

# DRAFT

Minutes of Meeting  
Lodi Township Planning Commission  
September 25, 2007

Present:: Crowner, Diuble, Steeb, Swenson (arrived 8:05), Thelen, Veenstra  
Absent O'Connor

The Public Hearing for Fredrick Farms request to rezone 112 acres on Wagner Road from Agricultural to R-3 was opened at 7:32 PM.

Steve Deak of Deak Planning & Design, Southfield, MI made a presentation on behalf of the principals, Michael Furnari and Michael Furnari, Jr. of Fairview Land Development, Rochester, MI.

1. He showed enlarged photos and maps of the area.
2. The planning was for the future when demand catches up to the supply of housing
3. Plans to use the ditch along Wagner Road to discharge storm water
4. The proposed development provides a logical extension of planned Suburban Residential at Saline Ann Arbor Road and Wagner Road
5. The project is on a major thoroughfare between Ann Arbor and Saline.
6. Want to concentrate development in area planned for sewer service district – will work with Township regarding sewer district
7. Will discourage sprawl in Township by discouraging premature development
8. Development pressures are coming from Pittsfield and Scio Townships and the city of Saline.
9. Will work with Township on a zoning transition to limit growth to the north-south corridor along Wagner Road

## Comments from the audience

1. Duane Alber – what will happen to the sewerage?
2. Peg Canham – how does this proposal correspond to the General Development Plan?
3. Harry Crispy – Concerned about storm water run-off since Pittsfield #1 Drain (downstream from the proposed development) has flooded twice this year from storm runoff. Answer was given by Deak that the site must retain additional storm water runoff above its present agriculture usage. Why was the MDEQ request for a private wastewater treatment plant withdrawn five days before the decision was to be announced? Answer was that the developers, after six months, decided to seek a zoning change before proceeding with the permit.
4. John Russell – R-3 is not transitional zoning as stated by Deak. Zoning to R-3 is zoning in the dark without planning and is crazy. R-3 zoning seems very dense for the proposed area.

5. The following letter from Jerome Koupal was read

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September 22, 2007  
John Steeb, Chairman  
Lodi Township Planning Commission  
3755 Pleasant Lake Road,  
Ann Arbor, MI. 48103

**SUBJECT: September 25 2007, Lodi Township Planning Commission Public Hearing, RE: Rezoning Lodi Township Parcel number 13-14-100-002 From AG to R3**

Dear Mr. Steeb

This letter responds to the advertisement in the September 6, 2007 Saline Reporter newspaper.

I object to the subject rezoning for the following reasons.

1. It is inconsistent with the Lodi Township General Development Plan.
2. It is not permitted by the Lodi Township Zoning Ordinance.
3. Questions raised by Impact Assessment Submittal, Reference 1.
4. Questions raised by Traffic Impact Study, Reference 2

Details Follow

**1. It is inconsistent with the Lodi Township General Development Plan.**

- a. Our planning is based upon this property being agricultural.  
Planning and following the plan allows for orderly and economical development of the township and county to meet future needs such as Roads, Waste water and storm water runoff, Ground water pollution and depletion, Police protection and Fire protection
- b. Rezoning the subject property to allow 660 new housing units represents as much as a 30% increase in current township population.
- c. If approved, the rezoning would set a precedent for others wanting to build large residential developments near Ann Arbor.
- d. Reacting to ad hoc rezoning requests of this type will soon destroy the plan and create a patchwork quilt of township services, demands, and problems.
- e. The results of unplanned major development are more expensive to administer.

**2. It is not permitted by the Lodi Township Zoning Ordinance.**

- a. Per Reference 3, Rezoning request should be disapproved because the property is not served by a municipal water supply system and a municipal sanitary sewerage system.

**3. Questions raised by Impact Assessment Submittal, Reference 1**

- a. "An unnamed upstream tributary of the Rouse Drain runs along the eastern edge of the property and is likely an available outlet for most of the storm water from the site, judging from visual observation of the existing topography." (Page 8).

During a storm, a 1" rain will produce 27,000 gallons over one acre. There is some flooding on properties adjacent to Rouse Drain now. How much additional water and chemicals (e.g. salt in winter, lawn chemicals in summer) will run off the newly asphalted roads, driveways, walkways, rooftops, and lawns?

- b. "A community well may be the most likely option for supporting a low density residential development." (Page 6) Nothing was submitted about the impact of major withdrawal of water for this and/or other large projects on the performance of the existing wells in the area. Will wells go dry? Some wells in the area produce water with Arsenic levels just below the new MDEQ allowable level. Will groundwater Arsenic concentrations increase? Will concentrations of other contaminants increase? Will the "Gelman Plume" be drawn in this direction?
- c. "A wastewater discharge permit application was submitted to the MDEQ on August 22, 2006. Public notice for the permit was issued on February 4, 2007. A public hearing was held in Lodi Township on March 28, 2007. The MDEQ received public comment on the application until April 2, 2007" (Page 6)  
A July 31, 2007, Ann Arbor News Article says that the application was withdrawn on July 19, 2007 just five days before the decision from the state was slated to be released. Why?
- d. "The Township is presently patrolled by the Washtenaw County Sheriffs Department. An established contract between Lodi Township and the Washtenaw County Sheriffs Department ....." (Page 12) This current relationship cannot be extrapolated to the 2010-2018 period. Other arrangements are being studied. Discussion with law enforcement authorities indicates a need for more services due to the increased population density.
- e. "The Saline Area Fire Department .....serves .....Lodi Township." (Page 12)  
This current relationship cannot be extrapolated to the 2010-2018 period. An April 8, 2004 The Saline Reporter article says that The Saline Fire Department believed a substation is necessary in Lodi.
- f. What is the date of SEMCOG Study? (Page 13) Does it include the current Southeast Lower Michigan economic downturn?

**4. Questions raised by Traffic Impact Study, Reference 2**

- a. Does developer intend 450 dwelling units (Reference 1, Page 11) or 660 Units (Reference 2, Page 1)?
- b. Having lived about one mile from Wagner and Maple Roads for 10 years, my observation is that traffic is heavy at commute hours now. More study by the Township and clarification of this reference is needed.
- c. What other proposed large area developments does the study include?

**REFERENCES**

**Reference 1.** June 11, 2007 (Received July 18, 2007), Impact Assessment Submittal. Submitted to Lodi Township Washtenaw County, Michigan, Submitted by: Fairview Land Development, L.L.C., 1220 West Auburn Road Suite C Rochester, MI 48309

**Reference 2.** June 2007, (Received July 18, 2007), Proposed Frederick Farms Residential Development, Traffic Impact Study, Lodi Township, Michigan. Submitted by: Fairview Land Development, L.L.C

**Reference 3** Lodi Township Washtenaw County, Michigan Ordinance No. 2007-001 [An Ordinance To Amend The Zoning Ordinance Of Lodi Township By Authority Of Public Act 110 Of 2006, Being MCL 125.3101 Et. Seq., As Amended, By Amending Article 2.0 (Definitions) And Article 22.0 (R-3 – Low Density Multiple Family Residential District) To Revise The Permitted Uses, And To Add Minimum Lot Area And Lot Width Standards For Permitted Uses Not Served By A Municipal Water Supply System And A Municipal Sanitary Sewerage System]

Sincerely,



Jerome R. Koupal

Public hearing was closed at 8:00 PM.

The Public Hearing for Amendments to Section 57.09 of the Zoning Ordinance was opened at 8:00 PM.

Comments and questions about the proposed changes by Commission members were discussed and answered by Rodney Nanney.

Public hearing was closed at 8:25 PM

Planning Commission meeting was opened at 8:25 PM

The proposed rezoning was discussed. Veenstra presented the following questions/concerns.

Section 58.05 of the Zoning Ordinance requires the Planning Commission to “identify and evaluate all factors relevant to the petition” and to report its findings of fact. The report is to include:

- A. Whether or not the requested zoning change is justified by a change in conditions since the original Ordinance was adopted, or by an error in the Ordinance.
- B. The precedents, and the possible effects of such precedents, that might result from approval or denial of the petition.
- C. The capacity of Lodi Township or other government agencies to provide any services, facilities, and/or programs that might be required if the petitions were approved.
- D. Effect of the approval of the petition on the condition and/or value of property in Lodi Township or in adjacent municipalities.
- E. Relation of the petition to the adopted General Development Plan of Lodi Township, and of other government units where applicable.

“A petition shall not be approved unless these and other facts are affirmatively resolved in terms of resource guardianship, public necessity, convenience, and safety, and the general welfare of Lodi Township and of other governmental agencies, where applicable.”

In my opinion, the information presented does not provide us with sufficient justification to report affirmatively on these items. You need to provide us with information addressing these items, and other concerns, before we can recommend approval.

The Impact Assessment has several inaccuracies, omissions, and inconsistencies.

- There are undeveloped areas within the Township that are either zoned R-3 or designated Suburban Residential in the General Development Plan (GDP). The applicant has provided no information why this parcel is better suited for this type of development than the areas designated in the GDP. The Suburban Residential and Rural Residential areas identified in the GDP are sufficient to handle SEMCOG growth forecasts for Lodi Township.
- Chapter 6 – Future Land Use of the Surrounding Area – ignores the Comprehensive Plan for Washtenaw County, the Saline Sustainability Circle Regional Planning Guidelines, and the Ann Arbor Greenbelt Strategic Plan. The SEMCOG forecasts were made before the slowdown of the Michigan economy

and reversal of growth in the region. Even so, the subject property is on the edge of SEMCOG's 2020 development area. There are many areas available and appropriately zoned in the region where this development could go. There is no discussion as to why this site is more appropriate for this development than areas already planned and zoned, some with utilities available.

- The Public Safety section (p. 12) in Chapter 5 only describes the existing situation. The section does not address the impact of 450 or 660 low-cost high-density housing units on fire and police needs. It also does not address the revenues required to meet these needs.
- There is no analysis of the financial impact to the Township. What additional costs will the Township incur in addition to the Public Safety items? What will be the anticipated tax revenues? This information is needed to determine "The capacity of Lodi township or other government agencies to provide any services facilities, and/or programs that might be required if the petition were approved." (58.05C)
- The Traffic Impact Study refers to a five-year buildout ending in 2012 (p. v). The Impact Assessment projects a nine-year buildout ending in 2018 (p. 12). Which is correct?
- How many housing units are anticipated? 448 (Traffic Impact Study, p. v), 450 (Impact Assessment p. 11), or 660 (Traffic Impact Study, p. 1)? Are these to be single-family houses or multi-family buildings?
- The Traffic Impact Study did not address either the intersection of Textile Road and Ann Arbor-Saline Road or the intersection of Wagner Road and Scio Church Road. It appears to me that the impact on these intersections will be measurable.

Steve Deak responded that the traffic impact study covered the radius requested by the Township, but that it could be expanded if required.

In your presentation tonight, you stated that your planned development would meet the General Development Plan's objective of discouraging sprawl. The General Development Plan plans for Suburban Residential development in specific places in order to discourage sprawl. These areas are contiguous with existing high-density areas in Ann Arbor and Saline. High-density development outside of these areas actually contributes to sprawl. Furthermore, high-density development is not a good transitional zoning adjacent to agricultural uses, as was stated in tonight's presentation.

Steve Deak questioned why there are so many questions now if the application was considered to be complete and allowed to go forward by Township officials.

Veenstra replied that he could not address that question directly since he was not involved in those discussions. That does not change the requirements in the Zoning

Ordinance that must be met before the Planning Commission can recommend approval of the petition.

Crowner read Section 22.01 second paragraph of the Ordinance “Areas not yet served by a municipal; water supply system and a municipal sanitary sewerage system shall not be developed with the principal residential uses of this district.” and asked why they were requesting R-3 when there were no municipal sewerage or water available.

Moved by Veenstra, seconded by Svenson, to table the request for rezoning for additional information from the developer regarding the questions and concerns of the Planning Commission. Motion passed 6-0.

Regarding the Amendments to Section 57.09 of the Zoning Ordinance, it was moved by Swenson, seconded by Thelen, to table the proposal pending the submission of a clear copy. Motion passed 6-0.

Wagner-Waters requested their project be removed from the agenda. Moved by Thelen, seconded by Veenstra, to leave the project on the table until 11/27/07 pending further information from the petitioner as to their plans. Motion passed 6-0

Don Pennington briefly discussed the survey and will have the full results available at the next Planning Commission meeting.

Thelen noted that the Cedar Ridge Equestrian Center was doing site work without approval while their project is tabled.

The minutes from the Planning Commission for 8/27/07 were reviewed. Moved by Thelen, seconded by Diuble, to approve the minutes. Motion passed 6-0.

Veenstra moved, seconded by Thelen, to adjourn the meeting at 9:25 PM. Motion passed 6-0.

Robert Crowner, Vice Chair.