



# WEBSTER TOWNSHIP PLANNING COMMISSION AGENDA

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**Regular Meeting | August 16, 2023, 7:00 PM | Webster Township Hall**

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1. Call to Order
2. Take Attendance: Goodman, Kleinschmidt, Neil, Nixon, Stremmer, Westman and Zalucha
3. Pledge
4. Approval of Agenda
5. Approval of Minutes for July 12, 2023 Special Meeting
6. Public Participation (*limited to three minutes per speaker*)
7. Planning/Zoning Administration/Enforcement Report (Update)
8. Township Board Report
9. Zoning Board of Appeals (ZBA) Report
10. Purchase of Development Rights Commission (PDR) Report
- 11. PUBLIC HEARING**
  - a. None
- 12. OLD BUSINESS**
  - a. None
- 13. NEW BUSINESS**
  - a. None
- 14. DISCUSSION ITEMS**
  - b. Zoning ordinance amendment update: Sec. 13.15 Accessory Structures and Uses (23-ZTA-01)
  - c. Consideration of Master Plan Implementation Items
  - d. Text Amendment: Prohibition of Coal Tar Sealant
  - e. Next Regular Meeting Agenda: September 20, 2023
15. Public Participation (*limited to three minutes per speaker*)
16. Informational Items / Correspondence / Comments
17. Adjournment

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## Webster Township Planning Commission Agenda

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### **GENERAL INFORMATION**

1. The Chair, or the Commission, after the meeting has been in session for three hours shall suspend the Commission's business and evaluate the remaining items on its agenda.
2. No person, other than a Commission member, shall address an issue for public hearing following the closing of that public hearing by the Chairperson (except during Audience Participation).
3. Packet information and full set plans are available to view at the Township Hall. People with disabilities needing accommodations for effective participation in this meeting should contact the Township Clerk at 734.426.5103 at least seven business days in advance of the meeting. An attempt will be made to make reasonable accommodations.

Draft minutes available at the Township on request



# WEBSTER TOWNSHIP

5665 Webster Church Road, Dexter MI 48130, (734) 426-5103

## Memorandum

### 23-ZTA-01 Zoning Draft Discussion: Section 13.15 Accessory Uses and Structures

**DATE** August 11, 2023  
**TO** Webster Township Planning Commission  
**FROM** Sri Ravali Komaragiri, AICP, Township Planner

The Planning Commission discussed the issues and concerns that prompted the proposed amendment at their June 21 meeting. A list of definitions was presented at that meeting for a high-level discussion. This memo intends to focus on revisions to definitions that guide the review of accessory structures and uses. It is important to first define types of structures before we clarify standards regulating them. The primary intent is to limit the extent of implied interpretation and make it easier for a resident to understand their options. Listed below are revised definitions and some are new that intend to capture all different types of accessory structures we see around the Township.

Please also refer to the research information and related articles provided in May 17<sup>th</sup> PC meeting packet. As part of your review, please consider the following questions for context:

- What is considered incidental or sub-ordinate. Do we define the term. Refer to article 'accessory structures and uses in Zoning Ordinance: eight things to remember.
- Accessory structures are not permitted to use dwelling, lodging, or sleeping purposes. How do we define or regulate the prohibited uses? Restrictive covenants and deeds? Dwelling is defined in the ordinance. Lodging is referred in definitions for campground and motel.

TERM	DEFINITION
<p><u>Blue and underline</u>: proposed to be added   <del>Red and strike thru</del>: proposed to be removed            Regular: no change or provided for context</p>	
<b>USE</b>	The purpose for which land or a building is arranged, designed or intended, or for which land or a building is or may be occupied.
<b>PRINCIPAL USE</b>	The principal purpose for which land or a building is arranged, designed or intended, or for which land or a building is or may be occupied. <u>A principal use may be a permitted or a special use.</u>
<b>PERMITTED USE</b>	A use specified in a zoning district allowed by right.
<b>PROHIBITED USE</b>	A use of land that is not permitted within a particular zoning district.
<b>SPECIAL USE</b>	A use specified in a zoning district only allowed following review by the Planning

TERM	DEFINITION
<p><u>Blue and underline</u>: proposed to be added   <del>Red and strike thru</del>: proposed to be removed                      Regular: no change or provided for context</p>	
<b>(SEC. 1.20)</b>	Commission and approval of the Township Board.
<b>SPECIAL USE (SECTION 2.2)</b>	A use that would be detrimental to other uses permitted in the same zoning district unless carefully controlled as to number, area, size, exterior design, location or relation to the adjacent properties and to the neighborhood. Such uses may be considered necessary or important to the public health, safety, and welfare of the neighborhood or township as a whole and may be permitted if proper safeguards are taken. Such uses may be permitted in such zoning districts as special uses if specific provisions for such special uses are made in this Ordinance.
<b>ACCESSORY USE</b>	A use which is clearly incidental to, customarily found <u>in conjunction with</u> , subordinate to, and located on the same zoning lot <del>as the principal use to which it is exclusively related</del> , <u>unless otherwise specified, as the principal use to which it is related. When "accessory" is used in this text, it shall have the same meaning as accessory use.</u>
<b>ACCESSORY BUILDING OR STRUCTURE</b>	A supplemental building or structure on the same lot as the <del>main</del> <u>principal</u> occupied by or devoted exclusively to an accessory use, but not for dwelling, lodging, or sleeping purposes. <u>Such structures shall include, accessory buildings, sheds, gazebos, tennis courts, swimming pools; Such structures shall not include at-grade patios, lawful fences or walls, utility poles, flag poles, basketball goals, mailboxes and play structure.</u>
<b>BUILDING</b>	<u>Any structure, either temporary or permanent, having a roof supported by columns or walls, and intended for the shelter, or enclosure of persons, animals, chattels, or property of any kind.</u>
<b>STRUCTURE</b>	Anything constructed or erected in or upon the ground and having a permanent location in or upon the ground <del>including, though not limited to buildings, accessory buildings, sheds, patios, gazebos, tennis courts, swimming pools, radio and television towers, satellite dishes, decks and platforms; provided, however, that patios shall not be deemed structures if no parts thereof are above the ground and if they are located outside the minimum front, side, and rear yard setback lines.</del> Lawful fences or walls, utility poles, basketball goals, mailboxes, sidewalks, driveways, streets, parking areas, retaining walls, or sea walls shall not be considered to be structures for the purposes of this Ordinance.
<b>ATTACHED STRUCTURE</b>	<u>Any part of a structure with an accessory use shall be considered attached when it shares 1) a common wall or a roof with the principal building, or 2) is connected to the principal building with a 10 feet wide heated breezeway.</u>
<b>DETACHED STRUCTURE</b>	<u>Any structure with an accessory use that is structurally separated from the</u>

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	<p><u>principal building is considered a detached structure. A building or portion thereof attached to a principal structure by a covered unheated breezeway is considered detached.</u></p>
<b>UTILITY STRUCTURES</b>	<p><u>Mechanical or electrical equipment attached to a building or installed on ground. Such structures include utility boxes and HVAC or with a similar function permanent generators, solar systems, radio and television towers and satellite dishes.</u></p>
<b>PERMANENT</b>	<p><u>A structure fixed to the ground by any of the various types of foundations, slabs, piers, poles, or other means allowed by building codes.</u></p>
<b>TEMPORARY</b>	<p><u>Any building or structure that is permitted to exist during a specified period of time.</u></p>
<b>PORTABLE BUILDING</b>	<p><u>Any structure that is portable in nature, without any wheels, and built on a chassis or frame designed and constructed to be used without a permanent foundation.</u></p>
<b>PORTABLE STORAGE STRUCTURE</b>	<p><u>A portable, weather-resistant, commercially leased or rented receptacle designed and used for the storage or shipment of personal property, building materials or merchandise. The term shall not include yard waste containers, construction debris containers, or containers having a storage capacity of less than two hundred (200) cubic feet.</u></p>
<b>BREEZEWAY</b>	<p>A covered structure connecting an accessory building with the principal dwelling unit.</p>
<b>DWELLING</b>	<p>Any building, or part thereof, containing sleeping, kitchen, and bathroom facilities designed for family occupancy. In no case shall a travel trailer, motor home, automobile, tent or other portable building not defined as a recreational vehicle be considered a dwelling. In the case of mixed occupancy where a building is occupied in part as a dwelling unit, the part that is occupied shall be deemed a dwelling unit for the purposes of this Ordinance.</p>
<b>MOTEL</b>	<p>(Amended February 16, 2021) A building, group of buildings, part of a building, dwelling or dwelling unit used for overnight accommodation of transient guests for compensation on a short-term basis (i.e., stays generally shorter than thirty consecutive days). The term shall include any building, group of buildings, part of a building, dwelling or dwelling unit designated as a hotel, resort, short-term rental or by any other title intended for providing lodging for compensation on a transient basis, but shall not include a Bed and Breakfast, as defined in this Ordinance.</p>
<b>CAMPGROUND</b>	<p>Campground. An area in which space is maintained or used for overnight or temporary lodging by transients in their own tents, truck campers, travel trailers,</p>

TERM	DEFINITION
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	<p>or motor homes. Outdoor cooking facilities may be furnished. Water and sanitary facilities, if furnished, must be approved by the Washtenaw County Health Department.</p>
<b>HABITABLE SPACE</b>	<p>Space in a structure for living, sleeping, eating or cooking</p>
<b>GARAGE</b>	<p>Garage. An accessory structure for the principal permitted use, used for the storage of passenger cars and vehicles and for other incidental storage. A garage shall not provide repairing or servicing of vehicles for remuneration.</p>
<b>GREENHOUSE</b>	<p>A structure, all or some of whose roof and side walls are of glass or similar material that is used for the cultivation of plants and flower</p>
<b>OUTDOOR STORAGE</b>	<p>The keeping, in an unroofed area, of any goods, junk material, merchandise or vehicles in the same place for more than twenty-four (24) hours.</p>
<b>PATIO</b>	<p>An uncovered courtyard or platform extending horizontally out from the main building or structure located on grade (i.e., not elevated).</p>
<b>PORCH</b>	<p>A roofed structure providing shelter at the entrance of a building.</p>
<b>DECK.</b>	<p>A floored structure having footings, posts and steps, typically with railing, that adjoins a house.</p>
<b>RESTRICTIVE COVENANT OR DEED RESTRICTION.</b>	<p>A provision in a deed or other recorded document restricting the use of property and prohibiting certain uses. Such restrictions are binding on subsequent owners. Unless the Township has an ownership interest in the property or is a third-party beneficiary of the deed restriction, a restrictive covenant is enforced by the parties to the agreement, not by the Township</p>

## Webster Township 2022 Master Plan Implementation Tracking Updated 7/14/23

### 13.01 Agricultural and Natural Features

Item	Group Responsible	Timing	Status
<p>Purchase development rights of agricultural and natural features parcels in the Township.</p> <p>Leverage matching funds from other organizations (e.g. Federal and Ann Arbor).</p> <p>[reference Parts 5.06 &amp; 10.01]</p>	<p>Township Board and Farmland and Open Space Preservation Board</p>	Ongoing	Ongoing
<p>Adopt Map 4: Green Infrastructure and Agricultural Preservation Priorities for funding prioritization of parcels voluntarily proposed by landowners for preservation of farmland and to extend natural areas and wildlife habitats that anchor the Green Infrastructure network.</p> <p>[reference Parts 5.04 and 10.01]</p>	<p>Draft and recommendation by Farmland and Open Space Preservation Board</p> <p>Approval by Township Board 2022</p>	2022	<i>Pending, to be considered once BOT approves a millage proposal (per FOSPB Chair).</i>

### 13.02 Natural Features

Item	Group Responsible	Timing	Status
<p>Consider amending Zoning Ordinance (Site Plan Review Standards as well as other sections e.g. 16.10, 14, and 13.70) to encourage green development proposals and better site design by reviewing the assessments for:</p>	<p>Draft and recommendation by Planning Commission</p> <p>Approval by Township Board</p>	2022 – defer to consider with 2023 items	<i>Pending, to be considered with 2023 items.</i>



<ul style="list-style-type: none"> <li>➤ preserving natural features to include wildlife habitat and ecological functions;</li> <li>➤ minimizing clearing and grading;</li> <li>➤ reducing impervious cover and erosion; and</li> <li>➤ locating sites and structures in less sensitive areas to avoid floodplains, steep slopes, erodible soils, wetlands, mature forests, and critical habitats.</li> </ul> <p>[reference Part 10.01]</p>			
<p>Form a citizen’s Natural Features Committee to identify and collect information for dissemination to increase community knowledge of the interconnectedness of woods, wetlands, natural areas, and waterways.</p> <p>[reference Part 10.01]</p>	Township Board	<b>2022</b>	<b><i>Motion to create a Natural Features Committee passed at April 18, 2023 BOT. Appointments to committee on July 18 BOT Agenda.</i></b>
<p>Consider updating Zoning Map and amending Zoning Ordinance to provide for a Natural Features Protection Overlay District with use and development considerations to lessen development impacts on natural features, for example:</p> <ul style="list-style-type: none"> <li>➤ establish priority protection areas (non-developed)/natural features setbacks on each affected parcel’s site plan;</li> </ul>	<p>Draft and recommendation by Planning Commission</p> <p>Approval by Township Board</p>	<b>2023</b>	Pending

<ul style="list-style-type: none"> <li>➤ require clustering and open space protection for residential developments;</li> <li>➤ regulate cutting of woodlands and landmark trees;</li> <li>➤ limit/prohibit ecologically harmful activities (mining; oil gas extraction / processing facilities; commercial activities; etc.); and</li> <li>➤ require mitigation for disturbance/development of natural features.</li> </ul> <p>[reference Part 10.01]</p>			
<p>Investigate approaches beyond the Township’s Purchase of Development Rights Program to continue to protect land. Work with Huron River Watershed Council to develop land protection and regional planning activities that go beyond purchase of development rights and that involve neighboring local units of government.</p> <p>[reference Part 10.01]</p>	Township Board	<b>2023</b>	Pending
<p>Provide educational materials to local businesses (real-estate, construction, and landscape businesses) as well as local homeowners regarding the Natural River Overlay District. Also include website links to NRD website and DNR Natural Rivers page.</p> <p>[reference Part 10.02]</p>	<p>Draft by Township Staff and/or Huron River Watershed Council</p> <p>Approval by Township Board</p>	<b>2022</b>	<b><i>Motion approved at 2/22/23 BOT – timing, tbd.</i></b>

<p>Consider amending the Zoning Ordinance to reflect storm water best management practices:</p> <ul style="list-style-type: none"> <li>➤ include the current Washtenaw County Water Resources Commission Standards;</li> <li>➤ remove outdated Webster Township standards, and</li> <li>➤ provide for drainage tile protection.</li> </ul> <p>[reference Part 10.03]</p>	<p>Draft and recommendation by Planning Commission</p> <p>Approval by Township Board</p>	<p><b>2022</b></p>	<p><i>Initiate further work per 10/22/22 PC meeting discussion. In-progress as of June 23. Discussion of drain tiles at 6/21/23 PC meeting did not reveal issues in Webster Township.</i></p>
<p>Consider adopting a Soil Erosion Ordinance to protect or limit the risk of soil erosion for steep slopes and/or natural features.</p> <p>[reference Parts 10.03, 10.04, and 10.07]</p>	<p>Draft and recommendation by Planning Commission</p> <p>Approval by Township Board</p>	<p>2024</p>	<p>Pending</p>
<p>Consider amending Zoning Ordinance to include protection for:</p> <ul style="list-style-type: none"> <li>➤ wetlands of less than or equal to 5 acres; and</li> <li>➤ woodlands &amp; heritage trees.</li> </ul> <p>[reference Part 10.04 and 10.06]</p>	<p>Draft and recommendation by Planning Commission</p> <p>Approval by Township Board</p>	<p>2024</p>	<p>Pending</p>
<p>Consider amending Zoning Ordinance to prohibit uses that discharge problem wastes within ground water recharge areas.</p> <p>[reference Part 10.05]</p>	<p>Draft and recommendation by Planning Commission in consultation with Washtenaw County Drain Commission and the Huron River Watershed Council</p> <p>Approval by Township Board</p>	<p><b>2023</b></p>	<p>Pending</p>

Consider revising Zoning Ordinance to prohibit coal tar paving. [reference Part 10.05]	Draft and recommendation by Planning Commission Approval by Township Board	<b>2022</b>	<i><b>Pending, to be considered in early 2023 with information requested by PC on 10/20/22 (info is available).</b></i>
Participate in County and regional studies of aquifers and recharge areas.  [reference Part 10.05]	Planning Commission and/or Township Board	As available	<i><b>Pending, BOT not aware of any studies as of 2/22/23.</b></i>

**13.03 Residential: None****13.04 Roads and Transportation**

<b>Item</b>	<b>Group Responsible</b>	<b>Timing</b>	<b>Status</b>
Create a multi-modal transportation plan to reflect the needs of the community. In connection with this, consider ways to create non-motorized connectivity within the Township to access the non-motorized network adjacent to the Township through the Border-to-Border Trail and Hudson Mills Metropark, and ways to coordinate with CAPT-DART.  [reference Part 8 and Part 9.05]	Draft and recommendation by Planning Commission  Approval by Township Board	2024	Pending
Amend Zoning Ordinance to include gravel road capacity in criteria for rezoning and site plan approval.  [reference Part 8.04 and 10.03]	Draft and recommendation by Planning Commission  Approval by Township Board	2024	Pending

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## For August PC Meeting - Part 2

Kay Stremmer <Kstremmer@webstermi.us>

Fri 7/14/2023 4:51 PM

To: Tom Neil <tneil@webstermi.us>; Zoning Administrator <zoningadmin@webstermi.us>

 3 attachments (917 KB)

Coal tar sealant Info for PC meeting.pdf; Coal-Tar-trifold.pdf; Sample Coal tar sealer ordinance\_recommendedbyHRWC.docx;

Dear Tom and Sri,

I request that the attached three files be provided in the Planning Commission packet to support the topic of "Consideration of Master Plan Implementation Items." Specifically, these documents focus on the topic of coal tar sealant, one of the implementation items.

This first pdf document includes:

- background information and
- the additional requested information.

The additional two attachments are:

- an HRWC coal tar brochure and
- an example zoning ordinance prohibiting coal-tar sealant use.

Until August,

Kay

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## **MP Implementation Item: Consider revising ZO to prohibit coal tar paving - Information for August Planning Commission Meeting**

### **Introduction**

As discussed at the October 2022 Planning Commission meeting, it would be relatively low effort to prohibit coal-tar based sealcoat in Webster Township. At that meeting Planning Commissioners made two requests for additional information from Jeff Harms and the Huron River Watershed Council.

This document includes:

- background information and
- the additional requested information.

The attachments are:

- an HRWC coal tar brochure and
- an example zoning ordinance prohibiting coal-tar sealant use.

### **Background**

In Michigan, coal tar-based sealcoat is applied widely on driveways, parking lots, and even playgrounds. Sealcoat applicators and their customers say the product enhances the look of weathered asphalt surfaces and prolongs product life. However, coal tar sealcoat can pose significant risks to humans and aquatic life.

Coal tar sealcoats are incredibly high in polycyclic aromatic hydrocarbons, or PAHs. PAHs are of concern because many of these compounds have been identified as toxic, mutagenic, teratogenic (causing birth defects) and/or probable human carcinogens.

**HRWC Recommendation: We recommend residents, businesses and other property owners choose asphalt-based sealcoat or abstain from sealcoating altogether when considering options for asphalt pavement maintenance.**

### **Coal tar free communities**

A growing number of communities are choosing to ban the use of high PAH pavement sealers including coal tar based sealers. The following communities have adopted ordinances that make it illegal to sell or apply high PAH pavement sealers:

#### **Huron River Watershed Communities**

Ann Arbor  
Ann Arbor Township  
Dexter  
Hamburg  
Pittsfield Township  
Pinckney  
Scio Township



Van Buren Township  
 West Bloomfield  
 Wolverine Lake  
 Ypsilanti

### **Other Michigan Communities**

Almont  
 Clarkston  
 East Lansing  
 Grand Ledge  
 Grosse Ile  
 Keego Harbor  
 Meridian Township  
 Spring Lake Township  
 Traverse City  
 Warren

### **Protecting groundwater from pollution**

<https://www.hrwc.org/mounting-evidence-against-coal-tar-pavement-sealers/>

<https://www.consumernotice.org/environmental/coal-tar-sealants/>

<https://coaltarfreeusa.com/bans-2/>

Coal Tar Brochure (HRWC)

<https://www.hrwc.org/wp-content/uploads/Coal-Tar-trifold.pdf>

### **Information Requested by Commissioners**

**QUESTION TO JEFF HARMS:** George Goodman indicated that you may be able to help guide us regarding coal-tar based sealcoat based on your professional experience.....Is there a state law regarding this? Is coal tar-based sealcoat still used or have companies stopped using it around here because numerous other communities have banned it? Anything else we should know?

### **Summary of Verbal Response from Jeff Harms, Webster Township Trustee**

- Jeff Harms reached out to his WCWRC contact who confirmed:
- These chemicals are highly toxic and leach out of these coal tar-based sealants for a long time.
- Some companies are still using coal-tar based seal coat for residential paving.
- The watershed council has done the most extensive research and has comprehensive information.

**QUESTION to HRWC: Can you provide any information about state laws or other updates regarding banning of coal tar-based sealant since the HRWC brochure was made?**

**Response from Rebecca Esselman, Executive Director, HRWC**

Tue 11/29/2022 11:01 AM

Hello Kay,

There is no state legislation. Our strategy has been to get a large number of communities to pass local bans and show the demand for statewide action. I would love to add Webster Township to the list. With the current Michigan legislature, we may be in a unique chapter to move this forward at the state level. Webster taking action could help bring the issue back into the conversation about the health of our environment.

For the ordinance to be effective, it will require some outreach to sealant companies. Because Dexter, Ann Arbor and Scio have bans, many vendors serving Webster are likely providing coal tar sealant alternatives already. Other muni's have done a web search to create a list of local company's and send them letters notifying them of the new ordinance and when it goes into effect. It is least impactful to these companies for the ordinance to go into effect in the winter when they are not sitting on a supply of sealant already. Dexter also notified large parking lot owners via a letter. And most communities require registration by companies with the township acknowledging they are aware of and will comply with the ordinance. I have examples of all of these you can use.

Please let me know how I can be of further assistance.

**Rebecca Esselman** (she/her/hers) | *Executive Director*

[Huron River Watershed Council](#)

117 N 1st St, Ste 100

Ann Arbor, MI 48104

ph (734) 769-5123 direct: (734) 519-0326

## Learn More

[HRWC's coal tar webpage](#)

[hrwc.org/coaltar](http://hrwc.org/coaltar)

[United States Geological Survey  
tx.usgs.gov/sealcoat.html](#)

[Coal Tar Free America](#)

[coaltaffreeamerica.blogspot.com](http://coaltaffreeamerica.blogspot.com)

## Select References

International Agency for Research on Cancer, 1987. Coal-tar Pitches. IARC Monographs on the Evaluation of Carcinogenic Risks to Humans, Supplement 7, pp 174-175.

Mahler et al. 2015. Acute Toxicity of Runoff from Sealcoated Pavement to Ceriodaphnia dubia and Pimephales promelas . Environmental Science and Technology.

Mahler et al. 2012. Coal-Tar-Based Pavement Sealcoat and PAHs: Implications for the Environment, Human Health, and Stormwater Management. Environmental Science and Technology 46, 3039-3045

Van Metre et al, 2010. Contributions of PAHs from Coal Tar Pavement Sealcoat and Other Sources to 40 U.S. Lakes, Science of the Total Environment. Vol. 409, pg.334-344.



*The Huron River Watershed Council  
protects and restores the river  
for healthy and vibrant communities.*



1100 N. Main Street, Suite 210 | Ann Arbor, MI 48104  
Phone: 734-769-5123 | [www.hrwc.org/coaltar](http://www.hrwc.org/coaltar)



Photo by E. Riggs

*Runoff from freshly applied coal tar sealcoat caused death of fish and aquatic invertebrates weeks to months after application.*

## What to Avoid

Look at product label or request the Material Safety Data Sheet and avoid products labeled with any of these terms\*\*:

- CAS#65996-92-1, CAS#65996-93-2 ,
  - CAS#65996-89-6, CAS#8007-45-2, Coal Tar, Coal Tar Pitch, Coal Tar Distillates, RT-12
  - CAS#64742-90-1, CAS#69013-21-4, Steam-cracked Petroleum Residues; Steam-cracked Asphalt, Pyrolysis oil, Heavy fuel oil (HFO)
- \*\*full list at [hrwc.org/coaltar](http://hrwc.org/coaltar)*

## Banning Toxic Sealcoats

Already, Minnesota, Washington, and the District of Columbia have statewide bans. Dozens of municipalities throughout the US have also banned the use of coal tar sealcoat. In 2015, Van Buren Township became the first to pass a comprehensive PAH ban in Michigan. Ask your legislators to do the same.

*Hazardous levels of PAH's  
have been found in pond  
sediments in the Huron River  
watershed*



# Risks of Coal Tar-Based Sealcoat

**How to avoid common pavement sealants that pose threats to human health and the environment**

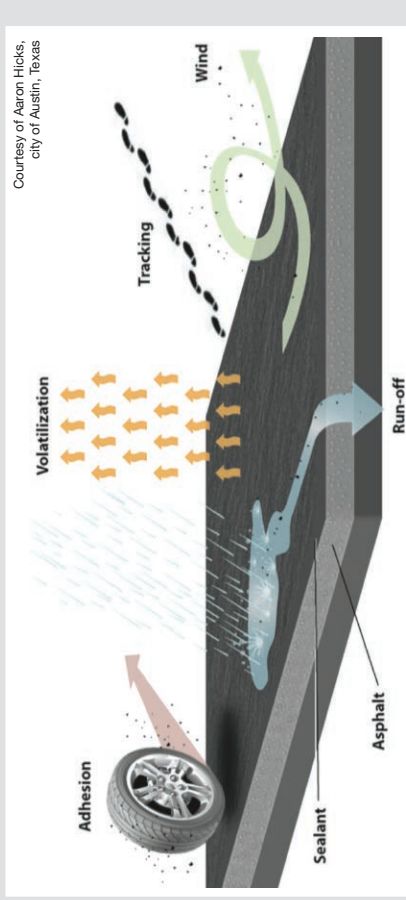
## What is Coal Tar Sealcoat?

Coal tar-based sealcoat is applied widely on driveways, parking lots, and even play-grounds as a maintenance practice. Coal tar sealcoats are hazardous. They are high in polycyclic aromatic hydrocarbons, or PAHs, many of which have been identified as toxic, mutagenic, teratogenic (cause birth defects) and/or carcinogenic (cause cancer). While there are many sources of PAHs, coal tar sealcoat contains significantly higher concentrations (~70,000 mg/kg) than other common sources such as gas emissions (570 mg/kg) and road dust (24 mg/kg).

You can also choose not to seal your asphalt surfaces. University of Michigan found it more cost effective to repave occasionally than to sealcoat regularly. Be aware of alternative products that are still high in PAH content.

## Human Health Risks of Coal Tar Sealcoat

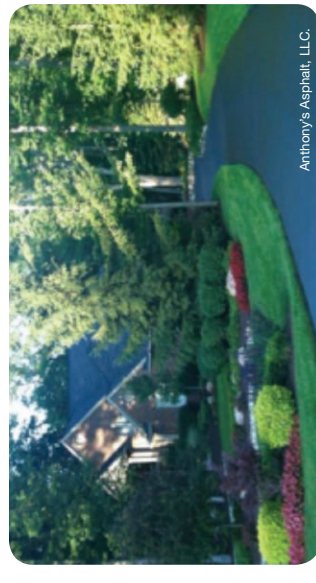
For someone who spends their lifetime living adjacent to coal tar seal-coated pavement, the average excess cancer risk is estimated to be 38 times higher than those who don't. Much of the increased risk occurs during early childhood. Children play on and near these surfaces and are, therefore, more likely to inhale or ingest PAHs associated with coal tar sealcoat. Particles also make it into homes on shoes and pets.



Coal tar sealcoat can enter the environment when it is applied and as it wears down over time. Fumes and particles travel via air, water, and even on shoes and end up in our homes, rivers, and soils.

## Available Alternatives

There are several alternatives that have significantly lower, or no, PAH content. Asphalt-based sealcoat has 1/1000th the PAH content of coal tar, and is readily available at similar cost. There are also safer acrylic and latex based options.



An alternative sealcoat: If sealcoating cannot be avoided, asphalt-based sealcoats are an alternative with 1/1000th the PAH concentration of coal tar-based sealcoats.

## What You Can Do

### If You are a Homeowner or Manage Private Properties Such as Churches, Daycares, or Businesses:

- Do not seal your asphalt surfaces as often or at all.
- Hire contractors that will apply asphalt-based sealcoat rather than coal tar or other high-PAH sealcoats
- See back panel to learn how to identify coal tar and other sealcoat products with high PAH content
- Urge your neighbors to do the same

### If You are a Concerned Resident or Local Official:

- Encourage local officials to stop the use of coal tar and other high PAH sealcoats on all public properties
- Advocate for a local ordinance banning coal tar and other high PAH sealcoats within your municipality

*Studies show 50-75% of all PAHs found in sediments within the Great Lakes region come from coal tar sealcoat.*

