

Casco Township  
4512 Meldrum Road  
Tel. (586)727-7524, Fax (586)727-3034  
Web Site: cascostclair.com  
Zoning Board of Appeals  
Special Meeting  
September 13, 2018  
7:00 PM

**Call to Order**

Chairman Pankiewicz calls the meeting to order at 7:00 PM with the Pledge of Allegiance.

**Present:** D. Allagreen, S. Bishop, D. Goulston, A. Inson, H. Mancini, S. Pankiewicz

**Motion – To Approve Minutes**

D. Allagreen moves to approve the minutes of the Administrative Meeting of the Zoning Board of Appeals held July 12, 2018. S. Bishop seconds the motion. M/C

**Motion - to Approve Agenda**

S. Bishop moves to approve the agenda as submitted. D. Allagreen seconds the motion. M/C

**Discussion From the Floor/Reports from Committees**

Supervisor Reumenapp is present and notes that the County Planning Commission will hold a workshop this fall. He will notify those interested of the date and time as soon as they are available.

**Motion to Open a Public Hearing – Appeal- 2018**

S. Bishop moves to open a public hearing for Appeal 2018-3. D. Allagreen seconds the motion. M/C

**Appeal 2018 - Joe Van Hauerbeck, ABC Construction**

Joe Van Hauerbeck of ABC Construction, 19240 29 Mile Road, Ray, Michigan 48096 requests a variance to Section 13.7, Paragraph 9 of the Zoning Ordinance to allow a setback of 50 feet for a well rather than 100 feet to the edge of a pond required by the ordinance.

The variance is requested for Parcel 74-012-034-4006-00, 5861 Meldrum Road owned by Lisa Wilson, 74275 Nornan Ct. Romeo, MI 48065. Mrs. and Mr. Wilson are present for the hearing.

*Approved*  
*Jan 10, 2019*  
*Donald Goulston*  
*Secretary*

Mr. Van Hauerbeck, who is building a residence for Mr. and Mrs Wilson, explains that the well was drilled before he became aware of the 100 foot requirement for the distance of the well from the pond. He states the well produces 20 gallons per minute and finding a good well can be difficult in this area, particularly a well with such a good flow rate.

Zoning Board members concur that it is often difficult to obtain a good well in many areas of the township.

He states that the well was inspected and approved by the County Health Department. Drilling another well 100 feet from the pond could cost \$5,000 or more with no guarantee of finding water.

Supervisor Ruemenapp notes that the distance requirements of a well from a pond vary from township to township. A list of State of Michigan requirements for well distance from various property features was provided with the appeal.

D. Goulston notes that the minimum well isolation distance specified by the Michigan Department of Environmental Quality Water Division, Groundwater Section Well Construction Unit in a list provided in the appeal information packet is 10 feet from a pond.

Supervisor Ruemenapp suggests that the Ordinance may not apply to an existing pond. D. Goulston states that he believes the ordinance requirements cover existing ponds. Members of the Zoning Board agree that it would be beneficial for the Planning Commission to review the ordinance.

Chairman Pankiewicz inquires about the depth of the well. Mr. Vanhauerbeck states that the well is about 110 feet deep. It is also noted that grout is required to seal the well casing to prevent surface water from getting into the well.

Mr. Van Hauerbeck adds that the well location was selected after he located an underground stream using a traditional technique his father taught him. The property owner decided that the location Mr. Vanhauerbeck suggested was right for the well, which proved to be the case.

#### **Motion to close the public hearing.**

D. Allagreen moves to close the public hearing. S. Bishop seconds the motion. M/C

#### **Motion – To Grant Variance 2018-3**

D. Allageen moves to grant a variance to Section 13.7 Paragraph 9 of the Zoning ordinance to permit a well that is 50 feet from an existing pond rather than 100 feet required by the ordinance. S. Bishop seconds the motion. M/C

### **Reasons for Granting Variance 2018-3**

1. It would not be reasonable to require drilling another well since there is often difficulty locating an adequate water supply in Casco Township.
2. No harm is foreseen in permitting a setback of 50 ft for the well in question.
3. It is unnecessarily burdensome to require drilling another well since the expected cost \$5,000 or more.
4. There is no certainty that drilling another well would result in an adequate water supply.
5. The pond, septic field, and location of the residence constrain options for relocating the well.
6. The well in question was approved by the County Health Department and is expected to provide a more than an adequate safe water supply for the residence.
7. There do not appear to be any health, safety or other compelling reasons to require the well to be 100 feet from the pond in this situation.
8. There is no apparent intent to deliberately violate the ordinance, only an effort to drill a well where the owner and contractor determined water would most like be found.
9. In comparing local townships there is not consistency, consensus or a common stated rationale regarding how far a well should be located from a pond.
10. The State of Michigan Department of Environmental Quality minimum isolation distance for well from a pond is 10 feet.
11. The well in question is five (5) times the minimum isolation distance from a pond required by the State of Michigan Department of Environmental Quality.

### **Motion to Adjourn**

D. Allagreen moves to adjourn. S. Bishop seconds the motion. M/C

The meeting adjourned at 7:40 PM.

I do hereby swear that all the statements, signatures, descriptions and exhibits submitted on or with this application are true and accurate to the best of my knowledge and that I am authorized to file this application and act on behalf of all owners of the property.

[Signature]  
Signature of Applicant

8-16 2016  
Date

Office Use Only

Date Received \_\_\_\_\_ By: \_\_\_\_\_ Fee Paid: \_\_\_\_\_

Public Notices Sent (Date) \_\_\_\_\_

ZBA Hearing (Date) \_\_\_\_\_

- Approval
- Approve With Conditions
- Denial

Case # ZBA 2018-3

DECISION: The request was GRANTED / DENIED for the following reason:

Please See Attached Sheet  
"Reasons For Granted  
Appeal 2018-3"

Casco Township Zoning Board of Appeals  
St. Clair County, Michigan

[Signature]  
Signature of Secretary

Sept 13, 2018  
Date

**Attachment**

**Appeal 2018  
Zoning Board of Appeals Decision**

**Reasons Granting 2018-3**

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2. No harm is foreseen in permitting a setback of 50 ft for the well in question.
3. It is unnecessarily burdensome to require drilling another well since the expected cost \$5,000 or more.
4. There is no certainty that drilling another well would result in an adequate water supply.
5. The pond, septic field, and location of the residence constrain options for relocating the well.
6. The well in question was approved by the County Health Department and is expected to provide a more than an adequate safe water supply for the residence.
7. There do not appear to be any health, safety or other compelling reasons to require the well to be 100 feet from the pond in this situation.
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