



Pittsfield Charter Township Planning Commission

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Mandy Grewal, Supervisor

RESOLUTION #1 FINDINGS OF REQUIRED STANDARDS Sauk Trail Meadows RZ 22-02 December 1, 2022

The Pittsfield Township Planning Commission hereby makes the following findings of required facts from Article 18.06 of the Pittsfield Township Zoning Ordinance for a Zoning Amendment Petition as RZ 22-02, received by the Township on August 18, 2022, requesting a map amendment to rezone a parcel (L -12-32-100-008) from AG, Agriculture to R-2, Low Density Multiple Family Residential; and

a) The conditions, proposed development, and/or proposed use of the land are designed or proposed for public health, safety, and welfare purposes.

The applicant has voluntarily offered the following conditions:

- Limit maximum density to 2.5 dwelling units per acre
- Limit building height to 30 feet/ 2 stories
- Limit permitted uses to one-family dwelling, one-family attached, and two-family attached dwellings
- Limit conditional uses to the property to a private sanitary sewer system

We find that the conditions offered do not protect public health, safety and welfare, as they are 1). Proposing a development that is 2.5 to 6 times denser than the current zoning allows and planned for in the Master Plan; and 2). Proposing a private sanitary sewer system, which is unconventional in Pittsfield Township.

b) The conditions, proposed development and/or proposed use are not in material conflict with the Master Plan, or, if there is material conflict with the Master Plan, such conflict is due to one of the following:

- 1. A change in Township policy since the Master Plan was adopted.***
- 2. A change in conditions since the Master Plan was adopted.***
- 3. An error in the Master Plan.***

The Master Plan designates the subject site and properties to the east, west and south as Rural Residential. The Rural residential future land use classification is intended to accommodate low-density residential development on large lots. The area is outside the urban service boundary and, as such, the minimum lot sizes are larger to allow for individual well and septic for each lot. The equivalent zoning district in the Master Plan

is AG, Agriculture with a minimum lot size of 2.5 acres, or perhaps R-1A with a minimum lot size of 1 acre. Based on the master plan, the density of the site should be a maximum of 14 to 36 lots. The proposed concept plan demonstrates a density over 2 to 6 times the allowable density contemplated in the Master Plan.

Additionally, the property is located within the Agricultural and Natural Open Space Preservation area demonstrated on page 172 of the Master Plan and is not located within the Public Utility Service Area. Because the minimum lot sizes are large, well and septic systems can provide for water and sanitary disposal needs and therefore these areas are not planned for public utilities.

The recently adopted Township Preservation Plan outlines the vision, guidelines and recommendations outlined to Pittsfield Township to, proactively, begin working more aggressively toward preservation and expansion of its green and open spaces. The policy guidelines outlined in the document are intended to coordinate with the goals/objectives of related documents also committed to furthering sustainability in Pittsfield, including the Stormwater Management Plan, Invasive Species Plan and Energy Management Plan. The site is identified on the Preservation Plan as "Agriculture". We find that the concept plan does not preserve the site as intended or propose a development that sensibility protects open space.

We find that the proposed development is not consistent with the intended future use outlined in the Master Plan. Therefore, in order to rezone the property to accommodate for the proposed development, the Township would have to consider amending the Master Plan. During the recent update to the Master Plan, the applicant submitted a letter requesting a change to the future land use plan. The Planning Commission considered the letter but did not make the change as requested.

The Master Plan is the primary policy document which guides development in the Township, and all land use decisions that come before the Planning Commission and Township Board should be in general compliance with the Master Plan.

The proposed development is not consistent with the intended future use outlined in the Master Plan and is contrary to the ongoing township effort to preserve agriculture and open space. The proposed number of units is not consistent with the surrounding land use, the number of units is not permitted in the ordinance, and the requested density would require a significant deviation from the Master Plan. There are other development means that would allow for preservation of open space and natural features, not require a private sanitary system, not require a rezoning, and provide a density greater than what can be achieved under the underlying zoning but more consistent with the surrounding area.

- c) The conditions, proposed development and/or proposed use are in accordance with all terms and provisions of the zoning district to which the land is to be rezoned, except as otherwise allowed in the conditional rezoning agreement.***

The applicant is proposing a private sanitary sewer system, which is not accepted in Pittsfield Township and would require a variance.

d) Public services and facilities affected by a proposed development will be capable of accommodating service and facility loads caused by use of the development.

The site is located outside of the utilities service boundary. The utilities service boundary has been consistently planned to preserve the township agricultural and sensitive natural features areas. Properties outside of the utilities service boundaries are found in areas of the township that are typically agricultural use and/or provide areas of natural features, and open space.

Because of a lack of utilities these areas are planned and zoned for large lot residential, natural features and open space preservation, and continued agricultural use.

Due to lack of utilities, the applicant is proposing to construct a private sanitary sewer system. Private and community wastewater systems are generally frowned upon by municipalities because:

1. They are maintained by the homeowners association, and thus they have a higher chance of failing.
2. If and when they fail, the homeowners association often doesn't have the capacity to repair/replace. In this case, the HOA often turns to the State to maintain and replace.
3. If the site is located outside the utility district, when a private system fails, the site cannot be hooked into the public system.

Due to the proposed density of the development, public services and facilities affected by a proposed development will not be capable of accommodating service and facility loads caused by use of the development.

e) The conditions, proposed development and/or proposed use shall ensure compatibility with adjacent uses of land.

The development is adjacent to active farmland, protected open space and natural features, vacant property, low density residential, and Michigan Avenue. The proposed conditional rezoning, with the conditions offered, would provide for a proposed density much greater and not consistent with the adjacent properties.