

CHARTER TOWNSHIP OF MERIDIAN  
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -  
5151 Marsh Road, Okemos, MI 48864-1198  
853-4000, Town Hall Room  
TUESDAY, JULY 7, 2009 **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie, Trustees Dreyfus,  
LeGoff, Ochberg, Veenstra  
ABSENT: None  
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development  
Mark Kieselbach, Director of Engineering & Public Works Ray Severy, Police Chief  
Dave Hall, EMS/Fire Chief Fred Cowper

1. CALL MEETING TO ORDER

Supervisor McGillicuddy called the meeting to order at 6:00 P.M.

2. PLEDGE OF ALLEGIANCE

Supervisor McGillicuddy led the Pledge of Allegiance.

A. Police Awards

Police Chief Dave Hall introduced Eileen Kleuckling, 6190 Columbia, Haslett and Noel Biek, 6199 Columbia, Haslett, and presented them with a Citizen Commendation Award for assistance in the 2008 apprehension of a perpetrator.

B. 2008 Audit Presentation, Mary Schafer and Shaun Krick of Plante & Moran, LLP

Mary Schafer, Plante & Moran, 1111 Michigan Avenue, East Lansing, announced the Township again received the Certificate of Achievement for Excellence in Financial Reporting. She also indicated inclusion of an unqualified audit opinion which is the highest level opinion which can be received on a financial statement and means there are no exceptions to the financial report.

Shaun Krick gave a graphic audit presentation highlighting the Township's financial status for 2008 year-end, noting a general fund revenue increase of approximately \$700,000 from the prior year. Mr. Krick stated the general fund fund balance decreased approximately \$773,000 from the 2007 figure due to the planned use of fund balance to fund Other Post Employment Benefits (OPEB) in conjunction with GASB 45. He stated the current on-hand fund balance represents just under three (3) months worth of expenditures, well above the recommended two (2) month minimum. Mr. Krick stated Plante & Moran is encouraging all of its clients to project a five year financial forecast as part of the 2010 budget process.

Supervisor McGillicuddy thanked the Township Manager and Finance Director for being conservative to keep the Township fiscally balanced. She also expressed appreciation to department heads for maintaining levels of service while staying within projected expenses.

3. ROLL CALL

The secretary called the roll of the Board.

4. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Molly Wingrove, 2649 Melville Drive, East Lansing, read from a prepared statement and shared decisions of the Okemos School Board in which it decided to close Wardcliff and Central Elementary Schools. She relayed written concerns expressed by several neighbors and requested the Township share in the decision of what to do with the vacant buildings and surrounding property.

[Prepared statements in Official Minute Book]

Aajay Shah, 3547 Meridian Road, Okemos, expressed appreciation for the results of the audit presentation and addressed the Township's short and long-term financial picture. He discussed rental property as an asset for the Township and spoke to the high cost of the rental housing

registration fee. Mr. Shah believed both the US and Michigan flags should be allowed to be flown over businesses in the Township.

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

Manager Richards spoke to a Board communication from Mrs. Wildenthal. He explained there were several miscommunications by Township staff on this situation; however, the Township will continue to honor anonymity when requested if a complaint is filed. Manager Richards will report back to the Board when the disposition of this issue is completed.

Trustee LeGoff requested the Board look into purchasing the athletic fields on Wardcliff Elementary School grounds and incorporate the fields into the Township's park system.

Trustee Veenstra requested staff provide the Board with information on the ordinance dealing with size and flying of the Michigan flag. He also expressed concern with the \$1,200 cost of rental housing registration.

Director Kieselbach explained the Township's ordinance for non-residential commercial zoned property allows for the flying of up to two (2) flags without commercial messages. He indicated there are size and height restrictions.

Manager Richards clarified that residents who own rental homes do have the option of pro-rated quarterly payments on rental housing registration fees.

Trustee Ochberg stated the Zoning Board of Appeals requested the Board amend the sign ordinance to permit signs to project above the roofline in the case where there is a parapet or other architectural feature on which the sign should be centered in order to look properly situated. She also spoke to amending the ordinance to allow for reforestation and native vegetation on residential lawns. Trustee Ochberg requested the Township Manager add these items to the list of revisions to be prioritized at a future Board meeting.

Treasurer Brixie thanked staff and volunteers for their efforts on the Independence Day Celebration.

Trustee Veenstra voiced agreement with Trustee Ochberg on the reforestation issue. He read a sentence from the ordinance which addressed the issue of vegetation planted for ornamental purposes, vegetation in vegetable gardens or vegetation in fields devoted to growing any small grain crops.

Trustee Ochberg added it is in the eye of the "planter" if foliage is ornamental or not.

As the Township representative to the Tri-County Regional Planning Commission, Trustee Veenstra stated a report was given at the June 24<sup>th</sup> meeting by a MDOT employee who noted the state's transportation budget for 2011 will no longer have sufficient funds to match federal funds. He stated this would result in a loss to Michigan of \$576 million in federal highway dollars. Trustee Veenstra believed an increase in fuel taxes is imperative in order to operate Michigan's road system.

6. APPROVAL OF AGENDA — OR CHANGES

**Treasurer Brixie moved to approve the agenda amended as follows:**

- **Move Agenda Item #7G to Agenda Item #10K**
- **Move Agenda Item #10D to Agenda Item #11C**

**Seconded by Trustee Ochberg.**

VOICE VOTE: Motion carried unanimously.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda.

**Treasurer Brixie moved to adopt the Consent Agenda. Seconded by Trustee Ochberg.**

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor  
McGillicuddy, Clerk Helmbrecht, Treasurer Brixie  
NAYS: None  
Motion carried unanimously.

The adopted Consent Agenda items are as follow:

A. Communications

(1). Board Information (BI)

- BI-1 Luis V. Gutierrez, US House of Representatives, Washington DC; RE: Petitions for Declaratory Ruling Regarding PEG Channels, MB Docket No. 09-13. CSR-8126, CSR-8127 and CSR-8128
- BI-2 Antoinette Tessmer, 1551 Wenonah Drive, Okemos; RE: Section of E. Arbutus Drive between Jolly Road and Wenonah listed on the 2009 Township Preservation Program
- BI-3 E-mails from Phil and Millie Heinz, 1152 Teakwood Circle, Haslett and Ciney Rich, 5538 Silverleaf, Haslett; RE: Condition of Cornell Road, between Orlando Drive and Grand River Avenue
- BI-4 Christine Tang, 4475 Heritage Avenue, Apt. B5, Okemos; RE: 2007 ambulance transport
- BI-5 Christine Hampton and Dr. Lois Bader, Capitol Area Literacy Coalition, 1028 E. Saginaw, Lansing; RE: Thank you for kindness when Capitol rotating art sculpture to be displayed at the Township Hall was delivered
- BI-6 Rebecca A. Wildenthal, 4946 Hillcrest Avenue, Okemos; RE: Appeal of FOI Request 2009-13 Denial

(2). Commission Linkage (CL)

- CL-1 Leslie Kuhn, 6162 Oakpark Trail, Haslett; RE: Resignation from the Environmental Commission
- CL-2 Shari Gregory, 4154 Shoals Drive, Okemos; RE: Resignation from the Environmental Commission

(3). Regional Linkage (RL)

- RL-1 Ingham County Board of Commissioners, PO Box 319, Mason; RE: Resolution to adopt the recommendation of the 911 Steering Committee to select a site for an Ingham County 911 Consolidated Dispatch Center Facility

(4). Staff Communication/Referral (SC)

- SC-1 Memorandum from Cindy Cummings, Police Records Supervisor; RE: Current list of licensed vendors and non-licensed persons or nonprofit organizations engaged in soliciting or canvassing dated June 23, 2009
- SC-2 Memorandum from Cindy Cummings, Police Records Supervisor; RE: Current list of licensed vendors and non-licensed persons or nonprofit organizations engaged in soliciting or canvassing dated June 30, 2009
- SC-3 *Lansing State Journal* article written by Meridian Township Cable Coordinator Deborah Guthrie entitled "LSJ story missed nuances on cable"

**Treasurer Brixie moved that the communications be received and placed on file, and any communications not already assigned for disposition be referred to the Township Manager or Supervisor for follow-up. Seconded by Trustee Ochberg.**

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor  
 McGillicuddy, Clerk Helmbrecht, Treasurer Brixie  
 NAYS: None  
 Motion carried unanimously.

B. Minutes

**Treasurer Brixie moved to approve and ratify the minutes of the June 16, 2009 Regular Meeting as submitted. Seconded by Trustee Ochberg.**

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor  
 McGillicuddy, Clerk Helmbrecht, Treasurer Brixie  
 NAYS: None  
 Motion carried unanimously.

C. Bills

**Treasurer Brixie moved that the Township Board approve the Manager’s Bills as follows:**

Common Cash	\$ 373,898.58
Public Works	\$ 208,065.71
Retainage	23,704.81
- Check #10 – Reynolds Inliner LLC	
Total Checks	\$ 605,669.10
Credit Card Transactions	\$ - 0 -
Total Purchases	<u>\$ 605,669.10</u>
ACH Payments	<u>\$ 493,468.55</u>

**Seconded by Trustee Ochberg.**

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor  
 McGillicuddy, Clerk Helmbrecht, Treasurer Brixie  
 NAYS: None  
 Motion carried unanimously.

[Bill list in Official Minute Book]

D. Outdoor Gathering Permit for Towar Garden Community Days

**Treasurer Brixie moved that the Township Board approve the Outdoor Assembly License for the Towar Community Day on July 25, 2009, as described in the staff memorandum dated July 1, 2009. Seconded by Trustee Ochberg.**

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor  
 McGillicuddy, Clerk Helmbrecht, Treasurer Brixie  
 NAYS: None  
 Motion carried unanimously.

E. Assessing Stipulation

**Treasurer Brixie moved that the Township Assessor be authorized to sign a stipulation with A.M. Central LLC, on the following property:**

<u>YEAR</u>	<u>DOCKET NO.</u>	<u>ADDRESS OF PROPERTY</u>
2008	0347741	4749 Central Park Drive, Okemos
<u>Assessment</u>	2008	<u>AV/TV</u> \$518,400/435,640
<u>Proposed Assessment</u>	2008	<u>AV/TV</u> \$421,600/354,295

**Seconded by Trustee Ochberg.**

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie  
NAYS: None  
Motion carried unanimously.

F. Disposal of Surplus Office Equipment

**Treasurer Brixie moved to approve the sale of the Kyocera Mita KM-4230 Copier (Serial 0068480, with sorter attachment, at public auction, State of Michigan Surplus Store, State of Michigan on-line auction, or by sealed bid; or if not sold by these methods, to dispose of those items appropriately. Seconded by Trustee Ochberg.**

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie  
NAYS: None  
Motion carried unanimously.

H. Reappointment to the ELMWSA Board

**Treasurer Brixie moved that the Township Board approve the reappointment of Bradley Brogren to the East Lansing Meridian Water & Sewer Authority for the term expiring June 30, 2012. Seconded by Trustee Ochberg.**

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie  
NAYS: None  
Motion carried unanimously.

8. QUESTIONS FOR THE ATTORNEY (None)

9. HEARINGS (None)

10. ACTION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Jerry Fedewa, 5570 Okemos Road, East Lansing, availed himself for questions on the extension of Preliminary Plat #03012 for Sierra Ridge Estates.

Supervisor McGillicuddy closed public comment.

A. 2<sup>nd</sup> Quarter Budget Amendments

**Treasurer Brixie moved that the Township Board approve the 2009 Amended Budget as reflected on Page 3 of the memorandum to the Township Board from the Finance Director dated June 26, 2009. Seconded by Clerk Helmbrecht.**

Board members discussed the following:

- Staff estimate took into account state reductions for revenue sharing for the current fiscal year
- Estimate for a small reduction for revenue sharing in the fourth quarter
- Total lost revenue of \$600,000
- Three positions left vacant
- Total amount of fourth quarter state projections for Meridian Township’s portion of revenue sharing was not used

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie  
NAYS: None  
Motion carried unanimously.

- B. Department of Homeland Security Fire Station Construction Grant and Application  
**Clerk Helmbrecht moved that the Township Supervisor, Clerk and Manager be authorized to submit an American Recovery and Reinvestment Act Assistance to Firefighters Fire Station Construction Grant in the amount of \$2,750,000, with \$2,475,000 coming from federal funds and \$275,000 of voluntary matching funds from the Township's General Fund. Seconded by Treasurer Brixie.**

Board members discussed the following:

- Request for a study to be conducted to find the best location
- Furnishing the site as an additional contribution of local match to increase the points awarded in the grant application

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor  
McGillicuddy, Clerk Helmbrecht, Treasurer Brixie

NAYS: None

Motion carried unanimously.

- C. Planning Commission Review of Possible Property Purchase  
Manager Richards summarized the possible property purchase as outlined in staff memorandum dated July 2, 2009.  
**Trustee Ochberg moved to refer the proposed purchase of 3.60 acres (Tax ID #16-400-023), to the Planning Commission for a required Section 61 review of the location, character, and extent. Seconded by Treasurer Brixie.**

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor  
McGillicuddy, Clerk Helmbrecht, Treasurer Brixie

NAYS: None

Motion carried unanimously.

- E. Payback District, Georgetown Sewer Main  
**Treasurer Brixie moved [and read into the record] NOW, THEREFORE, BE IT RESOLVED by the Township Board of the Charter Township of Meridian, Ingham County, Michigan, as follows:**

1. **The Georgetown sanitary sewer interceptor service area, exclusive of the Georgetown subdivision, has been determined to include 1,213 residential equivalent units (REU).**
2. **The Georgetown sanitary sewer interceptor cost of construction to be reimbursed to the Eyde Company shall be set at \$347,767.10.**
3. **Therefore, the Benefit Charge for connection to a sanitary sewer within the Georgetown sanitary sewer interceptor service area is hereby established at \$286.70 per REU, plus 5% flat rate (\$14.34) annual increase. This benefit charge is for the above described sanitary sewer interceptor only and is in addition to any benefit charge for the construction of additional sanitary sewer mains or interceptors.**
4. **The Georgetown Sanitary Sewer Interceptor Benefit Charge established herein shall have immediate effect.**
5. **The Georgetown Sanitary Sewer Interceptor Benefit Charge will be collected by the Township for a period of twenty years from the date of this resolution.**
6. **The Georgetown Sanitary Sewer Interceptor Benefit Charge will be paid as follows:**

All existing and future developments and all existing and future single and multi-family homes shall pay the Georgetown Sanitary Sewer Interceptor Benefit Charge when obtaining their sewer permit.

7. The Georgetown Sanitary Sewer Interceptor Benefit Charge will be reimbursed as follows:

A. The reimbursement period will be for a total of 20 years from the date of this resolution.

B. The Township shall pay the reimbursement to the Eyde Company in quarterly installments, each installment to be equal to the Georgetown Sanitary Sewer Interceptor Benefit Charge collected by the Township each calendar quarter from the Georgetown Sanitary Sewer Interceptor service area (see attached map).

Seconded by Clerk Helmbrecht.

Board members and staff discussed the following:

- Sewer district boundary was the sewer service area for the Mud Lake Lift Station established in 1993

Trustee Dreyfus offered the following friendly amendment:

- Amend #5 and #7A to change the period from twenty (20) years to fifteen (15) years

The maker did not accept the amendment.

Trustee Dreyfus offered the following amendment:

- Amend #5 and #7A to change the period from twenty (20) years to fifteen (15) years

Seconded by Trustee Veenstra.

Board members discussed the following:

- Board previously allowed two similar twenty (20) year payback districts
- Long-standing Township policy of ten (10) year payback districts
- 20 years is too lengthy of a time
- Extension to 20 years will allow the developer to recoup costs when the Township required the developer spend additional funds to construct the sewer main larger and deeper than was necessary to serve the Georgetown development
- Belief the residential equivalent unit (REU) cost is excessive

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy  
 NAYS: Clerk Helmbrecht, Treasurer Brixie  
 Amendment carried 5-2.

ROLL CALL VOTE YEAS: Trustees Dreyfus, LeGoff, Ochberg, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie  
 NAYS: Trustee Veenstra  
 Main motion carried 6-1.

F. Rieth Riley Construction Company, Request to Waive Construction Hours  
**Trustee Ochberg moved to waive the requirement of Section 50-84(4) of the Code of Ordinances to allow construction activities from 7:00 pm to 5:00 am from Monday, July 27, 2009 to Friday, August 14, 2009, for milling and repaving Marsh Road from Grand River Avenue to Hamilton Road and Hamilton Road from Marsh Road to Okemos Road. No construction activities shall take place on Sundays. Seconded by Supervisor McGillicuddy.**

Board members discussed the following:

- Post on the web as a courtesy to nearby residents

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor  
McGillicuddy, Clerk Helmbrecht, Treasurer Brixie

NAYS: None

Motion carried unanimously.

- G. Zoning Amendment #09030 (Township Board), request to amend Sections 86-2, 86-403, 86-405, and 86-432 of the Code of Ordinances to allow massage therapy and physical therapy as permitted uses in the C-1, C-2, C-3 (Commercial) zoning districts

**Trustee Dreyfus moved [and read into the record] NOW THEREFORE BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby INTRODUCES FOR PUBLICATION AND SUBSEQUENT ADOPTION Ordinance No.**

**\_\_\_\_\_ , entitled “Ordinance Amending the Code of the Charter Township of Meridian, Michigan, Chapter 86, Article IV, Division 3, by amending Section 86-403(c)(3), Section 86-404(c)(7), and Section 86-404(d)(5), and deleting Section 86-404(d)(3) and Section 86-405(d)(2).” Seconded by Treasurer Brixie.**

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor  
McGillicuddy, Clerk Helmbrecht, Treasurer Brixie

NAYS: None

Motion carried unanimously.

- H. Extension of Preliminary Plat #03012 for Sierra Ridge Estates (Fedawa), located north of Lake Lansing Road and east of Newton Road

**Treasurer Brixie moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby grants the extension of Preliminary Plat #03012, Sierra Ridge Estates, for a period of two years, from July 1, 2009 to July 1, 2011, with the following condition:**

1. All previous conditions placed on the preliminary plat approval shall remain in effect.

**Seconded by Trustee Veenstra.**

Board members discussed the following:

- Two previous extensions
- Number of extensions is at the Board’s discretion
- Denial of an extension would necessitate the applicant starting the process over

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor  
McGillicuddy, Clerk Helmbrecht, Treasurer Brixie

NAYS: None

Motion carried unanimously.

- I. Extension of Final Preliminary Plat #07012 (Giguere Homes), Sanctuary #2 subdivision located east of Hulett Road and north of Kansas Street

**Trustee Veenstra moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby grants the extension of Final Preliminary Plat #07012, Sanctuary #2, for a period of two years, from October 2, 2009 to October 2, 2011, with the following condition:**

1. All previous conditions placed on the preliminary plat approval shall remain in effect.

**Seconded by Treasurer Brixie.**

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie  
NAYS: None  
Motion carried unanimously.

J. Delta Dental Request to Waive Construction Hours

**Trustee Ochberg moved to waive the requirements of Section 50-84(4) of the Code of Ordinances to allow those construction activities at Delta Dental which are related to the temporary bypass channel and reconstruction of the pond on the Smith Drain to take place from Wednesday, July 8, 2009 to Saturday, September 12, 2009, starting at 6:00 a.m. and concluding at 9:00 p.m. Monday through Saturday. No construction activities shall take place on Sunday or holidays. Seconded by Treasurer Brixie.**

Board members discussed the following:

- Times placed in motion for ease of enforcement and monitoring
- Delta Dental will conduct a neighborhood update on July 15<sup>th</sup> to inform its neighbors of upcoming activities
- Extended hours are dramatically less than the two just previously passed

**Trustee Veenstra offered the following friendly amendment:**

- **Amend the motion from 6:00 a.m. to 6:30 a.m.**

**The amendment was accepted by the maker.**

ROLL CALL VOTE: YEAS: Trustees Dreyfus, Ochberg, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht  
NAYS: Trustee LeGoff, Treasurer Brixie  
Motion carried 5-2.

K. Disposal of Township Property

**Trustee Ochberg moved to authorize the Meridian Township Police Department to sell two Heckler & Koch submachine guns, MP5/40A2 (SN 69-2022) and MP5/40A3 (SN 69-1030). Seconded by Supervisor McGillicuddy.**

Board members discussed the following:

- The Township can sell to a law enforcement agency or a federal firearms dealer with a Class 3 license
- Belief these guns should only be sold to a law enforcement agency
- Federal firearms dealer with a Class 3 license can only sell these particular guns to a law enforcement agency

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Treasurer Brixie  
NAYS: Clerk Helmbrecht  
Motion carried 6-1.

11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened and closed public comment.

A. Zoning Amendment #09030 (Township Board), request to amend Sections 86-2, 86-403, 86-405, and 86-432 of the Code of Ordinances to allow massage therapy and physical therapy as permitted uses in the PO (Professional and Office) zoning districts  
Director Kieselbach summarized the proposed zoning amendment as outlined in staff memorandum dated July 2, 2009.

Board members discussed the following:

- Concern with expanse of the language “and other professionals licensed to treat human patients”

- Uniform language in all four (4) zoning designations
- Tattoo artists allowed only in the commercial district
- Health and physical fitness facilities not currently allowed in PO
- Allow physical therapists, massage therapists and other professionals licensed to treat human patients to have physical fitness classes in their establishments
- Secondary use to the main use with a special use permit where restrictions on hours could be designated
- Court One has a RP zoning designation
- Health and physical fitness establishments are allowed in RP, C-2 and C-3 by right
- Standards should be placed on the request during the SUP process

**The consensus of the Board was to continue discussion at a future meeting after staff prepares options for amendments.**

#### B. MUPUD Revisions

Board members discussed the following:

- Addition of 175 foot railroad setback requirements regardless of zoning
- Additional protection of a berm in proximity of railroad tracks
- Planting of evergreens in proximity of railroad tracks for noise reduction
- Minimum setback from railroad tracks for commercial uses
- Minimum setback for commercial arteries
- Density bonus should only apply to a site or portion/phase of a MUPUD site where there is existing development
- Require 50 percent (50%) glass frontage only on the first floor in the commercial portion of the MUPUD
- Eliminate the requirement for at least 50% windows for the street level façade
- Spirit and intent should begin with an understanding of the point of a MUPUD which is to allow certain types of projects to move forward without eliminating some requirements and providing variances
- Definition of redevelopment vs. new development
- New development on mainly undeveloped land combined with a single building
- Multi-phased project should have a complete site plan
- Delete open space from the list of amenities
- Possible open space ordinance (40% open space in a MUPUD project)
- Delete bicycle parking, bicycle racks, balconies and clubhouses as amenities
- Have two categories of amenities: those which are required and those which give the density bonus
- Definition of traffic and how it relates to the number of occupants and dwelling units
- Remove bus stops as an amenity
- Addition of bus stops as an amenity due to potential high yearly cost to the developer
- Definition of traffic
- Extension of amenity table beyond 10,000 square feet
- Possible point system for amenities
- Requirement for public art as an amenity
- Redevelopment opportunities can be small spots in pre-ordinance areas of the Township (e.g., downtown Haslett)
- Railroad tracks running through downtown Haslett would prevent redevelopment in the area if there was a 175 foot setback requirement from railroad tracks
- 40% open space requirement will preclude pre-ordinance lots from developing under the MUPUD as many of them have 87-90% impervious surface
- Redevelopment can be defined in such a way that the open space requirement can be waived for the pre-ordinance lots in the Township
- Board sent the redevelopment issue to the Planning Commission in January, 2009
- Planning Commission created a Redevelopment Committee which is studying the issue
- MUPUD was created to incorporate new urbanism (density)
- Density bonus was instituted to create a sense of place and provide amenities
- Large projects generally do not get constructed all at once

- Multi-phased projects “feed” on themselves
- Possible evidence of markets in place prior to multi-phased project approval
- Vertical or horizontal planning for the whole project referred to in our ordinance are very different
- Belief the Board is not physically seeing what it envisioned when the MUPUD ordinance was created
- Possible requirement for expertise on market feasibility
- Possible requirement on total traffic generation
- No viable MUPUD to date in the Township
- Need for complete streets (sidewalks, trees, parking on the street, bicycle dedicated lanes on the street as well as travel lanes)
- Provision for electric car hookups as an amenity
- Definition of unit
- Roundtable discussion with the Planning Commission would require notice

**The consensus of the Board was to continue this item for discussion at future meetings, including the August 4<sup>th</sup> Township Hall Meeting, if time allows.**

C. Moratorium on MUPUD Applications

Board members discussed the following:

- Should be of an emergency nature to deal with the health, safety and welfare of the community
- MUPUD is the only active type of development at this time
- Concern a moratorium could be perceived as a no development agenda
- Warn potential developers of pending MUPUD revisions
- Current MUPUD allows for extensive Board flexibility

**The consensus of the Board was to not pursue a moratorium on MUPUD applications.**

12. PUBLIC REMARKS

Supervisor McGillicuddy opened and closed Public Remarks.

13. FINAL BOARD MEMBER COMMENT

Treasurer Brixie requested the Board exercise restraint in the first Board member comment section to allow for public remarks in a timely manner. She asked that non-agenda related comments be reserved for final board member comment.

Supervisor McGillicuddy suggested a two (2) to three (3) minute limit for Board member comment.

14. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 9:47 P.M.

\_\_\_\_\_  
SUSAN MCGILLICUDDY  
TOWNSHIP SUPERVISOR

\_\_\_\_\_  
MARY M. G. HELMBRECHT, CMC  
TOWNSHIP CLERK

Sandra K. Otto, Secretary