDA
PLANNING COMMISSION MEETING
Monday, July 6, 2020

- I. CALL TO ORDER & ROLL CALL:
- II. MINUTES OF PREVIOUS MEETING: JUNE 1, 2020
- III. ADDITIONS OR CHANGES TO AGENDA:
- IV. COMMUNICATIONS:
- V. PUBLIC COMMENT:
- VI. NEW BUSINESS:
 - 1. Public Hearing - Alkay Airport Special Land Use - Frances Rd Parcel #18-31-400-008
 - 2. Public Hearing - Special Land Use Amendment - Dave McGrath - Auto Sales
- VII. OLD BUSINESS:
- VIII. ADJOURNMENT:

Charter Township of Vienna Planning Commission Meeting

Meeting Date:	Monday, June 1, 2020	Location:	3400 W Vienna Rd, Clio, MI 48420	Time:	5:30 PM
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Meeting Attendees

Name	Role	P=Present A=Absent,	Name	Role	P=Present A=Absent,
Jeff Ferweda	Chair	P	Rick Polmanteer	Member	A
Ben Ranger	Vice Chair	P	Mike Zinn	Member	P
Nancy Belill	Board Rep	P	Mary Johnson	Secretary	P
Marty McDowell	Member	P	Dennis McDonagh	Recording Secretary	P

Call to Order: 5:30 PM

Roll Call: Polmanteer is absent.

Meeting Minutes from 6/1/2020: Motion by Ranger, Support by Zinn. All are in favor, motion carries.

Additions or Changes to Agenda: None

Communications: None

Public Comment None

New Business: David McDade – Roark Galt Architects
Site Plan Review – Luk Dedvukaj – Property/Project Owner
Proposed Jimmy Caitlyn Habben – Rowe Professional Services
Johns & 1111 Burgers
& Fries

Dedvukaj gave a brief introduction to this project.
 Ferweda briefly reviewed the site plan presented.

- 2 small buildings primarily drive thru in nature
- Utilizing existing curb cuts
- Looks as though most everything meets however there will be a few variances necessary and a few issues to review

McDade explained that yes a variance would for sure be necessary for building setbacks and possibly the parking lot setback.
 First issue discussed was with the lighting. Previously the lumens were not provided.
 Habben stated that issue has been resolved
 Ferweda asked about the sign.
 McDade said the sign was only as tall as the parapet and fell within the ordinance.
 Habben was in agreement.
 Ferweda asked about any rooftop equipment.
 McDade stated they were not sure of the size but felt that the building parapet would provide ample screening.
 Habben stated the building official could review and approve that.
 The issue of a service drive came up next. While there was a service drive style road in place, should there be a requirement to have the parking lot connect to McDonalds and or Taco Bell.
 Ranger stated he didn't feel that was a call they could make as it would require one of the two businesses to agree and we shouldn't put that on these folks to do so. It isn't a bad idea though.
 Johnson stated that we didn't ask Taco Bell to do this when they rebuilt, we shouldn't ask it for this project.
 Zinn said he didn't feel it should be required.
 McDowell stated he agreed with Ranger on this.
 Ferweda stated it will not be required, but would strongly encourage them to reach out and talk to one or both businesses. He then stated there was a discrepancy between

Rowe and the applicant when it comes to parking. The applicant feels there is only 16 spaces required, Rowe feels there are 19 required.

Habben reviewed how they calculated parking.

McDade stated there is no way to add additional parking to this property due to the size and shape.

Ferweda stated he agreed with Rowe's calculation.

Ranger stated he would not add additional parking to this lot.

Ferweda stated we can accept the applicant's calculation or go with Rowe's.

Johnson and Zinn stated to go with the applicant.

McDowell & Belill stated since they were going to have to get a variance anyway, to have them get one for parking as well.

Ferweda stated they will need a variance for the 3 parking spaces.

The next item discussed was the loading zone.

McDade stated that the loading zone while smaller than C-4 met for all other commercial zones. There would never be a semi delivering.

Deduvukaj explained that all deliveries would be at 5:00 AM.

After a short discussion it was decided that unfortunately a variance would be needed.

McDade later stated he could show the proper loading zone on the drawing even though it will never be utilized. Would that satisfy the requirement and not require a variance?

Ferweda stated yes that would be fine and to get that drawing to McDonagh for review. He then went on to make a recommendation to Dedvukaj to consider adding sidewalks for the employees.

Barrier free ramp was addressed next.

McDade explained that the customer sidewalk/patio entrance will be sloped and should satisfy the barrier free requirements.

Habben stated that the building official will have the decision on whether the slope would satisfy as a ramp.

Ferweda next recommended adding a little more space near the dumpster but stated that was a personal decision they would need to make. He also stated we would need a letter from Genesee County on storm drainage, soil erosion, etc.

Belill then asked what makes them think a semi won't be going through.

McDade said deliveries have already been confirmed on smaller box type trucks. That said, sheet S4 shows the path for emergency vehicles. Specifically, it shows the path for a ladder truck which would satisfy the route if a semi would try to go through there. He then expressed concern over joining the parking lots with Taco Bell. He stated that may infringe on the initial pass on detention from Genesee County. Detention would be very difficult on this lot.

Ferweda stated while it is a great idea in theory, it's not going to be required. If you can make it work, ok, but if not that was ok too.

Upon review, variances would be required for building and parking lot setbacks and for the number of parking spaces.

Motion by Ranger to approve the site plan on the following conditions.

1. The ZBA approves variances for building and parking lot setbacks as well as number of parking spaces.
2. Receiving all approvals from EGLE and Genesee County.
3. Building official approves screening of rooftop equipment.
4. A note is drafted on behalf of the Planning Commission recommending to ZBA approval of variances.

Roll Call Vote: McDowell – Yes, Belill – Yes, Zinn – Yes, Ranger – Yes, Johnson – Yes, Ferweda – Yes

All are in favor, motion carries.

Old Business: None

Adjournment: Motion by Zinn
Support by Ranger
All in favor – Adjourned – 6:12 PM

VIENNA TOWNSHIP PLANNING COMMISSION
APPLICATION FOR SPECIAL LAND USE

Receipt # 9200

Date Filed: 2/6/2020

To the Vienna Township Planning Commission:

We, the Owners, Purchasers, of the following described property, hereby apply to the Vienna Township Planning Commission to grant a Special Land Use to: extend airport property to the south to extend W/S runway

In support of the Application, we agree to pay any fee the Commission requires and submit the following information, which we represent to be true and complete:

Name(s) of Owner(s): Al Kay Contracting Services LLC

Address(s) of Owner(s): 5480 W. Dodge Rd Clis Phone: 810-444-7196

Legal description of property for which application for permit is made: parcel 18-31-400-008 W 1/2 of E 1/2 of SE 1/4 Except E 200ft of South 10895T Sec 31 T 9N R 6E (77)

Lot Size: 34.63 Present Zoning and use: C2

Name of Applicant(s): Douglas A Smith

Signature of Applicant(s): Douglas A Smith

Address: 5480 W. Dodge Rd Clis Phone: 810-444-7196

Special Land Use: V Current Zoning: _____

Address: _____

Signature of Applicant: _____ Phone #: _____

To be filled out by the Planning Commission:

Date Fee Paid: 2/25/2020 Amount of Fee: 500- Receipt #: 9200

Hearing Date: 3/16/2020

Notice sent to property owners within 300 feet: Yes

Recommendation: _____

By: _____
Vienna Township Planning Commission

Alkay Contracting Services LC
Alkay Airport
5480 W Dodge Rd
Clio, MI 48420
February 25, 2020

Re: Parcel for Special Use: Airport

To: Vienna Township Planning Commission:

We are requesting the Vienna Township Planning Commission approve parcel 18-31-400-008 for special use airport. The land is located directly south of the main North/South runway and it will be used to extend that runway. This is the same parcel which was rezoned last year from AR to C-2 by approval of this planning commission. Per the attached documents, we now have the permit from EGLE and Genesee County to start construction with approved runway extension plans initiated in 2018.

We expect to start work on the runway and associated wet land mitigation areas this summer with completion next year. Weather of course is a big factor that will impact our completion date.

Sincerely,

Doug Smith



MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY
WATER RESOURCES DIVISION
PERMIT

Issued To:

Mr. Douglas Smith
Alkay Contracting Services
5480 West Dodge
Clio, Michigan 48420

Permit No: WRP019312 v.1
Submission No.: HNM-HY5K-3CFXV
Site Name: 25-9451 N Webster Rd-Clio
Issued: February 20, 2020
Revised:
Expires: February 20, 2025

This permit is being issued by the Michigan Department of Environment, Great Lakes, and Energy (EGLE), Water Resources Division, under the provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA); specifically:

- Part 301, Inland Lakes and Streams
- Part 303, Wetlands Protection
- Part 315, Dam Safety
- Part 31, Water Resources Protection (Floodplain Regulatory Authority)
- Part 323, Shorelands Protection and Management
- Part 325, Great Lakes Submerged Lands
- Part 353, Sand Dunes Protection and Management

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

Authorized Activity:

Place 1425 cubic yards of clean fill in 29,616 square feet (0.68 acre) of wetland to relocate and extend a runway. Create at least 1.02 acres of wetland from upland to mitigate for the wetland fill.

Waterbody Affected: Wetland
Property Location: Genesee County, Vienna Township, Town/Range/Section 09N06E3
Property Tax No. 18-31-200-025; 18-31-400-008

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

- A. Initiation of any work on the permitted project confirms the permittee's acceptance and agreement to comply with all terms and conditions of this permit.

- specifications. The contractor is required to provide a copy of the permit to all subcontractors doing work authorized by the permit.
- S. Construction must be undertaken and completed during the dry period of the wetland. If the area does not dry out, construction shall be done on equipment mats to prevent compaction of the soil.
- T. Authority granted by this permit does not waive permit requirements under Part 91, Soil Erosion and Sedimentation Control, of the NREPA, or the need to acquire applicable permits from the County Enforcing Agent (CEA).
- U. Authority granted by this permit does not waive permit requirements under the authority of Part 305, Natural Rivers, of the NREPA. A Natural Rivers Zoning Permit may be required for construction, land alteration, streambank stabilization, or vegetation removal along or near a natural river.
- V. The permittee is cautioned that grade changes resulting in increased runoff onto adjacent property is subject to civil damage litigation.
- W. Unless specifically stated in this permit, construction pads, haul roads, temporary structures, or other structural appurtenances to be placed in a wetland or on bottomland of the water body are not authorized and shall not be constructed unless authorized by a separate permit or permit revision granted in accordance with the applicable law.
- X. For projects with potential impacts to fish spawning or migration, no work shall occur within fish spawning or migration timelines (i.e., windows) unless otherwise approved in writing by the Michigan Department of Natural Resources, Fisheries Division.
- Y. Work to be done under authority of this permit is further subject to the following special instructions and specifications:
1. Authority granted by this permit does not waive permit or program requirements under Part 91 of the NREPA or the need to acquire applicable permits from the CEA. To locate the Soil Erosion Program Administrator for your county, visit www.mi.gov/eglestormwater and select "Soil Erosion and Sedimentation Control Program" under "Related Links."
 2. The authority to conduct the activity as authorized by this permit is granted solely under the provisions of the governing act as identified above. This permit does not convey, provide, or otherwise imply approval of any other governing act, ordinance, or regulation, nor does it waive the permittee's obligation to acquire any local, county, state, or federal approval or authorization necessary to conduct the activity.
 3. No fill, excess soil, or other material shall be placed in any wetland, floodplain, or surface water area not specifically authorized by this permit, its plans, and specifications.
 4. This permit does not authorize or sanction work that has been completed in violation of applicable federal, state, or local statutes.
 5. The permit placard shall be kept posted at the work site in a prominent location at all times for the duration of the project or until permit expiration.
 6. This permit is being issued for the maximum time allowed and no extensions of this permit will be granted. Initiation of the construction work authorized by this permit indicates the permittee's acceptance of this condition. The permit, when signed by EGLE, will be for a five-year period beginning on the date of issuance. If the project is not completed by the expiration date, a new permit must be sought.
 7. Prior to the initiation of any permitted construction activities, a sedimentation barrier shall be constructed immediately down gradient of the construction site. Sedimentation barriers shall be specifically designed to handle the sediment type, load, water depth, and flow conditions of each construction site throughout the anticipated time of construction and unstable site conditions. The sedimentation barrier shall be maintained in good working order throughout the duration of the project.

Fifty (50) percent of the financial instrument may be released after the permittee demonstrates substantial compliance with Performance Standards a. through e. and i., in this permit, for a minimum of two years after construction of the mitigation wetland.

The remaining 50 percent of the financial instrument will be released upon all of the following:

- i. Submittal of all the required monitoring reports;
 - ii. Substantial compliance with all of the performance standards as outlined in this permit, and
 - iii. Final approval by the EGLE.
- d. The permittee shall execute a conservation easement over the mitigation area as shown on the permit plans in a form identical to the conservation easement model on the EGLE's website at www.michigan.gov/wetlands. The original executed conservation easement and associated exhibits must be sent to the EGLE for review and recording prior to commencement of the permitted work or within 60 days of the issuance of this permit, whichever occurs first. Send to: Conservation Easement Coordinator, EGLE, Water Resources Division, P.O. Box 30458, Lansing, Michigan, 48909, with a copy of the executed easement mailed to the District Office.

The permittee may request in writing a permit revision to extend the time deadline for submittal of the conservation easement. Such permit revision shall be considered a minor permit revision pursuant to Section 30313b and must be accompanied by the appropriate fee. An acceptable executed conservation easement must be submitted to the EGLE by the permittee prior to commencement of any permitted work within regulated areas.

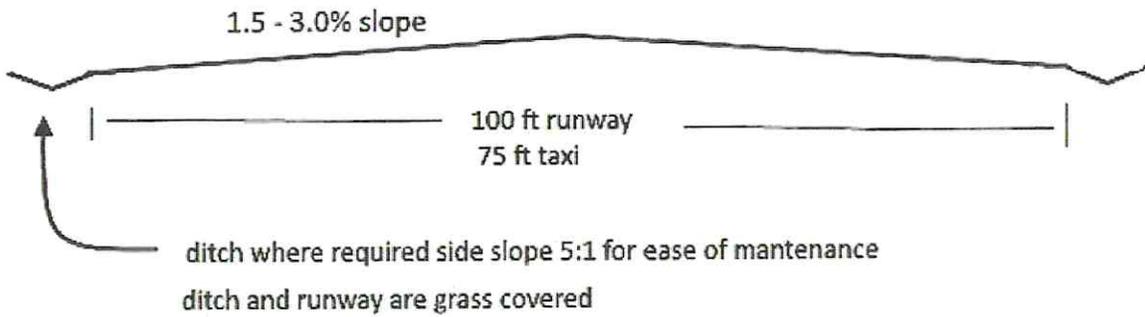
The conservation easement boundary shall be demarcated by the placement of signs along the perimeter. The signs shall be placed at an adequate frequency, visibility, and height for viewing, made of a suitable material to withstand climatic conditions, and should be replaced as needed. The signs shall include the following language:

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

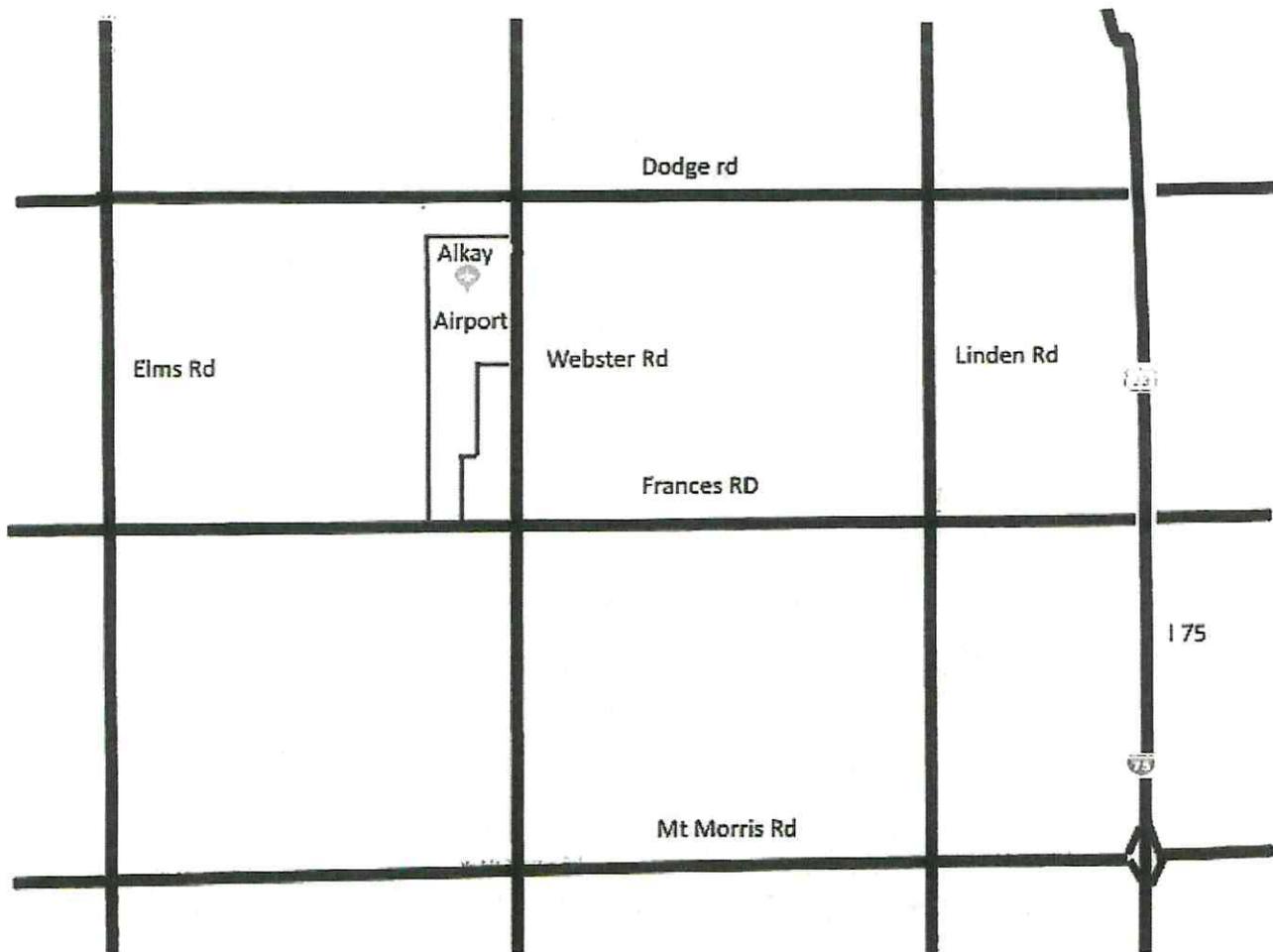
Except as otherwise provided by this permit or approved in writing by the EGLE, the following activities are prohibited in perpetuity within the mitigation area: alteration of topography, creation of paths, trails, or roads; placement of fill, dredging, or excavation; drainage of surface or groundwater;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

- e. Unless approved in writing by the EGLE, forested and scrub-shrub wetlands shall be graded at the same elevation (i.e. flat). The mitigation site shall not be fine graded, but shall be left in a rough grade state (allowing for the establishment of micro-topography). Any planting or seeding of the mitigation site must consist of native Michigan plant materials.
- f. Unless approved in writing by the EGLE, the permittee shall install a water control structure that can manipulate the water levels in 2-6 inch increments. The failure to install adequate water control

Runway and Taxi Cross Section



Airport Location

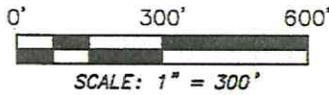


Alkay Airport
9419 North Webster Rd
Clio, MI 48420

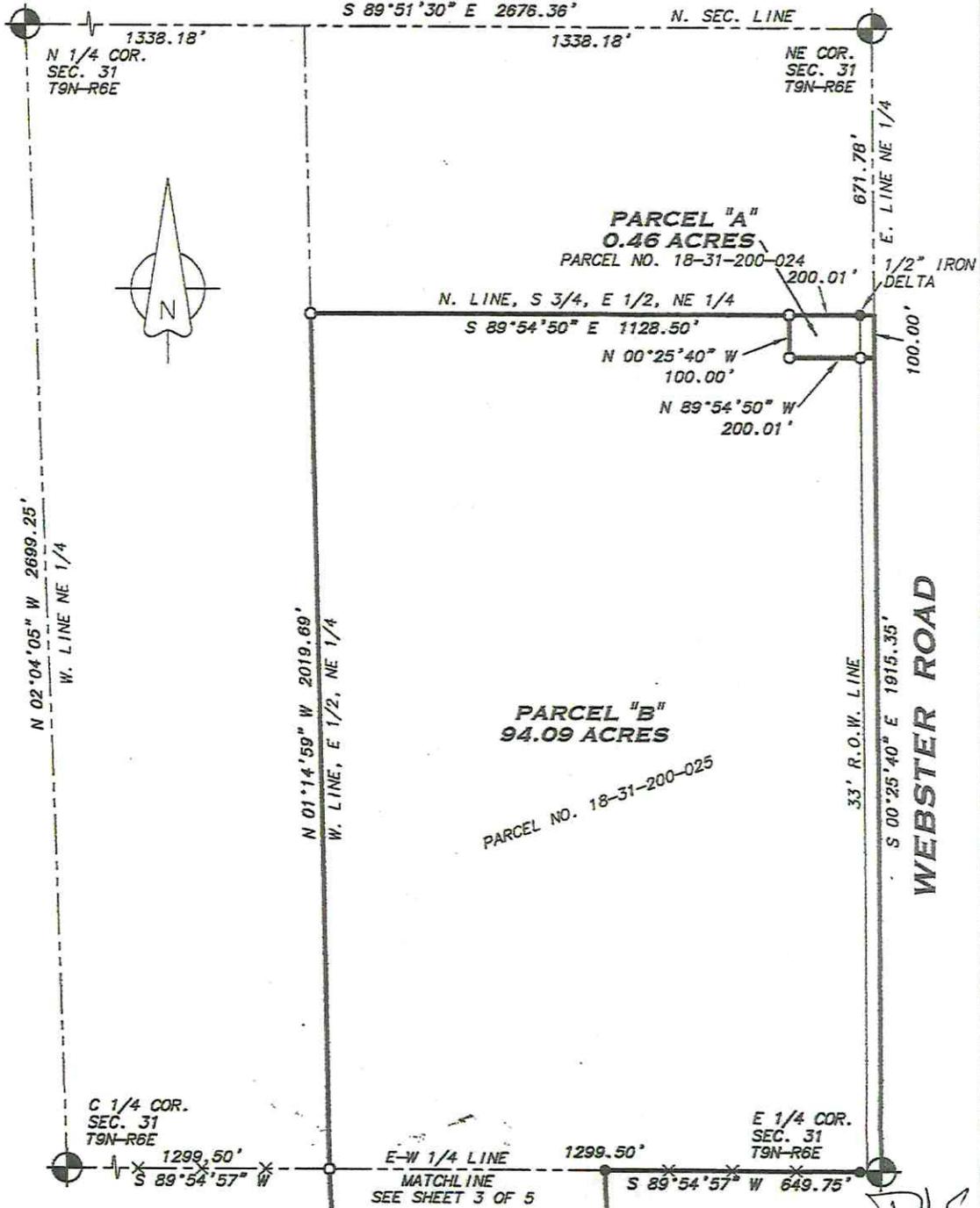
EGLE-WRD
WRP019312 v1.0
Approved
Issued On: 02/20/2020
Expires On: 02/20/2025

CERTIFICATE OF SURVEY

PREPARED FOR:
DOUGLAS SMITH
SECTION 31 T 9 N - R 6 E VIENNA TOWNSHIP
COUNTY OF GENESEE MICHIGAN



DODGE ROAD



BEARINGS ARE REFERENCED TO GEODETIC NORTH AS DETERMINED BY G.P.S. OBSERVATION, R.T.K. METHOD TO M.D.O.T. CORNS

○ = IRON SET, ● = IRON FOUND, ■ = MONUMENT FOUND, -X-X- = FENCE, (R) = RECORDED, (M) = MEASURED



12256 N. SEYMOUR ROAD
MONTROSE, MI 48457
(810) 638-2001

I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE FOLLOWING DESCRIBED PARCEL(S) OF LAND IN ACCORDANCE WITH PUBLIC ACT 132 OF 1970, AS AMENDED, AND THAT THE RELATIVE POSITIONAL PRECISION OF EACH CORNER IS WITHIN THE LIMITS ACCEPTED BY THE PRACTICE OF PROFESSIONAL SURVEYING.

Mark W Powell

MARK W. POWELL, P.S. #44298 10 DECEMBER 13, 2018



SHEET NO. 2 OF 5

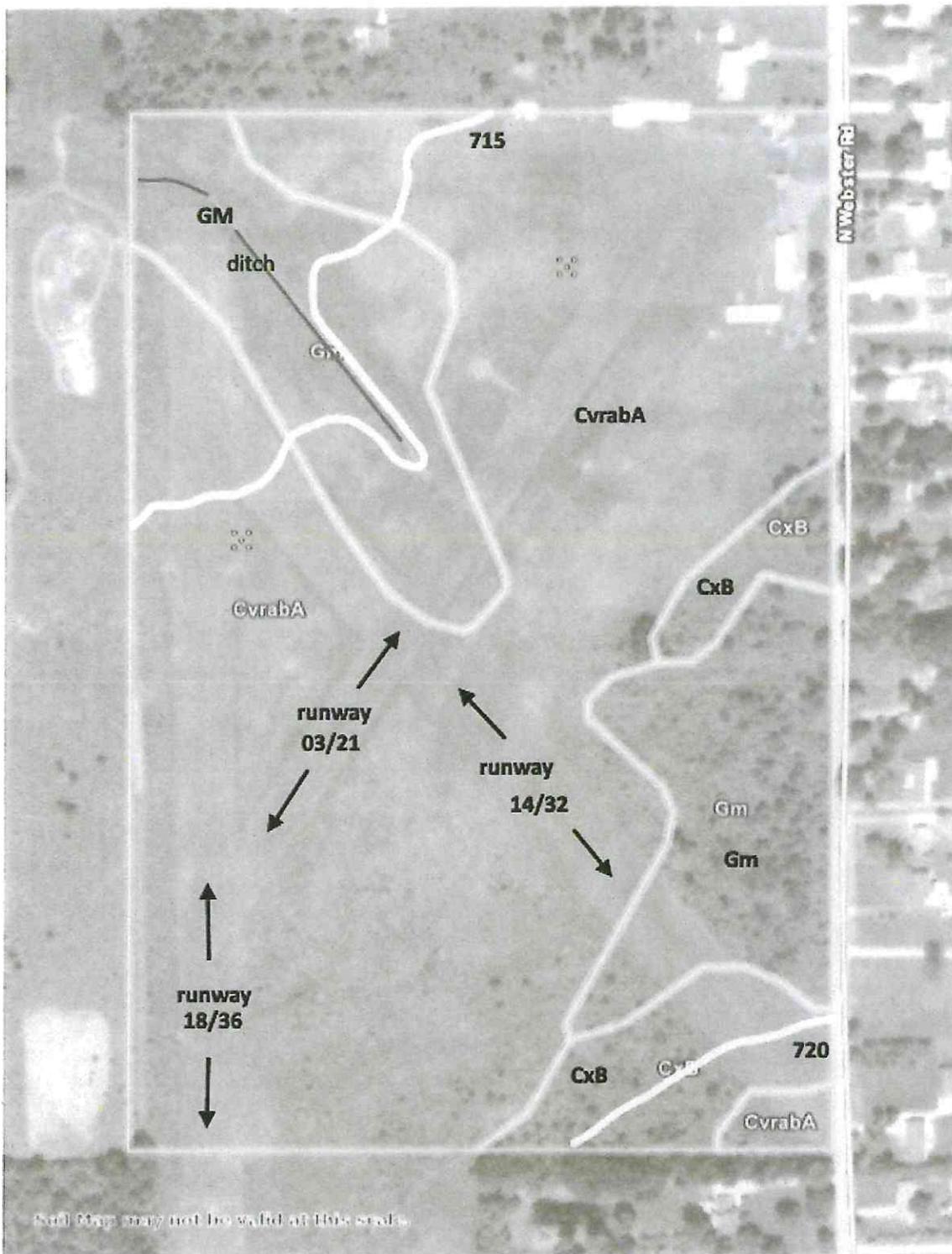
REVISED

CAD FILE 18-057a.dwg

JOB NO. 18-057

Issued On: 02/20/2020
Expires On: 02/20/2025

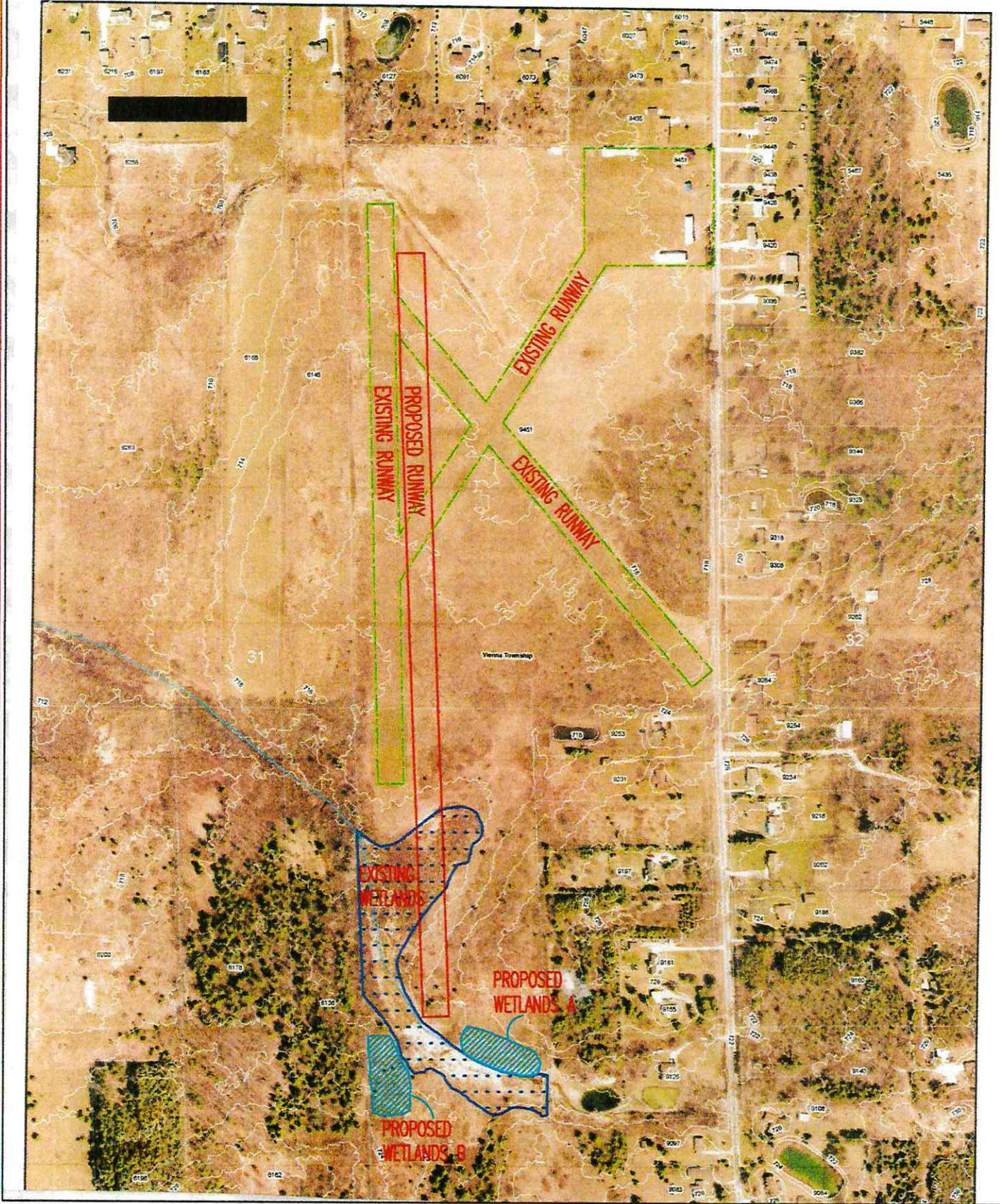
Existing Airport - North Parcel



DAS

Alkay Airport
 9419 North Webster Rd
 Clio, MI 48420

EGLE-WRD
 WRP019312 v1.0
 Approved
 Issued On: 02/20/2020
 Expires On: 02/20/2025



3/16" = 100'

EGLI-WIP
WIP01932 v1.0
Approved

Issued On:02/20/2020
Expires On:02/20/2025

Alkay Airport Runway 18/36 Extension Project

The runway 18/36 (North/South) extension project was necessary as the existing 18/36 runway was not long enough to safely train student pilots and launch gliders. Tall trees on both ends of the runway made the situation even more difficult causing many pilots to not use the airport for safety reasons. Therefore to make the airport viable the main runway 18/36 must be lengthen. A length of 3000 ft or more will be long enough as long as the trees are cut below the approach airspace which is ruffly a slope of 20:1 starting at the end of the runway. There are two additional runways but they can not be lengthen within the airport property.

There are two problems with lenthening the runway. On the North, there is a drainage ditch that is located to the East and bends around the end of the runway which is about 250 feet from the North property line. The trees North of the runway are 60 feet high. To the South there is a wetland area that starts about 300 feet South of the runway and goes South and then turns East crossing the entire property. South of that are trees 40 feet tall. The existing runway is 1895 feet long.

In order to reduce the impact on the wetlands to the South we propose the following:

1- Move the entire runway to the East 100 ft. This will reduce the intrusion into the part of the wetlands that goes South. The Northern end of the runway will be angled slighly to the West and shortened to avoid intruding into the drainage ditch that flows to the North West.

2 - Extend the runway into the wetlands but not crossing it. Additional wetlands will be built to the South & East of the existing wetlands to compensate for the lost wetland area. This should give us the balance of the distance we need to achieve the required runway length.

The trees to the North are being addressed with the owner of that property, but the trees to the South are located on the airport property. They will all be completely removed from the South side of the wetlands to the property edge at Frances Rd. If there are trees in the wetlands they will only be cut down with the stumps undisturbed.

The runway must be 100 feet wide (per MDOT) to provide the benefits we need. To reduce issues with Standing water on the runway it will have a 1.5 to 3 % crown and will have swales on each side that are large enough to be mowed.

Soil exposed during runway and taxi construction along with tree removal will be seeded with grass to limit soil erosion as soon as practical. During construction, silt fences along with existing vegetative buffer strips will be used where necessary to minimize erosion. These areas are shown on the proposed drawings for each of the two parcels.

The last two sheets of this set indicate the existing and proposed runways along with the site elevations and proposed and existing wet land areas. The material used to create the crown on the runway and taxiway will come from the local outer edge of the runway and taxiway and the new ditches beside them. This material (4,500 yards) will be leveled and compacted to form the new landing surface. The North end of the runway will be raised with surplus material from the new wetland areas a maximum of 12 inches.



Alkay Airport
9419 North Webster Rd
Clio, MI 48420

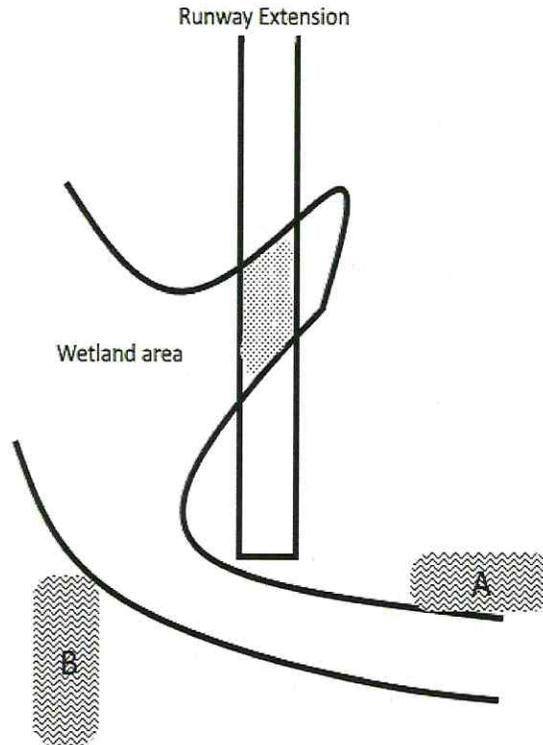
Alkay Runway 18/36 Extension

Oct 30, 2019

Page 1 of 5

Alkay Airport Runway 18/36 Extension Project

Wetland area that will be added due to Runway Extension



Area A will be 100 ft by 300 ft and the bottom will be very close to 718ft in height which is the depth of the wetland area adjacent to it. It has an area of 30,000 sq ft.

Area B will be appr. 125 ft by 260 ft with an area of 30,000 sq ft. The bottom will match the height of the local wetland at close to 717ft. All slopes around both areas will be no greater than 3/1. The floors of these areas will be ruff graded.

The mitigation plan contains additional details about construction and planting of the two proposed wetland areas A & B.



Handwritten initials or a signature, possibly 'DLS', in black ink.

Alkay Airport
9419 North Webster Rd
Clio, MI 48420

The impacted wetland currently provides habitat for birds and small animals in the area. However the new proposed wetland areas will also provide the same functions, values, and benefits once vegetated.

Mapping

The project plans contains the layout and location of the proposed new wetland areas A & B. Both are located adjacent to the existing grass wetland as shown on page 5 of the plans.

Baseline Conditions of Proposed Mitigation Site

The entire area both wetlands and mitigation areas were farmed until about 40 years ago. After that it has remained largely untouched. Each spring the water table in the wetland area is on the surface in many areas. Excess water does run off to a drainage ditch to the North West so the water never is deeper than a few inches.

Mitigation Area A is 100 X 300 ft with a total area of 30,000 sq. ft. The soil is MIA type. The South edge is 2 to 3ft lower than the North edge. Vegetation consists of grass and shrubs and a few trees.

Mitigation Area B is 125 X 260ft. with a total area of around 30,000 sq. ft. The soil type is SdA. The Northern edge is at the wetland level with the South end at least 3 ft. higher. Vegetation consists of shrubs and trees with a little grass.

These sites were chosen for their proximity to the wetland water source and the least amount of subsoil to remove. In addition, they are not in line with the proposed runway.

Site Development Plan

The topsoil on the mitigation areas A & B will be removed, banked and reused. The subsoil will be over excavated around 6 inch below the target value to account for the topsoil. Ruff grading will be used for a more natural result. The slope of the sides of the areas will not exceed 3/1. Mitigation area A bottom grade will be at a height of 718 feet. Mitigation area B bottom grade will be at a height of 717 feet. At these bottom grades water is at the surface for a few weeks in the spring, and it drops a few feet by fall.

The excavated subsoil from mitigation areas A & B will be used to fill in the impacted wetland area and raise the runway up another 12 inches.

Monitoring Plan

Performance standards associated with the wetland mitigation area focus on establishing wetland hydrology and desirable wetland vegetation. Periodic monitoring of the mitigation area will provide necessary data to show if performance standards are being met. Monitoring is proposed for 5 years. Monitoring shall be conducted and reported as follows:

- Monitoring wells and other stationary points shall be measured monthly during the growing season.
- Vegetation in sample plots will be sampled once a month during growing season.
- Plant species identified in the sample plots shall be listed using their scientific name and shall be identified as either native or nonnative.
- The location of sample transects and plots, and wetland types shall be shown on a plan view in the monitoring report.
- The development of the mitigation area shall be documented monthly from permanent photo stations at each end of each mitigated wetland.
- A written summary of data from previous monitoring periods shall be provided and compared to data of the current monitoring year. A discussion shall be provided of changes or trends observed in the mitigation area based on data from all monitoring years.
- A written summary of all identified problem areas and proposed corrective measures shall be provided.
- The annual monitoring report shall be submitted to the MDEQ prior to January 31 for the monitoring undertaken the previous year.

Schedule and Construction Methods

The construction schedule will be revised after MDEQ approves the permit application. Prior to construction all necessary soil erosion and sedimentation control fences and structures will be installed. The mitigation plan is expected to be executed in the fall but planting could be delayed until next year due to a late start and bad weather.



GENESEE COUNTY DRAIN COMMISSIONER'S OFFICE

- DIVISION OF -

WATER & WASTE SERVICES

G-4610 BEECHER ROAD - FLINT, MICHIGAN 48532-2617
PHONE (810) 732-7870 - FAX (810) 732-9773

JEFFREY WRIGHT
COMMISSIONER

Soil Erosion / Sedimentation Control Permit

(Part 91, Act 451, P.A. of 1994)

Permit Number: **19-0041** User ID: MS Res/Comm: C S-Permit #: Log #: L18-266
Date Issued: 03/13/2019 Expires: 03/13/2020 Expected Completion Date: 03/13/2020
Project Name: Alkay Airport Extention
Project Description:

Relocate and lengthen runway 18/36 and add taxiway on north end of runway

PROJECT LOCATION Municipality: Vienna Township Tax ID: 18-31-400-008
Subdivision: Lot #:
Proximity to Water: Adjacent to Intermittant Strea Section: 31
Proximity to Wetland: Adjacent to Wetland Town/Range: T9N R9E

LAND OWNER / PERMITTEE

Name: Douglas Smith
Address: 5480 W Dodge Road
City: Clio State: MI Zip: 48420
Phone: (810) 444-7196 Email: alkaylc@gmail.com

ON-SITE RESPONSIBLE PERSON

Company Contact: Douglas Smith
Company Name: Alkay Public Airport
Address: 5480 W Dodge Road
City: Clio State: MI Zip: 48420
Phone: (810) 444-7196 Email: alkaylc@gmail.com

SOIL EROSION/SEDIMENTATION PERMIT CONDITIONS

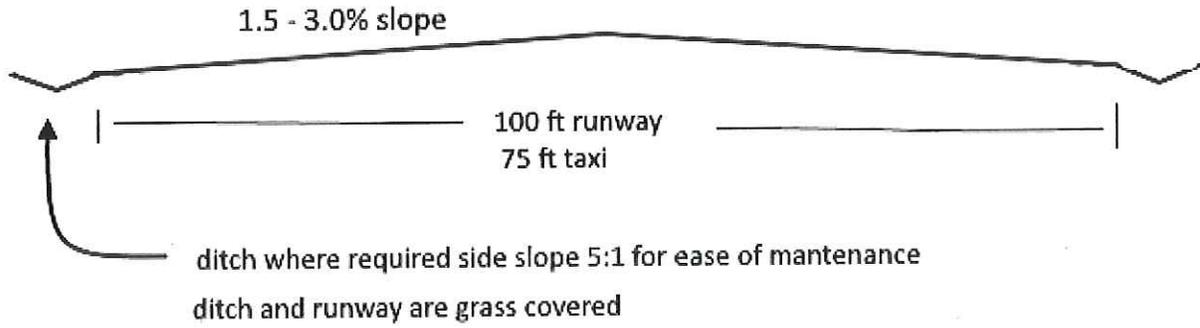
1. The permitted activity shall be completed in accordance with the approved plans and specifications, and the attached general and specific conditions.
2. This permit does not waive the necessity for obtaining all other required federal, state or local permits.
3. Permittee shall notify the permitting agency within one week after completing the permitted activity or one week prior to the permit expiration date, whichever comes first.

Fee: \$ 3,500.00 Acreage: 35.00 Bond Amount: \$105,000.00 Bond Number: 66323405

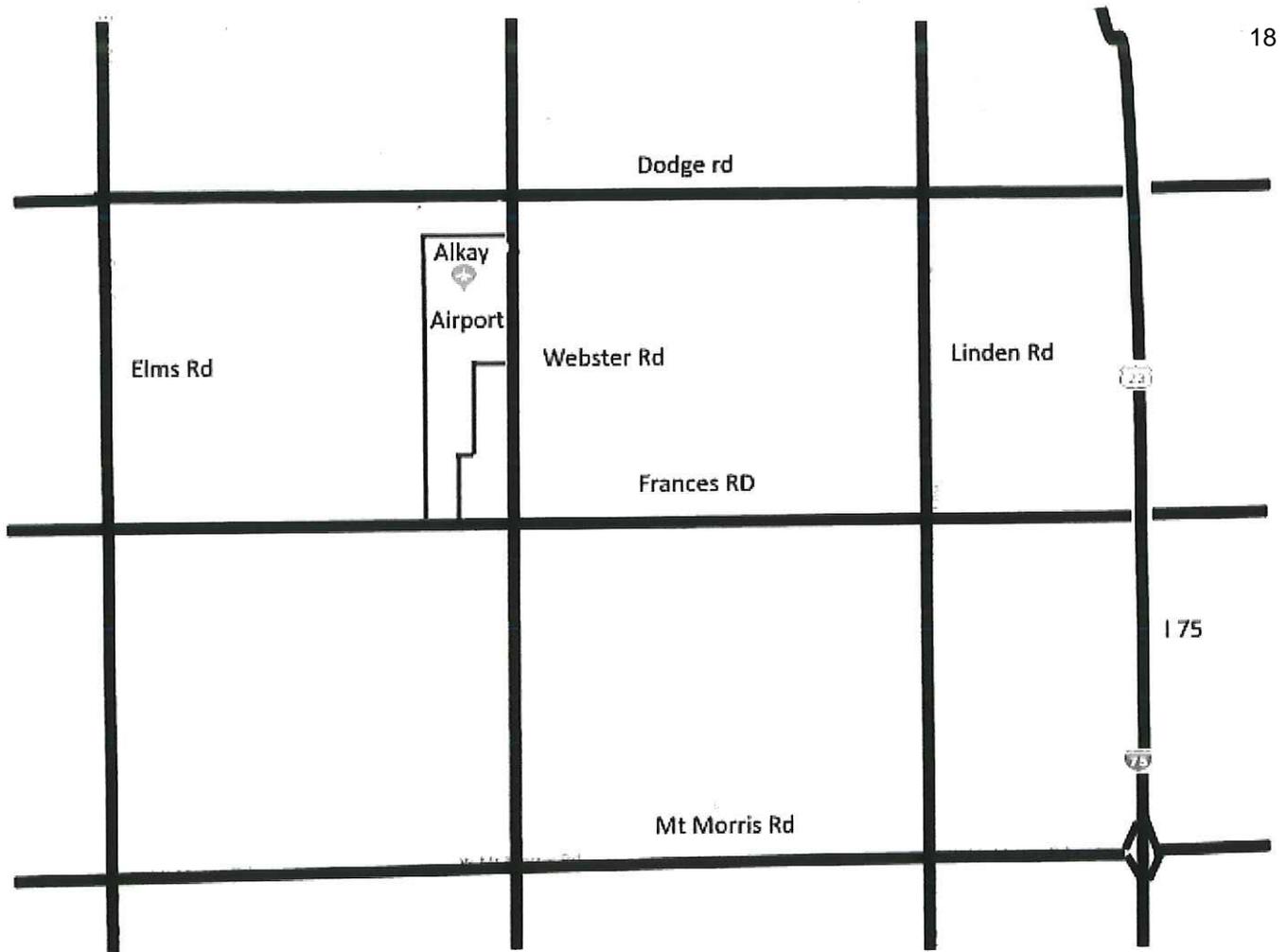
ALL SOIL EROSION CONTROL MEASURES MUST BE IN PLACE BEFORE THE START OF EXCAVATING.



Runway and Taxi Cross Section



Airport Location



DAS

Alkay Airport
9419 North Webster Rd
Clio, MI 48420

EGLE-WRD
WRP019312 v1.0
Approved
Issued On:02/20/2020
Expires On:02/20/2025

CERTIFICATE OF SURVEY

PREPARED FOR:
DOUGLAS SMITH
SECTION 31 T 9 N - R 6 E VIENNA TOWNSHIP
COUNTY OF GENESEE MICHIGAN

N 1/4 COR.
SEC. 31
T9N-R6E

DODGE ROAD

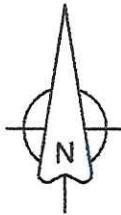
NE COR.
SEC. 31
T9N-R6E

S 89°51'30" E 2676.36'

N. SEC. LINE

E. LINE NE 1/4

N 02°04'05" W 2699.25'
W. LINE NE 1/4



S 00°25'40" E 2687.13'

ROAD

C 1/4 COR.
SEC. 31
T9N-R6E

S 89°54'57" W 2599.00'

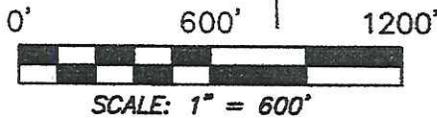
E 1/4 COR.
SEC. 31
T9N-R6E

E-W 1/4 LINE

N 02°10'28" W 2595.24'
W. LINE SE 1/4

E. LINE SE 1/4
S 03°03'58" E 2567.30'

WEBSTER



S. SEC. LINE

S 89°16'16" W 2638.06'

S 1/4 COR.
SEC. 31
T9N-R6E

FRANCES ROAD

SE COR.
SEC. 31
T9N-R6E

DAS

BEARINGS ARE REFERENCED TO GEODETIC NORTH AS DETERMINED BY G.P.S. OBSERVATION, R.T.K. METHOD TO M.D.O.T. CORNS

○ = IRON SET, ● = IRON FOUND, ■ = MONUMENT FOUND, -X-X- = FENCE, (R) = RECORDED, (M) = MEASURED



12256 N. SEYMOUR ROAD
MONTROSE, MI 48457
(810) 639-2001

I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE FOLLOWING DESCRIBED PARCEL(S) OF LAND IN ACCORDANCE WITH PUBLIC ACT 132 OF 1970, AS AMENDED, AND THAT THE RELATIVE POSITIONAL PRECISION OF EACH CORNER IS WITHIN THE LIMITS ACCEPTED BY THE PRACTICE OF PROFESSIONAL SURVEYING.

Mark W Powell

MARK W. POWELL, P.S. #44298 19 DECEMBER 13, 2018



SHEET NO. 1 OF 5

REVISED

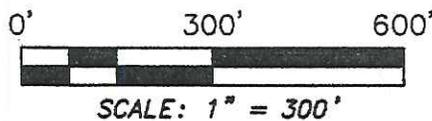
CAD FILE 18-057.dwg

JOB NO. 18-057

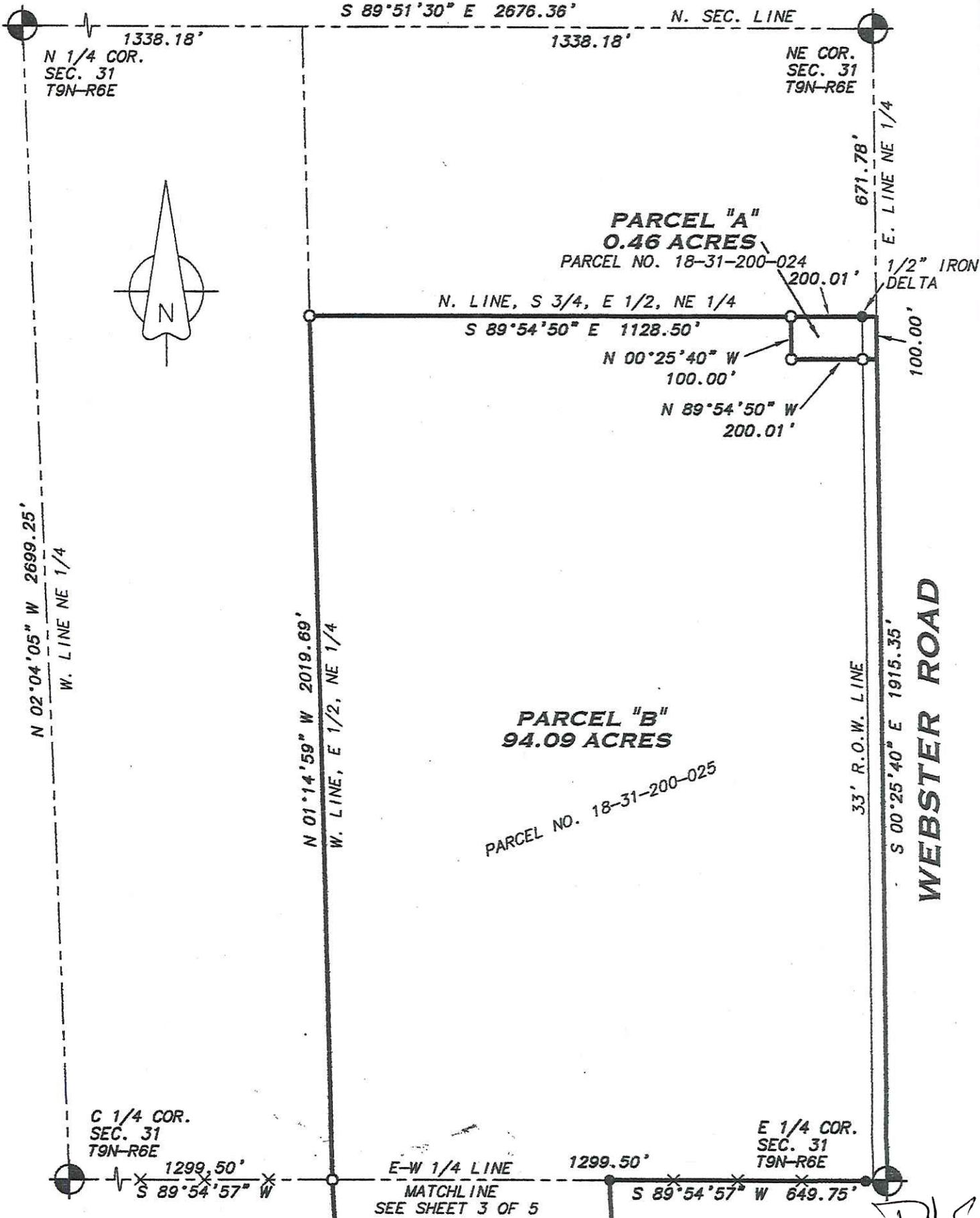
Issued On: 02/20/2020
Expires On: 02/20/2025

CERTIFICATE OF SURVEY

PREPARED FOR:
DOUGLAS SMITH
SECTION 31 T 9 N - R 6 E VIENNA TOWNSHIP
COUNTY OF GENESEE MICHIGAN



DODGE ROAD



BEARINGS ARE REFERENCED TO GEODETIC NORTH AS DETERMINED BY G.P.S. OBSERVATION, R.T.K. METHOD TO M.D.O.T. CORNERS

○ = IRON SET, ● = IRON FOUND, ■ = MONUMENT FOUND, ✕✕ = FENCE, (R) = RECORDED, (M) = MEASURED



12256 N. SEYMOUR ROAD
MONTROSE, MI 48457
(810) 639-2001

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Mark W Powell

MARK W. POWELL, P.S. #44298 20 DECEMBER 13, 2018



SHEET NO. 2 OF 5

REVISED

CAD FILE 18-057a.dwg

JOB NO. 18-057

Issued On: 02/20/2020
Expires On: 02/20/2025

CERTIFICATE OF SURVEY

PREPARED FOR:
DOUGLAS SMITH
SECTION 31 T 9 N - R 6 E VIENNA TOWNSHIP
COUNTY OF GENESEE MICHIGAN

0' 300' 600'



SCALE: 1" = 300'

C 1/4 COR.
SEC. 31
T9N-R6E

A. POST
3.8' N, 1.7' W

MATCHLINE
SEE SHEET 2 OF 5

S 89°54'57" W 649.75'

E 1/4 COR.
SEC. 31
T9N-R6E

1299.50'
E-W 1/4 LINE

1/2" IRON
1.5' N, 0.5' W

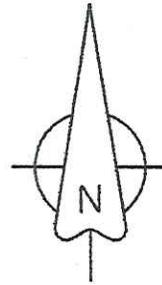
PREVIOUS SURVEY
L. 1925, P. 402-403

1/2" IRON
AT 50'
0.5' S

PREVIOUS SURVEY
PLS JOB NO. 18-040

PARCEL "B"
94.09 ACRES

18-31-400-008



WEBSTER ROAD

S 02°10'28" E 2595.24'
W. LINE SE 1/4

N 02°37'04" W 2581.19'
W. LINE, E 1/2, SE 1/4

S 89°16'16" W
200.14'

E. LINE SE 1/4
S 03°03'58" E 2567.30'

W. LINE, E. 200', W 1/2, E 1/2, SE 1/4

S 02°50'29" E 1089.74'

E. LINE, W 1/2, E 1/2, SE 1/4

N. LINE, S. 1089', SE 1/4

1319.03'

33' R.O.W. LINE

200.14'

659.52'

S 1/4 COR.
SEC. 31
T9N-R6E

459.38'
S 89°16'16" W

S. SEC. LINE

SE COR.
SEC. 31
T9N-R6E

FRANCES ROAD

BEARINGS ARE REFERENCED TO GEODETIC NORTH AS DETERMINED BY G.P.S. OBSERVATION, R.T.K. METHOD TO M.D.O.T. CORNS

○=IRON SET, ●=IRON FOUND, ■=MONUMENT FOUND, -x-x- = FENCE, (R)=RECORDED, (M)=MEASURED



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Mark W Powell

MARK W. POWELL, P.S. #44298 21 DECEMBER 13, 2018



SHEET NO. 3 OF 5

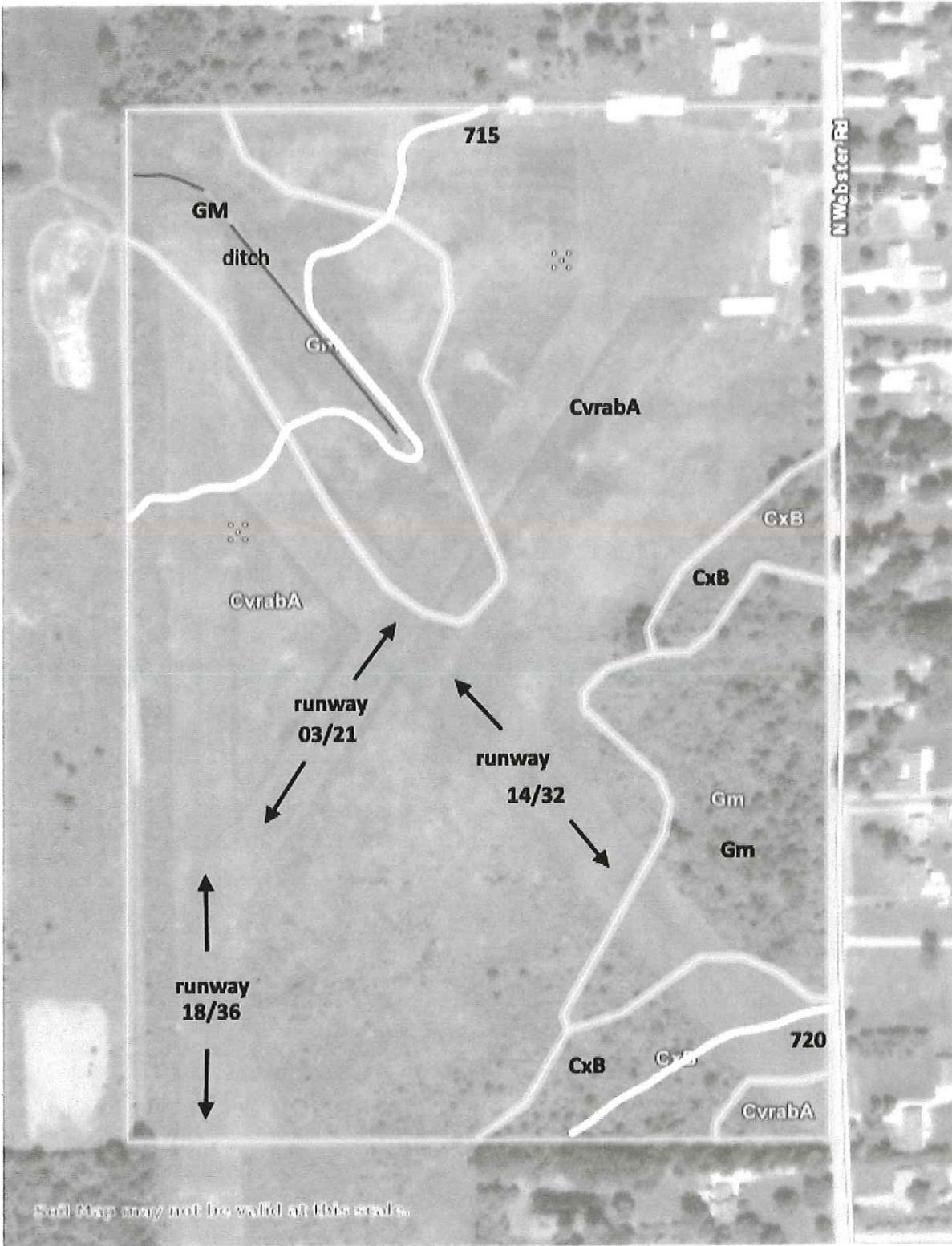
REVISED

CAD FILE 18-057b.dwg

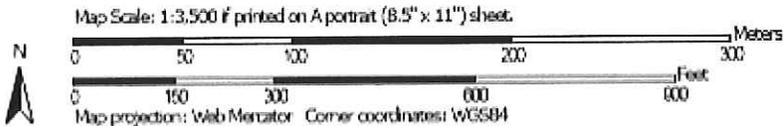
JOB NO. 18-057

Issued On: 02/20/2020
Expires On: 02/20/2025

Existing Airport - North Parcel



22

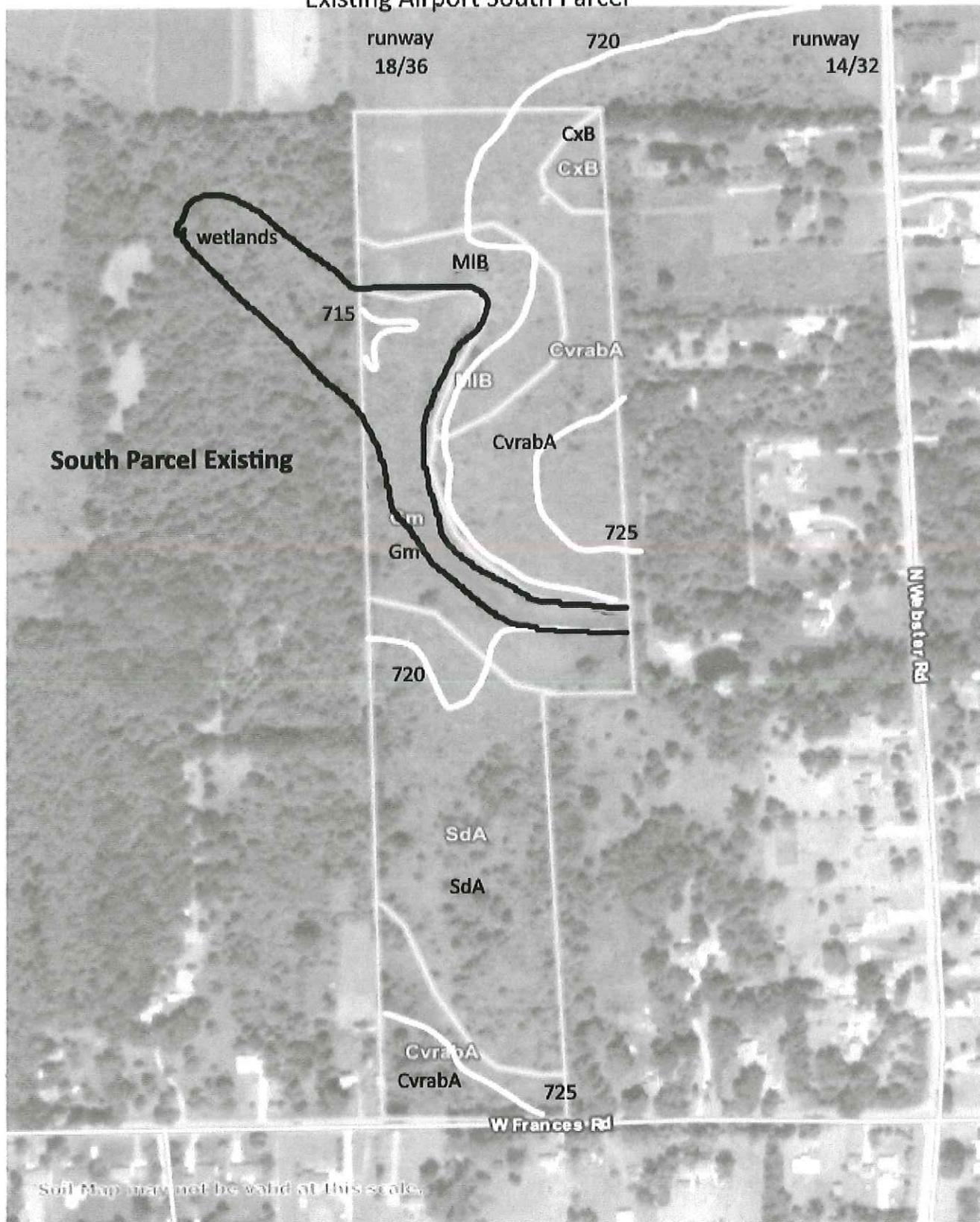


DAS

Alkay Airport
9419 North Webster Rd
Clio, MI 48420

EGLE-WRD
WRP019312 v1.0
Approved
Issued On: 02/20/2020
Expires On: 02/20/2025

Existing Airport South Parcel

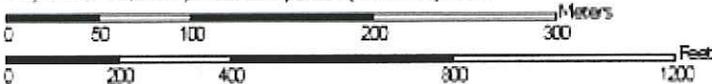


Soft Map may not be valid at this scale.

SEP 4 2016 AM



Map Scale: 1:4,640 if printed on A portrait (8.5" x 11") sheet.



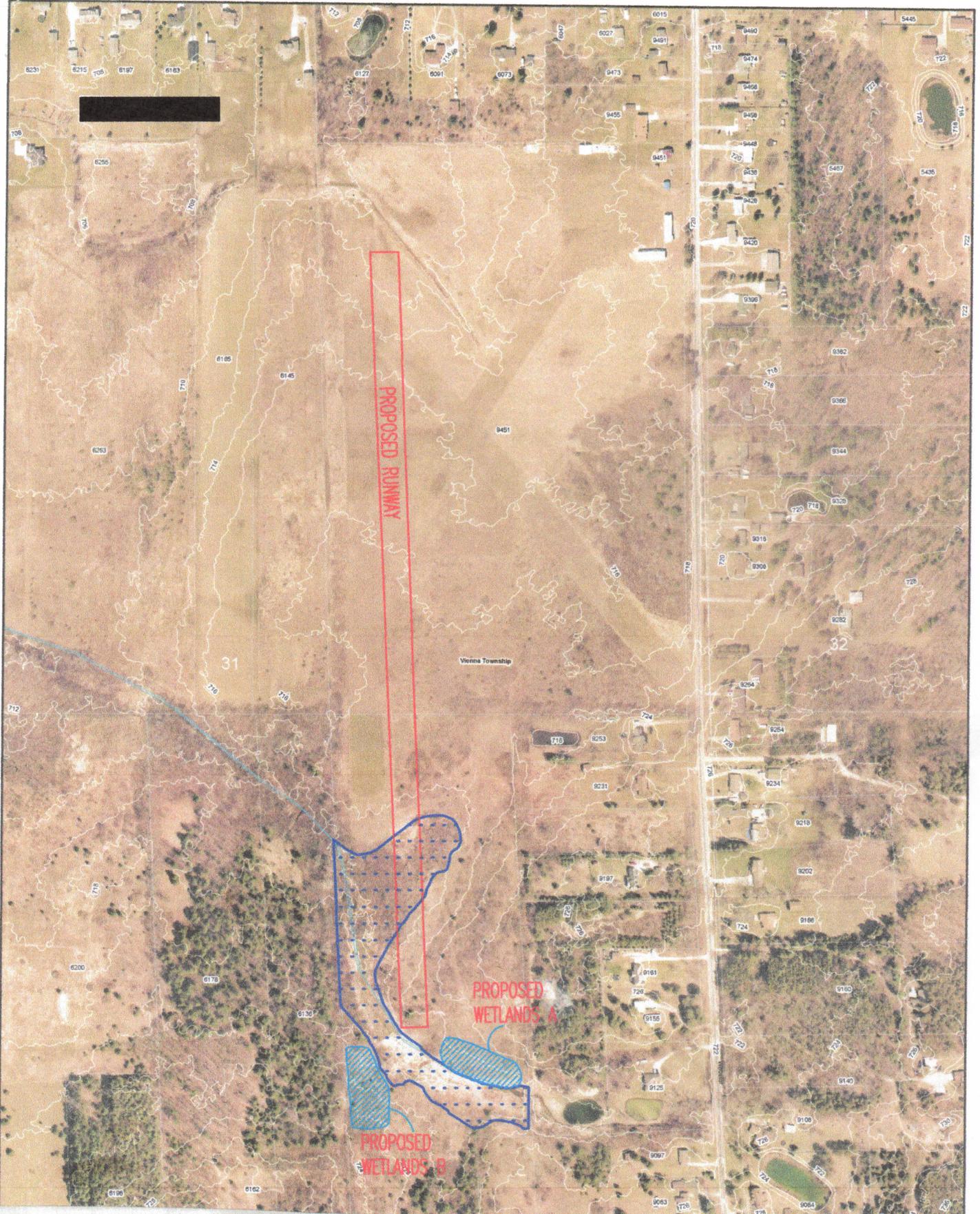
Map projection: Web Mercator Corner coordinates: WGS84

SEP 4 2016 AM

DAS

Alkay Airport
9419 North Webster Rd
Clio, MI 48420

EGLE-WRD
WRP019312 v1.0
Approved
Issued On:02/20/2020
Expires On:02/20/2025



3/16" = 100'

ECLE-WPD
WIP0132 v1.0
Approved

Issued On:02/20/2020
Expires On:02/20/2025

Alkay Airport Runway 18/36 Extension Project

The runway 18/36 (North/South) extension project was necessary as the existing 18/36 runway was not long enough to safely train student pilots and launch gliders. Tall trees on both ends of the runway made the situation even more difficult causing many pilots to not use the airport for safety reasons. Therefore to make the airport viable the main runway 18/36 must be lengthened. A length of 3000 ft or more will be long enough as long as the trees are cut below the approach airspace which is roughly a slope of 20:1 starting at the end of the runway. There are two additional runways but they can not be lengthened within the airport property.

There are two problems with lengthening the runway. On the North, there is a drainage ditch that is located to the East and bends around the end of the runway which is about 250 feet from the North property line. The trees North of the runway are 60 feet high. To the South there is a wetland area that starts about 300 feet South of the runway and goes South and then turns East crossing the entire property. South of that are trees 40 feet tall. The existing runway is 1895 feet long.

In order to reduce the impact on the wetlands to the South we propose the following:

1- Move the entire runway to the East 100 ft. This will reduce the intrusion into the part of the wetlands that goes South. The Northern end of the runway will be angled slightly to the West and shortened to avoid intruding into the drainage ditch that flows to the North West.

2 - Extend the runway into the wetlands but not crossing it. Additional wetlands will be built to the South & East of the existing wetlands to compensate for the lost wetland area. This should give us the balance of the distance we need to achieve the required runway length.

The trees to the North are being addressed with the owner of that property, but the trees to the South are located on the airport property. They will all be completely removed from the South side of the wetlands to the property edge at Frances Rd. If there are trees in the wetlands they will only be cut down with the stumps undisturbed.

The runway must be 100 feet wide (per MDOT) to provide the benefits we need. To reduce issues with Standing water on the runway it will have a 1.5 to 3 % crown and will have swales on each side that are large enough to be mowed.

Soil exposed during runway and taxi construction along with tree removal will be seeded with grass to limit soil erosion as soon as practical. During construction, silt fences along with existing vegetative buffer strips will be used where necessary to minimize erosion. These areas are shown on the proposed drawings for each of the two parcels.

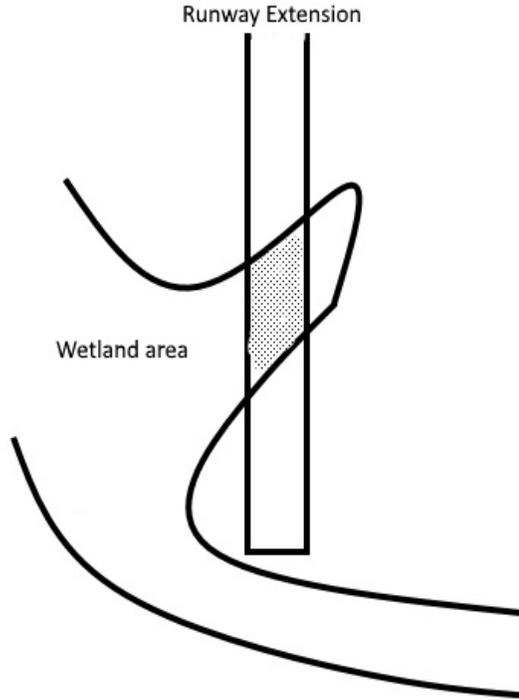
The last two sheets of this set indicate the existing and proposed runways along with the site elevations and proposed and existing wet land areas. The material used to create the crown on the runway and taxiway will come from the local outer edge of the runway and taxiway and the new ditches beside them. This material (4,500 yards) will be leveled and compacted to form the new landing surface. The North end of the runway will be raised with surplus material from the new wetland areas a maximum of 12 inches.



Alkay Airport
9419 North Webster Rd
Clio, MI 48420

Alkay Airport Runway 18/36 Extension Project

Wetland area that will be covered by the runway extension



The area where the runway crosses the wetlands is appr. 260ft by 110ft and is 29,616 sq. ft. The fill required to raise the low wetland area is 1425 cu yd. An additional 1825 cu yd will raise the runway above the average ground level for proper drainage. The runway will have a 18 inch crown. All slopes will be no more than 1ft vertical to 3ft. horizontal.



Runway Profile



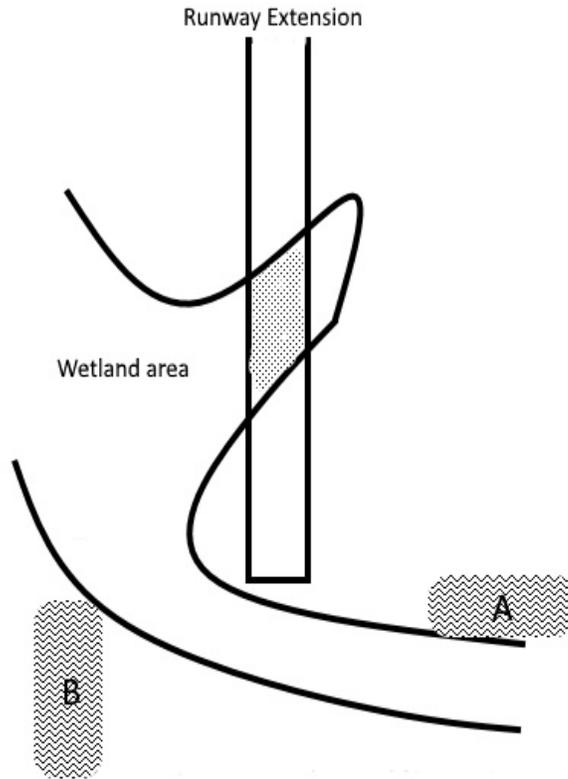
DKS

Alkay Airport
9419 North Webster Rd
Clio, MI 48420

Alkay Runway 18/36 Extension	July 31, 2019	Page 2 of 5	Alkay Airport 9419 North Webster Rd Clio, MI 48420
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Alkay Airport Runway 18/36 Extension Project

Wetland area that will be added due to Runway Extension



Area A will be 100 ft by 300 ft and the bottom will be very close to 718ft in height which is the depth of the wetland area adjacent to it. It has an area of 30,000 sq ft.

Area B will be appr. 125 ft by 260 ft with an area of 30,000 sq ft. The bottom will match the height of the local wetland at close to 717ft. All slopes around both areas will be no greater than 3/1. The floors of these areas will be ruff graded.

The mitigation plan contains additional details about construction and planting of the two proposed wetland areas A & B.



DAS

Alkay Airport
9419 North Webster Rd
Clio, MI 48420

Wetland Mitigation Plan for Alkay Airport Runway 18/36 Extension HNM-HY5K3CFXV

After reopening Alkay Airport in 2015, it was determine that trees on both ends of the runway had grown so tall that it was difficult for normal single engine aircraft to safely operate at the airport. Even without the tall trees the runways were still short in comparison to other small airports. It was determined that an additional length of appr. 1000ft plus removal of the trees would solve the low use problem.

Lengthening the 18/36 runway is troublesome due to a drainage ditch on the North end and wetlands on the South end. Runway extension to the North would only yield a few hundred feet whereas extending to the South could yield 1000 ft. If the runway was angled and moved 100+ feet to the east on the South end it will have the least impact to the wet land area of 29600 sq. ft. This document presents a mitigation plan to replace 29600 sq. ft. of impacted wet lands with two new wetland areas each 30,000 sq. ft.

Mitigation Goals

Of the over 4 acres of wetlands in the runway extension area, 0.68 acres will be impacted. This is down from the initial plan of 1.2 acres that would be impacted under our first plan. We achieved this by angling the runway to the West on the North end. This 0.68 acre area is further divided into approximate wetland areas of grass (29%), shrub (50%), and forested (21%).

Construction of 1.36 acres of wetlands is being proposed to mitigate for the 0.68 acres of impact from the runway extension. The new wetland will consists of two equal areas each 0.68 acres. The two new wetland areas will roughly have the same proportion of grass, shrub and tree areas as the impacted area.

The impacted wetland area that was predominately grass was about 98% phalaris arundinacea or reed canary grass. This also is the predominate plant throughout the entire wetland area of this project. The second most abundant grass was spartina pectinata or prairie cord grass.

The primary species of bushes include the bush willow (salix nigra) and the chokeberry bush (aronia arbutifolia) in about equal proportions. These were generally within and next to the trees. The two predominate trees were the eastern cotton wood (populous deltoids) and the quaking aspen (populous tremvloides).

The impacted wetland area receives water from upland areas adjacent to it and from the ground water during the spring.

The impacted wetland currently provides habitat for birds and small animals in the area. However the new proposed wetland areas will also provide the same functions, values, and benefits once vegetated.

Mapping

The project plans contains the layout and location of the proposed new wetland areas A & B. Both are located adjacent to the existing grass wetland as shown on page 5 of the plans.

Baseline Conditions of Proposed Mitigation Site

The entire area both wetlands and mitigation areas were farmed until about 40 years ago. After that it has remained largely untouched. Each spring the water table in the wetland area is on the surface in many areas. Excess water does run off to a drainage ditch to the North West so the water never is deeper than a few inches.

Mitigation Area A is 100 X 300 ft with a total area of 30,000 sq. ft. The soil is MIA type. The South edge is 2 to 3ft lower than the North edge. Vegetation consists of grass and shrubs and a few trees.

Mitigation Area B is 125 X 260ft. with a total area of around 30,000 sq. ft. The soil type is SdA. The Northern edge is at the wetland level with the South end at least 3 ft. higher. Vegetation consists of shrubs and trees with a little grass.

These sites were chosen for their proximity to the wetland water source and the least amount of subsoil to remove. In addition, they are not in line with the proposed runway.

Site Development Plan

The topsoil on the mitigation areas A & B will be removed, banked and reused. The subsoil will be over excavated around 6 inch below the target value to account for the topsoil. Ruff grading will be used for a more natural result. The slope of the sides of the areas will not exceed 3/1. Mitigation area A bottom grade will be at a height of 718 feet. Mitigation area B bottom grade will be at a height of 717 feet. At these bottom grades water is at the surface for a few weeks in the spring, and it drops a few feet by fall.

The excavated subsoil from mitigation areas A & B will be used to fill in the impacted wetland area and raise the runway up another 12 inches.

The planting scheme for the wetlands will consist of native wetland vegetation providing similar habitats to the wetlands that currently exist on the property. The season and plant availability when the mitigation areas are ready for planting will determine which plants will be used of course with MDEQ approval. Grasses that are being considered include bottlebrush grass (*elymus hystrix*), graceful grass (*glyceria striataz*) and prairie cordgrass (*spartina pectinate*). For bushes and trees: bog birch, buttonbush, silky dogwood, red-osier dogwood, pussy willow and sandbar willow are all native and could be used. At least one supplier for vegetation will be Wildtype.

To slow reed canary grass invading the new mitigation wet land areas, it will be cut in the surrounding area prior to seed dispersal until mitigation area plants are fully established.

Performance Standards

Measurable performance standards have been established to determine if wetland mitigation areas are progressing towards successful establishment. Monthly inspections and annual reports will document and report the progress of the wetland mitigation areas. Performance standards for identifying a successful wetland mitigation area include:

- Construction has been completed in accordance with the MDEQ approved plans and specifications referenced in the permit.
- Presence of water at a frequency and duration sufficient to support a predominance of wetland vegetation and wetland types specified in the mitigation plan at the end of the monitoring period.
- Mean percent cover of native wetland species at the end of the monitoring period is not less than 70 percent.
- Extensive open water and submergent vegetation areas having not to exceed 20%
- Extensive areas of bare soil having not to exceed 5%.
- The mean percent of invasive species from *phragmites australis*, *lythrum salicaria*, and *phalaris arundinacea* combined is no more than 20% in each wetland

Should vegetation fail to establish within two years additional plantings will be proposed along with an evaluation of the site to determine what the problem is.

Monitoring Plan

Performance standards associated with the wetland mitigation area focus on establishing wetland hydrology and desirable wetland vegetation. Periodic monitoring of the mitigation area will provide necessary data to show if performance standards are being met. Monitoring is proposed for 5 years. Monitoring shall be conducted and reported as follows:

- Monitoring wells and other stationary points shall be measured monthly during the growing season.
- Vegetation in sample plots will be sampled once a month during growing season.
- Plant species identified in the sample plots shall be listed using their scientific name and shall be identified as either native or nonnative.
- The location of sample transects and plots, and wetland types shall be shown on a plan view in the monitoring report.
- The development of the mitigation area shall be documented monthly from permanent photo stations at each end of each mitigated wetland.
- A written summary of data from pervious monitoring periods shall be provided and compared to data of the current monitoring year. A discussion shall be provided of changes or trends observed in the mitigation area based on data from all monitoring years.
- A written summary of all identified problem areas and proposed corrective measures shall be provided.
- The annual monitoring report shall be submitted to the MDEQ prior to January 31 for the monitoring undertaken the precious year.

Schedule and Construction Methods

The construction schedule will be revised after MDEQ approves the permit application. Prior to construction all necessary soil erosion and sedimentation control fences and structures will be installed. The mitigation plan is expected to be executed in the fall but planting could be delayed until next year due to a late start and bad weather.

Financial Assurances

The following are cost estimates for construction, planting and monitoring of the mitigation wetlands. Please keep in mind that most of the work will be performed by me with my equipment.

Construction: \$18,000

Vegetative planting: \$20,000

Monitoring: \$14,150

Total: \$52,150



MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY
WATER RESOURCES DIVISION
PERMIT

Issued To:

Mr. Douglas Smith
Alkay Contracting Services
5480 West Dodge
Clio, Michigan 48420

Permit No: WRP019312 v.1
Submission No.: HNM-HY5K-3CFXV
Site Name: 25-9451 N Webster Rd-Clio
Issued: February 20, 2020
Revised:
Expires: February 20, 2025

This permit is being issued by the Michigan Department of Environment, Great Lakes, and Energy (EGLE), Water Resources Division, under the provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA); specifically:

- Part 301, Inland Lakes and Streams
- Part 303, Wetlands Protection
- Part 315, Dam Safety
- Part 31, Water Resources Protection (Floodplain Regulatory Authority)
- Part 323, Shorelands Protection and Management
- Part 325, Great Lakes Submerged Lands
- Part 353, Sand Dunes Protection and Management

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

Authorized Activity:

Place 1425 cubic yards of clean fill in 29,616 square feet (0.68 acre) of wetland to relocate and extend a runway. Create at least 1.02 acres of wetland from upland to mitigate for the wetland fill.

Waterbody Affected: Wetland
Property Location: Genesee County, Vienna Township, Town/Range/Section 09N06E3
Property Tax No. 18-31-200-025; 18-31-400-008

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

- A. Initiation of any work on the permitted project confirms the permittee's acceptance and agreement to comply with all terms and conditions of this permit.

- B. The permittee, in exercising the authority granted by this permit, shall not cause unlawful pollution as defined by Part 31 of the NREPA.
- C. This permit shall be kept at the site of the work and available for inspection at all times during the duration of the project or until its date of expiration.
- D. All work shall be completed in accordance with the approved plans and specifications submitted with the application and/or plans and specifications attached to this permit.
- E. No attempt shall be made by the permittee to forbid the full and free use by the public of public waters at or adjacent to the structure or work approved.
- F. It is made a requirement of this permit that the permittee give notice to public utilities in accordance with 2013 PA 174 (Act 174) and comply with each of the requirements of Act 174.
- G. This permit does not convey property rights in either real estate or material, nor does it authorize any injury to private property or invasion of public or private rights, nor does it waive the necessity of seeking federal assent, all local permits, or complying with other state statutes.
- H. This permit does not prejudice or limit the right of a riparian owner or other person to institute proceedings in any circuit court of this state when necessary to protect his rights.
- I. Permittee shall notify EGLE within one week after the completion of the activity authorized by this permit.
- J. This permit shall not be assigned or transferred without the written approval of EGLE.
- K. Failure to comply with conditions of this permit may subject the permittee to revocation of permit and criminal and/or civil action as cited by the specific state act, federal act, and/or rule under which this permit is granted.
- L. All dredged or excavated materials shall be disposed of in an upland site (outside of floodplains, unless exempt under Part 31 of the NREPA, and wetlands).
- M. In issuing this permit, EGLE has relied on the information and data that the permittee has provided in connection with the submitted application for permit. If, subsequent to the issuance of a permit, such information and data prove to be false, incomplete, or inaccurate, EGLE may modify, revoke, or suspend the permit, in whole or in part, in accordance with the new information.
- N. The permittee shall indemnify and hold harmless the State of Michigan and its departments, agencies, officials, employees, agents, and representatives for any and all claims or causes of action arising from acts or omissions of the permittee, or employees, agents, or representative of the permittee, undertaken in connection with this permit. The permittee's obligation to indemnify the State of Michigan applies only if the state: (1) provides the permittee or its designated representative written notice of the claim or cause of action within 30 days after it is received by the state, and (2) consents to the permittee's participation in the proceeding on the claim or cause of action. It does not apply to contested case proceedings under the Administrative Procedures Act, 1969 PA 306, as amended, challenging the permit. This permit shall not be construed as an indemnity by the State of Michigan for the benefit of the permittee or any other person.
- O. Noncompliance with these terms and conditions and/or the initiation of other regulated activities not specifically authorized shall be cause for the modification, suspension, or revocation of this permit, in whole or in part. Further, EGLE may initiate criminal and/or civil proceedings as may be deemed necessary to correct project deficiencies, protect natural resource values, and secure compliance with statutes.
- P. If any change or deviation from the permitted activity becomes necessary, the permittee shall request, in writing, a revision of the permitted activity from EGLE. Such revision request shall include complete documentation supporting the modification and revised plans detailing the proposed modification. Proposed modifications must be approved, in writing, by EGLE prior to being implemented.
- Q. This permit may be transferred to another person upon written approval of EGLE. The permittee must submit a written request to EGLE to transfer the permit to the new owner. The new owner must also submit a written request to EGLE to accept transfer. The new owner must agree, in writing, to accept all conditions of the permit. A single letter signed by both parties that includes all the above information may be provided to EGLE. EGLE will review the request and, if approved, will provide written notification to the new owner.
- R. Prior to initiating permitted construction, the permittee is required to provide a copy of the permit to the contractor(s) for review. The property owner, contractor(s), and any agent involved in exercising the permit are held responsible to ensure that the project is constructed in accordance with all drawings and

specifications. The contractor is required to provide a copy of the permit to all subcontractors doing work authorized by the permit.

- S. Construction must be undertaken and completed during the dry period of the wetland. If the area does not dry out, construction shall be done on equipment mats to prevent compaction of the soil.
- T. Authority granted by this permit does not waive permit requirements under Part 91, Soil Erosion and Sedimentation Control, of the NREPA, or the need to acquire applicable permits from the County Enforcing Agent (CEA).
- U. Authority granted by this permit does not waive permit requirements under the authority of Part 305, Natural Rivers, of the NREPA. A Natural Rivers Zoning Permit may be required for construction, land alteration, streambank stabilization, or vegetation removal along or near a natural river.
- V. The permittee is cautioned that grade changes resulting in increased runoff onto adjacent property is subject to civil damage litigation.
- W. Unless specifically stated in this permit, construction pads, haul roads, temporary structures, or other structural appurtenances to be placed in a wetland or on bottomland of the water body are not authorized and shall not be constructed unless authorized by a separate permit or permit revision granted in accordance with the applicable law.
- X. For projects with potential impacts to fish spawning or migration, no work shall occur within fish spawning or migration timelines (i.e., windows) unless otherwise approved in writing by the Michigan Department of Natural Resources, Fisheries Division.
- Y. Work to be done under authority of this permit is further subject to the following special instructions and specifications:
 - 1. Authority granted by this permit does not waive permit or program requirements under Part 91 of the NREPA or the need to acquire applicable permits from the CEA. To locate the Soil Erosion Program Administrator for your county, visit www.mi.gov/eglestormwater and select "Soil Erosion and Sedimentation Control Program" under "Related Links."
 - 2. The authority to conduct the activity as authorized by this permit is granted solely under the provisions of the governing act as identified above. This permit does not convey, provide, or otherwise imply approval of any other governing act, ordinance, or regulation, nor does it waive the permittee's obligation to acquire any local, county, state, or federal approval or authorization necessary to conduct the activity.
 - 3. No fill, excess soil, or other material shall be placed in any wetland, floodplain, or surface water area not specifically authorized by this permit, its plans, and specifications.
 - 4. This permit does not authorize or sanction work that has been completed in violation of applicable federal, state, or local statutes.
 - 5. The permit placard shall be kept posted at the work site in a prominent location at all times for the duration of the project or until permit expiration.
 - 6. This permit is being issued for the maximum time allowed and no extensions of this permit will be granted. Initiation of the construction work authorized by this permit indicates the permittee's acceptance of this condition. The permit, when signed by EGLE, will be for a five-year period beginning on the date of issuance. If the project is not completed by the expiration date, a new permit must be sought.
 - 7. Prior to the initiation of any permitted construction activities, a sedimentation barrier shall be constructed immediately down gradient of the construction site. Sedimentation barriers shall be specifically designed to handle the sediment type, load, water depth, and flow conditions of each construction site throughout the anticipated time of construction and unstable site conditions. The sedimentation barrier shall be maintained in good working order throughout the duration of the project.

Upon project completion, the accumulated materials shall be removed and disposed of at an upland (non-wetland, non-floodplain) site and stabilized with seed and mulch. The sedimentation barrier shall then be removed in its entirety and the area restored to its original configuration and cover.

8. Prior to the start of construction, all adjacent non-work wetland areas shall be protected by properly trenched sedimentation barrier to prevent sediment from entering the wetland. Orange construction fencing shall be installed as needed to prohibit construction personnel and equipment from entering or performing work in these areas. Fence shall be maintained daily throughout the construction process. Upon project completion, the accumulated materials shall be removed and disposed of at an upland site, the sedimentation barrier shall then be removed in its entirety and the area restored to its original configuration and cover.
9. No fill, excess soil, or other material shall be placed in the 100-year floodplain, any wetland or surface water area not specifically authorized by this permit, its plans, and specifications.
10. All dredge/excavated spoils including organic and inorganic soils, vegetation, and other material removed shall be placed on upland (non-wetland, non-floodplain or non-bottomland), prepared for stabilization, and stabilized with sod and/or seed and mulch in such a manner to prevent and ensure against erosion of any material into any waterbody, wetland, or floodplain.
11. All fill/backfill shall consist of clean inert material that will not cause siltation nor contain soluble chemicals, organic matter, pollutants, or contaminants. All fill shall be contained in such a manner so as not to erode into any surface water, floodplain, or wetland. All raw areas associated with the permitted activity shall be stabilized with sod and/or seed and mulch, riprap, or other technically effective methods as necessary to prevent erosion.

Wetland Mitigation

12. The permittee shall, as a primary condition of this permit, mitigate the loss of 0.68 acres of scrub-shrub wetland. The authorization granted by this permit is contingent upon the completion of mitigation as follows:
 - a. A new wetland area, consisting of at least 1.02 acres of scrub-shrub wetland, shall be created in accordance with plans approved by the EGLE. If the permit conditions modify the mitigation plan, the permit conditions shall take precedence over the mitigation plan.
 - b. The mitigation grading, planting, and introduction of hydrology shall be completed prior to or concurrent with initiating any other permitted activities and shall be completed prior to November 1, 2021.
 - c. The permittee shall provide a surety bond or letter of credit to the EGLE in a form identical to the financial assurance models on the EGLE's website at www.michigan.gov/wetlands in the amount of \$100,000 to ensure that the replacement wetland is constructed, the conservation easement is recorded, monitoring is completed, and corrective actions are performed as required to comply with the mitigation requirements and conditions of this permit. The financial assurance document will be provided and accepted by the EGLE prior to signature of this permit by the EGLE.

Prior to the transfer of this permit to another person, the new person must obtain and provide a financial instrument acceptable to the EGLE in the name of the new person and in the amount required by this permit.

Upon request of the permittee and with the submittal of adequate proofs, the EGLE may release portions of the financial instrument in accordance with the following guidelines:

Fifty (50) percent of the financial instrument may be released after the permittee demonstrates substantial compliance with Performance Standards a. through e. and i., in this permit, for a minimum of two years after construction of the mitigation wetland.

The remaining 50 percent of the financial instrument will be released upon all of the following:

- i. Submittal of all the required monitoring reports;
 - ii. Substantial compliance with all of the performance standards as outlined in this permit, and
 - iii. Final approval by the EGLE.
- d. The permittee shall execute a conservation easement over the mitigation area as shown on the permit plans in a form identical to the conservation easement model on the EGLE's website at www.michigan.gov/wetlands. The original executed conservation easement and associated exhibits must be sent to the EGLE for review and recording prior to commencement of the permitted work or within 60 days of the issuance of this permit, whichever occurs first. Send to: Conservation Easement Coordinator, EGLE, Water Resources Division, P.O. Box 30458, Lansing, Michigan, 48909, with a copy of the executed easement mailed to the District Office.

The permittee may request in writing a permit revision to extend the time deadline for submittal of the conservation easement. Such permit revision shall be considered a minor permit revision pursuant to Section 30313b and must be accompanied by the appropriate fee. An acceptable executed conservation easement must be submitted to the EGLE by the permittee prior to commencement of any permitted work within regulated areas.

The conservation easement boundary shall be demarcated by the placement of signs along the perimeter. The signs shall be placed at an adequate frequency, visibility, and height for viewing, made of a suitable material to withstand climatic conditions, and should be replaced as needed. The signs shall include the following language:

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

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

- e. Unless approved in writing by the EGLE, forested and scrub-shrub wetlands shall be graded at the same elevation (i.e. flat). The mitigation site shall not be fine graded, but shall be left in a rough grade state (allowing for the establishment of micro-topography). Any planting or seeding of the mitigation site must consist of native Michigan plant materials.
- f. Unless approved in writing by the EGLE, the permittee shall install a water control structure that can manipulate the water levels in 2-6 inch increments. The failure to install adequate water control

structures may lead to the need to re-grade the entire mitigation area should the hydrology establish differently than shown on the approved mitigation plans.

- g. The permittee shall notify the EGLE's District Office, in writing and within 20 days of completion of each of the following items:
 - 1) Final grading
 - 2) Seeding and plant installation
- h. In the event the permitted activity is begun but not completed, the permittee or owner of record shall remain responsible for completion of the mitigation wetland and associated conditions, as determined by the EGLE. Such determinations shall be based upon the extent of the disturbance to the existing wetlands.
- i. Should the mitigation wetland fail to become established after two complete growing seasons, or fail to progress satisfactorily towards a self-sustaining wetland system as required by this permit, the permittee shall:
 - i. Assess the problem and its probable causes;
 - ii. Develop reasonable and necessary corrective measures as a revision to original plans;
 - iii. Submit proposed corrective measures to the EGLE for confirmation and approval within 60 days of identification of the problem; and
 - iv. Upon EGLE approval, implement corrective measures.

Additional mitigation monitoring may be required to evaluate the success of the corrective measures.

Wetland Mitigation Performance Standards

The following performance standards will be used to evaluate the mitigation wetland:

- a. Construction has been completed in accordance with the EGLE's approved plans and specifications included in the permit and mitigation plan.
- b. The mitigation wetland is characterized by the presence of water at a frequency and duration sufficient to support a predominance of wetland vegetation and the wetland types specified at the end of the monitoring period.
- c. A layer of high-quality topsoil, from the A horizon of an organic or loamy surface texture soil, is placed (or exists) over the entire wetland mitigation area at a minimum thickness of six (6) inches.
- d. The mitigation wetland shall be free of oil, grease, debris, and all other contaminants.
- e. A minimum of six (6) wildlife habitat structures, consisting of at least three (3) types, have been placed per acre of mitigation wetland. At least 50 percent of each structure shall extend above the normal water level. The types of acceptable wildlife habitat structures are:
 - i. Tree stumps laid horizontally within the wetland area. Acceptable stumps shall be a minimum of 6 feet long (log and root ball combined) and 12 inches in diameter.
 - ii. Logs laid horizontally within the wetland area. Acceptable logs shall be a minimum of 10 feet long and 6 inches in diameter.
 - iii. Whole trees laid horizontally within the wetland area. Acceptable whole trees shall have all of their fine structure left intact (i.e., not trimmed down to major branches for installation), be a minimum of 20 feet long (tree and root ball), and a minimum of 12 inches in diameter.

- iv. Snags which include whole trees left standing that are dead or dying, or live trees that will be flooded and die, or whole trees installed upright into the wetland. A variety of tree species should be used for the creation of snag habitat. Acceptable snags shall be a minimum of 20 feet tall (above the ground surface) and a minimum of 12 inches in diameter at breast height. Snags should be grouped together to provide mutual functional support as nesting, feeding, and perching sites.
 - v. Sand mounds at least 18 inches in depth and placed so that they are surrounded by a minimum of 30 feet of water measuring at least 18 inches in depth. The sand mound shall have at least a 200 square foot area that is 18 inches above the projected high water level and oriented to receive maximum sunlight.
- f. The mean percent cover of native wetland species in the herbaceous layer at the end of the monitoring period is not less 80 percent for scrub-shrub wetland.

Extensive areas of open water and submergent vegetation areas having no emergent and/or rooted floating vegetation shall not exceed 20 percent of the mitigation wetland area. Extensive areas of bare soil shall not exceed five percent of the mitigation wetland area. For the purposes of these performance standards, extensive refers to areas greater than 0.01 acre (436 square feet) in size.

The total percent cover of wetland species in each plot shall be averaged for plots taken in the same wetland type to obtain a mean percent cover value for each wetland type. For the purposes of this standard, total percent cover is the percent cover of the ground surface covered by vegetation, bare soil, and open water, when viewed from above. Total percent cover cannot exceed 100 percent. Plots within identified extensive open water and submergent areas, bare soil areas, and areas without a predominance of wetland vegetation shall not be included in this average. Wetland species refers to species listed as facultative and wetter (FAC, FACW, OBL) on the U.S. Army Corps of Engineer's "National List of Vascular Plant Species That Occur in Wetlands" for Region 3.

- g. The mitigation wetland supports a predominance of wetland vegetation (as defined in the "EGLE Wetland Identification Manual") in each vegetative layer, represented by a minimum number of native wetland species, at the end of the monitoring period. The minimum number of native wetland species per wetland type shall not be less than 15 species within the scrub-shrub wetland. The total number of native wetland plant species shall be determined by a sum of all species identified in sample plots of the same wetland type.
- h. At the end of the monitoring period, the mitigation wetland supports a minimum of three hundred (300) individual surviving, established, and free-to-grow shrubs per acre in the scrub-shrub wetland that are classified as native wetland species and consisting of at least four different species. Physiognomic classification of trees and shrubs shall be in accordance with the Michigan Floristic Quality Assessment (Michigan Department of Natural Resources, 2001).
- i. The mean percent cover of invasive species including, but not limited to, *Phragmites australis* (Common Reed), *Lythrum salicaria* (Purple Loosestrife), and *Phalaris arundinacea* (Reed Canary Grass) shall in combination be limited to no more than ten (10) percent within each wetland type. Invasive species shall not dominate the vegetation in any extensive area of the mitigation wetland.

If the mean percent cover of invasive species is more than ten (10) percent within any wetland type or if there are extensive areas of the mitigation wetland in which an invasive species is one of the dominant plant species, the permittee shall submit an evaluation of the problem to the EGLE. If the permittee determines that it is infeasible to reduce the cover of invasive species to meet the above performance standard, the permittee must submit an assessment of the problem, a control plan, and the projected percent cover that can be achieved for review by the EGLE. Based on this

information, the EGLE may approve an alternative invasive species standard. Any alternative invasive species standard must be approved in writing by the EGLE.

If the mitigation wetland does not satisfactorily meet these standards by the end of the monitoring period, or is not satisfactorily progressing during the monitoring period, the permittee will be required to take corrective actions.

Wetland Mitigation Monitoring

The permittee shall monitor the wetland mitigation for a minimum of five (5) years following grading, planting, and introduction of hydrology. A monitoring report, which compiles and summarizes all data collected during the monitoring period, shall be submitted annually by the permittee. Monitoring reports shall cover the period of January 1 through December 31 and be submitted to the EGLE prior to January 31 of the following year. The permittee shall conduct the following activities and provide the information collected in the monitoring reports:

- a. Measure inundation and saturation at all staff gauges, monitoring wells, and other stationary points shown in the mitigation plan monthly during the growing season. Hydrology data shall be measured at a sufficient number of points sampled at a sufficient frequency to accurately depict the water regime of each wetland type.
- b. Sample vegetation in plots located along transects shown in the mitigation plan once between July 15 and August 31. Woody vegetation may be sampled earlier in the growing season to allow for accurate counts. The number of sample plots necessary within each wetland type shall be determined by use of a species-area curve or other approach approved by the EGLE. The minimum number of sample plots for each wetland type shall be no fewer than five (5). Sample plots shall be located on the sample transect at evenly spaced intervals or by another approach acceptable to the EGLE. If additional or alternative sample transects are needed to sufficiently evaluate each wetland type, they must be approved in advance in writing by the EGLE.

The herbaceous layer (all non-woody plants and woody plants less than 3.2 feet in height) shall be sampled using a 3.28 foot by 3.28 foot (one square meter) sample plot. The shrub and tree layer shall be sampled using a 30-foot radius sample plot. The data recorded for each herbaceous layer sample plot shall include a list of all living plant species, and an estimate of percent cover in five (5) percent intervals for each species, bare soil areas, and open water areas relative to the total area of the plot. The number and species of surviving, established, and free-to-grow trees and surviving, established, and free-to-grow shrubs shall be recorded for each 30-foot radius plot.

Provide plot data and a list of all the plant species identified in the plots and otherwise observed during monitoring. Data for each plant species must include common name, scientific name, wetland indicator category from the U.S. Army Corps of Engineers 2012 National Wetland Plant List for Michigan (Lichvar, R.W. 2012), physiognomic classification, and whether the species is considered native according to the Michigan Floristic Quality Assessment (Michigan Department of Natural Resources, 2001). Nomenclature shall follow in the *Flora of North America*, which can be found at www.fna.org.

The locations of sample transects and plots shall be identified in the monitoring report on a plan view showing the location of wetland types. Each transect and sample plot shall be permanently and visibly staked at a frequency sufficient to locate the transect and sample plots in the field.

- c. Delineate any extensive (greater than 0.01 acre in size) open water areas, bare soil areas, areas dominated by invasive species, and areas without a predominance of wetland vegetation, and provide their location on a plan view.

- d. Document any sightings or evidence of wading birds, songbirds, waterfowl, amphibians, reptiles, and other animal use (lodges, nests, tracks, scat, etc.) within the wetland noted during monitoring. Note the number, type, date, and hour of the sightings and evidence.
- e. Inspect the site, during all monitoring visits and inspections, for oil, grease, man-made debris, and all other contaminants and report findings. Rate (e.g., poor, fair, good, excellent) and describe the water clarity in the mitigation wetland.
- f. Provide annual photographic documentation of the development of the mitigation wetland during vegetation sampling from permanent photo stations located within the mitigation wetland. At a minimum, photo stations shall be located at both ends of each transect. Photos must be labeled with the location, date photographed, and direction.
- g. Provide one-time photographic documentation during construction of the placement of at least six (6) inches of high quality soil, from the A horizon of an organic or loamy surface texture soil, across the site.
- h. Provide the number and type of habitat structures placed and representative photographs of each structure type.
- i. Provide a written summary of data from previous monitoring periods and a discussion of changes or trends based on all monitoring results. This summary shall include a calculation of the acres of each wetland type established, a plan view drawing depicting each ecological type, and identification of all performance standards and whether each standard has been met.
- j. Provide a written summary of all the problem areas that have been identified and potential corrective measures to address them.

A qualified individual able to identify plants to genus and species must conduct the wetland monitoring. The EGLE reserves the right to reject reports with substandard monitoring data.

The EGLE will determine if the performance standards have been met. If the performance standards have not been met, the EGLE may require corrective actions and subsequent annual monitoring until final approval from the EGLE can be granted.

Prior to final written approval of the mitigation by the EGLE, the permittee shall submit the following:

- i. A written statement that the mitigation is complete and request for final approval of the mitigation.
- ii. A copy of the permit.
- iii. "As-built" plans and specifications signed and sealed by a registered surveyor or licensed engineer.
- iv. A surveyed boundary of the established wetland within the mitigation area, including the total acreage of the mitigation wetland and the acreage of each type of wetland created. The wetland boundary shall be flagged and numbered in the field to allow easy identification by EGLE field staff.
- v. Complete all monitoring requirements including the submittal of all required monitoring reports.

If the construction of the wetland mitigation has not been completed due to the fact that the activities authorized by this permit have not been initiated, then the permittee shall provide a written status report by December 31 each year until the wetland mitigation construction is complete. The written status report shall document the anticipated start date and completion date of the permitted activities and the wetland mitigation construction. The status report shall not be considered in lieu of or as a substitution for any of the annual monitoring reports required by this permit.

To protect the wetland mitigation from encroachment, the permittee shall establish a split rail fence or similar structure approved by the EGLE, along the conservation easement boundary as shown on the approved wetland mitigation plans before construction of the wetland mitigation is complete.

13. Additional attachments to permitted structures, including but not limited to roofs, sidewalls, handrails, benches, decks, docks, piers, or extensions thereof, are **not** authorized by this permit.
14. Unless specifically stated under the "Permitted Activity" of this permit, construction pads, haul roads, temporary structures, or other structural appurtenances to be placed in a wetland or on bottomland of the waterbody are not authorized and shall not be constructed unless authorized by a separate permit or permit revision granted in accordance with the applicable law.
15. A storm water discharge permit may be required under the Federal Clean Water Act for construction activities that disturb one or more acres of land and discharge to surface waters. For sites over five (5) acres, the permit coverage may be obtained by a Part 91, Soil Erosion and Sedimentation Control (SESC) permit, or coverage as an Authorized Public Agency (APA), and filing a "Notice of Coverage" form to the EGLE's Water Resource Division. For sites with disturbance from one acre up to five acres, storm water coverage is automatic once the SESC permit is obtained or if work is being conducted by an APA. These one to five acre sites are not required to apply for coverage, but are required to comply with storm water discharge permit requirements. Information on the storm water discharge permit is available from the Water Resource Division's Storm Water Permit Program at www.michigan.gov/soilerosion under the "Construction Storm Water Info".
16. The permittee is cautioned that grade changes resulting in increased runoff onto adjacent property is subject to civil damage litigation.
17. Fill shall not be placed to prevent surface water drainage across the site. Site runoff shall be directed to public or natural drainage ways and not unnaturally discharged onto adjacent properties.
18. The permittee is hereby cautioned that any discharge of sediment into waters of the state is a violation of Part 31, Water Resources Protection, of the NREPA. Any sedimentation caused by the construction or use of the permitted structure, subjects the permittee to provisions of Part 31.
19. All slurry resulting from any dewatering operation shall be discharged through a filter bag or pumped to a sump located away from wetlands and surface waters and allowed to filter through natural upland vegetation, gravel filters, or other engineered devices for a sufficient distance and/or period of time necessary to remove sediment or suspended particles. The discharge of slurry water resulting from the hydrodemolition of concrete is not allowed to enter a lake, stream, or wetland.
20. All raw areas in uplands resulting from the permitted construction activity shall be effectively stabilized with sod and/or seed and mulch (or other technology specified by this permit or project plans) in a sufficient quantity and manner to prevent erosion and any potential siltation to surface waters or wetlands. Temporary stabilization measures shall be installed before or upon commencement of the permitted activity, and shall be maintained until permanent measures are in place. Permanent measures shall be in place within five (5) days of achieving final grade.
21. All raw earth within 100 feet of a lake, stream, or wetland that is not brought to final stabilization by the end of the active growing season (October 10th) shall be temporarily stabilized with mulch blankets.
22. Upon signing by the permittee named herein, this permit must be returned to the EGLE's Water Resources Division, Lansing District Office, Constitution Hall, 525 West Allegan 1st Floor-South,

P.O. Box 30242, Lansing, Michigan 48933-1502 for final execution. This permit shall become effective on the date of the EGLE representative's signature.

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

X Douglas A. Smith

Jan. 3, 2020

Permittee Date

X Douglas A Smith owner

Printed Name and Title of Permittee

Issued By:  44
Christopher Clampitt
Lansing District Office
Water Resources Division
517-243-6956

cc: Vienna Township Clerk
Genesee County Drain Commissioner
Genesee County Enforcing Agent

Summary of Request

Mr. Smith is requesting that his southern parcel along Frances Rd (parcel #18-31-400-008) be granted special land use as an airport. Mr. Smith's only plans at this time is to finish his runway expansion. As you may recall, in 2018 Mr. Smith came forward to rezone the property commercial in an attempt to get all the airport property zoned properly for an airport. His rezone was approved, now he would like to get the special land use to designate it for airport use. He does plan to combine the parcels together when this is all said and done. Since his rezoning, Mr. Smith has been working with EGLE (formerly DEQ) on how he can expand his runway and still be in compliance with EGLE requirements. He has recently been approved and received his permit to continue his runway expansion from EGLE.



Property Address	Owner Name	ownstreet	Owner City	ownstate	zip
9097 N WEBSTER RD	SHIM, EVERTON	9097 N WEBSTER RD	CLIO	MI	48420
6178 W FRANCES RD	NEWVINE, EDWARD	6178 W FRANCES RD	CLIO	MI	48420
6165 W DODGE RD	BUNCH, RICHARD	6165 W DODGE RD	CLIO	MI	48420
6162 W FRANCES RD	ROY, BRIAN	6162 W FRANCES RD	CLIO	MI	48420
6145 W DODGE RD	FOWLER, GERALD JR & KELLY	6145 W DODGE RD	CLIO	MI	48420
6145 FRANCES RD	STULTZ, DENNIS J	4034 FRANCES RD	CLIO	MI	48420
6136 W FRANCES RD	NEWVINE, EDWARD & LUCINDA	6136 W FRANCES RD	CLIO	MI	48420
6123 FRANCES RD	BURTRUM, JASON R & DANA	6123 FRANCES RD	CLIO	MI	48420
6135 FRANCES RD	KRANZO, CALVIN & JANET TST	8421 WEBSTER RD	CLIO	MI	48420
6087 FRANCES RD	BRILINSKI, DAN	6087 FRANCES RD	CLIO	MI	48420
9197 N WEBSTER RD	BARBER, MICHAEL	9197 N WEBSTER RD	CLIO	MI	48420
6062 W FRANCES RD	SOUTHARD, JOSEPH & AMANDA	6062 W FRANCES RD	CLIO	MI	48420
6079 FRANCES RD	GERSTENBERGER, JUSTIN	5091 BRIAR RIDGE CT	GRAND BLANC	MI	48439
9231 N WEBSTER RD	KLEIN, NICHOLAS A	9231 N WEBSTER RD	CLIO	MI	48420
6050 W FRANCES RD	RISHMAWL, JOBRAEL S & NADIA	6050 W FRANCES RD	CLIO	MI	48420
6049 FRANCES RD	ALEXANDER, ROBERT L & BRIAN K	6049 W FRANCES RD	CLIO	MI	48420
9253 N WEBSTER RD	PRITCHARD, PHILLIP	9253 N WEBSTER RD	CLIO	MI	48420
N WEBSTER RD	HANCOCK, BETTY L TRUST	301 CLARE BLVD	ROSCOMMON	MI	48653
9161 N WEBSTER RD	PEPPER, KARL E JR & SARAH M	9161 N WEBSTER RD	CLIO	MI	48420
9155 N WEBSTER RD	MILLER, RICHARD & LISA	9155 N WEBSTER RD	CLIO	MI	48420
9125 N WEBSTER RD	NICHOLS, SCOTT	9125 N WEBSTER RD	CLIO	MI	48420

NOTICE OF PUBLIC HEARING

A public hearing will be held by the Vienna Township Planning Commission on **Monday, July 6, 2020 at 5:30 p.m.** The hearing will take place virtually via Zoom in accordance with Executive Order No. 2020-48 on April 14, 2020 allowing remote participation in public meetings and hearings for public bodies subject to the Open Meetings Act.

The Commission will seek public input on a request for special land use by Alkay Contracting Services, LLC on their southern parcel along W Frances Rd that adjoins Alkay Airport. The special land use will allow them to use the property as airport property in an effort to extend the runway and other airport improvements.

To attend the meeting:

<https://zoom.us/j/92802356616?pwd=bVYvRXlVOHh1aFN0UkcvWEZoSUlvQT09>

Meeting ID: 928 0235 6616

Password: 0wbxNy

Or go to: <https://zoom.us/join> Then enter the meeting ID and password

Legal Description:

**W 1/2 OF E 1/2 OF SE 1/4 EXCEPT E 200 FT OF S 1089 FT SEC 31 T9N R6E (77)
PARCEL #18-31-400-008**

This meeting is open to the public. Interested parties can examine the application and plans on the Vienna Township website located at www.viennatwp.com, or by calling the building department at 810-686-7676 to arrange a time to see them. Written comments will be received at the Vienna Township Office until 5:00 p.m. on the hearing date and can be emailed to dmcDonagh@viennatwp.com.

Dated: June 15, 2020

Publish: June 17, 2020

Vienna Township Planning Commission

Individuals with disabilities requiring auxiliary aids or services shall contact Vienna Township by writing or calling, 7 business days before the Public Hearing, Cynthia J. Bryan, 3400 W Vienna, Clio, MI 48420, 810-686-7580

**VIENNA TOWNSHIP PLANNING COMMISSION
APPLICATION FOR SPECIAL LAND USE**

Receipt # _____

Date Filed: _____

To the Vienna Township Planning Commission:

We, the Owners, Purchasers, of the following described property, hereby apply to the Vienna Township Planning Commission to grant a Special Land Use to: _____

Ammend Special Land use for used cars from 8/5/2019
to allow for up to 40 VEHICLES

In support of the Application, we agree to pay any fee the Commission requires and submit the following information, which we represent to be true and complete:

Name(s) of Owner(s): DAVID McGRATH

Address(s) of Owner(s): 5010 W. VIENNA RD Phone: 810-893-1610

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Legal description of property for which application for permit is made: _____

Lot Size: _____ Present Zoning and use: _____

Name of Applicant(s): DAVID McGRATH

Signature of Applicant(s): 

Address: 5010 W. VIENNA RD Phone: 810-893-1610

Special Land Use: _____ Current Zoning: C2

Address: _____

Signature of Applicant: _____ Phone #: _____

To be filled out by the Planning Commission:

Date Fee Paid: 6/15/2020 Amount of Fee: \$500 - Receipt #: 9521

Hearing Date: 7/6/2020

Notice sent to property owners within 300 feet: yes

Recommendation: _____

By: _____
Vienna Township Planning Commission

7/15/2019

VIENNA TOWNSHIP PLANNING COMMISSION APPLICATION FOR SPECIAL LAND USE

Receipt # 7851

Date Filed: 6/6/19

To the Vienna Township Planning Commission:

We, the Owners, Purchasers, of the following described property, hereby apply to the Vienna Township Planning Commission to grant a Special Land Use to: Car Sales

In support of the Application, we agree to pay any fee the Commission requires and submit the following information, which we represent to be true and complete:

Name(s) of Owner(s): David McGrath

Address(s) of Owner(s): 5010 W. Vienna Rd Phone: 810-893-1610

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Legal description of property for which application for permit is made: _____

Lot Size: _____ Present Zoning and use: _____

Name of Applicant(s): David McGrath

Signature of Applicant(s): [Signature]

Address: 5010 W. Vienna Rd Phone: 810-893-1610

Special Land Use: _____ Current Zoning: C2

Address: _____

Signature of Applicant: _____ Phone #: _____

To be filled out by the Planning Commission:

Date Fee Paid: 6/6/19 Amount of Fee: 5500 Receipt #: 7851

Hearing Date: 8/5/2019

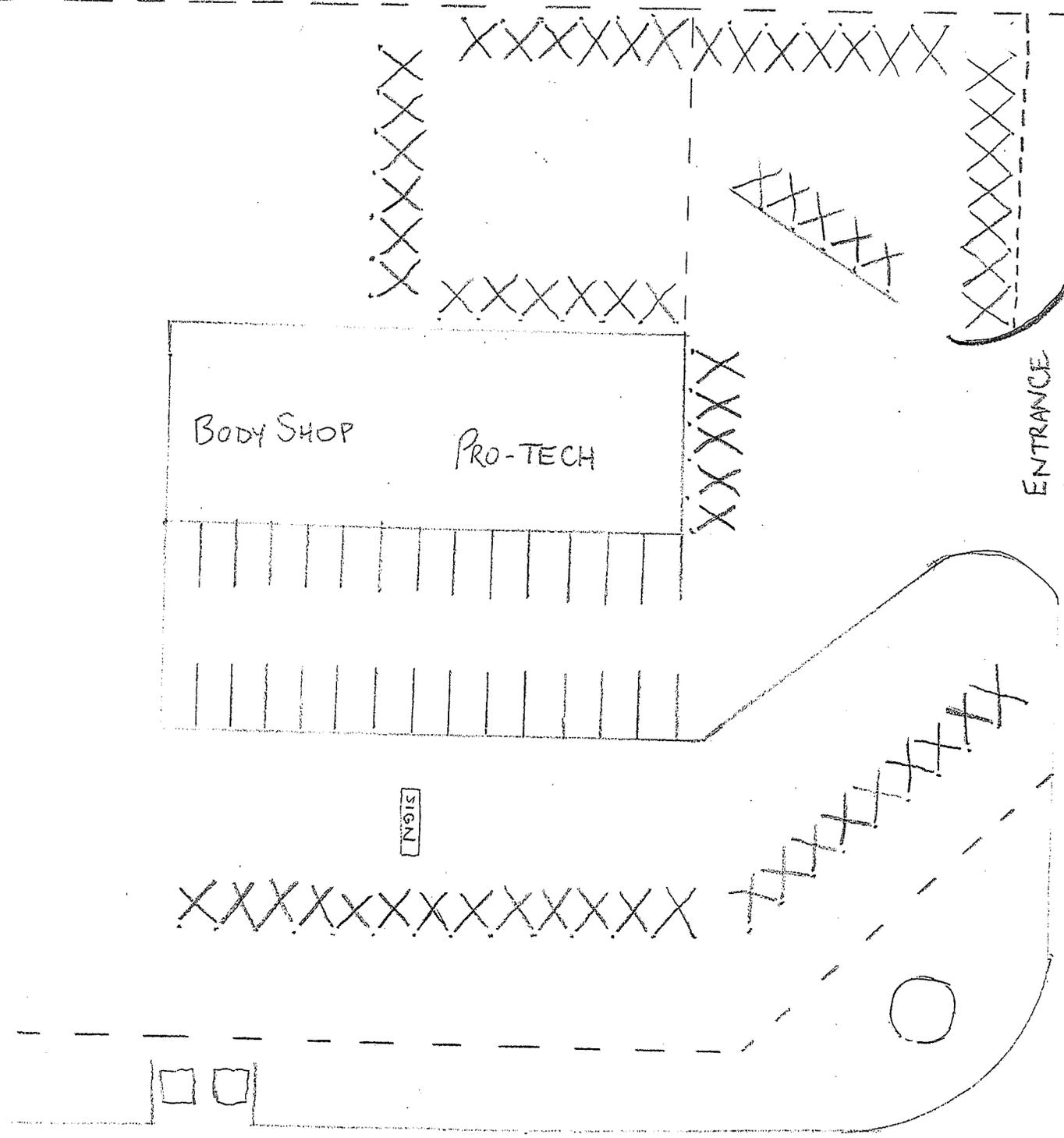
Notice sent to property owners within 300 feet: Yes

Recommendation: Approved for up to 10 cars pending administrative review
Administrative review confirms proper parking for 10 cars per building dept.

By: [Signature]
Vienna Township Planning Commission

X S ARE CARS FOR SALE

CURRENT FENCE



50

VIENNA RD

VIENNA RD

To Whom it May Concern,

Greetings, my name is Aaron Mathis and I represent Ultimate Autos LLC formerly (D M McGrath Auto Broker LLC). Our goal and plan are to expand the current availability and allowability of the number of cars from 10 currently to 50 in due time. We wish to respectively keep the area and the lot maintained and presentable to the public and all parties involved. Maintenance to curb appeal and upkeep will be done on a regular basis as well as the following of all guidelines and rules imposed by the township.

Currently our parking lot is made up of 90% Asphalt and 10% Crushed Concrete. We wish to temporarily add more crushed concrete as a base and eventually Asphalt the entire area as funds become more available.

At this time, we have 5 parking lot lights and would like to add 3 more additional, 2 poles, and 1 affixed to the building. We believe with the correct lighting as surrounding businesses have it will appear more presentable with a well-lit area for our display of vehicles.

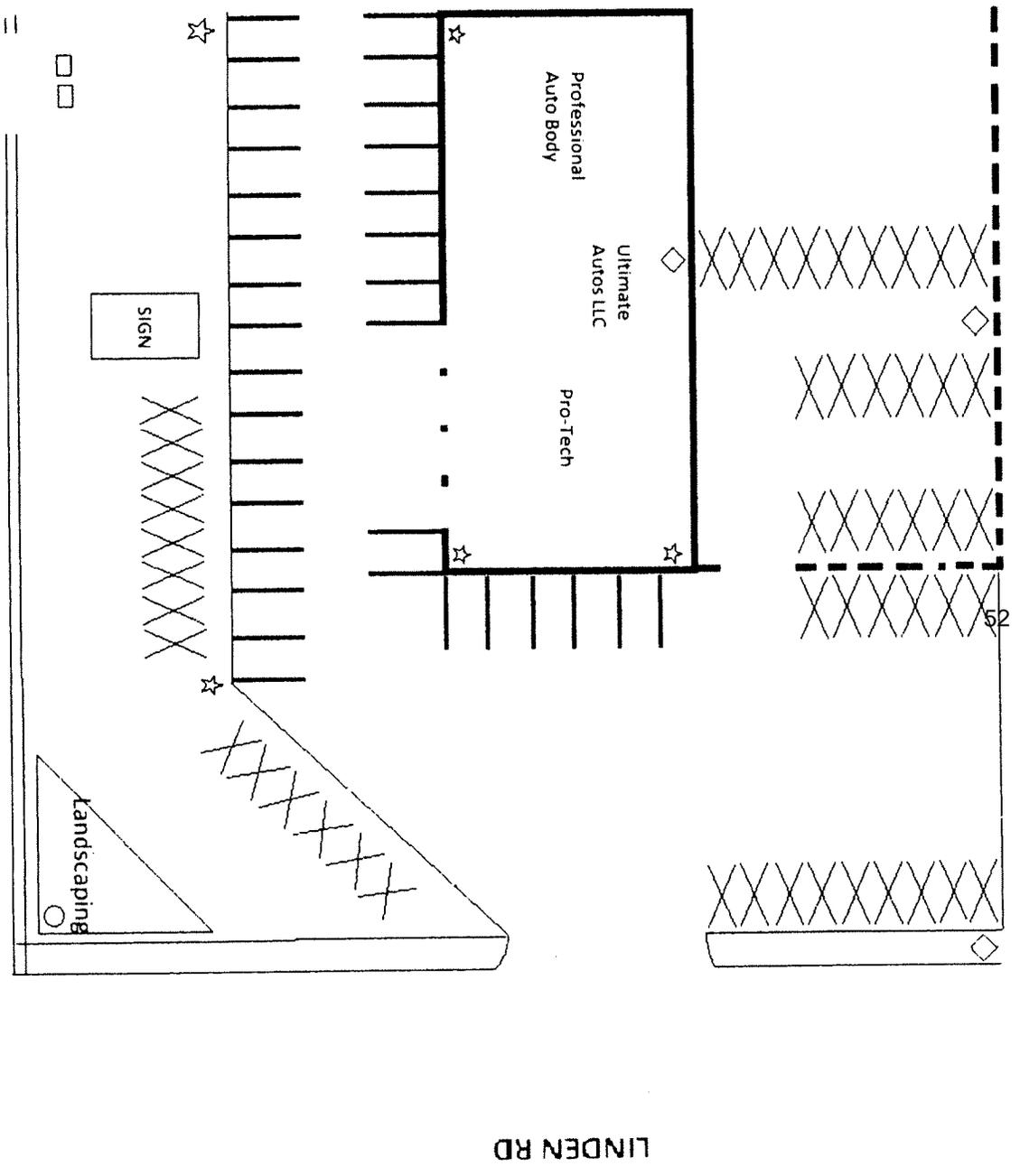
51

There are currently 30 painted parking spaces for customers currently. There are roughly 15 to 25 utilized on a daily basis between the Mechanic Shop, Body Shop, and Auto Dealership. This number includes employee parking as well.

Our wish is to sell good quality cars to this and surrounding communities. I am born and raised in Clio and a current resident for most likely the rest of my life. I want to work with surrounding businesses to bring in more revenue to the community along with a noticeable and respectable presence. I grew up in this town and feel with my determination, motivation, and outlook that we can build this into something that will greatly benefit not only myself but other area businesses as well with people traveling from all over Michigan. We live in a growing small town and it is a wonderful place to raise a family which is exactly what we are. We would love to sponsor school activities, extra-curricular activities, parades, local events, sporting events, public gatherings, and help out in any way we can to continue to make this town a wonderful place to both visit and live within. Thank you for taking time out of your day to review and listen to our requests. Your efforts and duties are much appreciated and noticed. Have a wonderful day!

Sincerely,

Aaron Mathis (Owner)



Each X = 7ft wide and 14ft long

☆ = current lights

◇ = new light location

1 inch = 83.5 feet

Summary of Request

Mr. McGrath is requesting to amend his current special land use permit which allows up to 10 cars at the location of 5010 W Vienna, to increase the number of cars for sale up to 40. He has provided a plan with his application showing the location of how cars will be displayed. To date, there have been no complaints from residents on this property. As part of the annual licensing, the building official performed an inspection on 6/16/2020 to check the number of cars for sale and found only 9 were for sale.

FYI on Motion: Any motion made on a special land use for a car lot moving forward must include obtaining both Township and State licenses.



Parcel ID	Property Address	Owner Name
18-17-400-035	N LINDEN RD	POULSON, KENNETH B
18-20-200-008	5105 W VIENNA RD	MENARD INC
18-17-400-039	5092 W VIENNA RD	LLM PROPERTIES LLC
18-20-200-005	11493 N LINDEN RD	WALMART REAL ESTATE BUSINESS TRST
18-17-400-023	W VIENNA RD	GILLIE, DAVID ETAL
18-17-400-024	N LINDEN RD	POULSON, KENNETH B
18-20-200-007	N LINDEN RD	VIENNA TOWNSHIP
18-16-300-010	12056 N LINDEN RD	CONLEE OIL CO
18-84-179-017	5092 W VIENNA, STE B	METRO PCS
18-84-170-007	5092 W VIENNA , STE I	BELILL EYE CARE
18-83-170-006	5092 W VIENNA, STE E	REMAX RIGHT CHOICE LLC
18-82-201-010	5092 W VIENNA, STE A	H & R BLOCK
18-84-173-008	5092 W VIENNA, STE F	BARTHEL & FLETEREN
18-90-014-008	5092 W VIENNA, STE C	EVERYTHING HAIR
18-81-015-002	5092 W VIENNA, STE H	HAMILTON SPINAL CARE
18-84-170-016	5092 W VIENNA, STE G	PAULINE AQUINO
18-84-172-007	5092 W VIENNA, STE D	IWH CLIO LLC
18-82-209-119	5105 W VIENNA, STE D	REMAX RIGHT CHOICE
18-82-209-018	5105 W VIENNA, STE B	BIGGBY COFFEE
18-82-204-012	5105 W VIENNA, STE A	TROPICAL SMOOTHIE
18-82-205-012	5105 W VIENNA, STE F	VERIZON WIRELESS
18-82-209-019	5105 W VIENNA, STE C	BELTONE HEARING

ownstreet	Owner City	ownstate	Zip
9234 N WEBSTER	CLIO	MI	48420
5101 MENARD DR	EAU CLAIRE	WI	54703
PO BOX 148	CLIO	MI	48420
PO BOX 8050 MS0555	BENTONVILLE	AR	72712-8050
G 6524 N DORT HWY	MT MORRIS	MI	48458
9234 N WEBSTER RD	CLIO	MI	48420
3400 W VIENNA RD	CLIO	MI	48420
12076 N LINDEN RD	CLIO	MI	48420
5092 W VIENNA, STE B	CLIO	MI	48420
5092 W VIENNA, STE I	CLIO	MI	48420
5092 W VIENNA, STE E	CLIO	MI	48420
7111 DIXIE HWY, #109	CLARKSTON	MI	48346
5092 W VIENNA, STE F	CLIO	MI	48420
5092 W VIENNA, STE C	CLIO	MI	48420
5092 W VIENNA, STE H	CLIO	MI	48420
5092 W VIENNA, STE G	CLIO	MI	48420
32600 STEPHENSON HWY	MADISON HEIGHTS	MI	48071
5105 W VIENNA, STE D	CLIO	MI	48420
5105 W VIENNA, STE B	CLIO	MI	48420
1028 N LEROY	FENTON	MI	48430
5105 W VIENNA, STE F	CLIO	MI	48420
5105 W VIENNA, STE C	CLIO	MI	48420

NOTICE OF PUBLIC HEARING

A public hearing will be held by the Vienna Township Planning Commission on **Monday, July 6, 2020 at 5:30 p.m.** The hearing will take place virtually via Zoom in accordance with Executive Order No. 2020-48 on April 14, 2020 allowing remote participation in public meetings and hearings for public bodies subject to the Open Meetings Act.

The Commission will seek public input on a special land use request by David McGrath to amend his current special land use for used car sales, which allows him 10 cars for sale, to allow for additional cars for sale at the site located at 5010 W Vienna Rd.

To attend the meeting:

<https://zoom.us/j/92802356616?pwd=bVYvRXIVOHh1aFN0UkcvWEZoSUIvQT09>

Meeting ID: 928 0235 6616

Password: 0wbxNy

Or go to: <https://zoom.us/join> Then enter the meeting ID and password

Legal Description:

A PARCEL OF LAND BEG N 0 DEG 53 MIN 06 SEC W 180 FT FROM SE COR OF SEC TH S 55 DEG 31 MIN 36 SEC W 324.11 FT TH W 221.7 FT TH N 0 DEG 51 MIN 10 SEC E 381.03 FT TH E 483.44 FT TH S 0 DEG 23 MIN 30 SEC E TO PL OF BEG EXC ALL THAT PART LYING ELY & SLY OF A LINE DESCR AS BEG N 0 DEG 48 MIN 34 SEC W 492.126 FT FROM SE COR OF SEC TH S 89 DEG 11 MIN 26 SEC W 49.21 FT & S 0 DEG 48 MIN 34 SEC E 322.647 FT & S 53 DEG 31 MIN 32 SEC W 121.033 FT & ON CURVE TO RIGHT CHORD=S 87 DEG 47 MIN 18 SEC W 613.586 FT & S 89 DEG 19 MIN 54 SEC W 100 FT TO PT OF ENDING SEC 17 T9N R6E (99) FR 18-17-400-021 * * * DDA * * * PARCEL #18-17-400-038

This meeting is open to the public. Interested parties can examine the application and plans on the Vienna Township website located at www.viennatwp.com, or by calling the building department at 810-686-7676 to arrange a time to see them. Written comments will be received at the Vienna Township Office until 5:00 p.m. on the hearing date and can be emailed to dmcdonagh@viennatwp.com.

Dated: June 15, 2020

Publish: June 17, 2020

Vienna Township Planning Commission

Individuals with disabilities requiring auxiliary aids or services shall contact Vienna Township by writing or calling, 7 business days before the Public Hearing, Cynthia J. Bryan, 3400 W Vienna, Clio, MI 48420, 810-686-7580