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MEMORANDUM

To: Rich LaBombard, City Manager, City of the Village of Douglas
Date: November 16, 2022
From: Tricia Anderson
RE: **749 Golfview Drive – Request for Water Well**

The purpose of this memorandum is to give a bit of background information related to the request for the City Council to permit a well within the City limits. Mr. Tim Smith, owner of 749 Golfview Drive, has requested City Council approval for the drilling of a well on his property. Mr. Smith's rear yard contains a man-made pond, which he has indicated has intermittently become shallower in the summer months when there isn't much rain. He would like to pump water from the well to fill his pond during these dry times, instead of using municipal water, which he is connected to. Mr. Smith has indicated that the well will not be used for drinking water purposes.



Title 5, Public Works, Section 50.071(I) of the City of the Village of Douglas Code of Ordinances requires City Council approval for water wells to be located anywhere within the City limits. The Allegan County Health Department's (ACHD) Environmental Health division is the agency that issues permits for wells and septic systems. Their process cooperatively requires City Council Approval before issuing a permit for a well.

(I) Water wells. City Council approval will be required prior to applying for a permit from the Allegan County Health Department to construct a water well on private property anywhere in the city. Approval is at the discretion of the City Council and must include a finding that no practical or financially feasible solution is available to provide public water service to the property. Existing water wells approved by the Allegan County Health Department that provide the only source of potable water for a single parcel are considered conforming under § 50.071(A), and may be continued until either the casing or the screen of their well fails at which time connection to a public water main, if available, shall be required.

Our interpretation of the intent of the above ordinance is to prevent the use of water wells in areas where municipal water is available and a property owner would prefer not to incur the financial burden of the connection costs. In this case, the property owner is already connected to municipal water, but would like a secondary water source to fill his pond. We reached out to the ACHD to inquire about whether there was a different process for a scenario such as this, and the response was that City Council approval was still needed for a well permit to be issued.

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I have attached several emails to this memorandum from our correspondence with the ACHD, City Engineer, Ken Bosma (Prein & Newhof), and the property owner, Mr. Smith. In this correspondence, you'll find the evaluation of the request to place a well on the property, along with Mr. Bosma's suggestion to complete the Water Withdrawal Assessment (WWA) tool on the EGLE website to determine the impact that the extraction of water in this location may have on the aquifer. The result of the WWA is included with this memorandum for your reference. Mr. Bosma indicates that the result did not appear to report anything out of the ordinary in terms of impact on the aquifer. The ACHD will make the final determination in evaluating the impacts on the aquifer or the surrounding land.

If the City Council approves the request to place a well on the property at 749 Golfview Drive, Mr. Smith will then submit his application to the ACHD for the well permit, supplemented by the Council's written approval.

In it's consideration to approve the well, the City Council must find that "no practical or financially feasible solution is available to provide public water service to the property". As stated earlier in this memorandum, this provision of the general ordinance may not apply to this situation, since the subject parcel is already connected to municipal water, therefore, this finding may not be appropriate to be met.

I have prepared a suggested motion for the City Council to consider below:

"Motion to approve the well to be constructed on the parcel located at 749 Golfview Drive, subject to the approval of the ACHD, and based on the finding that the well is only for irrigation purposes and to fill the man-made pond on the property"

Please do not hesitate to contact us with questions.

Allegan County Parcel Number: 59-450-011-00



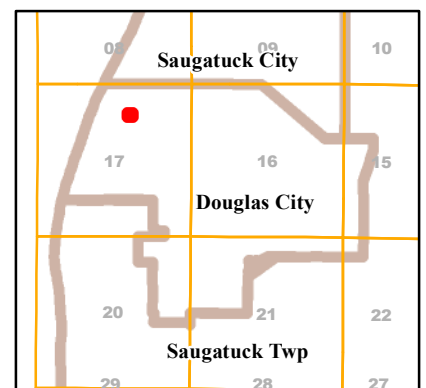
0 30 60 120 Feet

Address: 749 Golfview Dr
Owner: Smith Timothy C & Sharon L
Acres: 0.7



The information contained herewith has been compiled from recorded deeds, plats, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise.

Image Year: 2019-2020 Map Date: 8/26/2021



Anderson, Tricia

From: Ken Bosma <KBosma@preinnewhof.com>
Sent: Wednesday, November 2, 2022 3:25 PM
To: Anderson, Tricia
Subject: RE: [External] FW: WWAT-Registration/Site Specific Review Receipt

Appears appropriate.

Kenneth A. Bosma, P.E.

Prein&Newhof

t. 616-394-0200 d. 616-432-6691

f. 616-364-6955

[Website](#) | [Blog](#) | [LinkedIn](#)

From: Anderson, Tricia <Anderson@williams-works.com>
Sent: Wednesday, November 2, 2022 2:21 PM
To: Ken Bosma <KBosma@preinnewhof.com>
Subject: [External] FW: WWAT-Registration/Site Specific Review Receipt

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Hi Ken,

I'll have him apply for the well and go to the council. He did the assessment tool – I'm wondering if you see anything out of the ordinary in the result.

Thanks !

Tricia Anderson

Planner + Project Manager

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(616) 224-1500 | (800) 224-1590

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From: Timothy Smith <tcs4654@gmail.com>
Sent: Wednesday, November 2, 2022 9:34 AM
To: Anderson, Tricia <Anderson@williams-works.com>
Subject: WWAT-Registration/Site Specific Review Receipt

[https://link.edgepilot.com/s/2284a5fe/YcJ4fc8U9EO-0ko6tZ7axw?u=https://www.egle.state.mi.us/wwat/\(S\(vvhnhtqnx3onuifsrray5tnn\)\)/register_receipt.aspx?regid=8712-202211-7](https://link.edgepilot.com/s/2284a5fe/YcJ4fc8U9EO-0ko6tZ7axw?u=https://www.egle.state.mi.us/wwat/(S(vvhnhtqnx3onuifsrray5tnn))/register_receipt.aspx?regid=8712-202211-7)

Thanks Tricia. I filled out the form and the registration passed (attached). Please advise on next steps—thank you!

Tim

Anderson, Tricia

From: Ken Bosma <KBosma@preinnewhof.com>
Sent: Wednesday, November 2, 2022 8:56 AM
To: Anderson, Tricia; Rich LaBombard ; Jennifer Pearson
Subject: RE: [External] Well - 749 Golfview

Tricia, the tool will not tell if it impacts other wells, but is a requirement of the State depending on how much they withdraw. Council, if it wishes to approve, should make a condition that if any existing wells in the area are impacted, this applicant will address the issue with the other property owner(s) at the applicant's expense.

Kenneth A. Bosma, P.E.

Prein&Newhof

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From: Anderson, Tricia <Anderson@williams-works.com>
Sent: Wednesday, November 2, 2022 8:35 AM
To: Rich LaBombard <rlabombard@douglasmi.gov>; Jennifer Pearson <Douglas@douglasmi.gov>; Timothy Smith <tcs4654@gmail.com>
Cc: Ken Bosma <KBosma@preinnewhof.com>
Subject: [External] Well - 749 Golfview

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Good Morning Tim,

I have reached out to the City Engineer about the well inquiry to determine if this is a case we would send to City Council for review. He recommends first using the water withdrawal assessment tool to ensure that your use of groundwater does not significantly impact other existing wells in the area. If the council approves your request for the well, you will then work with the health department on getting the well permit.

https://link.edgepilot.com/s/ec21cd54/ju7pj29-tk_dREstmRQkdg?u=https://www.michigan.gov/egle/about/organization/water-resources/water-use/water-withdrawal-assessment-tool

Once you complete the WWA using the tool in the link above, please forward me EGLE's determination. We can then get you set up on an agenda for the City Council.

Please let me know if you have further questions.

Tricia Anderson

Planner + Project Manager

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From: Ken Bosma <KBosma@preinnewhof.com>
Sent: Wednesday, November 2, 2022 7:05 AM
To: Anderson, Tricia <Anderson@williams-works.com>
Subject: RE: [External] Fwd: two questions

Tricia, based on this I suggest that they proceed to get City Council's approval even though it is not for domestic use. This is based on the information you provided to me in your email dated November 1, 2022.

I think when the City considers this, they should consider if there are any impacts on other existing wells in the area or any contaminants in the area. I am hopeful some of those answers can be obtained by the Health Department. An EGLE water withdrawal registration should also be considered if needed. EGLE has a water withdrawal assessment tool online for them to help work through that.

Kenneth A. Bosma, P.E.

Prein&Newhof

t. 616-394-0200 d. 616-432-6691

f. 616-364-6955

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From: Anderson, Tricia <Anderson@williams-works.com>
Sent: Wednesday, November 2, 2022 6:08 AM
To: Ken Bosma <KBosma@preinnewhof.com>
Subject: [External] Fwd: two questions

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Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: Timothy Smith <tcs4654@gmail.com>
Sent: Tuesday, November 1, 2022 5:29:12 PM
To: Anderson, Tricia <Anderson@williams-works.com>
Subject: Re: two questions

It's man-made and has a fabric barrier covering a sand bottom.

On Nov 1, 2022, at 2:23 PM, Anderson, Tricia <Anderson@williams-works.com> wrote:

Hi Tim,
Is your pond naturally occurring or is it man-made and lined with some kind of barrier or clay?

Tricia Anderson
Planner + Project Manager

williams&works

From: Timothy Smith <tcs4654@gmail.com>
Sent: Tuesday, November 1, 2022 9:54 AM
To: Anderson, Tricia <Anderson@williams-works.com>
Cc: Rich LaBombard <rlabombard@douglasmi.gov>; allegane@allegancounty.org; Jerry Donovan <jdonovan@DouglasMI.gov>
Subject: Re: two questions

Tricia,

Thank you for the follow-up. Yes, we have municipal water, which serves both our household needs as well as our irrigation system. Our proposed well **isnot** for potable water, it is solely for periodically filling our pond in the back yard in late summer and early fall when dry conditions can significantly lower the water level, to the point where the fish and other aquatic creatures in the pond are at risk, and we are also unable to use our waterfall that feeds the pond because of the risk of undermining the supporting rock structure below it without adequate water. Given that, please advise on next steps—thanks!

Tim

On Nov 1, 2022, at 8:41 AM, Anderson, Tricia <Anderson@williams-works.com> wrote:

Good Morning Tim,
I was forwarded this email string as it's my understanding you're still trying to get an answer to your question! I was able to find Section 50.071(I) of the Code of Ordinances pertaining to the use of wells in the city where municipal water is present.

<image001.png>

So it sounds like the Allegan County health department needs an approval from the City before they can issue a well permit, however, this section seems to apply to parcels that do not have access to municipal water. I have the health department general email copied here to hopefully weigh in on this issue.

Tim, are you able to confirm that you do have municipal water?

Tricia Anderson
Planner + Project Manager

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From: Rich LaBombard <rlabombard@douglasmi.gov>
Sent: Monday, October 31, 2022 8:57 AM
To: Anderson, Tricia <Anderson@williams-works.com>
Cc: Jerry Donovan <jdonovan@DouglasMI.gov>
Subject: FW: two questions

Morning Tricia,

Mr. Smith of 749 Golfview has stated he's receiving conflicting information about a well for pond filling. I know you referred him to the Health Department as they issue well permits, but now it sounds like the health department is seeking some sort of approval from the City. Can you review and respond to Mr. Smith?

Thanks

Rich LaBombard

From: Jerry Donovan <jdonovan@DouglasMI.gov>
Sent: Friday, October 28, 2022 3:15 PM
To: Timothy Smith <tcs4654@gmail.com>; Rich LaBombard <rlabombard@douglasmi.gov>
Subject: Re: two questions

Mr. Smith thank you for your correspondence. Douglas City Council is currently reviewing the issue of the marina in The Township at the river mouth. Keep you posted.

I'm cc'ing our City Manager on the well permit and I believe Zoning would be involved.

I will follow up with them as well.

JD

From: Timothy Smith <tcs4654@gmail.com>
Sent: Wednesday, October 26, 2022 1:07 PM
To: Jerry Donovan <jdonovan@DouglasMI.gov>
Subject: two questions

Hello Jerry,

The Coastal Alliance was really happy to have the Saugatuck City Council approve a 60+ point resolution to be sent to the Army Corps of Engineers to recommend denying a permit for the NorthShore canal excavation at the Kalamazoo river mouth. Is the Douglas City Council ready to make a decision on this at next week's meeting?

Also, I've received some conflicting information on the process to obtain a permit to dig a well on our property for the purpose of periodically filling our pond/waterfall when the level goes down. I spoke with Trisha Anderson, who referred me to the Allegan County Environmental Health Dept., who said I need to get a permit or approval from the city of Douglas before they could issue a well permit. What is the process for such approval from the city of Douglas? Thank you!

Timothy Smith
749 Golfview Drive
630-992-7777



Water Withdrawal Assessment Tool


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Registration Receipt

Registration ID: 8712-202211-7
Date Passed: 11/2/2022


IMPORTANT - PLEASE READ

This registration is only valid for the withdrawal characteristics listed below. Any changes MUST be authorized by modifying the registration before making the withdrawal. To modify this registration, rerun the Water Withdrawal Assessment Tool with the new characteristics and proceed as directed. Registration expires after 18 months if the withdrawal is not constructed. The property owner &/or water user are responsible for complying with all applicable federal, state, and local regulations concerning the withdrawal. Please print this page using the print button in the upper right hand corner of the page, and save with your records as a copy of your receipt.

Contact Information

Owner/Representative: Owner MDARD Receiving Agency: No

Property Owner Contact Information

Name: Timothy Smith
 Facility Name: PO Box 2712
 Address: 749 Golfview Drive
 City: Douglas
 State: MI
 Zip Code: 49406
 Phone: 6309927777
 e-mail: tcs4654@gmail.com

Summary

Home Watershed:	3138
Debited Watersheds (gpm):	3138 (0),10271 (0.5),12776 (0),12452 (0),10870 (0),9858 (0),10865 (0),4156 (0)
Zone:	A
Pumping Capacity (gpm):	20
Well Casing Depth(ft):	85
Withdrawal Source:	Groundwater
Aquifer Type:	Glacial
Pumping Frequency:	Intermittent
Pumping Months:	8,9
Pumping Days:	3
Pumping Hrs:	3
Latitude:	42.64768100000
Longitude:	-86.22013700000
County:	Allegan
Town Range Section:	03N16W17
Location of Discharge:	into small back yard pond
Purpose:	Other {specify}
Comments:	Primary Purpose of Use:_ intermittent filling of pond when summer months are dry

Total Annual Withdrawal (gallons): 94,262

DISCLAIMER: The Water Withdrawal Assessment Tool is designed to estimate the likely impact of a proposed water withdrawal on nearby streams. It is not an indication of how much groundwater may be available for your use. The quantity and quality of groundwater varies greatly with depth and location. You should consult with a water resources professional or a local well driller about groundwater availability at your location.

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