

September 28, 2015

**PURPOSE**

**Opposition of Special Assessment District for paving of Norton Lawn, north of Auburn Rd, south of Wabash, inclusive of speed humps or otherwise, and abandonment of stated project in its entirety.**

**Preparing Resident:**

**Debra Sneed**

**2637 Norton Lawn**

**Rochester Hills, MI**

**Representing fellow residents opposed to said project (see opposition petition).**

**I will not be able to be in attendance for the meeting to personally present the following information, therefore would appreciate review and consideration of our opposing standpoint.**

**PURPOSE OF PROPOSED PROJECT:**

**The SAD was represented by those who started the petition to reflect a need for paving Norton Lawn for "speed control" as indicated on the petition.**

**Upon speaking with several residents who signed the petition in favor of the project, the main concern voiced was not that of speed control, traffic calming or detouring, or children's safety, but one of DUST CONTROL!**

**KEY POINTS:**

**TRAFFIC VOLUME STUDIES:**

**Traffic Engineering Division study- In a 24-hour period the mean traffic volume was 200/day with an average speed of 28 mph. \*Clearly not 800 cars per day as previously represented at a meeting by the parties in favor.**

## **SPEED HUMPS:**

Per multiple research sources:

1. Decrease property value-deemed annoyance, undesirable, unsightly.
2. Decrease emergency response time: Average 6.5 seconds per hump, "disruptive"
3. Vehicle damage- Cars, emergency vehicles, maintenance equipment.
4. Once installed, cannot be removed (3 years). Cited cases of residents changing their minds and wanting them removed (proved ineffective and a nuisance).
5. Expensive to install and maintain.
6. Increase noise level.
7. Reduce fuel efficiency.

Drivers notoriously accelerate speed in between humps, not changing average speed, possibly creating more of a hazard.

If safety and speed control are in the forefront of concerns, why are there no speed humps around the Wabash Park where children play?

## **RULES OF SPECIAL ASSESSMENT:**

\*Several Michigan cases cited in the MAA article and Michigan Training Manual for SAD:

### **NECESSITY:**

Fundamentals of NECESSITY and BENEFIT- Public need. Not "convenient or desirable" but "necessary." Serving the public interest. Conveys a sense of "immediacy."

### **VALIDITY/JUSTIFICATION:**

\*Per Court of Appeals

1. Increase in property value.
2. Relief from burden to the land.
3. Creation of a special adaptability.
4. Permissible only when improvements result in a measurable and proven increase in the value of the land assessed.

### **BENEFIT:**

\*Court of Appeals

The special assessment must cause a direct and measurable increase in the market value.

**FACTS:**

**\*Court of Appeals**

Facts must be used for determining benefit by those with competency in SAD. Otherwise, deemed unconstitutional as the property was not benefited by the amount of the tax to be imposed. Actions deemed arbitrary and unwarranted.

**VALUE:**

**Act 188 of the Apportionment Formula:**

**Property (assessment) = (Property benefit/SAD benefit) \*Eligible Costs**

**Must be a reasonable proportion – Goal is a dollar of assessment per dollar of benefit.**

**\*There must be a method of comparing the proposed “financial burden” to the estimate change in market value (benefit) to test for reasonableness.**

**BURDEN:**

**\$5000 per buildable lot \*PLUS INTEREST**

**Some residents have more than one lot-excessive, unnecessary financial burden.**

**Ancillary improvements not covered.**

**SUMMARY:**

**The SAD for the paving of Norton Lawn (and Hickory Lawn) between Auburn Rd. and Wabash is NOT a necessary or overall beneficial for the residents. It is a very costly project for the City of Rochester Hills, and places an unwarranted financial burden on the residents.**

**Residents who are in favor of the project have signed the petition not for the primary premise of this SAD but for reasons which are not deemed a necessity.**

**Please strongly consider this opposition to the SAD.**

**On behalf of the Norton Lawn residents in opposition,**

**Debra Sneed**

