

PACKET SUPPLEMENT

Regular Council Meeting, Monday, July 10, 2017, 7:00 P.M.

Paul D. Bueche Municipal Building, 8083 Civic Drive Swartz Creek, Michigan 48473

✓ **BURN PERMIT REQUEST (*Business Item*)**

The city ordinance prohibits burning with the following provision:

Sec. 8-1 - Burning wastes without council authorization unlawful.

It shall be unlawful for any person to start, cause or permit to be started any open fire for the purpose of burning waste matter within the city, provided that the council shall have the right to authorize the open burning of waste matter upon application to the council and when in the discretion of the council it shall determine that such burning shall provide for the general welfare of the community.

The owner of 6376 Miller Road (see map) is clearing the lot in preparation for a home site. This process necessitated the grading of the lot. The owner has opted to use existing fill from the site to create a buildable location for their home. The result of the site grading is a large amount of lot clearing activity. The owner now wishes to remove the resulting waste by burning.

Neither the fire chief nor I have a strong opinion on this. Burning allows for removal of brush in a manner that reduces the burden on the resident and our chipping crew. However, lot clearing has always been the responsibility of the owner to manage waste, and the production of smoke is a concern anywhere in the city. Mr. Cole allows these on similar properties in the township, but the culture of non-burning in the city could generate an emergency call at this location even under controlled burn conditions.

I am specifically worried about the volume of material and the content. I have attempted to get specific details about the content and scale of the burn from the applicant. I don't believe the applicant has been very forthcoming. As such, I am not sure the council can reasonably ensure the safety of nearby residents concerning the volume and content of resulting smoke, since brush can generate much smoke. There is also the risk of poison ivy being included, which presents known health hazards.

Lastly, I have reached out to the airport to ascertain and impact it may have on their operations. Joe Medici, the Deputy Director, indicated that the burn could impair visibility or create other issues. He expressed general concerns and felt that, if approved, a public notice should be issued. Without knowing all of the circumstances, he felt that this might constitute an unlawful land use since the geography falls under the airport ordinance. At this point, the benefit of the burn appears to be of negligible public benefit in my opinion. In fact, I suspect there is a reasonable risk of poison ivy and high particulate smoke that could create public health risks, especially given the concerns of Mr. Medici.

The resolution is written in the affirmative, but my recommendation is to deny the request given concerns for the airport and air quality of residents.

Resolution No. 170710-8E RESOLUTION TO APPROVE BURN PERMIT

Motion by Councilmember: _____

WHEREAS, the City of Swartz Creek city council may authorize open burning per ordinance section 8-1 if it finds that such burning will provide for the general welfare of the community, and

WHEREAS, a burning permit is sought by the resident at 6376 Miller Road; and

WHEREAS, the city finds that the circumstances of this request, being a substantial amount of brush on a large and open lot, enable burning as a potentially preferred solution over curbside chipping.

NOW, THEREFORE, BE IT RESOLVED that the Swartz Creek City Council approve a single occurrence permit for open burning conditioned upon and in conformance with the standard burning requirements of the fire department.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Adam Zettel

From: Cori DeWolfe <324dewolfe@gmail.com>
Sent: Friday, July 07, 2017 11:10 AM
To: Adam Zettel
Subject: Fwd: Burn permit Steve Cooks 6376 Miller Rd

Sent from my iPhone

Begin forwarded message:

From: Cori DeWolfe <324dewolfe@gmail.com>
Date: July 7, 2017 at 11:03:29 AM EDT
To: Azettle@cityofswartzcreek.org
Subject: Burn permit

To Whom it may concern ,

We are requesting permission to burn trees and brush cleared from our property, 6376 Miller Rd. Swartz Creek. We contracted S & F Construction Company to clear approximately 1.5 acres of trees and brush and to facilitate and oversee the burning process.

We respectfully request permission to take care of the brush as soon as possible so that we may start making this our future home. Plans for the property to follow . Thank you for your time

Sincerely ,
Steve & Cori Cooks
(810) 845-6171

Sent from my iPhone

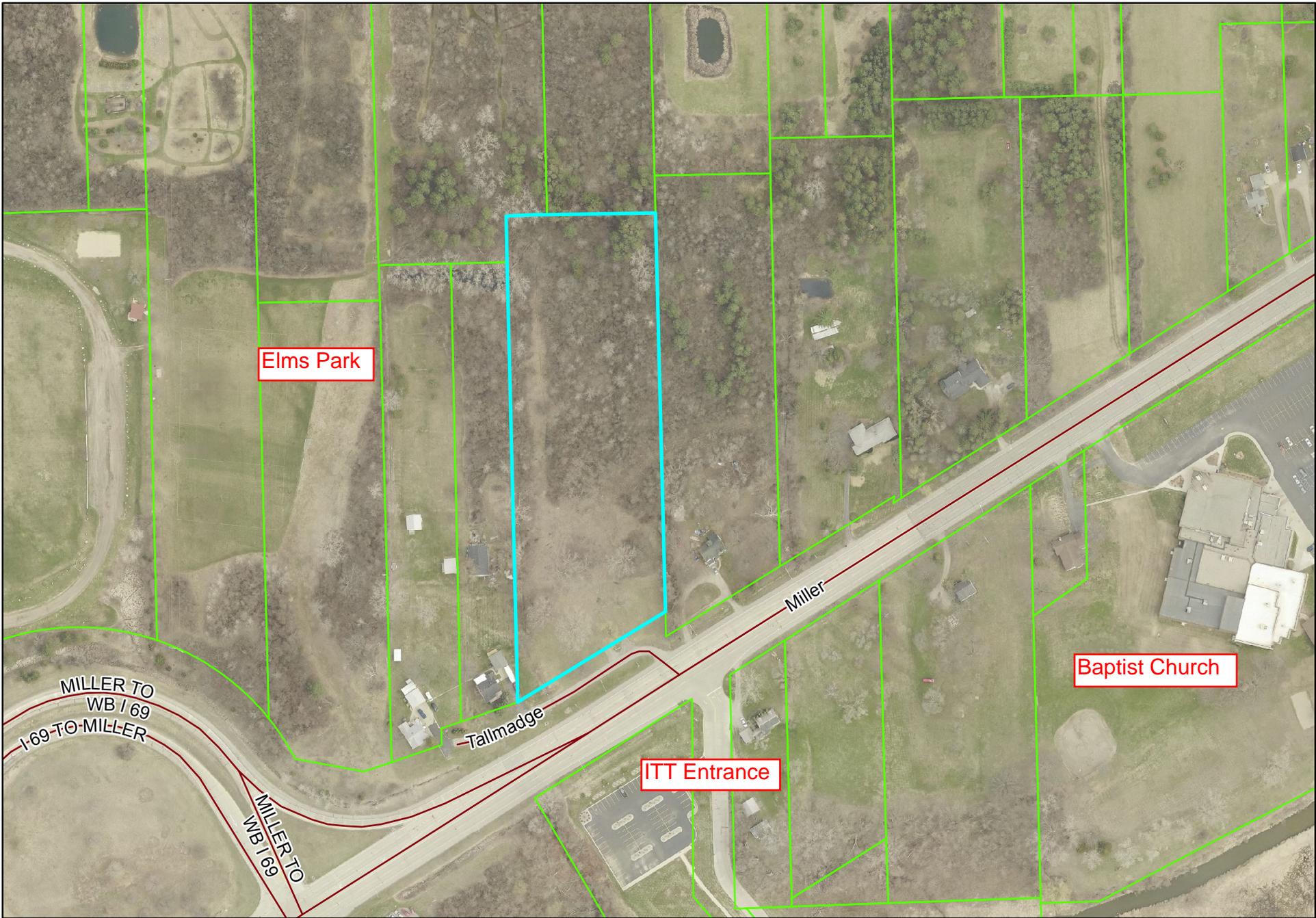
Sent from my iPhone

Adam Zettel

From: Steve Cooks Jr <steve.cooksjr@gmail.com>
Sent: Saturday, July 08, 2017 8:46 AM
To: Adam Zettel
Subject: Burn permit

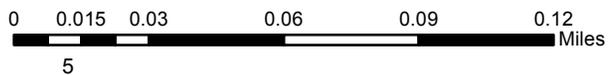
Hello Adam. The materials being burned consists of brush and cut down trees. The amount is made up of 1.5 acres of brush and cut down trees. The burn piles are located on the North East part of the property within the proposed pond area on the prints. S&F Construction will conduct a "CONTROLLED BURN" preferably starting Friday, July 14th and ending Sunday July 16th. The date could be moved up or back for according to your needs.

Steve Cooks Jr
steve.cooksjr@gmail.com
(810) 845-6171



City of Swartz Creek
6376 Miller Road

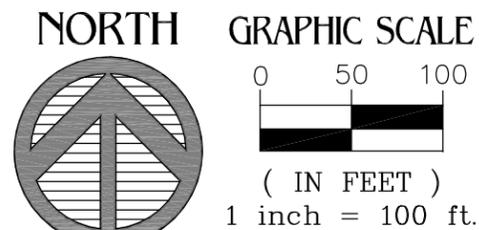
Council Packet Supplement



July 10, 2017

PLOT PLAN FOR: STEVE COOKS, JR

6376 MILLER ROAD
SWARTZ CREEK, MI 484873



LEGEND

- (R) PER RECORD DIMENSION
- - - 770 - - EX SURFACE CONTOUR
- 771.52 EX SURFACE ELEVATION
- ⊙ EX WATER WELL
- ⊕ EX UTILITY POLE
- — — EX OVERHEAD WIRES
- ⊕ EX UTILITY PEDESTAL
- ⊕ EX CONIFEROUS TREE
- ⊕ EX DECIDUOUS TREE
- ⊕ EX TREE/BRUSH LINE
- ⊕ PROP BOULDER WALL
- ⊕ PROP SILT FENCE
- 770.20 PROP SPOT ELEVATION
- PROP DRAINAGE FLOW ARROW

SOIL EROSION SEQUENCE

1. INSTALL SILT FENCE AROUND ENTIRE LOT OR AS SHOWN ON DRAWING, LEAVING AN OPENING FOR THE DRIVE WHICH SHALL HAVE A BASE OF GRAVEL OR CRUSHED CONCRETE INSTALLED PRIOR TO BEGINNING CONSTRUCTION AND CALL CITY/COUNTY FOR INSPECTION.
2. CLEAR AND ROUGH GRADE SITE.
3. EXCAVATE FOR BASEMENT AND INSTALL UTILITIES AS NECESSARY AND CALL CITY/COUNTY BEFORE BACKFILL.
4. HOMEOWNERS TO ESTABLISH VEGETATION ON ALL DISTURBED AREAS WITH TOPSOIL AND SEED, AND MULCH OR SOD.
5. REMOVE ALL SOIL EROSION CONTROL DEVICES AFTER VEGETATION IS ESTABLISHED.
6. SOIL EROSION CONTROLS SHALL BE MAINTAINED WEEKLY AND AFTER EVERY STORM EVENT.

PROPOSED HOUSE
TOP OF BASEMENT WALL
ELEVATION=780.00
FIRST FLOOR ELEVATION=781.00
BASEMENT FLOOR
ELEVATION=771.00
GARAGE FLOOR
ELEVATION=779.00
(SEE ARCHITECT ROYAL OAKS
DESIGN PLANS)

PLAN NOTES:

1. DATE OF LAST FIELD WORK: MAY 2, 2017.
2. THERE ARE NO VISIBLE IMPROVEMENTS ON PROPERTY OTHER THAN AS SHOWN.
3. THERE WAS NO BOUNDARY SURVEY PERFORMED ON THIS PROPERTY BY BMCC, JUST A PLOT PLAN DRAWING
4. THERE IS AN EXISTING 1 INCH WATER SERVICE LEAD ON SUBJECT PROPERTY.
5. THE CONTRACTOR SHALL CONTACT THE GENESEE COUNTY DRAIN COMMISSIONER-WATER & WASTE SERVICES TO INSTALL A SEWER LEAD.

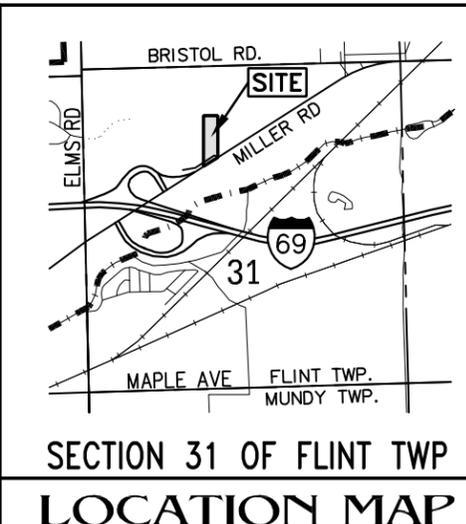
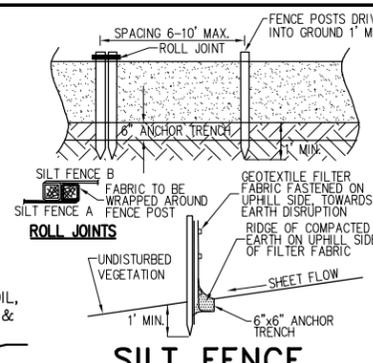
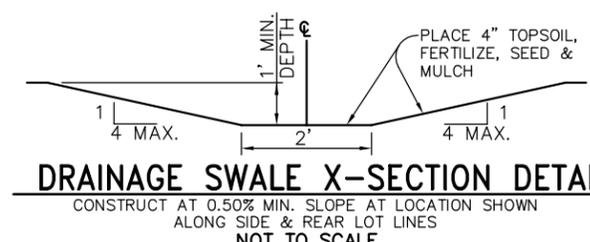
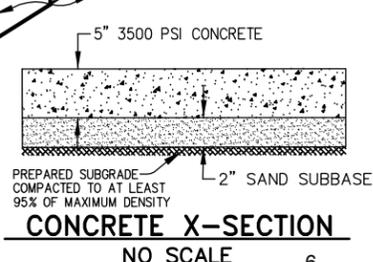
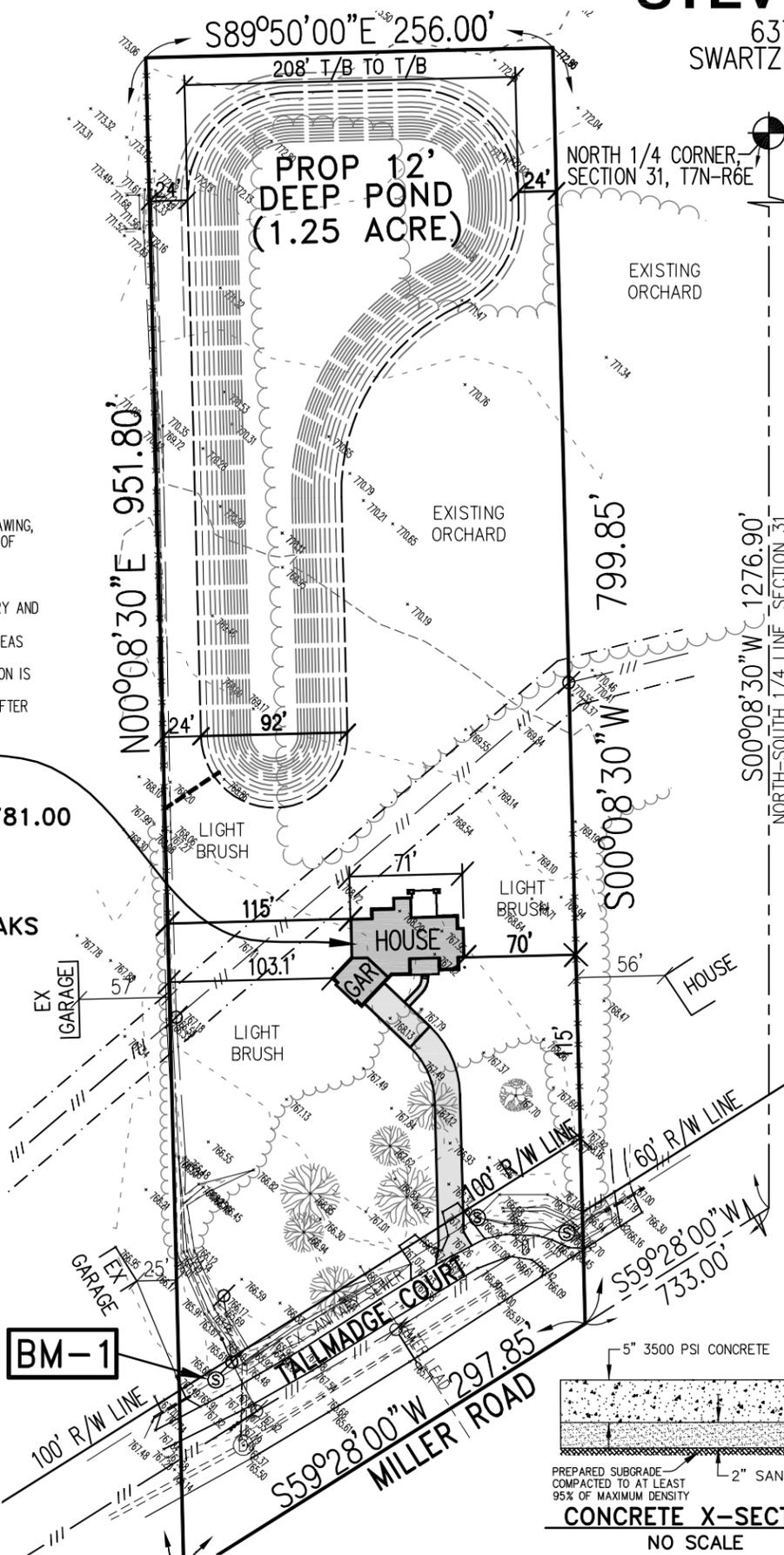


Know what's below.
Call before you dig.

NOTE: THE GROUND ELEVATIONS ARE BASED ON A G.P.S. DRAWDOWN DATUM IS ON THE NORTH AMERICAN VERTICAL DATUM OF 1988.

UTILITY STATEMENT

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR/ENGINEER MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR/ENGINEER FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR/ENGINEER HAS NOT PHYSICALLY UNCOVERED OR SUPPLEMENTED THE



LEGAL DESCRIPTION Parcel 58-31-100-022:

A PARCEL OF LAND IN THE WEST HALF OF FRACTIONAL SECTION 31, TOWNSHIP 7 NORTH, RANGE 6 EAST OF THE MICHIGAN MERIDIAN AND BEING MORE PARTICULARLY DESCRIBED AS:
COMMENCING AT A POINT IN THE CENTER LINE OF MILLER ROAD S59°28'W OF AND 733 FEET FROM A POINT IN THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION S00°08'30"W OF AND 1276.90 FEET FROM THE NORTH QUARTER POINT OF SAID SECTION; THENCE S59°28'W ALONG THE CENTERLINE OF MILLER ROAD 297.85 FEET; THENCE N00°08'30"E 951.80 FEET; THENCE S89°50'E 256.00 FEET; THENCE S00°08'30"W 799.85 FEET TO THE POINT OF BEGINNING, EXCEPT THAT PART OF THE ABOVE DESCRIBED PREMISES WHICH LIES SOUTHEASTERLY OF A LINE 75 FEET NORTHWESTERLY OF MEASURED AT RIGHT ANGLES, AND PARALLEL TO THE CENTERLINE OF MILLER ROAD.

CONSTRUCTION NOTES:

1. ALL GRADING, PAVING, AND DRAINAGE WORK SHALL BE IN ACCORDANCE WITH THE 2012 MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT) STANDARD SPECIFICATIONS FOR CONSTRUCTION, AND THE LATEST MDOT STANDARD ROAD PLANS.
2. THE CONTRACTOR SHALL PERFORM ALL WORK NECESSARY TO GRADE THE SITE TO THE GRADES SHOWN ON THE PLANS OR SPECIFIED BY THE ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL EXCAVATION, EMBANKMENT, AND THE FURNISHING AND PLACING OF ALL BORROW MATERIAL REQUIRED TO OBTAIN THE SPECIFIED GRADES. CONTRACTOR SHALL SLOPE GROUND @ 1:3 MINIMUM SLOPE TO MATCH EXISTING GRADE.
3. SUBGRADE PREPARATION: REMOVE ALL ROCKS, DEBRIS, VEGETATION AND TOPSOIL FROM THE AREA TO BE PAVED. SHAPE THE SUBGRADE TO PROPER ELEVATIONS FOR PLACEMENT OF THE PAVEMENT. COMPACT SUBGRADE TO NOT LESS THAN 95% OF MAXIMUM UNIT WEIGHT IN 9 INCH LIFTS IN ACCORDANCE WITH THE MODIFIED PROCTOR T-180 METHOD. A SYSTEMIC HERBICIDE WITH RESIDUAL CHARACTERISTICS SHALL BE APPLIED TO THE PREPARED SUBGRADE TO DESTROY ALL VEGETATION INCLUDING ANY SUBTERRANEAN GROWTH. THE CONTRACTOR WILL BE RESPONSIBLE FOR ANY VEGETATION PROTRUDING THROUGH THE ASPHALT. CONTRACTOR SHALL UNDERCUT UNSUITABLE SUBGRADE AREAS AND REPLACE WITH SUITABLE MATERIAL IF NECESSARY.
4. ALL WORK NECESSARY TO COMPLETE THIS PROJECT SHALL CONFORM TO ALL RELATED SWARTZ CREEK CODES AND ORDINANCES.
5. THE CONTRACTOR OR DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, INSURANCE AND BONDS PRIOR TO CONSTRUCTION.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DISPOSAL OF SURPLUS OR WASTE MATERIAL.
7. SOIL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE EMPLOYED IN ACCORDANCE WITH THESE PLANS, AND SHALL MEET THE APPROVAL OF GENESEE COUNTY SESC DIVISION AND/OR SWARTZ CREEK SESC.
8. ALL LAWN OR TURF AREAS (OUTSIDE OF WETLAND AREAS) SHALL BE ESTABLISHED WITH 4" APPLICATION OF TOPSOIL, FERTILIZER, SEED AND MULCH IN ACCORDANCE WITH THE FOLLOWING RATES:

TOPSOIL SURFACE-----	4 INCHES
CHEMICAL FERTILIZER NUTRIENT-----	240 LBS/ACRE
CLASS A SEEDING-----	120 LBS/ACRE
MULCH-----	2 TONS/ACRE

MATERIAL SHALL COMPLY WITH MDOT STANDARD SPECIFICATIONS.

AREA OF DISTURBANCE = X.X ACRES

ZONING INFORMATION:

ACCORDING TO THE SWARTZ CREEK ZONING ORDINANCE THIS PROPERTY IS CURRENTLY ZONED R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT), AND IS SUBJECT TO THE FOLLOWING CONDITIONS:

- 1) MINIMUM LOT AREA = 11,200 SFT.
- 2) MINIMUM LOT WIDTH = 80 FEET
- 3) MAXIMUM BUILDING HEIGHT = 25 FEET
- 4) FRONT SETBACK = 30 FEET
- 5) SIDE SETBACK = 10 FEET, TOTAL OF 20 FEET
- 6) REAR SETBACK = 35 FEET
- 7) MINIMUM BUILDING FLOOR AREA = 1,050 SFT.
- 8) MAXIMUM LOT COVERAGE = 35%

BENCHMARK NO. 1:
ELEVATION-765.66
NORTHERLY EDGE OF THE EXISTING SANITARY SEWER MANHOLE, LOCATED BY SOUTHWEST CORNER OF PROPERTY (NAV DATUM 1988)

PLOT PLAN FOR:
STEVE COOKS, JR
6376 MILLER ROAD
SWARTZ CREEK, MI 48473
PHONE: 810.845.6171

SCALE: 1"=100'	JOB NO. 020517	DATE: 05.08.2017	REV:
DRN. BY: J.R.B.	APPR BY: D.J.K.	PAGE: 1 of 1	

BM CC **BM CONSTRUCTION CONSULTANTS**
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