

1 Green Oak Charter Township  
2 Board of Trustees  
3 Regular Meeting Minutes  
4 October 3, 2018  
5

6 Roll Call – Susan Daugherty, Treasurer, Tracey Edry, Trustee, Richard Everett,  
7 Trustee, Daniel Rainko, Trustee, Mark St. Charles, Supervisor, Jim Tuthill, Trustee  
8

9 Absent: Michael Sedlak, Clerk  
10

11 Guests: 26  
12

13 **APPROVAL OF AGENDA**

14 Supervisor St. Charles added the following to the discussion portion of the agenda:  
15

- 16 1. South Fieldcrest pathway
- 17 2. Huron River contamination  
18

19 **Motion by Tuthill, second by Edry**  
20 **To approve the agenda as presented.**  
21

22 **Voice Vote: Ayes: Unanimous**  
23 **Nays: None**  
24

25 **MOTION APPROVED**  
26  
27

28 **PUBLIC COMMENT - None**  
29

30 **APPROVAL OF CONSENT AGENDA**  
31

- 32 1. Approval of the September 19, 2018 Regular Board Meeting Minutes
- 33 2. Approval of the submitted bills list in the amount of \$598,241.54  
34

35 **Motion by Edry, second by Rainko**  
36 **To approve the Consent Agenda as presented.**  
37

38 **Voice Vote: Ayes: Unanimous**  
39 **Nays: None**  
40

41 **MOTION APPROVED**  
42  
43

44 **DEPARTMENT HEAD REPORTS & REQUESTS**  
45

46 **Treasurer** – Treasurer Daugherty explained there is a new dog license program that  
47 residents can do online now or at the Township Hall. There is a penalty added if  
48 residents are late in getting the tags.

49 **Clerk** – No report

50 **Supervisor** – Supervisor St. Charles reported he received a letter of resignation from  
51 Joe Weinburger of the Zoning Board of Appeals. He expressed his thanks to Mr.  
52 Weinburger and his dedication to the Township.

53

54 **Motion by Edry, second by Daugherty**

55 **To accept Joe Weinberger’s resignation from the ZBA with regrets.**

56

57 **Voice Vote: Ayes: Unanimous**

58 **Nays: None**

59

60

61

62

63 Supervisor St. Charles distributed a letter from resident Suzy McCurdy who is  
64 requesting a ban of outside burning in the Township. He has spoken to the Fire Chief in  
65 looking at this in high density areas, but the problem is there is not a practical solution.  
66 He suggested putting this on the website as a survey question.

67

68 On October 30, the MTA is offering a seminar regarding the new lead and copper rules  
69 and he has already registered to attend.

70

71 He also distributed the report for 2018 regarding the Rushton Road contamination.

72

73

74 **BUSINESS ITEMS**

75

76

77 **A. Asher Farms Request Variance from Engineering Standards**

78

79 **Representing: Tom Nemis, Dave Harris, Joe Malecke, Pat Keough**

80

81 Mr. Nemis explained in the HOA documents there will be a duty to maintain the pipe  
82 and a reserve established for maintenance and replacement. The pipe that is proposed  
83 is steel reinforced concrete.

84

85 The request is for a variance to Section 5-6(B)(4) of the Green Oak Township  
86 Engineering Standards.

87

88 Mr. Keough explained they strongly feel that the original design as proposed is the best  
89 design for the project. The design meets the intent of the ordinance to provide safe  
90 storm water management, utilizes the natural topography of the site to minimize  
91 excavation and provides attractive building sites. By attempting to adhere to the strict  
92 wording of the engineering standards a number of hardships arise that make the end  
93 project much less desirable.

94

**MOTION APPROVED**

95 They have provided a detention pond in the middle of the site. They are maintaining  
96 water on their site and the only water that is getting out is at a restricted rate. They have  
97 used the natural hole, and this will also minimize the grading. Moving the pond to  
98 another area of the site would be detrimental and would require much more grading and  
99 filling of the site. He believes if they cut a channel then they are violating the best  
100 management practices since erosion would occur and there would be more potential for  
101 run off. They feel that they have accomplished everything in the ordinance. The  
102 overflow channel would be about 12-15' deep and they are doing the same thing with  
103 the pipe, the pipe is the outlet. He understood the intent of the ordinance and in this  
104 particular case it doesn't make any sense to force an outlet that is not natural.

105  
106 Mr. Nemis stated filling in the hole would have a direct impact on Rushton Road. Mr.  
107 Keogh stated if they filled it they have now taken away that storage ability that naturally  
108 drains from Rushton Road.

109  
110 Mr. Keogh stated this is the best soil he has ever seen in his career, it is very sandy soil.  
111 That pond will never be as full as the design is meant to be due to the permeability of  
112 the soil. The design can accommodate 3 back to back 100-year storms and that  
113 doesn't even take into consideration the sandy soil.

114  
115 Mr. Keogh stated another thing they can do to make it safer, there is a pipe that comes  
116 into the detention pond and they can put an outlet pipe and if there was a complete  
117 failure, this would back flow and go out and over flow to the northwest.

118  
119 Mr. Malecke included a picture of a natural ravine that runs from east to west.

120  
121 Ms. Zawada referenced the CES memo dated October 1, 2018. She explained the site  
122 has an existing depression and the applicant is proposing to use that depression area  
123 as the site's detention basin and there are numerous walk-outs proposed around this  
124 depression/detention basin.

125  
126 The item in the engineering design standards that the site fails to meet is the following:  
127 *"A overland flood route for a 100-year storm frequency shall be provided and shown on*  
128 *the plans. A minimum freeboard of six inches shall be provided from any building's*  
129 *exterior finished grade (brick ledge) to the 100-year flood elevation. The overland flood*  
130 *route shall be located in a 20-foot easement or a public right of way."*

131  
132 The purpose of the 100-year overland flood route is to avoid flooding if storm sewer  
133 pipes break, becomes clogged, etc. The only outlet for the proposed detention basin is  
134 a piped outlet. If the outlet pipe does break in the future the walk outs surrounding  
135 could be at risk for flooding without an overflow route.

136  
137 Mr. Keough explained there is 800-1000 feet of pipe and the deepest point would be 21'  
138 under the ground, there is only a short section of it that is that deep. Supervisor St.  
139 Charles stated he knows a lot of detention ponds in the area that aren't constructed  
140 properly and then it's turned over to the HOA, the odds are no one will understand what  
141 it takes to maintain it for the future.

142

143 Mr. Nemis explained they can establish a reserve for the sole purpose of maintenance  
144 and/or if it were to fail.

145  
146 Ms. Zawada explained a 100-year storm event is a 1% chance of happening so a back  
147 to back storm is extremely rare.

148  
149 Mr. Keogh explained they can set up a maintenance program in the master deed and  
150 set up a schedule to jet the pipe and set up a reserve fund.

151  
152 Mr. Harris also noted they have cameras that can be used to inspect the pipe and he  
153 explained the pipe is good up to 60' deep. He confirmed there will be no valves on the  
154 pipe.

155  
156 Trustee Everett stated they will need to put the maintenance required in the master  
157 deed, so going forward none of the property owners would be unaware. And there is  
158 some reserve fund to put in the plan so there is a structure of maintenance to make  
159 sure it is functioning as it should.

160  
161 Supervisor St. Charles stated the overland route does have issues and he is concerned  
162 with the pipe as well. Trustee Everett stated he would rather see a pipe, but he would  
163 want assurances that it will be maintained.

164  
165 Ms. Zawada stated she would recommend having the secondary back up pipe if they  
166 are inclined to grant the variance.

167  
168 Mr. Keogh stated they can do that by providing a stub out of the other section of pipe  
169 that provides secondary flow. Ms. Zawada agreed that would be reasonable.  
170 Supervisor St. Charles explained he would like to see provisions in the Master Deed  
171 some sort of maintenance fund or special assessment so in the vent there is a failure  
172 and the HOA does not fix it in a timely manner then the Township can enter onto the  
173 property, do the repairs and assess the cost to the subdivision, and with that they would  
174 have built in the safety factor and redundancy. The applicants all agreed with the  
175 reserve fund for maintenance of the pipe, having the information in the Master Deed  
176 and the secondary overflow pipe.

177  
178 **Motion by Everett, second by Tuthill**  
179 **To grant a variance from Chapter 17 of the Engineering Design Standards**  
180 **to vary from the requirement of the overland flood route from the detention**  
181 **pond by way of a 27" submerged concrete pipe based on plans submitted**  
182 **to the Township. Plus, conditional monies established to maintain such**  
183 **pipe line in perpetuity and a secondary overflow emergency pipe as**  
184 **discussed at the Township Board meeting of 10/3/2018.**

185  
186 **Roll Call Vote: Ayes: Everett, Daugherty, Tuthill, St. Charles**  
187 **Nays: Edry, Rainko**

188  
189 **MOTION APPROVED**

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191

192 **B. Resolution 18-2018, First Resolution Setting Public Hearing Northdale**  
193 **Paving Special Assessment District**  
194

195 Supervisor St. Charles explained he was approached by the residents to get the gravel  
196 roads paved. They have worked with the County Road Commission and was given a  
197 price to pave the roads.  
198

199 He referred to the petition certificate which states the total cost for the project will be  
200 \$699,950 and will be assessed in equal parts to each property owner of Northdale  
201 subdivision for a period of 10 years. The estimated assessment of \$1355.65 yearly per  
202 resident. The petition has been signed by record of owners with 64.06%. The total  
203 benefit is for 64 parcels with 41 parcels that signed the petition in the affirmative.  
204

205 **Motion by Edry, second by Everett**  
206 **To adopt Resolution 18 - 2018 First Resolution regarding certain proposed**  
207 **Road Improvements for Northdale Subdivision Road Paving Special**  
208 **Assessment District 2018 and to set the public hearing for November 7,**  
209 **2018 meeting at 7:00 p.m. at the Regular Township Board meeting.**  
210

211 **Roll Call Vote: Ayes: Unanimous**  
212 **Nays: None**  
213

214 **MOTION APPROVED**

215  
216  
217 **DISCUSSION ITEMS**  
218

219 **South Fieldcrest Pathway**  
220

221 Supervisor St. Charles provided the comparison from CES for this pathway regarding a  
222 grant eligible or a non-grant eligible pathway.  
223

224 Ms. Zawada explained the 10-foot-wide pathway will be more expensive but there may  
225 be Federal and SEMCOG funding available for 10 feet wide pathways. A 10' pathway is  
226 1.2 million dollars and could get funding for up to 80% of the soft costs.  
227

228 A 7' pathway will be about \$929,056.00 but is not grant eligible. She noted a 7 feet wide  
229 path will have less room for passing, or side by side traveling and would not have  
230 shoulders.  
231

232 They will discuss this item further and set a meeting to discuss it further.  
233

234 **Huron River Contamination**  
235

236 Trustee Edry read a question from one of her neighbors regarding concerns with the  
237 Huron River PFAS contamination as it relates to possible contamination of their well  
238 water. Ms. Zawada suggested contacting the DEQ and ask for labs that are equipped  
239 that can test for this.  
240

241 **COMMITTEE REPORTS**

242  
243 **EXECUTIVE SESSION** – None

244  
245 **PUBLIC COMMENT**

246  
247 **Judy Ruth, Crooked Lane** – She questioned if they can revoke the road paving, so  
248 they would end up with no cement roads? Supervisor St. Charles explained there is a  
249 petition of 64% to pave the road, they would have to have a petition greater than 64% to  
250 not pave the roads.

251  
252 **Burt Ruth, Crooked Lane** – He questioned where the 30” pipe will drain to. Supervisor  
253 St. Charles explained it will go to a wetland, which is at the Asher property in the  
254 northwest corner.

255  
256 **Gordon Seeley, Beach Park** – He likes the proposed bike path, and he uses the  
257 existing bike path and he would like to see it swept off because it gets a lot of rocks. All  
258 the water would be going to Crooked Lake from the Asher property and that concerns  
259 him.

260  
261 **Steve Lock, Crooked Lane** – He knows there is a public hearing coming up and he  
262 questioned as to what happens after the public hearing. Supervisor St. Charles  
263 explained the process and said the road paving would be done in 2019 but when its  
264 done is up to the County.

265  
266 **Tony Russo** – He questioned where the storm drain runs. Ms. Zawada explained  
267 everything is on Asher property and the pipe is buried. Ms. Zawada confirmed the pond  
268 is not a wetland and they are not filling it.

269  
270  
271 **ADJOURNMENT**

272  
273 The Board of Trustees meeting was adjourned at 8:35 p.m. due to no further business.

274  
275 Respectfully Submitted,

276  
277 Kellie Angelosanto  
278 Recording Secretary

279  
280 Approved as Submitted November 7, 2018

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282

283

284

285 \_\_\_\_\_  
286 Michael H. Sedlak, CMC  
287 Township Clerk

285 \_\_\_\_\_  
286 Mark St. Charles  
287 Township Supervisor

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