

**NOTICE
OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION**

**Thursday,
April 9, 2015**

7:00 p.m.

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Approve Agenda
4. Public Comment on Non-Agenda Items
5. Approve Minutes – March 26, 2015
6. **PUBLIC HEARING: Step 1 Site Condominium Review (Van Kal Site Condominium)**
Planning Commission to review application of Tim Woodhams, on behalf of Mar-Bo Investments, Inc., for tentative approval of a preliminary site condominium plan (step 1) for a 40-unit residential site condominium development named Van Kal Site Condominium. The subject property is located at 3839 South Van Kal Avenue in the RR Rural Residential District. (Parcel number is #3905-31-155-030).
7. Old Business
8. Any Other Business
9. Planning Commissioner Comments
10. Adjournment

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

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

- a. Citizen Comment on Non-Agenda Items or Public Comment – while this is not intended to be a forum for dialogue and/or debate, if a citizen inquiry can be answered succinctly and briefly, it will be addressed or it may be delegated to the appropriate Township Official to respond at a later date.
- b. After an agenda item is presented by staff and/or an applicant, public comment will be invited. At the close of public comment there will be board discussion prior to call for a motion.

Anyone wishing to make a comment will be asked to come to the podium to facilitate the audio/visual capabilities of the meeting room. Speakers will be invited to provide their name; it is not required unless the speaker wishes to have their comment recorded in the minutes.

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

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

Public comment shall not be repetitive, slanderous, abusive, threatening, boisterous, or contrary to the orderly conduct of business. The Supervisor or Chairperson of the meeting shall terminate any public comment which is in contravention of any of the principles and procedures set forth herein.

(adopted 5/9/2000)
(revised 5/14/2013)

Policy for Public Comment
6:00 p.m. "Public Comment"/Portion of Township Board Meetings

At the commencement of the meeting, the Supervisor shall poll the members of the public who are present to determine how many persons wish to make comments. The Supervisor shall allocate maximum comment time among persons so identified based upon the total number of persons indicating their wish to make public comments, but no longer than ten (10) minutes per person. Special permission to extend the maximum comment time may be granted in advance by the Supervisor based upon the topic of discussion.

While this is not intended to be a forum for dialogue and/or debate, if a citizen inquiry can be answered succinctly and briefly, it will be addressed or it may be delegated to the appropriate Township Official to respond at a later date.

Anyone wishing to make a comment will be asked to come to the podium to facilitate the audio/visual capabilities of the meeting room. Speakers will be invited to provide their name; it is not required unless the speaker wishes to have their comment recorded in the minutes.

Public comment shall not be repetitive, slanderous, abusive, threatening, boisterous, or contrary to the orderly conduct of business. The Supervisor shall terminate any public comment which is in contravention of any of the principles and procedures set forth herein.

(adopted 2/27/2001)
(revised 5/14/2013)

**OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION**

MINUTES OF A REGULAR MEETING HELD MARCH 26, 2015

Agenda

DISCUSSION OF SANITARY SEWER STRATEGIC PLAN AND PLANNING AND ZONING IMPLICATIONS.

A meeting of the Oshtemo Charter Township Planning Commission was held on Thursday, March 26, 2015, commencing at approximately 7:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: Terry Schley, Chairperson
Fred Antosz
Dusty Farmer
Pam Jackson
Millard Loy
Mary Smith

MEMBERS ABSENT: Wiley Boulding, Sr.

Also present were Greg Milliken, Planning Director; James Porter, Attorney; Marc Elliott, Engineer; and Martha Coash, Meeting Transcriptionist. No other persons were in attendance.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The meeting was called to order by Chairperson Schley at approximately 7:00 p.m. and the "Pledge of Allegiance" was recited.

AGENDA

The Chairperson asked for a motion to approve the agenda.

Mr. Loy made a motion to accept the agenda as presented. Mr. Antosz seconded the motion. The motion passed unanimously.

PUBLIC COMMENT ON NON-AGENDA ITEMS

Chairperson Schley asked if anyone in attendance wished to comment on non-agenda items.

There were no public comments on non-agenda items. Chairperson Schley moved to the next item on the agenda.

APPROVAL OF THE MINUTES OF FEBRUARY 26, 2015

The Chairperson asked if there were any additions, deletions or corrections to the minutes of the meeting of February 26, 2015. The Chair asked that page four, paragraph seven be changed to read, "The Chairperson began by asking about..." rather than "The Chair began by taking the Commission through a review of..." He also asked that page five, paragraph nine be changed to read "Mr. Boulding, Sr. asked staff if..." rather than "Mr. Boulding, Sr. said that ..." In addition, Ms. Smith indicated that she was an engineer, but not a licensed engineer. The Chair asked for a motion to approve the minutes with those suggested changes.

Mr. Loy made a motion to approve the minutes of the February 26, 2015 meeting with the noted corrections. Ms. Farmer seconded the motion. The motion was approved unanimously.

Chairperson Schley moved to the next item on the agenda.

DISCUSSION OF SANITARY SEWER STRATEGIC PLAN AND PLANNING AND ZONING IMPLICATIONS

Chairperson Schley said the next item on the agenda was a discussion of the Sanitary Sewer Strategic Plan and the planning and zoning Implications. He indicated the purpose of this agenda item was for general discussion and to begin to inform the Planning Commission on these issues. He said he did not expect to formally take any action at this meeting and asked Mr. Milliken to provide background for the discussion.

Mr. Milliken said he agreed this was an informational session to begin discussion on the Sanitary Sewer Strategic Plan and planning and zoning implications as described by the Chair. The Township Board is beginning to look closely at this issue and is interested in the Planning Commission's input and recommendations on related issues that are within their bailiwick. He noted they had been provided with a binder of information, researched and compiled by Mr. Antosz, in preparation for this discussion and thanked him for his efforts. He also indicated Mr. Marc Elliott, Engineer, was present to answer questions as needed.

Mr. Milliken indicated a principal goal for the Township this year is the development of a Capital Improvement Plan (CIP). A CIP represents funds and resources for capital improvement projects and is important for public information in order to show how funds are designated for long-term projects. He noted a significant amount of these funds are designated for sewer and water large capital infrastructure.

Mr. Milliken described some specific issues that need to be considered regarding sanitary sewers, which may require adjustments to the Master Plan regarding what the focus should be for planning sewers over the next 30 years in new developments, rural areas, areas in the western part of the Township, and existing "infill" areas that are currently unserved. Also needing review and potential adjustment are the Sanitary Sewer Strategic Plan Study and the Zoning Ordinance.

He noted that when the policy issues are resolved, regulations can be evaluated and changed as needed. Among other issues to be considered are minimum area of properties and frontage requirements, particularly in portions of the Township unlikely to be served by sewer in the future.

Chairperson Schley indicated he had talked with the Township Supervisor and understands the Township Board is focusing on currently developed areas and that if the Planning Commission wishes to "pick up the gauntlet", the Planning Commission might consider their area of focus to be on future development areas, which he felt the Commission can best influence by looking at the ordinance.

There was discussion of the understanding of "density" and the zoning requirements depending on if a site is connected to a sewer system or not. Following a question from the Chair, Mr. Elliott provided an explanation of the large community septic system in the Hampton neighborhood to the west. He also explained although there are a variety of technology improvements available for septic systems, such as filters that filter before leaching, there is no perfect system. Licensing is done through state regulation, and there is some documentation, but he is not aware of regular inspection. If a system fails, in the past the Township has come to the rescue.

Ms. Farmer said the cost in that scenario is much greater than if there were a plan ahead of time and noted this is related to addressing the density issues.

Ms. Jackson said the Planning Commission has to decide to come up with a proposal for the Township Board or work on regulations in place now to make sure they are correct or if they need adjustment.

Chairperson Schley pointed out that if the Board chooses to do nothing and development continues as it is now, we will create unfortunate problems and issues for future generations.

Attorney Porter encouraged the Commissioners to focus on where their authority lies: anything reviewed and needing to be changed in the Zoning Ordinance. He noted

the Township has a unique problem. Water lines have been extended to the west line of the Township due to landfill contamination but sewer has not been extended. Nevertheless, the development standards are based on water or sewer connection. No one has evaluated how that affects development. He suggested focus on the impact the lack of sewer can have on water and environment and whether a change in the ordinance is appropriate.

Chairperson Schley said the issue involves character, public welfare and the will and want of Oshtemo citizens. The Planning Commission needs to try to understand what those are and move forward. He did not feel this sanitary sewer issue in land use has been well vetted to the citizenry.

Ms. Jackson and Mr. Antosz spoke of the health of the community and protection of the whole environment, that they play into the discussion, and that it is the Township's job to inform and protect citizens.

Attorney Porter noted water/sewer issues overlap jurisdictional boundaries and whatever is done would need to be in conjunction with the County Health Department.

There was discussion of the most cost-effective way to handle sanitary issues.

Chairperson Schley noted that increasing life spans and increasing developed areas mean the community will only grow in some form thus increasing stress on groundwater in areas not served by sewer. He wants to hear from the public and hopes they will think it is the right thing to do to protect the groundwater.

Mr. Loy agreed the groundwater needs to be protected from chemicals and that it will take people to step up to include more people on the sewer system.

Mr. Antosz said it would be a step in the right direction to make the EPA information regarding how to maintain a septic system available to the public.

The Chairperson said he understands Commissioners want everyone to have the same belief about what is best, but they don't. It will be a dilemma if the community chooses not to support sewers in future developments. The result would be that in the future, when septic systems fail, the Township would have to be the ones to foot the bill. It is a tough spot for the Township to be in when you cannot require people to agree on a long range vision.

That led to discussion of where lot size requirements kick in if there will not be a public sewer. How much land will be required for those with a septic system to minimize the problem? Another factor is the porosity of the soil and antecedent moisture. It was agreed that answering those questions will require help from experts.

Attorney Porter said the Board will want to be careful to do the right thing which will require a lot of research and analysis.

Mr. Milliken cautioned the issue of density alone is very technical and that taking away people's ability to create density will need substantiation and will result in some displeasure. He suggested the Board start with the Master Plan and base any goals and objectives developed on changes in regulations in the Master Plan.

The Chairperson agreed they need to act on Township residents' wishes. The practical side of implementation is fraught with a gauntlet of challenges and the Planning Commission might be better served with something on which to hang their hats.

Mr. Loy and Ms. Jackson supported pursuing a review of the impact of sanitary septic versus sewers in the Master Plan and Zoning Ordinance.

Ms. Smith felt trying to segregate areas of the Township by use of several factors such as density, size of lots, soil type, to mandate sewer hook-up would provide more possibility of dispute and encouraged sticking to one or two factors.

Mr. Antosz thought beginning with the Master Plan was appropriate and would also like to recommend a Township education program. He mentioned the Portage system of seven tiers in determining mandatory sewer hook-up.

Ms. Farmer noted mandatory hook-up would be the purview of the Township Board but that zoning should be a part of the considerations.

Chairperson Schley acknowledged this will be a complicated issue, but with the Commission's interest, the Commission needs to try to tackle it. The Planning Commission will need to try to understand the impact of lot size (density) in respect to positives or negatives of a sanitary field.

Attorney Porter agreed that it is critical to the Master Plan.

The Chairperson said the Planning Commission will not be able to do this quickly and that for future consideration, as projects are proposed, such considerations must be given per the current (or at that time) Ordinance in place.

Attorney Porter counseled they treat proposals at face value, based on the Ordinance, but that if someone comes in with a substantial development proposal, he might propose a moratorium given this issue and how it would affect future growth. He said the Township Board timeline, particularly regarding connection, is to reach resolution by year-end. They will address how to fund in the future and how to begin to further protect ground water and failing septic systems.

Mr. Milliken said he would hope for quicker action by the Board in order to facilitate development of the CIP of this summer.

Ms. Farmer agreed that she wants to move forward with this Planning Commission review process.

Mr. Milliken said he would target the second meeting in April to provide information on the relative impacts of septic systems on various lot sizes, and will look at the relevant pages in the Master Plan and focus on those things.

Chairperson Schley also asked Mr. Milliken to look at anything in the files used to develop the related section of the Master Plan to provide depth of support. He thanked Mr. Antosz again for his work on providing background information for the Commission on this topic, and Mr. Milliken, Mr. Elliott and Commission Members for their interest and participation.

OLD BUSINESS

Chairperson Schley asked if there was old business to come before the Commission.

Mr. Milliken told the Board he would be absent from the next meeting; Karen High will attend in his place. He indicated a proposal for a 40 site condominium on Van Kal will be on the agenda and he expects some neighbors will attend the public hearing.

The Chairperson noted Commissioners should assure to look at the packet in advance of the meeting.

OTHER BUSINESS

Chairperson Schley asked if there was other business to come before the Commission.

Mr. Antosz noted he and Ms. Jackson are registered to attend a "Placement and Strategy Development" workshop on May 14 from 5:30 – 8:30, which conflicts with a scheduled Planning Commission meeting.

The Chairperson appreciated the heads up and indicated they would address that later if necessary.

PLANNING COMMISSIONER COMMENTS

Ms. Farmer said she is glad the Commission is moving forward on the sewer / septic review related to land use and will be happy to report that to the Township Board.

Mr. Loy said he would be on vacation when the Commission meets on April 23.

ADJOURNMENT

Having exhausted the agenda, and with there being no further business to discuss, Chairperson Schley asked for a motion to adjourn.

Ms. Farmer made a motion to adjourn. Mr. Loy seconded the motion. The motion carried unanimously.

Chairperson Schley adjourned the Planning Commission meeting at approximately 8:35 p.m.

Minutes prepared:
March 27, 2015

Minutes approved:
_____, 2015

April 2, 2015



Mtg Date: April 9, 2015

To: Planning Commission

From: Gregory Milliken, AICP
Karen High

Applicant: Tim Woodhams (Civica Engineering)

Owner: MAR-BO Investments Inc.

Property: Parcel #3905-31-155-030 (3839 South Van Kal Avenue)

Zoning: RR – Rural Residential District

Request: Tentative Approval of Preliminary Plat (Step One of Site Condominium Review)

Section(s): Section 290.005 of General Ordinances (Site Condominiums)

Project Name: Van Kal Site Condominium

The proposed development is a 40 lot residential site condominium located on the east side of Van Kal Avenue. It is located on 40 acres of land between Stadium Drive and M Avenue in the southwest corner of the Township.

SITE CONDOMINIUM REVIEW

A few months ago, the Planning Commission conducted a step one review of a subdivision plat. The subdivision ordinance lays out a rather strict process for approval of a subdivision plan as it is spelled out in State law. The procedures for site condominium are not spelled out in the state law, and the Township Ordinance has been drafted such that the process for site condominiums is quite similar to subdivisions.

Like with platted subdivisions, the site condominium process involves three steps before the Township. This is the first step. The purpose is to evaluate the proposal for compliance with zoning requirements and consistency with the overall requirements of the Ordinance. This allows the applicant to gain a broad understanding of where the project stands and any changes that may need to be made before undertaking the time and expense of the detailed engineering required in step two. Step one approval requires a public hearing at the Planning Commission and then Township Board approval.

Step two then provides the detailed engineering that accompanies the road plans, grading, stormwater drainage and detention, and utilities. It also includes more specific approvals from a variety of other

agencies. Step two only requires Township Board approval. Following this approval, construction of the infrastructure can begin.

Step three also only requires Township Board approval. It is the final step and occurs once all the infrastructure is completed. Step three allows for review and approval of legal documents, agency approvals, and as-built plans. It is the Township's chance to confirm everything was done according to the approved plan and is in compliance with the appropriate standard.

PROPOSED DEVELOPMENT

The proposed 40 unit site condominium occupies 40 acres in the southwest corner of the Township in the RR district. The proposed lots vary between 25,214 square feet (0.58 acres) and 81,970 square feet (1.88 acres). There is no minimum lot size in the RR district; the density is limited to one unit per acre. The minimum lot width is 100 feet measured at the building setback line. With the exception of the two largest lots located on corners that have frontage just greater than 100 feet, proposed frontage of lots is no less than 110 feet.

Building envelopes have been drawn in each of the proposed units showing the required setback distances. Based on setback requirements alone, there is room for development on each parcel.

The development will be served by private well and septic systems as public water and sewer are not available in this area.

A new public road is proposed to serve the proposed development. Built to Road Commission standards, the road provides access to the development from Van Kal and incorporates a large loop to serve all proposed units. To satisfy connectivity requirements, the road has been extended to the north property line to serve future development. (A temporary cul-de-sac or other approved turnaround should be located at the terminus of the road extension.)

An additional extension has been provided to the east. Development to the east would require assembly of several parcels, or at least the rear portions of several parcels, and would encounter topographic issues as it heads south to the largest undeveloped parcel. Therefore, construction of the road extension has been deferred to a later date with construction commitment to be provided for in the condominium documents.

Sidewalks are being provided throughout the development, although the plan should be amended to show sidewalks extending north along the proposed street extension. Street lights are also shown in the development, and the applicant has agreed to participate in the Township's street light district.

EXISTING / SURROUNDING CONDITIONS

The existing property is vacant, and the majority of the site is heavily wooded with a mix of oak and evergreen trees. The western portion of the site is not as heavily wooded and appears to have been previously used as a pasture or other clearing.

As the site moves east, the existing topography also becomes more intense rising over 80 feet from the entry to the eastern boundary. Several proposed units along the eastern boundary and in the southeast

corner have existing slopes exceeding 10% that make development challenging. Extensive grading will be necessary to accommodate a building site, flat areas for the required drain fields, and any necessary drainage controls. Extensive grading will also be necessary for the road and sidewalks as the proposed layout appears to disregard the topography of the site. With all of this grading will come removal of trees.

A conceptual plan for stormwater has been provided illustrating that drainage from the proposed road will be directed through stormwater pipes to one of two drainage basins on the site. General flow of stormwater from several units has been noted. For several units, it appears some form of drainage structure or grading will occur in the rear to direct drainage as depicted on the plans.

Most of the properties surrounding the subject property are larger, rural residential properties characterized by a substantial amount of open land. It is not anticipated that the residential development would generate substantial enough drainage to cause significant adverse impacts on these surrounding properties. However, this cannot be determined for certain until specific building and grading plans are determined for the home to be built on the unit.

AGENCY REVIEWS

The applicant has submitted the conceptual site condominium plan to a variety of different offices and agencies for preliminary review.

- The Oshtemo Township Fire Department has reviewed the plans and indicated they have no concerns.
- The Township Engineer has been engaged in the staff review process from the outset. He did not submit a formal review memo as there was not a substantial amount of information provided for his review. (It will come at the next step.) His input as to the feasibility of development and challenges posed by the topography and layout was critical to our understanding and the development of this memo.
- The Road Commission of Kalamazoo County has provided a preliminary review of the road layout. A more formal review will occur during development of the step 2 plan and the final engineering plans. The preliminary review indicates a few adjustments to be made but nothing that appears too substantial.
- The Kalamazoo County Department of Health and Community Services has conducted a pre-preliminary review including a site visit and soil borings. They provided the applicant with the results of their inspection and their requirements for the on-site utility design.

STANDARDS OF APPROVAL

Section 290.005.D.3 contains standards for the preliminary plan to achieve in order to be approved. These are reviewed here.

- a. **Streets** – The proposed street layout consists of public roads and has been illustrated to conform to County Road Commission standards. Street extensions are shown to the north and

east to provide for future development connections. The extension to the north will need a cul-de-sac or other turnaround capacity, while the extension to the east will be constructed at a later date if necessary. Connections, dimensions, and street lighting all appear to conform to ordinance standards.

- b. **Lots** – There is no minimum size requirement for building sites in the RR district. Rather development must maintain a density of no greater than one lot per acre. The proposed development satisfies this requirement as 40 units are proposed on the 40 acres of development. The development creates no land locked parcels.

Building envelopes have been shown on the site plan illustrating setback requirements, and a potential site layout has been illustrated for one of the units on sheet 2. While the sites are large enough to accommodate a home within the setbacks, the sites will be further limited by the topography and natural features that exist as well as the need to provide level land area for two drain fields. Accommodating development on these sites will require extensive grading and tree removal to ensure suitable space is available for home construction.

- c. **Pathway** – The applicant is providing sidewalks in the development.
- d. **General Provisions** – There are no reserve strips in the development. There is no land subject to flooding in the development area.

There are, however, natural features including steep slopes and substantial tree areas making up the majority of the proposed development. Without additional engineering details, particularly considering the detailed grading and stormwater plans for the property and each individual unit, the exact impact cannot be determined. However, it is fairly clear that in order to establish suitable building sites with the layout proposed and accommodate the drainfields for each property, substantial grading and tree removal will be required on many of the properties.

CONCLUSION

Although a conceptual plan, there is a lot here for the Planning Commission to consider. This is the opportunity to provide feedback and voice concerns so that adjustments can be made prior to substantial investment being made in the final design process.

To make this easier, the issue can be narrowed down to two sets of questions.

First, does the plan satisfy the strict, quantitative requirements of the Ordinance? The density and frontage requirements are satisfied. Public roads are properly dimensioned. The required amenities – street lights, sidewalks, greenspace – have been provided.

The second set of questions however are more subjective and more difficult to quantify. Site condominiums are required to also satisfy the criteria for site plan approval (Section 82.800 of the Zoning Ordinance.) Many of these address impacts on adjacent properties and the surrounding community. For example, Section 82.800(c) states “that as many features of the landscape shall be

retained as possible...” Section 82.800(h) includes a statement encouraging lands be used in accordance with their character and adaptability.

With the information available, will the proposed development have an adverse impact on adjacent properties due to runoff or destruction of natural features? Would an alternative layout, such as open space preservation design, that was more respectful to the natural features and topography have a lesser impact on adjacent properties and perhaps on the character of the community?

Any action on the proposal should be conditioned on the following:

- a. The development shall receive the necessary approvals from the Kalamazoo County Department of Health for provision of private water and sanitary septic service on each building site.
- b. Tree removal shall be minimized to the extent possible during building site development.
- c. The condominium documents and/or other legal agreements shall be put in place to the satisfaction of the Township Attorney assuring the construction of the road extension to the east at the time of development of adjacent properties.
- d. Sidewalks shall be extended north along ‘A’ Street to the north boundary line of the subject property and a turnaround area provided, at least on a temporary basis until the road is extended.



7275 W. Main Street, Kalamazoo, Michigan 49009-9334
 Phone: 269-216-5223 Fax: 269-375-7180

PLEASE PRINT

PROJECT NAME & ADDRESS VAN KAN SITE CONDOMINIUM
3839 VAN KAN

PLANNING & ZONING APPLICATION

Applicant Name : Scott CARLSON / Tim WOODHAM

Oshtemo Charter Township
 7275 W MAIN ST
 KALAMAZOO, MI 49009
 Phone : 269-375-4260
 OSHEMOTOWNSHIP.ORG

Company _____

Address 6146 WEST MAIN ST
KALAMAZOO MI 49009

E-mail TWOODHAM@CIVICENGINEERING.COM

Telephone 269 760 6688 Fax _____

Interest in Property Development

Received From: SKYKING LLC
 Date: 03/05/2015 Time: 1:32:58 PM
 Receipt: 114370
 Cashier: LINDAI

OWNER*:

Name MAR-BO INVESTMENTS INC.

Address 7250 W. MAIN ST.
KALAMAZOO, MI 49009

Email EARNIE@EARNIEBEST.COM

Phone & Fax 269 375-0300 N/A

ITEM REFERENCE	AMOUNT
1042 PLANNING ESCROW	
PLANNING ESCROW	\$1,000.00
1084 SITE CONDO	
SITE CONDO	\$200.00
TOTAL	\$1,200.00
CHECK 5329	\$1,200.00
Total Tendered:	\$1,200.00
Change:	\$0.00

NATURE OF THE REQUEST: (Please check the appropriate item(s))

- | | |
|---|---|
| <input type="checkbox"/> Planning Escrow-1042 | <input type="checkbox"/> Land Division-1090 |
| <input type="checkbox"/> Site Plan Review-1088 | <input type="checkbox"/> Subdivision Plat Review-1089 |
| <input type="checkbox"/> Administrative Site Plan Review-1086 | <input type="checkbox"/> Rezoning-1091 |
| <input type="checkbox"/> Special Exception Use-1085 | <input type="checkbox"/> Interpretation-1082 |
| <input type="checkbox"/> Zoning Variance-1092 | <input type="checkbox"/> Text Amendment-1081 |
| <input checked="" type="checkbox"/> Site Condominium-1084 | <input type="checkbox"/> Sign Deviation-1080 |
| <input type="checkbox"/> Accessory Building Review-1083 | <input type="checkbox"/> Other: _____ |

BRIEFLY DESCRIBE YOUR REQUEST (Use Attachments if Necessary): _____

SITE CONDOMINIUM STEP 1 APPROVAL

LEGAL DESCRIPTION OF PROPERTY *(Use Attachments if Necessary):*

SEE ATTACHED

PARCEL NUMBER: 3905- 31-155-030

ADDRESS OF PROPERTY: 3839 South Van Kal

PRESENT USE OF THE PROPERTY: VACANT

PRESENT ZONING RR **SIZE OF PROPERTY** 40 ACRES

**NAME(S) & ADDRESS(ES) OF ALL OTHER PERSONS, CORPORATIONS, OR FIRMS
HAVING A LEGAL OR EQUITABLE INTEREST IN THE PROPERTY:**

Name(s)

Address(es)

_____	_____
_____	_____

SIGNATURES

I (we) the undersigned certify that the information contained on this application form and the required documents attached hereto are to the best of my (our) knowledge true and accurate. I (we) acknowledge that we have received the Township's Disclaimer Regarding Sewer and Water Infrastructure. By submitting this Planning & Zoning Application, I (we) grant permission for Oshtemo Township officials and agents to enter the subject property of the application as part of completing the reviews necessary to process the application.

Owner's Signature (* If different from Applicant)

Date



3/5/15

Applicant's Signature

Date

- | |
|-------------------------------|
| Copies to: |
| Planning -1 |
| Applicant -1 |
| Clerk -1 |
| Attorney-1 |
| Assessor -1 |
| Planning Secretary - Original |

PLEASE ATTACH ALL REQUIRED DOCUMENTS



Kalamazoo
County
Road
Commission

3801 East Kilgore Road • Kalamazoo, Michigan 49001
Telephone: (269) 381-3171 • Fax: (269) 381-1760
<http://www.kalamazooountyroads.com>

February 17, 2015

Timothy A Woodhams
CIVICA ENGINEERING
1503 East Centre Ave Suite C
Portage, MI 49002

RE: Oshtemo Section 31 Site Condo, Preliminary Roadway Layout

Dear Mr. Woodhams:

Thank you for submitting the preliminary layout for the proposed condominium of Oshtemo Section 31 Site Condominium to the Kalamazoo County Road Commission (KCRC). I have reviewed the preliminary layout dated January 23, 2015 according to the KCRC Procedures, Guidelines and Specifications for Developing New Public Roads (KCRC Policy) and I offer the following comments:

1. The condo must be dimensioned to a properly labeled section corner or $\frac{1}{4}$ post show on the plans.
2. A clear-vision area sketch will need to be submitted or shown on the plans for the intersection at Van Kal Avenue. The diagram will need to show 600' each direction from the centerline of the proposed roadway approach to Van Kal Avenue.
3. The right-turn lane is not dimensioned but will need to comply with the enclosed "Figure IX" from KCRC Policy for all-season roads. The dimension "Distance Determined by the KCRC" (deceleration distance) shall be 125'.
4. Show the dimensions for the private easement for public utilities, or state that no such easement shall exist.

Should you have any questions or need additional information, feel free to contact me at 269-381-3170 ext. 224 or gwilson@krcr-roads.com.

Sincerely,

Geoff S. Wilson, P.E.
Project Engineer

Cc: Tom Hohm, Kalamazoo County Road Commission
Jeff VanBelle, Kalamazoo County Drain Commission
Lucas D. Pols, Kalamazoo County Department of Public Health
Marc Elliott, Oshtemo Township
Enclosures(1)



Kalamazoo County

Health & Community Services

February 18, 2015

Scott Carlson
6146 West Main
Kalamazoo, MI 49009

RE: Prospective Subdivision in Oshtemo Township

Dear Mr. Carlson:

This office performed a pre-preliminary review for the proposed subdivision at 3839 South Van Kal, Oshtemo Township, Section 31. The proposal includes 40 acres of land divided into 40 lots. The minimum lot size is approximately 27,000 square feet, maximum lot size is approximately 81,500 square feet, and an average lot size of approximately 33,000 square feet.

Onsite Sewage Treatment Systems:

The front portion of the property is a semi-wooded area with slight slope. The rear portion of the property is more densely wooded with moderate to severe slope. The topography provided indicates slopes ranging from 2-20% for this property. The Kalamazoo soil survey indicates the following soils for this parcel: Coloma Loamy Sand (CoB) 0-6% slopes, Coloma Loamy Sand (CoC) 6-12% slopes, and Coloma Loamy Sand (CoD) 12-16% slopes. The CoB soil series is considered well suited for building site development and sanitary facilities. The CoC soil series is fairly suited for building site development and sanitary facilities with some limitations due to slope. The CoD soil series is poorly suited to building site development and sanitary facilities with the major limitation being slopes. Enclosed is a map indicating the soil series for this parcel.

Lots with sizes less than 30,000 square feet and/or lots with greater than 12% slope would require a specific plan that includes the locations of all lot developments (home, driveway, utilities, water well, and sewage treatment system area). Lots with slopes exceeding 12% slope in the area of the sewage treatment system location would require a grading plan.

A site visit was performed on February 11, 2015. A hand auger was used in four areas of the proposed development. A map is enclosed indicating the soil boring locations. The soil boring information is as follows (signs of high water table were not found at any of the soil borings):

SB-1: 0-10" Sandy Loam Topsoil, 10-36" Sandy Loam, 36-42" Loamy Sand, 42-84" Sandy Loam, 84-96" Loamy Sand

SB-2: 0-8" Sandy Loam Topsoil, 8-28" Loamy Sand, 28-34" Sandy Clay Loam, 34-42" Clay Loam, 42-52" Sandy Loam, 52" end of boring due to rock

SB-3: 0-6" Sandy Loam Topsoil, 6-24" Sandy Loam, 24-96" Loamy Sand

SB-4: 0-6" Loamy Sand Topsoil, 6-96" Loamy Sand

Due to the presence of clay in SB-2 this area could require a cut and fill sewage treatment system.



The information that was available for surrounding parcels indicated sand and sandy loam soils. Aerial photography from 2007 for this property indicates a home, several sheds and a barn. The barn was also indicated in 2009 aerial photography. A small shed was the only structure that was noted to be on the property currently. Future site plans would need to indicate any existing structures including water well(s) or sewage treatment system(s). Any existing wells would need to be properly abandoned prior to preliminary approval of a subdivision. An existing sewage treatment system may also need to be abandoned. This office does not have any information on these items for this property. Due to the previous use of this property, fill soil may be found at the proposed lots toward the front of the property. Cut and fill sewage treatment systems would be required if fill soil is found.

Onsite Water Supply Systems:

The geologic setting for the subject property is the inner margin of the Kalamazoo Moraine. Because of this setting and the topographic elevation change across the site, the sediment strata could be very complex with sand and gravel and discontinuous clay layers. Bedrock is estimated to be 250 - 300 feet below ground level (bgl). Groundwater flow direction is likely to be west-northwest. There are no identified contamination sites within a half mile, however nitrates are a concern in this area. A site walkover did not show any obvious immediate sources of contamination.

The feasibility for on-site water supply wells was evaluated using Environmental Health Division records for neighboring wells where both well records and water quality data were available. Only recent nitrate concentrations were considered in this review (2001 or later). Static water levels noted on well records ranged between 1 foot to 30 feet bgl. No consistent clay barrier was identified on well records. Subdivision rules state that current concentrations of nitrates cannot exceed half of the drinking water standard, or 5 ppm (parts per million). The highest nitrate concentration found was 3.16, and that was in a sample collected from a well with 66 feet of screen submergence (3499 S Van Kal). Although subdivision rules state that a minimum of 50 feet of screen submergence is recommended, that minimum requirement may not be sufficient for protection from nitrates. No arsenic data were available. Aesthetic water quality issues, such as iron and hardness, will likely be present in on-site water wells also.

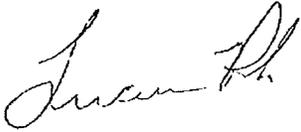
Well records from Pondview Estate (plat to the north of subject property) were considered, but they do not meet the minimum 50 feet of screen submergence and all but one well had samples with nitrate concentration between 1 and 3 ppm. It is noted that there is another subdivision on the west side of Van Kal, located in Van Buren County. Additional information on nitrates and well depths from this area may be useful when determining depths for nitrate protection, but these records are not available in our office. An inquiry could be made by the engineer to Van Buren County Health Department prior to additional investigation.

It is recommended that test wells be advanced at the subject property to gain a better understanding of water quality at depth. This office advises that the test wells have a screen submergence of at least 75 feet and even as much as 100 feet of screen submergence if possible. A well record at 4601 South Van Kal indicates that clay may be found at depth and continue to approximately 200 feet. This well was screened beneath the clay and is a flowing well. This would not be ideal for water supply wells within a subdivision. It is also advised that two test

wells be advanced, one near each elevation extreme. Both test wells would then be tested for partial chemistry (including nitrates) and arsenic. Deed restrictions may also be necessary warning of aesthetic issues in water quality for iron and hardness if sample results indicate that recommended quality standards are exceeded.

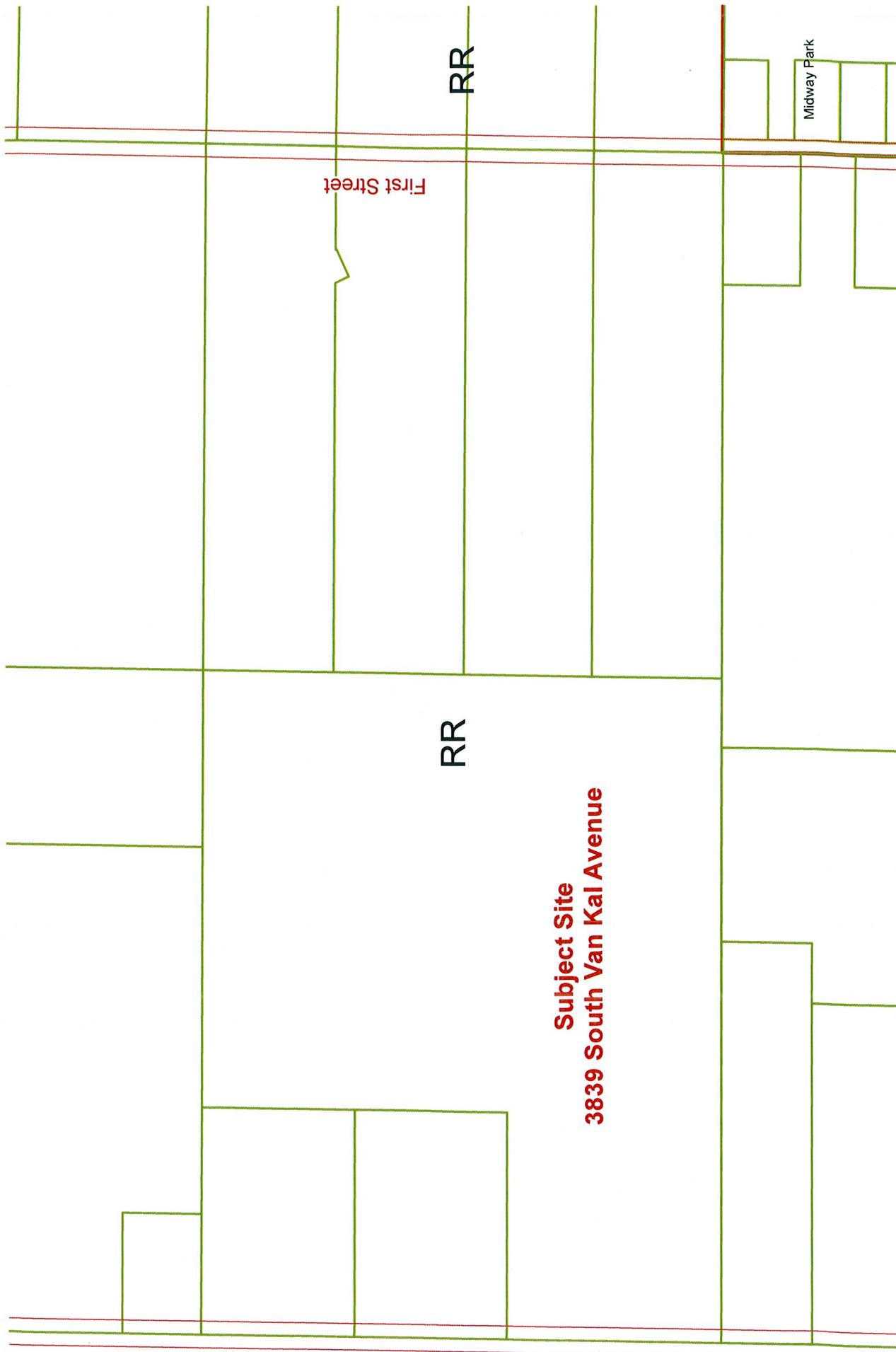
Subdivision information can be found on our website at: <http://kalcounty.com/eh/Subdivision.htm>. The consultants guide for subdivisions/site condos can be found at the following link as well as the consultants checklist: <http://www.kalcounty.com/eh/consultant-guide.htm>. If you have any further questions, please call our office at 373-5337.

Sincerely:



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CC: Oshtemo Township
Dale Ladouceur, Michigan Department of Environmental Quality
Geoff Wilson, Kalamazoo County Road Commission
Patricia Crowley, Kalamazoo County Drain Commissioner



Zoning Map: 3839 South Van Kal Avenue



Aerial: 3839 South Van Kal Avenue

