

SPRINGFIELD TOWNSHIP  
ZONING BOARD OF APPEALS  
May 20, 2015

Call to Order: Chairperson Wendt called the May 20, 2015 Zoning Board of Appeals meeting to order at 7:30pm at the Springfield Township Civic Center, 12000 Davisburg Road, Davisburg, MI 48350.

In attendance: Virginia Fischbach  
Denny Vallad  
Skip Wendt  
Bill Whitley

Absent: Dean Baker

PUBLIC COMMENT: None

AGENDA:

**Board members agreed to proceed with the agenda as presented.**

CONSENT: Minutes of the April 15, 2015 meeting and  
Minutes of the April 29, 2015 Special meeting

**Board member Whitley moved to APPROVE the minutes of April 15, 2015 meeting as presented. Supported by Board member Vallad. Voted yes: Fischbach, Vallad, Wendt, Whitley. Voted no: None. Abstain: Vallad. Absent: Baker. Motion approved.**

**Board member Whitley moved to APPROVE the minutes of April 29, 2015 Special meeting as presented. Supported by Board member Fischbach. Voted yes: Fischbach, Vallad, Wendt, Whitley. Voted no: None. Abstain: Vallad. Absent: Baker. Motion approved.**

OLD BUSINESS:

1. (TABLED FROM 4/15/2015 Meeting) Request from Jeffrey and Patricia Valenzuela, 6177 Wertz, Davisburg 48350 to allow the construction of an attached garage resulting in a total accessory area of 1821 square feet instead of the 983 square feet allowed per Springfield Township Code of Ordinances, Chapter 40, Section 40-649.

The property that is the subject of the request is located at 6177 Wertz in Springfield Township and is zoned R-2 One Family Residential. P.I. # 07-28-204-022.

Mr. Valenzuela stated that they adjusted the square footage and sent in a new print with 400 square feet of accessory square footage represented instead of 1800 square feet.

Board members confirmed that they received the new print.

Chairperson Wendt stated that the petitioner is now asking for 197 square feet over the allowable amount as per ordinance with the adjusted plan submitted. He clarified that they now have architectural drawings that show they are trying to reach something that is allowable.

Board member Vallad stated that it is now a much more reasonable request with the 20 feet by 20 feet accessory structure proposed. This would be the size of a small 2 car garage and with the existing unattached garage so far from the house, it makes sense to have the attached small garage part of the addition.

Board member Whitley and Fischbach concurred.

**Board member Whitley moved that the request be approved to allow for an addition to the existing home that results in an additional 400 square feet of accessory use which then results in a 197 square feet variance over the allowable accessory use area. Seconded by Board member Fischbach. Supported by Board member Fischbach. Voted yes: Fischbach, Vallad, Wendt, Whitley. Voted no: None. Absent: Baker. Motion approved.**

NEW BUSINESS:

1. Request from Jeffrey and Patricia Valenzuela, 6177 Wertz, Davisburg, 48350 for a variance to construct a septic system seventy (70) feet to the ordinary high-water mark of Big Lake rather than the one hundred (100) feet required per Springfield Township Code of Ordinances, Chapter 40, Section 40-639.

The property that is the subject of the request is located at 6177 Wertz in Springfield

Julia Turner, Powell Engineering, introduced herself to the Board. She stated that the current setback from a lake for a septic system according to Oakland County standards is 50 feet. They also went a little further and the setback variance that they are requesting is 30 feet variance from the Springfield Township ordinance which is a 100 feet setback required. She stated that the Norweco system proposed treats the affluent very well before putting it into the system which is pressure dosed and spread evenly throughout the system. She confirmed that it is an engineered system and is substantially better than a standard septic system. She stated that in the packet she included a performance studies which summarizes the benefits of the Norweco system. This system is approved by the State as well as by the County which actually allows them to reduce the bed size which they did not do in this case.

Board member Fischbach recommended putting in the record that the effluent and how it is treated versus a standard system. She stated that this is what makes the difference for her.

Mike Powell, Powell Engineering, introduced himself to the Board. He stated that he is the PE that designed the system and Julia is the Engineer providing the presentation. He continued that this system is a state-of-the-art pre-treated engineered septic system that out performs a normal septic tank about 10 times. Normal BOD of a septic system is about 350 to 500 ppm. This system gets the BOD down to about 60 ppm. It was pretreated to mitigate the distance to the water over a normal septic field.

Chairperson Wendt asked how long this technology has been in use.

Mr. Powell responded about 35 years in Ohio and it has since been expanded. He got the first one approved in Oakland County about 10 years ago and have had no problem with them Every time they are tested, it comes back with the same performance quality. He stated that part of the approval process is having a check every 6 months by a qualified licensed contractor to make sure it is still in operation. It is also deed restricted and any problem has to be immediately fixed by the contractor. The owners have to maintain that contract in perpetuity.

Board member Whitley asked what BOD stands for.

Mr. Powell answered bio oxygen demand which is a measurement of the degree of bacteria cleansing of the effluent. It not only reduces the sewage activity but it also reduces the nitrogen level which is the major component in the degradation of lakes and groundwater. It reduces the nitrogen level from 35 ppm to approximately 6-8 ppm.

Board member Vallad asked about the hearing that was held at Oakland County this morning.

Ms. Turner stated that this hearing was tabled to get more information. The 70 foot was the minimum area that they would accept for the septic area. They need approval from this Board to then go to the Health Department. She stated that Oakland County is waiting for further information on possible reorienting the tanks to get more area towards the proposed area. They would like to see the area larger while maintained the 70 foot and they are going to try to do that but they need approval from the ZBA first.

Board member Whitley asked if they wanted the tanks or the field area larger.

Ms. Turner answered the field area. She confirmed that they are not worried about the setback, they are concerned about the size of the field.

Board member Whitley asked if they had figured out how they are going to accomplish a larger field area.

Ms. Turner showed on the drawing displayed how they were going to expand the field. She stated that she feels that the Health Department will accept this plan.

Chairperson Wendt asked if they had the square footage area to accomplish what the Health Department is asking while maintaining the 70 feet.

Ms. Turner stated that she could not answer on whether or not they would get approval but without the 30 foot variance, they would be denied.

Board member Whitley clarified that the Health Department is looking at what area field they could install given a 100 foot setback and they have a concern about the field size. He confirmed that they are requesting a setback variance from this Board to make it a 70 foot setback so that they can provide adequate field area to satisfy the Health Department's requirement for field area.

Ms. Turner concurred.

Board member Vallad asked who put the ATU list together.

Mr. Powell answered that the manufacturer put it together. The Health Department investigated the current septic field that has been in place for 40 or 50 years and it is working fine. The Health Department doesn't necessarily have a field requirement, they just want it as big as they can get it. They asked why Powell Engineering didn't go to 50 feet and they responded that they wanted to provide a safety factor for the Township and not go right to the 50 feet that the County allows.

Board member Vallad stated that as he read through the literature regarding the studies that was provided he was concerned at the percentages of failures but then realized that these studies were 15 to 20 years old. He confirmed that the system was monitored.

Mr. Powell answered that it was not constant monitoring, but it is tied to the internet so that every time the contractor visits the property, he enters the performance into the website that the County can view and verify that it is working properly.

Board member Vallad stated that he was under the impression that there is an alert if the system has an issue.

Mr. Powell stated that if there is a failure, it automatically calls the contractor to come out and find out why.

Board member Vallad stated that there is another panel in the home that would indicate this as well.

Mr. Powell stated that it is an audible and visible alarm on the outside of the house.

Chairperson Wendt asked who is ultimately responsible to make sure that the system is functioning correctly.

Mr. Powell replied the Health Department requires a deed restriction informing the property owner that they are responsible for having a plan and contractor in place in perpetuity. The Health Department reviews it every 6 months by using the online system.

Board member Whitley asked if there was DEQ monitoring involved.

Mr. Powell answered no; it is entirely up to the Oakland County Health Department.

Chairperson Wendt asked what triggers the 6 month review.

Mr. Powell answered that this is contractual and the contractor has to come out every 6 months to make sure the property maintenance is performed. He stated that the contractor is bonded, licensed and approved by the manufacturer.

Board member Whitley asked if this was a replacement of the existing field or an expansion of the existing field.

Ms. Turner answered a replacement. The existing field will stay in the ground. The septic tank will be abandoned per Oakland County requirements. There will be no more connection to the bed system.

Board member Fischbach stated that the new engineered systems are the only way she would approve anything closer than 100 feet.

Board member Vallad stated that they have seen a number of these and this performance provides them a lot of protection and the best plan that they have seen.

**Board member Whitley moved to approve the request for locating at septic field at 70 feet setback from the existing water line rather than the required 100 feet by the ordinance given that it is an engineered pre-treatment system that requires continuous maintenance agreement on the part of the homeowner and given that it has continuous local monitoring and alerting. Seconded by Board member Vallad. Voted yes: Fischbach, Vallad, Wendt, Whitley. Voted no: None. Absent: Baker. Motion approved.**

Board member Whitley stated that the presentation of the system was very good.

Board members discussed the late arrival of the packets and how some of the Board members did not receive their packets at all (Wendt, Whitley). Supervisor Walls stated that the Supervisor's office would look into a different method of delivery that was more predictable because they were mailed out in more than enough time to reach all members. Email distribution was suggested.

ADJOURNMENT:

**Board member Whitley moved to ADJOURN the meeting at 7:56 PM. Seconded by Board member Vallad. Voted yes: Fischbach, Vallad, Wendt, Whitley. Voted no: None. Absent: Baker. Motion approved.**

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Erin Mattice, Recording Secretary