

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room
TUESDAY, JULY 7, 2015 **6:00 P.M.**

PRESENT: Supervisor LeGoff, Clerk Dreyfus, Treasurer Brixie, Trustees Scales, Veenstra, Wilson
ABSENT: Trustee Styka
STAFF: Township Manager Frank Walsh, Assistant Township Manager/Director of Public Works Derek Perry, Director of Community Planning & Development Mark Kieselbach, Police Chief David Hall, Fire Chief Fred Cowper

1. CALL MEETING TO ORDER

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

2. PLEDGE OF ALLEGIANCE/INTRODUCTIONS

Supervisor LeGoff led the Pledge of Allegiance.

3. ROLL CALL

The secretary called the roll of the Board.

4. SPECIAL PRESENTATION

Trustee Wilson honored Emily Struble, recent Okemos High School graduate, with a certificate of accomplishment and achievement for being a four-time State Tennis Champion.

A. Zachary Reid and Graham Riley – Seasonal Utility Workers

Assistant Township Manager/Director of Public Works Derek Perry introduced Mary Gebbia-Portice who illustrated the historic efforts of Zachary Reid and Graham Riley in a life-saving event of her dog, Redd, while visiting Central Park South. Zach and Graham were presented with a certificate of appreciation.

B. Planning Commissioner Tom Deits – Summary of Master Plan Public Input Meeting
Planning Commissioner Tom Deits summarized the process used and provided an extensive overview of the findings from the May 21, 2015 Master Plan Public Input Meeting.

Board discussion:

- Board member belief there will be an increased demand for rental housing within the region due to an increase in senior population
- The increased demand for rental housing will result in a need for more affordable housing
- Report presented at Tri-County Regional Planning Commission called for every new development to have 20% of the housing be affordable
- The Planning Commission will have a discussion about affordable housing if it is one of the priorities of the update to the Master Plan
- Board member preference to develop a tree protection ordinance
- Board member request to remove mud from the canoe launch at Ferguson Park
- Board member suggestion for the placement of signs on road bridges to identify the road for individuals who canoe on the Red Cedar River
- Portland, Oregon (mentioned in Goal 3) was a pioneer in the urban services management area concept

5. PUBLIC REMARKS

Supervisor LeGoff opened Public Remarks.

Phil Parmalee, 1392 Haslett Road, expressed continued concern with speeding on Haslett Road. He invited Board members to personally observe traffic by parking near the corner of Haslett and Carlton Roads.

Warren D'Souza, 3598 Stagecoach Drive, Okemos, offered statistics regarding sight lines relative to the proposal to connect to Forsberg Drive in Ponderosa Estates. He believed residents from the new subdivision will take the path through Ponderosa Estates using Forsberg Drive to access Stagecoach Drive in order to ensure safety while exiting to travel east. He objected to the diversion of traffic into Ponderosa Estates as there are no sidewalks in that subdivision and was concerned with pedestrian safety.

Neil Bowlby, 6020 Beechwood Drive, Haslett, voiced appreciation for monies spent on remodeling the Township Hall. He inquired when the 2015 Citizen Survey would be sent to residents, indicating the best time appeared to be mid-late September. Mr. Bowlby stated there is ample time to develop the custom questions.

Gary Mitchell, 1150 Scenic Lake Drive, Okemos, voiced concern with traffic safety and increased traffic at Stagecoach and Ponderosa Drives. He believed a traffic study should be conducted for Planned Residential Development (PRD) #15-07015 (Ember Oaks) to examine the intersection sight distance from Celesk Point to Jolly Road and the stopping sight distance on Jolly Road for left turn movements into Celesk Point. Mr. Mitchell spoke to the increased traffic on Ponderosa Drives to avoid delays exiting onto Jolly Road.

Dr. Lloyd Bingman, 1425 Ambassador Drive, Okemos, addressed restrictions placed by the developer when he built his home in Ember Oaks which he believed are now being ignored in PRD #15-97015. He voiced opposition to the proposed planned residential development and urged its denial.

Tom Repaskey, 3663 Stagecoach Drive, Okemos, voiced concern about traffic and safety issues for residents of both the Ponderosa and Ember Oaks subdivisions. He requested a traffic study be performed before PRD #15-97015 is acted upon.

Mark Hooper, 3653 Stagecoach Drive, Okemos, stated his greatest concern is safety with the Forsberg Drive connection to the Ponderosa subdivision. He questioned the Township's interpretation of its zoning ordinance and the number of lots computed relative PRD #15-97015, adding it is his belief this project should go through the Township's rezoning process.

Zubin Chinoy, 1420 Ambassador Drive, Okemos, expressed opposition to PRD #15-97015 (Ember Oaks) as there is a distrust between existing residents and the builder. He believed the value of homes in phase one of Ember Oaks will decline due to the potential use of "substandard" materials in the proposed project and smaller lots. Dr. Chinoy requested the project either be placed on hold or ensure it is concurrent with the existing phase of Ember Oaks.

Supervisor LeGoff closed Public Remarks.

6. TOWNSHIP MANAGER REPORT

Township Manager Walsh reported on the following:

- Appreciation for public comment on improvements to the Township Hall
- The new central fire station is approximately two weeks behind schedule due to the rain
- Road improvements are approximately \$40,000 over budget but the overage can be absorbed as other projects came in under projected costs

7. BOARD COMMENTS & REPORTS

Treasurer Brixie reported residents should have received their summer tax bills, noting a variety of payment options are available. She stated more information on the options is on the Township website. Treasurer Brixie reported her attendance at a meeting through Global Lansing, where a presentation was made by representatives from Welcoming Michigan, a chapter of Welcoming America. She indicated she will be bringing a resolution to the Board in the near future which emphasizes Meridian Township's welcome to any immigrant who wishes to relocate in Meridian Township.

Treasurer Brixie also reported she participated in a field trip to Cleveland, Ohio last week to view the transformation of Euclid Avenue that occurred with the adoption and installation of a bus rapid transit (BRT) system. She noted \$6 billion in economic development has occurred through that corridor as a result of installation of the BRT. Treasurer Brixie added Debbie Alexander from Capital Area Transit Authority (CATA) will provide a presentation on the BRT at the August 4, 2015 Board meeting.

Clerk Dreyfus reported his attendance at the Economic Development Corporation (EDC) meeting last week where tenancy in the MARC building was discussed. He indicated a discussion also took place on branding and identity relative to businesses located in the Township with mailing addresses in East Lansing as well as the Corridor Improvement Authority and a recap of the Celebrate Okemos Event. Clerk Dreyfus announced the Ingham Conservation District is organizing a Tire Recycling Event on July 25th from 9:00 AM to 3:00 PM. at the Ingham County Fairgrounds, with a limit of seven (7) off rim tires per household. He noted more information about the event can be found at www.ingham.conservation.com.

Trustee Scales stated he sent a memo to the Board stating the budget was “deficient” when bids came in for road improvements, indicating the Board needs to either make adjustments or delete some of the road improvements on the list. He reported his attendance at the rededication ceremony of Courtesy Ford on July 1st.

Trustee Veenstra voiced support to allow the McCurdy’s to keep their goats as noted in several Board communications from residents. He believed that since the Board rezoned the McCurdy property after goat ownership, they should not be “punished” for action taken by the Board. Trustee Veenstra reported his attendance at the June 24th Tri-County Regional Planning Commission (TCRPC) meeting where three (3) presentations were given 1) Regional Prosperity Initiative; 2) Clean Commute Options Program and 3) BRT by Debbie Alexander from CATA. He offered information on funding of the BRT.

8. APPROVAL OF AGENDA

Trustee Scales moved to approve the agenda as submitted. Seconded by Treasurer Brixie.

VOICE VOTE: Motion carried 6-0.

9. CONSENT AGENDA

Supervisor LeGoff reviewed the consent agenda.

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

ROLL CALL VOTE: YEAS: Trustees Scales, Veenstra, Wilson, Supervisor LeGoff, Treasurer Brixie, Clerk Dreyfus

NAYS: None
Motion carried 6-0.

A. Communications

Trustee Scales 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 Treasurer Brixie.

ROLL CALL VOTE: YEAS: Trustees Scales, Veenstra, Wilson, Supervisor LeGoff, Treasurer Brixie, Clerk Dreyfus

NAYS: None
Motion carried 6-0.

B. Minutes

Trustee Scales moved to approve and ratify the minutes of the June 16, 2015 Regular Meeting as submitted. Seconded by Treasurer Brixie.

Board discussion:

- Board member who was absent from the previous Board meeting where the Township FOIA discussion and vote occurred requested “prior document” used for FOIA requests and PowerPoint presentation from the Foster Swift Law Firm
- Board member belief the Clerk was to include FOIA policies and the PowerPoint presentation in the current Board packet
- Township Clerk emailed the FOIA policies to Board members after the last Board meeting, along with the PowerPoint presentation
- The Clerk pointed out FOIA policies are online and updates to state FOIA statutes are “easily found” using Google search
- Board members were reminded, as mentioned at previous Board meetings, there were no written FOIA policies before the Board adopted the written FOIA Procedures and Guidelines developed and submitted by the Clerk at the June 16th Board meeting
- Previous FOIA request form used by the public contained general FOIA principles followed by the Township, and this form was available to the public and to the Board on the Township website
- Request to have “FOIA” information included in the next Board packet
- Board member comment that discussion and action on FOIA policies occurred in the same meeting, instead of having it on the agenda for two (2) meetings
- Board member belief the public is “forced” to Google FOIA information rather than using the Township’s “normal process”
- Board member statement the Township FOIA information is available in the Township Hall lobby, the Clerk’s Office and on the Township website for citizen access
- Board member belief the “FOIA” discussion is a time-wasting personal attack on the Clerk and the Board needs to move forward with the agenda

ROLL CALL VOTE: YEAS: Trustees Scales, Veenstra, Wilson, Supervisor LeGoff,
 Treasurer Brixie, Clerk Dreyfus
 NAYS: None
 Motion carried 6-0.

C. Bills

Trustee Scales moved that the Township Board approve the Manager’s Bills as follows:

Common Cash	\$ 1,122,841.49
Public Works	\$ 172,714.17
Total Checks	\$ 1,295,555.66
Credit Card Transactions	\$ 11,769.05
Total Purchases	<u>\$ 1,307,324.71</u>
 ACH Payments	 <u>\$ 464,734.94</u>

Seconded by Treasurer Brixie.

ROLL CALL VOTE: YEAS: Trustees Scales, Veenstra, Wilson, Supervisor LeGoff,
 Treasurer Brixie, Clerk Dreyfus
 NAYS: None
 Motion carried 6-0.

(Bill list in Official Minute Book)

D. Newton Road Paving, Special Assessment District No. 43 – **Resolutions #1 and #2** (Set Public Hearing Date for August 4, 2015)

Trustee Scales moved to approve Newton Road Public Road Improvements Special Assessment District No. 43 Resolution No. 1, and orders plans and an estimate of costs to be prepared; and move to tentatively approve Newton Road Public Road Improvements District No. 43 Resolution No. 2, tentatively declaring the Township Board's intention to make the public road improvements: grade, gravel and pave Newton Road from Lake Lansing Road north approximately 500' and from Saginaw/BL-69/M-78 south approximately 500'; and sets the Public Hearing for August 4, 2015 for the purpose of hearing objections to the improvement and the special assessment district of Newton Road Public Road Improvement Special Assessment District No. 43. Seconded by Treasurer Brixie.

ROLL CALL VOTE: YEAS: Trustees Scales, Veenstra, Wilson, Supervisor LeGoff,
Treasurer Brixie, Clerk Dreyfus

NAYS: None

Motion carried 6-0.

10. QUESTIONS FOR THE ATTORNEY (None)

11. HEARINGS

A. Mixed Use Planned Unit Development #15014 (Campus Village Development) 2655 Grand River Avenue

Supervisor LeGoff opened the public hearing at 7:13 P.M.

Director Kieselbach summarized the proposed mixed use planned unit development (MUPUD) as outlined in staff memorandum dated July 1, 2015.

John Gaber, attorney for Campus Village, 380 N. Old Woodward, Suite 300, Birmingham, introduced Ernie Schaefer, President, Campus Village, 919 W. University, Rochester and other principals of the company.

Ernie Schaefer offered highlights of his company and addressed the many and varied changes to the MUPUD as a result of input from the Planning Commission, staff and the Township Board.

Mr. Gaber spoke to the infill redevelopment mixed use project of 94,000 square feet on property which has been vacant for 17 years. He stated the design promotes use of alternative transportation (i.e., mass transit, walking and biking). Mr. Gaber indicated the targeted tenants would be graduate students, young professionals, and entrepreneurial residents, groups identified by the Grand River Corridor Study as underserved demographics. He believed the mixed use nature of the project appeals to these transitional residents. Mr. Gaber noted 75% of the total number of units (198 units) will be one or two bedroom, much more than the average student apartment complex. He stated the density of the 198 units (400 beds) is 15.6 units per acre, reduced from the previous 17.5 units per acre. Mr. Gaber stated the applicant is working with the Greater Lansing Housing Coalition (GLHC) to address handicap accessible and income assisted living units.

Mr. Gaber remarked the walkability component of the proposed project is integral, as the perimeter of the site fosters walkability with the sidewalk along Grand River and the pathway connection to be provided by the applicant which will connect to a paved trail along the rear of the property. He stated there have been 13 letters of support for the project written by nearby business owners.

Mr. Gaber indicated the amenities being offered include:

- Exterior LED lighting throughout the site
- Rehabilitation of a degraded site
- Trash recycling
- Relocation of the bus stop at the front of the property
- Granting of an easement for an eight (8) foot pathway at the rear of the property along the railroad right of way, one end which connects to Grand River
- Fitness park with stationery workout equipment has been relocated adjacent to the park

- Dog park has been added for use by the public
- Covered bicycle storage on site
- Public seating plaza adjacent to Grand River Avenue which will include public wi-fi, an art sculpture, planters and benches
- Pocket parks
- Private courtyards
- Entrepreneurial hub
- Underground utilities
- Upper floor balconies
- Sidewalk planters

Brad Strader, LSL Planning, 306 S. Washington, Royal Oak, noted he has previously worked on the Grand River corridor. He stated the mixture of uses being proposed is consistent with the Township's Master Plan, added mixing land uses balances traffic demands and promotes internal trips which reduces traffic trips on the roadway. Mr. Strader indicated the goal of the corridor is to transform from auto-dominated uses to a mixture of uses (both vertical and horizontal), which are more vibrant and more sustainable to support the premium transit. He maintained the corridor plan states it is easier to construct new integrated mixed than to attempt to retrofit. Mr. Strader noted the applicant believes this project can be the first phase in the transformation of this section of the corridor.

Mr. Strader stated when the concept of mixed use was discussed within the planning community, the pictures which circulated were only of vertical mixed use. He added that retail was located on the first floor with restaurants, office and residential above, indicating it is still difficult to do, even in a downtown area. Mr. Strader demonstrated on the overhead projector photographs of Reston, Virginia Town Center outside of Washington, DC which has horizontal mixed use with good connections (e.g., shared parking) as well as Troy and Ann Arbor, Michigan. He believed the proposed development provides internal synergy between the uses located on the site and the shared parking meets environmental goals of the Township. Mr. Strader noted the pervious pavement is environmentally sensitive as it will better filter the stormwater. He noted the project supports the building of ridership for the future BRT by the mix of uses and will be a transit friendly development.

Mr. Gaber addressed concerns previously expressed by integrating retail into the front and back buildings and having cross connections and amenities throughout the site to foster walkability and cross use between the retail and residential components. He noted the number of units were reduced from 222 to 198 and the units per acre were reduced from 17.5 to 15.6. Mr. Gaber stated that in response to a comment the apartments were too close to the adjacent industrial area, a ten (10) foot "green belt" buffer was added along the west property line to preserve the existing mature trees. He noted trees will be added to fill in for a continuous buffer. Mr. Gaber demonstrated on the overhead an aerial view of buildings on the other side of the fence within the industrial area along Dawn Avenue, showing Collingwood Apartments to be only ten (10) feet from the property line.

Mr. Gaber noted the building closest to the railroad right-of-way is now 71 feet away from the right-of-way (increased from 40 feet in previous proposals), stating the measurement from the tracks to the corner of the building is 116 feet from the railway. He indicated the parking area in the back is five (5) feet above the railroad tracks, adding the trench which runs adjacent to the railroad tracks is approximately three (3) feet in depth. Mr. Gaber stated the applicant is proposing an installation of a crash wall (with a supported base) seven (7) feet above the grade of the railroad tracks. He reminded Board members of the report prepared by railroad consultant Mr. Harold Sebastian which opined the applicant has provided a safe design which employs industry and federal safety standards. Mr. Gaber stated a number of amenities (e.g., pathway, easement, fitness park, dog park, pocket parks) have been included in the development over the last several months which benefit the general public.

Mr. Gaber believed the installation of porous concrete within the development helps with stormwater drainage and water purification, acknowledging the applicant would not receive “credit” in the ordinance towards the 70% impervious surface maximum. He alleged the porous concrete should count towards greenspace. Mr. Gaber noted the impervious surface percentage in the proposed development has been reduced from 81% to 79%, highlighting the fact this was previously a commercial development. He believed the Township’s parking ordinance overstates the amount of parking needed for the development, and providing the requested increase in the number of one and two bedroom units, with commensurate increase in required parking, has “penalized” the applicant. Mr. Gaber indicated the applicant has confidence there is sufficient parking for the site.

Mr. Gaber stated he believed the purpose of the MUPUD ordinance provides for a tradeoff between ordinance variances and amenities. He suggested placing pervious asphalt for some of the parking spaces.

Neil Bowlby, 6020 Beechwood, stated the site plans for this project were not placed on the Township website until yesterday and were not the latest version as contained in the Board’s packet. He reminded Board members the Planning Commission did not pass the resolution approving recommendation of this project to the Board. Mr. Bowlby believed many of the objections voiced by Planning Commissioners have been addressed. He recommended including both the proposed pathway and the railroad barrier in the conditions of approval as suggested by the Planning Commission. Mr. Bowlby advocated placing a fence or wall along the ten (10) foot buffer located at the west property line to prevent students from having direct access to the proposed distillery. He inquired as to the possible use of pervious asphalt, as Michigan State University (MSU) Recycling Center has a large parking lot comprised of pervious asphalt. Mr. Bowlby suggested turning the parking lot located at the eastern end in the rear of the development into greenspace until it is determined additional parking is needed.

Mark Clouse, George F. Eyde Family Partnership (current owner of the property), 300 S. Washington. Lansing, echoed the importance of both vertical and horizontal mixed use. He reiterated the initial project at this location was approved in 1997, and the pad site adjacent to the now closed Circuit City remains undeveloped, a telling sign of commercial viability in the future on this property. Mr. Clouse clarified confusion expressed in a letter written by a Planning Commissioner regarding the proximity of industrial and residential, pointing to residential adjacent to industrial on the other side of the fence along the western property line. He voiced appreciation to the applicant for bringing the proposed project to Meridian Township.

Trustee Veenstra inquired as to the approximate cost of the project.

Ernie Schafer responded the cost is projected to be approximately \$28 million.

Trustee Veenstra requested verification the applicant did not own the “big white space” shown on the diagram in the middle of the project fronting on Grand River.

Mr. Schaefer responded the applicant does not own the aforementioned property.

Trustee Veenstra inquired as to what is located on “big white space.”

Mr. Schaefer replied there is an animal hospital, oil change and auto repair service located at that designation.

Supervisor LeGoff closed the public hearing at 8:10 P.M.

12. ACTION ITEMS

Supervisor LeGoff opened and closed Public Remarks.

A. 2016 Budget Schedule

Treasurer Brixie moved to approve the proposed 2016 budget timeline with final adoption at the September 15, 2015 Board meeting. Seconded by Trustee Scales.

Board discussion:

- Inquiry if the new budget schedule will impact when the goals and objectives meetings are held
- Some of the goals and objectives have an impact on the 2016 budget
- The Performance Review Committee has requested, as part of the Manager's evaluation process, that he provide a list of goals staff should focus on for the remainder of 2015 and all of 2016

VOICE VOTE: Motion carried 6-0.

B. Whitehills Lakes South #2 Final Preliminary Plat Amendment

Mike McGraw, 3488 Mason View Drive NE, Grand Rapids, representative for Signature Land Development, purchased the vacant lots and land from the Mason State Bank in 2012. He indicated the first phase of the project involved moving soil to make the already developed lots buildable, with only four (4) of the 13 lots remaining unsold. The applicant noted the demographic (i.e., young families) for this type of development prefer cul de sacs for safety and security. Mr. McGraw stated the Ingham County Road Department was amenable to eliminating the connection due to its proximity to the intersection of Lake Lansing Road and Business Loop 69 (BL-69) and granted a cul de sac variance. He stated the applicant is requesting approval of a variance to the previously approved preliminary plat.

Board discussion:

- Application will provide a pathway connection on Lake Lansing Road to the east
- Elevation of the emergency access will be 5% or less, as required
- Elevation of the cul de sac will be set such that the connecting pathway will be stabilized wide enough to meet the needs of the Fire Department
- Inquiry as to who will plow the emergency access during the winter
- Board member desire to include maintenance of the emergency access as a condition of approval
- Staff reminder that due to the steepness of the slope of the pathway along Lake Lansing Road to the west, condition #10 requires a cash deposit in lieu of building it now
- Pathway is still on the Pathway Master Plan for the future
- Staff suggestion to add language regarding the developer's or homeowner association's responsibility for maintenance and snow plowing of the pathway
- Applicant has not yet assessed which trees will require removal adjacent to property owners on BL-69
- Applicant will preserve as many trees on Lots 23 through 28 as practical to retain screening between the lots and the existing dwelling on BL-69, adding additional trees if necessary
- Staff can determine what trees will be saved on site either at the time of final plat or during the plot plan for construction prior to issuing the building permit

[Clerk Dreyfus left the room at 8:25 P.M.]

[Clerk Dreyfus reentered the room at 8:30 P.M.]

Trustee Wilson moved (and read into the record) NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby grants approval of the final preliminary plat for a single family subdivision of 21 lots, commonly known as Whitehills South, located north of Lake Lansing Road, west of BL-69 and east of Park Lake Road with the following conditions:

1. Approval is granted in accordance with the final preliminary plat prepared by KEBS, Inc. received June 15, 2015, indicating 21 single family lots, subject to revisions as required. Any revisions of the plat shall be subject to the Township's approval.

2. The Township Board hereby grants a variance from Section 62-62(7) of the Township's Land Division ordinance to allow Southridge Road to exceed the maximum cul de sac length of 660 feet. In a letter from Greg Petru, P.E., KEBS, Inc. dated June 17, 2013, the reasons for the variance are enumerated and include: steep slope, site vision on Lake Lansing Road, the elimination of 20-30 trees to construct the connection to Lake Lansing Road, and proximity to M-78/BL-69 (300-350 feet).
3. Construction shall not commence until the applicant has obtained all necessary permits and approvals from the Ingham County Drain Commissioner, Board of Ingham County Commissioners, Michigan Department of Transportation, and the Township. Copies of all permits and approval letters shall be submitted to the Department of Community Planning and Development.
4. Final utility plans shall be subject to the approval of the Director of Public Works and Engineering and shall be completed in accordance with Township Engineering Design and Construction Standards
5. An overall grading plan for the subdivision shall be required with detailed construction plans, prior to issuance of any building permits.
6. Storm sewer leads shall be provided to each lot in the subdivision. The final location of the leads shall be subject to the approval of the Director of Public Works and Engineering.
7. A five foot wide concrete sidewalk shall be constructed along the east side of Southridge Road, the north side of Winterfield Court, as well as the frontage on Lots 14, 15, 16, and 34 on the cul de sac. The sidewalk shall be designed and constructed in accordance with Township Engineering Design and Construction Standards.
8. A seven foot wide asphalt pathway shall be constructed between Lots 21 and 22 to extend from the southern end of the Southridge Road cul de sac southward to the pedestrian-bicycle pathway on the north side of Lake Lansing Road. The asphalt pathway shall be centered within a 20 foot wide strip stabilized to accommodate emergency vehicles as requested by the Fire Department. The 20 foot wide strip shall not be within the boundaries of either Lot 21 or Lot 22. The pathway's grade shall not exceed five percent. Maintenance shall be the responsibility of the developer or homeowners association. Snowplowing shall be performed as part of maintenance.
9. A seven foot wide concrete pathway shall be constructed on the north side of Lake Lansing Road from Southridge Road east to the existing pathway on the northwest side of BL-69. The final location of the pathway shall be subject to the approval of the Director of Public Works and Engineering. The design and construction of the pathway shall be in accordance with Township Engineering Design and Construction standards.
10. In lieu of constructing a seven foot wide concrete pathway on the north side of Lake Lansing Road, west of Southridge Road, the applicant shall provide a cash deposit to the Township.
11. Street trees shall be required along Lake Lansing Road. Street trees shall be required throughout the subdivision along all internal roads. Species and location of trees shall be subject to the approval of the Director of Community Planning and Development and the Ingham County Road Department.
12. The applicant shall identify trees proposed to be removed or relocated on Lots 23 through 28 to determine if there is a need for a vegetative screen between the lots and the existing dwellings on BL-69. If screening is determined to be necessary by the Township, the design and proposed landscape material shall be subject to the review and approval of the Director of Community Planning and Development.

13. Any wellheads located on the site shall be properly closed and abandoned per the requirements of the Ingham County Health Department and the Township prior to issuance of any permit for construction activity, including grading permits.
14. A copy of the information which exists on computer for the plat and construction plans shall be provided to the Township Engineering staff in an Auto Cad compatible format.

Seconded by Treasurer Brixie.

Board and applicant discussion:

- Appreciation for clarification on the maintenance of the pathway along Lake Lansing Road
- Appreciation for the attractiveness of living on a cul de sac for young families
- Michigan Department of Transportation (MDOT) claimed ownership of the storm drain
- Existing pathway on the south side of Lake Lansing Road from Park Lake to BL-69
- There is one ingress/egress for the 34 lots known as Whitehills Lakes South #2
- Road to the north connects to Park Lake Road

ROLL CALL VOTE: YEAS: Trustees Scales, Veenstra, Wilson, Supervisor LeGoff,
Treasurer Brixie, Clerk Dreyfus

NAYS: None

Motion carried 6-0.

C. 2015 Township Citizen Survey

Treasurer Brixie moved to authorize staff to conduct a 2015 Citizen Survey using the same survey company used for the last four surveys. Seconded by Trustee Wilson.

Board discussion:

- Board member preference to wait until fall for the survey for greater participation
- Internal procedures will take until fall to evolve
- Need for the type of surveys which provide actionable data
- Board member preference to utilize the service of MSU to provide a comprehensive survey customized for Meridian Township, incorporating questions used in the National Citizen Survey for benchmarking comparisons
- Need for time to allow the Township to investigate using MSU for survey purposes
- Preference for continuity with the current vendor at this point in time and begin building with MSU to develop questions for the next three (3) year survey

ROLL CALL VOTE: YEAS: Trustees Scales, Veenstra, Wilson, Supervisor LeGoff,
Treasurer Brixie

NAYS: Clerk Dreyfus

Motion carried 5-1.

D. Fire Truck Purchase

Trustee Scales moved to authorize the Township Manager to execute an agreement with Kodiak Emergency Vehicles in the amount of \$423,951 for the purchase of a Spencer Pumper/Spartan Chassis Fire Truck. Seconded by Treasurer Brixie.

Board and staff discussion:

- Board member disappointment the Township is receiving only \$11,000 for a trade-in of a 22 year-old fire truck
- Manager's appreciation for the hard work by the Fire Chief and Director of Public Works to keep down the cost of the truck
- Township is paying cash for the fire truck
- Many other communities finance their fire truck purchases and assume debt for the purchase
- Township Board set aside \$150,000 last year towards the purchase of a new fire truck

ROLL CALL VOTE: YEAS: Trustees Scales, Veenstra, Wilson, Supervisor LeGoff,
Treasurer Brixie, Clerk Dreyfus
NAYS: None
Motion carried 6-0.

- E. Appointments to the Community Resources Commission
Treasurer Brixie moved to appoint Alicia Lane and Rebecca Chessney Jones-Henry to the Community Resources Commission for terms ending December 31, 2016. Seconded by Trustee Wilson.

ROLL CALL VOTE: YEAS: Trustees Scales, Veenstra, Wilson, Supervisor LeGoff,
Treasurer Brixie, Clerk Dreyfus
NAYS: None
Motion carried 6-0.

[Supervisor LeGoff recessed the meeting at 8:52 P.M.]

[Supervisor LeGoff reconvened the meeting at 8:59 P.M.]

13. BOARD DISCUSSION ITEMS

Supervisor LeGoff opened Public Remarks.

Mark Hooper, 3653 Stagecoach Drive, Okemos, voiced confusion over interpretation of the process and procedures used relative to computations for PRD #15-97015 (Ember Oaks).

[Clerk Dreyfus reentered the room at 9:00 P.M.]

Dana Gavrilides, 3627 Stagecoach Drive, voiced concern over the Forsberg Drive access drive into the Ponderosa subdivision. She requested the Board require a traffic study prior to making a determination on PRD #15-97015.

Neil Story, 3537 Ponderosa Drive, Okemos, expressed concern over the process and procedures used relative to PRD #15-97015 (Ember Oaks), noting the situation is unusual. He alleged the proper course for this request would be a rezoning.

Jeff Kyes, KEBS, Inc., 2116 Haslett Road, Haslett, explained the original PRD for Ember Oaks was based on the underlying rural residential (RR) zoning where the master yield plan calculated the maximum number of lots at 158. He noted the connection to Hiawatha and Ponderosa subdivisions was requested by the Ingham County Road Department (ICRD) and explained the ICRD required sight distances of 810 feet east and west.

David Pierson, attorney for the applicant, 1305 S. Washington Avenue, Lansing, indicated the reasons for changes in the Ember Oaks sketch plan are drainage, gaining access for safe sight distance, and the Township Board added the connection to its resolution of approval and sketch for the PRD in 1999. He countered earlier public comment which alleged residents who have children that attend Williamston schools will want to make a left turn onto Forsberg Drive by stating all of the lots north of the connection are in the Okemos School District. Mr. Pierson noted the drainage and stormwater treatment requirements have changed dramatically since original approval and the plat was reconfigured to meet those requirements. He added none of the lots yet to be developed are smaller than Dr. Chinoy's lot. Mr. Pierson reiterated it is the intent of the owners, Schroeder Builders, to develop the rest of the property as Ember Oaks, using the same restrictions used for the existing portions of the development. He stated the PRD sketch plan and the plat are not the same, noting nothing is being rezoned.

Supervisor LeGoff closed Public Remarks.

- A. Mixed Use Planned Unit Development #15014 (Campus Village Development) 2655 Grand River Avenue

Board and applicant discussion:

- Inquiry if a traffic light is possible to assist pedestrians in reaching the bus stop on the north side of Grand River Avenue
- Traffic signals require a warrant based on a number of factors, including traffic volumes
- Project does not have sufficient traffic volumes to permit a signal
- New pedestrian activated signal called a HAWK (High-intensity Activated crossWalk) may be used in the future as the BRT moves forward
- Appreciation for the applicant's willingness to modify the plan to address Board concerns
- Appreciation for the bicycle pathway connection which can connect to the Township's vision of the river trail connection
- Applicant will give the easement to the Township as part of the Pathway Master Plan
- North elevation of the dog park is steep and will need to be graded
- Sidewalk from Grand River to Foods for Living will be increased from five (5) feet to eight (8) feet to meet pathway standards
- Dog park maintenance will be the responsibility of Campus Village Development
- Intent of the applicant to own the property which houses Foods for Living
- South side of Collingwood Apartments face onto the Red Cedar River
- Only the edge of one of the ten buildings in Collingwood Apartments is adjacent to the industrial district so it is not "similar" to the proposed project as previously mentioned
- This area is one of the only active industrial zoned pieces of land in the Township
- If the Grand River Corridor with the BRT help attract industrial uses, we will see improvements in the quality of the industrial occupancy which already exists and needs to be maintained
- Board member belief the applicant is requesting a use which is not totally compatible with the industrial
- Board member request for a 100 foot buffer between residential and industrially zoned land
- MUPUD allows for site-specific setbacks
- Economic development experts in Cleveland, Ohio indicated it is essential for all development projects to have a "front door" onto the avenue upon which the BRT runs
- Applicant's change in the front positions the building to look away from Grand River and runs counter to encouraging pedestrians to utilize public transit
- Board member preference for the property to take on a "U" shape similar to Northwind Drive as it would relate better to everything on the site
- Building to the southwest does not fit into a pedestrian oriented design
- Request for staff to provide the railroad setback allowed at the Lodges
- Board member belief all new projects along Grand River need to be BRT compliant
- The BRT plan contains a "requirement" that left turns are allowed only at traffic signal lights
- West drive off Grand River is the only ingress/egress for Denny's Restaurant
- Board member belief the main entrance for the project then becomes the Park Lake/Grand River intersection and needs to be improved for appropriate circulation through the project
- BRT is proposed to have its dedicated lanes center running and the bus stops will, therefore, be in the center of Grand River Avenue at traffic lights
- Board member assumption the bus stop will be located in the center of Grand River Avenue at the Park Lake Road signal light
- Request for staff to provide current industrial uses on Dawn Avenue to determine if any existing uses propose a safety hazard to nearby residents
- Inquiry if the Township can "control" future industrial uses on Dawn Avenue to prevent potential hazards to the residents
- Board member preference to increase the buffer from ten (10) feet to 20 feet to provide additional distance from industrially zoned land to the west
- Blank wall facing Grand River is not inviting and would be a "canvas" for graffiti artists
- MUPUD ordinance allows setbacks to be waived
- Setback from Grand River Avenue is 100 feet next to commercial and the applicant has proposed 15 feet
- Township needs more multi-family residential along the Grand River Corridor
- Appreciation to the applicant for working with the Greater Lansing Housing Coalition to discuss a low income housing component
- Appreciation to the applicant for its proposed use of pervious pavement surfaces

- Board member belief pervious surfaces should be included in the pervious percentage calculations
- Board member request for the parking ordinance to be reviewed for possible reduction in required spaces, especially in MUPUD projects
- Left hand turn from Grand River onto Park Lake Road as the main entrance was part of the applicant's traffic study
- Less concern over the proximity to industrial zoned land as the Township's industrial zoning requirements prohibit: noise above conversation level at the property boundary; odorous gases or other odorous materials at the property boundary; emission of smoke discharged into the air or production of any physical vibrations humanly perceptible at or beyond the lot property
- Reminder that the Planning Commission did not approve the project
- Need for more greenspace to offset compact high density development as a major component of smart planning
- Board member belief the intent of the MUPUD ordinance was to foster redevelopment of a project site
- Applicant's project is an "inappropriate" use of the MUPUD ordinance by including existing commercial buildings and parking
- Board member belief there is only approximately eight (8) acres of developable MUPUD land according to the original intent of the MUPUD ordinance
- None of the existing commercial buildings are being redeveloped
- Board member preference to eliminate Block 3 which will greatly reduce the need for variances as the computation offers 17 dwelling units per acre, one unit below the maximum allowed in a MUPUD
- Elimination of Block 3 allows the pervious surface percentage to be below the maximum percentage allowed by ordinance
- Elimination of Block 3 allows for a greater buffer from the industrially zoned property on the west side of the site
- Board member belief elimination of Block 3 would allow for 138 units (270 beds) plus commercial and would still make the project viable for the applicant
- Board member preference to place this item on for continued discussion at the July 21, 2015 Board meeting
- Request by the applicant to place this item on for action at the next Board meeting and they will meet with the Board members individually to bring a revised plan back to the full Board
- Board member suggestion for the applicant to meet with CATA regarding the configuration of the BRT as it relates to their project
- Applicant has already met with CATA and will continue that relationship as the project moves forward
- Board member suggestion for the applicant to present the project redesign back to the Planning Commission
- Board member request for the number of dwelling units per acre on the "true" new acreage of the project

It was the consensus of the Board to place this item on for action at its July 21, 2015 Board meeting.

- B. Special Use Permit # 15051 (Campus Village Development) 2655 Grand River Avenue
Mr. Gaber, on behalf, of the applicant, requested the special use permit move through the process commensurate with the MUPUD.

It was the consensus of the Board to place this item on for action at its July 21, 2015 Board meeting.

Trustee Scales moved to suspend the rules to take up Agenda Item #13C (Planned Residential Development #15-97015 (SP Investments Limited Partnership, Amendment to the Planned Residential Development Sketch Plan – Ember Oaks) beyond 10:00 P.M. Seconded by Treasurer Brixie.

VOICE VOTE: Motion carried 6-0.

- C. Planned Residential Development #15-97015 (SP Investments Limited Partnership) Amendment to the Planned Residential Development Sketch Plan – Ember Oaks
Director Kieselbach summarized the request to amend the Ember Oaks Planned Residential Development sketch plan as outlined in staff memorandum dated June 30, 2015.

Board and staff discussion:

- Three (3) final plats have already been approved as part of this project
- Remaining portion before the Board has received preliminary plat approval but must go through the plat process
- Board member request to hear from the developer what he is attempting to do with this project
- Board member belief that because there is a majority of ownership with the developer, the neighborhood association is not an association of homeowners
- Several residents have voiced a lack of trust between them and the developer
- Under the PRD overlay, the developer is allowed to reduce two lot sizes (RR to RAAA)
- There is nothing in the Township ordinance which states the lots cannot be bigger, as the Township sets minimum standards
- Decision on lot size is the developer's, provided all lot sizes comply with the Township ordinance
- Letter from the then Ingham County Road Commission in 1999 required a road connection to the west and east which was included in the PRD resolution to approve by the then sitting Board
- Subsequent to the PRD resolution to approve, the preliminary plat showed the approved connection
- Sketch plan and the plat are two separate approval processes
- Sketch plan approves the number of lots, the open space and the buffers
- Plat deals with the design
- Inquiry if the applicant could amend this project to add the approximate 80 acres of undeveloped land north and east of the Ponderosa subdivision
- If the applicant chose to use the PRD option for the land north and east of the Ponderosa subdivision, the process would require a sketch plan and the plat process which includes a public hearing with notification to nearby residents
- The project is not a rezoning as the underlying RR zoning does not change, but the PRD is an overlay
- Overlay districts are placed on top of the existing underlying zoning
- Number of lots in the new sketch plan remain the same as the original (111)
- Whitehills has six (6) phases which are all connected through an inner network of streets and are made up of different types of housing
- Proposed project connects three (3) neighborhoods together and eliminates the negativity associated with sprawling cul de sac and suburban style development
- Importance of the connectivity
- Board member belief the residents of Ponderosa will use the exit (Forsberg Drive) into the Ember Oaks phase to access Jolly Road because of the way the streets curve in the Ponderosa subdivision
- Preference expressed by the residents of Ponderosa to prevent "through traffic" by eliminating the Forsberg Drive connection
- Connection jeopardizes pedestrians as there are no sidewalks in the Ponderosa subdivision
- No buffer exists between front yards and the road in the Ponderosa subdivision
- Board member belief there is a way to accommodate the connection between Ember Oaks and Ponderosa subdivision for emergency purposes without opening it up to "through traffic"
- Rationale for the ICRD and Board decision to create the Forsberg Drive road connection
- Stage of the process where the Board would address concerns of the residents (e.g., road connection)
- Applicant would need to amend the final preliminary plat prior to final plat approval
- Final preliminary plat (FPP) stage is where the issues of the plat, sight distance, connection of streets, etc.
- FPP decision rests solely with the Board
- No public hearing required for FPP approval

Clerk Dreyfus moved to continue discussion of Agenda Item #13C (Planned Residential Development #15-97015 (SP Investments Limited Partnership) Amendment to the Planned Residential Development Sketch Plan) – Ember Oaks. Seconded by Trustee Scales.

ROLL CALL VOTE: YEAS: Trustees Scales, Veenstra, Wilson, Treasurer Brixie, Clerk Dreyfus

NAYS: Supervisor LeGoff

Motion carried 5-1.

Continued Board and staff discussion:

- Lack of a connection between Ember Oaks and Ponderosa subdivisions does not foster the Township's goal of creating a pedestrian oriented community
- Possible compromise to change Forsberg Drive into a pedestrian pathway
- Right of way for Forsberg Drive is already in the plat
- Forsberg Drive is a public road and under the jurisdiction of the ICRD
- Forsberg Drive connects to Stagecoach Drive and out onto Jolly Road
- North end of Stagecoach Drive is a cul de sac
- 35 lots are allowed on a single access
- Board member suggestion to establish a working group consisting of staff, Board members, representatives of the developer, nearby residents and ICRD staff to attempt to resolve these "confusing" issues
- Board member request to obtain a current response from the ICRD on the need for the Forsberg Drive connection
- Statement by the developer's representative that the applicant does not "care" whether they build Forsberg Drive, but considers the interconnection a public policy question
- Board member suggestion there only be a pathway connection (with possible emergency vehicle access) where Forsberg Drive is currently shown on the map
- Board member suggestion to place this item on for action to move the project along and then address the Forsberg Drive connection with the ICRD
- Board member reminder of the ICRD's commitment to residents of Indian Lakes Estates not to construct a through connector
- Board member opinion single family neighborhoods should be connected
- Board member belief there are "glaring" differences between the Indian Lakes Estates connection to 700+ student housing units with large commercial space v. the interconnection of three (3) adjacent neighborhoods
- Street connections help alleviate and smooth out traffic flow on the Township's major arterial roads
- There are existing pedestrian/bicycle pathways in the Township with emergency vehicle access, using collapsible bollards

It was the consensus of the Board to place this item on for continued discussion at the July 21, 2015 Board meeting.

14. PUBLIC REMARKS

Supervisor LeGoff opened Public Remarks.

Mark Hooper, 3653 Stagecoach Drive, Okemos, addressed language contained in the ordinance relative to PRD #15-97015. He voiced confusion with Section 86-378 (contained in the Township's zoning ordinance) which establishes a PRD, suggesting the concerns be addressed at this point in the process rather than an attempt for resolution when there is a shortened time period.

Dr. Lloyd Bingman, 1425 Ambassador Drive, Okemos, stated there are several issues of concern with PRD #15-97015 (Ember Oaks), believing the developer was not transparent during this process.

David Pierson, attorney for the applicant, 1305 S. Washington Avenue, Lansing, indicated he was in attendance when Ember Oaks was discussed by the then sitting Board in 1999, and it was his understanding it was a requirement of the Ingham County Road Commission (ICRC) that the connection be made. He noted it was not the applicant's intent to "pull the wool over anyone's eyes." Mr. Pierson stated the applicant believed he had adequately conveyed to the residents of Ponderosa that "Ember Oaks will be Ember Oaks." He acknowledged a reconfiguration is necessary to comply with changes required by the ICDC for drainage, and the applicant concurs the access should be in a different and safer place with better sight distance. Mr. Pierson used a calculation provided by one resident regarding the change in the average lot size, stating use of the provided numbers would reduce the average lot size by 3,647 square feet. He reminded Board members and the public there is a large range in lot sizes, both within the existing developed lots and across all of the planned development, believing it disingenuous to characterize the lots as smaller. Mr. Pierson believed Ember Oaks an example of the PRD's intent to encourage additional open space through reduction in lot size and the sketch plan is the first step towards accomplishing that.

Neil Story, 3537 Ponderosa Drive, Okemos, assumed if the Board approves the sketch plan, the Board will "lock" in some items which cannot later be revisited, among them acceptance of an amendment and the maximum number of lots (111). He believed that since this is not at the final preliminary plat stage, the designated number of lots can be changed. Mr. Story indicated Board members have a fiduciary responsibility to look at the alternatives, possibly asking for "refreshed" calculations.

Supervisor LeGoff closed Public Remarks.

15. FINAL BOARD MEMBER COMMENT

Trustee Wilson reported her attendance at the last Groundwater Management Board, and the Carriage Hills neighborhood meeting. She suggested the issue of affordable housing as a component of new residential development be discussed as a possible policy issue, with a subsequent ordinance amendment. Trustee Wilson requested the new FOIA Guidelines be placed on the agenda for discussion and action at the next Board meeting. She expressed a desire to amend the Township's new FOIA Guidelines with language offered by the Michigan Townships Association in an attempt to clarify the policy for residents.

Trustee Scales voiced his support to place the FOIA Guidelines on the next agenda for discussion.

Trustee Wilson suggested the Powerpoint presentation created by Foster Swift be placed on the Clerk's page of the Township website as it would provide Township residents with a clear explanation of FOIA changes.

Treasurer Brixie requested the Township Manager provide an update regarding allegations made regarding the Police Department's release of information contained in a press release. She stated the allegations centered around a breach of confidentiality in reporting crimes had been committed in a Township home inhabited by medical marijuana caregivers/growers where medical marijuana was present.

Township Manager Walsh noted a legal opinion was requested at the last meeting to determine whether the Police Department or the Police Chief violated the Michigan Medical Marijuana Act (MMMA) through the release of certain information shared in a press release. He stated the instant response from Township counsel was there was no violation by the Police Department. The legal opinion offered caution regarding release of personal information about individuals who operate a medical marijuana facility or use medical marijuana. Manager Walsh indicated the second legal opinion responded to a question raised about when and how a Board member could properly abstain from voting. He noted Township counsel determined there is process for abstaining, but there must be a clear and convincing conflict of interest which would result in financial gain. Manager Walsh summarized counsel further opined that if, in the future, a Board member chooses to abstain, a vote of the Board should be conducted to determine whether a conflict existed.

Treasurer Brixie discussed a news article she passed out to Board members, which addressed a different crime where a medical marihuana grow facility was present in a home within Meridian Township. She believed it necessary for the Board to regulate medical marihuana grow facilities using the same rules which apply to other home occupations. Treasurer Brixie and Trustee Scales requested the Supervisor place this item on the agenda for the next Board meeting.

Clerk Dreyfus believed the article just handed out to Board members dealt with a domestic assault incident, and the fact the attacker had a valid medical marihuana growing operation was incidental to the focus of the story. Relative to the FOIA Guidelines previously mentioned, he believed it sets a bad precedent for the Board to revisit a recently adopted policy at the request of a Board member who was absent for the meeting at which the vote took place. Since the adopted guidelines authorize the Clerk (designated as the FOIA Coordinator), to make policy changes as necessary, Clerk Dreyfus welcomed any proposed changes for review and possible recommendation to the entire Board. He believed it not a good use of bandwidth to place the Powerpoint presentation on the Township website as all the information is contained in the written adopted Policies and Guidelines already placed on the website for public perusal and use.

Trustee Scales believed a thorough reading of the news article passed out by Treasurer Brixie would lead the Clerk to a different conclusion, as the assailant fired at a Township police officer. Trustee Scales noted the news article stated the attacker was wearing a bullet proof vest at the time of the altercation, believing medical marihuana at the heart of the issue. After a lengthy exchange, Clerk Dreyfus stated it is speculation as to why the assailant was wearing a bullet proof vest.

16. ADJOURNMENT

Supervisor LeGoff adjourned the meeting at 11:19 P.M.

ELIZABETH LEGOFF
TOWNSHIP SUPERVISOR

BRETT DREYFUS, CMMC
TOWNSHIP CLERK

Sandra K. Otto, Secretary