OPEN HOUSE
FROM 5:00 to 7:00 p.m.
NEW DPW FACILITY at 3600 CENTRAL STREET

THE VILLAGE OF DEXTER
VILLAGE COUNCIL MEETING
MONDAY September 10, 2007
**********7:30pm **********
Dexter Senior Center, 7720 Dexter Ann Arbor Road

A. CALL TO ORDER AND PLEDGE OF *ALLEGIANCE*

B. ROLL CALL: President Seta J.Carson P. Cousins S. Keough J. Semifero R. Tell D. Fisher

C. APPROVAL OF THE MINUTES

1. Regular Council Meeting Minutes – August 27, 2007 **Page#1-5**

D. PRE-ARRANGED PARTICIPATION:

Pre-arranged participation will be limited to those who notify the Village office before 5:00 p.m. Tuesday of the week preceding the meeting, stating name, intent and time requirements. ***(10-minute limit per participant)***

Ken Tappe of 3074 Sandhill Dr. Dexter, UMRC-Cedars of Dexter Development
Page#7-8

E. APPROVAL OF AGENDA:

F. PUBLIC HEARINGS

Action on each public hearing will be taken immediately following the close of the hearing

None

"This meeting is open to all members of the public under Michigan Open Meetings Act."

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G. NON-ARRANGED PARTICIPATION:

Non-arranged participation will include those in the audience not listed on the agenda that wish to speak. At the Village President's discretion, members of the audience may be called on to speak at any time. Those addressing the Council will state their name, and address. This section is limited to 5-minutes per participant or 10-minutes for group representatives

H. COMMUNICATIONS :

1. Dexter Senior Center 8-31-07

Page#9

I. REPORTS:

1. Community Development Manager-Allison Bishop

Page#11-12

2. Board and Commission Reports
   Planning Commission Chair- Matt Kowalski??

3. Subcommittee Reports

4. Village Manager Report **Page#13-33**

5. President's Report

J. CONSENT AGENDA

Bills & Payroll will be a standing item under consent agenda. Discussion of the Budget and Financial matters will be covered under the Presidents Report as a standing item. Items under consent agenda are considered routine and will be acted upon in one motion. There will be no separate discussion of these items unless a Council Member so requests, and the item will be removed from Consent and added to the regular agenda at the end of New Business.

1. Consideration of: Bills & Payroll in the amount of: **$73,093.92**
   Page#35-40

2. Consideration of: Set Trick-or-Treat Wednesday, October 31st from 5:30 – 7:30 p.m.

K. OLD BUSINESS- Consideration and Discussion of:

1. Consideration of: RESOLUTION TO DECLARE THE "1981 PROMULGATION OF ANNEXATION POLICY" AND "AMENDMENT TO THE 1981 SCIO TOWNSHIP – VILLAGE AGREEMENT (1995) NULL AND VOID", *WITH THE EXCEPTION THAT THE POLICY IS VALID IF THE PROPERTY OWNER REQUESTS TO BE ANNEXED*

   Action Postponed from the July 23, 2007 meeting:
   No Action August 13, 2007
   No Action August 27, 2007

Postpone Motion: Moved by: Fisher and Supported by: Cousins to postpone this consideration pending discussions with Scio and obtaining more information.

Original Motion: Moved by: Carson and Supported by: Tell to adopt the Resolution to declare the "1981 Promulgation of Annexation Policy" and "Amendment to the 1981 Scio Township – Village Agreement (1995) null and void", with the exception that the policy is valid if the property owner requests to be annexed.

2. Consideration of: Main Street Bridge Project – Phase 2 Funding Update
   Page#41

L. NEW BUSINESS- Consideration and Discussion of:

1. Consideration of: Recommendation from Planning Commission to adopt the Final Site Plan for UMRC-Cedar's of Dexter Project

   Page#43-73

2. Consideration of: Recommendation to adopt the UMRC-Cedar's of Dexter Development Agreement

   Page#75-98

3. Consideration of: RESOLUTION APPROVING THE CMAQ CONTRACT NO. 07-5492 AND AUTHORIZING THE VILLAGE PRESIDENT AND THE VILLAGE MANAGER TO EXECUTE MDOT CONTRACT NO. 07-5492

   Page#99-101

4. Consideration of: Recommendation from Planning Commission to adopt amendments to the Zoning Ordinance-Article 6, Landscaping Standards

   Page#103-123

5. Discussion of: Proposed Amendments to the Zoning Ordinance-Article 4, Nonconformities

   Page#125-150

6. Consideration of: RESOLUTION REVOKING AN APPROVED INDUSTRIAL FACILITES TAX EXEMPTION CERTIFICATE #2007-017 FOR DEXTERLAND LLC FOR REAL AND PERSONAL PROPERTY IMPROVEMENTS

   Page#151

7. Consideration of: RESOLUTION FOR THE PURPOSE OF ESTABLISHING VILLAGE COUNCIL INTENTION TO ENTER INTO A 425 AGREEMENT WITH SCIO TOWNSHIP

   Page#152-153

M. COUNCIL COMMENTS

N. NON-ARRANGED PARTICIPATION

Same as item F. Those addressing the Council will state their name, and address. This section is limited to 5-minutes per participant or 10-minutes for group representatives.

O. ADJOURNMENT:

DEXTER VILLAGE COUNCIL
REGULAR MEETING
MONDAY, AUGUST 27 2007

AGENDA 9-10-07
ITEM C-1

A. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:30 by President Seta in the Dexter Senior Center located at 7720 Dexter Ann Arbor Rd. in Dexter, Michigan

B. ROLL CALL:

D. Fisher P. Cousins S.Keough
J. Semifero J. Carson R. Tell
J. Seta J. Semifero abs.

C. APPROVAL OF THE MINUTES

Minutes of the Regular Council meeting of August 13, 2007.

Motion Keough, support Carson to approve the minutes (excluding the comment in K. 2 " Mr. Keough to chair Phase 2 Subcommittee consisting of Mr. Keough, Mr. Cousins, and Mr. Carson"). Also correct the Council comments re: Mr. Carson's input for the Dexter Daze parade.

Ayes: Cousins,Fisher,Keough,Tell,Carson,Seta.
Nays: none
Motion carries

D. PREARRANGED PARTICIPATION

1. Mike Donahue-Update Dam Removal Project

E. APPROVAL OF THE AGENDA

Motion Fisher, support Carson to approve the agenda as amended to add Item L. 8 Consideration of: Village manager contract.

Ayes:Keough,Tell,Carson,Fisher,Cousins,Seta.
Nays: none
Motion carries

F. PUBLIC HEARINGS

None

G. NON-ARRANGED PARTICIPATION:

Allison Bishop, community development manager, re: letter received from Ken and Juli Tappe: Allison met with developer, storm outlets and vegetation should address the Tappe's concerns. Letter requested to be made part of minutes.

H. COMMUNICATIONS:

1. CRAM News of 8-13-07
2. County appointments made by WCBOC
3. WCRC changes in bridge weight restrictions 8-17-07
4. Leon Moore WC Building Inspector- e-mail dated 8-23-07

I. REPORTS

1. Washtenaw County Sheriff Dept.- July- written report only

2. Board and Commission reports
   DAFD Board Meeting of 8-16-07- R. Tell
   looking into new contract
   need budget amendment for proposed grant

3. Subcommittee report

4. Village Manager Report
   Mrs. Dettling submits her report as per packet
   Introduction of Ass't Village Manager, Courtney Nicholls- starting Sept. 10th

5. President's report

J. CONSENT AGENDA

1. Consideration of: Bills and Payroll in the amount of $294,679.42

2. Consideration of: Request from United Church of Christ to display the " Webster Fall Festival" banner on the fence on Alpine St. next to the Fire Dept.

Motion Fisher, support Carson to approve the consent agenda as presented.

Ayes: Tell,Fisher,Carson,Cousins,Keough,Seta.
Nays: None
Motion carries

K. OLD BUSINESS-Consideration and Discussion of:

1. Consideration of: RESOLUTION TO DECLARE THE " 1981 PROMULGATION OF ANNEXATION POLICY" AND "AMENDMENT TO THE 1981 SCIO TOWNSHIP – VILLAGE AGREEMENT (1995) NULL AND VOID" WITH THE EXCEPTION THAT THE POLICY IS VALID IF THE PROPERTY OWNER REQUESTS TO BE ANNEXED

   No action taken

2. Consideration of: Main St. Bridge Project- phase 2 funding update
   update Dexter Twp meeting of 8-21-07 – Shawn Keough
   update phase 2 Project- review design options to reduce costs

   No action taken

L. NEW BUSINESS-Consideration of and Discussion of:

1. Consideration of: Request for a FOIA appeal to release documents withheld per the June 28, 2007 letter

Motion Fisher, support Cousins to allow the Village Manager to release the April 9th 2007 letter.

Ayes:Tell,Carson,Cousins,Keough,Fisher,Seta.
Nays: none
Motion carries

2. Consideration of: Recommendation to accept the Fiscal Year Ending February 28, 2007 audit of the local development finance authority.

Motion Tell, support Fisher to approve acceptance of the 2007 audit of the local development finance authority.

Ayes: Carson,Cousins,Fisher,Keough,Tell,Seta.
Nays: none
Motion carries

3. Consideration of: Recommendation to accept the Fiscal Year Ending June 30, 2007 audit of the Dexter Downtown Development Authority

Motion Tell, support Keough to approve the acceptance of the 2007 audit of the Dexter Downtown Development Authority.

Ayes: Cousins,Fisher,Keough,Tell,Carson,Seta.
Nays: none
Motion carries

4. Consideration of: RESOLUTION REGARDING THE SALE OF MONUMENT PARK BUILDING BROWNFIELD MICHIGAN SINGLE BUSINESS TAX CREDITS

Motion Tell, support Carson to approve the resolution re: the sale of the MONUMENT PARK BUILDING BROWNFIELD MICHIGAN SINGLE BUSINESS TAX CREDITS

Ayes: Keough,Tell,Carson,Fisher,Cousins,Seta.
Nays: none
Motion carries

5. Discussion of: Follow-up from the Joint Session held August 15th with Scio Township re: a 425 Agreement for the Sloan-Kingsley Property.

6. Consideration of: Recommendation to enter into an Agreement with Western Washtenaw Area Value Express "WAVE" to provide public transportation services to the Village of Dexter

Motion Fisher, support Keough to approve the recommendation to enter into an agreement with WAVE to provide transportation to the Village of Dexter.

Ayes: Tell,Fisher,Carson,Cousins,Keough,Seta.
Nays: none
Motion carries

7. Consideration of: Recommendation to enter into an agreement with Western Washtenaw Area Value Express "WAVE to provide door-to-door service for the Village of Dexter.

Motion Cousins, support Fisher to approve the recommendation to enter into an agreement with WAVE to provide door-to-door service to the Village of Dexter.

Ayes: Tell,Carson,Cousins,Keough,Fisher,Seta.
Nays: none
Motion carries

8. Consideration of: Village Manager Contract

Motion Carson, support Fisher to approve the Village Manager's contract as submitted.

Ayes: Carson,Cousins,Fisher,Keough,Tell,Seta.
Nays: none
Motion carries

M. COUNCIL COMMENTS

None

N. NON-ARRANGED PARTICIPATION

None

O. ADJOURNMENT

Motion Keough support Tell to adjourn at 9:20
Unanimous voice vote

Respectfully submitted,

David F. Boyle
Clerk, Village of Dexter

Approved for Filing:_____

AGENDA 9-10-07

DEXTER VILLAGE COUNCIL ITEM D-1 SEPTEMBER 4, 2007

THANK YOU FOR ALLOWING ME TO SHARE MY CONCERNS REGARDING THE STATUS OF THE UMRC PROJECT ON ISLAND LAKE ROAD. ALTHOUGH I AM NOT A RESIDENT OF THE VILLAGE OF DEXTER, MY WIFE AND I AND MANY OF OUR NEIGHBORS ARE GREATLY AFFECTED BY THE IRRESPONSIBLE PLANS AND ACTIONS OF UMRC AND THIS COUNCIL AS RELATED TO THE DEVELOPMENT OF THIS PROPERTY.

MY WIFE AND I HAVE SUPPORTED THE PROJECT AND THE GENERAL DEVELOPMENT PLAN FROM THE BEGINNING. WE HAVE EVEN TALKED ABOUT THE POSSIBILITY OF MOVING INTO IT IN THE FUTURE. BUT, NOW THAT WE HAVE EXPERIENCED THE EXTREME DESTRUCTION OF THE TREES AND THE LACK OF ADEQUATE PROTECTION OF THE ENVIRONMENT, RESULTING IN SERIOUS STORM WATER RUN-OFF AND SOIL EROSION, AND THE LACK OF AN ADEQUATE SITE PLAN, INCLUDING TREE REPLACEMENT, WE CAN NOT SUPPORT THE PROJECT AS NOW PROPOSED BY UMRC.

WE ARE NOT ASKING FOR ANYTHING UNUSUAL OR UNREASONABLE. THESE ARE THINGS THAT SHOULD BE EXPECTED IN ANY REASONABLE + RESPONSIBLE DEVELOPMENT PROJECT. WE ARE ASKING FOR AN ACCEPTABLE LANDSCAPE PLAN INCLUDING A BERM. WE WANT A STORM WATER RUN-OFF AND DRAINAGE SYSTEM TO PREVENT FURTHER SOIL EROSION AND DAMAGE TO OUR PROPERTY. WE ARE ASKING FOR MATURE TREES ALONG OUR COMMON LOT LINE (NOT A FEW SCRUB TREES SMALLER THAN THE THOUSANDS OF TREES THAT HAVE BEEN DESTROYED). WE ARE ASKING FOR YOUR CONSULTING ENGINEERS TO REVIEW ALL PLANS AND TO BECOME INVOLVED IN THE FINAL APPROVAL PROCESS. WE ARE ASKING THEM TO INSPECT THE CURRENT PROGRESS AND TO WORK CLOSELY WITH JIM HAEUSSLER AND UMRC'S ENGINEERS TO ENSURE SUCCESSFUL COMPLETION OF THE PROJECT. WE ARE

ASKING FOR ALL OF THESE THINGS TO BE PART OF THE FINAL APPROVAL. WE ARE ASKING FOR YOU TO DO WHAT'S RIGHT AND HELP UMRC TO BECOME A GOOD NEIGHBOR

THANK YOU FOR YOUR CONSIDERATION

KEN + JUDI TAPPE
3074 SANDHILL DRIVE
DEXTER, MI. 48130

AGENDA 9-10-07
ITEM H-1

August 31, 2007

Dear Dexter Senior Center Rentals:

Today is a day that I have been waiting for, for a long time – WE GOT OUR CARPET CLEANED ! !

Therefore – we are asking that all using our facilities from this day on –

1) No food of any kind on the carpet area

2) No beverages of any kind on the carpet area, except water

3) If water happens to be spilt, get it soaked up ASAP.

4) If an accident happens on the carpet, please leave a note as to who you are and what happened. We will attempt to clean it as best we can, but if there is a cost involved, we will be passing the bill along to you.

Please help us keep our facilities as clean as possible. Our cleaning staff do an excellent job of keeping it that way and with your assistance, we all can enjoy a clean Senior Center.

Dee

Dee Wensel, President
Board of Trustees
DEXTER SENIOR CENTER

AGENDA 9-10-07

ITEM I-1

VILLAGE OF DEXTER - COMMUNITY DEVELOPMENT OFFICE
8140 Main Street • Dexter, Michigan 48130-1092 • (734) 426-8303 • Fax (734) 426-5614

Memorandum

To: Village Council
Donna Dettling, Village Manager
From: Allison Bishop, AICP, Community Development Manager
Re: Report
Date: September 10, 2007

Planning Commission

Ordinance Amendments – The Planning Commission held public hearings on the proposed amendments to Articles 4, Nonconformities and Article 6, Landscaping Standards. A recommendation to approve the amendments to Article 6 has been forwarded to the Village Council. The Planning Commission did not recommend amending Article 4.

Dexter Wellness Center – The Planning Commission moved to recommend approval of the Dexter Wellness Center final site plan on September 4, 2007. It is anticipated that the applicant will be back before the Village Council on October 8, 2007, possibly sooner.

Emerald Ash Borer Grant – The Village was reimbursed $3000 for the final EAB grant.

Please feel free to contact me prior to the meeting with questions.

Thank you,

Allison Bishop

From: Kerry Gray [grayk@michigan.gov]
Sent: Thursday, August 30, 2007 12:06 PM
To: Allison Bishop
Subject: Emerald Ash Borer Grant #07-07

Dear Allison,
I have received the Village of Dexter's request for reimbursement for the Emerald Ash Borer Grant #07-07. All invoices and reports were acceptable and approved on August 30. A check/direct deposit in the amount of $3,000 will be sent from our central processing office to the holder of the Federal ID number (FEIN) that you provided. The Village should receive payment in approximately 50 days.

Please let me know if you have any questions.

Kerry Gray
Emerald Ash Borer Restoration Coordinator
MDNR, Forest Mineral & Fire Management
PO Box 30452
Lansing, MI 48909-7952
517.241.1833 (phone)
517.373.2443 (fax)
grayk@michigan.gov

AGENDA 9-10-07

ITEM I-4

VILLAGE OF DEXTER

ddettling@villageofdexter.org
8140 Main Street Dexter, MI 48130-1092 Phone (734)426-8303 Fax (734)426-5614

MEMO

To: **President Seta and Council Members**
From: **Donna Dettling, Village Manager**
Date: **September 10, 2007**
Re: **VM Report**

1. Meeting Review:
   - August 24th – Nagel Paving re: DDA parking lot resurfacing project
   - August 27th – County Building Dept. re: Service delivery and funding issues
   - August 29th – Washtenaw County Home Builders re: Review processes

2. 5th Well or 2nd Well Site Project. The Consent to Entry on License agreement signed by the Village and Dexter Community School's expires on September 12, 2007. Based on the feedback from DCS they are agreeable to entering into a new agreement to allow for future test sites in location(s) mutually agreeable to both parities and that any future agreement will require language that the Board of Education feels will adequately protect people in neighborhood that have wells in the aquifer. I am working on this document and will have it reviewed by our Attorney, then sent to DCS for their Attorney to review. The goal is to have both Boards authorize entering into the agreement at our next meeting on September 24, 2007.

3. Web Site Counter. Marie was able to place a counter on the village's web site. The counter became active September 4, 2007.

4. Schulz Project Negotiation Team. At the August 13, 2007 meeting, Council authorized a negotiation team to approach Schulz Development about the possibility of purchasing office space in the newly proposed Jeffords Street Redevelopment Project. The team is Jim Seta, Shawn Keough, Dan O'Haver or John Iacoangeli, and staff support. Staff is putting together information and documents that will be needed in preparation for this negotiation. Frame work for a Development/Purchase Agreement is being drafted, an appraisal was ordered to establish commercial value of the property needed for the building footprint, confirmation of the number of square feet needed for village offices and whether this space can be programmed into the proposed floor plan, and finally verification of the square foot cost of construction. A team meeting is planned for the week of September 17th, and a meeting with the Developer is planned for the week of September 24th.

5. State Revolving Fund (SRF). Attached to my report is an update from the DEQ on SRF Project Funding.

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING

JENNIFER M. GRANHOLM
GOVERNOR

STEVEN E. CHESTER
DIRECTOR

August 24, 2007

TO: Fiscal Year 2008 State Revolving Fund and Strategic Water Quality Initiative Fund Applicants

FROM: Chip Heckathorn, Chief
Revolving Loan Operator and Certification Section
Environmental Science and Service Division

SUBJECT: **State Revolving Fund (SRF)**
Strategic Water Quality Initiatives Fund (SWQIF)
Fiscal Year 2008 Draft Project Priority Lists and Draft Intended Use Plan

Attached are the draft Fiscal Year (FY) 2008 Project Priority Lists (PPL), and the draft FY 2008 Intended Use Plan (IUP) that will be used by the Department of Environmental Quality (DEQ) to distribute SRF and SWQIF loan moneys for the construction of wastewater projects. Explanatory materials for these documents, a **September 26, 2007, Public Hearing Notice**, and the FY 2008 SRF and SWQIF Financing Schedule are also attached.

The hearing's purpose is to receive requests for re-evaluation of calculation factors used to assign priority points to projects on the draft PPLs, and to receive comments on the draft IUP. This is not a forum intended to debate the project-ranking criteria as established in Public Act 451 of 1994, Parts 52 and 53, and Rule 323.958 (Rule 8).

Requests for changes to PPL point calculation data, project scope, binding commitment date, or costs may be submitted during the public hearing comment period on the attached Project Re-evaluation Request Form. The IUP provides information relating to FY 2007 funding projections. **The interest rate for FY 2008 has been set at 2.5 percent for both the SRF and the SWQIF. The PPL and IUP document a dramatic increase in demand for SRF assistance in FY 2008. Even with full utilization of Great Lakes Water Quality Bonds, this elevated demand, coupled with recent state budget cuts, will result in some SRF projects being outside the fundable range for FY 2008, currently estimated at $515 million.** Any changes made as a result of the public hearing may impact project ranking on the final PPLs. Applicants will be notified when the PPLs are final and the fundable range is established for each fund.

All FY 2007 4th Quarter projects are listed on the draft SRF PPL; if final loan closings occur before October 1, 2007, as scheduled, they will not appear on the final PPL. If you have any questions regarding this material, please feel free to contact the Revolving Loan and Operator Certification Section at 517-373-2161.

Attachments
cc: Consulting Engineers for Applicants
Mr. Andrew Lausted, U.S. EPA - Region 5
Mr. Steven E. Chester, Director, DEQ
Ms. Amy Butler, DEQ
Mr. Richard Powers, DEQ
DEQ District Supervisors Water Division

State of Michigan

Jennifer M. Granholm, Governor

Department of Environmental Quality

Steven Chester, Director

INTERNET: http://www.michigan.gov/deq

State Revolving Fund
Strategic Water Quality Initiatives Fund
Draft Intended Use Plan - Fiscal Year 2008

Prepared by:
Revolving Loan and Certification Operation Section
Environmental Science and Services Division

August 2007

The Michigan Department of Environmental Quality (MDEQ) will not discriminate against any individual or group on the basis of race, sex, religion, age, national origin, color, marital status, disability or political beliefs. Questions or concerns should be directed to the MDEQ Office of Human Resources, P.O. Box 30473, Lansing, MI 48909.

SRF SWQIF SRF SWQIF SRF SWQIF

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SRF Draft Project Priority List for Fiscal Year 2008
Fundable SRF Projects by Category for Fiscal Year 2008
SWQIF Draft Project Priority List for Fiscal Year 2008
Key to Project Priority List Headings for SRF and SWQIF

I. INTRODUCTION

The State of Michigan provides a low-interest loan financing program to assist qualified local municipalities with the construction of needed water pollution control facilities. Michigan's fund is officially known as the Water Pollution Control Revolving Fund. Since its inception in 1989, however, the fund has more commonly been referred to as the **State Revolving Fund,** or **SRF**. This is an important distinction to be made because Michigan also offers similar financing programs: the **Drinking Water Revolving Fund** or **DWRF**, for drinking water projects, and the **Strategic Water Quality Initiatives Fund** or **SWQIF**, for water pollution control projects that are not in public ownership.

While these three programs run on parallel tracks, there are some differences in their requirements. It is important that interested parties work with the Department of Environmental Quality (DEQ) staff to increase their knowledge of these differences. This Intended Use Plan (IUP) will focus on the SRF and SWQIF.

Michigan's SRF program is used by local municipalities to finance construction of their water pollution control projects. These projects may include wastewater treatment plant upgrades or expansions, combined or sanitary sewer overflow abatement, new sewers designed to reduce existing sources of pollution, and other publicly owned wastewater treatment efforts. The SRF can also fund projects to reduce nonpoint sources of water pollution (NPS). The SWQIF program is used by municipalities to finance two types of projects: (1) the on site upgrade/replacement of septic systems, and (2) the removal of ground water or storm water from sewer leads. Qualified municipalities must meet the federal and/or state requirements for either program, as well as demonstrate their ability to publicly finance their project.

The SRF and the SWQIF are state-managed programs. This Fiscal Year (FY) 2008 IUP describes how the DEQ and the Michigan Municipal Bond Authority (Authority) will jointly administer the SRF and SWQIF during the upcoming fiscal year. The Revolving Loan and Operator Certification Section (RLOCS) of the Environmental Science and Services Division (ESSD) is charged with carrying out the program administration responsibilities for the SRF and the SWQIF. The staff of the Authority will handle financial administration of both programs.

The administrative contacts for the SRF and the SWQIF are as follows:

Mr. Chip Heckathorn, Chief
Revolving Loan and Operator Certification Section
Environmental Science and Services Division
Michigan Department of Environmental Quality
P.O. Box 30457
Lansing, MI 48909-7957
517-373-4725
E-Mail: heckathc@michigan.gov

The United States Environmental Protection Agency (EPA) continues to offer guidance and annual program oversight reviews that strengthen the management of the SRF and help to ensure consistent application of federal requirements. The SWQIF is a state funded program that has requirements similar to the SRF.

II. STRUCTURE OF THE SRF

From 1989 through 1992, Michigan's SRF operated as a direct loan program. Municipalities requested reimbursement for project costs and draws were processed directly upon federal and state funds as they were requested. Since 1992, however, the state has sold State Revolving Fund Revenue Bonds that are secured by a reserve drawn directly from federal and state funds. The federal and state funds act as collateral for the bond. Bond issuance costs are covered by the bonds sold and, thus, are not identified as direct administrative expenses of the SRF. These bond issuance costs have historically approximated one percent of the total bond issue.

It is from these bond issues that reimbursements are drawn for the project costs of local units of government. Concurrently, the EPA and state funds (both required match contributions and "revolving" fund assets) are deposited into the debt service reserve accounts that provide coverage for the revenue bonds. State funds can include general fund or state match revenue bonds.

Michigan has requested and received a significant amount of federal capitalization grants from the EPA since FY 1989. The federal contribution is $1.1 billion to date. These funds matched by a required 20 percent contribution from state sources ($222 million); have created the capital pool from which the low-interest loans can be made.

III. STRUCTURE OF THE SWQIF

The SWQIF was created by the passage of Proposal 2 by Michigan voters in November 2002. The implementation of the fund is codified as Part 52, 1994 PA 451, of the Natural Resources and Environmental Protection Act, as amended (NREPA). The SWQIF is a low interest revolving loan program that allows qualified municipalities to access financing for the construction of needed water pollution control facilities that cannot qualify for SRF assistance. Two types of projects can be financed under the SWQIF, (1) the on site upgrade/replacement of septic systems, and (2) the removal of ground water or storm water from sewer leads. Capital for the SWQIF is provided solely by the State of Michigan. October 1, 2003, began the first fiscal year of SWQIF financing for projects.

The structure of the SWQIF is very similar to the SRF and utilizes the same project planning, application, and review/approval process. Like the SRF, the SWQIF can

operate as a direct loan program or can provide assistance through the sale of leveraged revenue bonds.

IV. ADVANTAGES OF THE SRF AND SWQIF

The primary advantage of the SRF and the SWQIF to Michigan municipalities is the ability to borrow funds below the market rate. The following table shows the interest rate history of the SRF program.

Fiscal Year	Interest Rate
1989-1994	2.000%
1995-1998	2.250%
1999-2003	2.500%
2004	2.125%
2005-2007	1.625%

Since the SRF's inception, 30-year tax exempt fixed interest rates have ranged from approximately 5 to 8 percent. The relative stability of the SRF has allowed communities to more adequately plan without factoring in major market rate adjustments.

The interest rates for SRF and SWQIF municipal borrowers in FY 2008 will be 2.5 percent. The interest rate decisions are based on demand, market conditions, program costs, and future project needs.

Apart from the low interest rate, municipalities also benefit from the SRF and SWQIF in that they can finance all eligible water pollution control costs. Municipalities often do not have to seek other sources or enter the market to obtain local share financing. Everything is handled by this "one-stop shopping" concept. The amount of time it takes to commence construction is greatly reduced. This streamlined financing approach has resulted in lower bid costs because of the tighter timeframe. A streamlined approach has removed the unexpected elements that occurred when communities would obtain a grant and then have to secure financing for the local share.

The SRF can also be used to fund qualified NPS projects. The DEQ director annually allocates funds between traditional point source projects and the NPS projects. At least 2 percent of available SRF lending capacity will be made available to NPS projects that are consistent with Section 319 of the Federal Clean Water Act. There continues to be little interest from local units of government to finance projects for NPS pollution control through the SRF. The impediment likely results from the difficulty of generating a viable source of repayments for NPS projects. There are no NPS projects seeking SRF assistance in FY 2008.

V. PROJECT PRIORITY

The NREPA requires the SRF and SWQIF to offer assistance in priority order from the state's annual Project Priority Lists (PPLs). The criteria used to prioritize the projects are contained in the NREPA, with details set forth in administrative rules (R323.951 to R323.965).

This draft FY 2008 IUP, as well as the PPLs for the SRF and the SWQIF, include projects seeking Orders of Approval (the state's binding commitment) between October 1, 2007, and September 30, 2008. On or shortly after the beginning of the FY 2008, letters will be sent to those communities on the PPL for the SRF and the SWQIF to identify the fundable and contingency projects. Communities with projects in the fundable range must negotiate a milestone schedule with the RLOCS project manager assigned to their project.

Historically, many projects in the contingency range of the PPL have been funded when others in the fundable range fail to satisfactorily meet program requirements in a timely manner. Therefore, it is imperative that municipal officials work closely with the DEQ and the Authority to ensure that no opportunity for funding is lost.

NOTE: There is no actual or implied guarantee that inclusion on the PPL or the IUP will constitute a commitment of financial assistance from the SRF or SWQIF. All program requirements must be satisfied before a binding commitment will be offered and a loan closed.

VII. LONG-TERM GOALS

Michigan's SRF and SWQIF are funding sources used to protect and preserve the water resources within the state's boundaries. As more attention is given to water pollution abatement efforts within specific watersheds, the DEQ will continue to work toward establishing tighter integration of the federal/state/local partnership. This includes efforts to satisfy EPA that the pace of Michigan's SRF is satisfactory.

The DEQ has expressed its willingness to work together with various federal and state agencies, such as United States Rural Development and the Michigan Department of Labor and Economic Growth, so that our agencies may collectively fund projects and maximize use of our capital pool to protect Michigan water resources.

Such protection of the state's waters will ultimately benefit everyone. Industry, tourism, the economy, and the day-to-day quality of life are strengthened when our most valuable natural resource is preserved for our use and enjoyment. This includes improvement of existing surface waters that suffer impairment, protection of groundwater resources from improperly treated discharges, reduction of harmful discharges from sanitary and combined sewer overflows, and the protection of aquatic ecosystems that cannot thrive in conditions of degraded water quality. To this end, long-term goals for Michigan's SRF and SWQIF are:

A. To achieve and maintain statewide compliance with all applicable state and federal laws, rules, and standards.

B. To protect the public health and environmental quality of our state.

C. To further integrate principles of watershed management and water quality restoration within urban areas, as well as out-state areas.

D. To secure Michigan's full share of federal funding available under Title VI of the Federal Water Pollution Control Act. To expeditiously obligate the federal funds,

along with the state contributions for the construction of water pollution control projects that meet state and federal requirements.

E. To maximize the volume of annual lending capabilities while maintaining stable/predictable terms to the maximum extent possible.

F. To maintain strategies within the SRF and SWQIF to assist smaller, hardship communities in meeting water quality standards.

VIII. SHORT-TERM GOALS

In order to accomplish the long-term goals, we must also focus on more immediate objectives. Therefore, our short-term goals for FY 2008 are:

A. To fund those projects identified in the PPL for the SRF and the SWQIF that are determined to be in the fundable range, enabling municipalities to proceed with construction as adopted in their project plans.

B. Work with other agencies and offices in developing integrated approaches in watershed management efforts.

C. Coordinate disbursement practices with the DEQ's Financial and Business Services Division to ensure accurate reporting of program information for administrative/project expenditures.

D. Increase awareness about the SWQIF and the SRF.

E. Identify and integrate, wherever possible, outreach efforts focused on pollution prevention activities.

F. To ensure that funded projects have reviewed and considered the security needs of the wastewater system.

G. Identify and report project outcome by participating in the EPA/Association of State and Interstate Water Pollution Control Administrators (ASIWPCA) Environmental Benefits data collection effort.

IX. ALLOCATION OF FUNDS FOR SRF

With Michigan's decision to utilize a leveraged SRF bond program, the establishment of a fundable range for any given fiscal year entails a series of steps that culminate in a determination of how much leveraged borrowing fund resources can support. Using a series of interest rate assumptions (SRF loan rate, return on investment rates, and revenue bond rate) the process for FY 2008 is outlined on the following page:

1. The DEQ reviewed the total amount of loans committed through June 30, 2007, the anticipated loan commitments through September 30, 2007, and other draw amounts that affect the SRF.

Total loan commitments through 6/30/07	$2,461,290,000
Plus anticipated FY 2007 loan awards through 9/30/07	$ 388,640,000
Less reduction in loans for admin. complete projects	($ 33,153,572)
Less direct loan draws to date	($ 170,445,315)
Less total revenue bonds issued to date	($2,083,758,269)
Additional revenue bond amount needed to service loans through FY 2007	**$ 562,572,844**

2. To establish an estimate of reserve fund capabilities, the DEQ assumed that the capitalization grant would remain constant for the next four years (for planning purposes only). Using the FY 2007 appropriation amount of $1.083 million, approximately $46 million in capitalization funds from the EPA would be available each year from FY 2008 through FY 2011. It was assumed that additional state match contribution from the general fund would not be available, necessitating the generation of state match needs from within the fund.

3. The DEQ then looked at how much the SRF could support in leveraged borrowing using a five-year forecast at varying capitalization levels and interest rates. These analyses indicate that the DEQ can leverage approximately $628 million each year for five years. The leveraged capacity estimate does assume a Proposal 2 capitalization amount of $180 million per year, the maximum allowed by law, which increases our lending capacity.

   After subtracting the amount needed to service existing loans, fund resources could support $515 million in new loan commitments for FY 2008. The total amount of projects seeking SRF loans in FY 2008 is estimated at $617 million (amount taken from the SRF draft PPL). The total amount for NPS projects seeking assistance is $0.

X. SRF PROGRAM ASSETS

The DEQ and the Authority review the benefits of refunding previous bond issues each time a bond sale is anticipated. Currently, it has not been determined if any bonds will be refunded during FY 2008.

The following chart provides the SRF program assets prior to the start of FY 2008. Funds drawn from leveraged bond issues will be used to pay program expenses and make loans to communities. Reserve account balances will be retained to use for future leveraging upon release.

Capitalization Grant Amount (to be pledged to bond issue)	$ 46,020,249
Direct Loan Repayment Balance (as of 7/31/07)	$ 138,678,711
Released Account Balance (as of 7/31/07)	$ 292,522,349
2006 Leveraged Bond Issue Balance (as of 8/9/07)	$ 55,358,912

XI. ALLOCATION OF FUNDS FOR SWQIF

As additional projects apply for SWQIF loans, the SWQIF can be established as a leveraged program. Using a series of interest rate assumptions (project demand, loan rate, return on investment rates, and revenue bond rate), the establishment of a

fundable range can be completed. The total amount of projects ready to receive SWQIF loans in FY 2008 is $1,880,000. With the funds currently available, the SWQIF fundable range will extend through the entire PPL in FY 2008.

XII. ASSURANCES

The final guidelines from the EPA set forth provisions that the state must provide certain assurances in order to qualify for capitalization grant funding. Such assurances are incorporated into the Operating Agreement and are included here by reference.

XIII. CRITERIA AND METHOD FOR DISTRIBUTION OF FUNDS

The state of Michigan will provide financial assistance from the SRF and the SWQIF to municipalities in the relative order that they appear on the PPLs developed for the fiscal year covered by this IUP. It is probable, however, that lower-ranked communities will receive money sooner if higher-ranked communities are not ready to proceed.

As a result of the DEQ's review, 45 SRF projects totaling $617,140,000 have expressed their intent to proceed in FY 2008 and are included on the draft FY 2008 SRF PPL. Staff also identified 10 projects and/or segments equaling $1,095,220,000 that will be considered for funding in the future. Additionally, since the draft PPL must be produced prior to the date on which binding commitments will be offered for 4th Quarter FY 2007 projects, they are retained on the list for FY 2008 in the event a binding commitment is not offered on August 30, 2007. There are 19 of these projects totaling $399,920,000. There are no NPS projects on the draft FY 2008 NPS PPL.

Thus, 74 different projects totaling $2.1 billion are identified on the SRF PPL, along with a brief description, their total priority points, population to be served, targeted binding commitment date, and targeted binding commitment amount. The attached Key to Project Priority List Headings identifies the project priority categories in which each project received points on the SRF and SWQIF PPLs. The Scoring Detail is included for the NPS PPL.

For the SWQIF, there are two projects totaling $1,880,000 that have expressed intent to proceed in FY 2008 and appear on the draft FY 2008 SWQIF PPL.

The draft FY 2008 PPLs for the SRF and the SWQIF are included as part of the IUP process, and will be presented as part of the public hearing notification package. Additional copies of the PPLs are available from the RLOCS.

Section 5309 of the NREPA permits the DEQ to limit funding in certain circumstances to maximize funds and achieve greater environmental gains. It reads:

> *To ensure that a disproportionate share of available funds for a given fiscal year is not committed to a single sewage treatment work project or storm water project, the department may segment a sewage treatment works project if either of the following criteria is present:*
>
> *(a) The cost of the proposed project is more than 30 percent of the available funds.*

(b) Upon application of a municipality, the department has approved a municipality's application for segmenting a project.

The DEQ has implemented these provisions as shown on the draft SRF PPL.

Financial assistance to municipalities during FY 2008 will consist solely of loans. There will be no guarantees of indebtedness.

XIV. PROPOSED PROGRAM CHANGE

As a result of increased demand for SRF/SWQIF, resources exhibited starting in FY 2008, and a re-evaluation of program intent/priorities, the DEQ has discontinued providing SRF/SWQIF assistance to projects that accomplish the refinancing/refunding of construction debt. Beginning with FY 2007, no new project plan submittals for projects that proceeded to construction with non-SRF/SWQIF financing will be accepted. Those refinancing projects that appear on the FY 2008 PPL, Shelby and Berrien Springs, will be considered for refinancing upon submittal of a complete application. This program change is being proposed because fund resources are limited and refinancing projects does not provide any new environmental/public health benefits to water quality.

XV. PUBLIC REVIEW AND COMMENT

In order to satisfy public participation requirements, the DEQ will hold a public hearing on the SRF and SWQIF IUP and PPLs (including the NPS PPL) on September 26, 2007, at 1:30 PM, in the Brake Conference Room, on the Atrium Level, South Tower of Constitution Hall, 525 West Allegan, in Lansing, Michigan. This hearing will be announced in newspapers throughout the state, published in the DEQ Calendar of Events, individually noticed to each municipality on the proposed draft FY 2008 PPLs along with their consulting engineer, and sent to interested parties.

Items to be addressed in the public hearing include Michigan's draft PPLs for the SRF, and the SWQIF, this draft IUP, priority point assignments, planned funding schedules, and proposed binding commitment amounts for projects, which might be assisted with SRF or SWQIF moneys during FY 2008. This hearing provides an opportunity for municipalities and other interested parties to comment and request changes to their project's ranking criteria.

Questions about the public hearing, the draft PPLs, or this draft IUP may be directed to:

Mr. Chip Heckathorn, Chief
Revolving Loan and Operator Certification Section
Environmental Science and Services Division
Department of Environmental Quality
P.O. Box 30457
Lansing, MI 48909
Telephone: 517-373-4725
Fax: 517-335-0743
E-Mail: heckathc@michigan.gov

XVI. ORIGINATION OF DOCUMENTS

The Chief of the Revolving Loan and Operator Certification Section of the DEQ is responsible for issuing the IUP.

DEQ State Revolving Fund Current PPL

DRAFT

SRF

Fiscal Year 2008 Project Priority List By Rank

Rank	Project Number	Project Name and Description			Water Quality Severity Pts DO	NUT	TOX	MICR	GWD	Tot	Fal OSSS	Sptg Rec	Enf Pts	Population	Pop Pts	Exist. Disch	Rec Waters	Dil Ratio	Rat Pts	Tot Pts	Bind. Com Date	Bind. Com Amount
PROJECTS WITH PRIOR YEAR SEGMENTS																						
1	5236-02	Muskegon Co	Muskegon Co	Seg 2; WWTP Impr	0	0	0	0	0	0	0	0	0	109,153	95	27.05	1	>.6000	100	195	3/13/2008	$500,000
1	5236-99	Muskegon Co	Muskegon Co	WWTP Impr-Future Segs	0	0	0	0	0	0	0	0	0	109,153	95	27.05	1	>.6000	100	195	Future	$8,700,000
2	5229-05	Genesee Co	Ragnone Syste	Seg 5; NEES Intcp Swr (contract 3	0	0	0	0	0	0	0	0	0	242,010	100	26.73	220	0.1216	85	185	8/30/2007	$11,280,000
2	5229-06	Genesee Co	Ragnone Syste	Seg 6; NEES Intcp Swr - Cont 4	0	0	0	0	0	0	0	0	0	242,010	100	26.73	220	0.1216	85	185	11/21/2007	$6,150,000
2	5229-07	Genesee Co	Ragnone Syste	Seg 7; NEES Intcp Swr - Cont 5	0	0	0	0	0	0	0	0	0	242,010	100	26.73	220	0.1216	85	185	6/5/2008	$3,050,000
2	5229-08	Genesee Co	Ragnone Syste	Seg 8; NEES Intcp Swr - Cont 6	0	0	0	0	0	0	0	0	0	242,010	100	26.73	220	0.1216	85	185	Future	$2,750,000
3	5230-03	Saginaw	Saginaw Co	Seg 3; WWTP Upgrd	0	0	0	0	0	0	0	0	0	88,271	95	21.25	580	0.0367	70	165	8/30/2007	$3,375,000
4	5217-02	Wayne Co	Downriver WW	WWTP Impr-Seg 2-Generators	0	0	0	0	0	0	0	0	0	283,590	100	61.05	29200	0.0022	55	155	6/5/2008	$5,140,000
4	5217-03	Wayne Co	Downriver WW	WWTP Impr-Seg 3-Final Clarifiers	0	0	0	0	0	0	0	0	0	283,590	100	61.05	29200	0.0022	55	155	8/29/2008	$6,620,000
4	5217-04	Wayne Co	Downriver WW	WWTP Impr-Seg 4/6-Sludge;HVA	0	0	0	0	0	0	0	0	0	283,590	100	61.05	29200	0.0022	55	155	8/29/2008	$7,480,000
4	5217-05	Wayne Co	Downriver WW	WWTP Impr-Seg 5-SCADA	0	0	0	0	0	0	0	0	0	283,590	100	61.05	29200	0.0022	55	155	8/29/2008	$2,710,000
4	5217-07	Wayne Co	Downriver WW	WWTP Impr-Seg 7-UV Enclosure	0	0	0	0	0	0	0	0	0	283,590	100	61.05	29200	0.0021	55	155	8/29/2008	$660,000
4	5217-99	Wayne Co	Downriver WW	Downriver WWTP Impr-Future Seg	0	0	0	0	0	0	0	0	0	283,590	100	61.05	29200	0.0022	55	155	Future	$73,810,000
PROJECTS WITHOUT PRIOR YEAR SEGMENTS																						
5	5175-06	Detroit	Wayne Co	Seg 6 CSO; Oakwood RTB/PS	100	100	0	27	0	227	0	0	300	3,111,047	100	18	20	>.6000	100	727	8/30/2007	$157,660,000
5	5175-07	Detroit	Wayne Co	Seg 7 CSO; Oakwood Swr Impr	100	100	0	27	0	227	0	0	300	3,111,047	100	18	20	>.6000	100	727	8/29/2008	$84,840,000
5	5175-09	Detroit	Wayne Co	Seg 9 CSO; URT - Cont 1&2 (1)	100	100	0	27	0	227	0	0	300	3,111,047	100	18	20	>.6000	100	727	8/29/2008	$68,160,000
5	5175-99	Detroit	Wayne Co	CSO; URT- Future Segs	100	100	0	27	0	227	0	0	300	3,111,047	100	18	20	>.6000	100	727	Future	$633,240,000
6	5207-05	Dearborn	Wayne Co	Seg 5 CSO; Treatment Shafts	52	42	0	27	0	121	0	0	300	60,730	95	3.11	3.5	>.6000	100	616	8/30/2007	$96,350,000
6	5207-06	Dearborn	Wayne Co	Seg 6 CSO; Phase B Tr Shaft 2	52	42	0	27	0	121	0	0	300	60,730	95	3.11	3.5	>.6000	100	616	8/29/2008	$60,000,000
6	5207-07	Dearborn	Wayne Co	Seg 7 CSO; Phase B Tr Shaft 1&5	52	42	0	27	0	121	0	0	300	60,730	95	3.11	3.5	>.6000	100	616	Future	$40,000,000
7	5005-21	Lansing	Ingham Co	Seg 21 CSO; Swr Sep, Phase IV-5	7	100	0	37	0	144	0	0	300	62,301	95	1.268	48	0.0264	70	609	3/13/2008	$27,755,000
7	5005-99	Lansing	Ingham Co	CSO: Swr Sep - Future Segs	7	100	0	37	0	144	0	0	300	62,301	95	1.268	48	0.0265	70	609	Future	$264,885,000
8	5006-99	Port Huron	St Clair Co	CSO: Swr Sep Future Segs	0	30	0	27	0	57	0	0	300	32,338	90	2.67	30	0.089	85	532	Future	$5,200,000
9	5302-01	Detroit	Wayne Co	Seg 1; 2nd Det Riv Outfall Comple	0	0	0	27	0	27	0	0	300	3,272,047	100	273	66	>.6000	100	527	8/29/2008	$153,000,000
9	5302-02	Detroit	Wayne Co	Seg 2; 2nd Det Riv Outfall Comple	0	0	0	27	0	27	0	0	300	3,272,047	100	273	66	>.6000	100	527	Future	$24,770,000
10	5287-01	Inkster	Wayne Co	Seg 1 CSO; Treatment Shafts	7	5	0	27	0	39	0	0	300	29,384	90	0.78	3.5	0.223	85	514	8/30/2007	$26,840,000
10	5287-99	Inkster	Wayne Co	CSO; Future Segs	7	5	0	27	0	39	0	0	300	29,384	90	0.78	3.5	0.223	85	514	Future	$33,865,000
11	5276-01	New Baltimore	Macomb Co	WWTP and collection system impr	0	0	0	27	0	27	0	0	300	11,725	85	1.05	0	>.6000	100	512	8/30/2007	$20,000,000
12	5314-01	Owosso	Shiawassee C	SSO (manhole rehab)	0	0	0	27	0	27	0	0	300	24,000	90	0.5	96	0.0052	55	472	3/13/2008	$2,485,000
13	5173-01	Leoni Twp	Jackson Co	WWTP Expan/Upgrd	0	0	0	0	0	0	0	0	300	20,478	85	1.362	4.7	0.2899	85	470	6/5/2008	$30,850,000
14	5282-01	Houghton Lake	Roscommon C	WWTP Upgrd	0	0	0	0	0	0	0	0	300	8,275	80	0.11	0.3	0.3668	85	465	8/30/2007	$10,110,000
15	5317-01	Niles	Berrien Co	CSO (diversion structure/swr impr)	0	0	0	27	0	27	0	0	300	17,203	85	1.92	1860	0.0010	40	452	3/13/2008	$600,000
16	5129-99	Sault Ste Marie	Chippewa Co	CSO; Sewer Sep - Future Segs	0	1	0	27	0	28	0	0	300	9,323	80	0.043	78000	<.0002	25	433	Future	$8,000,000
17	5286-01	Portage Lake	Houghton Co	New FM; PS Upgrd; Sep Hand Fa	0	0	0	0	0	0	0	100	0	10,100	85	1.89	0	>.6000	100	285	6/5/2008	$1,400,000
18	5266-01	Alpena	Alpena Co	WWTP Rehab/Upgrd, Septage Fa	0	0	0	0	0	0	0	100	0	17,500	85	2.49	160	0.0157	70	255	8/30/2007	$5,035,000
19	5316-01	Solon Twp	Leelanu Co	New WWTP/CS (Cedar)	0	0	0	0	75	75	100	0	0	135	30	0.018	9999999	<.0002	25	230	8/29/2008	$1,340,000
20	5304-01	Muskegon Co	Muskegon Co	Swr Sys Impr	3	0	0	27	0	30	0	0	0	109,153	95	27.05	1	>.6000	100	225	8/29/2008	$18,410,000

Rank	Project Number	Project Name and Description			Water Quality Severity Pts						Fal	Sptg	Enf	Population	Pop	Exist.	Rec	Dil	Rat	Tot	Bind. Com	Bind. Com
					DO	NUT	TOX	MICR	GWD	Tot	OSSS	Rec	Pts		Pts	Disch	Waters	Ratio	Pts	Pts	Date	Amount
21	5249-01	Geo W Kuhn D	Oakland Co	12 Towns RTB Flush System (Seg	0	0	0	0	0	0	0	0	0	209,000	100	12.16	1.7	>.6000	100	200	8/30/2007	$18,000,000
21	5249-02	George W Kuh	Oakland Co	12 Towns RTB Flush Sys (Seg 2)	0	0	0	0	0	0	0	0	0	209,000	100	12.16	1.7	>.6000	100	200	8/29/2008	$8,000,000
22	5306-01	8 1/2 Mile Relie	Macomb Co	Chapaton RTB Impr	0	0	0	0	0	0	0	0	0	47,159	90	28.4	0	>.6000	100	190	3/13/2008	$3,390,000
23	5277-01	Cadillac	Wexford Co	WWTP/PS Impr	0	0	0	0	0	0	0	0	0	10,300	85	2.16	2.1	>.6000	100	185	8/30/2007	$3,800,000
24	5248-01	Higgins Lake U	Roscommon C	New WWTP/CS-Camp Curnalia	0	0	0	0	0	0	100	0	0	1,490	55	0.104	9999999	<.0002	25	180	8/30/2007	$4,130,000
25	5275-01	Grand Valley R	GR/Wyoming	Seg 1 Solids Handling Impr	0	0	0	0	0	0	0	0	0	446,000	100	44	830	0.0531	70	170	8/30/2007	$13,260,000
25	5275-02	Grand Valley R	GR/Wyoming	Seg 2 Solids Handling Impr	0	0	0	0	0	0	0	0	0	446,000	100	44	830	0.0530	70	170	8/29/2008	$17,680,000
26	5310-01	Allegan Twp	Allegan Co	New CS (Miner Lake)	0	0	0	0	0	0	100	0	0	660	40	0.037	410	<.0002	25	165	6/5/2008	$5,065,000
27	5279-01	Delhi Twp	Ingham Co	Solids Handling Impr	0	0	0	0	0	0	0	0	0	21,528	90	2	67	0.03	70	160	8/30/2007	$7,115,000
28	5273-01	Chelsea	Washtenaw Co	WWTP Expnd	0	0	0	0	0	0	0	0	0	5,001	75	0.79	1.9	0.4159	85	160	8/30/2007	$260,000
28	5273-02	Chelsea	Washtenaw Co	Seg 2; WWTP Expnd/Upgrd	0	0	0	0	0	0	0	0	0	5,001	75	0.79	1.9	0.4159	85	160	3/13/2008	$10,820,000
29	5269-01	Sturgis	St Joseph Co	WWTP/PS Imp; New Intcp/Otfl; F	0	0	0	0	0	0	0	0	0	11,285	85	0.72	41	0.0177	70	155	8/30/2007	$13,820,000
30	5315-01	Sturgis	St. Joseph Co	New Intcp/FM/PS/Gen.	0	0	0	0	0	0	0	0	0	11,285	85	0.72	41	0.0176	70	155	3/13/2008	$7,200,000
31	5307-01	Howard City	Montcalm Co	WWTP Upgrd; Swr Repl; PS Impr	0	0	0	0	0	0	0	0	0	1,796	55	0.92	1.1	>.6000	100	155	6/5/2008	$2,770,000
32	5311-01	Sheridan Twp	Newago Co	Swr Ext (Fremont Lake)	0	0	0	0	0	0	100	0	0	287	30	0.02	9999999	<.0002	25	155	6/5/2008	$2,500,000
33	5263-01	South Branch	Emmett - St Cl	Seg 1 WWTP/CS	0	0	0	0	0	0	100	0	0	261	30	0.017	9999999	<.0002	25	155	8/30/2007	$2,440,000
33	5263-02	South Branch	Emmett - St. Cl	Seg 2 WWTP/CS	0	0	0	0	0	0	100	0	0	261	30	0.017	9999999	<.0002	25	155	3/13/2008	$340,000
34	5281-01	Tecumseh	Lenawee Co	WWTP Upgrd	0	0	0	0	0	0	0	0	0	8,831	80	0.79	15	0.0528	70	150	8/30/2007	$1,670,000
35	5252-01	Parma	Jackson Co	WWTP Xpan/Upgrd	0	0	0	0	0	0	0	0	0	907	50	1.07	1.2	>.6000	100	150	3/13/2008	$4,865,000
36	5278-01	Monroe	Monroe Co	WWTP Upgrd	0	0	0	0	0	0	0	0	0	49,600	90	8.02	996	0.0081	55	145	3/13/2008	$8,200,000
37	5270-01	Sparta	Kent Co	WWTP Xpan/Upgrd	0	0	0	0	0	0	0	0	0	5,128	75	0.744	59	0.0127	70	145	6/5/2008	$3,945,000
38	5312-01	West Iron Co S	Iron Co	WWTP Impr	0	0	0	0	0	0	0	0	0	4,481	75	0.989	43	0.023	70	145	6/5/2008	$355,000
39	5298-01	Port Austin	Huron Co	WWTP Upgrd	0	0	0	0	0	0	0	0	0	737	45	0.193	0	>.6000	100	145	3/13/2008	$1,600,000
40	5308-01	Hamburg Twp	Livingston Co	Repl Grinder Pmps (Ore Lake)	0	0	0	27	0	27	0	0	0	853	45	0.068	1.7	0.04	70	142	3/13/2008	$2,205,000
41	5290-01	Niles	Berrien Co	WWTP Upgrd	0	0	0	0	0	0	0	0	0	17,203	85	2.29	960	0.0024	55	140	3/13/2008	$10,940,000
42	5264-01	Big Rapids	Mecosta Co	WWTP Upgrd; Swr Rehab/Repl	0	0	0	0	0	0	0	0	0	12,344	85	1.07	400	0.0028	55	140	11/21/2007	$7,700,000
43	5305-01	West Branch	Ogemaw Co	WWTP Impr; Swr Rehab	0	0	0	0	0	0	0	0	0	2,743	70	0.71	17	0.0418	70	140	8/29/2008	$15,250,000
44	5299-01	Maybee	Monroe Co	Lagoon Impr; MH Rehab	0	0	0	0	0	0	0	0	0	505	40	0.7	0.2	>.6000	100	140	3/13/2008	$155,000
45	5309-01	Iron Mountain	Dickinson Co	PS Repl/Impr; Swr Repl	0	0	0	0	0	0	0	0	0	8,020	80	1.78	770	0.0023	55	135	3/13/2008	$970,000
46	5291-01	Dexter	Washtenaw Co	Swr Rehab	0	0	0	0	0	0	0	0	0	2,338	65	0.31	15	0.0207	70	135	8/29/2008	$1,000,000
47	5313-01	Elba Twp	Lapeer Co	WWTP Impr	0	0	0	0	0	0	0	0	0	857	45	0.71	1.2	0.5916	85	130	3/13/2008	$1,510,000
48	5300-01	Allegan	Allegan Co	WWTP Impr	0	0	0	0	0	0	0	0	0	5,092	75	0.75	410	0.0018	40	115	8/29/2008	$6,250,000
49	5280-01	Loch Alpine Au	Washtenaw Co	WWTP Expnd/Upgrd, EQ Basin, S	0	0	0	0	0	0	0	0	0	1,800	60	0.41	70	0.006	55	115	8/30/2007	$1,955,000
50	5168-01	Berrien Springs	Berrien Co	WWTP Repl (refinance)	0	0	0	0	0	0	0	0	0	2,543	65	0.25	1080	0.0003	40	105	8/29/2008	$7,000,000
51	5292-01	St. Ignace	Mackinac Co	WWTP Upgrd; Swr Sys Impr	0	0	0	0	0	0	0	0	0	2,678	70	0.716	9999999	<.0002	25	95	6/5/2008	$3,430,000
52	5253-01	Shelby	Oceana Co	WWTP Xpan/Upgrd (refinance)	0	0	0	0	0	0	0	0	0	1,942	60	0.53	9999999	<.0002	25	85	8/29/2008	$2,850,000
53	5267-01	Oakland Co	Springfield Tw	Intcp, PS, Decom WWTP	0	0	0	0	0	0	0	0	0	743	45	0.03	9999999	<.0002	25	70	8/30/2007	$2,820,000
74	Projects																					$2,112,280,000

DRAFT

Fundable State Revolving Loan Fund Projects for Fiscal Year 2008 - By Category

Project #	Secondary Treatment CatI	Advanced Treatment CatII	Infiltration/ Inflow CatIIIA	Sewer System Rehabilitation CatIIIB	New Collector Sewers CatIVA	New Interceptors CatIVB	CSO Correction CatV	Storm Water Management CatVI	Non Point Source CatVII	Totals
5005-21							27,755,000			27,755,000
5168-01					6,666,667	333,333				7,000,000
5173-01	30,850,000									30,850,000
5175-07							84,840,000			84,840,000
5175-09							68,160,000			68,160,000
5207-06							60,000,000			60,000,000
5217-02	5,140,000									5,140,000
5217-03	6,620,000									6,620,000
5217-04	7,480,000									7,480,000
5217-05	2,710,000									2,710,000
5217-07	660,000									660,000
5229-06						6,150,000				6,150,000
5229-07						3,050,000				3,050,000
5236-02	500,000									500,000
5249-02				8,000,000						8,000,000
5252-01	4,865,000									4,865,000
5253-01	2,850,000									2,850,000
5263-02					340,000					340,000
5264-01	7,442,832		1,254	255,914						7,700,000
5270-01	3,945,000									3,945,000
5273-02	10,820,000									10,820,000
5275-02	17,680,000									17,680,000
5278-01	8,200,000									8,200,000
5286-01	282,413			414,610		702,977				1,400,000
5290-01	10,940,000									10,940,000
5291-01			1,000,000							1,000,000
5292-01	2,359,933			1,070,067						3,430,000
5298-01	1,167,932	432,068								1,600,000
5299-01	113,737		41,263							155,000

Project #	Secondary Treatment CatI	Advanced Treatment CatII	Infiltration/ Inflow CatIIIA	Sewer System Rehabilitation CatIIIB	New Collector Sewers CatIVA	New Interceptors CatIVB	CSO Correction CatV	Storm Water Management CatVI	Non Point Source CatVII	Totals
5300-01	6,250,000									6,250,000
5302-01						153,000,000				153,000,000
5304-01						18,410,000				18,410,000
5305-01	11,995,816		3,254,184							15,250,000
5306-01							3,390,000			3,390,000
5307-01	2,560,000		210,000							2,770,000
5308-01				2,205,000						2,205,000
5309-01				970,000						970,000
5310-01					5,065,000					5,065,000
5311-01					2,500,000					2,500,000
5312-01	355,000									355,000
5313-01	1,510,000									1,510,000
5314-01			2,485,000							2,485,000
5315-01						7,200,000				7,200,000
5316-01	549,681				790,319					1,340,000
5317-01	600,000									600,000
	148,447,344	**432,068**	**6,991,701**	**12,915,591**	**15,361,986**	**188,846,310**	**244,145,000**			**617,140,000**
# of project	26	1	6	6	5	7	5	-	-	

DEQ Strategic WQ Initiatives Fund Current PPL

SWQIF

Fiscal Year 2008 Project Priority List By Rank

Rank	Project Number	Project Name and Description			Water Quality Severity Pts						Fal OSSS	Sptg Rec	Enf Pts	Exist. Disch	Rec Waters	Dil Ratio	Rat Pts	Tot Pts	Bind. Com Date	Bind. Com Amount
					DO	NUT	TOX	MICR	GWD	Tot										
PROJECTS WITHOUT PRIOR YEAR SEGMENTS																				
1	3002-05	Ann Arbor	Washtenaw Co	FDD; Seg 5	0	0	0	27	0	27	0	0	300	0.002	77	<.0002	25	382	11/21/2007	$950,000
2	3008-01	Benzonia/Lake	Benzie Co	Repair/repl OSSS	0	0	0	0	0	0	0	0	0	0	0	0	25	55	3/13/2008	$930,000
2	Projects																			$1,880,000

DRAFT

DEQ

Environmental Science and Services Division, Michigan Department of Environmental Quality

State Revolving Fund (SRF)
Strategic Water Quality Initiatives Fund (SWQIF)
Priority List Ranking For SRF/SWQIF Projects

AS REQUIRED BY PUBLIC LAW 92-500 (SRF), AS AMENDED, AND PARTS 52 (SWQIF) and 53 (SRF), ACT NO. 451 OF PA OF 1994

KEY TO PROJECT PRIORITY LIST HEADINGS

HEADING	DEFINITION
Rank	Order of eligibility for State Revolving Fund (SRF)/Strategic Water Quality Initiatives (SWQIF) loan funding in accordance with **total points** assigned.
Project Number	The identification number assigned to a project.
Project Name and Description	Name and location of applicant municipality. May include an additional identification when the applicant is a county or when more than one project is within the applicant area. The description identifies the basic type of project.
Water Quality Severity Pts	Points based on the pollutant load or the receiving water impairment that the proposed project will abate. The project is assessed in five categories (0-100 points each): 1. DO = Dissolved Oxygen 2. NUT = Nutrients 3. TOX = Toxic Materials 4. MICR = Microorganisms 5 GWD = Groundwater Discharge Tot = Total Water Quality Severity Points
Fin OSSS	On Site Septic Systems: points (100) are assigned for projects addressing on site system failures where conditions prevent replacement, necessitating off site remedy.
Sptg Rec	Septage Receiving: points (100) are assigned if the project includes the construction of septage receiving facilities.
Enf Pts	Enforcement points (300) are assigned if the project is necessary to comply with a construction schedule established by an order, permit, or other document issued by the director or entered as part of an action brought by the state against a municipality.
Pop Pts	Population points (30-100) are based upon the total existing residential population to be served by the project submitted. (SRF Only)
Dil Ratio/Rat Pts	The dilution ratio points (25-100) are based upon a ratio derived from the existing flow discharged (Exist. Disch), divided by the expected flow of the receiving waters (Rec Waters) during the period of discharge.
Tot Pts	The sum of the above comprises the total points assigned to each project for determining rank.
Bind. Com Date	The date projected by DEQ, based on the applicant's intentions, that it will issue a binding commitment for an SRF/SWQIF loan.
Bind. Com Amount	The estimated dollar amount of the SRF/SWQIF loan.
PROJECTS WITH PRIOR YEAR SEGMENTS	As specified by law and rule, after funding assistance for the first segment of a project is accepted, remaining segments retain first priority for funding assistance on the next three fiscal year Project Priority Lists. Project segments are ranked in order of total points.
PROJECTS WITHOUT PRIOR YEAR SEGMENTS	No segments of the listed project have been funded in the prior three fiscal years. Projects are ranked in order of total points.

Note: These criteria are specified in the Department of Environmental Quality's State Administrative Rules 323.958 (Rule 8) and 323.961 (Rule 11) and Parts 52 & 53 of ACT NO. 451 OF PA OF 1994.

DEQ

Michigan Department of Environmental Quality - Environmental Science and Services Division
Revolving Loan and Operator Certification Section

PROJECT RE-EVALUATION REQUEST
STATE REVOLVING FUND AND STRATEGIC WATER QUALITY INITIATIVES FUND LOAN PROGRAMS - PROJECT PRIORITY LISTS

This information is required under authority of Public Law 92-500, as amended (the Federal Clean Water Act) and Parts 52 and 53, Clean Water Assistance, of the Natural Resource and Environmental Protection Act (NREPA), Act 451 of the Public Acts of 1994, being Section 324.5301 to 324.5316 of the Michigan Compiled Laws Annotated in order to request re-evaluation of proposed Project Priority List calculation factors.

DATE:	PROJECT NUMBER:	TOTAL POINTS:	PROJECT RANK:
APPLICANT NAME:			
PROJECT LOCATION:			

RE-EVALUATION OF THE FOLLOWING CALCULATION FACTORS IS REQUESTED: (Please provide the basis for your request by either referencing pages of the Project Plan, AND/OR attaching documentation to support the request.)

BASIS FOR REQUESTED CHANGE	CHECK IF APPROPRIATE	REFERENCE PAGE # OF PROJECT PLAN	CHECK HERE IF DOCUMENTATION IS ATTACHED
WATER SEVERITY POINTS: SURFACE WATER (Dissolved Oxygen, Nutrients, Toxic Materials, and Micro-organisms	DEPENDENT UPON DISCHARGE DATA BELOW		
GROUNDWATER (Evidence of public/private well contamination)			
ON SITE SEPTIC SYSTEM POINTS:			
SEPTAGE RECEIVING POINTS:			
ENFORCEMENT POINTS: (Fixed date enforceable construction schedule)			
POPULATION POINTS: (Current population for project SERVICE area)			
DILUTION RATIO POINTS: EXISTING Discharge (MGD)			
Expected flow of receiving waters during period of existing discharge (CFS)			

PLEASE PROVIDE ANY OTHER UPDATED PROJECT INFORMATION OR DATA CORRECTIONS (SUCH AS DOLLAR LOAN AMOUNTS OR BINDING COMMITMENT DATES) WHEN YOU SUBMIT THIS REQUEST. SUBMIT THIS REQUEST AND SUPPORTING DOCUMENTS AS SOON AS POSSIBLE BUT NO LATER THAN 5:00 P.M. ON MONDAY, OCTOBER 1, 2007, (HEARING RECORD CLOSES).

SIGNATURE OF REQUESTER _____ TITLE _____ DATE _____

RETURN COMPLETED REQUEST AND ATTACHMENTS (IF ANY) BY MONDAY, OCTOBER 1, 2007, TO:

REVOLVING LOAN AND OPERATOR CERTIFICATION SECTION
ENVIRONMENTAL SCIENCE AND SERVICES DIVISION
DEPARTMENT OF ENVIRONMENTAL QUALITY
CONSITITUTION HALL 3 SOUTH
PO BOX 30457
LANSING MI 48909-7957

AUGUST 2007

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING

JENNIFER M. GRANHOLM
GOVERNOR

STEVEN E. CHESTER
DIRECTOR

August 17, 2007

State Revolving Fund/Strategic Water Quality Initiatives Fund
NOTICE OF PUBLIC HEARING

The Michigan Department of Environmental Quality (DEQ) will conduct a public hearing for the following:

The draft Fiscal Year 2008 Project Priority Lists for the State Revolving Fund (SRF), and the Strategic Water Quality Initiatives Fund (SWQIF), that list projects for which Project Plans were submitted to the DEQ by July 1, 2007; and

The draft Fiscal Year 2008 Intended Use Plan that explains how SRF/SWQIF funds available in Fiscal Year 2008 will be distributed.

Printed copies of these documents are available by calling the Revolving Loan and Operator Certification Section at 517-373-2161, or they are posted on our web site at michigan.gov/deq.

The public hearing will be held on September 26, 2007, at 1:30 p.m. The location will be the Con Con A Conference Room, Atrium Level, Constitution Hall, 525 W. Allegan, Lansing, Michigan. Please use the East Entrance.

The hearing record will remain open to receive written comments until October 1, 2007, at 5:00 p.m. Written comments may be directed to:

Mr. Chip Heckathorn, Chief
Revolving Loan and Operator Certification Section
Environmental Science and Services Division
Department of Environmental Quality
P.O. Box 30457
Lansing, MI 48909-7957

Persons with disabilities needing accommodation for effective participation in the meeting should call 517-373-2161 one week in advance to request mobility, visual, hearing or other assistance.

AGENDA 9-10-07

ITEM J-1

SUMMARY OF BILLS AND PAYROLL			10-Sep-07
Payroll Check Register	08/29/07	31,209.37	Bi-weekly payroll processing
		$31,209.37	**GROSS PAYROLL TOTAL**
Account Payable Check Register	09/11/07	**$12,473.56**	
	09/11/07	**$29,410.99**	
		$73,093.92	**TOTAL BILLS & PAYROLL EXPENDED ALL FUNDS**
Summary Items from Bills & Payroll		Amount	Comments

ALL PAYABLES ARE WITHIN ACCEPTABLE BUDGET LIMITS
DETAIL VENDOR LIST AND ACCOUNT SUMMARY PROVIDED

"This is the summary report that will be provided with each packet. Approval of the total bills and payroll expended, all funds will be necessary."

VENDOR APPROVAL SUMMARY REPORT

Date: 09/05/2007
Time: 2:17pm
Village of Dexter Page: 1

Vendor Name	Vendor Number	Description	Check Amount	Hand Check Amount
ALEXANDER CHEMICAL CORPORATION	ALEXANDER	CREDIT	1,189.00	0.00
APPRRAISAL SERVICE OF MICH INC	APPRAISAL	FOUR PARCELS LOCATED OFF FORES	2,000.00	0.00
ARBOR SPRINGS WATER CO.INC	ARBOR SPRI	VILLAGE OFFICE	11.50	0.00
BENEDICT'S SERVICE INC.	BENED	WEST RIDGE LIFT STATION	1,280.00	0.00
CARLISLE-WORTMAN ASSOCIATES	CARL-WORT	JULY SERVICE	2,047.50	0.00
CHAMPION WATER TREATMENT	CHAMPION W	WWTP	8.50	0.00
COFFEE CONNECTION	COFFEE CON	RED DECANTER	33.40	0.00
DETROIT PUMP & MANUFACTURING	DETR.PUMP	FILTRATION PLANT	192.18	0.00
DEXTER CARDS & GIFTS SHOP	DEX CARDS	OFFICE SUPPLIES	4.70	0.00
DTE ENERGY	DET EDISON	3219 953 0001 9	59.77	0.00
DTE ENERGY OUTDOOR LIGHTING	DTE OUTDOO	3219 953 0018 3	10.80	0.00
GRISSOM JANITORIAL	GRISSOM	AUGUST 07'	320.00	0.00
HURON CAMERA SERVICES INC	HURON CAME	DPW	15.95	0.00
IDEXX DISTRIBUTION CORP	IDEXX DIST	COLILERT COMPARTOR	8.18	0.00
JOHN'S SANITATION	JOHNS SAN	DEXTER PARKS	375.00	0.00
KEMIRA WATER SOLUTIONS INC	KEMIRA	FERRIC CHLORIDE	2,578.45	0.00
LOWE'S BUSINESS ACCOUNT	LOWE S	BLACK IRON	100.60	0.00
MARY ANN SIMKINS	SIMKINS	DEMO DERBY AD	20.00	0.00
MCI	MCI	LONG DISTANCE	14.96	0.00
MILLER, CANFIELD, PADDOCK &	MILLER CAN	425 AGREEMENT	261.00	0.00
NORTH CENTRAL LABORATORIES	NCL	CHEMICALS	174.81	0.00
RICOH AMERICAS CORPORATION	RICHOH AME	SHEET FINISHER	1,194.26	0.00
URBAN FORESTER, INC	URBAN FORE	8059 MAIN	550.00	0.00
WASHTENAW COUNTY REGISTER OF	W C REGIST	NOTARY	23.00	0.00
		Grand Total:	12,473.56 ✓	0.00

Fund / Department / Account	GL Number Abbrev	Vendor Name / Invoice Description	Check Number	Invoice Number	Due Date	Amount
Fund: General Fund						
Dept: Attorney						
101-210.000-810.000	Attorney F	MILLER, CANFIELD, PADDOCK & 425 AGREEMENT	0	910589	09/05/2007	261.00
				Total Attorney		261.00
Dept: Buildings & Grounds						
101-265.000-727.000	Office Sup	DEXTER CARDS & GIFTS SHOP OFFICE SUPPLIES	0	1123	09/05/2007	4.70
101-265.000-727.000	Office Sup	RICOH AMERICAS CORPORATION SHEET FINISHER	0	07415160	09/05/2007	1,084.56
101-265.000-935.001	Office Cle	GRISSOM JANITORIAL AUGUST 07'	0	145	09/05/2007	320.00
101-265.000-936.000	Equip Serv	RICOH AMERICAS CORPORATION PERIOD 6/01-8/31	0	92411680	09/05/2007	109.70
101-265.000-955.000	Miscellane	ARBOR SPRINGS WATER CO.INC VILLAGE OFFICE	0	977109	09/05/2007	11.50
				Total Buildings & Grounds		1,530.46
Dept: Planning Department						
101-400.000-802.000	Profession	CARLISLE-WORTMAN ASSOCIATES GENERAL CONSULTATION	0	27875	09/05/2007	420.00
101-400.000-802.000	Profession	CARLISLE-WORTMAN ASSOCIATES JULY SERVICE	0	27874	09/05/2007	390.00
				Total Planning Department		810.00
Dept: Department of Public Works						
101-441.000-740.000	Operating	HURON CAMERA SERVICES INC DPW	0	D145031	09/05/2007	15.95
101-441.000-740.000	Operating	LOWE'S BUSINESS ACCOUNT BLACK IRON	0	09/05/07	09/05/2007	100.60
				Total Department of Public Works		116.55
Dept: Downtown Public Works						
101-442.000-802.000	Profession	APPRRAISAL SERVICE OF MICH INC FOUR PARCELS LOCATED OFF FORES	0	09/05/07	09/05/2007	2,000.00
101-442.000-802.000	Profession	WASHTENAW COUNTY REGISTER OF NOTARY	0	09/05/07	09/05/2007	23.00
101-442.000-802.000	Profession	MARY ANN SIMKINS DEMO DERBY AD	0	09/05/07	09/05/2007	20.00
101-442.000-802.000	Profession	URBAN FORESTER, INC 8059 MAIN	0	09/05/07	09/05/2007	550.00
				Total Downtown Public Works		2,593.00
Dept: Parks & Recreation						
101-751.000-944.000	Portable T	JOHN'S SANITATION DEXTER PARKS	0	23881	09/05/2007	375.00
				Total Parks & Recreation		375.00
					Fund Total	5,686.01
Fund: Sewer Enterprise Fund						
Dept: Sewer Utilities Department						
590-548.000-742.000	Chem Plant	ALEXANDER CHEMICAL CORPORATION CHEMICALS	0	0384374	09/05/2007	1,734.00
590-548.000-742.000	Chem Plant	ALEXANDER CHEMICAL CORPORATION CREDIT	0	0384275	09/05/2007	-545.00
590-548.000-742.000	Chem Plant	KEMIRA WATER SOLUTIONS INC FERRIC CHLORIDE	0	2025383	09/05/2007	2,578.45
590-548.000-743.000	Chem Lab	NORTH CENTRAL LABORATORIES CHEMICALS	0	222436	09/05/2007	174.81
590-548.000-743.000	Chem Lab	IDEXX DISTRIBUTION CORP COLILERT COMPARTOR	0	226610471	09/05/2007	8.18
590-548.000-802.000	Profession	BENEDICT'S SERVICE INC. WEST RIDGE LIFT STATION	0	09/05/07	09/05/2007	1,280.00
590-548.000-920.000	Utilities	DTE ENERGY 3219 953 0001 9	0	09/05/07	09/05/2007	59.77
590-548.000-920.001	Telephones	MCI LONG DISTANCE	0	09/05/07	09/05/2007	14.96
				Total Sewer Utilities Department		5,305.17

Fund / Department / Account	GL Number Abbrev	Vendor Name / Invoice Description	Check Number	Invoice Number	Due Date	Amount
Fund: Sewer Enterprise Fund						
					Fund Total	5,305.17
Fund: Water Enterprise Fund						
Dept: Water Utilities Department						
591-556.000-740.000	Operating	CHAMPION WATER TREATMENT WWTP	0	36638	09/05/2007	8.50
591-556.000-740.000	Operating	COFFEE CONNECTION RED DECANTER	0	439553	09/05/2007	33.40
591-556.000-920.000	Utilities	DTE ENERGY OUTDOOR LIGHTING 3219 953 0018 3	0	09/05/07	09/05/2007	10.80
591-556.000-937.000	Equip Main	DETROIT PUMP & MANUFACTURING FILTRATION PLANT	0	95547-0	09/05/2007	192.18
				Total Water Utilities Department		244.88
					Fund Total	244.88
Fund: Trust & Agency Fund						
Dept: Assets, Liabilities & Revenue						
701-000.000-253.048	Dexter Ret	CARLISLE-WORTMAN ASSOCIATES UMRC/GORDON HALL	0	27876	09/05/2007	722.50
701-000.000-253.050	Dexter Fit	CARLISLE-WORTMAN ASSOCIATES DEXTER FITNESS CENTER	0	27877	09/05/2007	515.00
				Total Assets, Liabilities & Revenue		1,237.50
					Fund Total	1,237.50
					Grand Total	12,473.56

VENDOR APPROVAL SUMMARY REPORT

Date: 09/06/2007
Time: 2:07pm
Village of Dexter Page: 1

Vendor Name	Vendor Number	Description	Check Amount	Hand Check Amount
A.R. BROUWER	A.R. BROUW	DPW BUIDLING	27,526.00	0.00
ANN ARBOR LANDSCAPING INC.	AA LANDSCA	TREES	1,715.00	0.00
MARIE A. SHERRY	SHERRY/MA	CHARGER	29.99	0.00
STEWARDSHIP NETWORK	STEWARDSHI	ALAN GREEN	90.00	0.00
BRUCE WHITLEY	WHITLEY/BR	PRESCRIPTION REIMBURSEMENT	50.00	0.00
		Grand Total:	29,410.99	0.00

INVOICE APPROVAL LIST BY FUND

Date: 09/06/2007
Time: 2:09pm
Village of Dexter Page: 1

Fund / Department / Account	GL Number Abbrev	Vendor Name / Invoice Description	Check Number	Invoice Number	Due Date	Amount
Fund: General Fund						
Dept: Village Treasurer						
101-253.000-977.000	Equipment	MARIE A. SHERRY CHARGER	0	2916	09/06/2007	29.99
				Total Village Treasurer		29.99
Dept: Village Tree Program						
101-285.000-731.001	Trees	ANN ARBOR LANDSCAPING INC. TREES	0	09/06/07	09/06/2007	1,715.00
				Total Village Tree Program		1,715.00
Dept: Department of Public Works						
101-441.000-721.000	Health & L	BRUCE WHITLEY PRESCRIPTION REIMBURSEMENT	0	09/06/07	09/06/2007	50.00
				Total Department of Public Works		50.00
Dept: Parks & Recreation						
101-751.000-955.000	Miscellane	STEWARDSHIP NETWORK ALAN GREEN	0	09/06/07	09/06/2007	90.00
				Total Parks & Recreation		90.00
					Fund Total	1,884.99
Fund: Special Projects Fund						
Dept: DPW Building						
401-902.000-974.006	DPW Constr	A.R. BROUWER DPW BUIDLING	0	1503	09/06/2007	27,526.00
				Total DPW Building		27,526.00
					Fund Total	27,526.00
					Grand Total	29,410.99

AGENDA 9-10-07

ITEM K-2

Donna Dettling

From: Puuri, Steve [puuris@wcroads.org]
Sent: Wednesday, September 05, 2007 11:51 AM
To: Donna Dettling
Subject: RE: jCIP Meeting

Donna,

Phase 2 was discussed during the CIP meeting only to the extent that this project would be added to our 2008-2012 CIP, should the local funding shortfall be committed to by others.

Steve

-----Original Message-----
From: Donna Dettling [mailto:ddettling@villageofdexter.org]
Sent: Wednesday, September 05, 2007 10:00 AM
To: Puuri, Steve
Subject: jCIP Meeting

Steve,
I left a voice mail yesterday looking for any follow-up or new information regarding Phase 2 of the Bridge project that might have come out of the CIP meeting, if it wasn't discussed I would like to know that as well.

Donna Dettling
Village Manager
8140 Main Street
Dexter, MI 48130
Ph# 734-426-8303 X11
Fax# 734-426-5614

AGENDA 9-10-07

ITEM L-1

VILLAGE OF DEXTER - COMMUNITY ~~DEVELOPMENT OFFICE~~
8140 Main Street • Dexter, Michigan 48130-1092 • (734) 426-8303 • Fax (734) 426-5614

Memorandum

To:	Village Council Donna Dettling, Village Manager
From:	Allison Bishop, AICP, Community Development Manager
Re:	**Cedars of Dexter Final Site Plan** **Recommendation from Planning Commission**
Date:	September 10, 2007

PLANNING COMMISSION DECISION

On May 7, 2007 the Planning Commission recommended approval of the Cedars of Dexter Final Site Plan dated 4-16-07 with the attached motion. Pursuant to Section 6.13 the Planning Commission waived the west property line buffer requirements because requiring the installation of a fence would require additional tree removal the Planning Commission did not deem advantageous.

REVIEW

Included in your packet are the consultant's reviews for the applicant's final site plan submittal, plan date 7-5-07 and a revised landscaping plan dated 7-24-07. Also included for your reference are the following documents:

- Webster Township Zoning Compliance Approval for the detention basin
- Washtenaw County Drain Commission Approval
- Water Utilities Department review dated 6-4-07
- DAFD review dated August 7, 2007
- Washtenaw County Road Commission review, plan and applicant response memo
- Traffic Control Order information to be included in the Development Agreement
- Westridge of Dexter Pump Station waiver of fees owed by the Village to be included in the Development Agreement
- Applicant (Washtenaw Engineering) Responses

RECOMMENDATION

Per Section 21.04(E)3 the Planning Commission shall consider the following standards when reviewing a final site plan:

a. That the final site plan conforms to the preliminary site plan as approved by the Village Council;

b. That the plan meets all applicable standards in Section 21.04D(2). herein;

c. That the plan meets the specifications of Dexter Village for fire and police protection, water supply, sewage disposal or treatment, storm drainage, and other public facilities and services, and has been reviewed by the Village Planner, Village Fire Chief and the Village Engineer;

d. That the proposed development will not cause soil erosion or sedimentation problems;

e. That the drainage plan for the proposed development is adequate to accommodate anticipated storm water runoff and will not cause undue runoff onto neighboring property or overloading of watercourses in the area; that the proposed development is coordinated

with improvements serving the subject property and with the other developments in the general vicinity;

f. That outside lighting will not adversely affect adjacent or neighboring properties, or traffic on adjacent streets;

g. That outdoor storage of garbage and refuse is contained, screened from view, and located so as not to be a nuisance to the subject property or neighboring properties;

h. That grading or filling will not destroy the character of the property or the surrounding area and will not adversely affect the adjacent or neighboring properties;

i. That parking layout will not adversely affect the flow of traffic within the site or to and from the adjacent streets;

j. That the plan meets the standards of other government agencies, where applicable, and that the approval of these agencies has been obtained or is assured; and

k. That the plan provides for the proper expansion of existing public streets serving the site, where applicable.

l. That the plan meets all other requirements /standards established by the Village of Dexter.

SUGGESTED MOTIONS

Based upon the information received from the applicant, the recommendation of the Planning Commission, and in conformance with Section 21.04(E)3 of the Village of Dexter Zoning Ordinance, the Village Council finds the UMRC Cedars of Dexter Final Site Plan dated 7-5-07 and a revised landscaping plan dated 7-24-07 **(meets / fails to meet)** the requirements for final site plan approval.

In making this determination, the following additional conditions shall apply:

1. Should trees be removed during construction of the sidewalk along Island Lake Road the applicant shall replace the trees per the Village tree replacement standards or as otherwise noted in the development agreement.
2. Execution of the Development Agreement by both the Village and the applicant.
3. Signage for the development must be reviewed and approved pursuant to the Village's current sign ordinance, Article 7, of the Village of Dexter Zoning Ordinance.
4. Water Utilities review dated 6-4-07.
5. Engineering consultant's review dated 7-17-07.
6. _____
7. _____
8. _____

OR

Move to **postpone** the action on the UMRC Cedars of Dexter final site plan dated 7-5-07 and a revised landscaping plan dated 7-24-07 until _____**(date)**_____, to allow the applicant and Village Council time to address the following items:

1. _____
2. _____
3. _____
4. _____

Please contact me prior to the meeting with questions.

Old Business
None

New Business

A. Consideration of: Motion to Amend the Agenda
-Move Carson, support Kowalski to amend the agenda to address item 9B, Cedars of Dexter Landscaping Modification Request, to be heard before item 9A.
Voice vote: Unanimous Motion Carried

B. Consideration of: Cedars of Dexter Landscaping Modification Request
-Move Carson, Support Wilcox pursuant to Section 6.13 of the Village of Dexter Zoning Ordinance the Planning Commission moves to **waive** the landscaping buffer requirements for the Western Property to permit additional vegetation for the buffer as opposed to the required 4-foot fence or wall. Pursuant to Section 6.13 the applicant **has** met the criteria applicable to granting landscaping waivers.
Voice vote: Unanimous Motion Carried

C. Consideration of: Cedars of Dexter Final Site Plan-United Methodist Retirement Community
-Move Carson, support Bell based upon the information received from the applicant, and reflected in the minutes of this meeting, the Planning Commission finds that the Cedars of Dexter Final Site Plan, CD-03-31-300-023, dated 4-16-07 **meets** the required standards and findings for Final Site Plan approval pursuant to Section 21.04(C) of the Zoning Ordinance and recommends **approval** of the plan.
The Site Plan is recommended with the following conditions:
1. Addressing the outstanding engineering, planning consultant, and Fire Department comments.
2. The Developer shall also meet Article 6, Section 6.12 of the Village of Dexter Zoning Ordinance, the Village's tree replacement standards. If all trees cannot be replaced on site per the Ordinance the Developer shall either replace the trees in a location recommended by the Village or contribute to the Village's Tree Replacement Endowment Fund. (UMRC to provide draft language) Exhibit 7 should be a letter from Jim Haeussler indicated waiver of pump station connection). The Planning Commission supports the limited replacement of the required tree mitigation with under-story trees subsequent to the review and approval of the Planning Consultant.
3. Applicant will insert additional evergreens as a screen along the east property line buffer next to units 17 and 18.

Ayes: Carson, Wilcox, Bellefleur, Clugston, Kimmel, Kowalski, Bell, McCormick, Philllips
Nays: none
Motion Carried

Recess-Commissioner Phillips left meeting

D. Consideration of: Dexter Wellness Center Preliminary Site Plan-AR Brouwer Company
-Move Wilcox, support Clugston based upon the information received from the applicant, reflected in the minutes of this meeting, and in conformance with Section 21.04 of the Village of Dexter Zoning Ordinance, the Planning Commission finds the Dexter Wellness Center Preliminary Site plan dated 4-30-07 **meets** the requirements to recommend the Preliminary Site Plan.
In making this determination, the following additional conditions shall apply:
1. Concerns noted in the planner's review dated April 18, 2007.
2. Concerns noted in the engineer's review dated April 18, 2007
3. Concerns noted in the DAFD review dated April 13, 2007.
4. Concerns noted in the Water Utilities review dated April 18, 2007.
5. Issues addressed and discussed by the SPR committee at the April 30, 2007 meeting.
6. The addition of sixty (60) land banked parking spaces.
7. Concerns noted in Community Planners review dated May 7, 2007.

Ayes: Clugston, Kimmel, Kowalski, Bell, McCormick, Wilcox, Bellefleur
Nays: Carson
Motion Carried
Phillips Absent

E. Consideration of: Dexter Wellness Center Loading Space Waiver
-Move Bell, support Kimmel pursuant to Section 5.01G of the Village of Dexter Zoning Ordinance the Planning Commission moves to **Authorize** flexibility in the loading space requirements for the project due to the unnecessary need for additional loading spaces that will result in the development not having

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MEMORANDUM

TO: Village Council

FROM: Douglas J. Lewan, Community Planner

DATE: June 7, 2007

RE: Cedars of Dexter Planned Unit Development Final Site Plan

On May 7, 2007, the Planning Commission recommended approval of the final site plan subject to the concerns noted by various reviewing bodies and the Planning Commission. In response to our May 1, 2007 review, the applicant has submitted a revised (May 21, 2007) final site plan. With respect to the concerns noted in our initial review, we have the following comments:

1. **Show grading/disturbance and tree removal within pedestrian easement along Island Lake Drive right-of-way.**

   Proposed grade lines along the Island Lake Drive sidewalk are on the final site plan. Tree removal is not on the final site plan because the walk will meander through the existing woodlands to limit potential tree removal and/or disturbance. This is acceptable; however, should trees need to be removed during sidewalk construction, replacement trees may be required. Note that in lieu of actual tree replacement, the applicant could donate to the Village.

2. **Include a table showing percentages of genus/species for the proposed landscaping.**

   As required by Section 6.02 of the Ordinance, the applicant has included a table that outlines the respective percentages of the genus and species in the proposed landscaping. The proposed plant material does not exceed the required maximum percentages for genus (25%) and species (10%).

3. **Consider distributing street trees more evenly and/or explain the purpose behind the proposed street tree design.**

   Our original concern was that there were long stretches of road without street trees. Consequently, distribution of street trees along the roads was not even. The applicant has indicated that the presence of underground utilities prohibits establishing trees in these areas. This is an acceptable explanation. To offset this, the applicant has proposed extensive front yard landscaping in front of the units where there are no street trees. We find this to be acceptable as well.

4. **Provide screening (i.e. shrubs) adjacent to the actual parking spaces to screen headlight glare in community center parking lot.**

   The shrubs adjacent to the parking lot in the revised landscaping plan should help to screen headlight glare therefore is acceptable.

5. **Revise landscaping so that trees within the west buffer are not labeled as replacement trees.**

   The applicant has removed mitigation trees from the west buffer landscaping table on sheet 37 for clarity purposes. Note that landscaping proposed for the west buffer meets Village requirements.

6. **Planning Commission to consider waiving the fence/wall requirement for the west property line.**

   On May 7, 2007, the Planning Commission moved to waive the fence/wall requirement for the west property line as required by Section 6.06.

7. **Provide a site landscaping calculation.**

   The site landscaping calculation provided on sheet 34 meets Ordinance requirements.

8. **Revise tree survey and tree replacement calculation as noted in review.**
   — please see memo dated 7/25/07 and development agreement
   The tree survey was revised; however, the table illustrating tree removal mitigation must be updated to reflect changes in the tree survey. Due to the extensive clearing of trees involved with this project (900 trees), over 2,000 replacement trees are required. The applicant proposes to replace only a portion of the required replacement trees. (In lieu of actual tree replacement, the applicant will contribute to the Village's Tree Replacement Endowment Fund.) Furthermore, the applicant proposes to use understory (ornamental) trees for tree replacement rather than canopy (deciduous) trees, which are required by the Ordinance.

   According to the Tree Replacement Calculations on sheet 34, of the replacement trees provided (481), 173 are understory and 308 are canopy trees. We find this acceptable; however, it is important to note that the applicant proposes a further reduction (25%) in the number of understory trees. This would reduce the amount of understory trees to 130 (173 x 0.75) and reduce the overall number of replacement trees to 438. Given the limited space on the site to locate the proposed replacement trees, we are supportive of the reduction in understory trees. Note that at this time, the calculations, and tables regarding tree removal and tree replacement on sheet 34 do not agree with each other. The applicant must update this information and ensure that all numbers are accurate.

9. **Provide current status of discussion with the Village regarding tree replacement donation.**

The applicant is currently working with the Village regarding a donation to the Tree Replacement Endowment Fund.

10. **Clarify height of street lights.**

The height of streetlights will be 13 ½ feet.

11. **Clarify timing of lights.**

A note on sheet 38 of the final site plan indicates the lights will be on between 5:00 a.m., sunrise, and sunset to 11:30 p.m.

12. **Provide details of the entrance sign and all other signs such as on-street no parking signage.**

Details of signs are not on the final site plan; however, the applicant indicates that they will be provided. Signage details should be provided with the final site plan otherwise, we recommend that signage details become a condition of final site plan approval.

13. **Clarify discrepancy of one (1) versus two (2) car garages.**

The applicant has confirmed that nine (9) units will have two-car garages. Note that the applicant must update information on floor plans to show the proposed two-car units.

14. **Provide all elevations for the 2- and 3-unit residential buildings and the community center.**

As requested, elevations for all of the buildings proposed for the development are included with the final site plan.

RECOMMENDATION

Based on the comments of this review, the applicant must address a few outstanding items. Overall, we believe the final site plan is in substantial compliance with Village standards therefore recommend approval. Note that the issues noted in this review could become conditions of approval.

CARLISLE/WORTMAN ASSOC., INC.
Douglas J. Lewan, PCP
Principal

241-02-2701

cc: Steve Brouwer, A.R. Brouwer, 7444 Dexter Ann Arbor Road, Suite F, Dexter MI, 48130
Emily S. McKinnon, P.E., Professional Engineering Associates, Inc., FAX: 517.546.8973
Bob King, Lindhout Associates, FAX 810.227.5668

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MEMORANDUM

TO: Allison Bishop, Community Development Manager

FROM: Doug Lewan, Community Planner, Paul R. Siersma, Community Planner

DATE: July 25, 2007

RE: Revised Landscape Plan - Cedars of Dexter Planned Unit Development

We are in receipt of revised landscape plans dated July 24, 2007. Upon review of the landscape plan, we find that all Village standards have been satisfied.

With regard to required tree replacement, we find the following pertinent information:

Quality Trees Removed:	900
Required Tree Mitigation:	2,398 (based on the DBH range of removed trees)
Mitigation Trees Planted on Site:	498
Balance of Required Mitigation Trees:	1,900

Note that on May 7, 2007, the Planning Commission supported the limited replacement of the required tree mitigation with understory trees (rather than all canopy trees) subsequent to our approval. The applicant has proposed that of the 498 mitigation trees to be provided on site, 173 are understory. After review of the proposed landscaping and discussions with the project's landscape architect, we find that the limited use of understory trees acceptable.

As noted above, 1,900 additional mitigation trees are required; however, in lieu of providing these trees, the applicant plans to contribute to the Village's Tree Replacement Endowment Fund. Understory trees are smaller than canopy trees and do not possess the qualities of a canopy tree; therefore, the applicant has proposed that each understory tree count as only 75% of a canopy tree for the purposes of determining the final monetary contribution. As a result, the number of mitigation trees has increased. The tables below summarize this information.

Mitigation Trees Provided		Mitigation Ratio (Calculation)	Mitigation Provided
Canopy:	317	1:1 (317 x 1.0)	317
Understory:	173	0.75:1 (173 x 0.75)	130
Evergreen:	8	1:1 (8 x 1.0)	8
	498		455

Required Tree Mitigation:	2,398 trees
Adjusted Mitigation Trees Provided:	455 trees
Balance of Required Mitigation Trees:	1,943 trees

Based on the calculations above, the applicant's contribution to the Village's Tree Replacement Endowment Fund should be based on 1,943 trees.

Feel free to call should you have questions.

CARLISLE/WORTMAN ASSOC., INC.
Douglas J. Lewan, AICP, PCP
Principal

CARLISLE/WORTMAN ASSOC., INC.
Paul R. Siersma, AICP
Community Planner

#241-02-2608

cc: United Methodist Retirement Communities, FAX: 734.475.5820
Washtenaw Engineering, FAX: 734.761.9530
Architects Design Group, FAX: 734.995.4104

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Date: May 1, 2007

Planned Unit Development / Final Site Plan Review For Village of Dexter, Michigan

GENERAL INFORMATION

Applicant:	United Methodist Retirement Communities (UMRC)
Project Name:	Cedars of Dexter
Plan Date:	April 16, 2007
Revision Date:	NA
Location:	West of the Island Lake Road / Pinckney Road intersection.
Zoning:	No current zoning as the property has been conditionally transferred to the Village.
Action Requested:	The PUD Area Plan was approved by Village Council on November 27, 2006, which allowed the applicant to submit a final site plan for all or any phase of the development. This is the first review of the PUD final site plan.
Required Information:	A final site plan shall be submitted and reviewed in accordance with Section 21.04, *Application for Site Plan Review*, of the Zoning Ordinance. We will note any informational deficiencies in the body of the review.

PROJECT AND SITE DESCRIPTION

This is the first review of the final site plan for the Cedars of Dexter Planned Unit Development (PUD) residential development. Please note that the development was previously referred to as the "Senior Housing Development at Gordon Hall." The proposed development consists of sixty

(60) senior housing units and a 6,466 square foot community center on approximately fifteen (15) acres in the north corner of the Gordon Hall property. The development would be adjacent to the historic Gordon Hall home. Note that a single residence for a caretaker will be provided in the proposed on-site community center. Access to the development will be provided by a single drive off Island Lake Road. Internal roads will be private. Currently, the site is entirely wooded a significant portion of which will be removed. A large detention basin is proposed on the Gordon Hall property along the Dexter-Pinckney Road frontage.

The subject property was conditionally transferred from Webster Township and will be annexed into the Village. The Dexter Area Historical Society and Museum (DAHSM) is the current owner of the subject property and are in agreement with the subject PUD application.

AREA, WIDTH, HEIGHT, SETBACKS

As the site has been conditionally transferred into the Village, there is no current underlying zoning designation. To help remedy this situation, the applicant is proposing to develop this project as a PUD. As a PUD the applicant has flexibility in proposing alternative bulk regulations with regard to area, width, height, and setbacks. The applicant has proposed the residential community be designed according to standards of the Village Residential (VR) zoning district. To achieve the proposed arrangement of multiple-family homes we feel the VR district standards are appropriate. The table below summarizes the VR district standards and what has been provided.

	VR Regulations	**Proposed**
Lot Size Per Dwelling Unit*	9,800 square feet	10,730 square feet
Lot Width	No requirement	NA
Setbacks (minimum)**		
Front	15 feet	15 feet
Side	10 feet/20 feet both sides	10/20 feet
Rear	25 feet	25 feet
Building Height (maximum)	2.5 stories; 35 feet	1 story; 16 feet / 17 feet***
Lot Coverage (maximum)	60%	19%

* Lot size was based on multiple-family dwellings in the VR district.
** All setbacks were measured with regard to each structure on the site. For example, the rear of the buildings must be a minimum of 25 feet from any property line.
*** Residential structures will be 16 feet and the community center building is 17 feet.

All regulations with regard to the VR district standards have been satisfied. The applicant has indicated that residential units are to be located a minimum of twelve (12) feet apart.
Items to be addressed: *None.*

BUILDING LOCATION AND SITE ARRANGEMENT

A single drive off Island Lake Road provides access to twenty-two (22) multiple-family buildings (6, two-family and 16, three-family) located on both sides of a looped private road system. A community center for use by residents of the development and perhaps seniors of the greater vicinity is located at the south end of the property along with a thirty-four (34) space parking lot. This building will also contain one (1) residence (apartment) for a caretaker. The central portion of the development is a pedestrian amenity with a gazebo and clusters of existing trees.

The looped road also includes stubs at the north and south ends of the property for maneuvering purposes with "T" turn-arounds. Sidewalks are provided along both sides of the roads within the development. The sidewalk planned along the entire Island Lake Drive frontage is designed as a loop connecting to internal sidewalks of the development and also has a stub on the east side for future pedestrian connections.

As previously noted a large detention pond is located off site on the Gordon Hall property to the east. Note that two (2) existing residences on the south end of the site will be removed. The entire development would be constructed in one (1) phase.

Items to be addressed: *None.*

PARKING, LOADING

As indicated in the table below the applicant has provided adequate parking. Senior housing requires one (1) space per dwelling unit. The applicant's parking calculation indicates two (2) spaces for each dwelling unit; one (1) in the garage and one (1) in the driveway. Note that all of the driveways are a minimum of twenty (20) feet in length, which is sufficient to accommodate one (1) car. In addition, forty-nine (49) on-street parking spaces are provided along one side of the street and are appropriately dimensioned.

	Required	**Proposed**
Off-Street		
Residences	60	120
Community Center	29*	34
Barrier-Free	2	7
On-Street	Not Required	49

* Based on the requirement for Public Recreation Centers (5 spaces per 1,000 square feet of gross floor area.

Note that all of the barrier-free parking is provided at the community center. Parking for the apartment within the community center will be provided in the adjacent parking lot. The parking spaces at the community center are dimensioned appropriately.

A commercial kitchen is planned for the community center and will be used for catering services. The applicant has provided an appropriately dimensioned loading space as a bump-in along Cedars Lane. The location of the loading space along the road is not ideal; however, given the constraints of the site we feel the proposed location acceptable.

Items to be addressed: *None.*

SITE ACCESS AND CIRCULATION

As noted, access to the development will be provided by a single drive off Island Lake Road. The proposed private road is twenty-three (23) feet wide (47 foot right-of-way) and loops through the development. Stubs are provided in the northeast corner and south end of the site for maneuvering purposes. Circulation within the development should be adequate. Access to the community center is provided by a single curb cut into the parking lot. Circulation within the community center's parking lot is also adequate. An emergency access is proposed in the northeast corner of the site and would be accessed via the gravel driveway of Gordon Hall.

Items to be addressed: *None.*

SAFETY PATHS/SIDEWALKS

Five (5) foot wide sidewalks are provided on both sides of the private road system. Four (4) sidewalks radiate from the center of the "island" of the development providing access to a gazebo. A five (5) foot wide sidewalk along the Island Lake Drive right-of-way meanders through a fifteen (15) foot wide pedestrian access easement and forms a loop with the internal sidewalk system. A stub has been extended to the east property line for future pedestrian access. Based on the tree survey, it is apparent that many trees will be removed to construct the sidewalk along the Island Lake Drive right-of-way. However, the final site plan does not show proposed limits of grading/disturbance through this pedestrian easement nor does the existing tree list indicate any tree removal within this easement. Note that according to section 3.12, the applicant is required to provide a sidewalk along the Island Lake Drive frontage.

Items to be addressed: *Show grading/disturbance and tree removal within pedestrian easement along Island Lake Drive right-of-way.*

LANDSCAPING

A detailed landscape plan has been provided. We have the following comments.

Composition – The applicant is proposing a significant amount of trees on the perimeter of the development, within the center island, and street trees in addition to preserving existing trees. A full listing of all plant materials including quantity, sizes, and botanical names is also provided. According to Section 6.02, no more than twenty-five (25) percent of any one genus or ten (10) percent of any one species may be used on a development. The applicant must provide a table showing the percentages of genus/species provided in landscaping.

Street Trees – According to Section 6.09, one (1) street tree per each forty (40) linear feet of road frontage is required between the sidewalk and the curb. There is approximately 2,485 lineal feet of road frontage therefore sixty-three (63) trees are required. The applicant has provided an excess of trees (76) but the trees are not evenly distributed. There are long expanses of roadway (170+ feet) where no trees are provided. We recommend the applicant distribute street trees more evenly and/or explain the purpose behind this design.

Parking Lot – The proposed parking lot does not abut a public street therefore no parking lot landscaping is required. However, as requested in the preliminary site plan stage of review, the applicant has provided parking lot landscaping to obscure the glare from headlights. While the proposed landscaping is abundant we note that no screening (i.e. shrubs) has been provided to screen potential glare from headlights. The applicant should provide shrubs adjacent to the actual parking spaces to screen headlight glare. This is especially important where the lot faces units 26-28 and 54 and 55.

Buffer/Screen – Per Sections 6.05 and 6.06 of the Zoning Ordinance, the proposed use requires buffer landscaping along the west side of the property. Note that there are masses of existing trees along the west property line that may be used to satisfy buffering requirements. The west property will require a type "B" buffer.

	Required[1]	**Provided**
West Buffer ("B"), 1,143 lineal feet	10 feet wide; 4 foot high continuous wall or fence; 38 ornamental OR 38 evergreen tree OR 267 shrubs	10 feet wide; NO WALL OR FENCE; 31 trees PLUS 305 shrubs; PLUS EXISTING VEGETATION (TREES)
1 – 10 feet wide; 4 foot high continuous wall or fence; 1 ornamental OR 1 evergreen tree OR 7 shrubs per lineal feet along property line.		

The landscaping proposed for the west buffer in addition to the existing trees should provide a sufficient buffer. Note that many of the trees proposed for the west buffer ("B") are labeled as replacement trees. Providing replacement trees is a separate landscape requirement and cannot be used to satisfy another landscaping requirement. The applicant must revise landscaping so that trees within the west buffer are not labeled as replacement trees. The tree replacement calculation must be revised accordingly. The applicant has not provided the required wall or fence along the west property line but has requested a waiver from this requirement. To grant a waiver from landscaping requirements, the Planning Commission shall consider the standards found in Section 6.13 of the Zoning Ordinance. With respect to these standards we find that the topography in certain areas along the west property line may limit the effectiveness of a fence/wall to screen adjacent residences. The installation of the fence may also result in unnecessary disturbance of existing vegetation.

A buffer is not required along the south property line but per a recommendation by the Historic Commission, the applicant has provided dense landscaping behind units 18-22.

Site Landscaping – According to Section 6.07 of the Zoning Ordinance, multiple-family residential developments such as this shall provide a minimum of one (1) deciduous tree (minimum 2.5 inch caliper) or evergreen tree (minimum 5 feet high) for every 1,000 square feet of open space on the site. Trees used in required screening landscaping may be counted to satisfy site landscaping. There are 3.2 acres identified as open space on the final site plan; therefore, one hundred thirty-nine (139) deciduous or evergreen trees are required. In addition, at least five (5) percent of the total lot area must be landscaped in accordance with the requirements in Section 6.07 of the Zoning Ordinance. The applicant must provide a site landscaping calculation, which shows the required and proposed landscaping based on the standards noted above.

Tree Removal & Replacement – Based on the information provided in the tree list on sheet 4 of the final site plan, we have determined the following:

Total number of trees identified:	1,505*
Trees identified as "dead":	99 (dead trees do not require replacement)
Lower quality trees:	70** (49 elm, 8 ash, 7 mulberry, 4 box elder, 2 poplar)
Trees to remain:	437
TREES TO BE REMOVED:	**899**

* Note that tree number 249 is identified as an oak but a DBH is not provided. Tree number 500 is identified as a cherry with a DBH of two (2) inches. The applicant should clarify the status of these trees and revise the tree list. In addition, there are thirteen (13) trees identified as locust, the specific type (black, honey, etc.) of which is not provided. Generally, black locust is not desirable therefore could be removed from the tree replacement schedule. Other types (i.e. honey) are desirable and would require replacement. The applicant should identify the type of locust on site.

** According to Section 6.14 E. of the Zoning Ordinance, the Planning Commission may waive the (DBH) standard for select clearing of lower quality and non-native species including box elders, elms, poplars, willows, cottonwoods, and locusts. Note that our tree replacement calculations do not include the seventy (70) lower quality trees noted. The Planning Commission should consider waiving tree replacement calculations for lower quality trees.

Of the trees to be removed (899), the following replacement trees are required per Ordinance standards:

Landmark trees (24+" DBH) = 89 trees x 5 trees/trees removed = 445 replacement trees

12 – 23.9" DBH = 317 trees x 3 trees/tree removed = 951 replacement trees

8 – 11.9" DBH = 493 trees x 2 trees/tree removed = 986 replacement trees

TOTAL REPLACEMENT TREES REQUIRED = 2,382

The applicant's summary of the tree survey and tree replacement calculations do not match our summary or calculations noted above but are similar. They identify the following:

Total number of trees identified:	1,492
Trees identified as "dead":	98 (dead trees do not require replacement)
Lower quality trees:	None identified.
Trees to remain:	441
TREES TO BE REMOVED:	**953**

The applicant's replacement calculations are as follows:

Landmark trees (24+" DBH) = 91 trees x 5 trees/trees removed = 455 replacement trees

12 – 23.9" DBH = 281 trees x 3 trees/tree removed = 843 replacement trees

8 – 11.9" DBH = 581 trees x 2 trees/tree removed = 1,162 replacement trees

TOTAL REPLACEMENT TREES REQUIRED = 2,460

The applicant must revise their summary of the tree list and tree replacement calculations. As previously noted, trees within the pedestrian easement along Island Lake Drive will need to be removed. These trees should be identified and incorporated into the tree replacement calculations. The applicant has provided two hundred forty-three (243) replacement trees on site. As previously noted, replacement trees may not be used to satisfy buffer landscaping requirements or any other required landscaping.

A note on the landscape plan indicates the applicant will make a donation to the Village for replacement trees not replaced on site, which amounts to 2,217 trees. This is a huge number of trees but what is even more noteworthy is the significant cost associated with this donation. Based on our estimate of an average per tree cost of $350, the total donation would be approximately $776,000 ($350 x 2,217 trees). We understand the applicant is in discussion with the Village regarding the donation. We recommend the applicant provide the current status of these discussions.

Details – Planting and staking details have been provided and are acceptable. In addition, typical landscaping is shown for the 2- and 3-unit dwellings and the entrance.

Refuse Container –Details of the dumpster and landscape screening has been provided and is acceptable. The dumpster enclosure will consist of masonry or treated lumber with gate, which will be screened by five (5) foot high evergreens.

Other – Three (3) retaining walls are proposed in the north end of the site. The details provided are acceptable.

Items to be addressed: *1) Include a table showing percentages of genus/species for the proposed landscaping. 2) Consider distributing street trees more evenly and/or explain the purpose behind the proposed street tree design. 3) Provide screening (i.e. shrubs) adjacent to*

the actual parking spaces to screen headlight glare in community center parking lot. 4) Revise landscaping so that trees within the west buffer are not labeled as replacement trees. 5) Planning Commission to consider waiving the fence/wall requirement for the west property line. 6) Provide a site landscaping calculation. 7) Revise tree survey and tree replacement calculations as noted in review. 8) Provide current status of discussion with the Village regarding tree replacement donation.

LIGHTING

Nine (9) decorative lights are distributed throughout the site and should provide adequate illumination. A light within the community center parking lot and a light on the adjacent street should provide enough lighting for this area.

The overall height of the street lights is not entirely clear but appears to be approximately 13 ½ feet high – the applicant should clarify. Typically, the Village requires a photometric plan in the form of a grid pattern, which shows illumination levels at uniform spacing throughout the entire site extending beyond property lines to demonstrate potential light spillage onto adjacent properties. The applicant has shown light levels as concentric rings emanating from each street light. While this is not a typical lighting plan reviewed by the Village, this is acceptable particularly since light levels indicated are relatively low and should not affect adjacent properties. During preliminary site plan review, we recommended placing the lights on a timer to ensure they are turned off at a specified evening hour. The applicant should indicate if this is planned or if not, explain why. The detail of the street lights provided is acceptable.

Details of the fixtures proposed for the front entry, patio, and garage are also provided and are acceptable.

Items to be addressed: *1) Clarify height of street lights. 2) Clarify timing of lights.*

SIGNS

It appears that there is a sign proposed for the west side of the entrance but no details for signs has been provided. All proposed signs must comply with all applicable provisions of Article 7, *Signs*, of the Zoning Ordinance.

Items to be addressed: *Provide details of the entrance sign and all other signs such as on-street no parking signage.*

FLOOR PLANS AND ELEVATIONS

Detailed floor plans and the front elevation for the two- and three-family buildings have been provided. The floor plans show one-car garages for each unit within a building. However, the site plan indicates that six (6) of the three-family units (40, 41, 47, 51, 55, and 58) will have two-car garages. The applicant should clarify the discrepancy. Each building will have a large front porch and a patio. Siding is proposed for the exterior. Only front elevations of the two- and

three-family buildings are provided. All four (4) elevations must be provided for each type of residential building.

Detailed floor plans and the front elevations of the community center have been provided. The community center has a similar design as the dwelling units. All elevations must be provided.

Items to be addressed: *1) Clarify discrepancy of one (1) versus two (2) car garages. 2) Provide all elevations for the 2- and 3-unit residential buildings and the community center.*

RECOMMENDATIONS

We recommend that the comments of this review be addressed to the satisfaction of the Planning Commission prior to recommending approval of the final site plan. Our comments are summarized below:

1. Show grading/disturbance and tree removal within pedestrian easement along Island Lake Drive right-of-way.

2. Include a table showing percentages of genus/species for the proposed landscaping.

3. Consider distributing street trees more evenly and/or explain the purpose behind the proposed street tree design.

4. Provide screening (i.e. shrubs) adjacent to the actual parking spaces to screen headlight glare in community center parking lot.

5. Revise landscaping so that trees within the west buffer are not labeled as replacement trees.

6. Planning Commission to consider waiving the fence/wall requirement for the west property line.

7. Provide a site landscaping calculation.

8. Revise tree survey and tree replacement calculation as noted in review.

9. Provide current status of discussion with the Village regarding tree replacement donation.

10. Clarify height of street lights.

11. Clarify timing of lights.

12. Provide details of the entrance sign and all other signs such as on-street no parking signage.

13. Clarify discrepancy of one (1) versus two (2) car garages.

14. Provide all elevations for the 2- and 3-unit residential buildings and the community center.

CARLISLE/WORTMAN ASSOC., INC.
Douglas N. Lewan, PCP
Principal

#241-02-2608

cc: United Methodist Retirement Communities, FAX: 734.475.5820
Dexter Area Historical Society and Museum, 3443 Inverness Street, Dexter, MI 48130
Washtenaw Engineering, FAX: 734.761.9530
Architects Design Group, FAX: 734.995.4104

July 17, 2007

VILLAGE OF DEXTER
8140 Main Street
Dexter, MI 48130

OHM
Engineering Advisors

Attention: Ms. Allison Bishop
Community Development Manger

Regarding: **Cedars of Dexter – Final Site Plan Review #3**
OHM Job # 0130-06-1052

Dear Ms. Bishop:

The final site plan, dated July 5, 2007, for the above-mentioned project has been reviewed for conformance with the requirements for final site plans as indicated in the Village of Dexter Engineering Standards Manual. At this time, we *take no exception* to the engineering plans, contingent upon the following comments being addressed prior to scheduling a preconstruction meeting.

Engineering Comments:

1. As noted in the Impact Assessment, improvements on Parcel 1B will require approval from Webster Township. Approval will need to be obtained prior to construction. It is noted that the Washtenaw County Drain Commission office has reviewed the plans and provided comments. Please forward copies of the approval to our office.
2. Revisions are needed to the sanitary sewer basis of design on sheet 29 with regards to Cedars of Dexter impact to the overall wastewater system. The calculations show the current flows to the pump station, however the future flows to the pump station need to be shown as well as sufficient capacity of the Westridge pump station. The future flows are red-lined on the plans.
3. Easements have been submitted for drainage, grading, ingress/egress, and landscaping. These have been reviewed and appear to close within acceptable limits. Due to private roads on site, access easements including the entire road system will be needed for the Village so that they can have access to maintain their utilities. After construction, easements for the on-site water main, sanitary sewer, and storm sewer will need to be provided.
4. The applicant should provide three (3) sets of water main plans and four (4) sets of sanitary sewer plans for permitting purposes.
5. The improvements proposed to Island Lake Road require approval from the Washtenaw County Road Commission prior to construction. A copy of the approval letter needs to be provided to our office prior to final approval.

Structural Comments:

6. We note that design calculations were provided for a standard 3 foot retaining wall. However, design calculations need to be provided for each retaining wall proposed on site. Additional wall calculations will be needed where the wall height changes. These additional calculations should be provided with the next submittal.
7. Calculations must be signed and sealed by a registered Professional Engineer in the State of Michigan.
8. A wall elevation view needs to be added to the plans to show the steps in the wall.

34000 Plymouth Road | Livonia, Michigan 48150
p. (734) 522-6711 | f. (734) 522-6427
www.ohm-advisors.com

9. The retaining wall details need to be included with the site plan. The following should be identified on the plans:
    - Type of geogrid and its length (in elevation view)
    - Type of block used
    - Leveling and backfill material
    - Underdrain location, size and outlet
10. The applicant needs to provide a fence where the wall height exceeds 30 inches. Details of the fence identifying the material type, foundation material, and fence dimensions need to be added to the plan sheets. If the fence foundation interferes with the geogrid, note how this will be dealt with.

The above comments, and those on the redlined set of plans, should be addressed administratively prior to a pre-construction meeting. A cover letter indicating how each comment in this letter was addressed should be submitted with the revised plans. Should there be any questions or comments, please contact this office at (734) 522-6711..

Sincerely,
ORCHARD, HILTZ & McCLIMENT, INC.

Christine A. Cale

Christine A. Cale, P.E.
Project Engineer

CAC/kje

cc: Donna Dettling, Village Manager
Ed Lobdell, Village Superintendent of Utilities
Joseph Maynard, P.E., Washtenaw Engineering, P.O. Box 1128, 3250 W. Liberty Rd., Ann Arbor, MI 48106
Architect Design Group, 123 N. Ashley St., Ann Arbor, MI 48104
File

P:\0126_0165\SITE_Dexter\2006\0130061050_Dexter_Retirement_Comm_MUNI\Final\FSP 3.doc

COPY

WEBSTER TOWNSHIP
Washtenaw County, Michigan

Certificate of Zoning Compliance

UNITED METHODIST RETIREMENT COMMUNITIES, (UMRC) whose address is 805 W. Middle Street, Chelsea, Michigan, 48118, its agents, employees, contractors and subcontractors are authorized to construct all improvements as noted on the site plan administratively approved by Webster Township on August 13, 2007 and dated (revised) July 5, 2007, on premises situated in the Township of Webster, County of Washtenaw, State of Michigan described as follows:

Commencing at the Southwest corner of Section 31, T1S, R5E, Webster Township Washtenaw County, Michigan as a POINT OF BEGINNING; thence N02°53'00"W 364.46 feet along the West line of said Section 31; thence N82°49'30"E 172.00 feet; thence N63°39'40"E 145.16 feet; thence N77°50'09"E 109.10 feet; thence N01°39'33"W 106.36 feet; thence N62°49'21"E 268.00 feet; thence S80°37'20"E 89.25 feet; thence N62°10'51"E 101.34 feet; thence N23°51'02"E 78.23 feet; thence N21°25'18"E 152.69 feet; thence S56°57'50"E 148.30 feet along the centerline of Island Lake Road; thence S56°58'40"E 1394.90 feet along the centerline of Dexter-Pinckney Road; thence S58°07'00'W 37.36 feet along the Northwesterly line of the Norfolk Southern Railway right-of-way; thence S87°40'35"W 2153.41 feet along the South line of said Section 31 to the Point of Beginning. Being a part of the Southwest ¼ of Section 31, T1S, R5E, Webster Township, Washtenaw County, Michigan and containing 25.23 acres of land, more or less. Being subject to the rights of the public over the Southwesterly 33 feet of Dexter Pinckney Road and Island Lake Road. Also being subject to easements and restrictions of record, if any.

Being Property Tax ID No. C-03-31-300-024

The Township acknowledges receipt of an escrow deposit in the amount of Two Thousand Five Hundred Dollars ($2,500.00) along with a Site Improvement Bond dated August 10, 2007 (Surety Bond #35BSBEK0586.

All orders or directives issued by the Township Inspector inconsistent with this Certificate, to the extent of such inconsistency are hereby repealed.

Dated: August 13, 2007

Bruce Pindzia, P.E.
Webster Township Engineer/Zoning Administrator

JANIS A. BOBRIN
DRAIN COMMISSIONER
705 North Zeeb Road
P.O. Box 8645
Ann Arbor, MI 48107-8645
email: drains@ewashtenaw.org
http://drain.ewashtenaw.org

DENNIS M. WOJCIK, P.E.
Chief Deputy Drain Commissioner

Telephone 734.222.6860
Fax 734.222.6803

June 22, 2007

Mr. Joseph Maynard, PE
Washtenaw Engineering Company
3250 West Liberty Road
Ann Arbor, MI 48106

RE: Cedars of Dexter (Dexter Retirement Community), Section 31, Webster Township

Dear Mr. Maynard:

This office has reviewed the site plans for the above referenced project to be located in Webster Township. These plans have a job number of 30716, a date of June 4, 2007, and were received on June 6, 2007. As a result of our review, we have the following comments to be addressed:

1. The most recent plans and calculations are approved by our office and conform to our rules. Although a permit is not required by our office, other applicable municipality/agency's approvals should be granted prior to construction. Please note that the final construction drawings should conform to the latest set of calculations.
2. As noted in the design plans, the site now lies within the Village of Dexter and the proposed detention basin lies within Webster Township. As our office does not normally review site plans within the village that are not under our direct jurisdiction, we do not anticipate conducting any further reviews on the storm water management system to be located there. As suggested by you in our last conversation, however, we will continue to review the basin for adherence to our rules.
3. Final review fees total $270.00, with no outstanding balance. Please remit these fees upon receipt of the accompanying invoice.

If you have any questions, please contact our office.

Sincerely,

Scott Miller, P.E.
Storm Water Engineer
(approval no permit\dexter retirement community rev3)

cc: Ms. Mary Dee Heller, Webster Township Clerk
Mr. Bruce Pindzia, PE, Webster Township Engineer (Mannik & Smith)
Ms. Allison Bishop, Dexter Village Development Coordinator

VILLAGE OF DEXTER WATER UTILITIES

8360 HURON ST. DEXTER MI 48130 (734) 426-4572 FAX (734) 426-2208

MEMORANDUM

TO: Community Development Office

FROM: Public Services Dept.

SUBJECT: Site Plan Review of Cedars of Dexter

DATE: JUNE 4, 2007

All utility connections to be coordinated with the Village Utility Dept.

Curb boxes are to0 be at grade and operable prior to service being granted.

Tap fees must be paid prior to service being granted.

All fire hydrants must have a stortz connection>

Metering issues will be worked out in the field.

Storm drains are to be labeled as such.

EL

Reviewed By: Ed Lobdell - Public Services Supt.

Dexter Area Fire Department

August 7, 2007

Allison Bishop
Community Development Manager
Village of Dexter
8140 Main St.
Dexter, MI 48130

Re: Plan review of: UMRC: Cedars of Dexter
Plans Dated: July 5, 2007 & Section sheets 5,10,11,15,19,29,34,35,37,42 with the addition of A4 submitted with a letter dated August 3, 2007

Dear Mrs. Bishop:

The Dexter Area Fire Department (DAFD) has reviewed plans submitted to this department. We have reviewed these plans with Fire Safety and Prevention in mind. Our resources are the Fire Protection Ordinance (FPO) and Village Standards. Below are our comments.

DAFD Comments: 1) It is documented that senior citizens require more responses from emergency medical services than all other age groups. A system should be put into place that deals with this issue.

Village of Dexter Engineering Standards (DAFD will only comment on the location of Fire Hydrants): **The locations of the Fire Hydrants are within standards.**

Fire Protection Ordinance: Requirements of this ordinance will need to be incorporated in future plans before approval is granted relating, but not limited too:

- **Knox Box** (IFC Section 506): **Has met the intent of the code**
- **Addressing** (IFC Section 505): **Has met the intent of the code**
- **Dead-end Roadways & Turnarounds** (IFC Section 503 and Appendix D): **Has met the intent of the code**
- **Minimum Roadway Widths** (IFC Section D-103): **Has met the intent of the code**
- **Fire Suppression, Alarm Systems and Kitchen Fire Suppression System (if Applicable)** (IFC Section 105.7) & Washtenaw County Building Department: **Has met the intent of the code of the plans submitted**
- **Fire Lane Signage** (IFC Section 503.3 & D-103.6.): **Has met the intent of the code**
- **Second Access to Site** (IFC Section D-107 & D-103.5): **Has met the intent of the code**

DAFD Recommendations: That a Traffic Control Order, funding for an Outdoor Warning Siren and wording on replacement of the break-away ballads be placed into the Development Agreement, as of this letter, it is our understanding these recommendations will be placed into this agreement however we cannot confirm this fact **.With the above recommendation placed into the Development Agreement, DAFD supports final approval of this project.**

Donald Dettling
Fire Inspector

cc/ Loren Yates — Fire Chief
Developer — United Methodist Retirement Communities
Bruce Pindzia — Webster Township

8140 Main Street • Dexter, MI 48130 • (734) 426-4500 Department • (734) 426-8537 Fax • dexterareafire@aol.com

COMMISSIONERS
WESLEY PRATER
CHAIR
FRED J. VEIGEL
VICE CHAIR
DAVID E. RUTLEDGE
MEMBER

WASHTENAW COUNTY
BOARD OF COUNTY ROAD COMMISSIONERS
555 NORTH ZEEB ROAD
ANN ARBOR, MICHIGAN 48103

STEVEN M. PUURI, P.E
MANAGING DIRECTOR
ROY D. TOWNSEND, P.E.
DIRECTOR OF ENGINEERING/
COUNTY HIGHWAY ENGINEER
JAMES D. HARMON, P.E.
DIRECTOR OF OPERATIONS
TELEPHONE (734) 761-1500
FAX: (734) 761-3239

August 21, 2007

Joseph K. Maynard, P.E.
Washtenaw Engineering Company
P.O. Box 1128
Ann Arbor, MI 48106

COPY

Regarding: **Proposed Dexter Retirement Community PUD, WCRC Application No. 5669 & 5670**

Dear Mr. Maynard:

We are in receipt of the proposed final site plan as prepared by Washtenaw Engineering Company dated April 16, 2007, last revised July 24th 2007, stamped "received" by the Road Commission on August 8th, 2007. We are also in receipt of the revised Traffic Impact Study dated August 2007. The Traffic Impact Study has been forwarded to the WCRC Traffic & Safety Section. I will forward the comments from the Traffic & Safety Section upon receipt Also, regarding clarification of the utility permit application, please note that even though this projects have separate permit applications for the commercial driveway and the utility work, all of this work shall be permitted once the entire project has received final approval. In other words, WCRC cannot permit the utility work for construction if approval for the road improvements or approval of the TIS hasn't been given The approval and the construction of this work shall be simultaneous. That being said, we offer the following comments:

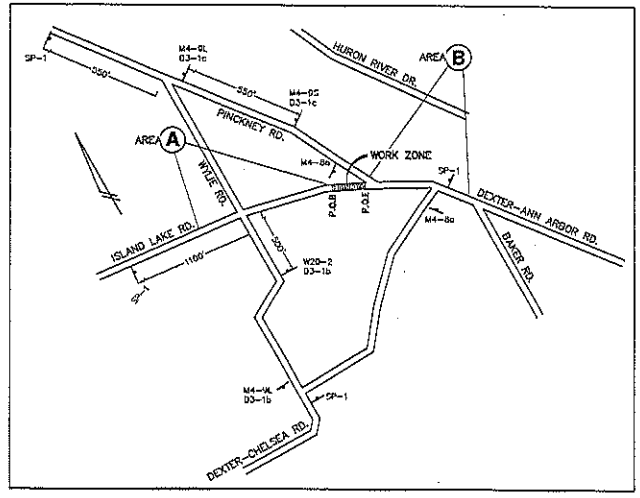
- The Road Commission acknowledges communication with Washtenaw Engineering regarding the reconstruction of a portion of Island Lake road in order to obtain adequate sight distance Per our recent conversation, WECO shall submit a set of road improvement plans for the cut of Island Lake Road per current WCRC & AASHTO standards to allow for a comprehensive review. For ease of reference, please include the design for proposed private road approach with all applicable detail In addition, please include the design for the utility installation/ repair for the watermain and sanitary sewer Please do <u>not</u> include the final site plan for Cedars of Dexter with this submittal, as WCRC would only like to have a plan set associated with the construction within the WCRC right-of-way
- On the plan set, please clearly label and identify the existing right of way line along Island Lake Road and Dexter-Pinckney Road. Provide bore details for the watermain connection under Dexter-Pinckney Road. Please indicate the method of construction for the installation of the sanitary sewer along Dexter-Pinckney Road. Confirm that the installation of any of the utility installation will not be inside of the 1:1 influence of the road bed If so, please provide sheeting or protection details for the road bed
- Please review section 11 4 regarding the closure of Island Lake Road or Dexter-Pinckney Road to do this construction Please submit all applicable information relative to this section for the consideration a minimum of 3 weeks prior to the scheduled closure.
- WCRC acknowledges your client's concerns regarding the alignment of the proposed 8-inch watermain, and the alignment of the sanitary sewer WCRC will note to file that consideration for the alignment has been given, but the applicant has elected to place the utilities in the most reasonable and prudent location for this project
- Please note that we are also in receipt of a copy of the approval from the Washtenaw County Drain Commissioner's office and Webster Township regarding the infiltration detention basin WCRC will also note to file that consideration for the donation of right of way along Island Lake Road will be given as well.

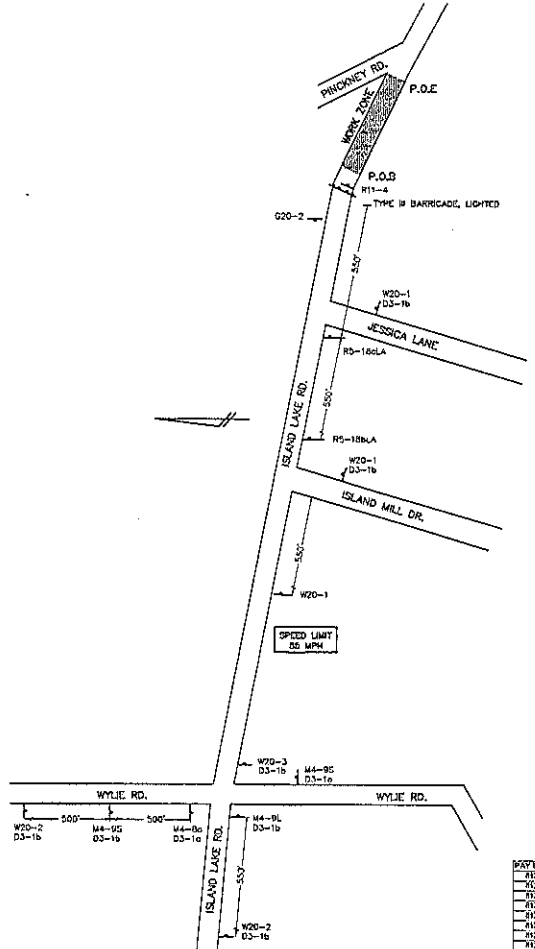
Upon receipt of the Road Improvement Plans and confirmation of acceptance of the Traffic Impact Study, further review will take place Upon acceptance of the Traffic Impact Study, a draft road improvement agreement will be forwarded to the applicants for review and execution. Thank you for the opportunity to comment on this development. If you have questions, I can be reached directly at (734) 827-9528 or cavinessnv@wcroads.org.

Sincerely,

Neil V. Caviness
Permits Engineer

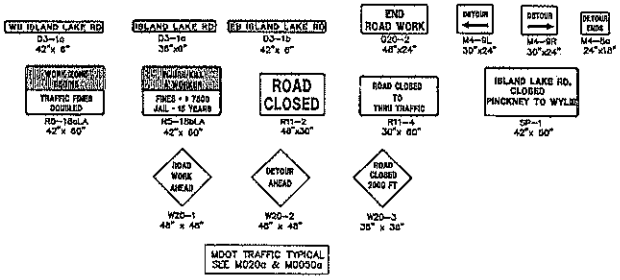
cc: Kate Collins / United Methodist Retirement Community
Bruce Pindzia, P.E. / Webster Township Engineer
Village of Dexter Planning/ Engineering
WCRC Planning/ Permits/ Traffic & Safety Section





AREA (A)

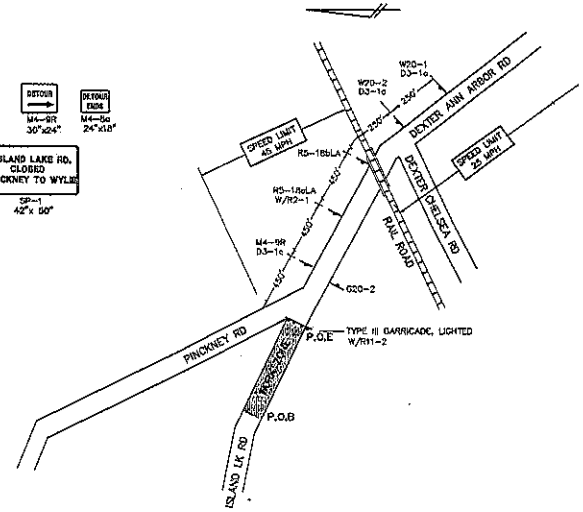
NOT TO SCALE



PAY ITEM	DESCRIPTION	UNITS	QTY
#120000	Barricade, Type III, High Intensity, Lighted, Furn	Ea	6
#120000	Barricade, Type III, High Intensity, Lighted, Oper	Ea	6
#120000	Flag Control	LS	1
#120000	Minor Traf Devices	LS	1
#120100	Plastic Drum, High Intensity, Lighted, Furn	Ea	20
#120100	Plastic Drum, High Intensity, Lighted, Oper	Ea	20
#120116	Sign, Type A, Temp, Furn	Sf	367
#120116	Sign, Type A, Temp, Oper	Sf	367

LEGEND

- PLASTIC DRUM, LIGHTED
- TYPE III BARRICADE, LIGHTED
- TYPE A SIGN
- AREA OF WORK



AREA (B)

NOT TO SCALE

SUPPLEMENTAL SPECIFICATIONS

Construction Traffic Control

1. The Contractor shall provide seven (7) working days notice to the Washtenaw County Road Commission (W.C.R.C.) prior to beginning construction.
2. All construction warning signs shall be supplemented with two (2) fluorescent orange warning flags positioned above the sign. Those signs in use during hours of darkness shall also be lighted with two (2) Type A warning flashers. The plastic drums and Type III barricades shall have one (1) and three (3) Type C steady-burning warning lights attached, respectively.
3. All traffic control devices including signs, barricades, plastic drums, and warning lights are the responsibility of the Contractor.
4. Signs, if required with the Type III barricades, shall be mounted above the barricades on separate supports.
5. Traffic control devices are to be maintained by the Contractor for the duration of the project. Night patrols of the construction area and detour route shall be conducted by the Contractor. This will not be paid for separately, but will be considered as having been included in the unit prices bid for temporary traffic control items.
6. All traffic control signing shall be in accordance with the latest edition of the "Michigan Manual of Uniform Traffic Control Devices".
7. The W20-4, W20-7a and W20-15 signs shall be covered or taken down when the flagging operation is not being utilized.
8. The Contractor shall stake all construction sign locations and notify W.C.R.C. when the staking is complete. The Contractor shall allow two (2) working days for W.C.R.C. to review, adjust and approve the construction sign staking.
9. The construction sign stakes shall indicate the type (code) and size of the sign to be placed at each location. Each stake shall be marked with white flagging ribbon.
10. Type III barricades shall consist of eight (8) foot sections.
11. All M4-9 signs shall be supplemented with D3-1 panels.

IN UNDERGROUND UTILITIES SHOWN ARE AS RELOCATED (BY TOD SURVEY MONITOR) AND EXISTING UTILITIES. THE EXACT LOCATION OF UNDERGROUND UTILITIES MUST BE VERIFIED BY CONTACTING THE APPROPRIATE UTILITY COMPANIES. WASHTENAW ENGINEERING COMPANY, INC. ASSUMES NO RESPONSIBILITY FOR ANY DAMAGES THAT MAY OCCUR DUE TO THE FAILURE OF THE UTILITIES TO BE LOCATED AS PER THE PLAN. WE ARE NOT RESPONSIBLE FOR DAMAGES WHICH MAY OCCUR BY THE EXCAVATOR WHO DOES NOT VERIFY THE LOCATION OF UTILITIES.

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IN THE EVENT OF A DISCREPANCY BETWEEN THE DIMENSIONS SHOWN ON THE PLAN AND THE DIMENSIONS SHOWN ON THE PROFILE, THE DIMENSIONS SHOWN ON THE PROFILE SHALL BE CONSIDERED TO BE THE CORRECT DIMENSIONS. THE DIMENSIONS SHOWN ON THE PLAN ARE TO BE USED ONLY WHEN THEY ARE NOT SHOWN ON THE PROFILE.

BENCHMARK

REVISIONS

72 Hours BEFORE YOU DIG CALL MISS DIG 800-482-7171 (Toll Free)

SCALE: NO SCALE

PREPARED BY: JOSEPH K. MAYNARD P.E., MICH NO. 52539

WASHTENAW ENGINEERING
CIVIL ENGINEERS • PLANNERS
SURVEYORS • LANDSCAPE ARCHITECTS
3200 EAST MICHIGAN AVENUE P.O. BOX 1128 YPSILANTI, MI 48197-0128 TEL 734-481-0600 FAX 734-481-0693 www.washtenaw.com

CLIENT: United Methodist Retirement Communities, 805 WEST MIDDLE STREET, CHELSEA, MI 48118, TEL. 734-475-8000, FAX. 734-475-8003

SHEET: TEMPORARY TRAFFIC CONTROL

PROJECT: ISLAND LAKE ROAD

SECTION 31 TOWN 1 S. RANGE 5 EAST
WEBSTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN

DATE 8-13-07 JOB NO. 30715
DWG NO. 715-ARC-L-06
FIELD BOOK NONE
FILE NO. 8343

PRINCIPALS
R.J. WANTY, P.E.
D.J. HOUCK

ASSOCIATES
K.E. BOND, R.L.A.
T.L. SUTHERLAND, P.S.
D.L. MOORE

WASHTENAW ENGINEERING COMPANY

CIVIL ENGINEERS * PLANNERS * SURVEYORS
TRANSPORTATION ENGINEERS
LANDSCAPE ARCHITECTS

MEMO

TO: Allison Bishop, AICP
FROM: Kate Bond, RLA
DATE: August 29, 2007
RE: Cedars of Dexter WCRC Status

Based on the W.C.R.C.'s latest review of the Cedars of Dexter project which is attached we offer the following status report for your files:

1. In order to satisfy the sight distance requirement at the entrance to the development the applicant has offered to lower a section of Island Lake Road rather then the method we originally proposed which created no offsite disturbance. Since the W.C.R.C. will not accept that method, the lowering of the road will require full lane closures during construction. The lane closures will require, per the W.C.R.C., a letter of approval from the Village of Dexter. A traffic control plan has been enclosed to illustrate the nature of the construction area. The letter we are seeking from the Village should indicate that the Village acknowledges and approves of the lane closures for the purposes of construction in Island Lake Road.

2. The traffic impact study that the W.C.R.C. requested has been submitted. The TIS is being accepted for further review. It is Washtenaw Engineering's professional opinion that the end result will be the W.C.R.C's concurrence that the Cedar's of Dexter has no impact on the surrounding roads.

3. All comments received regarding the driveway permit have been responded to. It would appear that once the construction plans for the lowering of Island Lake Road have been accepted that the driveway permit requirements will have been completely satisfied.

4. The work within the R.O.W. permit for the construction of utilities to service the Cedars of Dexter has not received any additional comments. A request to the W.C.R.C. to indicate whether or not the plans for this permit were technically correct went unanswered. The response instead was that all permits would be granted at the same time. It would appear that this permit is actually 'technically correct' as the requirements of this permit have been completely satisfied.

In summary, the construction plans for item number one above which appear to be the only thing remaining have been submitted for review. According to the W.C.R.C. in the August 21 letter, once reviewed a road improvement agreement will be drafted.

PRINCIPALS
R.J. WANTY, P.E.
D.J. HOUCK
ASSOCIATES
K.E. BOND, R.L.A.
T.L. SUTHERLAND, P.S.
D.L. MOORE

WASHTENAW ENGINEERING COMPANY

CIVIL ENGINEERS • PLANNERS • SURVEYORS
TRANSPORTATION ENGINEERS
LANDSCAPE ARCHITECTS

August 3, 2007

Village of Dexter
8140 Main Street
Dexter, MI 48130

RE: UMRC - Cedars of Dexter

ATTN: Allison Bishop, AICP
Community Development Manager

The Cedars of Dexter site plans have been revised based on review comments and discussions from OHM, Carlisle Wortman and The Dexter Area Fire Department. The revisions were confined to the following sheets; cover, 5, 10, 11, 15, 19, 29, 34, 35, 37, 42 and the addition of A4 and therefore only those sheets are being submitted for administrative review. We offer the following response in order of the comments received in order to assist you in your review;

OHM (based on a review letter dated July 17, 2007)

1. Based on discussions with Bruce Pindzia at Webster Townshp, following a voluntary public input meeting on August 8 at Webster Township, Mr. Pindzia will be prepared to issue a Certificate of Zoning Compliance for the work on Parcel !A. The issues Mr. Pindzia has expressed to Washtenaw Engineering have been dealt with, specifically, the placement of break away bollards at the location of the emergency access to the Cedars of Dexter development. As soon as the Certificate of Zoning compliance is received, a copy will be forwarded to the Village of Dexter.
2. The corrections to the sanitary calculations have been made.
3. The easements for the private road system are being submitted for review. The easements for the utilities will be submitted after construction.
4. Subsets of the utility plans and the MDEQ application were delivered to OHM July 25, 2007.
5. Washtenaw Engineering continues to work with the WCRC to obtain driveway and work within the ROW permits for the project. A copy of the approval letter will be forwarded to the Village as soon as it is obtained.
6. – 10. Per discussions with Christine Cale it was determined that a separate structural set would be submitted with the requested retaining wall information and that this would be acceptable prior to construction. The applicant requests that this be a condition of final site plan approval.

Carlisle Wortman

1. The seven recommended on street parking spaces at the intersections have been removed to reduce the total number from 48 to 41.

2. The tree survey and tree replacement calculations were revised, previously submitted to you and discussed.
3. The applicant has been made aware that any trees removed during the construction of the walk along Island Lake will need to be mitigated.
4. The applicant will apply for an entry sign separately. Therefore, the applicant would request that this be a condition of final site plan approval if that is acceptable. Any indication of an entry sign has been removed from the site plan.
5. The signs that remain are stop signs and no parking signs and they have been indicated on the site plan.
6. The typical floor plan with 2-car garage has been provided.

Dexter Area Fire Department

1. Hydrant H11 has been relocated to the front of unit 53.
2. A note has been added beneath the site data on sheet 5 indicating that the community center with be suppressed with a dry fire suppression system. This system has been discussed with the Fire Chief. It has been pointed out that the Community Center is supplied by a 6" water supply.
3. The community center has been fitted with knox boxes for fire access for both the community center and the residential units and notes to this affect have been added beneath the site data on sheet 5 as well as a note on the community center where the knox boxes are located.
4. A fire department connection has been added to the community center and the label FDC has been added to the plan on sheet 5.
5. Break away bollards have been added to the emergency access lane. The replacement of these bollards is the responsibility of the applicant. This must be a part of the development agreement. The T-Type turnaround in this location has been lengthened to 40'.

Village of Dexter

1. The traffic control order is being taken care of. The UMRC's attorney Mark Heusel has drafted the attached letter and is in contact with the Sheriff's department to determine if it is adequate. Mr. Heusel will notify Ms. Bishop when the issue has been resolved.

If there are any questions regarding the above items please contact the undersigned.

Sincerely,

Kate Bond

Kate Bond, RLA
Director of Planning

PRINCIPALS
R.J. WANTY, P.E.
D.J. HOUCK
ASSOCIATES
K.E. BOND, R.L.A.
T.L. SUTHERLAND, P.S.
D.L. MOORE

WASHTENAW ENGINEERING COMPANY

CIVIL ENGINEERS • PLANNERS • SURVEYORS
TRANSPORTATION ENGINEERS
LANDSCAPE ARCHITECTS

July 9, 2007

Village of Dexter
8140 Main Street
Dexter, MI 48130

Attn: Allison Bishop, AICP
Community Development Manager

Re: UMRC – Cedars of Dexter

The Cedars of Dexter Final Site Plans have been revised since the May 7, 2007 Planning Commission meeting whereby they received final site plan approval. We would like to offer the following in response to the review comments and Planning Commission conditions:

Orchard, Hiltz & McCliment, Inc dated June 4, 2007

1. The Cedars of Dexter plans are being submitted to Webster Township at the same time for a Certificate of Zoning Compliance for the improvements on Parcel 1B. Approval from the WCDC has been obtained. A copy of that letter has been attached.
2. The sanitary sewer basis of design has been revised per comments:
   a. 1 REU = 2.51 people and 70 gpdpc.
   b. The future land use map has been acquired and areas D through K and AA have been included in the calculations.
   c. The capacity of the pump station at Westridge has been changed to 320 gpm.
3. There is currently a blanket easement for storm sewer, drainage and grading improvements with the adjacent property owner. An access easement for the entire road system to the Village (back of curb to back of curb) has been indicated on the site plan. The easement documents with descriptions will be submitted as soon as they are completed. The easement documents for the on-site water main, sanitary sewer and storm sewer will be provided once the utilities have been approved by the Village.
4. The water main and sanitary sewer quantity list has been added to the cover sheet. An additional 3 sets for water main approval and 4 sets for sanitary approval will be submitted under separate cover.
5. A note indicating the minimum allowed slope of 1.0% for sanitary sewer leads has been added to the sanitary sewer lead table.
6. The pond is designed as an infiltration detention basin per the Washtenaw County Drain Commission Standards, therefore standard detention pond sizing requirements have been utilized and approved by the WCDC.
7. We are in the process of responding to the WCRC's latest review. As soon as approval has been granted a copy of the letter will be provided.

POST OFFICE BOX 1128 • 3250 WEST LIBERTY ROAD • ANN ARBOR, MICHIGAN 48106 • TELEPHONE 734-761-8800 • FAX 734-761-9530
130 W. CHICAGO BLVD. • TECUMSEH, MICHIGAN 49286 • TELEPHONE 517-424-4714 • FAX 517-424-7844
www.washtenawengineering.com

Dexter Area Fire Department comments

1. There is no gate at the secondary emergency access to the Cedars of Dexter.
2. The Gordon Hall driveway improvements (asphalt pavement, 20' wide to just past the secondary emergency access) have been shown on the site plan.
3. A 40' t-turnaround has been provided at the dead end to McCormick Place.
4. A note has been added to the site plan indicating that signage has been installed per the Uniform Traffic Code.
5. A note has been added to the site plan that Addressing will be per IFC Section 505.
6. A note has been added to the site plan that the community building will be provided with dry fire suppression and the remainder of the site has been provided with adequate hydrant protection.
7. The applicant will provide a letter indicating that the UMRC will proceed with a Traffic Control Order.

Carlisle Wortman Associates dated June 8, 2007

1. An entry sign detail has been provided with this site plan submittal.

Planning Commission Conditions for Final Approval

1. Evergreen Trees have been added to provide additional screening near units 17 and 18.

Please accept these revised plans for review and placement on the next available Village Council Agenda. Please contact the undersigned should you have any questions.

Sincerely,

Kate Bond.

Kate E. Bond, R.L.A.
Director of Planning

/keb
cc: File (1)

AGENDA 9-10-07
ITEM L-2

VILLAGE OF DEXTER - COMMUNITY DEVELOPMENT OFFICE
8140 Main Street • Dexter, Michigan 48130-1092 • (734) 426-8303 • Fax (734) 426-5614

Memorandum

To: Village Council
Donna Dettling, Village Manager
From: Allison Bishop, AICP, Community Development Manager
Re: **Cedars of Dexter Development Agreement**
Date: September 10, 2007

Included is the UMRC Cedars of Dexter Development Agreement.

The applicant and their attorney have reviewed and approved the agreement. The agreement was also reviewed by a subcommittee of the Village Council (Seta, Fisher and Carson) and staff.

Based on the last meeting of the Council subcommittee a few changes have been made to the agreement based on the discussion items. One noteworthy amendment was made to Section 5.4. The subcommittee discussed the contribution to tree replacement, etc. that the developer would make in lieu of being able to replace trees on site. The original financial contribution was for public benefit and included funding for an emergency siren, a sidewalk connection from the site to downtown depending on the status of the Phase 2 viaduct project and tree replacement. Following the last meeting the developer revised the financial contribution offer to include only tree replacement, however the amount of the contribution remained the same. The developer has proposed the language included in the development agreement (Section 5.4) as it is being presented to Council. The Village has subsequently requested that the Village attorney review the entire development agreement and specifically the language in Section 5.4. The Village has proposed that the language be changed to create a UMRC Landscaping, Tree and Park Fund that can be used to make landscaping, tree and park improvements throughout the Village. **At this time UMRC and their attorney have not agreed to the change.**

Other amendments to the agreement did not impact the intent of the sections and were technical or grammatical changes.

The agreement is in the process of being reviewed by the Village's attorney. Any comments from the Village's attorney will be provided to the Village Council at Monday's meeting. Staff will also discuss the proposed language change with the applicant and provide any updates at the meeting.

Please contact me prior to the meeting with questions.
Thank you,

CEDARS OF DEXTER

DEVELOPMENT AGREEMENT

THIS AGREEMENT is made this _____ day of _____, 2007, by and between the Village of Dexter, a Michigan municipal corporation, of 8140 Main Street, Dexter, Michigan 48130 (hereinafter "Village"), and United Methodist Retirement Communities, Inc., a Michigan non-profit corporation, of 805 West Middle Street, Chelsea, Michigan 48118 (hereinafter "Developer").

A. WHEREAS, certain land owned by the Developer in the Township of Webster has been conditionally transferred into the Village effective on the filing date with the Office of the Great Seal of the State of Michigan on December 29, 2006, pursuant to Exhibit 8 attached hereto, to be known as Cedars of Dexter, (hereinafter "Project"), which encompasses 14.78 acres of land, located on Island Lake Drive, in the Village of Dexter, Washtenaw County, Michigan and described in Exhibit 1 attached hereto, and to be used for not more than sixty (60) senior housing attached residential rental units, one (1) community center of approximately 8,085 square feet and one (1) caretakers unit; and

B. WHEREAS, the Developer desires to build all on-site and off-site infrastructure such as, but not limited to water mains, sanitary sewers, storm sewers, drainage facilities, driveways, roads, parking lots, sidewalks, curbs and gutters, street lighting and site amenities without the necessity of special assessments by the Village.

NOW, THEREFORE, in consideration of the mutual covenants between the parties, the parties do hereby agree as follows:

SECTION 1. DEFINITIONS

For the purposes of this Agreement, the following terms and phrases shall be defined as described below:

1.1 Approved Area Plan/Preliminary Site Plan: The Area Plan/Preliminary Site Plan approved by the Village Council governing Planned Unit Development Projects, on November 27, 2006, and attached hereto as Exhibit 2.

1.2 Developer: United Methodist Retirement Communities, Inc., a Michigan non-profit corporation, of 805 West Middle Street, Chelsea, Michigan 48118, its successors and/or assigns. In the event of a transfer of ownership, the Developer, as defined above, shall remain responsible for the performance of any of its obligations hereunder that have matured and are unperformed as of the date of transfer.

1.3 Parties: The Developer and the Village. If more than one person or entity is the Developer or the Village, the obligation imposed on that party shall be joint and several.

1.4 Project: Certain land located in the Village of Dexter, after having been conditionally transferred from Webster Township as part of an existing PA 425 agreement signed in 1997, commonly known as Cedars of Dexter located on Island Lake Road, which encompasses 14.78 acres of land, as described in Exhibit 1 of this Agreement ("Property"), to be developed as not more than sixty (60) senior housing attached residential rental units, one (1) community center approximately 8,085 square feet and one (1) caretakers unit as approved by Planning Commission and Village Council in the Area Plan/Preliminary Site Plan.

1.5 Final Site Plan: The detailed drawings of the Project submitted and reviewed in accordance with Article 21, Section .04-E, of the Village Zoning Ordinance, approved by the Village Council, and attached hereto as Exhibit 6.

1.6 Village: The Village of Dexter, a Michigan municipal corporation, Washtenaw County, Michigan.

1.7 Zoning Ordinance: The Zoning Ordinance adopted by the Village and in effect as of the date of this Agreement. All amendments to the Zoning Ordinance that may be adopted by the Village before the effective date of this Agreement shall also apply to development of the individual elements of the Project insofar as the amendments will not preclude development of the Project consistent with the terms of this Agreement, the Approved Area Plan/Preliminary Site Plan and the approved Final Site Plan.

SECTION 2. GENERAL DEVELOPER COMMITMENTS

2.1 Final Site Plan: The Developer agrees to prepare and submit a Final Site Plan pursuant to Article 21 of the Zoning Ordinance and contingent upon the execution of this Agreement that corresponds in material respects, but not in every respect as a result of the Village's requested modifications, to the Approved Area Plan/Preliminary Site Plan, attached as Exhibit 2.

2.2 Compliance with Zoning Ordinance: The Developer agrees to abide by and adhere to the Zoning Ordinance, when not in conflict with the Approved Area Plan/Preliminary Site Plan and the approved Final Site Plan, otherwise the Approved Area Plan/Preliminary Site Plan and approved Final Site Plan shall control.

2.3 Compliance with Final Site Plan: The Developer agrees to develop the Project as detailed on the approved Final Site Plan, which will correspond in all material respects, but not in every respect as a result of the Village's requested modifications, to the Approved Area Plan/Preliminary Site Plan.

The Developer agrees to build the storm drainage system, road, sanitary sewer lines and water lines that service the Project ("Site Improvements") all in accordance with the approved Final Site Plan. The Developer agrees to record the landscaping and drainage easements with the Dexter Area Historical Society, covering adjacent land that have been approved by the Village, with the Washtenaw County Register of Deeds. The Developer agrees to provide three copies of record drawings (as-built drawings), showing site improvements installed per Village specifications for the detention area, grading and pavement areas prior to dedication. All inspections of the Site Improvements are to be performed by the Village engineering inspectors, with reimbursement for the inspectors' reasonable, necessary and documented time to be paid by the Developer prior to the start of work.

The Developer agrees that the development of sidewalks, pavement, curbing, lighting, and landscaping within the Project will be consistent with the approved Final Site Plan. In the event the Developer is unable to meet these terms due to timing, weather, etc. prior to the request for a Final Zoning Compliance Certificate, the Developer agrees to post a Performance Guarantee Bond, in the form of a cash deposit or irrevocable letter of credit, for any of the foregoing improvements per Article 21 of the Village of Dexter Zoning Ordinance on a per building basis, except that the Developer shall have installed an all weather surface on the road before issuance of a Final Zoning Compliance Certificate.

The Developer agrees to submit the lighting layout as shown on the approved Final Site Plan to DTE Energy, Outdoor Lighting Division, to enable DTE Energy and the Village to initiate a lighting agreement and the Developer agrees to pay for the cost of the decorative lighting per the agreement with DTE Energy.

The Developer agrees to coordinate with adjacent property owners and jurisdictions to assure that future construction of pedestrian and bicycle pathways or open space, be made to connect with the Cedars of Dexter pathway network. The Developer is also required to provide the appropriate percentage of open space within the Project, as required by the Zoning Ordinance, to assure that recreational opportunities appropriate for its residents are being provided.

2.4 Issuance of Zoning Compliance and Occupancy Certificates: Unless otherwise specified in this Agreement, the Village shall issue Final Zoning Compliance for a Certificate of Occupancy ("C of O") when all physical improvements required by this Agreement and the approved Final Site Plan have been completed; provided, however, the Village shall

issue a Final Zoning Compliance for each building in the Project as that building is completed. In the event a Final Zoning Compliance is issued for any building in the Project prior to completion of all physical improvements required by this Agreement and the approved Final Site Plan, the Village may, in its discretion, require that the Developer provide security in the form of a performance guarantee bond (cash deposit or irrevocable letter of credit) to the Village to ensure the completion of all physical improvements required by the approved Final Site Plan that relate to an individual building and an area that extends approximately ten feet around that building. The amount and form of any such performance guarantee shall be in accordance with the Resolution establishing performance guarantee amounts, attached hereto as Exhibit 5. No Final Zoning Compliance will be given unless the performance guarantee, if appropriate, is posted or all work is completed as it pertains to the building for which the Final Zoning Compliance has been requested.

2.5 Maintenance of Property: The Developer shall maintain the Property in a manner reasonably suitable to the Village and assure the continued utility and function of the improvements within the Project including landscaping, drains and storm water detention facilities. The Developer will assure that public and common areas will be or have been irrevocably committed for that purpose. The Developer will make provisions to provide for the financing of improvements shown on the Final Site Plan for open space and other common areas that proper maintenance of such improvements is assured. Grass in open lawn areas shall not exceed eight (8) inches in height. Hazardous conditions caused by fallen trees and other dangerous circumstances shall be remedied within forty-eight (48) hours, weather permitting. Open excavations or open basements that are not part of current construction are not permitted and must be secured to prevent dangerous circumstances. The Village retains the right to assume maintenance of the Property if the Developer fails to provide minimum maintenance consistent with these aforementioned standards after a ten (10) day written notice is sent in accordance with the Village of Dexter Nuisance Ordinance. Any and all costs (including interest at the rate of one percent (1%) over the prime rate established by National City Bank which shall accrue on the amount billed until paid) incurred by the Village in such maintenance and enforcement of these provisions shall be billed to the Developer. The Developer hereby consents, to the placement of a lien against the Property by the Village if maintenance costs are not paid within sixty (60) days of invoice date. The Village reserves the right to take any action it deems necessary to remedy any nuisance under the Village Nuisance Ordinance. The Developer shall be responsible for the removal of snow from the walk to be located along Island Lake Road (as defined below) that will serve as a future sidewalk extension to connect the Project to the Village.

SECTION 3. UTILITIES

3.1 Utilities: The Developer agrees to build and pay the costs related to the installation of utilities, pursuant to the terms of Section 3 and the approved Final Site Plan. All inspections for the water, sanitary sewer, storm sewer, detention facilities and paving are

to be performed by the Village engineering inspectors, with applicable, reasonable, necessary, and documented fees to be paid by the Developer prior to the start of work. The Developer proposes to connect to the Westridge of Dexter Sanitary Sewer Pump Station. Connection to the sanitary pump station prior to 2010 requires that the Village reimburse Peters Building Co. (the original developer of the pump station) up to one half (50%) of the cost of the sanitary sewer pump station. The original cost to construct the sanitary pump station was $120,680.00. To date the Village has reimbursed 24.4% ($29,446.00) for the connection of Dexter High School. The Developer will therefore be required to resolve the payment of the remaining $30,894.00 for the ability to connect to the sanitary pump station prior to 2010 with Peters Building Co. Exhibit 7 is a letter from Peters Building Co. indicating a waiver of pump station connection reimbursement charges owed by the Village.

Water and Sewer Tap Fees: The Developer agrees to pay Tap Fees consistent with the Tap Fees adopted at the time the Final Zoning Compliance certificate is requested. Each unit will be calculated as one (1) REU/Tap. The tap fee will be calculated at 1 REU for the caretaker apartment and 0.2/1000 sq ft (calculation for a banquet) for the remainder of the community center. The tap fee that will be required for the community center will be (0.2x8.08=1.6 or 1.6x$8000=$12,800).

3.2 Storm Water Detention Maintenance: The Developer shall not allow any part of the storm water detention area to remain in an unkempt condition. The Developer agrees to follow the detention basin maintenance schedule provided on the approved Final Site Plan and attached hereto as Exhibit 4. Maintenance of the vegetation shown in the plan shall be consistent with the species identified on the maintenance plan. The Village and/or Washtenaw County Drain Commissioner retain the right to assume maintenance of the storm water detention areas if the Developer fails to provide minimum maintenance consistent with the aforementioned standards after a ten (10) day written notice is sent to the Developer. Any and all costs (including interest at the rate of one percent (1%) over the prime rate established by National City Bank which shall accrue on the amount billed until paid) incurred by the Village and/or the Washtenaw County Drain Commissioner in such maintenance and enforcement of these provisions shall be billed to the Developer. The Developer hereby consents, to the placement of a lien against the Property by the Village if maintenance costs are not paid within sixty (60) days of invoice date. The Village reserves the right to take any action it deems necessary to remedy any nuisance under the Village Nuisance Ordinance.

3.3 Additional Drainage: Suitable agreements for drainage and/or storm maintenance must be approved with the appropriate organization prior to the start of construction for infrastructure.

3.4 Dedication: The Developer shall dedicate to the Village all public underground water, sewer and storm improvements and the cost of the public improvements. The Developer

agrees to post a two (2) year maintenance and guarantee bond in the amount of fifty percent (50%) of the cost of the improvements. Said bond shall be in effect for two (2) years subsequent to completion of all infrastructure improvements. The Village shall accept dedication provided that the Village engineers approve and accept the dedicated improvements, and provided further that the improvements comply with the approved Final Site Plan.

SECTION 4. STREETS

4.1 Signage: The roads within the Project will be private and remain private unless otherwise approved by the Village Council. The Developer agrees to install public and private road signs in accordance with the approved Final Site Plan. If necessary, the Developer agrees to post "No Parking This Side of Street" signage to the side of the street where mailboxes are located. Unless the Final Site Plan specifies a contrary standard, all signage shall meet the requirements of the Michigan Manual of Uniform Traffic Control Devices.

4.2 Island Lake Road Right-of-Way: The Developer must obtain access approval onto Island Lake Road from the Washtenaw County Road Commission and incorporate the approved plans into the Final Site Plan.

4.3 Emergency Access Location: The Developer shall install, maintain, repair, and replace break away bollards at all emergency access locations within the Project.

SECTION 5. OTHER DEVELOPER COMMITMENTS

5.1 Agreement Runs with Land: This Agreement shall run with the land.

5.2 Erosion Control: The Developer shall install all site grading, soil erosion and sedimentation control improvements as required by the Washtenaw County Building Service Soil Erosion Section so that storm water from the Project will not flow from the Project onto any adjacent owners property at such a rate or in such amounts as to cause damage to adjacent development, as set forth under the Soil Erosion and Sedimentation Control Act, Part 91 of Act 451, except as might occur due to a major storm event, such as a 100 year storm.

5.3 Rubbish Removal: The Developer shall remove all discarded building materials and rubbish from the Project at least once each month during construction of improvements and within one (1) month of completion or abandonment of construction. No burning or burying of discarded construction material shall be allowed. At the Developer's discretion, material that can be environmentally recycled may be re-used on the Project.

5.4 Landscaping: The Developer shall landscape in accordance with the approved Final Site Plan. All trees and plants required by the Village shall be guaranteed for two (2) years

after planting. All required landscaping shall be installed within six (6) months of the issuance of a Final Zoning Compliance Certificate; provided, however, that the Village may, at its discretion, require the Developer to post a performance guarantee if the landscaping is not completed due to weather conditions. The Developer shall NOT plant any species of Ash Tree. The Developer shall also meet Article 6, Section 6.12, of the Village of Dexter Zoning Ordinance, the Village's tree replacement standards. After planting trees pursuant to the Zoning Ordinance, as shown on the approved final site plan, the Developer shall contribute $199,106.00 ($230,000.00-$30,894.00) to the Village's Tree Replacement Endowment Fund at the time of the issuance of the Certificate of Occupancy for the clubhouse. If all of the funds deposited, together with accrued interest, are not used by the Village for tree replacement within ten (10) years from the time of their deposit the unused balance shall be distributed to the Dexter Area Historical Society and Museum to be used for landscaping improvements at Gordon Hall.

5.5 Social Impact: The Developer shall provide space within the Community Center for the Dexter Senior Center to gather for classes and functions, allowing growth opportunities for the Dexter Senior Center. The Developer will provide transportation for its residents to the Dexter Senior Center for daily activities and classes in cooperation with the Dexter Senior Center.

5.6 Amendments: Amendments to the Final Site Plan and this Agreement must be reviewed and approved by the Village Council in accordance with its Ordinance.

5.7 Indemnification: The Developer shall defend, indemnify, and hold harmless the Village, together with its officers, employees, agents and assigns, against any and all claims, suits, demands, causes of action, liabilities, and judgments, whether for damages or equitable relief, arising out of: (i) any alleged negligent act(s) by the Developer or its agents, successors and assigns, concerning the Project; (ii) any breach of this Agreement by the Developer; (iii) the Developer's improvements or access to public rights-of-ways, utilities or other public infrastructure with respect to the Project; or (iv) any other claims otherwise arising out of this Agreement or concerning the Project due to the Developer's actions. The Developer shall indemnify the Village for all damages and reasonable costs associated with the defense of such claims or suits, including reasonable attorney fees. In the event any legal action or administrative proceeding is brought against the Village by reason of any such claim, the Village shall be entitled to retain counsel. Provided, however, that this subsection shall not apply to claims, suits or damages arising out of the Village's negligence, the Village's failure to perform contractual obligations or the Village violations of local, state or federal laws.

SECTION 6. VILLAGE OF DEXTER COMMITMENTS

6.1 PA 425 Conditional Transfer: The Developer's land (14.78 acres) has been conditionally transferred to the Village pursuant to the 1997 PA 425 Conditional Transfer Agreement with Webster Township, as is evidenced by Exhibit 8 attached hereto. The Developer has received approval of the Land Division from Webster Township.

6.2 Inspection: The Village agrees to provide timely and reasonable Village inspections as may be required during construction.

6.3 Recordation: The Village agrees to cooperate in the recordation of this Agreement with the Washtenaw County Register of Deeds. However, the Developer shall ensure the timely recordation of this Agreement, and forward copies of the recorded Agreement to the Village Clerk and the Webster Township Clerk.

6.4 Issuance of Permits: The Village agrees to issue Final Zoning Compliance as provided in section 2.4 so that the Developer may obtain C of O's from the Washtenaw County Building Department.

6.5 Acceptance of Dedication: The Village agrees to accept dedication of public infrastructure to the public as provided in Section 3.4, and according to the dedication process established by the Village which is attached hereto as Exhibit 3.

6.6 Issuance of Taps: The Village agrees to provide sanitary sewer and water taps to serve not more than sixty (60) senior housing attached residential rental units, one (1) caretaker unit and one (1) 8,085 square foot community center in accordance with the approved Final Site Plan. The Developer shall note that at this time, the Village cannot guarantee when water and sanitary sewer capacity within the Village limits will be available for this Project. At this time, the Developer is proceeding at its own risk.

SECTION 7. CONDITIONS AND MISCELLANEOUS PROVISIONS

7.1 Condition One: This Agreement shall become void if the Developer fails to complete the Project in accordance with the approved Final Site Plan and as provided in Section 19.08 (D) 1 of the Zoning Ordinance within three (3) years from the date of this Agreement; provided, however, that the Developer may commence preparatory on-site work after approval of the Area Plan/Preliminary Site Plan. In accordance with Section 19.15 of the Zoning Ordinance, the time limit set forth in this paragraph may be extended upon showing of good cause, and by written agreement between the Developer and the Village Council.

7.2 Condition Two: The parties acknowledge that the Project requires access to and from Island Lake Road, which is under the jurisdiction of the Washtenaw County Road Commission. This Agreement is subject to a condition subsequent that the Washtenaw County Road Commission grant an access point to the Project.

7.3 Condition Three: The parties acknowledge that the Project proposes an easement for Landscaping and Detention on property owned by the Dexter Area Historical Museum. This agreement is subject to a condition that an easement agreement for both Landscaping and Detention be reviewed, approved and recorded by the Village and the Dexter Area Historical Society.

7.4 Condition Four: The Developer will not object to future right-of-way improvements along Island Lake Road or Dexter Pinckney Road.

7.5 Condition Five: The Developer shall provide an access easement and a service lead for an electrical connection for the emergency siren to be installed by the Village on an adjacent DTE Energy utility right-of-way

7.6 Condition Six: The United Methodist Retirement Communities, Inc., will consider in the future the Village's request that a Traffic Control Order be obtained for the Project for the purpose of ensuring that the Michigan Uniform Traffic Code laws are enforceable by the Washtenaw County Sheriff's Department on the private roads within the Project.

7.7 Binding Effect: Subject to the Developer obtaining Final Site Plan approval and acquiring title to the Project, the covenants, agreements, terms, provisions and conditions of this Agreement shall bind and benefit the several respective representatives, successors and assigns of the parties hereto. The obligations of the Developer contained herein shall be binding on successors and assigns in ownership of the Project. Subject to the conditions precedent set forth in paragraphs 7.1, 7.2 and 7.3, by signing this Agreement the Developer acknowledges that the approved petition and Area Plan/Preliminary Site Plan shall be binding upon the Developer and owners of record and upon its heirs, successors and assigns.

7.8 Transfer of Agreement: In the event the Developer transfers the Property in bulk, the Developer agrees to provide the Village with a copy of the deed the Developer delivers to any such transferee, which deed shall be expressly subject to this Agreement.

7.9 Severability: The unenforceability, invalidity or illegality of any provision of this Agreement shall not render the other provisions of this Agreement unenforceable, illegal or invalid.

7.10 Whole Agreement: This Agreement contains all of the agreements of the parties and cannot be amended or modified except by the mutual consent of the parties in writing.

IN WITNESS WHEREOF, the parties have set their hands and seals the day first above written. This Agreement is not intended to create contractual right for third parties. It may be enforced, amended or rescinded only by the parties or their successors in interest.

DEVELOPER:
United Methodist Retirement Communities, Inc., a Michigan non-profit corporation

By:_____

Its:_____

VILLAGE:
Village of Dexter, a Michigan municipal corporation

By:_____
Jim W. Seta, Village President

By:_____
David F. Boyle, Clerk

STATE OF MICHIGAN, COUNTY OF WASHTENAW

On this _____ day of _____, 2007 before me personally appeared _____, the _____ of United Methodist Retirement Communities, Inc., a Michigan non-profit corporation, on behalf of the corporation.

_____
, Notary Public
_____ County, Michigan
Acting in Washtenaw County
My Commission Expires: _____

STATE OF MICHIGAN, COUNTY OF WASHTENAW

On this _____ day of _____, 2007, before me personally appeared Jim W. Seta and David F. Boyle, of the Village of Dexter, to me known to be the persons who executed this foregoing instrument, and to me known to be the President and Clerk, respectively,

of said Village of Dexter and acknowledged that they executed the foregoing instrument as such officers as the free act and deed of said Village of Dexter by its authority.

_____
, Notary Public
_____ County, Michigan
Acting in Washtenaw County
My Commission Expires: _____

Prepared by:
Allison Bishop, Community Development
Village of Dexter
8140 Main Street
Dexter, Michigan 48130

After Recording Return To:
Donna Dettling, Village Manager
Village of Dexter
8140 Main Street
Dexter, Michigan 48130

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EXHIBIT 1
PROPERTY LEGAL DESCRIPTION

PARCEL IA

Property located in the Township of Webster, Washtenaw County, Michigan, described as follows: Commencing at the Southwest corner of Section 31, T1S, R5E, Webster Township, Washtenaw County, Michigan, thence N02°53'00"W 364.46 feet along the West line of said Section 31 to the POINT OF BEGINNING; thence continuing N02°53'00"W 1181.66 feet along the West line of said Section 31; thence S62°31'28"E 284.56 feet along the centerline of Island Lake Road; thence S56°57'50"E 852.64 feet along the centerline of Island Lake Road; thence S21°25'18"W 152.69 feet; thence S23°51'02"W 78.23 feet; thence S62°10'51"W 101.34 feet; thence N80°37'20"W 89.25 feet; thence S62°49'21"W 268.00 feet; thence S01°39'33"E 106.36 feet; thence S77°50'09"W 109.10 feet; thence S63°39'40"W 145.16 feet; thence S82°49'30"W 172.00 feet to the Point of Beginning. Being a part of the Southwest 1/4 of Section 31, T1S, R5E, Webster Township, Washtenaw County, Michigan and containing 14.78 acres of land, more or less. Being subject to the rights of the public over the Southwesterly 33 feet of Island Lake Road. Also being subject to easements and restrictions of record, if any.

EXHIBIT 2

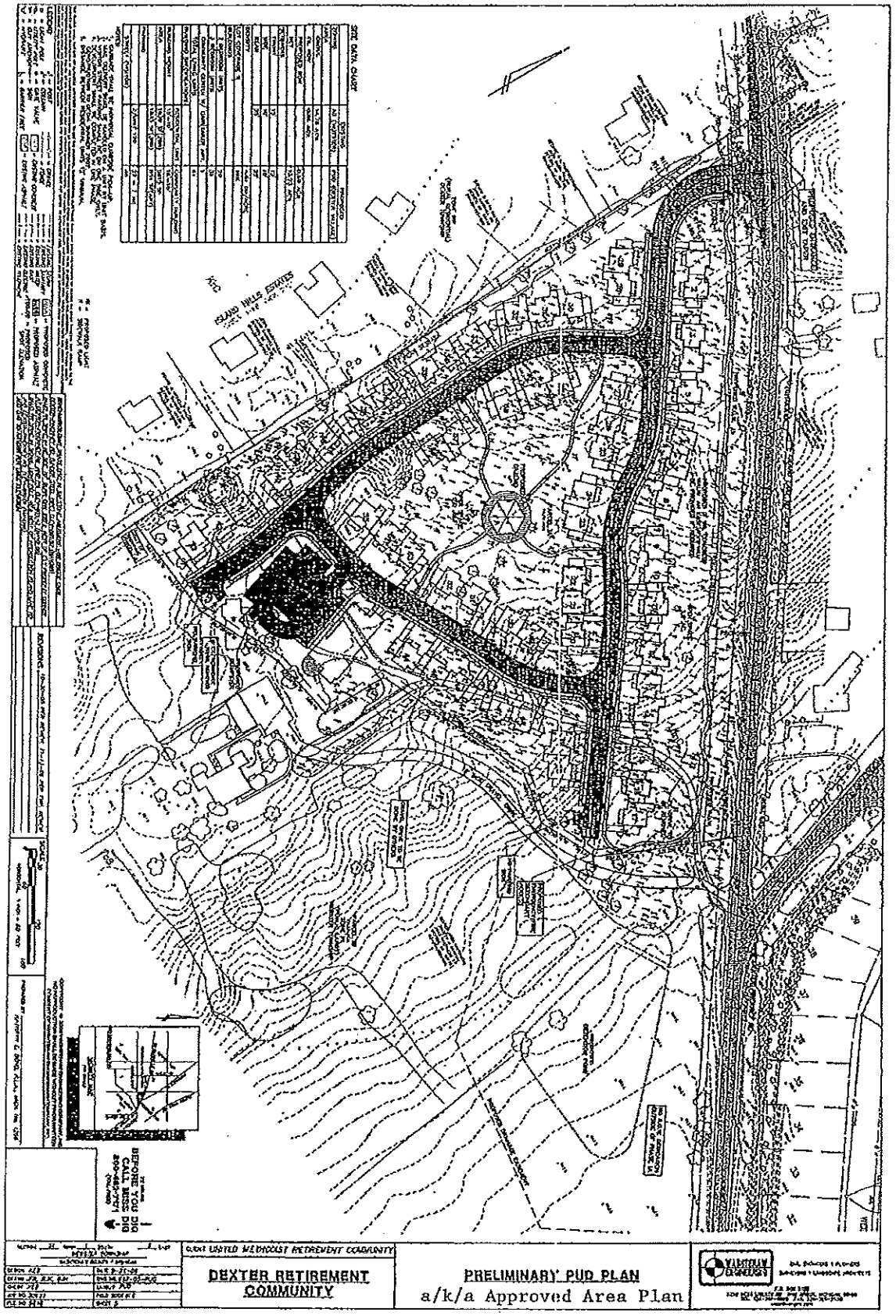
DEXTER RETIREMENT COMMUNITY
PRELIMINARY PUD PLAN
a/k/a Approved Area Plan

EXHIBIT 3

VILLAGE OF DEXTER
Dedication of Public Streets and Utilities

Upon the completed installation of streets and or water, sewer, storm utilities by a developer, the Village will consider the acceptance of the streets and utilities as public. The following is a checklist for the dedication process.

1. **Inspections** - Inspections for asphalt or concrete roads will be performed after construction of buildings are complete unless special arrangements are made and approved by the Village*(see page 2). Inspection of asphalt roads must be performed prior to placing the final wearing course. Prior to inspections of new roads, the developer shall provide copies of compaction testing, aggregate base thickness measurements, and asphalt thickness measurements. Verification that adequate inspection and testing of water and sewer mains occurred during the project will be necessary. This work is the responsibility of the developer, and the results will be submitted to the Village for review. The Village Community Development Office (CDO) will also conduct a final site inspection upon request from the developer. The CDO will inspect for site plan compliance, including but not limited to, landscaping, open space, signage, etc. After review, the Village Engineer, and the Department of Public Services (DPS) shall also conduct an on-site inspection. OHM and the DPS will issue Punch lists. Upon completion of punch lists correspondence accepting the project will be issued by OHM and DPS. Final acceptance will proceed when the following documents have been issued:

   a.) A letter from OHM stating completion of the punch list, acceptance of the project, and correspondence indicating that OHM supports dedication of the project.
   b.) A letter from the Superintendent of Public Services stating completion of the punch list, acceptance of the project, and correspondence indicating that DPS supports dedication of the project.
   c.) A final inspection correspondence from the Community Development Manager stating completion of the site plan punch list, acceptance of the project and correspondence indicating that the CDO supports dedication of the project.

2. **Maintenance/Repair** – if any problems are identified by the on-site inspection (punch list) and or the review of the test or roadway data, the developer must correct these problems before the process can continue. Once all problems on the punch list have been corrected, the wearing course for asphalt roads is placed.

3. **Survey** – The applicant must provide Sealed Engineer's drawings of the roadway sections and underground utilities proposed for dedication as public in each new development. The applicant must also provide written legal descriptions of the streets, underground utility easements and/or other easements. This information shall be provided on 8 ½ x 14 legal size paper.

4. **Maintenance and Guarantee Bond** - A two-year Maintenance and Guarantee Bond in the amount equal to one half of the cost of construction of the public utilities, roadway pavement, sidewalks, curb, gutter, water mains, sanitary sewers and storm drains shall be posted by the

This document is intended to be a guide for the dedication process, and has not been adopted as a formal policy. The Village continues to evaluate the effectiveness of this process, and may from time to time enhance this process to better serve the public.

developer with the Village. The amount of this bond will be based on either the signed contract for the work or on an estimate by a professional engineer. The basis of the bond amount shall be submitted to the Village for review prior to the posting of the Maintenance and Guarantee Bond. An extended term on the Bond will be required for developments in which less than 100% of the buildings are constructed. Details of this requirement appear on page 2 under special arrangements.

4. Review and approval of Dedication by Legal Counsel. Legal Counsel will review the dedication documents and provide support for the dedication, prior to Village Council accepting dedication.

5. Resolution by Village Council - After all required information has been provided, reviewed and accepted by the Village and/or their representatives; Village Council will consider a resolution to accept public infrastructure. This resolution must accompany the Act 51 application, which will be completed by the Village Street Administrator.

***Special arrangements:** The Village will ordinarily not accept streets until construction of all buildings is substantially complete, so that heavy construction vehicles do not destroy the integrity of the new streets. Many developers install all but the wearing course of asphalt during construction. When they are ready to dedicate the streets, they lay the final wearing course.

If a developer desires to dedicate prior to the completion of construction of all buildings, the developer may request that the Village accept early dedication. In such cases, the developer must agree to extend the term of the Maintenance and Guarantee Bond according to the schedule below. The Village Council may waive the necessity of an extended term, impose additional conditions, or refuse to accept dedication.

If, Council accepts dedication prior to substantial completion of home construction on the site, the developer will be required to maintain the roadways until 50% of the homes are built. It is understood that maintenance will include snow removal and salting as well as general maintenance and upkeep of the roadways.

The Village Engineer shall inspect the site prior to the expiration of the Maintenance and Guarantee Bond, and report to the Village the condition of the roadway/appurtenances.

100% Complete	2-Year Bond
90% to 99% Complete	3-Year Bond
80% to 89% Complete	4-Year Bond
70% to 79% Complete	5-Year Bond
60% to 69% Complete	6-Year Bond
50% to 59% Complete	7-Year Bond
Anything under 50%	8-Year Bond

The Village retains the right to withhold dedication for sites less than 50% complete.

This document is intended to be a guide for the dedication process, and has not been adopted as a formal policy. The Village continues to evaluate the effectiveness of this process, and may from time to time enhance this process to better serve the public.

The developer will be required to provide documentation of the number of lots, vacant and built as part of the dedication submittal. The developer may request to replace the initial Bond for a reduced term, if 100% of the site is completed and more than 2-years remain on the initial bond term.

This document is intended to be a guide for the dedication process, and has not been adopted as a formal policy. The Village continues to evaluate the effectiveness of this process, and may from time to time enhance this process to better serve the public.

EXHIBIT 4
STORM WATER DETENTION AREA LANDSCAPE MAINTENANCE PLAN

EXHIBIT 4

STORM WATER DETENTION AREA LANDSCAPE MAINTENANCE PLAN

PERMANENT MAINTENANCE TASKS AND SCHEDULE

	Emergency Overflow	Storm Detention Areas	Filtration Basins	Rip-Rap	Outflow Control Structures	Ditches & Swales	Catch Basin Inlet Casings	Catch Basin Sumps	Storm Sewer System	COMPONENTS:
TASKS:										SCHEDULE:
Inspect for sediment accumulation		X	X		X	X		X	X	Annually
Removal of sediment accumulation		X	X		X	X		X	X	Every 2 Years as Needed
Inspect for floatables and debris		X	X		X	X	X			Annually
Cleaning of floatables and debris		X	X		X	X	X			Annually
Inspection for erosion		X	X		X	X				Annually
Re-establish permanent vegetation		X	X			X				As needed
on eroded slopes										
Replacement of Stone					X					As Needed
Mowing		X	X			X				0 to 2 times per year
Inspect Stormwater System										
components during wet weather	X	X	X	X	X	X	X	X	X	Annually
and compare to as-built plans										
(by Professional Engineer)										
Make adjustments or replacements										As needed
as determined by annual wet	X	X	X	X	X	X	X	X	X	
weather inspection										
Keep records of all inspections										Annually
and maintenance activities										
Keep records of all costs for inspections										Annually
maintenance and repairs										
**As needed* means when sediment has accumulated to a maximum of one foot depth.										

EXHIBIT 5

RESOLUTION FOR THE PUPROSE OF ESTABLISHING PERFORMANCE ESCROW AMOUNTS

Minutes of a regular meeting of the Village Council of the Village of Dexter, County of Washtenaw, State of Michigan, held on the 8th day of December 2003, Eastern Daylight Time.

PRESENT: Coy, Carson, Seta, Walters, Semifero

ABSENT: Hall

The following preamble and resolution were offered by Member Seta and supported by Member Carson:

WHEREAS, the Village Council of the Village of Dexter, County of Washtenaw, State of Michigan (the "Village"), has determined it necessary to establish an escrow account to ensure compliance with construction and final site plan standards, a performance escrow and the fees below have been established;

NOW, THEREFORE, BE IT RESOLVED THAT THE FOLLOWING FEES APPLY TO UNFINISHED SITE WORK:

1. Public Sidewalk escrow shall be $45.00 per Lineal Foot
2. Street Tree escrow shall be $300.00 per street tree
3. Other Site Landscaping escrow shall be $150.00 per shrub and $300.00 per tree
4. Sod/Seeding escrow shall be $3.00 per square foot
5. Final Grading escrow shall be $700.00
6. Screening Fence escrow shall be $20.00 per Lineal Foot
7. Dumpster Screen escrow shall be $3000.00
8. Pavement escrow shall be $400.00 per parking space or $400.00 per 160 square feet
9. Other – Other incomplete site work escrow amounts shall be based on invoice provided by applicant.

AYES: Carson, Seta, Walters, Semifero, Coy

NAYS:

RESOLUTION DECLARED ADOPTED

THIS 8th DAY OF December 2003

Donna L. Foster
Village Clerk

EXHIBIT 6

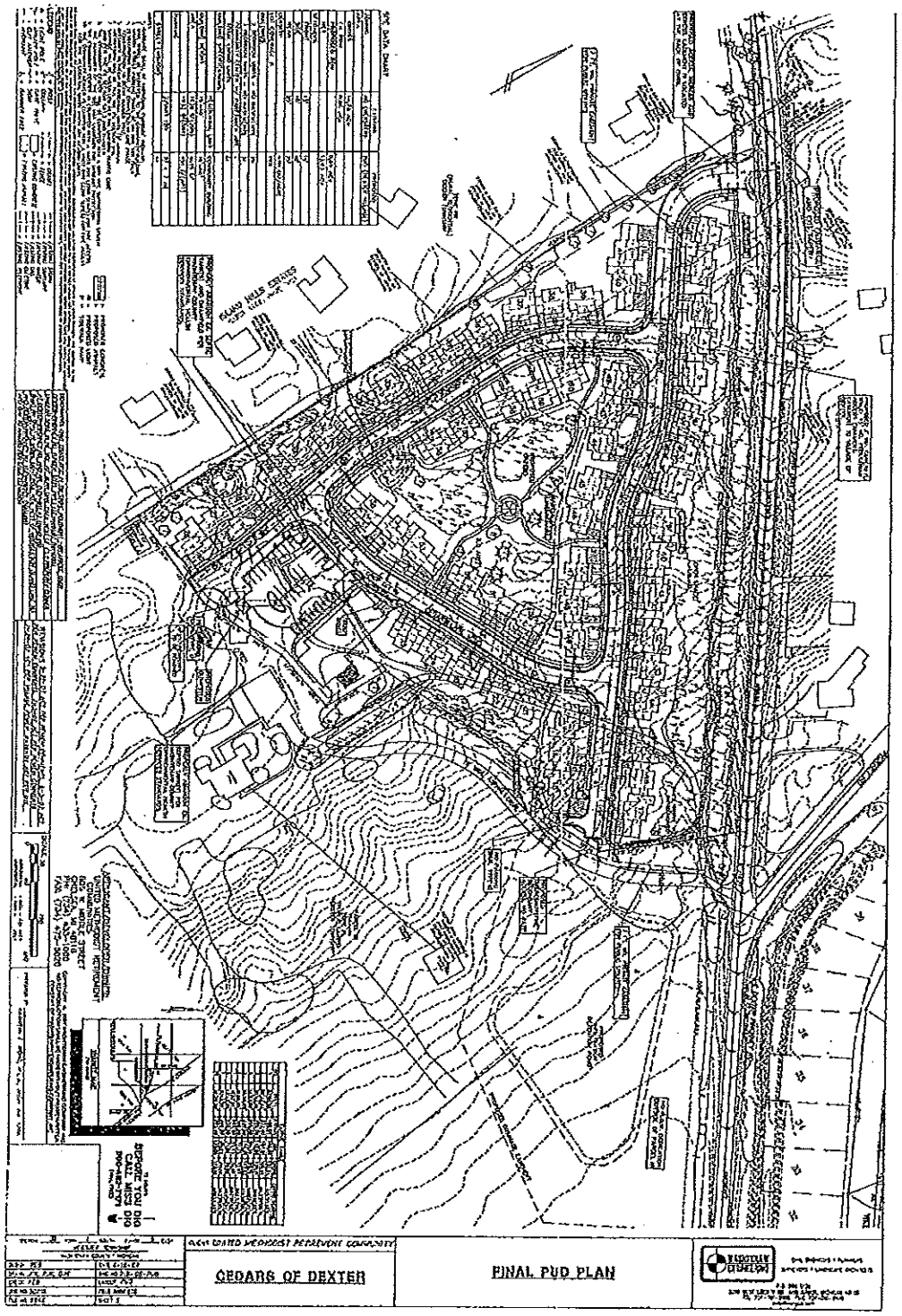

EXHIBIT 7

PETERS BUILDING CO.
172 S. INDUSTRIAL DRIVE • P.O. BOX 577
SALINE, MICHIGAN 48176
www.petersbuilding.com

(734) 429-4200 FAX: (734) 429-2678 RESIDENTIAL • COMMERCIAL • DEVELOPMENT

September 5, 2007

Ms. Donna Dettling
Village of Dexter
8140 Main Street
Dexter, MI 48130

RE: WESTRIDGE OF DEXTER PUMP STATION REIMBURSEMENT

Dear Ms. Dettling:

Please accept this letter as Peters Building Co. authorization to waive reimbursement fees in the amount of $30,894.00 due to our company for the connection to the Westridge of Dexter Sanitary Sewer Pump Station by the United Methodist Retirement Community, Inc. for the project consisting of 60 senior housing units, and one caretakers unit and 6,500 sq. ft. community center, also known as the Cedars of Dexter.

Peters Building Co. authorization to waive the reimbursement of the fees referenced above applies only if both the Village of Dexter and the United Methodist Retirement Community, Inc. have reached and entered into a development agreement for the Cedars of Dexter that is acceptable to both parties on, or before October 31, 2007.

Please feel free to contact me at your earliest convenience at (734) 429-4200.

Sincerely,

James G. Haeussler
President

JGH/lmr

EXHIBIT 8

STATE OF MICHIGAN
TERRI LYNN LAND, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

February 16, 2007

Allison Bishop, AICP
Community Development Manager
Village of Dexter
8140 Main Street
Dexter, MI 48130-1092

RE: Conditional Transfer of the Dexter Area Historical Society parcel
Job number 06-431

Dear Ms. Bishop:

This letter serves to acknowledge that the changes and or corrections to property descriptions for Job Number 06-431, described as Dexter Area Historical Society parcel, have been reviewed and accepted by the Michigan Department of Transportation (MDOT), and will be published in an upcoming edition of the *Michigan Public and Local Acts*.

The original filing date with the Office of the Great Seal on December 29, 2006 of the of conditional transfer of Property pursuant to Public Act 425 of 1984, as amended, from Webster Township to the Village of Dexter, shall remain as the effective date of this boundary change.

Sincerely,

Donald L. Biggs, Analyst
Legal Policy and Procedures Section
517-335-6720

cc: Webster Township Clerk
Washtenaw County Clerk
Michigan Department of Labor and Economic Growth, State Boundary Commission
Michigan Department of Labor and Economic Growth, Liquor Control Commission
Michigan Department of Labor and Economic Growth, Office of Land Survey and Remonumentation
Michigan Department of Information Technology, Center for Geographic Information
Michigan Department of Treasury, Office of Revenue and Tax Analysis
Michigan Department of Transportation, Bureau of Transportation Planning
U.S. Bureau of the Census
Office of the Great Seal Job Number 06-431

Corrected Property Description
Job Number 06-431

Joint Resolution Number 28-2006

VILLEGES
Washtenaw County

In the matter of the conditional transfer of certain property located in Webster Township to The Village of Dexter. Conditionally transfered in accordance with the provisions of Public Act 425 of 1984, as amended the following described property:

Commencing at the Southwest corner of Section 31, T1S, R5E, Webster Township, Washtenaw County, Michigan, thence N02°53'00"W 364.46 feet along the West line of said Section 31 to the POINT OF BEGINNING; thence continuing N02°53'00"W 1181.66 feet along the West line of said Section 31; thence S62°31'28"E 284.56 feet along the centerline of Island Lake Road; thence S56°57'50"E 852.64 feet along the centerline of Island Lake Road; thence S21°25'18"W .152.69 feet; thence S23°51'02"W 78.23 feet; thence S62°10'51"W 101.34 feet; thence N80°37'20"W 89.25 feet; thence S62°49'21"W 268.00 feet; thence S01°39'33"E 106.36 feet; thence S77°50'09"W 109.10 feet; thence S63°39'40"W 145.16 feet; thence S82° 49'30"W 172.00 feet to the Point of Beginning. Being a part of the Southwest ¼ of Section 31, T1S, R5E, Webster Township, Washtenaw County, Michigan and containing 14.78 acres of land, more or less. Being subject to the rights of the public over the Southwesterly 33 feet of Island Lake Road. Also being subject to easements and restrictions of record, if any; and

Record of proceedings filed in the Office of the Secretary of State December 29, 2006
*****

Allison Bishop

From: Allison Bishop
Sent: Thursday, September 06, 2007 4:36 PM
To: 'jwseta@yahoo.com'; 'jim.seta@skf.com'; Donna Dettling; Donna Fisher (E-mail); Jim Carson (E-mail); Shawn Keough (E-mail); Shawn Keough (E-mail 2)
Subject: UMRC Development Agreement

Importance: High

Contacts: Jim Seta

UMRC Development Agreement Subcommittee,

Attached is the latest UMRC development agreement. The developer has changed the proposal that we discussed at our last subcommittee meeting re: the tree replacement contribution (section 5.4). I have informed the developer that I doubt that the proposal (that the money must be spent in 10 years) will be acceptable, however Kate Collins (developers rep) wished to proceed with the development agreement and the item for discussion.

In the meantime I have reviewed the document and confirmed that all the other items that we discussed have been addressed and have forwarded the document to the Village attorney. I am anticipating comments from the attorney for Mondays meeting.

I have requested that the Village attorney provide us with different language for section 5.4 that would permit the Village to establish a "UMRC Landscaping, Tree and Park Improvement Fund". It is my belief that if the Village is required to use the funding within 10 years and only on tree planting that we would not be able to accomplish that. However, if the Village is permitted to use the funds on tree maintenance, removal, replacement, other landscaping and park improvements that we would be able to spend the contribution.

I have included the final site plan and the development agreement on the agenda for Monday to start the discussion. I hope to have all developer and attorney comments for the meeting.

Please let me know if you have any questions.

umrc dev agree 9-6-07.pdf

Thanks,

Allison J. Bishop, AICP
Community Development Manager
Village of Dexter
734.426.8303 ext. 15

VILLAGE OF DEXTER

ddettling@villageofdexter.org

8140 Main Street Dexter, MI 48130-1092 Phone (734)426-8303 Fax (734)426-5614

9-10-07

AGENDA

ITEM L-3

MEMO

To: President Seta and Council
From: Donna Dettling, Village Manager
Date: September 10, 2007
Re: CMAQ Funding/Project Update

Item L-3

I received the CMAQ Contract document on August 24, 2007. Attached is the cover letter with instructions for the execution of this contract. A resolution is needed to specifically name the officials who are authorized to sign the contracts.

Jim Valenta, Village Traffic Engineer and Dykema, Legal Counsel reviewed the 25-page contract and support the execution of the contract.

I received an update from Dan Dapprich on the expected completion of the installation. He believes he will have the new signal cabinets and appurtenances installed by the end of the month. Final testing and programming will be completed in early October. Invoices from Carrier and Gable as well as labor costs for Dan's work will be paid from the Major Street Fund. A budget amendment for the expense in 202.474.000.970.000 will be made to reflect this expense. A budget amendment for the revenue in 202.000.000.671.000 to record the receipt of the grant will also be made.

received 8-24-07

JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION
LANSING

KIRK T. STEUDLE
DIRECTOR

August 20, 2007

Mr. David Boyle
Clerk
Village of Dexter
8140 Main Street,
Dexter, MI 48130-1092

Dear Mr. Boyle:

RE: MDOT Contract No.: 07-5492
Control Section: CMG 81104
Job Number: 100407

Enclosed is the original and one copy of the above described contract between your organization and the Michigan Department of Transportation (MDOT). Please take time to read and understand this contract. If this contract meets with your approval, please complete the following checklist:

___ **PLEASE DO NOT DATE THE CONTRACTS.** MDOT will date the contracts when they are executed. A contract is not executed unless it has been signed by both parties.

___ **Secure the necessary signatures on all contracts.**

___ **Include a certified resolution**. The resolution should specifically name the officials who are authorized to sign the contracts. 10-10-07

___ **Return all copies of the contracts to my attention of the Department's Design Division, 2nd floor for MDOT execution.**

In order to ensure that the work and payment for this project is not delayed, the agreement needs to be returned within 35 days from the date of this letter. 9-24-07

A copy of the executed contract will be forwarded to you. If you have any questions, please feel free to contact me at (517) 335-2264.

Sincerely,
Jackie Burch
Jackie Burch
Contract Processing Specialist
Design Support Area

Enclosure

RESOLUTION APPROVING THE CMAQ CONTRACT NO. 07-5492 AND AUTHORIZING THE VILLAGE PRESIDENT AND MANAGER TO EXECUTE MDOT CONTRACT NO: 07-5492

WHEREAS, the Village of Dexter submitted an application for CMAQ Funding for the upgrade of Traffic Signals in the Downtown; and

WHEREAS, the Village of Dexter was awarded CMAQ Funding on July 31, 2007 in an amount not to exceed $75,000; and

WHEREAS, the Village of Dexter is required to enter into a contract with MDOT and designate officials who are authorized to sign the contract; and

WHEREAS, the contract was reviewed by Legal Counsel as well as the Village's Traffic Engineer, Jim Valenta; and

WHEREAS, the Village of Dexter desires to complete the project and receive the Funding.

BE IT THEREFORE RESOLVED, that the Village of Dexter, Village Council approve entering into the CMAQ Contract No. 07-5492 and authorizes Jim Seta, Village President, and Donna Dettling, Village Manager to execute MDOT Contract No. 07-5492

MOVED BY: _____ SUPPORTED BY: _____

YEAS: _____

NAYS: _____

ABSENT: _____

RESOLUTION DECLARED ADOPTED THIS 10th DAY OF SEPTEMBER 2007.

CERTIFIED BY:

_____

David F. Boyle, Village Clerk

AGENDA 9-10-07
ITEM 6-4

VILLAGE OF DEXTER - COMMUNITY DEVELOPMENT OFFICE
8140 Main Street • Dexter, Michigan 48130-1092 • (734) 426-8303 • Fax (734) 426-5614

Memorandum

To: Village Council
Donna Dettling, Village Manager
From: Allison Bishop, AICP, Community Development Manager
Re: Article 6, Landscaping Standards Ordinance Amendments
Planning Commission Recommendation
Date: September 10, 2007

PLANNING COMMISSION DECISION

On September 4, 2007 the Planning Commission held a public hearing regarding the proposed amendments to Article 6, Landscaping Standards, recommended by the Tree Board.

There was no public wishing to comment on the ordinance.

The Planning Commission moved to recommend approval of the proposed amendments with the following motion:

Per Section 23.07, Criteria for Amendment to the Zoning Ordinance Text and the Public Hearing held by the Planning Commission on September 4, 2007, the Planning Commission has been provided with information from the Village Tree Board that demonstrates improved techniques to deal with certain landscaping provisions within the Village of Dexter Zoning Ordinance and therefore recommends that the Village Council adopt the recommended amendments to Article 6, Landscaping Standards.

RECOMMENDATION/BACKGROUND

Over the past several months the Tree Board has reviewed amendments to Article 6, Landscaping Standards. The Tree Board recommends that the following amendments be reviewed and recommended to the Village Council for approval.

The Tree Board includes, Allison Bishop (staff), Sandy Hansen (Landscape Architect), Cindy Henes (Landscaping Enthusiast/English teacher), John Coy (Parks Commission Liaison), and Jeff Peters (Arborist/Christianson's).

The proposed amendments are shown with strikethroughs and underlines.

The amendments include, but are not limited to the following:

- Reference to National Standards for Horticulture
- Provisions for timing of landscaping installation
- Spacing and size of landscaping material
- Buffer requirements and buffer zone requirements
- Language clarification
- Encouraging better landscaping design through function, appearance and value

- Species recommendations for trees and shrubs were thoroughly reviewed
- Spacing requirements were removed to encourage creative landscape design

ADDITIONAL RECOMMENDATION

Following the Planning Commission's recommendation to approve the amendments to Article 6 it was brought to my attention by a Planning Commissioner that the ordinance should provide additional regulations on tree replacement, specifically tree mitigation on and off site, as well as tree replacement contributions. On page 6-15 of the proposed ordinance additional language has been added, and highlighted, in the ordinance. The language addresses how the Village will handle tree replacement for unique situations when tree replacement cannot occur on site. The language also provides standards for shrub and understory tree replacement credits, which permit more flexibility in design and landscaping mitigation. The language also provides the Village with the regulations necessary to require that replacement of trees occur off site or that a contribution be made to the Tree Endowment Fund (as proposed with the Cedars of Dexter project).

The additional language is mirrored after the City of Northville. It is recommended that the proposed amendments be included if the Village Council moves to approve the amendments recommended to Article 6.

If approved it should also be noted that the Village Council will be asked to pass a resolution establishing the fee/payment per tree that will be required if trees cannot be mitigated or replaced on or off site.

ACTION REQUESTED

Pursuant to Article 23, the Planning Commission and Village Council shall consider the following criteria to determine the appropriateness of amending the text, standards and regulations of the Zoning Ordinance.

A. Documentation has been provided from Village Staff or the Board of Zoning Appeals indicating problems and conflicts in implementation of specific sections of the Ordinance.

B. Reference materials, planning and zoning publications, information gained at seminars or experiences of other communities demonstrate improved techniques to deal with certain zoning issues, or that the Village's standards are outdated.

C. The Village Attorney recommends an amendment to respond to significant case law.

D. The amendment would promote implementation of the goals and objectives of the Village's Master Plan.

E. Other factors deemed appropriate by the Planning Commission and Village Council.

SUGGESTED MOTIONS

Per Section 23.07, Criteria for Amendment to the Zoning Ordinance Text and the Planning Commission's recommendation, the Village Council has been provided with information from the Village Tree Board and staff that demonstrates improved techniques to deal with certain landscaping provisions within the Village of Dexter Zoning Ordinance and therefore adopts the proposed amendments to Article 6, Landscaping Standards.

OR

Based on the information presented to the Village Council, the Village Council moves to postpone action on the proposed amendments to Article 6, Landscaping Standards until
_____**(DATE)**_____ to allow more time for the following:

1. _____
2. _____

Please feel free to contact me if you have any additional questions.

Thank you.

Allison Bishop

From: Thom Phillips [tphillips@hobbs-black.com]
Sent: Wednesday, September 05, 2007 2:12 PM
To: Allison Bishop
Subject: RE: Dexter Wellness - Existing Landscaping review

Allison,

I know we just passed a new tree ordinance but it looks like there are still
some open issues to consider:

A. Consider setting up a tree fund and assigning a value for a replacement
tree that will not reasonably fit on a given site. "spotting locations around the village" should not be necessary since the tree committee can just use this as another funding source.

B. List species of trees that are not regulated regardless of diameter. There seems to be extensive president for waiving replacement of such trees
already.

Hope you're feeling well!!

2 cents.
Thom

-----Original Message-----
From: Allison Bishop [mailto:abishop@villageofdexter.org]
Sent: Wednesday, September 05, 2007 2:03 PM
To: Steve Brouwer (E-mail); Derk Wilcox; Jim Carson (E-mail); John Bellefleur (E-mail); Kim Clugston (E-mail); Mary Kimmel (E-mail); Matt home;
Matt Kowalski (E-mail); Matt McCormack; Scott Bell (E-mail); Tom Phillips
Cc: Douglas J. Lewan, PCP (E-mail); Paul Siersma (E-mail)
Subject: Dexter Wellness - Existing Landscaping review

Planning Commission,
Attached is a memo from Carlisle Wortman re: existing landscaping credits
discussed at last nights meeting.

Based on the review the plan will NOT be back before Planning Commission and
the final site plan will proceed to Council likely on October 8th.

Please let me know if you have any questions.

Thanks,
<<Dexter Wellness FSP 9-5-07.pdf>>

Allison J. Bishop, AICP
Community Development Manager
Village of Dexter
734.426.8303 ext. 15

Article VI

LANDSCAPING STANDARDS

Section 6.01 INTENT

The intent of this Article is to establish minimum standards for the design, installation, and maintenance of landscaping along public streets, as buffer areas between uses, on the interior of a site, within parking lots, and adjacent to buildings. Landscaping is viewed as a critical element contributing to the aesthetics, development quality, stability of property values, and the overall character of the Village. The standards of this Article are also intended to provide incentives to preserve quality mature trees, screen headlights to reduce glare, integrate various elements of a site, help ensure compatibility between land uses, assist in directing safe and efficient traffic flow at driveways and within parking lots, and minimize negative impacts of stormwater runoff and salt spray.

The landscape standards of this section are considered the minimum necessary to achieve the intent. In several instances, the standards are intentionally flexible to encourage ~~flexibility and~~ creative design based on the specific conditions of the environment. Applicants are encouraged to provide additional landscaping to improve the function, appearance, and value of the project site~~perty~~. Reference to the National Standards for Horticulture is encouraged.

Section 6.02 REQUIREMENTS AND TIMING OF LANDSCAPING

Landscaping shall be illustrated on any site plan reviewed by the Village. The landscape plan shall clearly describe the location, type, size, and spacing of all plant materials. The landscape plan should also include information on the percentage (%) of genus and species of each proposed planting to ensure diversity in species throughout the village. The village permits no more than 25% of any one genus or 10% of any one species per site plan. Wherever the Zoning Ordinance requires landscaping or plant materials, it shall be planted within six (6) months from the date of issuance of a certificate of occupancy and shall thereafter be reasonably maintained. ~~with permanent plan materials, which may be supplemented with other plantings.~~

For large developments, over 80 acres, landscaping proposed within the right-of-way at entrances and along the perimeter of the site shall be installed following the installation of the streets and utilities. If installation of landscaping cannot be completed due to weather conditions, landscaping shall be installed as weather permits.

At the tim~~e~~ing of the request for Final Zoning Compliance, the applicant shall provide confirmation of the species planted and the date of planting.

Section 6.03 SPECIAL PROVISIONS FOR EXISTING SITES

In any case where the area of the building and/or parking is increased by ten (10%) percent over the originally approved site plan or the use is being changed to a more intensive use~~,~~ as determined by the

Planning Commission, the site shall be brought into full compliance with the landscape standards herein.

Section 6.04 REQUIRED PARKING LOT SCREENING

A. **Required Parking Lot Screening From Public Streets - All Districts Except Village Commercial and Central Business District:** Parking lots which abut a public street in all districts with the exception of the Village Commercial and Central Business District shall provide a landscape screen as follows:

1. Minimum Width: Ten (10) feet.

2. Required Plantings:
   - One deciduous tree, 2.0-3.0" caliper, per 35 feet of linear frontage, s.—Spacing to be determined by designer OR.
   - One – 5.0-6.0' (minimum) evergreen tree per Section 6.11 (B)(1) for every 20' of linear frontage. Spacing to be determined by designer AND
   - or fFour – 2.0-3.0' (minimum) shrubs per Section 6.11(B)(2) for every 20' of linear frontage. Shrubs shall not be required if an opaque wall or fence having a minimum height of three (3) feet is erected. Planning Commission may reduce the required number of shrubs if evergreen trees are used to meet the required number of tree plantings.

B. **Required Parking Lot Screening From Public Streets - Village Commercial and Central Business District:** All parking lots within the Village Commercial and Central Business District shall provide a landscape screen as follows:

1. Minimum width: four (4) feet

   Planning Commission may reduce or waive minimum width requirements if a wall having a minimum height of three (3) feet is erected.

2. Required Plantings:
   - Ssix – 2.0-3.0' (minimum) evergreen or deciduous shrubs per Section 6.11(B)(2) for every 20' of linear frontage; and
   - Oone (1) deciduous tree, 2.0-3.0" caliper, per 20' of linear frontage if screen width is a minimum of four (4) feet.

Section 6.05 BUFFER

A buffer strip is required per section 6.06. The intent of the buffer strip is to have a minimum five (5) foot high obscuring area. A buffer strip shall meet the following requirements:

A. Minimum per section 6.06

B. All trees shall be evergreen (minimum 5 foot high) and/or ornamental trees (minimum 2.0 inch caliper).

C. All shrubs shall be a minimum of three (3) feet high at installation.

D. The buffer planting area shall contain grass, ground cover, three (3) four (4) inch-deep shredded bark

mulch, or three (3) ~~four (4)~~ inch~~-~~ deep ~~angular~~ stone mulch~~and curbed stone as necessary~~.

Section 6.06 LANDSCAPE SCREENING BETWEEN LAND USES

PROPOSED USE	Adjacent to Single or Two-Family Residential Use/Zone	Adjacent to Prof. Business/Office District Use/Zone	Adjacent to Commercial District Use/Zone	Adjacent to Multiple Family Use/Zone	Adjacent to Industrial/RD Use/Zone
One~~Single~~ Family Residential	None	C	C	B	D
Two-Family Residential	None	C	C	B	D
Multiple Family	B	A	B	A	C
C-1 General Business	C	~~B~~C	A	B	C
CBD and VC Central Business and Village Commercial*	A	A	A	A	A
Professional Business / Office	C	A	~~B~~C	A	~~D~~C
Industrial/RD	D	~~D~~C	C	C	~~B~~A

~~B~~Village Commercial And Central Business District – Per Section 6.13 Buffer requirements may be waived or reduced by the Planning Commission if the site design provides for additional landscaping, better site design, or shared parking and/or ingress and egress drives ~~and parking are shared~~.

- ~~Village Commercial and Central Business District – Buffer requirements may be waived or reduced by the Planning Commission if an applicant proposes to expand the structure to the permitted five (5) foot side yard setback or if an applicant proposes to install pedestrian access inside of the required buffer to the rear of the structure.~~

BUFFER ZONE	Minimum Width	Wall/Berm	Minimum Plant Materials
A	10 Feet	None Required	1 ornamental OR 1 evergreen tree every fifty (50) lineal feet along the property line AND~~OR~~ 5 upright shrub~~s~~ per each thirty (30) lineal feet along the property line, rounded upward
B	10 Feet	4 foot high continuous wall or fence	1 ornamental OR 1 evergreen tree AND~~OR~~ 7 upright shrubs per each thirty (30) lineal feet along the property line, rounded upward
C	15 Feet	6 foot high continuous wall, fence or 3 foot high planted ~~—~~berm ~~(planted)~~	1 ornamental tree OR 1 evergreen AND 5 upright shrubs per each thirty (30) lineal feet along the property line, rounded upward
D	20 Feet	8 foot high continuous wall, fence or 4 foot high planted berm	1 ornamental tree, 1 evergreen tree AND 5 upright shrubs per each thirty (30) lineal feet along the property line, rounded upward

		~~(planted)~~		

Section 6.07 ON-SITE LANDSCAPING

Multiple Family Residential projects shall provide a minimum of one (1) deciduous tree (minimum 2.5-inch caliper) or evergreen tree (minimum 5 foot high) for every 1,000 square feet of open space on the development site. Trees in any required screen may be counted.

For every new development~~,~~ except in the One Family Residential Districts, Two Family Residential Districts, Multiple Family Residential Districts, and Village Commercial ~~District,~~ and Central Business Districts, there shall be interior landscaping areas exclusive of any other required landscaping consisting of at least five percent (5%) of the total lot area. This landscaped area should be grouped near building entrances, along building foundations, along pedestrian walkways, and along service areas. All interior landscaping shall conform to the following:

A. One (1) deciduous tree (minimum 2.5-inch caliper) or ornamental tree (minimum 2~~.0~~-inch caliper) or evergreen tree (minimum 6~~5~~-foot height) shall be provided for every four hundred (400) square feet of required interior landscaping area.

B. One (1) eighteen (18) inch-high shrub shall be provided for every two hundred fifty (250) square feet of required interior landscaping area.

C. The interior landscaping area shall contain grass, ground cover, three (3)~~four (4)~~ inch-deep shredded-bark mulch, or three (3)~~four (4)~~ inch-deep ~~crushed~~ stone mulch. ~~and~~It shall be curved or edged as necessary.

Section 6.08 PARKING LOT LANDSCAPING

Within every parking area containing at least 3000 square feet of pavement, at least three percent (3%) of the total parking lot area shall be landscaped~~,~~ in addition to any other landscaping requirements. This landscaping shall meet the following standards:

A. One tree of a species identified in Section 6.11 of this Ordinance shall be planted for every four hundred (400) square feet~~. ft.~~ of required parking lot landscaping area.

B. Landscaping shall be dispersed throughout the parking lot in order to break up large expanses of pavement and help direct safe and efficient ~~smooth~~ traffic flow within the lot. A minimum of one tree shall be planted and included in each landscaping island or required landscaping area pursuant to the calculations of this section.

C. Landscaping shall be installed so that at maturity~~such that when mature,~~ it does not obscure traffic signs or light, obstruct access to fire hydrants, ~~nor~~ interfere with adequate motorist sight distance.

D. All islands shall be curbed. Dimensions of islands shall be shown on the site plan. Minimum island width shall be ten (10) feet; minimum radii shall be ten (10) feet at ends facing main aisles

and a minimum one (1) foot for radii not adjacent to main circulation aisles. The length of the islands shall be two (2) feet shorter than adjacent parking space in order to improve maneuvering.

Section 6.09 STREET TREE PLANTING

One (1) street tree is required at a minimum of every thirty (30) lineal feet or a maximum of ~~for~~ every forty (40) lineal feet between the sidewalk and the curb in a residential subdivision or other development with frontage on a public street. Placement of street trees on cul-de-sacs shall be reviewed as part of site plan approval. ~~,~~ ~~s~~Street trees throughout the site should at minimum meet the 40-lineal-foot requirement. All street trees should be planted so as ~~to~~ not to interfere with overhead utility lines or underground utilities. The size of the tree at maturity will be used to evaluate the placement. When developing a site plan, consideration should be given to the mature size and height of the tree and whether or not there are overhead lines. Consideration should also be given to the tree's location to underground utilities~~,~~ including water and sewer lines. Notes should be included on all site plans indicating that trees shall not be planted within five (5) feet of water or sewer lines.

Section 6.10 WASTE RECEPTACLE AND MECHANICAL EQUIPMENT SCREENING

Waste Receptacles shall be located and screened in accordance with the standards of Section 3.16, Waste Receptacles. Ground mounted mechanical equipment shall be screened with plant materials, fences, or a wall~~,~~ when deemed necessary by the Planning Commission.

Section 6.11 RECOMMENDED PLANT MATERIALS ~~AND RECOMMENDED SPACING~~

All plant material shall be hardy to the area, free of disease and insects, and shall conform to the American Standard for Nursery Stock of the American Association of Nurserymen. The overall landscape plan shall not contain more than 25% of any one plant genus or 10% of any one species. The use of trees native to ~~the area and~~ Southeast Michigan or a ~~, and~~ mixture of trees from the same species association~~,~~ is encouraged. ~~All plant materials listed in this section are native Michigan species.~~ Applicants are encouraged to provide additional landscaping to improve the function, appearance, and value of the project site. Trees included in this list are recommended but not exclusive of trees permitted in the Village of Dexter. Other species may be approved by the Planning Commission.

A. Street and Parking Lot Trees

Note: Cultivars typically available from commercial nursery sources are listed with the common and botanical names. Non-deciduous conifers/evergreens are not permitted to be used as street trees since they interfere with visibility, pedestrian safety, and vehicular circulation.

1. Deciduous Trees. Tree sizes at time of planting shall adhere to Sections 6.04 & 6.08.

SCIENTIFIC NAME	COMMON NAME	CULTIVARS (CVS)
Acer rubrum	Red Maple	Red Sunset, September Charm, October Glory, other cvs.
Acer saccharum	Sugar Maple	Green Mountain, Bonfire, Legacy, other cvs.

Acer x freemanii (A. rubrum x A. saccharinum)		Autumn Blaze, Celebration, Morgan, other cvs.
Acer nigrum	Black Maple	Little ornamental difference saccharum
Celtis occidentalis	Hackberry	Relatively fast growing and tolerant of harsh urban conditions
Gleditsia triacanthos inermis	Honey Locust	Many thornless, non-fruiting cultivars: Imperial, Shademaster, Halka, Skyline, other cvs.
Ginkgo biloba	Ginkgo	Use male only; there is a columnar cv.
Liriodendron tulipifera	Tulip Tree	
Liquidambar styraciflua ~~grown trees;~~	Sweet Gum	Many cultivars; use only northern grown trees; Moraine is among the hardiest
*Metasequoia glyptostroboides	Dawn Redwood	Several cultivars; hardiness is an issue; best as a park tree where branches kept to ground
*Platanus x occidentalis	London Plane Tree	Coarse, messy; disease issues
Quercus acutissima	Sawtooth Oak	
*Quercus alba	White Oak	Transplants with some difficulty; big; for parks, not street trees
Quercus bicolor	Swamp White Oak	Tough, coarse; chlorosis on high pH soils
Quercus coccinea	Scarlet Oak	
*Quercus macrocarpa	Bur Oak	Gets huge; nuts
*Quercus palustris	Pin Oak	Pendulous lower branches a problem re walks, narrow areas; chlorotic in high pH soils
Quercus robur	English Oak	
Quercus rubra	Northern Red Oak	Transplants easily; sizes up quickly; durable; nuts
Sophora japonica	Pagoda Tree	Summer flowering; durable urban tree
Taxodium distichum	Bald Cypress	Up and coming for street tree use
Tilia cordata	Littleleaf Linden	
Tilia tomentosa	Silver Linden	Several cultivars; durable
Ulmus parvifolia	Lacebark Elm	Tough, adaptable, easily transplanted; mult.cvs.
Zelkova serrata	Japanese Zelkova	Many cultivars; Green Vase and Village Green commonly available; transplants easily
* Species best located in parks and open spaces		

~~COMMON NAME~~	~~SCIENTIFIC NAME~~
~~Red Maple — Red Sunset, September Charm, Northwood, October Glory~~	~~Acer rubrum~~
~~Sugar Maple — Green Mountain, Bonfire, Legacy~~	~~Acer saccharum~~
~~Black Maple~~	~~Acer nigrum~~
~~Yellow Birch~~	~~Betula alleghaniensis~~
~~Bitternut Hickory~~	~~Carya cordiformis~~
~~Hackberry~~	~~Celtis occidentalis~~
~~Pignut Hickory~~	~~C. glabra~~
~~Kingnut Hickory~~	~~C. laciniosa~~
~~Shellbark/shagbark Hickory~~	~~C. ovata~~
~~Honey Locust~~	~~Gleditsia triacanthos, thornless/seedless cultivars Halka, Imperial, Magestic, Moraine, Shademaster, Skyline~~
~~Ginko~~	~~Ginko biloba~~
~~Tuliptree~~	~~Liriodendron tulipifera~~
~~American Sweetgum~~	~~Liquidambar styraciflua~~
~~Dawn Redwood~~	~~Metasequoia glyptostroboide~~
~~London Planetree~~	~~Plantas x occidentalis~~
~~White Oak~~	~~Quercus alba~~
~~White Swamp Oak~~	~~Quercus bicolor~~
~~Scarlet Oak~~	~~Quercus coccinea~~
~~Bur Oak~~	~~Quercus macrocarpa~~
~~Pin Oak~~	~~Quercus plaustris~~
~~Red Oak~~	~~Quercus rubra~~
~~Linden: American, Crimean, Littleleaf~~	~~Tilia: Americana, x euchlora, cordata~~
~~Basswood~~	~~Tilia americana~~
~~Silver Linden~~	~~Tilia tomentosa~~

2. Deciduous Shrubs. Shrub sizes at time of planting shall adhere to Sections 6.04 and 6.08.

SCIENTIFIC NAME	COMMON NAME/CULTIVARS
Aronia melanocarpa	Black Chokeberry
Berberis mentorensis	Mentor Barberry
Chaenomeles speciosa	Flowering Quince cultivars
Cornus sericea cvs	Red Twig Dogwood

Cornus sericea 'Flaviramea'	Yellow Twig Dogwood
Cotoneaster divaricatus	Spreading Cotoneaster
Euonymus alata	Burningbush
Hydrangea paniculata	PeeGee Hydrangea and cultivars
Ilex verticillata cultivars	Michigan Holly cultivars
Myrica pensylvanica	Northern Bayberry
Rhus glabra, typhina, copallina	Sumacs
Ribes alpinum	Alpine Currant
Viburnum dentatum	Arrowwood Viburnum and cultivars
Viburnum lantana	Wayfaringtree Viburnum
Viburnum lentago	Nannyberry

3. Small/ornamental trees. Tree sizes at time of planting shall adhere to Section 6.08.

SCIENTIFIC NAME	COMMON NAME/CULTIVARS
Acer ginnala	Amur Maple Tough, fall color
Cornus mas	Corneliancherry Dogwood
Crataegus crus-galli inermis	Thornless Cockspur Hawthorn Dense, no thorns
Crataegus viridis	'Winter King' Winter King Hawthorn Sparse thorns
Hamamelis spp and cultivars	Witchhazels
Koelreuteria paniculata	Goldenrain Tree Summer fls; tough
Magnolia stellata	Star Magnolia
Malus spp. and cvs	Flowering Crabapples , many cvs. check lists for disease susceptibility
Prunus spp. and cvs.	Flowering Cherries
Pyrus calleryana cvs.	Callery Pears (Cleveland, Aristocrat, others – not Bradford
Syringa reticulata	Japanese Tree Lilac
Viburnum prunifolium	Blackhaw (tree form)

Acceptable for more sheltered situations:

Amelanchier spp and cultivars	Amelanchier, Serviceberry
Cercis Canadensis, C. Can. 'Alba'	Redbud, Whitebud
Halesia monticola	Mountain Silverbell

~~Callery Pear Pyrus calleryana~~

~~Thornless Cockspur Hawthorn Crataegus crus galli >inermis=~~

~~Washington Hawthorn Crataegus phaenopyrum (tree form)~~

~~Winter King Hawthorn — Crataegus viridis >Winter King=~~

~~Flowering Crabapples — Malus species and cultivars~~
~~Disease resistant, upright, nonfruiting or small fruiting types~~
~~(many B consult Extension Service, nursery references)~~

B. Materials For Parking Lot Screens And Buffer Plantings

The following is a selection of both evergreen and deciduous material suitable for use in planted buffers and screens. Other materials of similar density which reach a minimum 6' height at maturity may also be appropriate for use in screen or buffer plantings. ~~The two spacing figures for each plant represent planting in a single line of one species vs. reasonable spacing in order to accommodate other plant types in a mixed planting.~~

1. Evergreen trees and shrubs. Minimum size of plantings at the time of installation shall adhere to the standards in Sections 6.04 & 6.05.

SCIENTIFIC NAME	COMMON NAME/CULTIVARS
Juniperus, upright spp and cultivars	Junipers-Ames, Iowa, Canaerti, Hooks, Keteleeri, others
Juniperus, mid-size cultivars	Junipers-Sea Green, Holger, others
Pinus mugo	Mugo Pine
Pinus sylvestris	Scotch Pine
Thuja occidentalis	American Arborvitae-Techny, Nigra, Emerald Green

~~Spacing~~

~~Junipers, upright — Juniperus communis cultivars — 4' - 6'~~
~~>Hooks=, >Iowa=, >Columnaris=, >Keteleeri=~~

~~White Spruce — Picea glauca — 8' - 12'~~

~~Norway Spruce — Picea abies — 8' - 12'~~

~~Colorado Spruce — Picea pungens and cultivars — 10' - 20'~~

~~White Pine — Pinus strobus — 8' - 15'~~

~~Arbor vitae, upright — Thuja occidentalis cultivars — 5' - 10'~~
~~>Douglasi Pyramidalis=, >Nigra=, >Technyi=~~

~~Yews, upright — Taxus cuspidate — 3' - 5'~~

2. Ornamental trees and large shrubs. Minimum size of plantings at the time of installation shall

adhere to Sections 6.04 & 6.05.

SCIENTIFIC NAME	COMMON NAME/CULTIVARS
Betula pumila	Dwarf Birch
Chaenomeles speciosa	Flowering Quince
Cornus rugosa, many cultivars	Roundleaf Dogwood
Crataegus crus-galli >inermis	Thornless Cockspurs Hawthorne
Euonymus alata	Burningbush
Hibiscus syriacus	Rose of Sharon
Viburnum dentatum	Arrowwood Viburnum
Viburnum lentago	Nannyberry
Viburnum plicatum cvs.	Doublefile Viburnum
Viburnum prunifolium	Black Haw Viburnum
Viburnum trilobum	American Cranberry

3. Medium / small shrubs

SCIENTIFIC NAME	COMMON NAME/CULTIVARS
Berberis thunbergii and cultivars	Japanese Barberry
Calycanthus floridus	Sweetshrub
Chaenomeles japonica cvs.	Dwarf Flowering Quince
Chaenomeles speciosa cvs.	Flowering Quince
Chamaecyparis obtuse cvs.	Hinoki Falsecypress
Cornus alba 'Elegantissima'	Variegated Redtwig Dogwood
Cornus sericea cvs.	Redtwig, Yellowtwig Dogwood
Cotoneaster divaricatus	Spreading Cotoneaster
Deutzia gracilis	Slender Deutzia
Diervilla lonicera	Dwarf Bush Honeysuckle
Euonymus alatus 'Compacta'	Compact Burning Bush
Hydrangea paniculata cultivars	PeeGee Hydrangea
Lonicera xylosteum	Dwarf Honeysuckle
Myrica pensylvanica	Northern Bayberry
Potentilla fruticosa, many cultivars	Potentilla
Rhus aromatica 'Gro Low'	Gro Low Fragrant Sumac
Ribes alpinum	Alpine Currant
Roses, Landscape Type	Landscape Roses
Spiraea japonica cultivars	Summer Flowering Spiraeas
Syringa patula 'Miss Kim'	Miss Kim Dwarf Lilac

4. Groundcovers, Perennials and Ornamental Grasses

SCIENTIFIC NAME	COMMON NAME/CULTIVARS
Calamagrostis acutiflora cultivars	Feather Reed Grass
Echinacea purpurea	Cone Flowers
Euonymus fortunei 'Coloratus'	Purpleleaf Wintercreeper
Helictotrichon sempervirens	Blue Oat Grass
Juniperus, many prostrate, spreading and low mounding species/cultivars	Junipers
Hemerocallis	Daylilies
Pennisetum alopecuroides and cvs.	Japanese Fountain Grass
Rudbeckia sullivantii 'Goldsturm'	Black-eyed Susan
Stephanandra incisa 'Crispa'	Cutleaf Stephanandra

5. Large Ornamental ~~Groundcovers~~ grasses

SCIENTIFIC NAME	COMMON NAME/CULTIVARS
Andropogon gerardii	Big bluestem
Bouteloua curtipendula	Side-Oats Grama
Carex pensylvanica	Pennsylvania sedge
Chasmanthium latifolium	Northern sea oats
Hystrix patula	Bottlebrush grass
Koeleria macrantha	June grass
Panicum virgatum	Switch grass
Schizachyrium scoparium	Little bluestem
Sorghastrum nutans	Indian grass
Sporobolus heterolopsis	Prairie dropseed

6.~~5.~~ Grasses, Sod, Seed, and Hydroseed. The following common perennial turf grasses ~~species and their cultivars~~ may be planted on any site. ~~These s~~Species listed below were selected for their ability to withstand the Michigan climate.

Kentucky bluegrass
Fine-leafed fescue
Perennial ryegrass

C. **Trees ~~N~~not Permitted:** (except where they are considered appropriate for the ecosystem, such as in a wetland environment not in proximity to any existing or proposed buildings or structures)

SCIENTIFIC NAME	COMMON NAME/CULTIVARS
Acer negundo	Box Elders
Acer platanoides, saccharinum	Maples (Norway, Silver)
Aesculus hippocastanum	Horse Chestnut (nut bearing)
Ailanthus altissima	Tree of Heaven
Catalpa (all)	Catalpa Wayfaring Tree
Ginkgo	Female Ginkgo
Fraxinus (all)	Ash (all varieties)
Juglans nigra	Black Walnut
Morus	Paper mulberry
Populus alba	Poplars/Cottonwood (White, Silver)
Robinina pseudoacacia	Black Locust
Salix (all)	Willows
Ulmus pumila	Elms (Siberian)

Trees with the following characteristics are also undesirable: fruit bearing, weak wooded, weeping form/branches, low-branching height typically lower then five (5) feet.

Section 6.12 GENERAL LAYOUT AND DESIGN STANDARDS

A. All landscape plans required for commercial, industrial, office, and mobile home park developments and multiple family developments in the R-3 District over three (3) acres in size, submitted to the Village of Dexter for review and approval, must be prepared and signed by a State of Michigan licensed landscape architect.

B. The landscape plan should also include information on the percentage (%) of genus and species of each proposed planting to ensure diversity in species throughout the village. The village requires no more than 25% of any one genus or 10% of any one species per site plan.

C. Upon submittal of final zoning compliance, the applicant should include~~have~~ information on the species of trees planted and date of planting. If weather is not permitting, the applicant shall post a performance escrow to ensure compliance when weather permits.

D. Landscaped areas and plant material required by this Ordinance, including the lawn, shall be kept free from refuse and debris and~~. Plant materials, including lawn,~~ shall be maintained in a healthy growing condition~~, neat and orderly in appearance~~. If any plant material required by this Ordinance dies or becomes diseased, it~~they~~ shall be replaced within thirty (30) days of written notice from the Village or within an extended time period as specified in said notice.

E. Tree stakes, guy wires, and tree wrap are to be removed after one (1) year.

F. All landscaped areas shall be provided with a readily available and acceptable water supply~~,~~ or with at least one (1) outlet located within one hundred (100) feet of all plant~~ed~~ material to be maintained.

G. Landscaping materials and arrangement shall ensure adequate sight visibility for motorists, adequate clearance for pedestrians and vehicles, and accessibility to fire hydrants.

H. Landscape within the site shall be approved based on~~in consideration of~~ adequate sight distance, size of planting area, location of sidewalks, maintenance of adequate overhead clearance, accessibility to fire hydrants, location of underground utilities, visibility to approved signs of adjacent uses, compatibility with the visual character of the surrounding area, maintenance-performance guarantee, curbing around landscape areas.

I. Plantings within fifteen (15) feet of a fire hydrant shall be no taller than six (6) inches at maturity.

J. Berms shall be constructed with slopes no greater than one (1) foot vertical for each four (4) feet horizontal and~~,~~ with at least a three (3) foot wide generally flat top. Adequate protection against wind erosion shall be provided. Berms shall be designed and constructed to appear as a natural feature in the landscape and the vicinity. Uniform heights and shapes should be avoided. If a slope greater than 1 (vertical) on 4 (horizontal) is necessary, the surface shall be planted ~~(hydroseed or seed are not acceptable)~~ with ground covers that are suitable for stabilizing surfaces. Hydroseed or seed are not acceptable.

Section 6.13 WAIVER OR MODIFICATION OF STANDARDS FOR SPECIAL SITUATIONS

The Planning Commission may determine existing landscaping or screening intended to be preserved, or a different landscape design, would provide all or part of the required landscaping and screening. The Planning Commission may approve credit for existing trees on a site to accommodate landscaping requirements. Trees to be preserved shall be counted for credit only if they are located on the developed portion of the site as determined by the Planning Commission and are not on the list of trees not permitted. Refer to Section 6.11(c). In no case shall the minimum number of required trees be reduced by less than 50% through the use of existing trees. The credit for preserved trees shall be:

D.B.H. of Preserved Tree * (in inches)	Number of Trees Credited
over 12 inches	3
8" - 11.9"	2
2.5" - 7.9"	1

* **D.B.H.** is the diameter measured at a height of four~~re~~ and one-half (4.5) feet above the natural grade. (Diameter at Breast Height, D.B.H.)

In making ~~such~~ a determination to waive or reduce the landscape and screening requirements of this Article, the following may be considered.

A. Extent to which~~that~~ existing natural vegetation provides desired screening.

B. The existence of a ~~A~~ steep change in topography which would limit the benefits of required landscaping.

C. The presence of existing wetlands.

D. Existing and proposed building placement.

E. The abutting or adjacent land is developed or planned by the Village for a use other than residential.

F. Building heights and views.

G. The adjacent residential district is over 200 feet away from the subject site.

H. ~~Similar c~~Conditions similar to the above exist such that no good purpose would be served by providing the landscaping or screening required.

Section 6.14 REPLACEMENT STANDARDS

The standards below are intended to encourage the preservation of existing ~~quality and~~ mature, healthy trees on private property~~,~~ which contribute to the character, welfare, and quality of life in Dexter. These standards are intended to prevent the unnecessary removal of trees prior to, during, and following construction on a site. The standards of this section~~,~~ in conjunction with the standards for site plan review~~, are mechanisms to~~ promote the goals of~~from~~ the Dexter Master Plan.

A. As noted in Article XXI, Site Plan Review, all trees over eight (8) inches caliper shall be identified on the site plan designating~~distinguishing~~ those to be preserved and~~from~~ those to be removed.

B. Trees intended to be preserved shall be indicated with a special symbol on the site plan and be protected during construction through use of a fence around the drip-line.

C. To protect and encourage the continued health of the preserved trees, the ground area within the dripline of the trees shall be maintained in vegetative landscape material or pervious surface cover. The Village may not allow sidewalks, bike paths, vehicular lanes or~~and~~ parking within the dripline upon determining the setback from the trunk is suitable to reasonably ensure protection of the tree and the public. Storage of soils or other materials during or after construction within the dripline is prohibited.

D. All existing trees identified on the site plan with an eight (8) inch or larger caliper to be removed must be replaced according to the following table. Replacement trees shall be in addition to all other landscaping requirements.

D.B.H.* of Removed Tree	Number of Trees Required to Be Planted
Landmark Trees**	5 trees of at least 2.5" caliper
23.9" or larger (non-native)	4 trees of at least 2.5" caliper
12" - 23.9"	3 trees of at least 2.5" caliper
8" - 11.9"	2 trees of at least 2.5" caliper

* **D.B.H.** is the diameter measured at a height of four and one-half (4.5) feet above the natural grade. (Diameter at Breast Height, D.B.H.)

** **Landmark Tree.** Any native species tree of 24" D.B.H. or greater, that has a health and condition standard factor over 50 percent based on the standards established by the International Society of Arboriculture. These standards consider the soundness of the trunk, the growth rate, the structure of the tree, the presence of insects or disease, the crown development, and the life expectancy.

E. Any property owner or his representative proposing to clear more than twenty-five percent (25%) of the trees of eight (8) inch diameter at breast height (D.B.H.) or greater on a site, as determined by the Planning Commission, shall first notify the Village of the intent of such clearing and/or earth change and submit a proposed plan describing the site's features for review and approval by the Planning Commission.

This sub-section shall not prevent tree clearing for approved building envelopes, swimming pools, decks, essential services, utility lines or construction drives; nor shall this ordinance prohibit site alterations for farming purposes. The Planning Commission may waive the (D.B.H.) standard for select clearing of lower quality and non-native species including, but not limited to box elders, elms, poplars, willows, and cottonwoods.

F. Where it is not feasible and/or desirable to replace or relocate trees on site, according to the above listed schedule, the Planning Commission may require greater size for replacement trees, require replacement trees at another location on public property in the Village, or require contributions to the Village's Tree Endowment Fund.

Where the applicant demonstrates that it is not possible to mitigate all replacements on site, the Planning Commission may also consider the planting of shrubs for trees at a ratio of no less than six shrubs per required replacement tree or two understory ornamental trees per one required replacement tree.

On site replacement and/or relocation shall be required for permitted activities in accordance with the replacement schedule of this section. Every effort should be made to relocate or mitigate trees on site. Off site mitigation or contribution to the Village's Tree Endowment Fund shall only be allowed after the applicant has demonstrated that on site mitigation is not practical or feasible. The requirement for on site mitigation may be altered or waived by the Planning Commission is the proposal meets the following criteria:

1. The proposal meets all other ordinance requirements.
2. The applicant can clearly demonstrate that there is inadequate planting area for the healthy installation of the required trees on site and that maximum effort has been put into locating as many of the required trees as possible.
3. The applicant has made every reasonable effort to preserve as many of the existing on site trees as possible.
4. The proposal demonstrates environmental sensitive design in terms of topography, stormwater management, soil erosion management, etc.

Should the proposal meet the above criteria, the Planning Commission may reduce the requirement for on site mitigation of replacement trees and permit mitigation off site at an approved location or by contribution to the Village's Tree Endowment Fund. Off site mitigation or financial contribution shall only apply if the Planning Commission should determine that no practical or feasible alternative exists for on site mitigation. Payment to the fund per tree removed shall be in accordance with replacement fee schedule as established by Village Council resolution.

Section 6.15 TREE PROTECTION DURING CONSTRUCTION

Placement of Materials Near Trees. No person shall conduct any activity within the drip-line of any tree designated to remain~~,~~ including, but not limited to, placing solvents, building materials, construction equipment, or soil deposits within the drip line. Nor shall vehicles or construction equipment be operated in such close proximity of an existing tree so as to cause compaction of the soil within the drip-line of the tree which is to remain.

Attachments to Trees. During construction~~,~~ no person or entity shall attach any device or wire to any tree which is to remain after construction.

Protective Barriers. Before development, land clearing, filling, or any other land alteration for which a permit is required, the developer and/or property owner shall erect and maintain suitable barriers to protect existing trees which are to remain after construction. Protective barriers shall remain in place until the Village authorizes their removal or issues a final Certificate of Occupancy, whichever occurs first. Wood, metal, or other substantial material shall be utilized in the construction of barriers. Barriers are required for all trees designated to remain~~,~~ except in the following cases:

1. Rights-of-Way and Easements. Street rights-of-way and utility easements may be cordoned by placing stakes a minimum of fifty (50) feet apart and tying ribbon, plastic tape, rope, or similar material from stake to stake along the outside perimeters of areas to be cleared.

2. Large, Separate Areas. Large areas of property separate from the construction or land clearing area on to which no equipment will venture may also be cordoned off as described in Paragraph A, above.

6.16 LANDSCAPE MATERIAL GUARANTEE

All landscaping materials planted per the approved site plan shall have a two-year warranty~~,~~ due to soil conditions within the Village of Dexter. In that time~~,~~ all plant materials that are unsightly, dead, dying, or that become unhealthy because of damage, neglect, drainage problems, disease, insect infestation, or other causes shall be replaced. Replacement materials shall meet all standards of the original installation. Two-~~-~~year landscaping material warranties/performance bonds will not begin until the entire project is complete OR~~,~~ the open space landscaping is completed per the site plan~~, or~~OR for

individual residential lots immediately prior to the request for final zoning compliance.~~, for individual residential lots~~. All warranties shall be submitted as a cash bond or warranty bond. Amounts shall~~to~~ be established per Village Council resolution. All landscaping materials must be healthy and in good condition at the time of inspection. Landscaping materials will be warrantied from the date of approval as documented on the field inspection sheet. Verification of planting date and species information shall be submitted with the Final Zoning Compliance application. Final Zoning Compliance Applications will not be released and Certificate of Occupancy permits not issued~~,~~ until the planting date and species information has been submitted or a performance bond has been submitted.

VILLAGE OF DEXTER

ddettling@villageofdexter.org

8140 Main Street Dexter, MI 48130-1092 Phone (734)426-8303 Fax (734)426-5614

MEMO

AGENDA 9-10-07

ITEM L-5

To: President Seta and Council
From: Donna Dettling, Village Manager
Date: September 10, 2007
Re: Discussion of proposed amendments to Zoning Ordinance-Article 4, Nonconformities

ITEM L-5

This is a discussion item to review the Planning Commission's denial of proposed amendments to Article 4, Nonconformities. If it is Council's desire to do anything other than accept the recommendation of the Planning Commission, the next step would be to include it on a future agenda as a consideration item.

It would be appropriate, if Council takes action on the Ordinance that a notice be published to inform those affected that these amendments are still being considered for adoption.

VILLAGE OF DEXTER - COMMUNITY DEVELOPMENT OFFICE
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Memorandum

To: Village Council
Donna Dettling, Village Manager
From: Allison Bishop, AICP, Community Development Manager
Re: Article 4, Nonconformities Ordinance Amendment
Planning Commission Recommendation
Date: September 10, 2007

PLANNING COMMISSION DECISION

On September 4, 2007 the Planning Commission held a public hearing regarding the proposed amendments to Article 4, Nonconformities, based on Council's request (attached). The proposed amendments were essentially to limit the amount of investment that would be permitted on a nonconforming structure and change the rights of a property owner to rebuild a structure destroyed by fire.

The Planning Commission heard from ten (10) property owners regarding the potential amendments and discussed the proposed amendments. The public comments included, but were not limited to the following:

- Changes to regulations regarding replacement of nonconforming buildings following a fire impact tenants and property owner's willingness to invest in properties.
- What happens to tenants when a nonconforming building is not permitted to rebuild.
- Village has been through this before and has not made changes due to the negative impacts to property owners.
- Questions about how insurance coverage and rates will be affected and whether or not required conforming changes would be covered by insurance.
- Insurance claims will be dragged out due to gray areas with coverage and determining what coverage actually covers.
- Insurance rates may make insuring cost prohibitive.
- Raising the costs of business will cause more businesses to move out of downtown to conforming buildings, to many costs/barriers to being downtown, issues are not the same outside of an old historic downtown.
- Changes are unfair to business owner's downtown.
- 25% improvements limits types of improvements building owners can make (major or minor) to their building.
- Why require someone to tear down a perfectly good and functional structure?
- The Village is old, everything is nonconforming.
- Other important things to do right now – other checks and balances in place, changes not necessary.
- Character of town is historic and nonconforming.
- Economy – people cannot afford right now.
- ZBA approval required in to many cases already.

- Wallace – explained why restoration was done instead of tear down – would have had to charge $22/sf with a new building, leasing and economy is slow and building would remain vacant. As restored lease rate is $15/sf and rentals are still slow. The implications of the ordinance are not practical/not realistic. Building was owned free and clear, substantial investment was not worth it in this economy.
- Building owners are investing a lot in their buildings to maintain them. If fire prevents rebuilding why would building owners continue to invest and provide jobs and taxes.
- Building owners want to do improvements, but changes to ordinance will prohibit them from doing improvements. Ordinance goes against business/building owners.

Following the public comment the Planning Commission discussion included, but was not limited to the following:

- Planning Commission discussed reviewing a compromise to the proposed ordinance.
- There does not appear to be a compelling argument to change the ordinance at this time, why is the proposed ordinance better for the community.
- There would need to be exceptions for historical buildings.
- Common law of zoning – changes are done to provide additional protection for the public's health, safety and welfare. How do the proposed amendments provide additional protection to the public?
- Should not regulate just to regulate.
- To many economic assumptions made with requiring tear down vs. improvements.
- Planning Commission's job to periodically review ordinances to make them better.
- No changes needed at this time, ordinance is working fine
- Old Busch's- reality is current economy and proposed ordinance would have prohibited current changes. Changes viewed as good by many people.

A motion to postpone was proposed and FAILED. The Planning Commission then PASSED the following motion 9-0:

Based on the information presented at the Planning Commission meeting and the September 4, 2007 public hearing the Planning Commission moves to deny a recommendation for the proposed amendments to Article 4, Nonconformities.

REVIEW/BACKGROUND

The following information was presented to the Planning Commission.

On June 25, 2007 the Village Council requested that staff look into amending Article 4, Nonconformities to include provisions to address nonconforming buildings. Staff then reviewed the proposed language with the Village Planning Consultant and the Planning Consultant provided a memo and proposed language for amendments to Article 4. The proposed language is attached and was reviewed by the Planning Commission at the last meeting.

On August 6, 2007 the Planning Commission moved to hold a public hearing regarding the proposed amendments to Article 4, Nonconformities.

It was recommended per the Village Planning Consultant that an inventory of the nonconforming structures affected by the proposed ordinance amendments be completed. Attached is a *general* inventory of the nonconforming structures throughout the Village. Please note that the included list does **NOT** include all the nonconforming structures in the Village. The inventory could not be

completed without having a certified survey for each individual parcel, therefore the attached list shall only be considered as a guide. The list was created with a combination of resources including general staff knowledge and aerial photography. Please note that aerial photographs can also have a margin of error of up to 5 feet. It should also be noted that the attached list does **NOT** include residential homes/buildings throughout the Village that may also be nonconforming.

The Planning Commission also requested that affected property owners and the Chamber of Commerce be notified of the proposed change. Those properties listed on the attached inventory have been individually notified as well as the Chamber. The attached letter was included along with a copy of the proposed ordinance amendments.

Staff also consulted with Finn Insurance regarding the potential impacts of the proposed changes on insurance rates and with United Bank and Trust regarding potential impacts on loans for nonconforming structures. Several concerned residents have also called or stopped by the office to discuss the proposed changes. The following are some of the concerns noted and should be considered by the Planning Commission:

- What does the 25% and 50% improvement costs include? Interior modifications only? Exterior modifications only? Both interior and exterior modifications?
- What type of improvements count towards the 25/50%, what type of improvements do not count towards the 25/50%?
- How will the Village determine the actual cost of the improvements? Will we require an architect to value the improvements or who? What will be acceptable?
- How will we require a property owner to prove how much money they actually spent on their improvement?
- Does general facade beautification count?
- Do the proposed amendments accomplish the goals and objectives of the Master Plan?
- Do the proposed amendments make it harder for building owners to improve their property?
- Will the proposed amendments stifle renovations/improvements/redevelopment to properties?
- Will older buildings get improved to the Village's goals and expectations?
- Will building owners not be willing to demolish a structure that is still usable and marketable, especially if the building is paid off?
- A potential increase in taxes due to improvement may discourage more investment in properties that are paid off.
- Will the ordinance discourage building sales, which uncap property taxes?
- Will the ordinance discourage future investment?
- Low cost space encourages low quality businesses.
- Does the ordinance encourage property owners to rent properties "as is"? Is no improvement of properties Village's vision/Master plan goal?

A copy of excerpts from the Master Plan is included in your materials.

EXAMPLES

Based on the current ordinance as proposed the following three (3) examples help illustrate the level of investment a property owner would be able to complete in light of the proposed changes. As proposed, the ordinance would not permit any alteration, modification, repairs, improvements or modernization outside of repairs and maintenance deemed necessary by the Washtenaw County Building Department of the work exceeded twenty-five (25%) percent of the properties assessed value. The following properties are nonconforming buildings.

Wallace Building (Former Busch's)
2007 Assessed Value = $842,800 x 25% = $210,700.
The property owner would be permitted to make alterations, modifications, repairs, improvements or modernizations up to $210,700 in value.

Dairy Queen
2007 Assessed Value = $116, 900 x 25% = $29,225.
The property owner would be permitted to make alterations, modifications, repairs, improvements or modernizations up to $29,225 in value.

Cookie MoMster (Village owned)
2007 Assessed Value = $49,500 x 25% = $12,375
The property owner would be permitted to make alterations, modifications, repairs, improvements or modernizations up to $12,375 in value.

Pursuant to Article 23, the Planning Commission and Village Council shall consider the following criteria to determine the appropriateness of amending the text, standards and regulations of the Zoning Ordinance.

A. Documentation has been provided from Village Staff or the Board of Zoning Appeals indicating problems and conflicts in implementation of specific sections of the Ordinance.

B. Reference materials, planning and zoning publications, information gained at seminars or experiences of other communities demonstrate improved techniques to deal with certain zoning issues, or that the Village's standards are outdated.

C. The Village Attorney recommends an amendment to respond to significant case law.

D. The amendment would promote implementation of the goals and objectives of the Village's Master Plan.

E. Other factors deemed appropriate by the Planning Commission and Village Council.

Please note that two (2) additional changes are proposed since the Planning Commission last saw the ordinance. The changes have been highlighted on the ordinance on pages 4-4 and 4-6. The changes are proposed because it is not necessary for the ZBA to determine if a proposed alteration should decrease the degree of nonconformity or for the ZBA to determine appeals for continuation of uses. Staff can make these determinations without having an applicant pay the ZBA fees and if staff does not make the determination that the applicant desires then the applicant can appeal the administrative decision.

An additional change is also necessary to Section 4.05(D). The existing language must be removed if the proposed language is accepted due to the conflicting regulations. The change is highlighted.

Please feel free to contact me if you have any additional questions.

Thank you.

Section 4.xx NON-CONFORMING EXISTING BUILDINGS.

(1) INTENT

It is the intent of this section to encourage eventual elimination of buildings that, as a result of the adoption of this Article, become non-conforming, and to administer this Article to realize the removal of illegal non-conforming buildings and to avoid any unreasonable invasion of established private property rights, therefore; No person shall be required to remove a building which was erected in compliance with previous regulations of this Article if said building becomes non-conforming due to a change occurring after the original adoption of this article, or in the location of buildings, streets or property lines, which change, is beyond the control of the owner of the building and the premises on which it is located.

(2) LAWFUL EXISTING BUILDINGS

Any building lawfully existing at the time of adoption of this Article which does not fully comply with all provisions shall be considered a non-conforming building and may be permitted to remain as long as the building is properly maintained and not detrimental to the health, safety and welfare of the community except as hereafter provided.

(3) CONTINUANCE

Any lawful non-conforming building shall be permitted to continue to exist, so long as the non-conforming building :

1). is not physically expanded or changed.

2). is not relocated or structurally altered so as to prolong the life of the building, or so as to change the shape, size, type, placement, or design of the building. Altered shall not include normal maintenance or maintenance to protect public safety. Normal maintenance shall include repairs which keeps the property in good operating condition (such as repairing a roof) but does not materially add to the value of your property or substantially prolong its life (such as replacing a roof).

3). is not repaired or re-erected after being damaged, if the repair or re-erection of the building would cost more than fifty (50) percent of the replacement cost of an identical new building.

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MEMORANDUM

TO: Allison Bishop, Community Development Manager
Village of Dexter

FROM: Douglas J. Lewan, Community Planner

DATE: August 1, 2007

RE: amendments to Article 4, nonconforming structures

In response to your request to review a proposed amendment with regard to the treatment of nonconforming structures under Article IV, I have reviewed the existing language and the proposed changes, and would note that language similar to your existing language is fairly common in many other municipalities. However, in the event that stronger provisions are desired, I have revised Section 4.05 and attach same for your review.

As I read the initial draft of proposed language changes which you provided to me, it seems that the primary issue intended to be addressed is how to deal with nonconforming non-residential buildings. My proposed language separates and treats nonconforming non-residential buildings differently from residential buildings. While the State's enabling legislation may no longer appear to require a "reasonableness" standard in such circumstances, I suspect that a local Court will impose one. Thus for example, I would prefer not to have to argue in Court that replacing a roof is not within the parameters of the normal maintenance of a building, and so I have changed somewhat those provisions regarding maintenance and repair. While it is possible to preclude nonconforming structures of all kinds, and aim at their rapid disappearance, I think in a smaller community there is a need to tread more softly.

As a consequence, the language I suggest is a mix of existing and new, in an effort to reasonably try to eliminate nonconforming nonresidential uses, assuming such is the community's desire. It might be suggested in considering any revisions to the ordinance, to first inventory exactly which buildings in the community could be affected by this ordinance.

In summary, my revised language states that there can be no expansions of any structure that will increase its nonconformities; no conforming alterations (expansions) are permitted unless those conforming alterations either are approved by the ZBA or are made to residential structures; maintenance and repairs are permissible within a certain monetary range (25% of assessed value); and if a nonconforming structure is destroyed, nonconforming residential structures can be rebuilt in somewhat limited circumstances, and nonconforming nonresidential structures can be rebuilt only if the cost does not exceed 50% of the assessed value before destruction.

While I think I could argue that the law permits even more severe limitations, I would not be inclined to advise such, as I believe that the economic and political cost of trying to enforce such severe restrictions will outweigh the end result, as it will likely require review by a Judge, whose opinion will be uncertain at best.

If there are some specific concerns with regard to specific (types of) structures, or if my suggested language does not deal directly or adequately with the community's current concerns, please let me know and we can discuss and revise the proposed language further.

Sincerely,

CARLISLE/WORTMAN ASSOC., INC.
Douglas N. Lewan, PCP
Principal

c. file.

Article IV

NONCONFORMITIES

~~(Amendments adopted November 27, 2000 and effective December 20, 2000)~~

Section 4.01 INTENT

It is the intent of this Ordinance to permit legal nonconforming lots, structures, or uses to continue until they are removed, but not to encourage their survival.

Such uses are declared by this Ordinance to be incompatible with permitted uses in the districts involved. It is further the intent of this Ordinance that nonconformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

It is recognized that there exists within the districts established by this Ordinance and subsequent amendment, lots, structures and uses of land and structures which were lawful before this Ordinance was passed or amended would be prohibited, regulated, or under the terms of this or future amendments. ~~(Amended April 22, 1996. Effective May 13, 1996)~~

A nonconforming use of a structure, a nonconforming use of land, or a nonconforming use of a structure and land shall not be extended or enlarged after passage of this Ordinance by attachment on a building or premises of additional signs intended to be seen from off the premises, or by addition of other uses of a nature which would not be permitted generally in the district involved. ~~(Amended April 22, 1996. Effective May 13, 1996)~~

To avoid undue hardship, nothing in this Ordinance shall be deemed to require a change in the plans, construction or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Ordinance and upon which actual building construction has been diligently carried on. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner; except that where demolition or removal of an existing building has been substantially begun preparatory to rebuilding such demolition or removal shall be deemed to be actual construction, provided work shall be diligently carried on until completion of the building involved.

Section 4.02 DEFINITIONS

For the purposes of this section, the following words and phrases shall have the meaning assigned to them:

A. **Effective Date**: Whenever this article refers to the "effective date," the reference shall be deemed to include the effective date of any amendments to this Ordinance if the amendments created a nonconforming situation.

B. **Nonconforming Building**: A building or portion thereof which was lawfully in existence at the effective date of this Ordinance, or amendments thereto, that does not meet the limitations on building size, location on a lot, or other regulations for the district in which such building is located.

C. **Nonconforming Lot**: A ~~lot which~~lot, which was lawfully in existence at the effective date of this Ordinance, or amendments thereto, that does not meet the minimum area or lot dimensional requirements of the district in which the lot is located.

D. **Nonconforming Use**: A use which was lawfully in existence at the effective date of this Ordinance, or amendment thereto, and which does not now conform to the use regulations of this Ordinance for the zoning district in which it is now located.

E. **Structural Nonconformity**: A nonconformity that exists when the height, size, or minimum floor space of a structure, or the relationship between an existing building and existing buildings or lot lines does not conform to the standards of the in which the property is located. Also sometimes referred to as a dimensional nonconformity.

Section 4.03 NONCONFORMING LOTS

Any nonconforming lot shall be used only for a use permitted in the district in which it is located. In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this Ordinance, a single-family dwelling and customary accessory buildings may be erected on any single lot of record (*as defined in Article II of this ordinance*) at the effective date of adoption or amendment of this Ordinance. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district; provided that yard dimensions and other requirements not involving area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located. Variance requests from district yard requirements may be applied for through the Village of Dexter Zoning Board of Appeals.

If two or more lots or combination of lots with contiguous frontage in single ownership are of record at the time of adoption or amendment of this Ordinance, and if all or part of the individual lots do not meet the requirements established for lot width and area, the lots involved shall be considered to be an individual parcel for the purposes of this Ordinance. No portion of said parcel shall be used, occupied, or sold in a manner which diminishes compliance with lot width and area requirements established by this Ordinance, nor shall any division of an parcel be made which creates a lot with width or area less than the requirements stated in this Ordinance. These provisions shall not apply to contiguous lots in single ownership where each of the lots is occupied by a dwelling unit.

Upon application, the Zoning Administrator may permit the combination, in whole or in part, of nonconforming lots of record into building sites less than the size requirements established by this Ordinance, provided that the combination of lots reduces the degree of nonconformity and results in

a parcel which is capable of accommodating a structure that is in conformance with the building area, setback, and side yard requirements of this Ordinance.

Section 4.04 NONCONFORMING USES OF LAND

The lawful use of any land existing on the effective date of this Ordinance or amendment thereto, may be continued even though such use does not conform to the provisions of this Ordinance or amendments subject to the following provisions:

A. No such nonconforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Ordinance;

B. No such nonconforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of this Ordinance;

C. If such nonconforming use of land ceases for any reason for a period of more than six (6) months, any subsequent use of such land shall conform to the regulations specified by this Ordinance for the district in which such land is located. ~~*(Adopted 9/13/04, Effective 10/20/04)*~~

D. Where non-conforming off-street parking, landscaping, signage, fences, and other similar land uses exist, those uses shall be made to conform to the terms of this Ordinance when any legal use, principal or accessory, located on the land in question is established or expanded in such a manner that would necessitate site plan review and approval in accordance with Article XXII.

Section 4.05 NONCONFORMING BUILDINGS AND STRUCTURES

Where a lawful structure exists at the effective date of adoption or amendment of this Ordinance which ~~that~~ could not be built under the terms of this Ordinance by reason of restrictions on area, lot coverage, height, yards, or other characteristics of the structure or its location on the lot, such structure may be continued so long as it remains otherwise lawful subject to the following provisions:

A. **Restriction on Creating Nonconformities**: No such building or structure may be enlarged or altered in a ~~way which~~way, which increases its nonconformity. Further, and while a nonconforming structure may be maintained or repaired, no conforming alteration shall be made to a nonconforming structure unless 1 of the following conditions is met:~~Such structures may be enlarged or altered in a way which does not increase it nonconformity.~~

For the purposes of this section, alteration shall mean any change in a building, which results in additional floor area being fit for occupancy, a greater number of dwelling or rooming units, or an increase in the exterior dimensions of the building.

1. The alteration is approved by the Zoning Board of Appeals upon a finding that it complies as nearly as practicable with the requirements of this ordinance and that it will not have a detrimental effect on neighboring property.

2. The alteration conforms to all requirements of this ordinance and is made to a building, which will be a single-family dwelling on completion of the alteration and is located in a residential district.

B. **Restriction on Movement**: Should such structure be moved for any reason or for any distance whatsoever, it shall thereafter conform to the regulations for the district in which it is located after it is relocated or moved.

C. **Restrictions on Alteration, ~~or~~ Modification, Repairs, Improvements or Modernization**: If a nonconforming structure or building is altered or modified so as to eliminate, remove, or lessen any or all of its nonconforming characteristics, then such nonconforming characteristics shall not be later re-established or increased. ~~The Zoning Board of Appeals shall determine if a proposed alteration should decrease the degree of nonconformity.~~

1. Required repairs. Repairs or maintenance deemed necessary by the Washtenaw County Building Official, or at the request of the Village, to keep a nonconforming building structurally safe and sound are permitted. However, if a nonconforming structure becomes physically unsafe and/or unlawful due to lack of maintenance and repairs and is declared as such by the Washtenaw County Building Official, it shall not thereafter be restored, repaired, or rebuilt except in full conformity with the regulations in the district in which it is located.

2. Additional permitted improvements: Additional alteration, modification, repairs, improvements, or modernization of nonconforming structures, beyond what is required to maintain the safety and soundness of a structure, shall be permitted provided such alteration, modification, repairs, improvements or modernization do not exceed twenty-five (25) percent of the assessed value as determined by the Village Assessor of the structure during any twelve (12) consecutive months. Any such alteration, modification, repairs, improvements or modernization shall not result in enlargement of the cubic content of the nonconforming structure. The provisions in this paragraph shall apply to all structures except as otherwise provided in this Article for single-family residential uses and for reconstruction of structures destroyed by any means.

D. **Restrictions on Replacements**: ~~Nothing in this Ordinance shall prevent the reconstruction, repair, or restoration and the continued use of any nonconforming structure damaged by fire, collapse, explosion, acts of God or acts or public enemy, subsequent to the effective date of this Ordinance.~~

~~Any nonconforming building which has been damaged substantially or destroyed may be repaired, rebuilt or replaced within eighteen [18] months of such damage or destruction,~~

~~provided that such repairs or rebuilding or replacement does not extend or expand the previously existing nonconforming structure.~~

Should a nonresidential structure be destroyed by any means in excess of fifty (50) percent of the structure's assessed value (as determined by the Village Assessor) immediately before destruction, it shall not be rebuilt, repaired, or reconstructed, except in complete conformity with the provision of this ordinance. In the event that the damage is less than fifty (50) percent of the structure's assessed value immediately before destruction, the structure may be restored to its pre-destruction status. Such restoration shall take place only upon approval of the Zoning Administrator and/or Washtenaw County Building Official and in full compliance with this ordinance, and shall be completed within one (1) year from the date of destruction.

~~Where pending insurance claims require an extension of time, the Zoning Administrator may grant a time extension provided that the property owner submits a certification from the insurance company attesting to the delay. Until such time as the debris from the fire is fully removed, the premises shall be fenced and secured from pedestrian or unauthorized access.~~

Section 4.06 NONCONFORMING USES OF STRUCTURES AND LAND

If a lawful use of a structure, or of structure and land in combination, exists at the effective date of adoption or amendment of this Ordinance, that would not be permitted in the district under the terms of this Ordinance, the lawful use may be continued so long as it remains otherwise lawful subject to the following provisions:

A. **Prohibition on Enlargement of a Building Housing Nonconforming Use**: No existing structure devoted to a use not permitted by this Ordinance in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.

B. **Extension Throughout Building**: Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use, and which existed at the time of adoption or amendment of this Ordinance, but no such use shall be extended to occupy any land outside such building.

C. **Changing Use**: If no structural alterations are made, any nonconforming use of a structure, or structure and land in combination, may be changed to another nonconforming use of the same or a more restricted classification provided that the Board of Appeals either by general rule or by making findings in the specific case, shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such change, the Board of Appeals may require conditions and safeguards in accord with the purpose and intent of this Ordinance. Where a nonconforming use of a

structure, land, or structure and land in combination is hereafter changed to a more conforming use, it shall not thereafter be changed to a less conforming use.

D. **Prohibition of Re-establishment if Replaced by Conforming Use**: A nonconforming use of any structure which is replaced by a permitted use, shall thereafter conform to the regulations for the district in which such structure is located, and the nonconforming use may not thereafter be resumed.

E. **Discontinuance or Termination of Nonconforming Use of Structure**: When a non-conforming use is discontinued or ceases to exist for six (6) consecutive months the nonconforming -structure or use of land shall not thereafter be used except in conformance with the regulations of the district in which it is located. Structures occupied by seasonal uses shall be ~~exceptedexempted~~ from this provision. ~~Appeals for continuation of such uses shall be provided and determined by making application to the Village of Dexter Zoning Board of Appeals. *(adopted 9/13/04, effective 10/20/04)*~~

F. **Repairs to Nonconforming Use**: On any building devoted in whole, or in part, to any nonconforming use, work may be done in any period of eighteen [18] consecutive months on ordinary repairs, improvements, or modernization, or on repair or replacement of non-bearing walls, fixtures, wiring or plumbing to correct deterioration, obsolescence, depreciation and wear. Such repairs, improvements, replacement, or modernization activities shall be permitted providing the total area (in square feet) of the building as it existed at the time of passage or amendment of this Ordinance shall not be increased. Repairs begun within the required eighteen [18] consecutive months but not completed upon the expiration of the permitted time period may be completed provided the repairs have been issued and approved and valid building permit and the work has continued without interruption to eventual completion.

G. **Safety Repair**. Nothing in the Ordinance shall be deemed to prevent the strengthening or restoring to a safe condition of any building, or part, thereof declared unsafe by an official charged with protecting public safety, upon order of such official.

Section 4.07 GENERAL REQUIREMENTS

A. **Structure and Land in Combination**. Where nonconforming use status applies to a structure and land in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land.

B. **Illegal Nonconforming Uses**: Those alleged nonconforming uses which cannot be proven conclusively to have been in existence prior to the date of the enactment or amendment of this Ordinance shall be declared illegal uses and shall be discontinued following the enactment of this subsection.

Section 4.08 USES UNDER EXCEPTION PROVISIONS NOT NONCONFORMING USES

Any use for which a special exception is permitted as provided in this Ordinance shall not be deemed a nonconforming use, but shall, without further action, be deemed a conforming use in such district.

Section 4.09 CHANGE OF TENANCY OR OWNERSHIP

There may be a change of tenancy, ownership, or management of any existing nonconforming uses of land, structures and land in combination.

Section 4.10 ACQUISITION OF NONCONFORMING USES

The Village Council may acquire private property, or an interest in private property, to remove a nonconformity, as provided in PA ~~Act~~ 110~~207, PA~~ of 2006~~1921~~, as amended.

~~Rev. approved 11/27/00~~

VILLAGE OF DEXTER - COMMUNITY DEVELOPMENT OFFICE
8140 Main Street • Dexter, Michigan 48130-1092 • (734) 426-8303 • Fax (734) 426-5614

August 23, 2007

Village of Dexter
Property Owner

Re: Proposed Amendments to Article 4, Nonconformities, of the Village of Dexter Zoning Ordinance

Dear Property Owner:

The Village of Dexter Planning Commission is in the process of reviewing potential ordinance amendments proposed to Article 4, Nonconformities, of the Village of Dexter Zoning Ordinance. You are receiving this letter because the Village has done a preliminary inventory of potential nonconforming structures that may be impacted by the proposed ordinance amendments and your property is included on the list.

Please note that the Village of Dexter does not have certified surveys on file for many of the properties listed and therefore cannot officially declare your property nonconforming unless a certified survey is completed. The inventory was conducted purely as a demonstration of the number of properties that would be impacted by the proposed ordinance amendment.

The Village of Dexter Planning Commission wanted to notify property owners of the proposed ordinance amendment and the possible impacts to your property. The Planning Commission will be holding a public hearing on the included proposed ordinance amendments on Tuesday, September 4, 2007 at 7:30 pm in the National City Bank basement. If you cannot attend, but wish to submit comments in writing please submit comments to Allison Bishop, mailing address 8140 Main Street, Dexter, MI 48130 or physical address 8123 Main Street, Second Floor, Dexter, MI 48130 no later than Friday, August 31, 2007.

If you have any questions or concerns please contact Allison Bishop at 734-426-8303 ext. 15.

Thank you.

Sincerely,

Allison Bishop, AICP
Community Development Manager
Village of Dexter

CC: Donna Dettling, Village Manager
Dexter Area Chamber of Commerce

INVENTORY OF NONCONFORMING STRUCTURES IN THE CBD ONLY

ADDRESS	PARCEL ID	OWNER	DIMENSIONAL NONCONFORMITY
3240 Alpine	HD-08-06-205-009	Gulp Investments - Multi-Family	>1' setback
3232 Alpine	HD-08-06-205-010	Taylor - Residential	>1' setback
3224 Alpine	HD-08-06-205-011	Weber - Multi-Family	>1' setback
3216 Alpine	HD-08-06-205-012	Weber - Dexter Dog Groomer	>1' setback/< 2 stories
3219 Broad	HD-08-06-205-022	Wallace - Wallace Building	>1' setback/< 2 stories
3239 Broad	HD-08-06-205-024	Wallace - Multi-Family	>1' setback
3249 Broad	HD-08-06-205-023	Kitchen - Fink Law	>1' setback
3261 Broad	HD-08-06-205-025	Finn - Finn Insurance	>1' setback
3258 Broad	HD-08-06-127-007	Hansen Krueger - HKP	>1' setback
3238 Broad	HD-08-06-127-009	Coy - Multi-tenant	< 2 stories
8060 Main	HD-08-06-127-012	Kingsley- Huron Camera	< 2 stories
8070 Main	HD-08-06-127-011	Kitchen - Wireless Giant/Bearclaw	< 2 stories
8050 Main	HD-08-06-127-014	Village - Cookie Momster	< 2 stories
8054 Main	HD-08-06-127-013	Gergley - Dexter Flowers	< 2 stories
3207 Central	HD-08-06-127-015	Poulin - Shade of Olive	>1' setback
8041 Main	HD-08-06-210-028	Hoelzer - Dairy Queen	< 2 stories
8059 Main	HD-08-06-210-031	Schmidt - Pharmacy	< 2 stories
8135 Main	HD-08-06-210-046	Clark Gas Station	< 2 stories
3115 Broad	HD-08-06-210-008/054	Willis - Multi-tenant	< 2 stories
3126 Broad	HD-08-06-210-011	Willis - Multi-tenant	< 2 stories
8076 Forest	HD-08-06-210-012	Haas - Residential	>1' setback
8074 Forest	HD-08-06-210-013	Discullio - Residential	>1' setback
8020 Forest	HD-08-06-210-016	Holiday - Residential	>1' setback
8006 Forest	HD-08-06-210-017	Tracy Family - Multi-Family	>1' setback
3195 Baker	HD-08-06-210-025	Amsdill-Reed Barber and Multi-Family	>1' setback/< 2 stories
3185 Baker	HD-08-06-210-024	Photographer	>1' setback
3173 Baker	HD-08-06-210-023	Dexter Bike and Sport	>1' setback
3151 Baker	HD-08-06-210-021	Boyce Chiropractic	>1' setback
3141 Baker	HD-08-06-210-020	Dr. Munson	>1' setback
3135 Baker	HD-08-06-210-019	Yopps - Residential	>1' setback/< 2 stories
3127 Baker	HD-08-06-210-018	Simonds - Designers Cove	>1' setback

INVENTORY OF OTHER *SUSPECTED* NONCONFORMING STRUCTURES THROUGHOUT THE VILLAGE

* Does not include residential structures, cannot be determined with existing data in files

ADDRESS	PARCEL ID	OWNER	DIMENSIONAL NONCONFORMITY
3045 Broad	HD-08-06-280-001	Tupper	setbacks
8080 Grand	HD-08-06-280-003	Conspiracy Cycle/Schwalbach	setbacks
8050 Grand	HD-08-06-280-006	Northern Pizza Equipment	setbacks
7990 Grand	HD-08-06-280-007	SK Properties - Multi-Family	setbacks
7964 Grand	HD-08-06-280-008	SK Properties - Multi-Family	setbacks
7931 Grand	HD-08-06-155-001	Pilot Industries	setbacks
7949 Grand	HD-08-06-280-011	Gould - Multi-Family	setbacks
3520 Broad	HD-03-31-400-003	Railroad - Carpenter Lumber	setbacks
8155 Huron	HD-03-31-475-010	Alpha Metal	setbacks
7944 Second	HD-08-06-105-001	Carwash	setbacks
3685 Central	HD-03-32-360-001	Cider Mill	setbacks
3611 Central	HD-03-32-365-001	Gilbert	setbacks
8015 Huron	HD-03-31-365-002	Classic Pizza	setbacks
3515 Central	HD-08-06-106-002	Dexter Mill	setbacks
7866 Second	HD-08-05-230-003	Level 3 Communications	setbacks
7900 Second	HD-08-06-105-002	Elastizell	setbacks
7850 Second	HD-08-05-230-007	Adair Printing	setbacks
7710 Second	HD-08-05-235-003	Second Street Apartments	setbacks
3621 Hudson	HD-08-05-235-007	Hudson Street Apartments	setbacks

Article XX
SCHEDULE OF REGULATIONS

Section 20.01 SCHEDULE OF REGULATIONS FOR PRINCIPAL BUILDINGS - NON-RESIDENTIAL										
DISTRICT	MINIMUM LOT SIZE PER DWELLING UNIT (D.U.)		MAXIMUM BUILDING HEIGHT		PRINCIPAL STRUCTURE, MINIMUM YARD SETBACK IN FEET				MAX LOT COVERAGE BY ALL BLDGS. PERCENT	MINIMUM LOT FOOTPRINT (sq. ft.)
	MIN. LOT AREA (sq. ft.)	WIDTH (feet)	STORIES	FEET	FRONT	SIDE		REAR		
						Min. One	Min. Both			
C-1 General Business and PB Professional Business	10,000	70	2.5	35	25	10	20	25 (2)	--	--
VC Village Commercial	--	--	3.0	45	15 max.	5	10	10 ft.	80%	See Note 1--
CBD Central Business District	--	--	3.0max and 2.0 min.	45	1 max.--	--	--	--	100%	See Note 1--
I-1 Limited Industrial	21,780	150	2	35	50	50	100	35 (2)	25	--
RD Research & Development	43,560	150	2	40	50	22.5	45	35	35	--

Note 1: Min Lot Footprint= Frontage (in feet) x 40 feet (For corner lots, the frontage shall be determined by the location of the street number)

FOOTNOTES: The notes below are part of Section 20.01

1)

Multiple Family Residential District: Density and Lot Area Regulations for Dwelling Units (DU) in Multiple Family District		Minimum Lot Area (Square foot Per D.U.)
DISTRICT	**NO. OF BR/D.U**	**MULTIPLE FAMILY**
R-3	studio and 1 2 3 or more	3,630 4,840 7,260

2) Landscaped buffer per section 6.05.

3) Yard requirements
All front, side and rear yards shall be the minimum perpendicular distance measured from the principal structure, excluding all projections three (3) feet in length from the structure wall.

4) Yard requirements - Where lot adjoins more restricted zone
Where lot adjoins a lot of parcel in a more restricted zone, any adjoining front, side or rear yard of such lot shall have a minimum width equal to the required yard in the more restricted zone.

5) Height of building or structures
The limitations affecting the height of the structures shall not apply to the following appurtenant and structures provided they comply with all other provisions of this or any other applicable Ordinances: Parapet walls, chimneys, smokestacks, church spires, flag poles, penthouses for mechanical equipment and watertanks.

6) Corner Lots
A corner lot shall maintain front yard requirements for each street frontage, except in the VC and CBD District.

Amendments adopted November 8, 2004, Effective December 8, 2004

ARTICLE XX
SCHEDULE OF REGULATIONS

SECTION 20.01 SCHEDULE OF REGULATIONS FOR PRINCIPAL BUILDINGS - RESIDENTIAL										
DISTRICT	MINIMUM LOT SIZE PER DWELLING UNIT (D.U.)		MAXIMUM BUILDING HEIGHT (5)		PRINCIPAL STRUCTURE MINIMUM YARD SETBACK (in feet) (3)(4)				MAX LOT COVERAGE BY ALL BLDGS. PERCENT	MINIMUM FLOOR AREA (PER UNIT, sq. ft.)
	MIN. LOT AREA (sq. ft.)	WIDTH (feet)	STORIES	FEET	FRONT (6)	SIDE		REAR		
R-1A One Family Residential Large Lot	12,000 sq. ft.	75	2.5	35	25	15		35	25%	1,000
R-1B One Family Residential Small Lot	7,800 sq. ft.	60	2.5	35	15*	10		25	30%	1,000
VR Village Residential - Single Family Detached Dwelling	7,800 sq. ft.	60	2.5	35	15	10		25	30%	1,000
Two Family Dwelling	4,500 sq. ft. per D.U.	60	2.5	35	15	min one 7	min both 17	25	50%	700
Multiple Family Dwellings	9,800 sq. ft.	–	2.5	35	15	10	20	25	60%	–
R-3 Multiple Family Residential	45,560 (1)	200 feet	2.5	35	40 for 1 story 50 for over 1 story	25	50	50 for 1 story; 80 for over 1 story	30	–
MHP Mobile Home Park Residential	20 Acres	200		SEE ARTICLE XIII						–

* All residential lots fronting a residential street with a 66-foot right-of-way shall provide a minimum 25-foot front setback.

6. Continue to cooperate with other public organizations, such as Washtenaw County Parks and the Huron-Clinton Metropolitan Authority, in providing recreation services and facilities to avoid unnecessary duplication.
7. Develop enhancement of existing recreation facilities.

8. Where possible the Village should pursue the acquisition of park property to help address deficiencies in park land as identified in the Village Recreation Plan.

9. Encourage privately owned and commercial recreation facilities to locate in the Village, provide the type and location of such facilities to be consistent with the Village's recreation goals.

10. Enhance and encourage environmentally sensitive recreational facilities along the scenic and aesthetic natural features of the Village, such as Mill Creek, Mill Pond, and the Huron River.

11. Develop a plan for the Mill Pond area that takes into consideration the removal of the Mill Pond Dam.

Economic Development – Commercial/Industrial Goals

Goal 1

To improve the viability of the Downtown Dexter area as the retail and service center of the Village. Retail expansion outside of the downtown area (Central Business District and Village Commercial District) should be discouraged. Selectively expand the CBD into surrounding VC areas to open up additional redevelopment opportunities, improve the critical mass, density and walkability of the downtown.

Goal 2

Continue to work with local and regional economic development agencies (Washtenaw Development Council) to identify opportunities for continued economic development and job creation within the Village.

Goal 3

To provide for industrial development in a manner that increases the community's tax base, results in proper land use relationships, and does not negatively impact the environment.

Objectives

1. Provide for mixed-use retail, office, and residential developments in the downtown area.

2. Identify and develop Brownfield sites within the Village and work with the Washtenaw County Brownfield Redevelopment Authority in this regard.

3. Explore possible expansion of Village Industrial Park.

4. Provide convenient and adequate parking in the downtown area.

5. Require adequate setbacks for industrial operations, landscape buffers and greenbelts to minimize visual and environmental conflicts with adjoining land uses.

6. Provide safe traffic flow for industrial uses, separated from residential areas. Pursue secondary access points into the industrial park where possible.

7. Locate future industrial development within the planned industrial/research park.

8. Improve the Village center area through effective planning and implementation of public improvement projects.

9. Promote and coordinate activities aimed at improving the business climate within the Village. Assist in the coordination of the Chamber of Commerce, Merchants and Downtown Development Authority.

10. Foster development, redevelopment and expansion within the Village center, thus creating new employment and business opportunities.

11. To minimize the negative impacts of industrial areas on non-industrial areas and on the environment.

12. To provide a balanced industrial development strategy to achieve environmental compatibility and maintain the neighborhood character of the Village.

Transportation/Circulation Goals

Goals

To provide a transportation system that facilitates the smooth, safe, and efficient flow of automobiles, trucks, buses, emergency vehicles, bicycles and pedestrians.

Objectives

1. Resolve issues with Village "through traffic" and constraints. Specifically, address the Mill Pond dam, bridge and railroad overpass at the west end of the Village. The Village of Dexter strongly supports the replacement of the Main Street Bridge with a "context-sensitive" design to reflect the historic nature of the downtown area. The Village must coordinate activities through the County Road Commission.

2. Provide for improved pedestrian/bike (non-motorized) transportation through-out the Village. Provide sidewalks on both sides of the street.

TWO LOCATIONS TO SERVE YOU:

JM&J INSURANCE AGENCY, INC.

483 LITTLE LAKE DR
ANN ARBOR MICHIGAN 48103
TELEPHONE: (734) 668-4050
FACSIMILE: (734) 668-1860

3261 BROAD STREET
DEXTER MICHIGAN 48130
TELEPHONE: (734) 426-4714
FACSIMILE: (734) 426-5911

MAILING ADDRESS
P.O. BOX 3680
ANN ARBOR MI 48106

August 28, 2007 Village of Dexter – Community Development Office

Re: Proposed Amendments to Article 4, Nonconformities, of the Village of Dexter Zoning Ordinance

Dear Mrs. Bishop:

As a property owner and business person within the Village I have a number of issues with the proposed amendments to Article 4, however the nature of this letter is to inform you from an insurance professional's position on how these proposed amendments would affect businesses and property owners and to what extent.

In effect what these proposed amendments do is increase the cost and complexity of an insurance program for businesses and property owners. To simplify a very complex issue businesses and property owners will need to assess their exposure to the nonconforming use and then manage the risk involved.

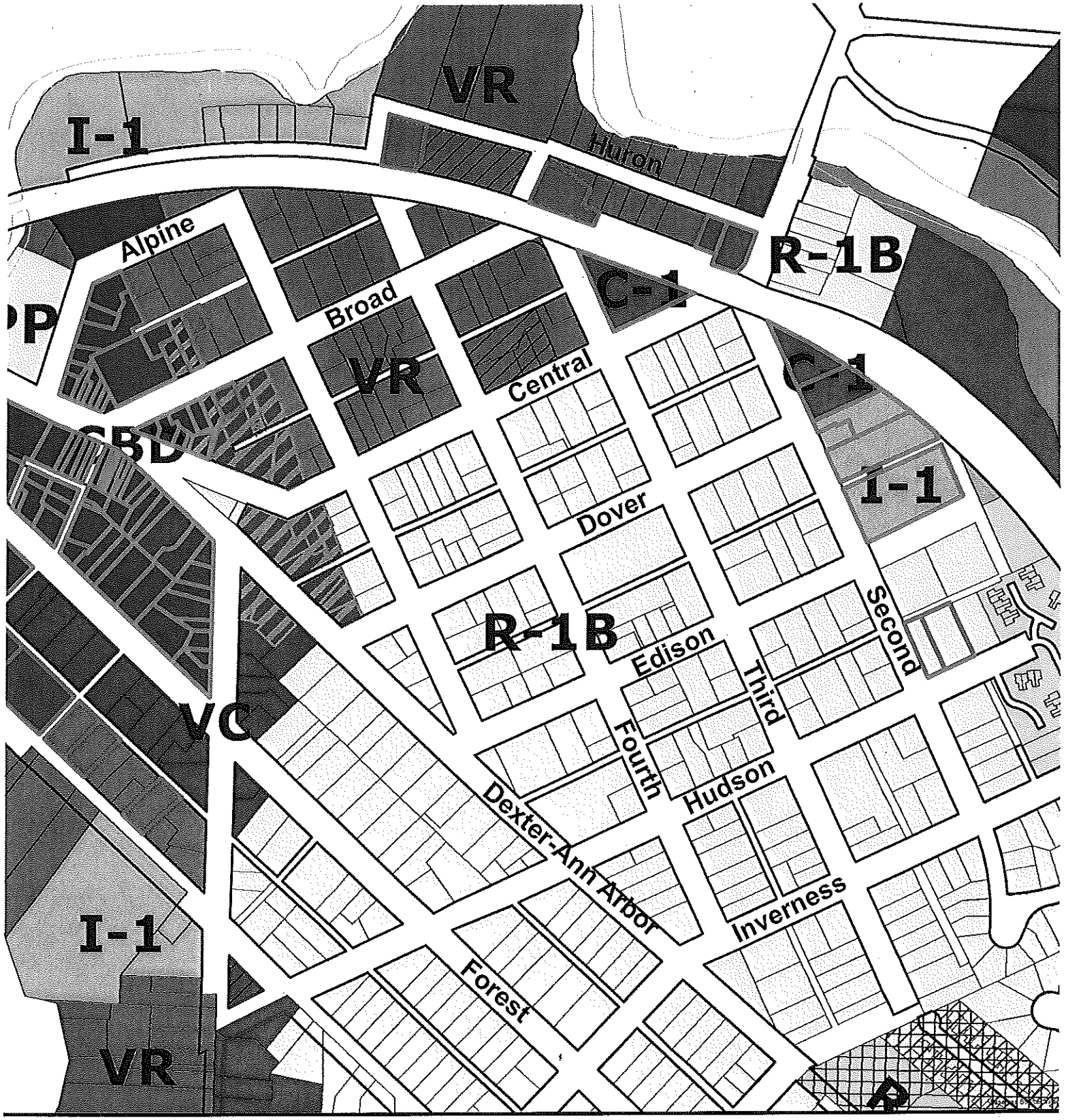
Insurance policies are built around the principle of rebuilding or replacing with like kind and quality. Because of the proposed amendments when a structure is nonconforming rebuilding or replacing may no longer be an option. When analyzing exposures with my clients I will now have to be concerned with Nonconforming issues and address the additional costs or exposures to their insurance policies. Without getting technical some of the issues are;

1) Is rebuilding an option
2) Additional costs to bring up to conforming standards
3) Cost of demolition of undamaged portion of the building if required to tear down
4) Cost of rebuilding the undamaged portion of the building
5) Required repairs as deemed necessary by an official
6) Acquisition of private property by Village to remove a nonconformity

Many of the amendments place an increased burden upon a businesses and property owners which include higher cost of an insurance program and uncertainty of insurance coverage at time of loss. I strongly believe in maintaining a strong viable downtown business district and am concerned with the changes suggested in the amendments and the piling on affect of yet another burden to businesses in a struggling Michigan economy.

Sincerely,

Douglas Finn, CIC, CLU
Executive Vice President
Finn's JM&J Insurance Agency, Inc.



Zoning Districts

- R-1A One Family Residential - Large Lot
- R-1B One Family Residential - Small Lot
- R-3 Multiple Family Residential
- VR Village Residential
- C-1 General Business
- VC Village Commercial
- CBD Central Business District
- PB Professional Business
- RD Research & Development
- I-1 Limited Industrial
- EP Environmental Protecti
- PP Public Park
- Dexter-Ann Arbor Road Co Over Lay District
- PUD's within Dexter-Ann A Road Corridor Over Lay Di
- PUD Planned Unit Develop

RESOLUTION # - 2007

AGENDA 9-10-07

ITEM L-6

RESOLUTION REVOKING AN APPROVED INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE #2007-017 FOR DEXTERLAND LLC FOR REAL AND PERSONAL PROPERTY IMPROVEMENTS

The following resolution was offered by _____ and supported by _____:

WHEREAS, Village Council previously approved an application for Industrial Facilities Exemption Certificate for Dexterland LLC for a period of eleven (11) years; and

WHEREAS, the Industrial Facilities Exemption Certificate was intended to be approved for a Speculative Building (Sec. 3 (8)); and

WHEREAS, it has been brought to the attention of Village Council that approval of a Speculative Building Exemption does not require an Industrial Facilities Exemption Certificate.

NOW, THEREFORE, BE IT RESOLVED BY DEXTER VILLAGE COUNCIL OF WASHTENAW COUNTY, MICHIGAN AND BY VIRTUE OF THE AUTHORITY VESTED IN THE VILLAGE;

1. It is determined and declared that the taxpayer who has been granted an Industrial Facilities Tax Certificate No. 2007-017 is not eligible for this favored tax treatment pursuant to 1974 PA 198; and

2. The Village Manager is hereby directed to notify the State Tax Commission that Tax Certificate No. 2007-017 be revoked.

AYES:_____

NAYS:_____

ABSENT:_____

ABSTAIN:_____

RESOLUTION DECLARED ADOPTED

THIS 10th DAY OF SEPTEMBER, 2007

_____
David F. Boyle, Village Clerk

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Council of the Village of Dexter, County of Washtenaw, State of Michigan, at a regular meeting held on the 10*th day of September 2007.*

_____
David F. Boyle, Village Clerk

Resolution# 2007-

9-10-07

ITEM L-7

RESOLUTION FOR THE PURPOSE OF ESTABLISHING VILLAGE COUNCIL INTENTION TO ENTER INTO A 425 AGREEMENT WITH SCIO TOWNSHIP

Whereas, the Village of Dexter was petitioned by the owner of lands, more commonly known as Sloan Farm and Kingsley Property adjacent to the Village for annexation of property from Scio Township into the Village of Dexter; and

Whereas, the Village submitted an annexation request on September 12, 2006 to the County Board of Commissioner on a 5 to 2 vote from a regular meeting held on August 28, 2006; and

Whereas, the County Board of Commissioners, at the request of Commissioner Ouimet, delayed action on the request in order for the Village and Township to meet and discuss the potential of using a 425 Agreement to resolve annexation issues; and

Whereas, an Ad Hoc Committee made up of representatives from each community has created an acceptable frame work for a 425 Agreement; and

Whereas, the Ad Hoc Committee has identified public benefits for the residents of our region; and

Whereas, it is the desire of the Village of Dexter that Scio Township participate in planning the development known as the Sloan Farm and Kingsley Property; and

Whereas, the Village desires to continue discussions with Scio Township in developing a 425 Agreement that is acceptable to both parties using the draft 425 Agreement reviewed during the August 15, 2007 Joint Work Session.

NOW THEREFORE BE IT RESOLVED, that the Village of Dexter desires to pursue further discussions with Scio Township regarding a 425 Agreement for the Sloan Farm & Kingsley property.

Resolution offered by: and Seconded by:

Yeas:
Nays:
Absent:

RESOLUTION DECLARD ADOPTED THIS _____ DAY OF _____ 2007.

_____
David F. Boyle, Village Clerk

RESOLUTION FOR THE PURPOSE OF ESTABLISHING COUNCIL POLICY STATEMENTS ON GROWTH

Whereas, the Village of Dexter has been petitioned by the owner of lands, more commonly known as Sloan Farm and Kingsley Property adjacent to the Village for annexation of property from Scio Township into the Village of Dexter,

Whereas, the opportunity to grow at a slow managed pace is in the Village of Dexter's best interests economically and the Village of Dexter has decided it is in its best interests to continue discussions with surrounding Townships to find opportunities for slow managed growth,

Whereas, the Village may provide the ability for public utilities, and the Village of Dexter does not endorse private wastewater facilities adjacent to its borders,

Whereas, growth adjacent to the Village of Dexter is consistent with the Comprehensive Plan for Washtenaw County

Whereas, the Village of Dexter has an interest in having a voice in the type and size of development that occurs adjacent to its existing borders,

Whereas, the Village of Dexter and Scio Township could mutually benefit economically from new development that may arise out of any agreements between the two communities,

Whereas, the Village of Dexter desires to expand its existing Industrial, commercial and residential base to improve the general economic condition of the Village of Dexter

Whereas, the Village of Dexter currently has annexation agreements and 425 agreements with Scio Township, and annexation does not remove property from township, and

NOW THEREFORE BE IT RESOLVED, that the Village of Dexter desires to pursue slow managed growth opportunities and pursue an agreement with Scio Township for the Sloan Farm & Kingsley property; an agreement that could be mutually beneficial to both communities and allow the Village to accomplish the above described goals.

Resolution offered by: Semifero and Seconded by: Carson

Yeas: Carson, Keough, Semifero, Walters, and Seta
Nays: Cousins, and Fisher
Absent:

RESOLUTION DECLARD ADOPTED THIS 27th DAY OF FEBRUARY 2006
Resolution #2-2006

Copy

David F. Boyle, Village Clerk