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**DEVELOPMENT SERVICES
DEPARTMENT**

Jeffrey M. Polkowski, AICP
Superintendent of Planning &
Zoning Division

Dave Hills
Superintendent of Building
Division

MEMORANDUM

Date: November 15, 2022

To: Honorable Charter Township of Waterford Board of Trustees

From: Jeffrey M. Polkowski, Superintendent of Planning and Zoning

RE: Proposed Special Assessment District for the Eradication or Control of Aquatic Weeds and Plants for Crescent Lake

It was presented to Waterford Township by a group of concerned lakefront owners several years ago that Crescent Lake contained a detrimental amount of invasive aquatic plants and weeds known to threaten the biodiversity of lakes, threaten navigation and recreational activities, decrease property values, and also harbor bacteria and other nuisance algae that are not beneficial to a lake's ecosystem. In an attempt to address this concern this same group circulated a petition requesting Waterford Township initiate proceedings to establish a Special Assessment District (S.A.D.) to fund the eradication or control of aquatic weeds and plants in accordance with Act 188 of the Public Acts of 1954, as amended (Act 188). Ultimately, a S.A.D. program was approved by the Board in 2013 with the final treatment to occur in 2018.

After the final weed control treatment this same group circulated a petition requesting Waterford Township initiate proceedings to establish another S.A.D. that was approved by the Board in 2018 with the final treatment to occur in 2023.

Once again, petitions have been presented to Waterford Township by this group of concerned lakefront owners with access to Crescent Lake, to request a S.A.D. for aquatic weed control.

The Development Services Department has reviewed the enclosed petitions recently submitted by the group and has verified that signatures representing 70% of the total land area within the proposed district determined to benefit from such a program are in favor of moving forward with the S.A.D. process.

For the Board's benefit, Act 188 states that if a petition is required by the Board for this type of improvement, then it shall contain the signatures of record owners representing more than 50% of the total land area within the proposed special assessment district as finally established by the Board. Further, Waterford Township's own policy, initially instituted for road improvement projects and now used for all requests received under this statute, stipulates that a petition shall have signatures representing at least 60% of the qualifying criterion as defined in the act prior to any further consideration. Due to the complexity of the work typically involved in preparing preliminary plans and subsequently establishing an estimated cost for such improvements, the 60% threshold was established as a safeguard to protect against losing the preliminary investment made

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boundaries**

by the Township towards the establishment of an S.A.D. on behalf of petitioners. Per Act 188, the Township can only recoup these preliminary costs associated with the making and or financing of an S.A.D. if said S.A.D. is finally established. If the Board determines that the petitions presented comprise a sufficient number of property owners, the next step in the process is for the Board to direct Township staff to issue a Request for Proposals (“RFP”) to provide plans and a cost estimate of the cost of providing the control of weed in Crescent Lake. Once the RFP responses have been received, staff is required to file the cost estimates with the Clerk. The Clerk is responsible for providing the responses with the plans and specifications for providing week control to the Board to determine whether it tentatively wishes to proceed with the improvement and to tentatively designate an S.A.D.

Should you have any questions, please do not hesitate to reach out to this office.

**RESOLUTION TO CAUSE PLANS TO BE PREPARED
FOR CONSIDERATION OF THE INTENT TO FORM
A CRESCENT LAKE
SPECIAL ASSESSMENT DISTRICT FOR
THE CONTROL OF WEEDS IN CRESECENT LAKE AND RELATED
SERVICES PURSUANT TO 1954 P.A. 188, AS AMENDED**

WHEREAS the record owners of more than fifty (50%) percent of the property affected by a proposed special assessment district for the control of weeds in Crescent Lake located within the Charter Township of Waterford (“Township”) have filed a petition requesting such a district be formed for that purpose; and

WHEREAS before the Township Board can determine if these improvements should be made, it shall cause to be prepared plans and specifications describing the location of the improvement with an estimate of the cost of the improvement.;

NOW THEREFORE BE IT RESOLVED THAT:

The Township Supervisor has determined that the petition presented was sufficient to present to the Township Board.

The Township Board requests that its staff issue a Request for Proposals to provide plans and an estimate of the cost of providing the control of weeds in Crescent Lake to be filed with the Clerk.

BE IT FURTHER RESOLVED THAT the responses with the plans and specifications concerning providing weed control in Crescent Lake shall be presented to the Board of Trustees by the Clerk, for the Board to determine whether it tentatively wishes to proceed with the improvement and to tentatively designate a special assessment district.

CERTIFICATION

I hereby certify that this Resolution was adopted by the Charter Township of Waterford Board of Trustees at a regular meeting on November 28, 2022.

Charter Township of Waterford

Date

Kimberly Markee, Township Clerk