

**Minutes of the Saline Sustainability Circle Meeting Held Tuesday,  
June 19, 2007, 7:00 pm, at the Pittsfield Charter Township Administration Building,  
6201 W. Michigan Ave., Ann Arbor MI 48108**

1. Meeting Called to order by Chairperson Lirones at 7:10 pm.
2. Present: David Rhoads, Leslee Niethammer, Jane Kartje, William Lockwood, Joe Zurwaski, Jan Godek, Jolea Mull, Ken Unterbrink, Carrie DeJonghe, Bob Crowner, Douglas Veenstra, Keith Fineberg, Jack Steeb, Joshua Long, Feliziana Meyer, Randy Richardville, Pam Byrnes, Kathy Angerer, Rebekah Warren, James R. Walter, Martha Churchill, Judith Walter, Val Cooper, Brian Shorkey, Larry Osterling, Gretchen Driskell, Laurie Leinbach, Art Trapp, Christina Lirones.
3. Minutes of May 15, 2007 were approved.
4. Chairperson Lirones introduced the State Legislators: State Senator Liz Brater, State Senator Randy Richardville, State Representative Kathy Angerer, State Representative Pam Byrnes, and State Representative Rebekah Warren. She thanked them for taking the time to attend the meeting and for their participation in the question and answer forum. The following questions were presented to the legislators, and following responses, the group engaged in a roundtable discussion on the issues.

***Question 1:***

*There has been a court decision known as the Lake Isabella decision which has fundamentally changed the process for building a Privately Owned Community Sewage System. In the past, any developer seeking a private sewage treatment permit (a discharge permit from the MDEQ) need the community to sign off on the application. Now, that is no longer required, and the decision rests entirely with the MDEQ, which simply doesn't have the people or funding needed to properly inspect and follow up on these facilities. The private systems often fail, as has occurred in Genoa Township which had multiple private systems that failed, and communities are left to take over a bad situation at great expense. Given the limitations of the MDEQ, can the State work to provide communities with the ability to approve or disapprove of these utility systems? Can the State come up with a way to correct the change that occurred due to the Lake Isabella decision? Townships and Washtenaw County have adopted their own ordinances regulating the systems; will the State assist in defending the local units' ability to monitor and require escrow funding from developers who use these systems? If the State can't fund the MDEQ, how can it put the MDEQ in charge of these systems?*

*A number of the local units in SSC are under pressure by developers who wish to place package sewage treatment plants in the communities, sometimes in areas outside of their planned utility districts, and often at densities contrary to their Plans. Can the State enact legislation that would require the MDEQ to refuse to consider permits when the project does not meet local zoning or where the development plan is not approved by the local community (developers often receive permits for high density projects where the zoning would not allow such a project, and then sue the communities for the high density use)*

*Comments from Liz Brater and Pam Byrnes, and from County Board of Commissioners Chair Jeff Irwin follow:*

*Letter from Liz Brater and Pam Byrnes in support of Lodi Twp, opposing approval of a discharge permit. The proposed project did not conform to the Township's land use plan or zoning.*

March 21, 2007  
Ms. Stephanie Swart  
Water Bureau – Permits Section  
525 West Allegan  
Lansing, MI 48933

Dear Ms. Swart:

You are currently reviewing a wastewater discharge permit application submitted on behalf of Fairview Land Development LLC. The discharge would be for a private wastewater treatment facility for 660 single family homes located on a 112 acre parcel in Lodi Township.

We have been in contact with a number of Lodi Township residents and local officials regarding their concerns with this permit application. These concerns center on the township's belief that there would be no economic or social benefit created by the issuance of this permit and that the applicant has not met their anti-degradation statement requirements. The main concerns with issuance of the Fairview Land Development LLC are as follows:

There is no need for additional single family residential units in the area. There is adequate housing stock already available and in fact, due to the stagnant housing market, the homes there currently are not selling. Economic and employment growth contributed by the project will be small. Issuance of the permit is contrary to the Township's land use plans and zoning regulations. This proposed housing development is set to unfold within the Green Belt in an agriculturally zoned area.

We hope that you continue to review this application and that the issues raised by the citizens of Lodi Township and their elected officials are seriously taken into account.

Thank you for your time and attention to this matter.

*Comments from County Commissioner Jeff Irwin, re: Privately Owned community Sewage Systems regulation by the County*

Earlier last month, the Board heard from a number of citizens and other interested parties about the regulation of privately owned community sewage systems. Building on our earlier work here in Washtenaw County to protect clean water and public health, Planning & Environment's Dan Myers and Dick Fleece presented the Board of Commissioners with a regulation that strives to ensure the proper construction and maintenance of privately owned community sewage systems.

We heard mostly from enthusiastic citizens and township officials who support the move by the County to get serious about protecting water quality from sewage systems that in other areas in Michigan have shown a propensity to fail - at great expense to the public and the natural environment.

The Board also heard from a few individuals concerned that this regulation is duplicative of the state's permitting processes. Unfortunately, I know all too well how poorly the state is doing in monitoring and maintaining water quality. You would think that in the "Great Lakes State" - where water is our number one natural resource and tourism is one of our top economic engines - we would be more serious about protecting our water. Regrettably, the money isn't there to support the MDEQ (Michigan Department of Environmental Quality), and permits are approved with insufficient scrutiny. Monitoring water quality is sporadic at best and even the drain pipes of the state's most toxic and voluminous polluters are only inspected once every few years.

***Question 2:***

*The State governs local zoning through the zoning enabling act. Municipalities adhere to the many requirements of the act, which has changed from time to time. Even though a local unit of government follows all of the rules and best practices of the State Law, developers who are unhappy with zoning denials simply go to court and have the courts rezone the property, with no regard for the local plans, ordinances, or even utility boundaries.*

*The SSC was initially formed as a regional planning group in the Saline area. A regional plan was created by the group, with the intention that it would be incorporated into the County's Comprehensive (Master) Plan. With Lodi Township, Pittsfield Township, Saline Township, and York Township currently involved in litigation to uphold their individual Plans and Zoning (that is, being sued by developers who wish to develop contrary to the communities' planning and zoning), what do you see as the State's role in supporting the local communities in these lawsuits? Do you envision the State as having a role in supporting local units that follow the laws? Smaller communities have no funds to defend against these lawsuits. Can the State do anything to give zoning laws more clout? Our communities are in jeopardy of being designed by judges with no particular understanding of land use planning, causing problems with community planning and the provision of infrastructure. Could a land use court be appointed with only judges who specialize in this area of law?*

***Question 3:***

*The Townships in SSC are gravely concerned about new HBs 4780-88, introduced May 17, which would impact 95% of the 1242 Townships in Michigan. These bills propose moving tax Collection, Elections, and Assessing from Townships to the Counties. What is your position on these bills? Why do State legislators believe this will save public dollars? This appears to be based on ideas similar to Election consolidation, which clerks from across the state opposed, making clear that it would increase costs dramatically. This has in fact occurred. Will State Legislators consider revoking Election*

*consolidation to conserve precious dollars our schools can ill afford? How will State legislators work with local units of government to avoid an expensive error like Election Consolidation from occurring with the current proposal to “consolidate” Township services with a unit (the County) which has an entirely different set of duties? We are also concerned about HB 4487 which would seek to tax public employee pension funds (MERS) for land investments, which are currently exempt. What is your position on this legislation?*

***Question 4:***

*How has the Single Business Tax been replaced? Will this affect the collection of personal property taxes in local units of government? Personal property taxes on mobile home parks (for decks, sheds, and stoops) cost us more to collect than we collect. Will the State consider repealing this requirement to tax these residents who can least afford it for such minor items?*

***Question 5:***

*The Michigan Prisoner Re-entry Initiative: With the re-entry program cut from 16 weeks to 8 weeks, are State Legislators comfortable that this program has received sufficient funding and attention? Will Legislators consider revising some drug sentencing guidelines which overcrowd our prisons with non-violent offenders?*

***Question 6:***

*Our group members generally support a modest increase in the income tax, to return it to previous levels or slightly increase to fix the State’s budget crisis, at least in part. Will you consider this option, rather than a mixture of new taxes and questionable “consolidation”? Wouldn’t this be a much simpler solution than creating new taxes that must then be administered and collected?*

The full group participated in a discussion on the questions and related issues.

5. Future agenda items: No July Meeting. August Meeting: Presentation by Jeff Krcmarik, County Environmental Services, on the new Environmental Portal on the County’s website at [www.ewashtenaw.org/ep](http://www.ewashtenaw.org/ep) and Presentation by Sue Santone on “Lessons from the Land,” a middle/high school curriculum covering issues rooted in land use: ecology, biology, pollution, government, planning, zoning, etc.
6. Meeting Notices: SSC Members noted upcoming events in their communities.
7. Next meeting dates and locations: August 21 at Saline Township Hall; September 18 at City of Saline Municipal Building, Council Chambers; October 16 at York Township Hall (if York is unavailable due to a meeting of the York ZBA, the meeting will be held at Lodi Township Hall); November 20 at Lodi Township Hall.
8. Motion by Walter, supported by Fineberg, to adjourn. Motion Carried. Meeting adjourned at 9:10 pm.

Respectfully submitted by Christina Lirones, on behalf of Secretary Art Trapp.