

**OSHTEMO CHARTER TOWNSHIP  
PLANNING COMMISSION**

**MINUTES OF A REGULAR MEETING HELD MARCH 26, 2015**

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**Agenda**

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

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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:  
April 9, 2015