



AGENDA
CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD – REGULAR MEETING
September 4, 2018 6:00 pm

1. CALL MEETING TO ORDER*
2. PLEDGE OF ALLEGIANCE/INTRODUCTIONS
3. ROLL CALL
4. PRESENTATION
 - A. HOMTV Program Sponsorship
 - B. 2019 Recommended Budget
5. CITIZENS ADDRESS AGENDA ITEMS AND NON-AGENDA ITEMS*
6. TOWNSHIP MANAGER REPORT
7. BOARD MEMBER REPORTS AND ANNOUNCEMENTS
8. APPROVAL OF AGENDA
9. CONSENT AGENDA
 - A. Communications
 - B. Minutes-August 21, 2018 Regular Meeting
 - C. Bills
10. QUESTIONS FOR THE ATTORNEY
11. HEARINGS (CANARY)
 - A. 2019 Recommended Budget
 - B. Summer Park Realty (Walnut Hills) Consent Judgement
12. ACTION ITEMS (PINK)
 - A. Update Property Maintenance Code-**Final Adoption**
 - B. Order to Maintain Sidewalk-Resolution #3
13. BOARD DISCUSSION ITEMS (ORCHID)
 - A. Medical Marihuana Ordinance
 - B. Summer Park Realty (Walnut Hills) Consent Judgement
 - C. Rezoning #18080 (Giguere Homes)
 - D. 6365 Newton Road Concept Plan
 - E. 2019 Recommended Budget
14. COMMENTS FROM THE PUBLIC*
15. OTHER MATTERS AND BOARD MEMBER COMMENTS
16. ADJOURNMENT
17. POSTSCRIPT-RONALD J. STYKA

All comments limited to 3 minutes, unless prior approval for additional time for good cause is obtained from the Supervisor.
Appointment of Supervisor Pro Tem and/ or Temporary Clerk if necessary.

Individuals with disabilities requiring auxiliary aids or services should contact the Meridian Township Board by contacting:
Township Manager Frank L. Walsh, 5151 Marsh Road, Okemos, MI 48864 or 517.853.4258 - Ten Day Notice is Required.
Meeting Location: 5151 Marsh Road, Okemos, MI 48864 Township Hall

**CLERK'S OFFICE BOARD
COMMUNICATIONS
September 4, 2018**

COMMUNICATIONS

Riley Millard

From: Tom Wiseman <tom.wiseman@sbcglobal.net>
Sent: Tuesday, August 21, 2018 1:22 PM
To: Board; LuAnn Maisner
Subject: Ottawa Hills Neighborhood Park

Dear Mr. Dreyfus and the Meridian Township Board,

CC: Ms. Maisner

We are reaching out to you to express our concerns about the renovations happening at the Ottawa Hills Neighborhood Park. Our house is the only home next to the park and, consequently, any activity at the park directly affects us.

Background

We have lived at 4954 Hillcrest for 20 years. During that time we have witnessed both care, and neglect, on the part of the township for the park. Within the past year, the Parks Department scheduled a neighborhood meeting to discuss future upgrades for the property. While we were unable to attend, we sent a letter expressing our thoughts and opinions prior to the meeting as invited to do in the meeting notice. After several requests, we obtained the minutes from the meeting recently (July). We are not sure of how many neighbors were actually in attendance and wonder if they had a quorum to make any decisions based on the discussion.

Our Concerns

Below are our issues to date, those of main concern, or those we feel that we may still be able to have a voice.

Basketball court/net – In the past year, the basketball net was removed per our request. This court was not used by neighborhood kids and was frequented by teenagers who used foul language and left their garbage in the grass. On many occasions, we, and other neighbors have approached these kids with our concerns.

Additionally, we are the only house near the park and we are frustrated that the court is located right next to our screened in porch. In fact, the basketball net is 56 feet from our porch. It is hard to enjoy our time outside when young adults are playing ball next to our home. Moreover, we are the only neighborhood park in the township that has a basketball court. Why aren't the courts located in the bigger parks that have more traffic and are not next to homes? ie. Wonch Park.

Ms. Maisner has offered to put a line of trees between our house and the basketball court. In my opinion, this is not an adequate solution as I am confident that a line of trees will not be enough to defuse the noise.

Our Request: We have learned of the plan to resurface the court and replace the net and have asked that the basketball court is not repaired and the court is re-located at other parks throughout the township. At a recent Park Commission meeting we were told that moving the court was out of the question. We are now requesting that the basketball net is moved to the

east side of the court, further away from our porch. Ms. Maisner informed us that this could possibly cost \$800 and she would have to review the township budget. To date, we have not had any follow-up from her on the outcome of her research.

Corner fencing – As of last week we now have a white vinyl corner fence near the street, on our lot line, delineating the perimeter of the park. We learned of this project when your facilities crew were in our yard putting a post in the ground to denote where the fence would go. Additionally, they placed several posts along the back of the park line, in a much-wooded area, and one at the adjacent corner of the park to the one on our lot line. Currently, the one on our lot is the only one where the fence has been added.

We are very unhappy about the fact that we made our feelings known about not wanting a white fence, which I looks out of place, were essentially ignored. This is a wooded neighborhood. If you feel the need to put up a fence why is not a wood split rail that would accent and blend with the natural environment. We have been told the township plans to put up corner fences in ALL neighborhood parks. To date, we have not seen any indication that this is happening in any other park except ours.

Our Request To remove the white fence and either replace it with a wood split rail or cap off the post. This is what is planned for the post on the east end of the park delineating the boundary line. Our lot line is the only one planned to have a corner fence and it looks out of place.

It is disappointing that the township has not been transparent about their plans in the park and we have had to learn of the plans through our own research on your website, which is not very user-friendly. Your actions have not been that of a good neighbor. Your actions definitely affect our property value and quality of life.

In conclusion, we would like to encourage that in the future to step back and include the residents and neighbors who are directly affected by your decisions in the decision-making process. We feel as though our opinion and quality of life are not your concern and the taxpayer dollars, our dollars, are not being used with due diligence.

Happy to discuss further and in person if you like.

Thomas and Joy Wiseman

Note: This email may not be reprinted in any media channel. It is for the recipients information only.

Riley Millard

From: Brett Dreyfus
Sent: Tuesday, August 21, 2018 11:35 AM
To: Board
Subject: FW: Ordinance Proposals
Attachments: Meridian Township - Proposed Provisioning Center Commercial Zoning Overlay 4.pdf;
Meridian Township Zoning Ordinance (proposal).docx

From: Marcus Baldori [mailto:baldorim@gmail.com]
Sent: Friday, August 17, 2018 5:42 PM
To: Brett Dreyfus
Cc: Robert Baldori
Subject: Ordinance Proposals

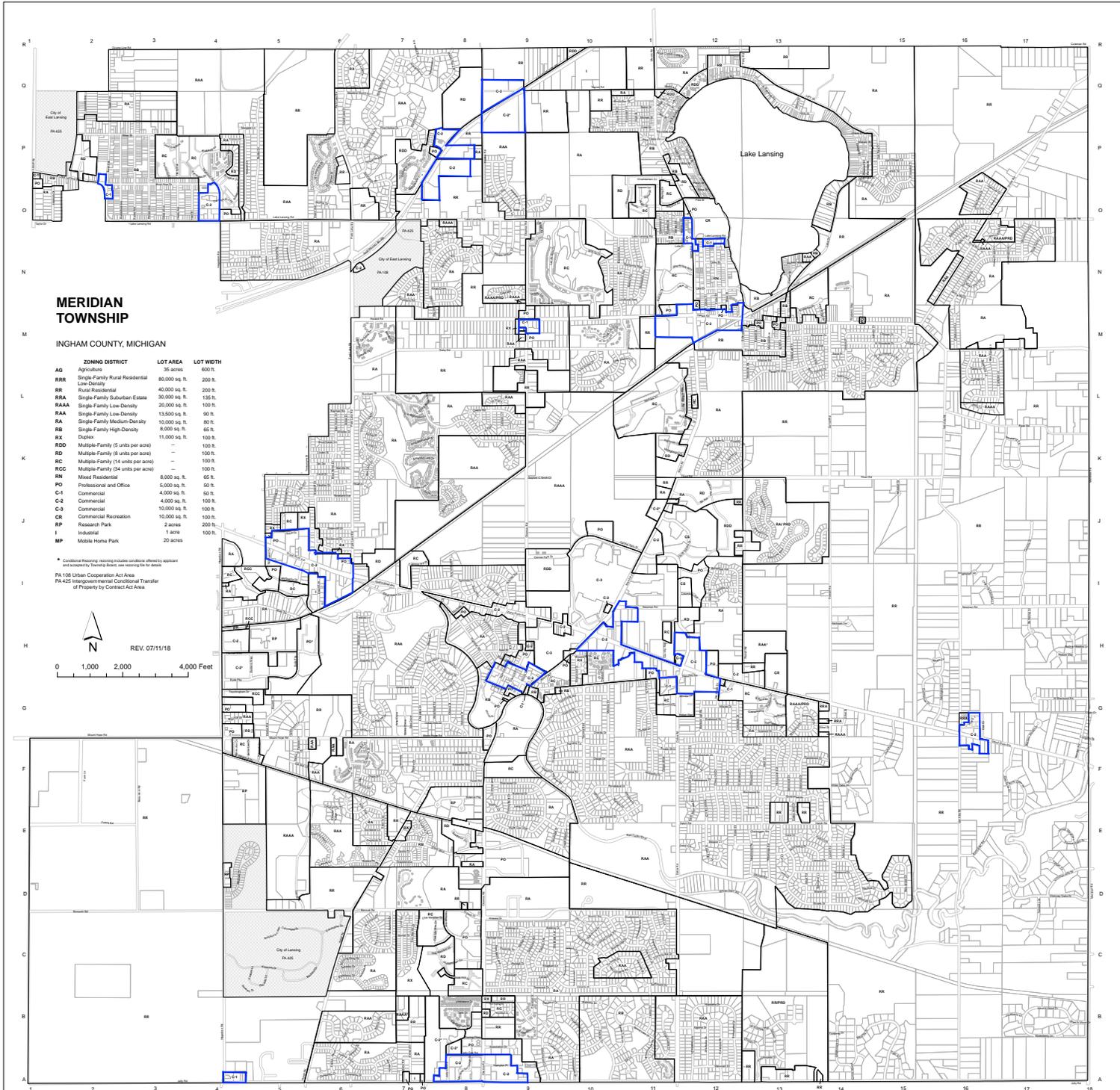
Hi Brett:

Great meeting you today. Here is an electronic copy of the documents we had that focus on commercial overlays for provisioning centers.

Hope to talk soon!

Marcus Baldori

Zoning Map

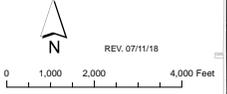


MERIDIAN TOWNSHIP

INGHAM COUNTY, MICHIGAN

ZONING DISTRICT	LOT AREA	LOT WIDTH	
AG	Agriculture	35 acres	600 ft.
RR	Single Family Rural Residential Low Density	80,000 sq. ft.	200 ft.
RR	Rural Residential	40,000 sq. ft.	200 ft.
RAA	Single Family Suburban Estate	30,000 sq. ft.	135 ft.
RAA	Single Family Low Density	20,000 sq. ft.	100 ft.
RA	Single Family Low Density	15,000 sq. ft.	90 ft.
RA	Single Family Medium Density	10,000 sq. ft.	80 ft.
RB	Single Family High Density	8,000 sq. ft.	85 ft.
RC	Duplex	11,000 sq. ft.	100 ft.
RDD	Multiple-Family (5 units per acre)	---	100 ft.
RD	Multiple-Family (8 units per acre)	---	100 ft.
RD	Multiple-Family (14 units per acre)	---	100 ft.
RM	Mixed Residential	8,000 sq. ft.	85 ft.
PO	Professional and Office	5,000 sq. ft.	50 ft.
C-1	Commercial	4,000 sq. ft.	50 ft.
C-2	Commercial	4,000 sq. ft.	50 ft.
CR	Commercial	10,000 sq. ft.	100 ft.
CR	Commercial Recreation	10,000 sq. ft.	100 ft.
RP	Research Park	2 acres	200 ft.
MP	Mobile Home Park	20 acres	100 ft.

* Conditional Zoning Districts require additional application and approval by Township Board and Ingham County Board.
 PA 108 Urban Cooperation Area
 PA 425 Intergovernmental Conditional Transfer of Property by Contract Act



REV. 07/11/18

ABBOTT RD	D-1	BLOSS ST	F-12	CHERRY OAKS DR	D-17	DOMINION ST	K-12	GREENGLIFF DR	J-8	JANICE LEE DR	F-4	MALLARD ST	P-14	OSKOWILLE DR	O-18	REDFORD DR	E-10	SILVERWOOD DR	F-13	THELEWOOD PL	G-13	WILSHIRE RD	L-15
ACADIAN DR	M-14	BLOOMFIELD DR	H-10	CHEPPENALE CR	A-11	DONORLOW DR	H-15	GREENFIELD DR	J-5	JANETTE CT	G-10	MANFOLD DR	G-10	OSKOWILLE LN	F-11	REEF CT	D-13	SILVERLEAF CT	L-15	THELEWOOD RD	G-10	WIND-HOOD DR	B-18
ALDEN DR	C-7	BLUE HAVEN CT	I-6	CHEPPENALE LN	F-7	DUSTIN DR	E-6	GREENWOOD DR	E-12	JOHN DR	K-9	MAPLE HILL DR	O-18	OSKOWILLE DR	E-12	REYNOLDS RD	C-8	SILVERWOOD DR	L-15	THELEWOOD RD	G-10	WIND-HOOD DR	B-18
ALDRIDGE DR	B-11	BLUE LAKE DR	N-9	CHIPPENALE LN	F-6	EAGLE CRYSTAL	N-5	HALLGREN DR	A-4	JOPHES	F-6	MARBLE RIDGE RD	L-11	OSKOWILLE DR	A-8	RIVER ST	P-11	SINBAW DR	J-5	THELEWOOD RD	G-10	WINDY HEDGES CT	C-7
ALDRIDGE WAY	N-8	BLUEBERRY LN	M-17	CHIPPENALE LN	F-6	EARLSON LN	M-16	HALLGREN DR	L-13	JOLLY OAK DR	N-9	MARBOROUGH DR	G-12	OSKOWILLE DR	O-18	RIVERWOOD DR	R-4	SKYLARK CT	O-8	TIMBER LN	O-8	WINTERBERRY LN	B-18
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ALDRIDGE WAY	A-13	CAMARON DR	C-10	CHIPPENALE LN	F-6	EMERALD LAKE DR	M-12	HALLGREN DR	G-9														

Riley Millard

From: Mark Kieselbach
Sent: Friday, August 24, 2018 10:45 AM
To: Brett Dreyfus; Riley Millard
Subject: FW: Walnut Hills fiasco

-----Original Message-----

From: Sally Perles [mailto:saperles@aol.com]
Sent: Thursday, August 23, 2018 5:58 PM
To: Mark Kieselbach <Kieselbach@meridian.mi.us>
Subject: Walnut Hills fiasco

We live in the third oldest home in the Greens which is located on West Longview Drive. When we built this home we could clearly see the golf club behind our home. Over the years the trees which line the golf course have matured providing us with privacy and a most spectacular, colorful view in the autumn. In addition, these trees provide shelter and habitat for the abundant wildlife which thrives in the area. No doubt the proposed subdivision would remove many of the trees and kill many of those those that remain.

North of Walnut Hills, as you know, is a huge sod farm, Hammond Hills. How long will it be before a developer makes those owners an offer they can't refuse? When that occurs there will be continuous subdivisions between Lake Lansing Road and the expressway.

There is not an existing network of roads which could provide future traffic access to Lansing and/or East Lansing. If you do not live in this area you probably have no idea how congested the local (potholed) roads have already become during rush hour. In addition, Costco has been responsible for increased, continuous daytime traffic. A new subdivision would necessitate roads in good condition. Certainly Park Lake Road would need a major redevelopment and traffic on Lake Lansing would impact the new elementary school being built for the current population.

You don't need us to tell you that developing a new (or two new) subdivisions is not an isolated event. This development would negatively impact the current burgeoning traffic congestion, wildlife habitat, air quality, educational facilities and green space in this very small area. All too often we taxpaying, voting citizens are rebuffed by the very politicians we elect to represent us. PLEASE consider the wishes and quality of life of your current tax paying, voting residents. PLEASE don't forget that any future tax revenues provided by this development will come with a high price.

Sincerely,

Sally Perles, George Perles
6153 W. Longview Dr.
East Lansing, Mi. 488

517-664-1623
517-488-4841
Saperles@aol.com

Riley Millard

From: Brett Dreyfus
Sent: Thursday, August 23, 2018 2:54 PM
To: Riley Millard
Subject: FW: Notice of Public Hearing on Consent Judgement - Walnut Hills

From: Donna Bozgan [mailto:dbozgan@gmail.com]
Sent: Tuesday, August 21, 2018 4:49 PM
To: Mark Kieselbach <Kieselbach@meridian.mi.us>; Peter Menser <menser@meridian.mi.us>
Subject: Notice of Public Hearing on Consent Judgement - Walnut Hills

Meridian Township Board
Community Planning and Development Director Mark Kieselbach
Community Planning and Development Principal Planner Peter Menser
5151 Marsh Road
Okemos, MI 48864

Dear Meridian Township Board, Mark Kieselbach, and Peter Mensler,

This message is regarding the recent successful mediation proceedings related to the site formerly used by Walnut Hills Country Club.

Thank you for limiting development via negotiated agreement with Summer Park Realty, LLC.

However, I'm deeply concerned that the neighborhood on Dawn Avenue may not have been considered during the negotiations.

Please protect us by securing the 100'-150' setback on all sides of the Walnut Hills site, please.

Frank Walsh's message to the Skyline Hills Association states the "negotiating team maintained significant rear yard setbacks along Skyline and the Greens."

Please ensure negotiated setbacks are applied on all sides of the site to promote safer and more harmonious conditions in the community.

In one of the many conceptual plans submitted during re-zoning application discussions, Summer Park suggested a 50' setback on the south-east (Dawn Avenue, Longview Drive).

Please ensure a significant setback boundary is maintained between any new developments at the former Walnut Hills and properties on all sides of the site, including homes on Dawn.

Thank you kindly for your attention and careful consideration.

Sincerely,

Donna Bozgan
2715 Skyline Court
East Lansing, MI 48823



From: Skyline Hills Association <nitacprn=comcast.net@mail193.atl21.rsgsv.net> on behalf of Skyline Hills Association <nitacprn@comcast.net>
Sent: Monday, August 27, 2018 12:08 PM
To: Board
Subject: Walnut Hills Country Club Consent Judgment

Skyline Hills Association and the Consent Judgment

Dear Skyline Hills, The Greens, Dawn Avenue, Heritage Hills Residents and Whitehills Lake Estate:

The Skyline Hills Association Board (SHA) met on August 22, 2018 to discuss the mediated [Consent Judgment](#) and [Site Plans](#). The Skyline Hills Association Board is pleased with the Consent Judgment and appreciates all the effort the Meridian Township Planning Commission and Township Board put forth on our behalf.

The SHA Board feels the following are fair and equitable to our neighborhood

1. Each residential unit in the Development shall be a detached single-family residential unit. With a maximum number of residential units not to exceed 311.
2. The 150' setback on the west side of the golf course and the 100' setback on the east side of the golf course
3. The green space of 54% excluding wetlands.
4. A five-foot wide walking path through the open spaces with an access point to the Land Preservation Program land owned by the Township
5. Recreational amenities in addition to the walking trails and pathways include pocket parks, play structures and benches.

6. Enhanced vegetated buffer areas along the perimeter of the
Development to neighboring residential properties

We will be standing in support of the Township Board to accept this Consent
Judgment.

We encourage everyone to attend the September 4, 2018 meeting to
demonstrate our appreciation for the good faith negotiations.

Sincerely,

LaNita Campbell, President

Skyline Hills Association

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You are receiving this mail because you opted in to receive any mailings concerning Walnut Hills Country
Club Re-zoning.

Our mailing address is:

Skyline Hills Association
6049 Skyline Drive
East Lansing, Mi 48823

[Add us to your address book](#)

Want to change how you receive these emails?

You can [update your preferences](#) or [unsubscribe from this list](#).

Riley Millard

From: Donna Rose <wild-rose@sbcglobal.net>
Sent: Monday, August 27, 2018 1:56 PM
To: Board; Mark Kieselbach
Cc: Frank Walsh
Subject: For Walnut Hills Hearing 9-4-2018

Greetings,

I am writing regarding the Walnut Hills proposed settlement. I cannot attend the public hearing on September 4, 2018 due to my work schedule. I am appalled that a developer can just waltz into our community and just change the zoning ordinance the citizens have put in place. If it had been up to me I would have paid for an attorney who could speak on behalf of residents. I was willing to contribute to such a fund, even though I live three blocks away from the property. I feel the judge in this case has not been at all fair. There was absolutely nothing to mediate in this case. Our zoning of this property is legal and the will of the people. This is just one example illustrating that the common citizens no longer have the inalienable rights guaranteed in our US Constitution.

Residents in my neighborhood, Carriage Hills, have been complacent regarding this project. They have been informed, but will be surprised when they begin to realize their condominiums are even harder to sell than they are right now once the new development homes begin to sell. I feel it is inevitable homes around this development will lose value. I fear no one has calculated that on behalf of our residents. To my knowledge no research has been done on other such developments to consider this impact and inform the judge.

There has been a concern brought up by residents as to the increase in traffic once this development is finished. I am not informed as to whether independent research has been done to determine the impact of this on our current road structure. How will it affect pedestrians and school children attending Donley Elementary School located on the corner of N. Hagadorn and Lake Lansing Road? How will the extra noise of traffic affect residents living near the development? Will traffic congestion be an issue?

Finally, what about the construction itself? The noise of construction will invade the peaceful neighborhood we live in for quite some time. Back up beepers alone are one of the most annoying sounds to have to listen to all day, not to mention the noise from heavy equipment and trucks used to excavate the property.

To me this is one of the saddest erosions of citizens' rights that can happen to a community. We have been rendered powerless over someone with millions of dollars to toss around, initiating their own will over ours. And they are outsiders. It is just very sad.

Very sincerely,
Donna Rose
6207 Cobblers Drive

Riley Millard

From: Alina Gorelik <alinagorelik@hotmail.com>
Sent: Tuesday, August 28, 2018 12:53 PM
To: Board
Subject: Letter from the residents of The Sanctuary in opposition to the proposed rezoning (REZ # 18080)
Attachments: Letter to Meridian Township Board.docx; Signitures 1.zip

Dear Meridian Township Board,

We are sending this letter to you in hope that you will continue to support us, the residents of The Sanctuary Subdivision, in opposition to Giguere Homes's application to rezone the parcel of land attached to Robins Way (REZ # 18080).

Attached are the 5 pages of signatures that we have collected in July 2018 under the Petition to Oppose the Rezoning Application #18080. The number of the signatures is going to grow by the time of the Township Board meeting on 09-04-18.

Sincerely,
Alina and Leonid Gorelik,
2577 Robins Way, Okemos

Sent from [Outlook](#)

To: Meridian Township Board

From: Alina and Leonid Gorelik, 2577 Robins Way, Okemos, MI 48864

In Regards to: Rezoning #18080 (Giguere Homes)

Date: August 27, 2018

We are writing this letter to you in hopes that you will support us, the residents on The Sanctuary subdivision, in opposition to the proposed rezoning of the parcel of land attached to Robins Way.

With his new application, Mr. Giguere is asking for 7.36 acres to be rezoned from RR (about 7 houses) to RA (with the added condition to build 8 houses). The Township Board had previously decisively denied Mr. Giguere's request to rezone the property from RR to RAA (REZ # 18010). The conditions offered as a part of that rezoning request mirror those offered in this proposal, with the exception of the limit on the number of lots reduced from 10 in the previous request to 8. However, the proposed RA zoning technically allows even more dense population of the little parcel of land than the one (RAA) that was already denied by Township Board on the grounds of unneeded overpopulation. The parcel is attached to the existing cul-de-sac of The Sanctuary subdivision which has even less houses per acre than the rest of the subdivision (4 houses on around 7.2 acres of land, consistent with RAAA zoning).

Being residents of The Sanctuary subdivision for 10 years, we are genuinely concerned with the well-being of our neighbors and destruction of the naturally wooded area that many residents considered as a decisive factor when they chose to build their home on Robins Way. Even though Mr. Giguere added a condition to the rezoning application promising to build just 8 houses, he already has the right to build 7 houses with the existing RR zoning. Why would he go through the trouble of re-applying and taking the valuable time that the Township Board could have otherwise used to discuss more important issues just for ONE EXTRA HOUSE?

Despite multiple recommendations from the Township Board and its Planning Committee, Mr. Giguere has NEVER engaged with us as a community to answer this and many other questions. That is why our main concerns with the proposed rezoning will remain the same:

1. Destruction of the naturally wooded area and its habitat.
2. The calculations for the existing subdivision's infrastructure (sewage, drainage, water, etc.) were done without consideration for any future expansion. As a result, the number of homes connected to the already aging sewage system

could contribute to rapid increases in sewer backups, flooded basements and overflows.

3. Drainage issues resulting from the 52 houses already built in The Sanctuary that continue to grow worse. It is evident to everyone that the ponds around the subdivision are increasing in size, taking more and more land from the properties on Hullett road west of The Sanctuary as well as from 17.91 acre parcel on the north side of Robins Way (including 7.36 acre portion of that parcel proposed for the rezoning).
4. The safety of our children walking, biking, and driving to school with the construction traffic, including heavy machinery, going through Loon Lane and Robins Way without the option of separate construction access.

We sincerely doubt that increasing the number of houses from the currently allowed 7 to the proposed 8 would serve the best interest of the Meridian Township, the residents of The Sanctuary subdivision, or would better accommodate Meridian Township's Master Plan.

Sincerely,

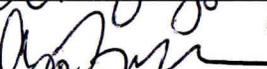
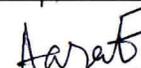
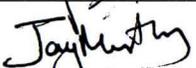
Alina and Leonid Gorelik,

2577 Robins Way, Okemos

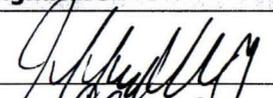
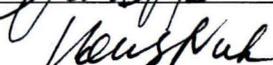
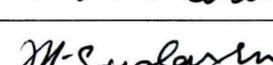
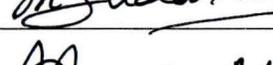
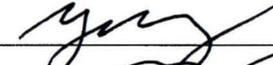
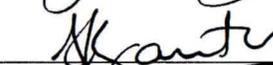
Petition to Oppose the Rezoning Application #18080

Petition summary and background	We have reviewed and are opposed to the Rezoning Application #18080, submitted by Giguere Homes on June 13, 2018, for the rezoning of 7.36 acres at 3760 Hullet Road from RR (Rural Residential) to RA (Single Family-Medium Density). According to the conditions offered by Giguere Homes, the rezoning could allow the building of eight (8) homes off Robins Way. Current zoning could allow about 7 homes.			
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to oppose the rezoning noted above.			
Printed Name	Signature	Address	Comment	Date
VALERIE NILSON	Valerie Nilson	2565 Robins Way		7/13/18
JEROME Nilson	Jerome Nilson	2565 Robins Way		7/13/18
Cathleen Heath	Cathleen Heath	2607 Robins Way		7/14/18
Jay Heath	J. E. Heath	2607 Robins Way		7/14/18
Stephanie Sherman	Stephanie Sherman	2610 Robins Way		7/14/18
JIM SHERMAN	Jim Sherman	2610 Robins way		7/14/18
Tom Wolff	Thomas F Wolff	2595 Robins Way		7/14/18
Kathleen M. Wolff	Kathleen M. Wolff	2595 Robins Way		7/14/18
Prem Chahal	Prem Chahal	2549 Robins way		7/14/18
Ruby Chahal	Ruby Chahal	2549 ROBINS WAY		7/14/18
Margaret Wade	Margaret Wade	2562 Robins Way		7/15/18
Melody Stone	Melody Stone	2589 Robins Way		7/16/18

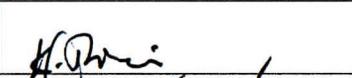
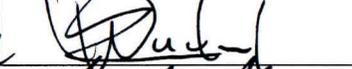
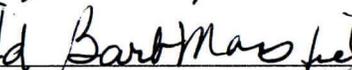
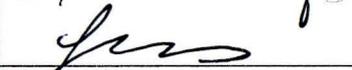
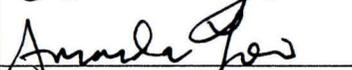
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Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to oppose the rezoning noted above.			
Printed Name	Signature	Address	Comment	Date
SHESHAGIRI SHENOY		2719 LOON LN		7/16/18
Shilpa Shenoy		2719 LOON LN.	OPPOSE OF BUDWONT	7/16/18
Joy Westel		2550 Robins Way		7/17/18
Amy Odum		Okemo Mt 4804 2583 Robins Way		7/17/18
FRANK Vivio		2583 Robins Way		7/17/18
Carrie Zwyghuizen		2496 Robins Way		7/17/18
Andrew Zwyghuizen		2496 Robins Way		7/17/18
Amy Suhrheimrich		2401 Robins Way		7-17-18
Bharathwaj Gopal		2592 Robins way		7-17-18
Aarathi Murali		2592 Robins way		7-17-18
Pallavi Rao		2483 Robins Way		7-17-18
Jayant Muntay		2483 Robins Way		7-17-18

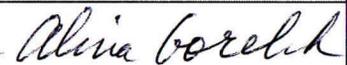
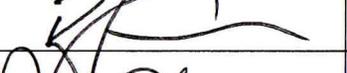
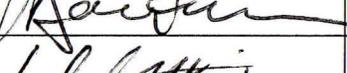
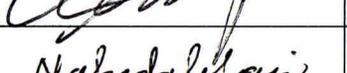
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Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to oppose the rezoning noted above.			
Printed Name	Signature	Address	Comment	Date
JEFFREY A. Wesley		2555 ROBINS WAY OKEMOS, MS 38864		7/19/18
Chris Bude		2642 Loon Lane Okemos NE 48864		7/19/18
Scott Stone		2589 Robins Way Okemos		7/19/18
Vaishali Nukala		2712 Loon Lane		7/19/18
Raj Nukala		2712 Loon Lane		7/19/18
Vaitha Sudarsan		2600 Robins Way		7/23/18
Asha Manday		2600 Robins Way		7/23/18
CHUANPZIG YANG		2606 Robins way		7/23/18
Yijun Zuo		2606 Robinsway		7/23/18
SRI KOMANDURI		3593 HYACINTH		7/23/18
Anantha Komanduri		3593 HYACINTH		7/23/18
K. RAJA KALASTURU		3579 HYACINTH ST		07/23/18

Petition to Oppose the Rezoning Application #18080

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Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to oppose the rezoning noted above.			
Printed Name	Signature	Address	Comment	Date
K. Thruvert		3579, Hyacinth St		07/23/18
Dean Woolcock		2629 Loon Lane		07/23/18
Susana Woolcock		2629 Loon Lane		07/23/18
Tim Mansfield		2630 Loon Lane		7/23/18
Barb Mansfield		2630 Loon Lane		7/23/18
Peter Yoo		2657 Loon Ln		7/23/18
Christen Yoo		2657 Loon Ln		7/23/18
Amanda Yoo		2657 Loon Ln		7/23/18

Petition to Oppose the Rezoning Application #18080

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Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to oppose the rezoning noted above.			
Printed Name	Signature	Address	Comment	Date
Alina Gorelik		2577 Robins Way		7/13/18
LEONID GORELIK		2577 ROBINS WAY		7/13/18
Minyong Yun		2648 Loon Lane		7/13/18
Minjung Yun		2648 Loon Ln		7/13/18
Brant Feltow		2470 Robins Way		7/13/18
Jamie Mae		2499 Robin Way		7/13/18
Dave Farner		2499 Robins way		7/13/18
Jong Park		2543 Robin way		7/14/18
Nahed Abbasi		2531 Robins way		7/14/18
Anas AlJanadi		2531 Robins way		7/14/18
Josh Smith		2574 Robins way		7/14/18
Erin Smith		2574 Robins Way		7/14/18

Riley Millard

From: Jody Wesley <jjwesley@comcast.net>
Sent: Wednesday, August 29, 2018 11:09 AM
To: Board
Cc: Peter Menser
Subject: Giguere Rezoning September 4th meeting

>>

>> We oppose the rezoning on over 7 acres of forest on Robins Way in Okemos from it's current RR zoning. We have written several letters previously opposing Mr . Giguere's last attempt which you voted down. We were also represented by George Brookover who wrote letters and spoke to you on our behalf.

>

> We remind you again our parcel was extended and we paid a premium to build next to this woods. Mr. Giguere personally planned and coordinated this with us. His representations should mean something in this process.

>>

>> This whole process has been beyond frustrating!! After this was voted on in April, we were told he could not reapply for a different zoning for a year. Also, this current proposal would allow more houses than the previous zoning that was defeated. We appreciate the restrictions offered, but at this point, we are talking about one house!! He could currently build 7 houses, he is asking for 8 houses. What if he decides not to build, this is sold to another development, who knows if these restrictions would have to be honored.

>>

>> You recommended Mr. Giguere engage our neighborhood to discuss possible resolutions to our concerns. He has never done this. We did get an e-mail from him as we are next to the property. He informed us that he was rezoning again and since some of our landscaping encroaches on the property he would deed it to us at no cost. That is great as he told us to contact the property owner about doing this when we built 11 years ago. This was after assuring us nothing would ever be built here. I guess that is our biggest frustration. We lived in a house that backed up to woods in Cornell Woods. We never would have moved if we had known this would be developed someday. Despite what Mr. Giguere said at our last board meeting together, he and his representatives told many of us this. In fact, we were going to purchase the lot next to us but changed based on his representations. Also, the price of the lots reflect a premium price for this property. Based on this, we are extremely disappointed that there could be any building on this land. It is in the middle of a completed subdivision and in a protected greenspace corridor. You are going to change the character of this area further that is showing dramatic changes based upon the current development. You are changing the character of all of the Sanctuary that has protected areas by all the homes. Mr. Giguere basically misrepresented the facts and benefited in his sale of this property to us and others.

>>

>> Unfortunately, we cannot be at the meeting Tuesday but support all our neighbors who will be there. We are against the rezoning and honestly against any constructions at all. We really appreciate your concern and help with this process. There is no reason to go beyond any current approvals and make it worse for all those involved.

>>

>> Thank you.

>>

>> Jeff and Jody Wesley

>> 2550 Robins Way

>> Okemos MI

>> Lot 27

>> Sanctuary Subdivision

>>

>>

Riley Millard

From: Emily Stivers <estivers@gmail.com>
Sent: Thursday, August 30, 2018 3:16 PM
To: Board
Cc: inghamclerk@ingham.org
Subject: August 7, 2018 primary voting issues in Meridian Township

To the Meridian Township Board,

I am writing to share my experiences as a voter in the August 7, 2018 primary.

On that date, I showed up to vote at my Precinct 10 polling location at the Township Service Center, 2100 Gaylord C. Smith Court, Haslett MI 48840, at approximately 7:40 PM.

After we voted, I asked the poll worker if I could get a print-out of results, and she said it would not be available for several hours after polls closed due to a discrepancy between voter recently-changed addresses and what the Township had in the system for those voters; specifically, that the Township Clerk had failed to enter new addresses that were changed before the legal deadline into the system, resulting in voters showing up to vote in their correct precincts and having to fill out provisional ballots, and forcing the poll workers to manually verify these addresses after the close of polls. I questioned her repeatedly about this to make sure I understood what she was saying.

I was also told, by another poll worker, that they would not give me a print-out of results anyway, but they subsequently agreed that I would be allowed to have a print-out later ONLY because I was a candidate. I would just have to come back in about 4 hours, after all the addresses had been manually matched, to get it; the second poll worker verified the story the first one had told me, about the discrepancy in addresses and how long it would take to correct.

I thought you should be aware of my experience.

Sincerely,

Emily Stivers
Meridian Township Planning Commissioner
Democratic Nominee, Ingham County Board of Commissioners

Riley Millard

From: Donna Rose <wild-rose@sbcglobal.net>
Sent: Friday, August 31, 2018 12:01 PM
To: Board
Cc: Frank Walsh
Subject: For Board Meeting 9/4/2018 RE: Marijuana

Greetings,

Over several years my opinion about marijuana has changed. I used to believe our society should legalize it for recreational use, but if that wasn't possible we should make it available for medicinal use. After I voted for it and it Michigan voters approved it for medical use I became concerned about the lack of good regulation taking place. I became particularly concerned that marijuana was on the verge of becoming big business. My concern has been mostly related to large industrial growing facilities which are popping up around our State, some very close to residential housing. I can walk in nearby neighborhoods close to my home and tell who is growing in their home because of the pungent smell outside.

Now, after a long time of observation and thought, I have come to the conclusion that without federal government approval, the product of marijuana will never be regulated to thoroughly protect users and non-users alike. The regulation of tobacco and alcohol have reduced crime and taken these substances out of most circulation underground. There is no such federal regulation for marijuana. I believe our State has been extremely lax on enforcing the few regulations it put in place. This has been very disappointing for me as I consider the future with this poorly unregulated substance in Michigan.

I believed that pharmacies should be able to dispense marijuana for medical use, but without federal legalization that could never happen. But, to me, that is where it belongs so users can be certain of its purity. How can our state, cities and townships be held without malice if someone were to be harmed by the marijuana which has been meant to help them? No one is protecting users from contraindications with other medications they may be taking, or testing the purity of the substances sold. During the US alcohol prohibition people sold wood alcohol to people who thought they were buying a safe product. Over a decade in NYC alone, over 10,000 people were blinded and subsequently died as a result of drinking an impure product. We should have learned from that experience. Now we are essentially agreeing to sell a product with very little regulation, and which is federally illegal. It would help all of us if the federal government would legalize it, so underground sales would almost be eliminated and purity could be assured.

I do not trust our current system of dispensing. I feel our township should be very careful as to what it approves can happen here among our residents. Yes, we have a Michigan law which was passed at the will of the voters, but because it is not federally legal, I believe our township can deny establishments wanting to lay roots for this purpose. If you feel you have to approve dispensaries please do not allow large growing facilities, or places for people to gather to use it. Medical use should be consumed like most other legal drugs, in one's home. I don't believe it should be a social event. The social event winds up pouring into the lives of non-users in one way or another.

Thank you,
Donna Rose
6207 Cobblers Dr.
East Lansing, MI 48823

**CLERK'S OFFICE BOARD
COMMUNICATIONS
September 4, 2018**

**BOARD INFORMATION
(BI)**

Riley Millard

From: Julie Brixie
Sent: Friday, August 17, 2018 8:27 AM
To: Board; 'inghamclerk@ingham.org'
Cc: Frank Walsh
Subject: Election complaint re Absentee ballots
Attachments: DSCF6803.JPG

Dear Board Members,

During the August 9th Meridian Township Board meeting we heard some complaints about voters not being able to vote in the primary election. I am forwarding a communication I received that includes a series of communications detailing some of the problems encountered by voters.



Julie Brixie
Township Treasurer
brixie@meridian.mi.us
W 517.853.4144 | F 517.853.4251
5151 Marsh Road | Okemos, MI 48864
meridian.mi.us

From: Susan J. Masten [mailto:masten@egr.msu.edu]
Sent: Wednesday, August 08, 2018 5:54 AM
To: Julie Brixie
Subject: Fwd: Re: Absentee ballot

Hi Julie,

So here's the story... see below...

So yesterday Brett sends me an email that we could have arranged to have the ballots emailed. Why were we not told that in late May when we filed the applications for ballots and made it clear that they had to be sent to New Zealand.

I just don't get it....

Susan

----- Forwarded Message -----

Subject: RE: Absentee ballot
Date: Mon, 6 Aug 2018 21:24:01 +0000
From: Brett Dreyfus <dreyfus@meridian.mi.us>
To: Susan J. Masten <masten@egr.msu.edu>
CC: Robert Cwierniewicz <cwierniewicz@meridian.mi.us>, Rebekah Lemley <lemley@meridian.mi.us>

Hi Susan:

I recommend that you and your family each complete a Federal Postcard Application for an absentee ballot for the November election if you anticipate being out of the United States.

Using this process, we can email your ballots instead of mailing them to you. Michigan law prohibits transmitting voted ballots via email or fax, so you would still send the voted ballots back via overseas mail. This method gives you plenty of time to cast your ballot and send it back.

<https://www.fvap.gov/uploads/FVAP/Forms/fpca2013.pdf>

Respectfully,

Brett

-----Original Message-----

From: Susan J. Masten [<mailto:masten@egr.msu.edu>]
Sent: Sunday, August 05, 2018 4:59 PM
To: Brett Dreyfus
Cc: Robert Cwierniewicz; Rebekah Lemley
Subject: Re: Absentee ballot

Brett,

Simon and Jeff just received their ballots on Saturday, so it appears that Simon and Jeff's ability to vote has been stripped from them. It took a week and a half for mail to arrive here from MI and will take at least as long as that for mail to be returned. Hopefully, the November ballots will be sent in sufficient time that we are able to vote in the November election.

Susan

----- Forwarded Message -----

Subject:Re: Absentee ballot

Date:Wed, 25 Jul 2018 06:59:20 +1200

From:Susan J. Masten <masten@egr.msu.edu>

To:Brett Dreyfus <dreyfus@meridian.mi.us>

CC:Robert Cwierniewicz <cwierniewicz@meridian.mi.us>, Rebekah Lemley <lemley@meridian.mi.us>

Hi Brett,

Thank you. Also, with regard to Jeff's ballot. He completed the ballot but then we noticed (see attached) that the addresses are inconsistent. Should I send it back (i.e., will it count with incorrect address information)? Or do you want to send a correct ballot to him. The address is 1/29 Clyde Rd. Upper Riccarton Christchurch NZ 8041.

Susan

On 7/25/2018 6:53 AM, Brett Dreyfus wrote:

> Good afternoon, Susan --

>

> We apologize for the delay in Simon receiving his absentee ballot. We will correct any clerical issue that may have arisen and ensure a ballot is sent to you immediately!

>
> Brett

> -----Original Message-----

> From: Susan J. Masten [<mailto:masten@egr.msu.edu>]

> Sent: Tuesday, July 24, 2018 2:03 AM

> To: Brett Dreyfus

> Cc: Simon Davies; jeff111495@yahoo.com

> Subject: Absentee ballot

> Brett,

> I wanted to let you know that Simon Davies (my husband) has not received his absentee ballot. My son, Jeff, received two. He has the first one, but as you can see (attached photo) the names and addresses on the inside and outside envelopes do not match. The New Zealand address is correct for both Simon and Jeff. I picked up my ballot before I left; however, my November ballot will need to be sent to the NZ address (as completed on the absentee form).

> Susan

--
Susan J. Masten, Ph.D., P.E.
Professor
Associate Chair for Undergraduate Studies
Department of Civil and Environmental
Engineering Engineering Building
428 S. Shaw Ln., Room 3546
East Lansing, MI 48824

Phone: 517 355-2254

Fax: 517 355-0250



Riley Millard

From: Brett Dreyfus
Sent: Friday, August 31, 2018 5:16 PM
To: Board
Cc: Frank Walsh; inghamclerk inghamclerk (inghamclerk@ingham.org); Robert Cwiertniewicz; Riley Millard; Rebekah Lemley; Byrum, Barb (BByrum@ingham.org)
Subject: Notifications to Treasurer Brixie re Election Interference
Importance: High

Meridian Township Board Members:

The Township Board was informed at the August 9, 2018 & August 21, 2018 Board Meetings that Treasurer Brixie had caused a number of problems during several election cycles.

Trustees did not ask any questions or request more information about these concerns when I brought this issue to the Board's attention. The 2016 issues involved her unauthorized handling of election materials and unauthorized interactions with Meridian voters while they were registering to vote, applying for an absentee ballot, or turning in a voted absentee ballot. The 2018 issue involves the Treasurer continuing to attempt to answer voter questions herself, without referring the voter directly to the Clerk's Office, thus providing potentially inaccurate responses to the voter.

Since the Board seems unconcerned about these issues that negatively affect voters in Meridian Township, I am attaching the official notifications sent to Treasurer Brixie over the past two years informing her of what specific actions and behaviors she needed to stop doing, and what she actually should be doing to assist Township voters.



Brett Dreyfus
Meridian Township Clerk
dreyfus@meridian.mi.us
W: 517-853-4324 | O: 517-853-4300
5151 Marsh Road | Okemos, MI 48864
www.meridian.mi.us

From: Brett Dreyfus
Sent: Monday, October 10, 2016 5:59 PM
To: Julie Brixie
Cc: Frank Walsh; Joyce Marx
Subject: Notification to Treasurer - Election Procedures
Importance: High

Dear Treasurer Brixie:

Attached is a letter addressed to you regarding election procedures in the Meridian Township Clerk's Office.

The letter points out some difficulties the Clerk's Office has experienced with respect to your interactions with voters and staff in our office, and provides simple direction and guidance on ways to reduce or eliminate those difficulties.

My goal is to improve the working relationship between the Treasurer and the Clerk's Office, and hopefully this letter will help accomplish that objective.

I am receptive to constructive dialogue between us and, accordingly, am available to answer any questions or comments you may have.

Sincerely,

Brett

Brett Dreyfus
Meridian Township Clerk

Charter Township of Meridian
5151 Marsh Road
Okemos, MI 48864

DIRECT LINE: (517) 853-4324
dreyfus@meridian.mi.us
www.meridian.mi.us

*"Building an environmentally & economically
sustainable community!"*



October 10, 2016

Dear Treasurer Brixie:

The purpose of this email is to officially notify you of four (4) areas of concern with regards to your behaviors during the weeks leading up to the March 8th Presidential Primary and the August 2, 2016 Primary Election:

1. Violations of State Election Law [MCL 168.764b]
2. Interference with voter activities at Clerk's counter
3. Inappropriate interactions with clerk staff
4. Unauthorized taking of a voter document

1. Violations of State Election Law

During the Presidential Primary and the Primary Election, you have been observed by staff handling election materials on a number of different occasions. The dates of some of these incidents have been recorded. You have been periodically handling Absentee Voter Applications, as well as handling voted ballots that citizens

were submitting to the Clerk's Office. In some instances, you walked over from the Treasurer's Office to the Clerk's counter and engaged in these behaviors in full sight of Clerk staff.

In one of the more egregious examples, you were seen in February attempting to open a sealed Absentee Voter Ballot Application while trying to answer a citizen's questions about voting. I came over and took the application out of your hand before you could fully unseal the document, and informed you that you are not allowed to handle these election documents.

State of Michigan statutes (MCL 168.764b) expressly forbid anyone, other than the Clerk or an authorized assistant of the Clerk, to handle or process official election materials.

Since you are not an Authorized Election Assistant, you are hereby officially notified that you are not permitted to handle, look inside, process, or receive any official election materials, including Absentee Voter Ballot Applications and ballots. Thank you for your cooperation in this matter.

If a citizen approaches the Clerk's Office (or Treasurer's Office) with election materials or has questions about the election or election materials, you need to notify a staff person from within the Clerk's Office and the staff person will take possession of the election materials, and address any questions they may have. If no one from the Clerk's Office is available to take possession of official election materials, Danielle and Deanne are Authorized Election Assistants and are able to accept election materials and place them in the designated area of the Clerk's Office for processing.

2. Interference With Voter Activities at Clerk's Counter

You have repeatedly approached voters at the Clerk's counter in order to engage in a conversation with them. These citizens are usually involved in an interaction involving processing an application to vote, an application for an absentee ballot, or some other election-related concern. You have been witnessed interrupting voters while they are completing official applications, or about to receive a ballot, and not only are you distracting them from the tasks at hand, you are also able to look at their applications and see, for example, the reason they listed that they are seeking an absentee ballot. That is a clear invasion of their privacy and is not permissible. Additionally, voter lines increase at the Clerk's counter as we approach Election Day; your continued interruptions and conversations with people at or near the counter impede the processing of applications and the handling of various voter issues, and can increase the wait time experienced by other citizens.

From this point forward, until after Election Day, you are requested to NOT approach voters who have come up to the Clerk's counter, or are standing near the Clerk's counter. If you wish to speak to a citizen, please wait until they have completed all their interactions at the Clerk's Office and are clearly headed away from the counter before approaching them to engage in a conversation.

3. Inappropriate Interactions with Clerk Staff

On July 1, 2016 it was reported to me that you approached several members of the Clerk staff in a negative manner. You interrupted their work tasks and demanded to know the details of the change of polling location for Precinct 20, and appeared suspicious of the new Voter Registration Cards being mailed to citizens. You were previously informed about the change of polling location on two occasions: at a staff meeting of Department Directors, and during a public Board meeting. At neither time did you ask any questions or raise any concerns.

Two members of the Clerk's staff notified me that they felt "harassed" by your questions, your tone of voice, and the demeanor that you exhibited. They felt your presence interfered in the work duties assigned to them,

and was disrupting the processing of election materials. I was also informed that you stood over a staff person while they were seated at their desk, clearly examining the contents on and around her desk, in an obvious attempt to determine what she was working on.

Accordingly, from this point forward until the conclusion of the November General Election, you are requested to not stand near or around the Clerk's counter or any staff desks. Additionally, please address all Clerk-related or election-related questions directly to the Township Clerk.

4. Unauthorized Taking of Voter Notification Letter

On the same day (July 1) you approached a temporary election worker / receptionist who was involved in the time-sensitive mailing to voters mentioned above. You began questioning her about the mailing, to the point she became distressed and uncertain about what you wanted. You then stated you wanted a copy of the letter accompanying the voter registration card, so you reached over and removed one from the stack of letters waiting to be stuffed in envelopes, then went back to your office, letter in hand. **Please do not take or remove any document or material from the Clerk's Office – or under the purview of the Clerk – without express and specific permission from the Clerk.**

These concerns have been shared with the Township Manager and the Township Human Resource Director. I trust that you will cooperate with these requests in order to maintain an efficient, productive, high-morale workforce in the Clerk's Office, and to protect voter's privacy and other rights that are safeguarded under State of Michigan law.

Thank you.

Brett Dreyfus

Meridian Township Clerk

From: Brett Dreyfus

Sent: Wednesday, July 18, 2018 4:10 PM

To: Julie Brixie

Cc: Frank Walsh; Joyce Marx; Robert Cwierniewicz; Rebekah Lemley; Riley Millard

Subject: Voter questions and issues

Importance: High

Treasurer Brixie:

Any citizen seeking information on how to vote if they are living abroad needs to be instructed to directly contact the Clerk's Office to get their questions answered.

Any citizen on Facebook seeking information or trying to resolve a voter question or issue (such as a missing application or ballot) needs to communicate directly with the Clerk's Office to get their question or issue resolved. The same applies for any email or telephone inquiry you receive.

You need to direct all inquiries that come to you about elections, voter registration, ballots, absentee voting, overseas voting, etc to the Clerk's Office. The voter should be directly in contact with the Clerk's Office to get their concerns resolved, and you should not be interfering in this process.

You are not an Election Assistant, and you don't work in the Clerk's Office, so it is inappropriate for you to dispense election information that you obtained by asking questions. You may or may not communicate accurate voting or ballot information to the citizen, even if you thought you understood the answer you were given by someone in the Clerk's Office.

I have communicated with you in past elections about our concerns that you are not directing voters to contact the Clerk's Office when they ask you election-related questions and issues, as well as you illegally handling official election materials without authorization from the Clerk. Note that these issues were never brought before the Board or the public, because unlike you, I do not bring administrative issues to the Board when they can be resolved efficiently outside a meeting of the public body.

That being said, any further instances of interference with election-related activities will merit a more serious response and will result in a memo addressed to the Board and a discussion on this entire issue for the public to observe.

Sincerely,

Brett Dreyfus
Meridian Township Clerk

<p>PROPOSED BOARD MINUTES</p>

PROPOSED MOTION:

Move to approve and ratify the minutes of the Regular Meeting of August 21, 2018 as submitted.

ALTERNATE MOTION:

**Move to approve and ratify the minutes of the August 21, 2018 Regular Meeting with the following amendment(s):
[insert amendments]**

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING **-DRAFT-**
5151 Marsh Road, Okemos MI 48864-1198
853-4000, Town Hall Room
TUESDAY, AUGUST 21, 2018 **6:00 pm.**

PRESENT: Supervisor Styka, Clerk Dreyfus, Treasurer Brixie, Trustees Deschaine, Jackson
(arrived at 6:13), Sundland

ABSENT: Trustee Opsommer

STAFF: Township Manager Frank Walsh, Director of Public Works Derek Perry, Economic
Development Director Chris Buck, Fire Chief Mike Hamel, Police Chief Ken Plaga,
Information Technology Director Stephen Gebes, Principal Planner Peter Menser,
Community Planning & Development Director Mark Kieselbach, Communications
Director Deborah Guthrie, HOMTV Executive Producer Brandie Yates

1. CALL MEETING TO ORDER

Supervisor Styka called the meeting to order at 6:01 pm.

2. PLEDGE OF ALLEGIANCE/INTRODUCTIONS

Supervisor Styka led the Pledge of Allegiance.

3. ROLL CALL

The Recording Secretary called the roll of the Board.

4. PRESENTATIONS

A. HOMTV National Recognition

HOM-TV Executive Producer Yates presented on the first place award in Overall Excellence that was earned by HOMTV from the Alliance for Community Media during the Hometown Media Awards.

5. CITIZENS ADDRESS AGENDA ITEMS AND NON-AGENDA ITEMS

Supervisor Styka opened public remarks at 6:06 pm.

Leonard Provencher, 5824 Buena Parkway, Haslett; addressed Agenda Item 12E: supports the use of the previous firm and the use of online methods to gather responses.

Jeff Keyes, Kebs inc., 2116 Haslett Road, Haslett; addressed Agenda Item 12A, explained the elimination of 2 parking spaces in the Panera site plan and the added condition of removing more spaces when a frontage road is constructed. Stated that this reduces the impervious surface coverage by almost 7%.

Supervisor Styka closed public remarks at 6:08 pm.

6. TOWNSHIP MANAGER REPORT

Township Manager Walsh noted the September 4th Board Meeting will include discussion of rezoning at Robin’s Way, Medical Marijuana, 2019 Budget presentation, Walnut Hills consent judgment, and Abood concept plan proposed development. He stated the Williamstown Township Police contract is being put out to bid.

7. BOARD MEMBER REPORTS AND ANNOUNCEMENTS

Trustee Sundland reported:

- Attended Communications Commissions Meeting for the announcement of the HOMTV award and honorable mention for the website.
- HOMTV Studio Open House on Sept. 20, 5:30 pm to 7:30 pm.
- Visited the MSU Facility for Rare Isotope Beams, thinks it will increase housing demand

Treasurer Brixie reported:

- Attended Employee Appreciation event, along with other Board members, thanked staff for their hard work.

Trustee Deschaine reported:

- Attended CATA board meeting, expanded service was approved: 38% more service.
- CATA’s new Redi-Ride fare: \$2.50 for riders, \$1.25 for seniors and those with disabilities.
- Discounted fare cards for low-income families at 10 rides for \$6.00.
- Transportation Commission will meet Thursday August 23rd 6:00 pm, Town Hall Room.

Clerk Dreyfus reported:

- Will be providing video showing problems with high-speed tabulator
- County Board of Canvassers approved August 7, 2018 Election Primary results, sent to State Board of Canvassers for certification.

Supervisor Styka reported:

- Friends of Historic Meridian Blue and Grey Day, September 8th and 9th
- CATA discounted fare tickets to be available through Community Resource Commission

8. APPROVAL OF AGENDA

Clerk Dreyfus moved to approve the Agenda. Seconded by Trustee Jackson.

VOICE VOTE: Motion carried 6-0

9. CONSENT AGENDA

Supervisor Styka reviewed the consent agenda.

Supervisor Styka moved to add the Minutes of August 9th, 2018 to the agenda for action under Regular Action Item 12G.

Treasurer Brixie moved to adopt the Consent Agenda as amended. Seconded by Trustee Deschaine.

ROLL CALL VOTE: YEAS: Trustees Deschaine, Sundland, Jackson, Supervisor Styka, Treasurer Brixie, Clerk Dreyfus

NAYS:
Motion carried 6-0

A. Communications

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 Deschaine

ROLL CALL VOTE: YEAS: Trustees Deschaine, Sundland, Jackson, Supervisor Styka, Treasurer Brixie, Clerk Dreyfus

NAYS:
Motion carried 6-0

C. Bills

Treasurer Brixie moved to approve that the Township Board approve the Manager’s Bills as follows, seconded by Trustee Deschaine:

Common Cash		\$	248,032.30
Public Works		\$	440,325.91
Trust & Agency		\$	1,089,404.60
	Total Checks	\$	1,777,762.81
Credit Card Transactions		\$	10,811.35
Aug. 2 nd to Aug. 15 th			
	Total Purchases	\$	<u>1,788,574.16</u>
ACH Payments		\$	<u>486,353.24</u>

ROLL CALL VOTE: YEAS: Trustees Deschaine, Sundland, Jackson, Supervisor Styka, Treasurer Brixie, Clerk Dreyfus

NAYS:
Motion carried 6-0

D. 2019 Budget Public Hearing Date

Treasurer Brixie moved that a Public Hearing be held at 6:00 pm in the Town Hall on September 4, 2018 for the purpose of taking comments regarding the 2019 Charter Township of Meridian Recommended Budget. Seconded by Trustee Deschaine.

ROLL CALL VOTE: YEAS: Trustees Deschaine, Sundland, Jackson, Supervisor Styka, Treasurer Brixie, Clerk Dreyfus

NAYS:
Motion carried 6-0

10. QUESTIONS FOR THE ATTORNEY - NONE

11. HEARINGS

A. 2018 Order to Maintain Sidewalk SAD #18

Director Perry explained the proposed 2018 Order to Maintain Sidewalk SAD #18.

Public hearing called to order at 6:24 pm.

No public comment.

Public hearing closed at 6:25 pm.

12. ACTION ITEMS

A. Commercial Planned Unit Development #18024 (Affinity 9 Investments-Panera)

Trustee Jackson moved to adopt the resolution approving Commercial Planned Unit Development #18024 to construct a new restaurant with a drive-through window and work in the 100 year floodplain. Seconded by Trustee Sundland.

ROLL CALL VOTE: YEAS: Trustees Sundland, Jackson, Deschaine, Supervisor Styka, ,
Clerk Dreyfus

NAYS: Treasurer Brixie

Motion carried 5-1

B. Section 61 Application – Land Preservation

Treasurer Brixie moved to approve to forward a request to the Planning Commission for approval of revisions to the Township’s Comprehensive Development Plan as required by MCL 125.39 (Section 61 Review) of Parcel Number 33-02-02-35-403004. Seconded by Clerk Dreyfus.

Board Discussion:

- This is a 2.47 acre addition to an existing preserve, review needed by Planning Commission

ROLL CALL VOTE: YEAS: Trustees Jackson, Deschaine, Sundland, Supervisor Styka, Treasurer Brixie, Clerk Dreyfus

NAYS:

Motion carried 6-0

C. Update Property Maintenance Code

Trustee Deschaine moved to approve the resolution for the introduction of the amendment to Chapter 14, Article III, of the Code of Ordinances to adopt the 2015 International Property Maintenance with Township amendments. Seconded by Trustee Jackson.

- Director Kieselbach explained how the Township has already adopted the 2015 edition of Michigan Construction and Residential Codes, this would keep consistency in what State Codes we are using and avoid conflict with existing ordinances.

ROLL CALL VOTE: YEAS: Trustees Jackson, Deschaine, Sundland, Supervisor Styka, Treasurer Brixie, Clerk Dreyfus

NAYS:
Motion carried 6-0

D. Meridian Redevelopment Fund

Treasurer Brixie moved to adopt the resolution to establish the Meridian Redevelopment Fund (MRF) and the project district boundaries. Seconded by Trustee Deschaine

Board discussion: goals of MRF, vagueness vs specificity, application process, vetting process, loans vs grants, conflicts of interest, use or non-use in other municipalities, cost of MRF, should budget be increased before program rolls out, targeting Okemos & Haslett vs using MRF for whole township, sustainability vs economic development, Township attractiveness to developers, transparency in awarding funds, public hearings and Board oversight.

ROLL CALL VOTE: YEAS: Supervisor Styka, Treasurer Brixie, Trustees Jackson, Deschaine, Sundland

NAYS: Clerk Dreyfus
Motion carried 5-1

E. 2018 Citizens Survey

Trustee Deschaine moved to authorize the Township Manager to proceed with the 2018 Citizen Survey using the National Citizen Survey at a cost of \$14,985.00. Seconded by Treasurer Brixie.

Board discussion: use of previous survey instrument vs using new in-house survey, costs of old vs new, customizable questions, changes made with next survey.

ROLL CALL VOTE: YEAS: Treasurer Brixie, Trustees Deschaine, Sundland, Jackson, Supervisor Styka

NAYS: Clerk Dreyfus
Motion carried 5-1

F. Firehouse Subs Public Safety Foundation Grant

Clerk Dreyfus moved that the Meridian Township Fire Department submit an application for a Firehouse Subs Public Safety Foundation Grant for two pieces of life saving equipment to support the Townships emergency response mission for the amount of \$10,572. Seconded by Trustee Jackson.

ROLL CALL VOTE: YEAS: Clerk Dreyfus, Trustees Jackson, Deschaine, Sundland, Supervisor Styka, Treasurer Brixie

NAYS:
Motion carried 6-0

G. Minutes of August 9th, 2018

Trustee Jackson moved to approve and ratify the minutes of August 9th, 2018 with amendments. Seconded by Treasurer Brixie.

Trustee Jackson moved to amend Item 4A Board Discussion section with submitted changes. Seconded by Treasurer Brixie.

VOICE VOTE: Motion carried 5-1

Trustee Jackson moved to amend Item 13A Board Discussion section with submitted changes without the term "overwhelming." Seconded by Treasurer Brixie.

VOICE VOTE: Motion carried 6-0

Treasurer Brixie moved for a five minute recess at 7:46 pm. Seconded by Trustee Jackson.

VOICE VOTE: Motion carried 6-0

Supervisor Styka called the meeting back to order at 7:52 pm

Trustee Jackson moved to amend the Election Report section with submitted changes. Seconded by Treasurer Brixie.

VOICE VOTE: Motion carried 5-1 (Clerk Dreyfus)

Supervisor Styka moved to amend Item 5 and Item 13D with submitted changes. Seconded by Treasurer Brixie.

VOICE VOTE: Motion carried 5-1 (Clerk Dreyfus)

Supervisor Styka asked for a vote on the original motion to approve and ratify the minutes of August 9th, 2018 with amendments.

VOICE VOTE: Motion carried 5-1 (Clerk Dreyfus)

13. BOARD DISCUSSION ITEMS

A. 2018 Order to Maintain Sidewalk SAD #18

Director Perry provided description and status of the proposed special assessment district.

14. COMMENTS FROM THE PUBLIC

Supervisor Styka Opened Public Remarks at 7:58 pm.

Leonard Provencher, 5824 Buena Parkway, Haslett; disappointed in the Board proceedings and time wasted this evening. Does not think that “belief” is an appropriate term to be added in official minutes, thinks that “opinion” is more appropriate.

Supervisor Styka Closed Public Remarks at 7:59 pm.

15. OTHER MATTERS AND BOARD MEMBER COMMENTS

Supervisor Styka commented:

- Asked why Board communication provided by Treasurer Brixie was not included in packet.

Clerk Dreyfus commented:

- The board packet provides communications for issues that concern the Board and their deliberations, this communication did not fit that parameter. Email conversation between a citizen and Clerk’s Office was inappropriately copied by the Treasurer and sent to Board, all Board members had already received the email.

Trustee Deschaine moved to have the email chain that Treasurer Brixie shared with the Board included in the next packet. Seconded by Treasurer Brixie.

VOICE VOTE: Motion carried 5-1 (Clerk Dreyfus)

16. CLOSED SESSION – Confidential Legal Opinion Summer Park Realty LLC

Trustee Jackson moved that the Board move to closed session for the Confidential Legal Opinion re. Summer Park Realty LLC. Seconded by Trustee Deschaine.

ROLL CALL VOTE: YEAS: Supervisor Styka, Clerk Dreyfus, Treasurer Brixie, Trustees Deschaine, Jackson, Sundland

NAYS: None
Motion carried 6-0

Supervisor Styka adjourned the open session at 8:07 pm.

Clerk Dreyfus moved to return the meeting to an open session. Supported by Trustee Deschaine.

VOICE VOTE: Motion carried 6-0.

Supervisor Styka returned the meeting to open session at 8:44 pm

17. ADJOURNMENT

Trustee Deschaine moved to adjourn. Seconded by Trustee Jackson

VOICE VOTE: Motion carried 6-0.

Supervisor Styka adjourned the meeting at 8:45 pm

18. POSTSCRIPT - NONE

RONALD J. STYKA,
TOWNSHIP SUPERVISOR

BRETT DREYFUS,
TOWNSHIP CLERK



9.C

To: Board Members
From: Miriam Mattison, Finance Director
Date: September 4, 2018
Re: Board Bills

MOVED THAT THE TOWNSHIP BOARD APPROVE THE MANAGER'S
BILLS AS FOLLOWS:

COMMON CASH	\$	372,444.64
PUBLIC WORKS	\$	129,477.59
TRUST & AGENCY	\$	5,731,445.54
TOTAL CHECKS:	\$	6,233,367.77
CREDIT CARD TRANSACTIONS	\$	8,324.55
Aug 16th to Aug 29th		
TOTAL PURCHASES:	\$	<u>6,241,692.32</u>
ACH PAYMENTS	\$	<u>550,204.14</u>

Vendor Name	Description	Amount	Check #
1. 3CMA	CONF-GENERAL REGISTRATION	655.00	
2. 54-A DISTRICT COURT	CASH BOND-JANE MARIE NELSON	200.00	98733
3. 65TH DISTRICT COURT	CASH BOND-KEVIN MCCREARY	500.00	98729
4. ALLEN EDWIN HOME BUILDERS	REIMB PG 2015-037 @ 1580 BELVEDERE	250.00	
	REIMB PG 2015-004 @ 1593 MAIDEN LANE	500.00	
	TOTAL	750.00	
5. ALLGRAPHICS CORP	VOLUNTEER AND PARTICIPATION TSHIRTS - HYRA BASKETBALL	1,136.00	
6. ROXANNE ANDREWS	FARM MARKET VENDOR	15.00	
7. ARROW INTERNATIONAL INC	STANDING PO FOR EZ IO SUPPLIES/EQUIPMENT	610.50	
8. AT & T MOBILITY	MONTHLY SERVICES	74.32	
9. AUTO VALUE OF EAST LANSING	FLEET REPAIR PARTS 2018	70.27	
	FLEET REPAIR PARTS 2018	13.77	
	12V BATTERY	139.99	
	FLEET REPAIR PARTS 2018	45.49	
	12V BATTERY	139.99	
	FLEET REPAIR PARTS 2018	11.89	
	FLEET REPAIR PARTS 2018	10.99	
	FLEET REPAIR PARTS 2018	1.69	
	TOTAL	434.08	
10. BAKETARIAN LLC	FARM MARKET VENDOR	33.00	
11. BAKEWELL, LLC	FARM MARKET VENDOR	47.00	
12. BARYAMES CLEANERS	STANDARD POLICE UNIFORM CLEANING	1,097.95	
13. MICHAEL BIRITZ	FARM MARKET VENDOR	8.00	
14. BOARD OF WATER & LIGHT	MONTHLY STREET LIGHTING SERVICE	558.63	
15. BOBCAT OF LANSING	REAR SPRING AND RIMS	532.92	
16. BRD PRINTING	2018 PRIME MERIDIAN MAGAZINE - 3 ISSUES	6,311.26	
	2018 PRIME MERIDIAN MAGAZINE - 3 ISSUES	330.15	
	TOTAL	6,641.41	
17. JEFFORY BROUGHTON	RADIO MAINTENANCE FOR POLICE	90.00	
18. BS&A SOFTWARE	BSA TIMESHEETS,SPECIAL ASSESS,DELINQUET PP ANNUAL SYSTEM SUPPORT	2,863.00	
19. CDW	TABLET FOR CARTEGRAPH PROJECT FOR LEAD WORKERS TO INCLUDE CARRYING CASES AND DOCKS	1,510.00	
20. CINTAS CORPORATION #725	MECHANICS UNIFORM RENTAL	40.13	
	UNIFORMS TODD, JIMMY 2018	40.13	
	TOTAL	80.26	
21. CINZORIE FARMS LLC	FARM MARKET VENDOR	279.00	
22. CIVIL FERMENTS	FARM MARKET VENDOR	22.00	

Vendor Name	Description	Amount	Check #
23. COMCAST CABLE	MONTHLY SERVICE	304.34	
	MONTHLY SERVICE	198.84	
	MONTHLY SERVICE	134.85	
	TOTAL	638.03	
24. CONSUMERS ENERGY	EMERG CRC PM'T TO AVOID SHUTOFF	360.00	98736
25. CONSUMERS ENERGY	TOWNER RD PARK	43.11	
26. COURTESY FORD	FLEET REPAIR PARTS 2018	117.23	
	FLEET REPAIR PARTS 2018	22.27	
	FLEET REPAIR PARTS 2018	7.52	
	REPLACE BACK CAMERA AND REPROGRAM SWITCH	1,070.90	
	TOTAL	1,217.92	
27. DBI	MISC OFFICE SUPPLIES	20.36	
	MISC SUPPLIES	11.64	
	PAPER & WATER	57.98	
	TOTAL	89.98	
28. DELTA DENTAL	EMPLOYEE DENTAL INSURANCE - SEPTEMBER	10,827.06	98734
	RETIRES DENTAL INSURANCE - SEPTEMBER	2,369.01	98734
	COBRA DENTAL INSURANCE - SEPTEMBER	62.14	98734
	TOTAL	13,258.21	
29. OFILIA DIAZ	FARM MARKET VENDOR	10.00	
30. SHAWN DIEMER	FARM MARKET VENDOR	766.00	
31. DISCOUNT ONE HOUR SIGNS	INSTALL GRAPHICS ON PARKING ENFORCEMENT CAR	381.65	
	ORANGE CUT VINYL NUMBERS	312.16	
	TOTAL	693.81	
32. BRETT DREYFUS	REIMB MILEAGE & PARKING - MAY	35.07	
	REIMB FOR MILEAGE TO TCRPC GROUNDWATER MGMT	8.72	
	REIMB FOR MILEAGE TO MAMC ANNUAL CONFERENCE	190.31	
	TOTAL	234.10	
33. DRURY'S LAWN CARE	MAINTENANCE FOR WILLIAMSTON BASEBALL/TBALL	1,830.00	
34. MARK EBENER	FARM MARKET VENDOR	24.00	
35. FAMILY GRADE & GRAVEL	RECYCLE CENTER ROAD MAINTENANCE	750.00	
36. FEDEX	POLICE & IT SHIPPING	39.51	
37. FISHBECK, THOMPSON, CARR & HUBER	PROFESSIONAL SERVICES THROUGH 8/10/18	1,560.00	
38. FORESIGHT GROUP	WATER BILL MAILING W/MOWING INSERT/EXTRA POSTAGE	221.17	
	REGULAR ENVELOPES	146.70	
	TOTAL	367.87	
39. GENERAL CODE	ECODE 360 ONLINE ORDINANCES ANNUAL MAINTENANCE	995.00	

Vendor Name	Description	Amount	Check #
40. GIGUERE HOMES INC.	REIMB PG 2018-06 @ 1598 BELVEDERE	250.00	
41. GRAMPAS PASTYS LLC	FARM MARKET VENDOR	11.00	
42. H.C. BERGER COMPANY	HNC COPIER MAINTENANCE	26.43	
43. HANNEWALD LAMB FARM	FARM MARKET VENDOR	24.00	
44. THE HARKNESS LAW FIRM PLLC	LEGAL FEES-UTC	6,691.37	
45. HENDERSON GLASS	TEMPERED BRONZE GLASS FOR EMERGENCY REPLACEMENT OF WINDOW	655.00	
46. WILBUR HOCHSTETLER	FARM MARKET VENDOR	345.00	
47. MOLLY NEVINS	INSTRUCTORS FEE FITNESS OVER 50 - AUGUST	128.00	
48. JOHN DEERE FINANCIAL	FLEET FUEL 2018	9,961.50	
49. JOHNNY MAC'S	BASE SET ,PITCHING RUBBER ,HOME PLATE	1,732.70	
50. JUDE'S BARBERSHOP	REFUND-PERMIT DENIED	75.00	
51. KEBS INC	BOUNDARY SURVEY AND MARKER INSTALLATION OF LAND PRESERVES	44,579.26	
	SURVEYING TOWNER RD PARK	528.75	
	TOTAL	45,108.01	
52. KITCH DRUTCHAS WAGNER VALITUTTI	LEGAL SERVICES	2,190.00	
53. LANSING SANITARY SUPPLY INC	STATE CONTRACT JANITORIAL SUPPLIES 2018	1,273.40	
	STATE CONTRACT JANITORIAL SUPPLIES 2018	134.15	
	TOTAL	1,407.55	
54. LANSING UNIFORM COMPANY	STANDING PO FOR UNIFORMS	79.90	
	STANDARD POLICE UNIFORM PURCHASE	94.45	
	STANDING PO FOR UNIFORMS	109.90	
	STANDING PO FOR UNIFORMS	100.00	
	TOTAL	384.25	
55. LAUX CONSTRUCTION LLC	TOWNER ROAD PARK DEVELOPMENT PROJECT	39,548.70	
56. MADISON NATIONAL LIFE INS CO	EMPLOYEE LIFE INSURANCE - SEPTEMBER	3,231.99	
57. USA SOFTBALL OF MICHIGAN	SOFTBALLS FOR ADULT SOFTBALL LEAGUE	1,200.00	
58. MAULDON BROTHERS CONSTRUCTION LLC	GRAND RIVER/SIRHAL-JODON WATER MAIN 2018	75,960.00	
59. MCLAUGHLIN FARM LTD	FARM MARKET VENDOR	35.00	
60. SUE MCMASTER	FARM MARKET VENDOR	287.00	
61. MERIDIAN TOWNSHIP	TRANSFER FOR FLEX CKING P/R 8.31.18	763.61	
62. MICHIGAN.COM	SLEEPY HOLLOW WATER & SANITARY S/A DISTRICT	1,828.40	
	SLEEPY HOLLOW WATER & SANITARY S/A DISTRICT	1,828.40	
	TOTAL	3,656.80	
63. MICHIGAN ASSESSORS ASSOCIATION	MEMBERSHIP DUES-DAWN WOZNAK	90.00	98730

Vendor Name	Description	Amount	Check #
64. NAPA	FLEET REPAIR PARTS 2018	235.28	
	FLEET REPAIR PARTS 2018	35.49	
	FLEET REPAIR PARTS 2018	221.52	
	FLEET REPAIR PARTS 2018	84.97	
	TOTAL	577.26	
65. PURCHASE POWER	POSTAGE	2,261.05	98735
66. POSTMASTER	UTILITY BILLS POSTAGE FOR 8/31/18	1,436.40	98737
67. PRINTING SYSTEMS INC	GENERAL FUND CHECKS	327.41	
68. PRINT MAKERS SERVICE INC	PRINTED COPIES WHILE COPIER DOWN	144.95	
69. PROFESSIONAL SERVICES INDUSTRIES	SOIL TESTING FOR TOWNER ROAD PARK PROJECT	1,854.00	
70. PRO-TECH MECHANICAL SERVICES	REPLACE HVAC PUBLIC SAFETY BUILDING	32,142.50	
	WATER LEAK PUBLIC SAFETY BUILDING	351.48	
	TOTAL	32,493.98	
71. RAPID TREE REMOVAL	REMOVE 7 DEAD TREES AND STUMP GRIND	2,370.00	
72. DUANE RASCH	FARM MRKT VENDOR	177.00	
73. RECLAIMED BY DESIGN	RECYCLING CENTER OPERATION	2,000.00	
74. REDWOOD LANDSCAPING	PATHWAY MOWING / TRIMMING 2018	9,312.50	
	PATHWAY MOWING / TRIMMING 2018	19,543.75	
	TOTAL	28,856.25	
75. MERIDIAN TOWNSHIP RETAINAGE	TOWNER ROAD PARK DEVEL-LAUX CONSTRUCTION	4,394.30	
	PATHWAY BRIDGE REHAB 2017-YOUNGSTROM	2,323.00	
	GRAND RIVER/SIRHAL-JODON WATER-MAULDON BROTHERS	8,440.00	
	TOTAL	15,157.30	
76. BETTY ANNE RUPLEY	FARM MARKET VENDOR	7.00	
77. SAMIA'S MEDITERRANEAN GOURMET LLC	FARM MARKET VENDOR	65.00	
78. JUDY SCHUSTER	ELECTION INSPECTOR - AUGUST	105.25	
79. SECURAMERICA, LLC	SECURITY FOR 6.29 & 6.30 CELEBRATE MERIDIAN	495.00	
80. SME	PROFESSIONAL SERVICES 6.25 TO 7.29 DENSITY TESTING	619.50	
81. SOLDAN'S FEED & PET SUPPLIES	CANINE SUPPLIES FOR TWO DOGS	56.99	
	CANINE SUPPLIES FOR TWO DOGS	34.99	
	TOTAL	91.98	
82. SPARROW OCCUPATIONAL	PROFESSIONAL SERVICES	285.00	
83. STANDARD ELECTRIC CO	ELECTRIC SUPPLIES 2018	113.60	
84. STATE OF MICHIGAN	INSPECTION - BOILER CERTIFICATE	60.00	
85. ST MARTHA CONFERENCE OF	EMERG CRC PM'T TO AVOID EVICTION	200.00	98738
86. ST THOMAS AQUINAS PARISH	REIMB FOR PM'T TO AVOID EVICTION	125.00	98732

Vendor Name	Description	Amount	Check #
87. SUPREME SANITATION			
	PORTABLE TOILET RENTAL	170.00	
	PORTABLE TOILET RENTAL	160.00	
	PORTABLE TOILET RENTAL	85.00	
	PORTABLE TOILET RENTAL	85.00	
	PORTABLE TOILET RENTAL	85.00	
	PORTABLE TOILET RENTAL	85.00	
	TOTAL	670.00	
88. SWAGIT PRODUCTIONS, LLC			
	CONTRACTUAL SERVICE FOR HOMTV VIDEO HOSTING LIVE STREAMING & CLOSED CAPTIONING	3,462.00	
89. TASC			
	COBRA ADMIN FEE	213.21	
90. TDS			
	MONTHLY SERVICES	1,349.23	
91. DIANA TENNES			
	FARM MARKET VENDOR	55.00	
92. THE CHEESE PEOPLE OF GRAND RAPIDS			
	FARM MARKET VENDOR	85.00	
93. PHIL THROOP			
	FARM MRKT VENDOR	102.00	
94. LEAH TRACIAK			
	INSTRUCTORS FEE FITNESS OVER 50 - AUGUST	112.00	
95. TRADEMASTER, INC			
	MOBILE EYES INSPECTION SOFTWARE	8,983.00	
96. US BANK EQUIPMENT FINANCE			
	CONTRACT EQUIPMENT SERVICE	1,083.00	
97. BILL VANG			
	FARM MARKET VENDOR	62.00	
98. VARIPRO BENEFIT ADMINISTRATORS			
	FLEX ADMINISTRATION - SEPTEMBER	175.00	
	FLEX ADMINISTRATION SEPT 2018	10,584.75	98731
	TOTAL	10,759.75	
99. YOUNGSTROM CONTRACTING			
	PATHWAY BRIDGE REHAB 2017	20,907.00	
TOTAL - ALL VENDORS		372,444.64	
FUND TOTALS:			
Fund 101 - GENERAL FUND		107,082.99	
Fund 204 - PEDESTRIAN BIKEPATH MILLAGE		52,112.13	
Fund 208 - PARK MILLAGE		49,679.66	
Fund 209 - Land Preservation Millage		44,683.99	
Fund 211 - PARK RESTRICTED/DESIGNATED		2,954.00	
Fund 230 - CABLE TV		13,454.96	
Fund 246 - TIRF		88,056.80	
Fund 250 - COMMUNITY NEEDS FUND		685.00	
Fund 661 - MOTOR POOL		13,735.11	

Vendor Name	Description	Amount	Check #
1. ALLEN EDWIN HOME BUILDERS	REIMB PGE 15-3 @ 1593 MAIDEN LANE	2,039.50	
2. JAMES ARNETT	REIMB CDL TEST & ENDORSEMENT	218.00	
3. CENTRAL MI INNS, INC	REIMB PGE#17-28 @ 2350 JOLLY OAK HOLIDAY INN EXPRESS	589.00	
4. CITY OF EAST LANSING	SEWER-SRF LOAN 5545-02 OCTOBER INTEREST PAYMENT	37,986.00	
5. DELTA DENTAL	EMPLOYEE DENTAL INSURANCE - SEPTEMBER	1,549.46	27373
6. FERGUSON WATERWORKS #3386	LF 5/8 X 3/4/ T 10 METER V4 R9001	22,135.00	
	WATER SYSTEM REPAIR PARTS 2018	420.00	
	TOTAL	22,555.00	
7. FIRST HOUSING SERVICES	REIMB PGE 15-19 @ 662 EMILY LANE	125.00	
8. GIGUERE HOMES INC.	REIMB PGE17-27 @ 5141 GIESBORO	2,000.00	
	REIMB PGE17-27 @ 5141 GIESBORO	875.00	
	REIMB PGE 17-33 @ 2293/2295 FIELDSTONE	2,000.00	
	REIMB PGE 18-1 @ 1347 KALORAMA	2,000.00	
	REIMB PGE18-26 @ 1311 KALORAMA	2,000.00	
	REIMB PGE18-31 @ 5037 GIESBORO	2,900.00	
	TOTAL	11,775.00	
9. HDI BUILDERS INC	REIMB PGE 18-12 @ 5872 SHAW	2,000.00	
10. ANN HOWELL	REIMB FOR DAMAGE TO DRIVEWAY DURING WATER REPAIR 4.2.18	700.00	
11. KEY BUILDERS INC	REIMB PGE 15-28 @ 6035 E LAKE DRIVE	500.00	
12. MADISON NATIONAL LIFE INS CO	EMPLOYEE LIFE INSURANCE - SEPTEMBER	360.08	
13. MAYBERRY HOMES	REIMB PGE17-30 @ 1316 KALORAMA	2,000.00	
	REIMB PGE 18-16 @ 1403 KALORAMA	2,115.00	
	REIMB PGE18-24 @ 5058 GIESBORO	2,000.00	
	REIMB PGE18-25 @ 5034 GIESBORO	2,000.00	
	TOTAL	8,115.00	
14. PRINT MAKERS SERVICE INC	KIP LARGE FORMAT PRINTER- REPLACEMENT	29,285.00	
15. SCHROEDER BUILDERS	REIMB PGE17-31 @ 1327 KALORAMA	2,000.00	
	REIMB PGE18-34 @ 5152 GIESBORO	2,000.00	
	REIMB PGE18-35 @ 5042 GIESBORO	2,000.00	
	TOTAL	6,000.00	
16. WAYNE & LORI SIELOFF	REIMB FOR PGE18-6 @ 1423 KALORAMA	3,554.00	
17. TDS	MONTHLY SERVICE	126.55	
18. MITHLESH VANI	REIMB PERFORMANCE GUARANTEE - PERMIT#17040	2,000.00	
TOTAL - ALL VENDORS		129,477.59	
FUND TOTALS:			
Fund 590 - SEWER FUND		90,117.48	
Fund 591 - WATER FUND		39,360.11	

Vendor Name	Description	Amount	Check #
1. MICHAEL BARRON	REFUND OVERPM'T TAX #33-02-02-06-451-025 *PROPERTY AT 3176 LAKE LANSING RD	19.53	12367
2. COMMERCIAL BANK	REFUND OVERPM'T TAX #33-02-02-28-379-001 *PROPERTY AT 4111 OKEMOS RD	1,793.27	12368
3. CORELOGIC TAX SERVICES LLC	REFUND OVERPMT' TAX#33-02-02-09-277-007 *PROPERTY AT 5794 OKEMOS RD	862.81	12369
	REFUND OVERPM'T TAX#33-02-02-06-377-045 *PROPERTY AT 6013 RUTHERFORD	2,139.30	12369
	REFUND OVERPM'T TAX#33-02-02-17-406-004	1,802.33	12369
	REFUND OVERPM'T TAX#33-02-02-29-432-003 *PROPERTY AT 2520 SUNDANCE LN	2,175.39	12369
	REFUND OVERPM'T TAX#33-02-02-24-100-009 *PROPERTY AT 4933 VAN ATTA RD	6,467.40	12369
	REFUND OVERPM'T TAX#33-02-02-10-202-026	1,120.55	12369
	REFUND OVERPM'T TAX#33-02-02-32-276-053 *PROPERTY AT 2705 TAPESTRY	2,465.12	12369
	REFUND OVERPM'T TAX#33-02-02-34-379-008 *PROPERTY AT 3537 BREEZY POINT	3,791.03	12369
	REFUND OVERPM'T TAX#33-02-02-14-376-013 *PROPERTY AT 1312 KALORAMA WAY	914.25	12369
	TOTAL	21,738.18	
4. EAST LANSING PUBLIC SCHOOLS	2018 SUMMER TAX COLLECTION	106,956.90	12360
	2018 SUMMER TAX COLLECTION *PROPERTY AT 5986 GREENMAN	372,600.76	12370
	TOTAL	479,557.66	
5. HANTZBANK	REFUND OVERPM'T SUMMER TAX - 3718 POWDERHORN	5,583.46	12361
6. HASLETT PUBLIC SCHOOLS	2018 SUMMER TAX COLLECTION	171,345.30	12362
	2018 SUMMER TAX COLLECTION	648,626.30	12371
	TOTAL	819,971.60	
7. INGHAM INTERMEDIATE SCHOOL	2018 SUMMER TAX COLLECTION	448,471.31	12363
	2018 SUMMER TAX COLLECTION	2,412,239.87	12372
	TOTAL	2,860,711.18	
8. NATIONSTAR MORTGAGE DBA MR COOPER	REFUND-OVERP'MT SUM TAX - 5860 OKEMOS RD *PARCEL #33-02-02-09-226-015	790.28	12364
	REFUND-OVERP'MT SUM TAX - 1075 WOODSIDE DR *PARCEL #33-02-02-11-430-006	1,873.46	12364
	REFUND-OVERP'MT SUM TAX - 3925 SUN RAPIDS DR *PARCEL #33-02-02-33-104-002	2,279.02	12364
	TOTAL	4,942.76	
9. OKEMOS PUBLIC SCHOOLS	2018 SUMMER TAX COLLECTION	297,048.83	12365
	2018 SUMMER TAX COLLECTION	1,180,154.91	12373
	TOTAL	1,477,203.74	
10. PEPSICO	REFUND-OVERPM'T WINTER PERSONAL PROP TAX #33-02-02-90-529-620	12.64	
11. WILLIAMSTON SCHOOLS	2018 SUMMER TAX COLLECTION	8,174.80	12366
	2018 SUMMER TAX COLLECTION	51,736.72	12374
	TOTAL	59,911.52	
TOTAL - ALL VENDORS		5,731,445.54	

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DB: Meridian

INVOICE APPROVAL BY INVOICE REPORT FOR CHARTER TOWNSHIP OF MERIDIAN
EXP CHECK RUN DATES 09/04/2018 - 09/04/2018
JOURNALIZED OPEN AND PAID
BANK CODE: TA

Vendor Name	Description	Amount	Check #
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FUND TOTALS:			
Fund 701 - TRUST & AGENCY		5,731,445.54	

Credit Card Charges from August 16th to August 29th

Posting Date	Merchant Name	Amount	Name
2018/08/16	AC&E RENTALS OKEMOS	\$208.00	ROBERT STACY
2018/08/20	AC&E RENTALS OKEMOS	\$86.20	TOM OXENDER
2018/08/16	AC&E RENTALS OKEMOS	\$90.00	MATT FOREMAN
2018/08/27	ADOBE *ACROPRO SUBS	\$15.89	DEREK PERRY
2018/08/22	ALRO STEEL CORP	\$19.97	ROBERT STACY
2018/08/28	AMAZON.COM	(\$97.50)	CATHERINE ADAMS
2018/08/28	AMAZON.COM	(\$130.00)	CATHERINE ADAMS
2018/08/23	AMAZON.COM	\$10.18	MICHELLE PRINZ
2018/08/23	AMAZON.COM	\$10.18	MICHELLE PRINZ
2018/08/23	AMAZON.COM	\$17.37	MICHELLE PRINZ
2018/08/29	AMAZON.COM AMZN.COM/BILL	\$79.99	MICHELLE PRINZ
2018/08/21	AMSTERDAM PRNT & LITHO	\$243.23	KRISTEN COLE
2018/08/20	AMZN MKTP US	\$24.00	MICHELLE PRINZ
2018/08/20	AMZN MKTP US	\$11.90	MICHELLE PRINZ
2018/08/16	AWWA.ORG	\$211.00	DENISE GREEN
2018/08/20	BASKIN #357895	\$100.00	MICHELLE PRINZ
2018/08/27	BAVARIAN INN MOTOR LODGE	\$196.62	CHRIS BUCK
2018/08/20	BUDDIES PUB & GRILL	\$21.20	ANDREA SMILEY
2018/08/20	BUDDIES PUB & GRILL	\$100.00	MICHELLE PRINZ
2018/08/22	CLKBANK*COM_ZRLXUF49	\$19.00	MICHAEL DEVLIN
2018/08/22	CLKBANK*COM_ZRLXUF59	\$7.00	MICHAEL DEVLIN
2018/08/24	COMCAST	\$298.30	ANDREA SMILEY
2018/08/22	COMPLETE BATTERY SOURCE	\$21.21	TYLER KENNELL
2018/08/16	COMPLETE HITCH	\$224.00	TODD FRANK
2018/08/27	DISCOUNT ONE HOUR SIGNS	\$625.22	ANGELA RYAN
2018/08/20	DOLLAR TREE	\$16.00	DARCIE WEIGAND
2018/08/17	DOMINO'S 1206	\$96.44	DEREK PERRY
2018/08/16	FEDEX 782299015985	\$9.35	WILLIAM PRIESE
2018/08/27	FERGUSON WTRWRKS #3386	\$39.70	DAVID LESTER
2018/08/20	GFS STORE #1901	\$48.03	ANDREA SMILEY
2018/08/23	GFS STORE #1901	\$244.35	MICHELLE PRINZ
2018/08/24	GFS STORE #1901	\$55.93	MICHELLE PRINZ
2018/08/27	GRAINGER	\$133.08	TYLER KENNELL
2018/08/23	GRAINGER	\$35.90	PETER VASILION
2018/08/23	GRAINGER	\$82.73	PETER VASILION
2018/08/17	HAMMOND FARMSLANDS	\$41.00	LAWRENCE BOBB
2018/08/17	HAMMOND FARMSLANDS	\$41.00	LAWRENCE BOBB
2018/08/17	HAMMOND FARMSLANDS	\$41.00	LAWRENCE BOBB
2018/08/16	HASLETT TRUE VALUE HARDW	\$4.79	TOM OXENDER
2018/08/20	HENRY'S PLACE	\$21.20	ANDREA SMILEY
2018/08/17	HOLIDAY INN EXPRESS AND S	\$94.86	KYLE ROYSTON
2018/08/29	IN *ARTISTIC BRONZE INC.	\$125.00	KATHERINE RICH
2018/08/22	JETS PIZZA OF HASLETT	\$83.47	MICHAEL DEVLIN
2018/08/27	KROGER #409	\$7.98	ANDREA SMILEY
2018/08/17	KROGER #793	\$58.05	ANDREA SMILEY
2018/08/24	MASTER TECHS INC	\$180.90	TODD FRANK
2018/08/23	MEIJER INC #025 Q01	\$96.98	MATTHEW WALTERS
2018/08/27	MEIJER INC #025 Q01	\$30.59	DENNIS ANTONE
2018/08/29	MEIJER INC #025 Q01	\$1.99	PETER VASILION
2018/08/16	MRWA	\$275.00	DENISE GREEN
2018/08/24	MSU ATHLETIC COMMUNICATI	\$210.00	BRANDIE YATES
2018/08/16	NATIONAL EMERGENCY TRAIN	\$302.04	WILLIAM PRIESE

2018/08/23	OFFICEMAX/DEPOT 6194	\$104.61	KELSEY DILLON
2018/08/23	OFFICEMAX/DEPOT 6194	\$49.99	TYLER KENNEL
2018/08/27	OFFICEMAX/DEPOT 6194	\$6.99	PETER VASILION
2018/08/29	OFFICEMAX/DEPOT 6194	\$33.93	CATHERINE ADAMS
2018/08/16	OFFICEMAX/DEPOT 6869	\$236.99	STEPHEN GEBES
2018/08/29	OFFICEMAX/DEPOT 6869	\$409.99	STEPHEN GEBES
2018/08/20	OLD CHCG PIZZA AND TAP RM	\$100.00	MICHELLE PRINZ
2018/08/17	OUTBACK 2313	\$16.00	FRANK L WALSH
2018/08/21	SENTRY SAFETY SUPPLY	\$251.04	ROBERT MACKENZIE
2018/08/16	SHAHEEN CHEVROLET	\$100.59	TODD FRANK
2018/08/22	SHAHEEN CHEVROLET	(\$100.59)	TODD FRANK
2018/08/27	SOLDANS FEEDS & PET S	\$10.74	CATHERINE ADAMS
2018/08/29	STAMPRITE	\$26.65	KRISTI SCHAEDING
2018/08/22	STAPLES DIRECT	\$61.35	KATHERINE RICH
2018/08/17	STATE DEQ WATER TEST	\$16.00	KATHERINE RICH
2018/08/20	STATE OF MI EMS	\$25.00	KRISTEN COLE
2018/08/28	STATE OF MI LICENSING	\$80.00	YOUNES ISHRAIDI
2018/08/20	STUDIO C	\$140.00	MICHELLE PRINZ
2018/08/16	THE HOME DEPOT #2723	\$198.71	LAWRENCE BOBB
2018/08/23	THE HOME DEPOT #2723	\$147.20	LAWRENCE BOBB
2018/08/23	THE HOME DEPOT #2723	\$46.82	ROBERT STACY
2018/08/29	THE HOME DEPOT #2723	\$7.44	ROBERT STACY
2018/08/27	THE HOME DEPOT #2723	\$131.44	BENJAMIN MAKULSKI
2018/08/24	THE HOME DEPOT #2723	\$31.19	KELSEY DILLON
2018/08/24	THE HOME DEPOT #2723	\$34.30	KELSEY DILLON
2018/08/29	THE HOME DEPOT #2723	\$4.60	DENNIS ANTONE
2018/08/16	THE HOME DEPOT #2723	\$6.25	PETER VASILION
2018/08/20	THE HOME DEPOT #2723	\$33.98	PETER VASILION
2018/08/22	THE HOME DEPOT #2723	\$15.97	PETER VASILION
2018/08/23	THE HOME DEPOT #2723	\$29.97	PETER VASILION
2018/08/29	THE HOME DEPOT #2723	\$10.98	PETER VASILION
2018/08/29	THE HOME DEPOT #2723	\$6.97	PETER VASILION
2018/08/17	THE HOME DEPOT #2723	\$55.28	TODD FRANK
2018/08/23	THE HOME DEPOT #2723	\$47.93	DAVID LESTER
2018/08/24	THE HOME DEPOT #2723	\$173.19	DAVID LESTER
2018/08/22	THE HOME DEPOT #2723	\$22.52	ROBERT MACKENZIE
2018/08/23	THE HOME DEPOT #2723	\$6.24	TOM OXENDER
2018/08/27	THE HOME DEPOT #2723	\$37.60	TOM OXENDER
2018/08/27	THE HOME DEPOT #2723	\$12.97	DAN PALACIOS
2018/08/16	THE HOME DEPOT #2723	\$151.09	MATT FOREMAN
2018/08/23	THE HOME DEPOT #2723	\$28.61	MATT FOREMAN
2018/08/24	THE HOME DEPOT #2723	\$17.34	MATT FOREMAN
2018/08/23	THE HOME DEPOT 2723	\$88.86	DAN PALACIOS
2018/08/29	THE HOME DEPOT 2723	\$89.81	MATT FOREMAN
2018/08/23	TRACTOR SUPPLY #1149	\$5.29	TYLER KENNEL
2018/08/20	TST* SADDLEBACK BBQ OSHT	\$140.00	MICHELLE PRINZ
2018/08/16	USA BLUE BOOK	\$225.80	CHAD HOUCK
2018/08/17	VERIZON WRLS 09196-01	\$22.49	STEPHEN GEBES
2018/08/21	VERMEER OF MICHIGAN INC	\$115.31	CHAD HOUCK
2018/08/20	WAL-MART #2866	\$18.80	DARCIE WEIGAND

TOTAL	\$8,324.55
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ACH Transactions

Date	Payee	Amount	Purpose
08/21/18	Blue Care Network	3,214.56	Employee Health Insurance
08/21/18	Blue Care Network	58,052.22	Employee Health Insurance
08/21/18	Meridian Township	2,199.88	Utility Bills
08/23/18	Blue Cross Blue Shield	3,510.27	Health Insurance
08/28/18	Blue Care Network	18,455.28	Employee Health Insurance
08/28/18	Blue Care Network	47,683.35	Employee Health Insurance
08/30/18	ICMA	36,223.58	Payroll Deductions 08/31/18 Payroll
08/30/18	IRS	89,560.50	Payroll Taxes 08/31/18 Payroll
08/30/18	State of Michigan	41,571.13	Withholding - August
08/30/18	Various Financial Institutions	252,947.93	Direct Deposit 08/31/18 Payroll
	Total ACH Payments	<u><u>550,204.14</u></u>	



11. A & 13. E

To: Township Board

From: Frank L. Walsh, Township Manager

Date: August 31, 2018

Re: 2019 Recommended Budget Public Hearing and Discussion

On Friday, August 24, 2018, the Draft 2019 Budget was delivered to the Township Board members and at the same time was made publicly available on our website and at the Haslett and Okemos Libraries.

The overarching goals of the 2019 Budget mirror the 2018 Action Plan adopted by the Board in January 2018. Our target is to eliminate the Municipal Employees' Retirement System (MERS) pension debt by 2026, committing multiple resources to our core PICA areas, finding a path to allocate additional resources to fix local roads and relocating the Farmers' Market.

It would be helpful if you bring your copy of the Draft 2019 Budget to the Board meeting.

Finance Director Miriam Mattison and I look forward to presenting the budget to you on Tuesday, September 4th. In the meantime, please do not hesitate to contact me if should you have any questions.



11.B/13.B

To: Township Board

From: Mark Kieselbach, Director of Community Planning and Development
Peter Menser, Principal Planner

Date: August 29, 2018

Re: Summer Park Realty (Walnut Hills) Consent Judgment

At its meeting on May 2, 2017 the Township Board voted to deny the rezoning of 157 acres at 2847 Lake Lansing Road (Walnut Hills) from RR (Rural Residential) to RAA (Single Family-Low Density). Following the denial of the rezoning a lawsuit was filed by the property owner in Circuit Court (*Summer Park Realty v Meridian Township*, Case No. 17-000643-CZ). Prior to allowing any other proceedings, the judge ordered both parties to go through mediation in an effort to settle the lawsuit. Mediation is a process in which the parties discuss their disputes with the assistance of a trained and impartial mediator, who assists them in reaching a settlement. In this case, the mediator selected was Scott S. Brinkmeyer from the Grand Rapids law firm Mika Meyers.

For the last eight months the Township and property owner, with legal representatives for both parties, have met in a several mediation sessions. The Township's goal in mediation was to attempt to limit the number of homes, increase the setbacks from existing residential properties, and maintain more than 50% of the property (excluding wetlands) as open space. As a result of the discussions, the property owner and the Township's representatives have presented a development plan for the 190-acre property, including a proposed consent judgment and conceptual site plan, which establishes the general layout of residential development on the property in a manner consistent with a Planned Unit Development (PUD) and associated terms and conditions for the project. The consent judgment and conceptual site plan include the following provisions, among others:

- Maximum of 311 single family residential dwelling units on the property (gross density of 1.64 units per acre). The 2005 Master Plan (in place when the lawsuit was filed) allows 1.25 to 3.5 dwelling units per acre.
- No more than 52 of the residential units may be detached single-family condominiums.
- Enhanced buffer areas around the perimeter of the property, including a 150-foot buffer along the west property line, 100-foot buffer along the east property line, 50-foot buffers from the Lake Lansing Road and Park Lake Road rights-of-way, and a 280-foot buffer between the detached condominium unit yards and the Lake Lansing Road right-of-way.
- Total open space (excluding wetlands) will be approximately 93.5 acres (54% of property).
- Lots must have between 50-80 feet of frontage and at least 120 feet of depth.

**Summer Park Realty (Walnut Hills) Consent Judgment
Township Board (September 4, 2018)
Page 2**

- Lots must have at least 20-foot front yard setbacks, five-foot side yard setbacks (7.5 feet for lots with 80 feet of lot frontage), and 25-foot rear yard setbacks.
- Minimum floor area of 1,200 square feet for all one-story residential units, 1,400 square feet for all Cape Code style units, and 1,600 square feet for all two-story units.
- Demolition of the existing clubhouse, pool, and parking lot, as well as dilapidated old house adjacent to Lake Lansing Road.

The conceptual site plan is generally consistent with the Township's planned unit development (PUD) ordinance (Section 86-439 of the Code of Ordinances). The PUD ordinance allows a developer to propose a residential project with diverse housing types and different lot dimensions and yard setbacks than those prescribed in the underlying zoning district. Lot size, yards, frontage requirements, setbacks, building height, and type and size of dwelling unit restrictions are generally waived in a PUD. In exchange for the flexible standards, a minimum of 50% of the project area, excluding wetlands and floodplains, must be preserved as open space. Approval of the consent judgment would allow the property owner to develop a project in accordance with the conceptual site plan and terms and conditions established in the consent judgment.

In comparison to the consent judgment's maximum of 311 units on the property, the zoning in place prior to the lawsuit would have allowed as many as 262 single-family residential units. If the entire property was rezoned to RAA, as requested in the lawsuit, the property owner may have been able to develop up to 427 units. The proposed consent judgment minimizes the number of homes on the property, while also preserving open space and establishing enhanced buffers from adjacent residential neighborhoods.

If the consent judgment is approved by the Township Board, the property owner will be required to submit for Site Plan Review before work on the development can begin. Site Plan Review is a detailed staff-level analysis of the project which includes reviews of storm water, utilities, landscaping, grading, and other issues to ensure compliance with all applicable ordinances as well as confirmation of approvals from local agencies such as the Ingham County Drain Commissioner's Office and Road Department.

Attachments

1. Consent judgment dated August 13, 2018.
2. Conceptual site plan dated August 13, 2018.

G:\Community Planning & Development\Planning\Walnut Hills Consent Judgment\Walnut Hills consent judgment.tb1.docx

STATE OF MICHIGAN

IN THE CIRCUIT COURT OF THE COUNTY OF INGHAM

SUMMER PARK REALTY, LLC, a Michigan
limited liability company,

Plaintiff,

vs.

CHARTER TOWNSHIP OF MERIDIAN, a
Michigan municipal corporation,

Defendant.

Case No. 17-000643-CZ

Hon. James S. Jamo

Alan M. Greene (P31984)
Jennifer Boueri Chilson (P71176)
Attorneys for Plaintiff
DYKEMA GOSSETT PLLC
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William K. Fahey (P27745)
John S. Brennan (P55431)
Matthew A. Kuschel (P76679)
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(517) 381-0100
wfahey@fsbrlaw.com
jbrennan@fsbrlaw.com
mkuschel@fsbrlaw.com

CONSENT JUDGMENT

At a session of said Court held in the City of Lansing, County of
Ingham, State of Michigan on _____, 2018

PRESENT: Honorable James S. Jamo, Circuit Court Judge

The parties to this Consent Judgment, after court-ordered facilitation with Scott Brinkmeyer serving as the Facilitator, agree to settle this dispute by this Consent Judgment, which incorporates all the attached exhibits. The parties represent that all requirements necessary for them to be bound by this Consent Judgment have been met. The Court has reviewed this Consent

Judgment and finds that its terms are fair, just, reasonable, and in the public interest, and that it has been entered in good faith by the parties.

THE COURT HEREBY FINDS, ORDERS AND ADJUDGES THAT:

1. The following findings are made by the Court:

(a) Plaintiff Summer Park Realty, LLC (“Plaintiff”) is a Michigan limited liability company doing business in Michigan.

(b) Defendant Charter Township of Meridian (the “Township”) is a Michigan charter township organized under Michigan law.

(c) This matter involves approximately 190 acres of land located along Lake Lansing Road and Park Lake Road in the Township, more particularly described in attached **Exhibit A** (the “Property”).

(d) 157 acres of the Property are currently zoned RR (One-Family/Rural Residential) and the remaining 33 acres of the Property are currently zoned RAA (One-Family/Low Density Residential) under the Township Zoning Ordinance. Most of the Property has been developed and used as a golf course for many years. The Property is designated as R-2 residential under the Township 2017 Master Plan, indicating residential development at a density in the range of 0.5 to 3.5 dwelling units per acre.

(e) In October 2016, Plaintiff applied to rezone the portion of the Property zoned RR to the RAA zoning classification to develop a residential development. If the RR portion of the Property were rezoned to the RAA zoning classification, Plaintiff may have been able to develop more residential units on the Property than would have been permitted under the Property’s current zoning classifications.

(f) At a public meeting held on March 27, 2017, the Township Planning Commission approved a resolution recommending denial of the rezoning, identifying concerns and issues that the Planning Commission had with the proposed rezoning.

(g) On May 2, 2017, the Township Board adopted a motion concurring with the Planning Commission's recommendation and denying the proposed rezoning.

(h) Plaintiff filed a Complaint on August 31, 2017, challenging the Township's rezoning denial; the Township filed an Answer denying any liability.

(i) On October 25, 2017, the Court directed the parties to participate in facilitation. Scott Brinkmeyer was selected to serve as the Facilitator. Facilitation sessions were held over several months, leading to the agreements in this Consent Judgment. The Facilitator has advised the parties that the settlement in this Consent Judgment is reasonable under the facts and circumstances presented.

(j) The parties agree that, notwithstanding the current zoning of the Property, the Property may be used and developed as provided in this Consent Judgment.

2. **Approval of Residential Development.** Subject to the conditions and terms of this Consent Judgment, including the subsequent Township approvals and additional agency approvals listed in this Consent Judgment, Plaintiff's use, development, construction and operation of the Property for a residential development (the "Residential Development" or "Development") shall be permitted as depicted on the Conceptual Plan prepared by Allen Design, dated May 15, 2018 (the "Conceptual Plan") and attached as **Exhibit B**.

3. **Features of the Residential Development.** The Residential Development shall satisfy the following requirements and features:

(a) Each residential unit in the Development shall be a detached single-family residential unit. The maximum number of residential units in the Development shall not exceed 311. The Development may include no more than 52 detached condominium units (the “Detached Condominium Units”), with the balance being single-family units located on individual lots (the “Single-Family Units”). To provide variety in housing, the Single-Family Units shall be on lots ranging from 55’ in lot width to 80’ in lot width. All residential lots shall have a minimum lot depth of 120’.

(b) The minimum building setbacks (rear, front and side-yard) applicable to the Single-Family Units for each lot and for the Detached Condominium Units shall be as shown in the Conceptual Plan.

(c) Entrance landscaping and features shall be provided as shown on the Conceptual Plan, except that there shall be no landscaped islands in the road entries to the Development, unless permitted by the Ingham County Road Department (“Road Department”).

(d) Open spaces and natural areas, including preserved wetlands, shall be provided as shown on the Conceptual Plan and described further below, and as may be determined by any required Wetland Permits, which permits have not been granted at the time of this Consent Judgment.

(e) The square footage of the Single-Family Units shall be a minimum of 1200 square feet for a one-story residence, 1400 square feet for a cape cod style residence and 1600 square feet for two-story residences. The square footage of the Detached Condominium Units shall be a minimum of 1200 square feet.

(f) Each Detached Condominium Unit shall have a two-car attached garage.

(g) The existing clubhouse, pool facility and associated parking lot on the Property shall be removed and demolished as part of the first phase of the Development.

(h) The existing residential structure near Lake Lansing Road shall be removed and demolished as part of the first phase of the Development.

(i) Recreational amenities in addition to the walking trails and pathways described below, including pocket parks, play structures and benches shall be included as part of the Residential Development and shall be depicted and described in the Final Site Plan, subject to approval by the Township. The Final Site Plan may include a new clubhouse, but a clubhouse is not a required amenity for the Development.

(j) Enhanced vegetated buffer areas along the perimeter of the Development to neighboring residential properties shall be as depicted on the Conceptual Plan, with minor variations permitted for grading, utilities, engineering, and final design. In particular: the buffer between the rear lot lines of the Single-Family Units and the western boundary of the Property line shall be at least 150'; the buffer between the rear yards of the Detached Condominium Units and the east Property line shall be at least 100'; the setbacks from the rear lot lines of the Single-Family Units and the rights-of-way for Lake Lansing Road and Park Lake Road shall be at least 50'; the setback from the Lake Lansing Road right-of-way to the rear or side yards of the Detached Condominium Units shall be at least 280'. As shown on the Conceptual Plan, the enhanced buffer areas will contain portions of preserved wetland areas and detention ponds.

(k) Street lighting will be provided at street intersections, which shall be LED lights and conform to the requirements of the Township Lighting Ordinance.

4. **Preservation of Natural Features and Open Space**. The total amount of open space, excluding wetlands, shall be approximately 93.5 acres or approximately 54% of the

Property as shown on the Conceptual Plan. In addition, at least 14.5 acres of wetland areas shall be preserved throughout the Development, with the final amounts and locations to be determined by any required Wetland Permits, which permits have not been granted at the time of this Consent Judgment.

5. **Pathways.** Plaintiff shall: (a) install at its expense a 5' wide network of walking paths (which may be constructed from decomposed rolled limestone, asphalt or such other material mutually agreed up by the parties) through the open spaces of the Development as depicted on the Conceptual Plan, and which shall include an access point to the Land Preservation Program land owned by the Township at the northwestern boundary of the Property; and (b) install at its expense 5' wide concrete sidewalks along both sides of all roads within the Development as depicted on the Plan.

6. **Road Improvements.** The internal roads within the Residential Development may be private or public at the discretion of Plaintiff but shall be asphalt with concrete curb and gutter and constructed to Road Department construction and engineering standards. In addition, the Road Department may, but is not obligated to: (a) require Plaintiff to prepare an additional traffic study, which will show the distribution of vehicles in the Development that would use the Lake Lansing Road entrance compared to the Park Lake Road entrance; (b) limit parking to one side along the internal roads in the Development as posted to permit adequate ingress and egress along the roads; (c) require Plaintiff to locate an additional road access stub to the north edge of the Development; (d) require Plaintiff to install temporary road end turnarounds as part of any phases of the Development; (e) require Plaintiff to install right turn lanes along Park Lake Road and Lake Lansing Road; (f) restrict the installation of traffic islands at the Lake Lansing Road and Park Lake Road entrances to the Development; (g) require Plaintiff to install paved shoulders along the

Property's frontage on Park Lake Road and Lake Lansing Road; and (h) require Plaintiff to provide the Road Department up to 30' of additional road right-of-way along Lake Lansing Road and Park Lake Road. The approved setbacks, open space calculations and other development parameters described above and in the Exhibits hereto, however, are based upon the rights of way as shown on Exhibit B. Plaintiff shall also install a paved shoulder along the Park Lake Road frontage of the Property and upgrade the pathway along the Property's Lake Lansing Road frontage for ADA compliance, in accordance with the Township's Pedestrian Bicycle Pathway Master Plan.

7. **Utilities and Drainage.** The Residential Development shall be served by public sewer and water. Plaintiff shall be responsible for paying all costs necessary to extend water and sewer services to the Development. The Township will reserve sufficient sewer and water capacity needed to serve up to 311 residential units and a clubhouse (if included on the final site plan) and related amenities for a period not to exceed three (3) years after issuance of a construction permit for the first phase of the Development. The Ingham County Drain Commissioner may, but is not obligated to: (a) verify whether any additional drain easements are necessary and require Plaintiff to provide such easements; (b) require Plaintiff to pretreat stormwater prior to entering any detention areas; (c) require Plaintiff to provide detention areas designed for a 100-year flood and located outside of any wetland areas; (d) require Plaintiff to provide detailed engineering plans; and (e) require Plaintiff to include the use of some bio-swales and raingardens as part of the Development's overall stormwater management plans.

8. **PUD Approval.** The parties intend that this Consent Judgment shall constitute the Township Board's approval of the Development as a Planned Unit Development ("PUD") under Section 86-439(e)(4) and (f)(5) of the Township Zoning Ordinance. Plaintiff agrees to pursue further site plan review and engineering approvals for the Development as required by the Zoning

Ordinance and other applicable ordinances, laws and regulations. Except as revised by the terms in this Consent Judgment and Exhibits hereto, the final site plan and other permits and approvals required to construct the Residential Development authorized by this Consent Judgment shall be governed by the terms of the Zoning Ordinance and other ordinances, laws and regulations in effect at the time of such approvals. In acting upon applications for such permits and approvals, including the final site plan, the Township shall not unreasonably delay review and action on the applications.

9. **Condominium Provisions and Phasing**. Plaintiff may develop the Residential Development as one or more condominium Developments pursuant to the Michigan Condominium Act, MCL 559.101 *et seq.* In connection with final site plan review described in paragraph 8 above and in the Township Zoning Ordinance, Plaintiff shall submit the condominium master deed and bylaws (the “Condominium Documents”) to the Township Attorney for review and approval, which approval shall not be unreasonably withheld or delayed. The Condominium Documents shall be approved if they are consistent with the final site plan and the terms of this Consent Judgment and other applicable ordinances, laws and regulations, provided that the terms of this Consent Judgment and attached exhibits shall control in the event of any conflict with the Township Ordinances. The Residential Development may be developed in any number of phases as approved in the final site plan and, site improvements, such as roads and utility construction, may also be constructed in phases as approved in the final site plan. The final site plan shall establish the scope of improvements that would be required to be constructed in connection with each phase, so that such phase shall be capable of standing alone if the construction and development of subsequent phases are delayed.

10. **Government Approvals.** Nothing in this Consent Judgment shall be construed to relieve Plaintiff of the duties imposed by applicable laws, ordinances and regulations to obtain other applicable governmental or regulatory approvals and permits for the proposed Residential Development, including without limitation the permits and approvals required from the County Road Department, County Drain Commissioner and Michigan Department of Environmental Quality.

11. **Cooperation.** The parties, their agents, representatives, and employees shall cooperate in good faith with each other and their respective agents, successors, and assigns, in order to carry out the development contemplated in this Judgment, including, but not limited to, cooperating or assisting in Plaintiff's efforts to obtain any necessary approvals from other governmental or regulatory entities, such as permits, licenses, or other approvals, as necessary or convenient for the development and use of the Property, in accordance with the terms and conditions of this Consent Judgment. If either party must seek judicial assistance to enforce the terms of this Consent Judgment, the prevailing party shall be entitled to recover its reasonable costs and attorneys' fees incurred in pursuing and/or defending against such action.

12. **Conflicting Provisions.** The uses and structures permitted by this Consent Judgment shall be deemed conforming uses and structures. To the extent that any specific terms or provisions in this Consent Judgment and/or any exhibits hereto, including the Conceptual Plan, are inconsistent with any of the provisions or requirements of the Township's Zoning Ordinance, wetlands ordinance, storm water management ordinance, or other codes, ordinances, regulations, or procedures of the Township in effect at the time of further application or development, the terms of this Consent Judgment and Conceptual Plan control. To the extent the Consent Judgment is silent on issues regulated by Township ordinances or regulations, then the Township ordinances

and regulations shall control. Subsequent enactments to, modifications of, or amendments to the Township's Zoning Ordinance, condominium ordinance, subdivision control ordinance, and/or related regulations of the Township shall apply to the Development to the extent they are not inconsistent with or do not vary the terms of this Consent Judgment.

13. **Modifications to Conceptual Plan**. Modifications to the Conceptual Plan may be approved by the Township without a requirement for Court approval or amendment of the Consent Judgment in the following instances:

a) Where such modifications are required or requested by other reviewing governmental agencies having jurisdiction over the Residential Development or any portion thereof; and/or

b) Where such modifications are reasonably required because of Final Site Plan, final engineering and/or design considerations, including grading, as confirmed by the Township's professional engineers or other appropriate Township consultants; and/or

c) Where such modifications are made to address design, marketing or other conditions, including changes to the lot widths and mix of lot widths depicted on the Conceptual Plan for the Single-Family Units, provided that:

i. Although such modifications may decrease the total number of residential units or the total number of Detached Condominium Units permitted on the Property, no such modification shall increase the total number of 311 residential units permitted on the Property or the total number of 52 Detached Condominium Units and no Single-Family Unit shall have less than 55' in lot width. At Plaintiff's discretion, and subject to Township staff review and approval of an amended site plan reflecting the change, Plaintiff may convert the area devoted to the Detached Condominium Units to additional Single-Family Units which units shall meet the

minimum lot width of 55' and the other setback requirements set forth in this Consent Judgment for the Single-Family Units;

ii. No such modification shall reduce the amount of open space, Development amenities or perimeter buffers required by this Consent Judgment; and

iii. No such modification shall reduce the minimum setbacks.

Any of the above modifications shall be initiated by application to the Township for review and approval in accordance with the standards, requirements and procedures of the Township Zoning Ordinance and other applicable laws, regulations and ordinances then in effect, and such review and approval shall not be unreasonably withheld or delayed.

14. **Release of Claims and Dismissal of Lawsuit.** Subject to the terms and provisions of this Consent Judgment, all the claims and causes of action alleged by Plaintiff in the Complaint or which could have been alleged by Plaintiff or its successors or assigns or any other person or entity having an ownership interest in the Property, against the Township or any Township employee, officer, or other official, including without limitation all claims for money damages relief, shall be and are hereby merged into this Consent Judgment and are dismissed with prejudice and without costs or attorney fees to any party.

15. **Continuing Compliance Certificates.** From time to time, upon fifteen (15) days' written request, the Township shall furnish to Plaintiff, its lender(s), and/or any other party requested by Plaintiff, a written certification executed by an authorized representative of the Township, confirming, as of the date of the request for the certification, that: (a) this Consent Judgment is in full force and effect; and (b) to the Township's actual knowledge as of the date of the written request, Plaintiff is in full compliance with the terms of this Consent Judgment (or, if

not, specifying any claimed defaults by Plaintiff under this Consent Judgment). Plaintiff reserves the right to dispute any claimed default.

16. **Successors and Assigns.** All the provisions of this Consent Judgment shall be binding upon and inure to the benefit of Plaintiff and the Township, and their respective heirs, successors, assigns, and transferees. Plaintiff may assign some or all its rights and obligations under this Consent Judgment, provided any such assignee(s) shall, by operation of this Consent Judgment, be bound by the terms of this Consent Judgment to the same extent as Plaintiff is bound. Unless the context or express language indicates otherwise, any reference in this Consent Judgment to the Township shall include any agent, employee, representative, and official of the Township; and any reference to Plaintiff shall include any owner, officer, agent, employee, representative, successor or assign of the Plaintiff.

17. **Recording.** This Consent Judgment shall be recorded with the Register of Deeds for the County of Ingham. This Consent Judgment shall be deemed to run with the land. Plaintiff shall pay the costs of recording the Consent Judgment.

18. **Amendment/Modification.** Except as stated in paragraph 13 above, this Consent Judgment may be amended or modified only by written agreement of the parties or their successors in interest, with the express approval of the Township Board, and approved and ordered by this Court.

19. **Time of the Essence.** All specific time periods set forth in this Consent Judgment are of the essence.

20. **Severability.** Each restriction and clause are intended to be severable and, if any restriction or clause is for any reason held void, it shall not affect the validity of the remainder of this Consent Judgment.

21. **Clerical Errors.** Any clerical errors or mistakes in document or exhibit descriptions contained in this Consent Judgment may be corrected by the parties, and both parties agree to cooperate in making such corrections to effectuate the spirit and intent of the parties in entering this Consent Judgment.

22. **Jurisdiction.** The Court shall retain jurisdiction of this matter to assure compliance with and enforcement of the terms and conditions of this Consent Judgment. The parties agree that the terms of this Consent Judgment may be specifically enforced through mandatory injunctive or other equitable relief.

23. **Closure of Case.** This Consent Judgment resolves the last pending claim and closes the case.

Dated: _____

James S. Jamo, Circuit Court Judge

Approved for entry as to form and substance:

DYKEMA GOSSETT PLLC

FAHEY SCHULTZ BURZYCH RHODES PLC

By: _____
Alan M. Greene (P31984)
Jennifer Boueri Chilson (P71176)
Attorneys for Plaintiff
39577 Woodward Avenue, Suite 300
Bloomfield Hills, MI 48304
(248) 203-0700

By: _____
William K. Fahey (P27745)
John S. Brennan (P55431)
Matthew A. Kuschel (P76679)
Attorneys for the Township
4151 Okemos Road
Okemos, MI 48864
(517) 381-0100

CHARTER TOWNSHIP OF MERIDIAN,
a Michigan municipal corporation

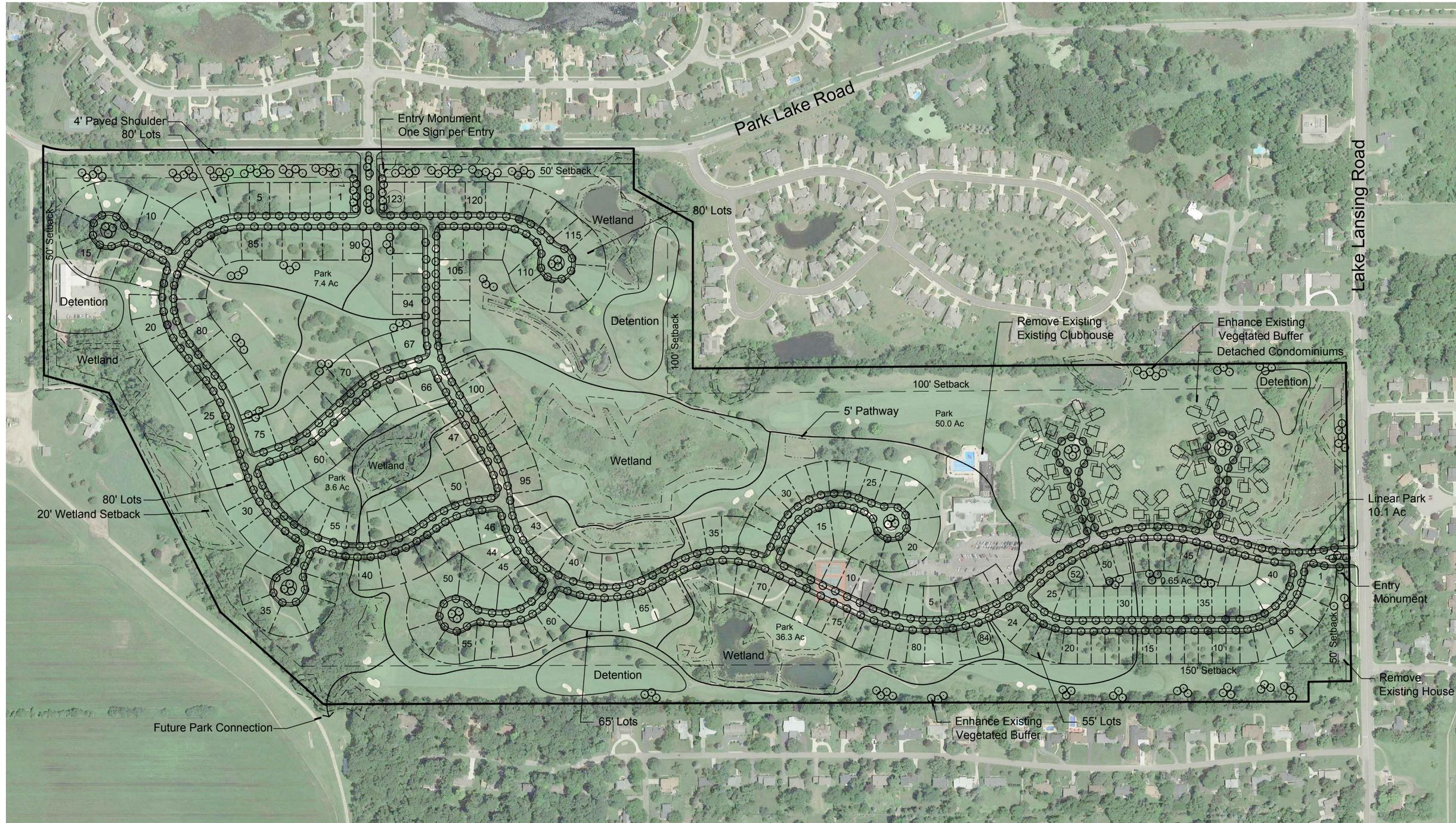
By: _____
Ronald J Styka
Its: Supervisor

By: _____
Brett Dreyfus
Its: Clerk

SUMMER PARK REALTY, LLC,
a Michigan limited liability company,

By: _____

Its: Manager



Seal: _____

Title: _____
Conceptual Plan

Project: _____
Walnut Hills CC
 Meridian Township, Michigan

Prepared for: _____
 Summer Park Realty
 29800 Middlebelt Road, Suite 150
 Farmington Hills, Michigan 48334

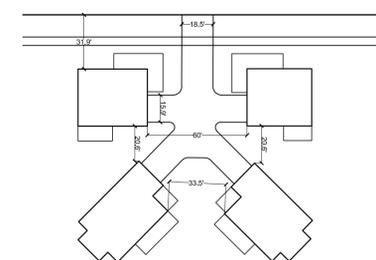
Revision:	Issued:
Submission	January 17, 2017
Revised	February 5, 2018
Revised	February 6, 2018
Revised	February 8, 2018
Revised	February 15, 2018
Revised	April 27, 2018
Revised	May 15, 2018

Job Number: _____
 18-075

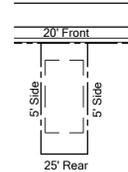
Drawn By: _____ Checked By: _____
 jca jca

Typical Units

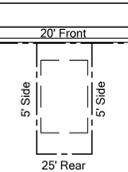
Detached Condominiums
 1"=50'



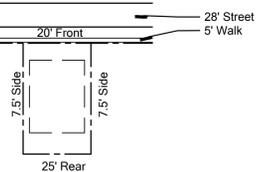
55' x 120' Lot
 6,600 s.f.



65' x 120' Lot
 7,800 s.f.



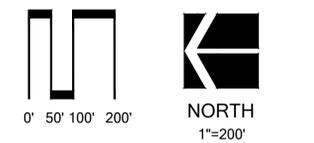
80' x 120' Lot
 9,600 s.f.



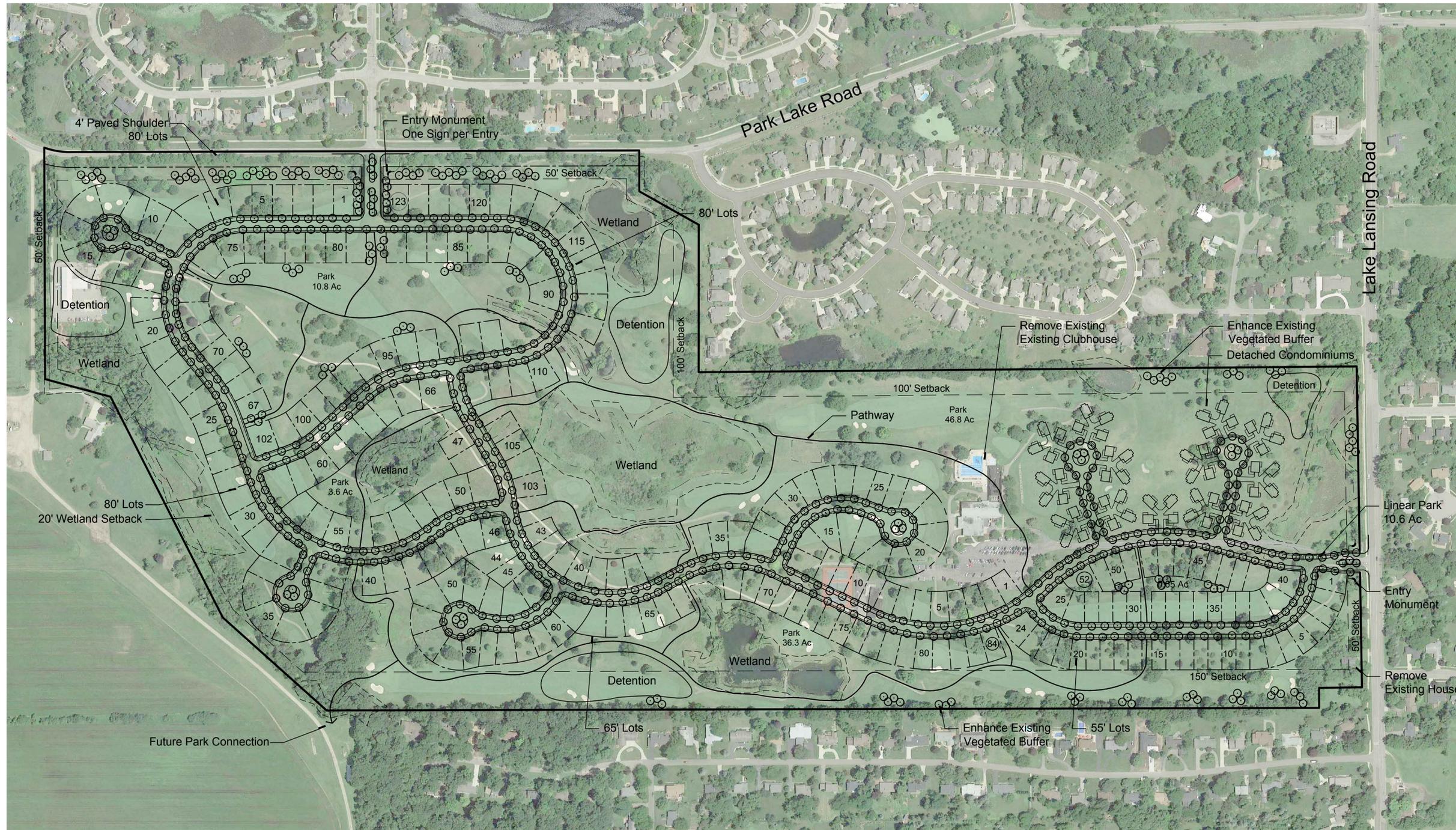
Site Summary

Gross Site Area	189.94 Acres
Less Perimeter ROW	3.21 Acres
Less Wetland	14.6 Acres
Net Site Area	172.13 Acres
Existing Zoning	RAA, RR
Open Space	
Open Space Req'd for Bonus	86.07 Acres (172.13 x 50%)
Non-Wetland Open Space	93.5 Ac (54.3%)
Unit Breakdown	
80' x 120'	123 Lots
65' x 120'	84 Lots
55' x 120'	52 Units
Detached Condominiums	52 Units
Total Units	311 Units
Density Shown	1.66 Units/Acre (311 / 186.73 Acres)

Note:
 Plan Scale was Developed from an Alta PDF. A Survey is Required.
 Lot Counts are Subject to Change as a Result.



Sheet No. _____



Seal: _____

Title: _____
Alternative Conceptual Plan

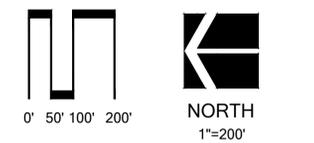
Project: _____
Walnut Hills CC
 Meridian Township, Michigan

Prepared for: _____
 Summer Park Realty
 29800 Middlebelt Road, Suite 150
 Farmington Hills, Michigan 48334

Revision: _____ Issued: _____
 Revised April 27, 2018
 Revised May 15, 2018

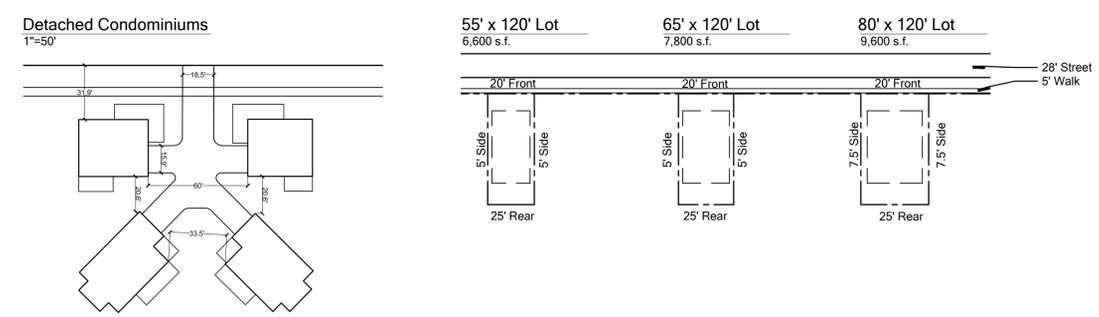
Job Number: _____
 15-075

Drawn By: _____ Checked By: _____
 jca jca



Sheet No. _____

Typical Units



Site Summary

Gross Site Area	189.94 Acres
Less Perimeter ROW	3.21 Acres
Less Wetland	14.6 Acres
Net Site Area	172.13 Acres
Existing Zoning	RAA, RR
Open Space	
Open Space Req'd for Bonus	86.07 Acres (172.13 x 50%)
Non-Wetland Open Space	94.2 Ac (54.7%)
Unit Breakdown	
80' x 120'	123 Lots
65' x 120'	84 Lots
55' x 120'	52 Lots
Detached Condominiums	52 Units
Total Units	311 Units
Density Shown	1.66 Units/Acre (311 / 186.73 Acres)

Note:
 Plan Scale was Developed from an Alta PDF. A Survey is Required.
 Lot Counts are Subject to Change as a Result.



Note:
 Wetlands Shown have been approved by FTC&H

Seal: _____

Title:
Site Inventory

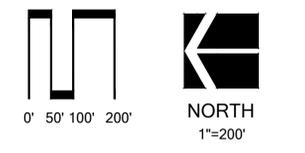
Project:
Walnut Hills CC
 Meridian Township, Michigan

Prepared for:
 Summer Park Realty
 29800 Middlebelt Road, Suite 150
 Farmington Hills, Michigan 48334

Revision: _____ Issued: _____
 Revised May 15, 2018

Job Number:
 15-075

Drawn By: _____ Checked By: _____
 jca jca



Sheet No. _____



Landscape Summary

Street Trees	
Trees Required for Lots	259 Trees (1 per lot)
Tree Provided	456 Trees
Condominium Street Frontage	2,536 l.f.
Trees Required for Condos	34 Trees (2,536 / 75')
Trees Provided	52 Trees
Cul-de-sac	
Trees Required	20 Trees (1 tree per 1,000 s.f.) x 7
Trees Provided	21 Trees

Note:
Plan Scale was Developed from an Alta PDF. A Survey is Required.
Lot Counts are Subject to Change as a Result.



Seal: _____

Title: _____

Conceptual Landscape Plan

Project: _____

Walnut Hills CC
Meridian Township, Michigan

Prepared for: _____

Summer Park Realty
29800 Middlebelt Road, Suite 150
Farmington Hills, Michigan 48334

Revision: _____ Issued: _____

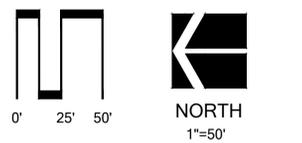
Revised _____ May 15, 2018

Job Number: _____

15-075

Drawn By: _____ Checked By: _____

jca _____ jca



Sheet No. _____



12.A

To: Board Members

From: Mark Kieselbach, Director of Community Planning and Development

Date: August 31, 2018

Re: Update Property Maintenance Code – Final Adoption

Attached for the Board's approval is a resolution for final adoption of the updated property maintenance code. As directed by the Board, since the last meeting the Township Clerk has published the proposed ordinance as required.

- **Move to adopt the resolution for final adoption of Ordinance No. 2018-10, an amendment to Article III of Chapter 14 of the Code of Ordinances, the Property Maintenance Code.**

Attachment

1. Resolution for Final Adoption.

G:\Community Planning & Development\Building\Property Maintenance Code\Property Maintenance Code update.tb3.docx

RESOLUTION TO APPROVE

**Amendment to Chapter 14
Property Maintenance Code
(Township Board)
FINAL ADOPTION**

RESOLUTION

At a regular meeting of the Township Board of the Charter Township of Meridian, Ingham County, Michigan, held at the Meridian Municipal Building, in said Township on the 4th day of September, 2018, at 6:00 p.m., Local Time.

PRESENT: _____

ABSENT: _____

The following resolution was offered by _____ and supported by _____.

WHEREAS, the Township Board has reviewed the amendment to Chapter 14, Article III, Property Maintenance Code of the Code of Ordinances for the adoption of the 2015 International Property Maintenance Code (IPMC) with Township amendments; and

WHEREAS, the IPMC is a nationally recognized code and is used by the State of Michigan in the Michigan Building Code and the Michigan Residential Code; and

WHEREAS, the Township Property Maintenance Code regulates the conditions and maintenance of all property, buildings and structures to ensure that structures and premises are safe, sanitary and fit for use; and

WHEREAS, the adoption of the 2015 IPMC with Township amendments will help protect the health, safety and welfare of Township residents, building owners and the general public; and

WHEREAS, the Township Board discussed the proposed amendment at its regular meeting on August 9, 2018; and

WHEREAS, The Township Board introduced the amendment for publication and subsequent adoption at its regular meeting August 21, 2018.

NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby FINALLY ADOPTS Ordinance No. 2018-10, entitled "Ordinance Amending the Code of the Charter Township of Meridian, Ingham County, Michigan, Chapter 14, Article III, Property Maintenance Code by adopting the 2015 International Property Maintenance Code with Township amendments.

ADOPTED: YEAS: _____
NAYS: _____

ORDINANCE NO. 2018-10

ORDINANCE AMENDING THE CODE OF THE
CHARTER TOWNSHIP OF MERIDIAN, INGHAM COUNTY, MICHIGAN
CHAPTER 14, ARTICLE III PROPERTY MAINTENANCE CODE
BY ADOPTING THE 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE
WITH TOWNSHIP AMENDMENTS

THE CHARTER TOWNSHIP OF MERIDIAN ORDAINS:

Section 1.

- A. **Amendment to Chapter 14, Article III Property Maintenance Code.** Section 14-56 entitled Adoption by reference of the code of the Charter Township of Meridian, Ingham County, Michigan, is hereby amended to read as follows:

Section 14-56 Adoption by reference.

The International Property Maintenance Code, 2015 edition, as published by the International Code Council is hereby adopted by reference with the Charter Township of Meridian amendments.

Section 14-57 Code References

Remains as written.

- B. **Amendment to Chapter 14, Article III Property Maintenance Code.** Section 14-58 entitled International Property Maintenance Code of the code of the Charter Township of Meridian, Ingham County, Michigan, is hereby amended to read as follows:

Section 14-58 International Property Maintenance Code.

The International Property Maintenance Code adopted by § 14-56 is hereby changed, altered, deleted, or amended in the following respects, and all references to this section shall refer to the like numbered sections of the International Property Maintenance Code.

Section 102.3 of the International Property Maintenance Code is hereby amended by replacing International Building Code with Michigan Building Code and Michigan Residential Code, International Mechanical Code with Michigan Mechanical Code, ICC Electrical Code with Michigan Electrical Code and International Zoning Code with Zoning Ordinance of the Charter Township of Meridian.

Section 102.7 of the International Property Maintenance Code is hereby amended to read as follows:

102.7 Referenced codes and standards.

The codes and standards referenced are considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply.

Sections 102.7.1 and 102.7.2 of the International Property Maintenance Code are hereby deleted.

Section 103 of the International Property Maintenance Code is hereby amended to change the title of the section to Property Maintenance Inspection.

Section 103.1 of the International Property Maintenance Code is hereby amended to read as follows:

103.1 General

The administration and enforcement of this code shall be the responsibility of the Director of Community Planning and Development and for purpose of this code shall be known as the code official.

Section 103.2 of the International Property Maintenance Code is hereby deleted.

Section 103.3 of the International Property Maintenance Code is hereby amended to read as follows:

103.3 Deputies

The code official may delegate such responsibility to the administration and enforcement of this code to the appropriate Township employees or officers. Such officers shall have the authority to enforce this code in accordance with the requirements and procedures set forth.

Section 103.4 of the International Property Maintenance Code is hereby deleted.

Section 103.5 of the International Property Maintenance Code is hereby amended to read as follows:

103.5 Fees.

The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be established by the Township Board.

Section 104.3 of the International Property Maintenance Code is hereby amended to read as follows:

104.3 Right of entry.

The code official is authorized to request entry to a structure or premises at reasonable times to inspect. The inspection shall be subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the code official is authorized to pursue recourse as provided by law.

Section 106.3 of the International Property Maintenance Code is hereby deleted.

Section 106.4 of the International Property Maintenance Code is hereby deleted.

Section 107.1 of the International Property Maintenance Code is hereby amended to read as follows:

107.1 Notice to person responsible.

Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in §§ 107.2 and 107.3 to the person responsible for the violation as specified in this code.

Section 107.2.6 of the International Property Maintenance Code is hereby deleted.

Section 108 of the International Property Maintenance Code is hereby deleted.

Section 109 of the International Property Maintenance Code is hereby deleted.

Section 110 of the International Property Maintenance Code is hereby deleted.

Section 111.1 of the International Property Maintenance Code is hereby amended to read as follows:

111.1 Application for appeal.

Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Board of Appeals, as established by § 14-27 of the Charter Township of Meridian Code of Ordinances and consistent with state law, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

Section 111.2 and Subsections 111.2.1—111.2.5 of the International Property Maintenance Code are hereby deleted.

Section 111.3 of the International Property Maintenance Code is hereby deleted.

Section 111.4 and Subsection 111.4.1 of the International Property Maintenance Code are hereby deleted.

Section 111.5 of the International Property Maintenance Code is hereby deleted.

Section 111.6 and Subsections 111.6.1—111.6.2 of the International Property Maintenance Code are hereby deleted.

Section 111.7 of the International Property Maintenance Code is hereby deleted.

Section 111.8 of the International Property Maintenance Code is hereby deleted.

Section 112 of the International Property Maintenance Code is hereby deleted.

Section 201.3 of the International Property Maintenance Code is hereby amended to read as follows:

201.3 Terms defined in other codes.

Words and phrases which are not defined in this ordinance shall be construed according to the following, in order listed: Charter Township of Meridian Zoning Ordinance, Michigan Building Code, Michigan Residential Code, Michigan Rehabilitation Code for Existing Buildings, Michigan Plumbing Code, Michigan Mechanical Code, Michigan Electrical Code, and International Fire Code with Meridian Township amendments. If not otherwise defined, such words and phrases shall be

construed consistent with the common and approved usage of the language, and technical words, technical phrases and words and phrases that have acquired peculiar but appropriate meaning in law shall be construed according to such meanings.

Section 201.4 of the International Property Maintenance Code is hereby deleted.

Section 302.4 of the International Property Maintenance Code is hereby deleted.

Section 302.8 of the International Property Maintenance Code is hereby amended to read as follows:

302.8 Motor vehicles.

Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored outside on any premises, and no vehicle shall be stored outside in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Spray painting of vehicles is prohibited unless conducted inside an approved spray booth.

Section 303 of the International Property Maintenance Code is hereby deleted.

Section 304.14 of the International Property Maintenance Code is hereby amended to include the dates of March 31 to November 1.

Section 305.3 of the International Property Maintenance Code is hereby amended to read as follows:

305.3 Interior surfaces.

All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Excessive peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Excessive cracked or loose plaster, decayed wood, broken windows and other defective surface conditions shall be corrected.

Section 308.5 of the International Property Maintenance Code is hereby amended to read as follows:

308.5 Occupant.

The occupant of any structure shall be responsible for the continued pest-free condition of the structure.

Exception: Where the infestations are caused by defects in the structure, the owner shall be responsible for extermination.

Section 401.3 of the International Property Maintenance Code is hereby amended by replacing International Building Code with Michigan Building Code and Michigan Residential Code.

Section 404.5 of the International Property Maintenance Code is hereby deleted.

Section 404.6 of the International Property Maintenance Code is hereby deleted.

Section 505.1 of the International Property Maintenance Code is hereby amended by replacing International Plumbing Code with Michigan Plumbing Code.

Section 602.2 of the International Property Maintenance Code is hereby amended by replacing International Plumbing Code with Michigan Plumbing Code.

Section 602.3 of the International Property Maintenance Code is hereby amended to include the dates of October 1 to April 30.

Section 602.3.1 of the International Property Maintenance Code is hereby amended by replacing International Plumbing Code with Michigan Plumbing Code.

Section 604.2 of the International Property Maintenance Code is hereby amended by replacing ~~ICC Electrical Code NFPA~~ with Michigan Electrical Code.

Section 702.1 of the International Property Maintenance Code is hereby amended by replacing International Fire Code with International Fire Code with Meridian Township amendments.

Section 702.2 of the International Property Maintenance Code is hereby amended by replacing International Fire Code with International Fire Code with Meridian Township amendments.

Section 702.3 of the International Property Maintenance Code is hereby amended by replacing International Building Code with Michigan Building Code and Michigan Residential Code.

Section 704.1 of the International Property Maintenance Code is hereby amended by replacing International Fire Code with International Fire Code with Meridian Township amendments.

Section 704.2 of the International Property Maintenance Code is hereby amended by replacing International Fire Code with International Fire Code with Meridian Township amendments.

Chapter 8 of the International Property Maintenance Code is hereby deleted.

Section 2. Validity and Severability. The provisions of this Ordinance are severable and the invalidity of any phrase, clause or part of this Ordinance shall not affect the validity or effectiveness of the remainder of the Ordinance.

Section 3. Repealer Clause. All ordinances or parts of ordinances in conflict therewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Savings Clause. This Ordinance does not affect rights and duties matured, penalties that were incurred, and proceedings that were begun, before its effective date.

Section 5. Effective Date. This Ordinance shall become effective thirty (30) days following the date of publication.

Ronald J. Styka, Township Supervisor

Brett Dreyfus, Township Clerk

William K. Fahey, Township Attorney



To: Township Board Members

From: Derek N. Perry, Assistant Township Manager
Director of Public Works & Engineering

Younes Ishraidi, P.E., Chief Engineer

Date: August 28, 2018

Re: 2018 Order to Maintain Sidewalk
Special Assessment District #18 - Resolutions #3

The proposed areas for the 2018 Order to Maintain Sidewalk Special Assessment District #18 include the following locations: Banyon Park; Briarwood #5; East Lansing Athletic Club and Health Service Pavilion; Forest Hills #6; Heritage Hills #4; Heritage Office Park; Hiawatha Lakes #5, 6, 7, & 8; Northport of Meridian Condos; Okemos Point Office Park; Old English Estates & #2; Spring Lake & #2, & 5; Trails at Lake Lansing #3; Whitehills Lakes & #4; Wildflower Estates & #2; also 5800 Benson Drive; 2859 & 2947 Eyde Parkway; 4750 Hagadorn; 2841 Hannah; 1660 Haslett; 3950 Heritage; and 3681 Okemos. These areas are located in the following Sections: 2, 3, 5, 8, 10, 15, 16, 20, 27, 33, and 34.

In accordance with the Township's Code of Ordinance, the Township Board may order the maintenance of defective sidewalks. If the property owner fails to maintain the sidewalk within 20 days after receiving an official notice from the Township, the Township may replace or otherwise improve the sidewalk and bill the cost to the property owner.

A public hearing was held on August 21, 2018. Resolution #3 directs the Director of Public Works & Engineering to send a notice to each property owner; approves the construction of the public improvement and to defray the cost by special assessment, approves the estimate of cost, and determines the special assessment district.

Proposed Motion:

“Move to approve the 2018 Order to Maintain Sidewalk Special Assessment District #18, Resolution #3, which approves repair and maintenance of sidewalk in portions of the following areas: Banyon Park; Briarwood #5; East Lansing Athletic Club and Health Service Pavilion; Forest Hills #6; Heritage Hills #4; Heritage Office Park; Hiawatha Lakes #5, 6, 7, & 8; Northport of Meridian Condos; Okemos Point Office Park; Old English Estates & #2; Spring Lake & #2, & 5; Trails at Lake Lansing #3; Whitehills Lakes & #4; Wildflower Estates & #2; also 5800 Benson Drive; 2859 & 2947 Eyde Parkway; 4750 Hagadorn; 2841 Hannah; 1660 Haslett; 3950 Heritage; and 3681 Okemos, which are located in Sections: 2, 3, 5, 8, 10, 15, 16, 20, 27, 33, and 34, and to defray the cost by special assessment; approves the cost estimate



12. B.

of \$22,640.96; determines the special assessment district; directs the making of an assessment roll; and directs notices be sent to the property owners indicating they have 20 days to replace or make safe the defective sidewalk.”

Attachments: 20 Day Replacement Notice
Assessment Roll
Legal Description
SAD#18 Map
Order to Maintain Brochure

**2018 ORDER TO MAINTAIN SIDEWALKS
SPECIAL ASSESSMENT DISTRICT #18**

RESOLUTION NO. 3

At a regular meeting of the Township Board of the Charter Township of Meridian, Ingham County, Michigan, held in the Meridian Township Municipal Building, 5151 Marsh Road, Okemos, MI 48864-1198, (517) 853-4000 on Tuesday, September 4, 2018, at 6:00 p.m.

PRESENT: _____

ABSENT: _____

The following resolution was offered by _____
and supported by _____.

WHEREAS, the Township Board pursuant to the provisions of Act 188, Public Acts of Michigan, 1954, as amended, did on July 10, 2018, adopt a resolution tentatively approving the public improvement to repair and maintain sidewalk in portions of the following areas: Banyon Park; Briarwood #5; East Lansing Athletic Club and Health Service Pavilion; Forest Hills #6; Heritage Hills #4; Heritage Office Park; Hiawatha Lakes #5, 6, 7, & 8; Northport of Meridian Condos; Okemos Point Office Park; Old English Estates & #2; Spring Lake & #2, & 5; Trails at Lake Lansing #3; Whitehills Lakes & #4; Wildflower Estates & #2; also 5800 Benson Drive; 2859 & 2947 Eyde Parkway; 4750 Hagadorn; 2841 Hannah; 1660 Haslett; 3950 Heritage; and 3681 Okemos, which are located in Sections 2, 3, 5, 8, 10, 15, 16, 20, 27, 33, and 34 of Meridian Township, Ingham County, Michigan; and the establishment of a special assessment district for the purpose of paying the cost thereof, which special assessment district is more specifically hereinafter described; and

WHEREAS, the Township Board did meet on August 21, 2018, at 6:00 p.m., the time, date and place set by the Board to hold a public hearing to hear any objections to the improvement and to the special assessment district therefore; and,

WHEREAS, estimates of cost of said project are on file with the Township Clerk and have been on file since July 10, 2018; and,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, INGHAM COUNTY, MICHIGAN, THAT:

1. The Township Board hereby approves the construction of the following described public improvement: Repair and maintain sidewalk in portions of the following areas Banyon Park; Briarwood #5; East Lansing Athletic Club and Health Service Pavilion; Forest Hills #6; Heritage Hills #4; Heritage Office Park; Hiawatha Lakes #5, 6, 7, & 8; Northport of Meridian Condos; Okemos Point Office Park; Old English Estates & #2; Spring Lake & #2, & 5; Trails at Lake Lansing #3; Whitehills Lakes & #4; Wildflower Estates & #2; also 5800 Benson Drive; 2859 & 2947 Eyde Parkway; 4750 Hagadorn; 2841 Hannah; 1660 Haslett; 3950 Heritage; and 3681 Okemos, which are located in Sections 2, 3, 5, 8, 10, 15, 16, 20, 27, 33, and 34 of Meridian Township, Ingham County, Michigan; and to defray the cost thereof by special assessment against the properties specially benefited thereby.
2. The Township Board hereby approves the estimate of cost in the sum of \$22,604.96 as prepared by Younes Ishraidi, P.E., Chief Engineer.
3. The Township Board finally determines that the special assessment district shall be described as follows:

(SEE ATTACHED LEGAL DESCRIPTION)

4. The Supervisor is hereby directed to make a special assessment roll in which shall be described all the parcels of land to be assessed as set forth with the names of the owners thereof if known, and the total amount to be assessed against each parcel of land which amount shall be such relative portion of the whole sum to be levied against all parcels of land in the assessment district as the benefit to such parcel bears to the total benefit of all parcels of land in the special assessment district. The term of the special assessment district shall continue until the special assessments, as approved or modified, have been collected in full.
5. When the Supervisor shall have completed the special assessment roll there shall be affixed thereto a certificate stating that said roll was made pursuant to this resolution of the Township Board of the Charter Township of Meridian adopted September 4, 2018, and that in making the assessment roll the Supervisor has, according to his best judgement, conformed in all aspects to the directions contained in said resolution and the statutes of the State of Michigan and the Supervisor shall then report the special assessment roll with the certificate attached thereto, to the Township Board.
6. The Township Board hereby directs the Director of Public Works & Engineering to send a notice to each property owner in the assessment district indicating that they have 20 days to replace or make safe the defective sidewalk. Failure of a property owner to replace or make safe the sidewalk within 20 days will necessitate the Township's contractor to replace or make safe the sidewalk.
7. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

YEAS: _____

NAYS: _____

Resolution declared adopted.

STATE OF MICHIGAN)

ss.

COUNTY OF INGHAM

I, the undersigned, the duly qualified and acting Clerk of the Charter Township of Meridian, Ingham County, Michigan, **DO HEREBY CERTIFY** that the foregoing is a true and complete copy of proceedings taken by the Township Board at a regular meeting held on Tuesday September 4, 2018.

Brett Dreyfus, Township Clerk
Charter Township of Meridian

**2018 ORDER TO MAINTAIN SIDEWALK
SPECIAL ASSESSMENT DISTRICT NO. 18**

-- CERTIFICATE OF SUPERVISOR --

STATE OF MICHIGAN)
) ss.
COUNTY OF INGHAM)

I, Ronald J Styka, Supervisor of the Charter Township of Meridian, Ingham County, Michigan, hereby certify that the attached 2018 Order to Maintain Sidewalk Special Assessment District #18 Special Assessment Roll was made by me pursuant to the resolution of the Township Board of said Charter Township of Meridian heretofore adopted on September 4, 2018, and that in making such assessment roll, to the best of my judgment, I conformed in all respects to the directions contained in such resolution and the Statutes of the State of Michigan.

Ronald J Styka, Supervisor

DATED:

Subscribed and sworn to before me this ____ day of _____, 2018.

Notary Public, Ingham County, MI
My Commission expires: _____



Meridian Township
5151 Marsh Road
Okemos, MI 48864

P 517.853.4000
F 517.853.4096

Township Board:

Ronald J. Styka
Supervisor

Brett Dreyfus
Township Clerk

Julie Brixie
Treasurer

Phil Deschaine
Trustee

**Patricia Herring
Jackson**
Trustee

Dan Opsommer
Trustee

Kathy Ann Sundland
Trustee

Frank L. Walsh
Township Manager

09/05/2018

Primary Name
Street Address,
City, ST Zip

Dear Resident:

Subject: **2018 Sidewalk Maintenance Program**

NOTICE TO REPLACE OR LEVEL IN 25 DAYS

The Township has determined that sections of the sidewalk in your neighborhood must be replaced or leveled. The Township Board approved the sidewalk maintenance program for these sidewalks on September 4, 2018, after the public hearing on August 21, 2018.

The sidewalk section(s) to be replaced or leveled across your frontage that you are responsible for are indicated by a pink "X" on your sidewalk. The sections of sidewalk marked with an "O" will be replaced by the Township at no charge to the property owner. (Please note for sidewalk along the side of your property, the property owners pay for 60% of the repair and the Township pays for the remaining 40%.) For regular sidewalk, (4" thick), the cost is \$10.18 per square foot. For sidewalk through driveways (6" thick), the cost is \$13.23 per square foot. Leveling typically costs less than replacement, though a contractor has not yet been hired so the exact cost is not known. Leveling will only be used when it will reduce the cost of the repair for the homeowner.

The Township has a contract with a sidewalk contractor for the replacement of the defective sidewalk abutting your property. The contractor for 2018 is Kamminga & Roodvoets, phone (616)949-0800. You may contact them directly if you would like a quote for any private concrete work.

In accordance with Township ordinance, you have 20 days to repair the sidewalk marked with "X" across your frontage; please note a sidewalk permit is required but will be free-of-charge. If, within 25 days from the date of this letter the sidewalk is not repaired, and you have not notified us that you will repair the sidewalk, the Township's contractor will replace or level it for you. A bill for the actual costs including an administrative charge will be forthcoming in June 2019.

Subject Property
Parcel #
Repair Address



The contractor will begin the sidewalk replacement or leveling after the 25 days have elapsed. The contractor will notify you by door-hanger seven (7) days before construction is to begin in your neighborhood to allow you to locate private utilities such as irrigation lines or invisible dog fences. If any repair is to be made in your driveway the contractor will notify you by door-hanger 24 hours (one day) before construction. Please note that you will not be able to drive on the repaired section(s) for 72 hours (three days) after the concrete is poured.

The enclosed brochure goes in to more detail on the sidewalk maintenance program, including the costs, billing, replacing the sidewalk, site restoration, etc. Should you have any questions not covered in the enclosed brochure, please contact the Department of Public Works & Engineering at (517) 853-4440 or DPW@meridian.mi.us.

Sincerely,

Nyal Nunn
Senior Project Engineer

2018 ORDER TO MAINTAIN SIDEWALK
SPECIAL ASSESSMENT DISTRICT NO. 18 - RESOLUTION 3

Repair Address				Mailing Address						Property Owner Cost
Parcel #	Subdivision	Lot No.	Repair Address	Primary Name	Street Address	City	ST	Zip		
1	33-02-02-33-476-009	HIAWATHA LAKES #7	79+	3573 AUTUMNWOOD	JAPA, ANITHA & KETHIREDDY, SAMPATH	3573 AUTUMNWOOD LN	OKEMOS	MI	48864	\$228.99
2	33-02-02-33-428-026	HIAWATHA LAKES #6	77+	3591 AUTUMNWOOD	ESSA, JULIE K LAWTON	2152 COMMONS PARKWAY	OKEMOS	MI	48864	\$508.88
3	33-02-02-33-428-035	HIAWATHA LAKES #6	75 & 76+	3615 AUTUMNWOOD	AGGARWAL, ASHIM & KALYANI VANGALE-AGGARWAL	3615 AUTUMNWOOD LN	OKEMOS	MI	48864	\$254.44
4	33-02-02-33-428-010	HIAWATHA LAKES #5	BIRCH COMMONS	0 AUTUMNWOOD	HIAWATHA LAKES ASSOCIATION	PO BOX 25125	LANSING	MI	48909	\$254.44
5	33-02-02-33-427-008	HIAWATHA LAKES #5	43	3700 AUTUMNWOOD	MADALA, MOHAN C & SOUMYA C TRUSTEES	3700 AUTUMNWOOD LN	OKEMOS	MI	48864	\$228.99
6	33-02-02-16-251-007	BANYON PARK SUB	37	2159 BANYON	CHEUNG, SING Y & GIN S	2159 BANYON TRL	EAST LANSING	MI	48823	\$167.93
7	33-02-02-16-252-007	BANYON PARK SUB	6	2162 BANYON	DISANO, JOSEPH RAYMOND & DEMAS, SUSAN JEAN	2162 BANYON TRL	EAST LANSING	MI	48823	\$228.99
8	33-02-02-33-428-032	HIAWATHA LAKES #8	106	2024 BELWOOD	YOUNG JR, MICHAEL D & RACHAEL A	2024 BELWOOD DR	OKEMOS	MI	48864	\$407.10
9	33-02-02-33-428-004	HIAWATHA LAKES #5	47	0 BELWOOD	GUPTA, SUBHASH & JO ANNE SORLIE	2073 BELWOOD DR	OKEMOS	MI	48864	\$254.44
10	33-02-02-10-251-003	N/A	N/A	5800 BENSON DRIVE	BENSON HILLS HASLETT LLC C/O PEAK MANAGEMENT LLC	408 LAYFAYETTE AVE STE 100	ROYAL OAK	MI	48067	\$305.33
11	33-02-02-34-352-004	SPRING LAKE #5	102	1952 BIRCH BLUFF	SCHAEFER, B PATRICK & GWEN	1952 BIRCH BLUFF DR	OKEMOS	MI	48864	\$297.56
12	33-02-02-33-478-007	HIAWATHA LAKES #5	64	2045 BIRCH BLUFF	PATEL, DEVAL A & ACHAL	2045 BIRCH BLUFF DR	OKEMOS	MI	48864	\$218.79
13	33-02-02-33-428-028	HIAWATHA LAKES #5 & #6	57-, 73-	2073 BIRCH BLUFF	LEVINE, MICHAEL C & MARY P	2073 BIRCH BLUFF DR	OKEMOS	MI	48864	\$152.66
14	33-02-02-27-281-010	FOREST HILLS SUB #6	402	1581 BIRCHWOOD	GUNASEKARAN, TAMILSELVAN & KATE	1581 BIRCHWOOD DR	OKEMOS	MI	48864	\$137.40
15	33-02-02-16-252-008	BANYON PARK SUB	7	2166 BURCHAM	YINGSHAN HSU & HSIN-YEN WU	2166 BURCHAM DR	EAST LANSING	MI	48823	\$137.40
16	33-02-02-16-252-012	BANYON PARK SUB	11	2180 BURCHAM	HABTEMARIAM, EPHRAIM T & ASMERETH H	2180 BURCHAM DR	EAST LANSING	MI	48823	\$254.44
17	33-02-02-16-251-013	BANYON PARK SUB	31	5354 BURCHAM	LAM, VIEM	5354 BURCHAM DR	EAST LANSING	MI	48823	\$264.50
18	33-02-02-15-281-011	OLD ENGLISH ESTATES #2	84	5327 CHANTILLY	AMACHREE, OPUENE E & KAREN	5327 CHANTILLY LN	HASLETT	MI	48840	\$228.99
19	33-02-02-27-281-018	FOREST HILLS SUB #6	394	4261 CHERRY HILL	SOBEL, JESSE & KELLI	4261 CHERRY HILL DR	OKEMOS	MI	48864	\$788.76
20	33-02-02-27-281-015	FOREST HILLS SUB #6	397	4291 CHERRY HILL	SCOTT, THOMAS & SUZANNE TRUSTEES	4291 CHERRY HILL DR	OKEMOS	MI	48864	\$264.50
21	33-02-02-34-401-006	SPRING LAKE #2	43	3788 CHIPPENDALE	CRANDELL, CHAD A & DAWN M	3788 CHIPPENDALE DR	OKEMOS	MI	48864	\$508.88
22	33-02-02-03-205-012	NORTHPORT OF MERIDIAN CONDO	12	1706 CRYSTAL COVE NORTH	TALARICO, MARY J	1706 N CRYSTAL COVE DR	HASLETT	MI	48840	\$297.56
23	33-02-02-03-205-043	NORTHPORT OF MERIDIAN CONDO	43	1717 CRYSTAL COVE NORTH	ROEBER, EDWARD D & DEBORAH S TRUSTEES	PO BOX 519	HASLETT	MI	48840	\$254.44
24	33-02-02-03-205-003	NORTHPORT OF MERIDIAN CONDO	3	1740 CRYSTAL COVE NORTH	JONES, SHERREN K	1740 N CRYSTAL COVE DR	HASLETT	MI	48840	\$279.88
25	33-02-02-03-205-002	NORTHPORT OF MERIDIAN CONDO	2	1746 CRYSTAL COVE NORTH	KUHLMANN, FREDERICK A & NANETTE M	1746 N CRYSTAL COVE DR	HASLETT	MI	48840	\$254.44
26	33-02-02-03-205-021	NORTHPORT OF MERIDIAN CONDO	21	1693 CRYSTAL COVE SOUTH	LAIRD, BRENDA L TRUST	3712 WHIPPOORWILL BLVD	PUNTA GORDA	FL	33950	\$279.88
27	33-02-02-15-278-019	OLD ENGLISH ESTATES #2	40	1505 DOWNING	HOLCOMB, JAMES R & LISA M	1505 DOWNING ST	HASLETT	MI	48840	\$254.44
28	33-02-02-15-278-002	OLD ENGLISH ESTATES	12	1541 DOWNING	BARANTCHOUK, OLEG & DEBORAH E	1541 DOWNING ST	HASLETT	MI	48840	\$508.88
29	33-02-02-15-278-001	OLD ENGLISH ESTATES	11	1545 DOWNING	BOYER, LINDSEY A & MICHAEL	1545 DOWNING ST	HASLETT	MI	48840	\$254.44
30	33-02-02-15-277-002	OLD ENGLISH ESTATES	3	1609 DOWNING	TUTHILL, GORDON R & JUDITH A TRUSTEES	1609 DOWNING ST	HASLETT	MI	48840	\$254.44
31	33-02-02-20-327-003	N/A	N/A	2859 EYDE	R & B INVESTMENTS LLC	362 OSBORNE RD	DANSVILLE	MI	48819	\$1,078.13
32	33-02-02-20-303-004	N/A	N/A	2947 EYDE	EYDE CONSTRUCTION CO	PO BOX 4218	EAST LANSING	MI	48826	\$254.44

2018 ORDER TO MAINTAIN SIDEWALK
SPECIAL ASSESSMENT DISTRICT NO. 18 - RESOLUTION 3

33	33-02-02-20-152-008	N/A	N/A	4750	HAGADORN	EYDE HANNAH PLAZA LLC C/O CBRE MARTIN	1111 MICHIGAN AVE SUITE 300	EAST LANSING	MI	48823	\$508.88
34	33-02-02-20-326-011	N/A	N/A	2841	HANNAH	HANNAH HOSPITALITY LLC	2785 W WOODLANDS DR	TRAVERSE CITY	MI	49685	\$254.44
35	33-02-02-20-153-100	EAST LANSING ATHLETIC CLUB AND HEALTH SERVICE PAVILION (INGHAM COUNTY CONDO SUB PLAN NO 286)	COMMON ELEMENT	2900	HANNAH	SPARROW DEVELOPMENT INC	1215 E MICHIGAN AVE	LANSING	MI	48912	\$483.43
36	33-02-02-10-403-002	N/A	N/A	1660	HASLETT	HASLETT COMMERCE CENTER LLC	2149 JOLLY RD STE 200	OKEMOS	MI	48864	\$508.88
37	33-02-02-33-126-004	HERITAGE OFFICE PARK (INGHAM COUNTY CONDO SUB PLAN NO 26B)	4	3800	HERITAGE	EYDE LTD PARTNERSHIP	P O BOX 4218	EAST LANSING	MI	48826	\$1,238.69
38	33-02-02-33-100-021	N/A	N/A	3950	HERITAGE	EYDE LTD PARTNERSHIP	P O BOX 4218	EAST LANSING	MI	48826	\$203.55
39	33-02-02-08-104-009	HERITAGE HILLS #4	209+	5939	HIGHGATE	COMSTOCK JR, RICHARD & KAY	5939 HIGHGATE AVE	EAST LANSING	MI	48823	\$356.21
40	33-02-02-27-280-005	FOREST HILLS SUB #6	417	4291	INDIAN GLEN	MANTICA JR, PAUL F & STACY A HICKOX	4291 INDIAN GLEN DR	OKEMOS	MI	48864	\$712.43
41	33-02-02-27-280-004	FOREST HILLS SUB #6	416	4297	INDIAN GLEN	MERICLE, ANGELINE	302 3rd STREET	MERRITT ISLAND	FL	32953	\$279.88
42	33-02-02-05-202-012	WHITEHILLS LAKES #4	96	6469	ISLAND LAKE EAST	WALLING JR, JOHN F & ANGELA S	6469 E ISLAND LAKE DR	EAST LANSING	MI	48823	\$330.63
43	33-02-02-05-252-033	WHITEHILLS LAKES	17-	2581	MEADOW WOOD	THEIS, CHARLES L & NANCY A	2581 MEADOW WOOD DR	EAST LANSING	MI	48823	\$297.56
44	33-02-02-33-329-001	OKEMOS POINTE OFFICE PARK (INGHAM COUNTY CONDO SUB PLAN NO 267)	1	3657	OKEMOS	MICHIGAN DENTAL ASSOCIATION HQ LLC	3657 OKEMOS RD STE 200	OKEMOS	MI	48864	\$585.21
45	33-02-02-33-326-032	N/A	N/A	3681	OKEMOS	EYDE PORTFOLIO B LLC	P O BOX 4218	EAST LANSING	MI	48826	\$934.38
46	33-02-02-34-327-014	SPRING LAKE SUBDIVISION	23	1792	SPRING LAKE	HONG, HONG	1792 SPRING LAKE DR	OKEMOS	MI	48864	\$228.99
47	33-02-02-34-327-015	SPRING LAKE SUBDIVISION	22	1798	SPRING LAKE	JUNG, JIA YING TRUST	1798 SPRING LAKE DR	OKEMOS	MI	48864	\$269.68
48	33-02-02-10-353-011	WILDFLOWER EST. #2	34	5566	STAR FLOWER	ZEKA, BESIM & SEMSA	5566 STAR FLOWER DR	HASLETT	MI	48840	\$483.43
49	33-02-02-10-352-009	WILDFLOWER EST. #2	44	5579	STAR FLOWER	HUMBLE, RYAN	5579 STAR FLOWER DR	HASLETT	MI	48840	\$254.44
50	33-02-02-10-353-007	WILDFLOWER EST. #2	30	5590	STAR FLOWER	YU, LI	5590 STAR FLOWER DR	HASLETT	MI	48840	\$228.99
51	33-02-02-10-352-006	WILDFLOWER EST. #2	41	5595	STAR FLOWER	FUDALY, CAROL M TRUSTEE	5595 STAR FLOWER DR	HASLETT	MI	48840	\$254.44
52	33-02-02-10-353-005	WILDFLOWER EST. #2	28	5604	STAR FLOWER	BOLIN, STEVEN R & CAROLE A	5604 STAR FLOWER DR	HASLETT	MI	48840	\$264.50
53	33-02-02-10-353-004	WILDFLOWER EST. #2	27	5608	STAR FLOWER	REILLY, MARY JO & WILLIAM D BAUGH	5608 STAR FLOWER DR	HASLETT	MI	48840	\$228.99
54	33-02-02-10-352-003	WILDFLOWER EST. #2	38	5613	STAR FLOWER	VILLAIRE, CATHERINE C & ANDREW J	5613 STAR FLOWER DR	HASLETT	MI	48840	\$284.91
55	33-02-02-33-278-019	BRIARWOOD SUB #5	213	2060	TAMARACK	FERENCE, ROBERT A & RUTH ANN TRUSTEES	2060 TAMARACK DR	OKEMOS	MI	48864	\$534.32
56	33-02-02-15-279-008	OLD ENGLISH ESTATES #2	52	5328	THAMES	ZAND, HAMID R	5328 THAMES DR	HASLETT	MI	48840	\$254.44
57	33-02-02-15-280-026	OLD ENGLISH ESTATES #2	65	5329	THAMES	KIM, SEONG-SU & HYUNKYUNG	5329 THAMES DR	HASLETT	MI	48840	\$254.44
58	33-02-02-33-478-019	HIAWATHA LAKES #7	89	2016	TIMBERVIEW	MOORE, EDDIE A & MARILYN M	2016 TIMBERVIEW DR	OKEMOS	MI	48864	\$203.55
59	33-02-02-33-478-018	HIAWATHA LAKES #7	90	2018	TIMBERVIEW	BROWN, JONATHAN K & GUPTA, MALANI M	2018 TIMBERVIEW DR	OKEMOS	MI	48864	\$203.55
60	33-02-02-33-478-012	HIAWATHA LAKES #6	68	2044	TIMBERVIEW	LI, SHU GUANG & XU WU	2044 TIMBERVIEW DR	OKEMOS	MI	48864	\$254.44
61	33-02-02-02-431-019	TRAILS AT LAKE LANSING #3	109	1067	WILD GINGER	HUBBARD, BRANDON C & SARAH J	1067 WILD GINGER TRL	HASLETT	MI	48840	\$381.66
62	33-02-02-10-377-011	WILDFLOWER EST.	14	5537	WILD IRIS	PALACJO, DOMINICA	5537 WILD IRIS LN	HASLETT	MI	48840	\$305.33
63	33-02-02-10-376-017	WILDFLOWER EST.	11	5560	WILD IRIS	BROWNBAC, DAVID W & ALISON D	5560 WILD IRIS LN	HASLETT	MI	48840	\$203.55
64	33-02-02-10-377-007	WILDFLOWER EST.	18	5569	WILD IRIS	ZHU, DAVID C & LEANNA B	5569 WILD IRIS LN	HASLETT	MI	48840	\$534.32
65	33-02-02-10-376-013	WILDFLOWER EST.	7	5592	WILD IRIS	SHAH, DHIRAJ & ASHA	5592 WILD IRIS LN	HASLETT	MI	48840	\$254.44
											\$22,640.96

2018 ORDER TO MAINTAIN SIDEWALK SAD #18

LEGAL DESCRIPTION

Banyon Park, Section 16	Lots 6, 7, 11, 31, 37
Briarwood #5, Section 33	Lot 213
East Lansing Athletic Club and Health Service Pavilion, Section 20 – Common Element (Ingham County Condo Sub Plan No 286)	
Forest Hills #6, Section 27	Lots 394, 397, 402, 416, 417
Heritage Hills #4, Section 8	
Lot 209, also beginning at the southwest corner of said lot 209; thence westerly 14 feet along an extension of the southerly lot line; thence northerly 96.97 feet parallel with the west line of said lot 209; thence easterly 14.11 feet along an extension of the northerly lot line to the northwest corner of said lot 209; thence southerly 95.21 feet to the point of beginning.	
Heritage Office Park, Section 33 (Ingham County Condo Sub Plan 268) – Unit 4	
Hiawatha Lakes #5, Section 33	Lots 43, 47, 64, and Birch Commons
Lot 57 excluding the northwesterly 20 in width thereof; also lot 73 (Hiawatha Lakes #6) excluding the northwesterly 20 in width thereof.	
Hiawatha Lakes #6, Section 33	Lot 68
Lots 75 and 76 including a parcel described as beginning at the southwest corner of said lot 76; thence S89°54'46"W 177.36 feet; thence N0°03'15"W 206.53 feet; thence N89°35'35"E 177.6 feet along the east line of East Meadow Condominiums to the west line of lot 75; thence S0°05'14"E 207.63 feet on the west line of said lots to the point of beginning.	
Lot 77, also beginning at the southwest corner of said lot 77; thence S89°54'46"W 177.36 feet; thence N0°03'15"W 125 feet; thence N89°54'46"E 177.36 feet to the northwest corner of said lot 77; thence S0°03'15"E 125 feet to the point of beginning.	
Hiawatha Lakes #7, Section 33	Lots 89, 90
Lot 79, also beginning at the southwest corner of said lot 79; thence S83°19'45"W 79.89 feet; thence N0°08'22"W 34.67 feet; thence N26°46'39"W 107.08 feet; thence N83°19'45"E 128.29 feet to the northwest corner of lot 79; thence S0°06'26"E 135.89 feet to the point of beginning.	
Hiawatha Lakes #8, Section 33	Lot 106
Northport of Meridian Condo, Section 3	Units 2, 3, 12, 21, 43
Okemos Pointe Office Park, Section 33 (Ingham County Condo Sub Plan No 267, thru 2nd Amendment) – Unit 1	
Old English Estates, Section 15	Lots 3, 11, 12
Old English Estates #2, Section 15	Lots 40, 52, 65, 84
Spring Lake, Section 34	Lots 22, 23
Spring Lake #2, Section 34	Lot 43
Spring Lake #5, Section 34	Lot 102
Trails at Lake Lansing #3, Section 2	Lot 109
Whitehills Lakes, Section 5	Lot 17 excluding the easterly 10 feet thereof.
Whitehills Lakes #4, Section 5	Lot 96
Wildflower Estates, Section 10	Lots 7, 11, 14, 18
Wildflower Estates #2, Section 10	Lots 27, 28, 30, 34, 38, 41, 44
5800 Benson, Section 10 – Commencing at the north ¼ corner of Section 10; thence S0°34'43"E 785.53 feet along the west line of the Plat of Oak Grove Park to the southwest corner of said plat; thence south along the ¼ line 810 feet to the point of beginning; east 335 feet; thence S50°51'30"E 167.52 feet; thence N88°07'32"E 420 feet; thence S76°21'12"E 279 feet to the centerline of Marsh Road; thence S01°28'07"E along the centerline 855 feet; thence S87°52'27"W 1078.55 feet; thence south 40 feet; thence S28°05'37" E 211.37 feet; thence S02°07'33"E 60 feet to the north line of Haslett Road (60 feet north of centerline); thence S87°52' 27"W 200 feet along the north line to the north-south ¼ line; thence N0°22'46"W 276.53 to the center of Section 10; thence north 1,069.88 feet to the beginning; excluding the Benson Drive, Lake Drive, and Marsh Road Rights-of-Way.	

2859 Eyde, Section 20 – Part of the southwest ¼ of Section 20 T4NR1W described as: Commencing at the west ¼ corner of Section 20; thence S00°05'46"W 893.81 feet along the west section line to the south line of Eyde Parkway extended; thence S89°37'44"E 431.25 feet along said south line and its extension; thence S00°22'16"W 260 feet to the south line of the north 70 rods of the southwest ¼; thence S89°37'44"E 884.14 feet along said south line to the point of beginning; thence S89°37'44"E 44.76 feet; thence N00°22'16"E 354.89 feet to the south line of Eyde Parkway; thence along said south line following five courses: southeasterly 51.22 feet along a curve to the right with a radius of 867 feet and a chord bearing S79°44'38"E 51.21 feet – S89°54'44"E 3.59 feet – N00°05'46"E 6.98 feet – southeasterly 12.32 feet along a curve to the left with a radius of 1,033 feet and a chord bearing S88°30'24"E 12.32 feet – S88°50'53"E 100.86 feet; thence S00°22'16"W 130.75 feet; thence S89°54'44"E 31.08 feet; thence S00°02'59"E 34.77 feet; thence S89°39'07"E 4.5 feet; thence S00°26'56"W 225.87 feet; thence N89°42'11"W 14.56 feet; thence S00°07'53"W 127.87 feet to the north line of the Plat of Herron Acres; thence N89°37'32"W 232.46 feet along said north line to the northwest corner of said plat; thence N00°02'05"E 166.63 feet to the point of beginning.

2947 Eyde, Section 20 – Part of the southwest ¼ of Section 20 T4NR1W described as: Commencing at the west ¼ corner of Section 20; thence S00°05'46"W 893.81 feet along the west section line to the south line of Eyde Parkway extended; thence S89°37'44"E 431.25 feet along said line and its extension to the point of beginning; thence along said south line following three courses: S89°37'44"E 325.22 feet – northeasterly 125.94 feet along a curve to the left with a radius of 295.91 feet and a chord bearing N78°10'43"E 124.99 feet – northeasterly 492.97 feet along a curve to the right with a radius of 867 feet and a chord bearing N82°16'29"E 486.35 feet; thence S00°22'16"W 354.89 feet to the south line of the north 70 rods of the southwest ¼; thence N89°37'44"W 928.9 feet along said south line; thence N00°22'16"E 260 feet to the point of beginning.

4750 Hagadorn, Section 20 – Commencing at the west ¼ corner of Section 20; thence N0°25'30"E 23.75 feet on the west section line; thence S89°59'30"E 33 feet to the point of beginning; thence N0°25'30"E 260.50 feet; thence S89°59'30"E 518.16 feet; thence S0°25'30"W 260.50 feet; thence N89°59'30"W 518.16 feet, more or less, to the point of beginning.

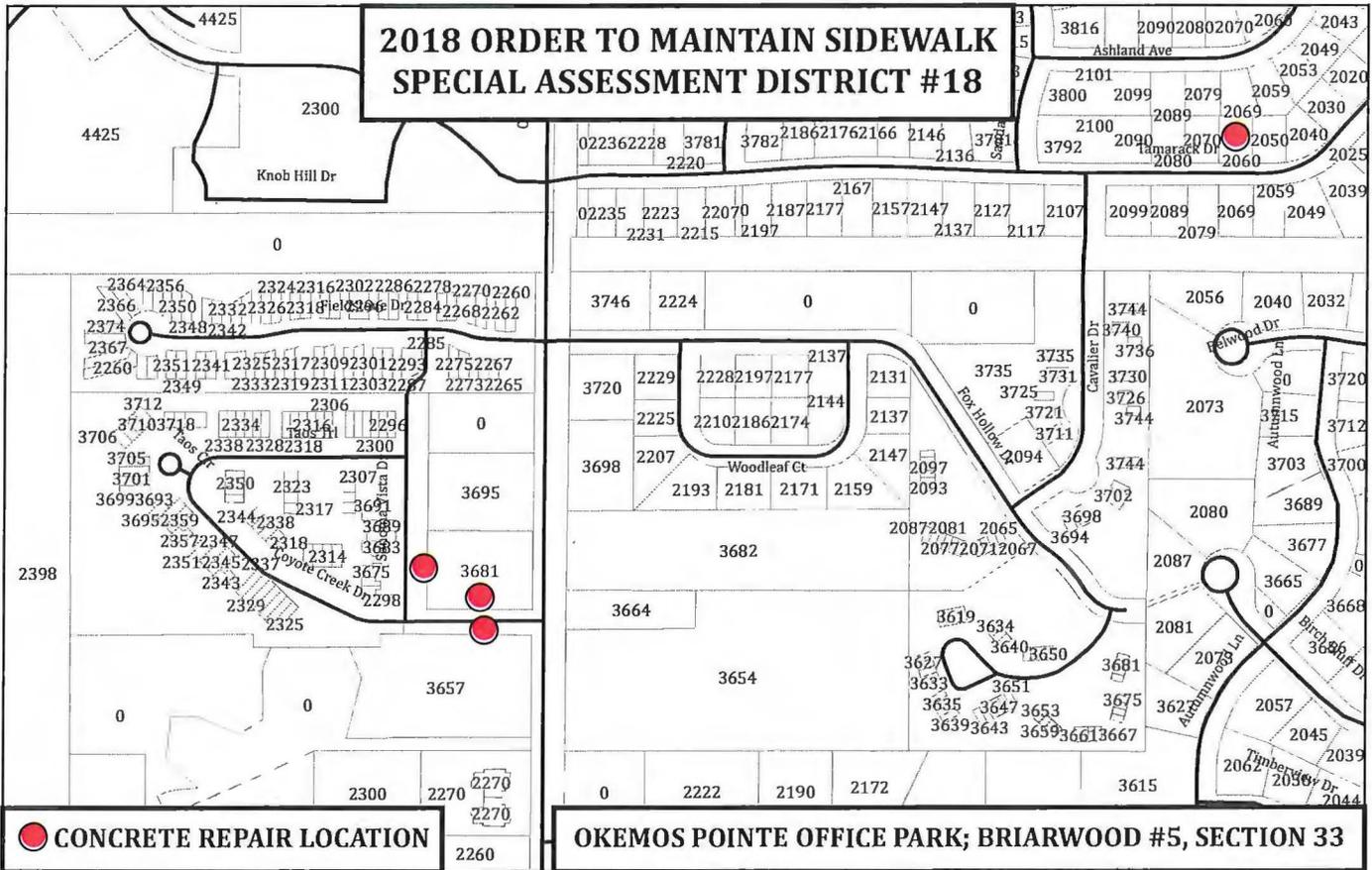
2841 Hannah, Section 20 – Part of the southwest ¼ of Section 20 T4NR1W described as: Commencing at the west ¼ corner of Section 20; thence N00°29'56"E 23.75 feet along the west line of the northwest ¼; thence S89°54'14"E 1,414.42 feet perpendicular to said west line and along the north line of Hannah Boulevard; thence N80°06'51"E 175.26 feet; thence northeasterly 103.41 feet along a curve to the right with a radius of 900 feet and a chord bearing N89°24'21"E 103.35 feet along said south line to the point of beginning; thence along said south line following two courses: northeasterly 53.39 feet along a curve to the right with a radius of 900 feet and a chord bearing N88°23'49"E 53.38 feet – S89°54'14"E 207.22 feet; thence S00°25'03"W 418.76 feet; thence N89°34'57"W 260.57 feet; thence N00°25'03"E 415.72 feet to the point of beginning.

1660 Haslett, Section 10 – Commencing at the center of Section 10; thence S0°22'46"E, 276.53 feet; thence N87°52'27"E 200 feet on the north right-of-way line of Haslett Road to the point of beginning; thence N02°07'33"W 60 feet; thence N28°05'37"W 211.37 feet; thence north 40 feet; thence N87°52'27"E 292.27 feet; thence S02°07'33"E 290 feet; thence S87°52'27"W 201.2 feet on the north line of Haslett Road to the point of beginning.

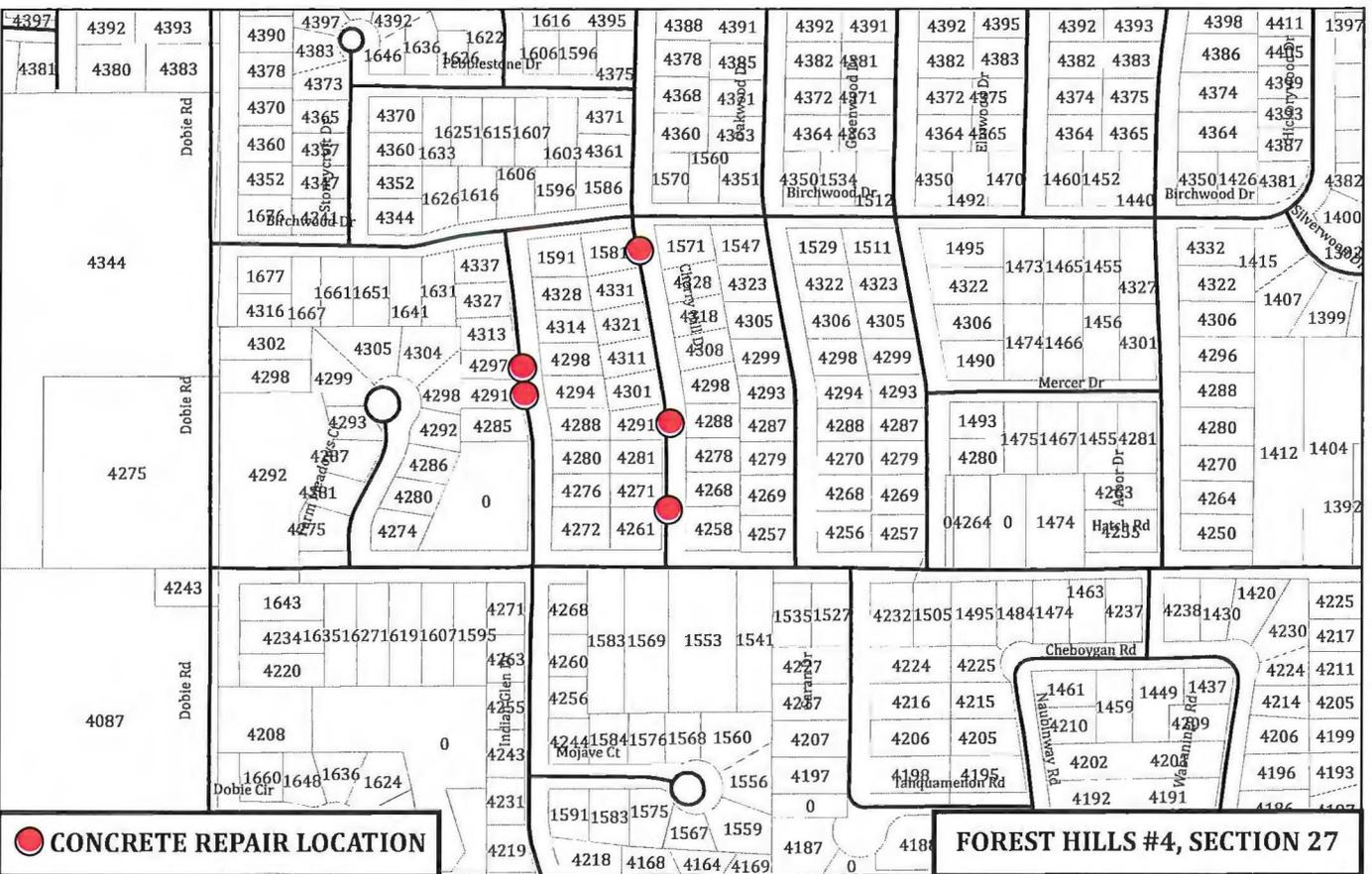
3950 Heritage, Section 33 – Commencing at the north ¼ corner of Section 33; thence S0°W 900 feet on the north section line; thence S0°E 43 feet to the south right-of-way line of Bennett Road and the point of beginning; thence S90°W 248 feet along the right-of-way; thence S0°E 364 feet on the east right-of-way line of Heritage Avenue; thence southeasterly 306.25 feet on a curve to the left along the right-of-way having a radius of 355 feet and a chord bearing S24°42'51"E 296.85 feet; thence southeasterly 364.13 feet on a curve to the left on the right-of-way having a radius of 605 feet; thence N06°05'14"E 93.20 feet; thence N42°30'00"E 309.74 feet; thence N0°23'30"E 234.30 feet; thence N56°54'02"W 108.24 feet; thence N29°09'15"E 100.43 feet to the south right-of-way line of Bennett Road; thence northwesterly 295.32 feet on the right-of-way on a curve to the left having a radius of 580.39 feet; thence S90°W 101.7 feet on the right-of-way to the point of beginning.

3681 Okemos, Section 33 – Commencing at the south ¼ corner of Section 33; thence north on the north-south ¼ line 1,716.01 feet; thence S89°44'37"W 50 feet to the point of beginning; thence S89°44'37"W 290 feet on the north right-of-way line of Coyote Creek Drive; thence north 215 feet on the east right-of-way line of Sonoma Vista Drive; thence N89°44'37"E 290 feet; thence south 215 feet on the west right-of-way line of Okemos Road to the point of beginning.

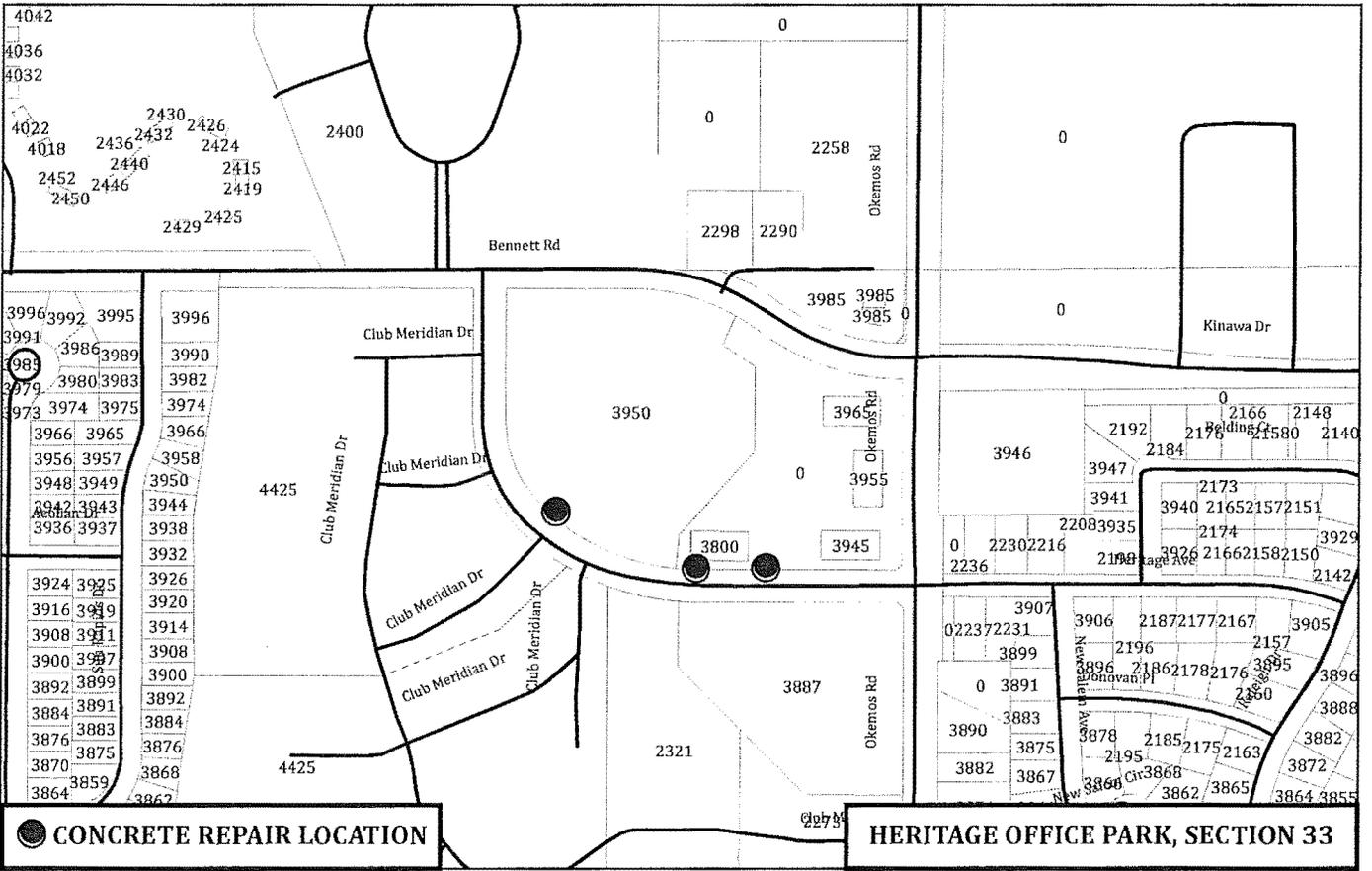
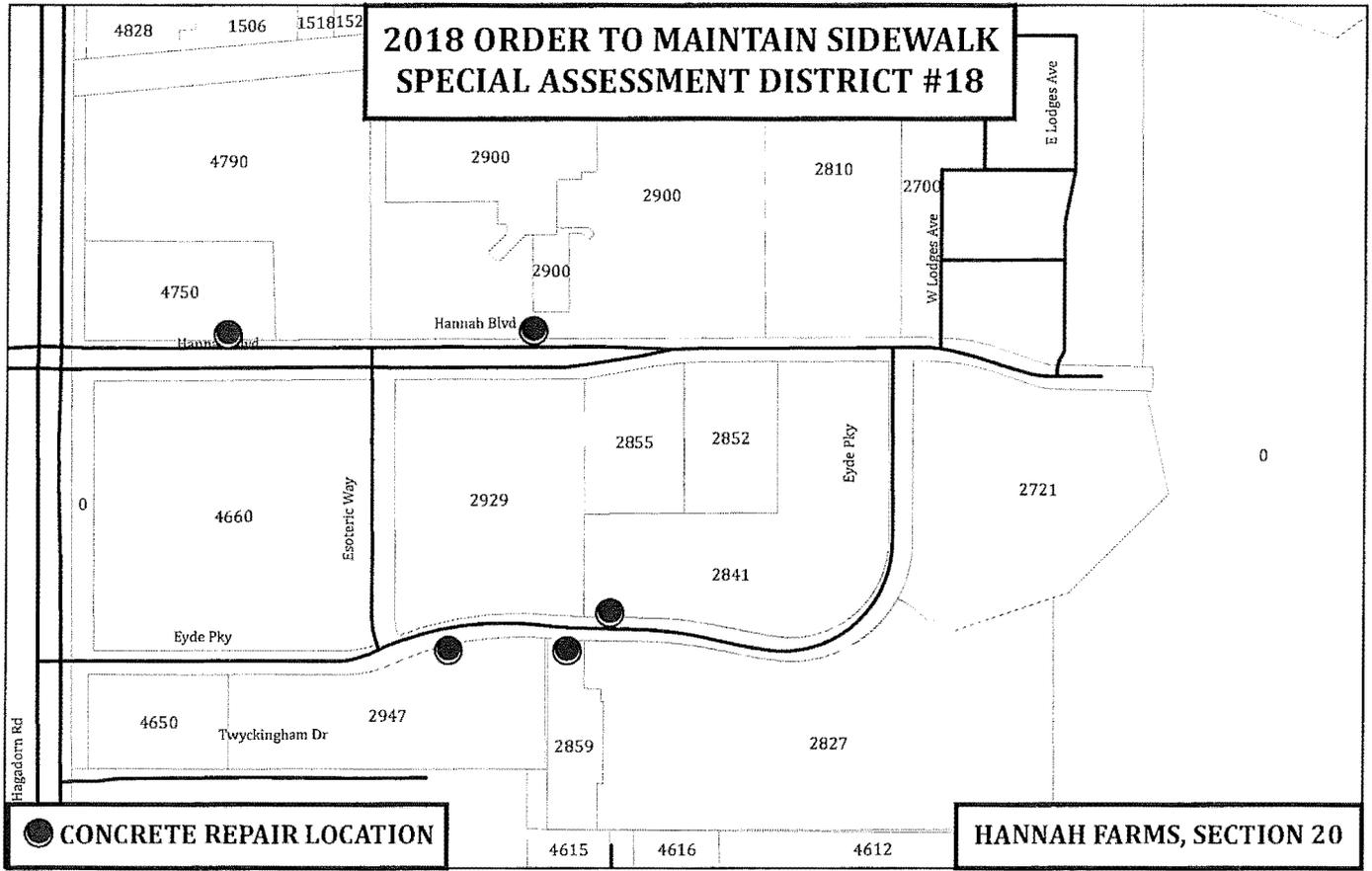
2018 ORDER TO MAINTAIN SIDEWALK SPECIAL ASSESSMENT DISTRICT #18



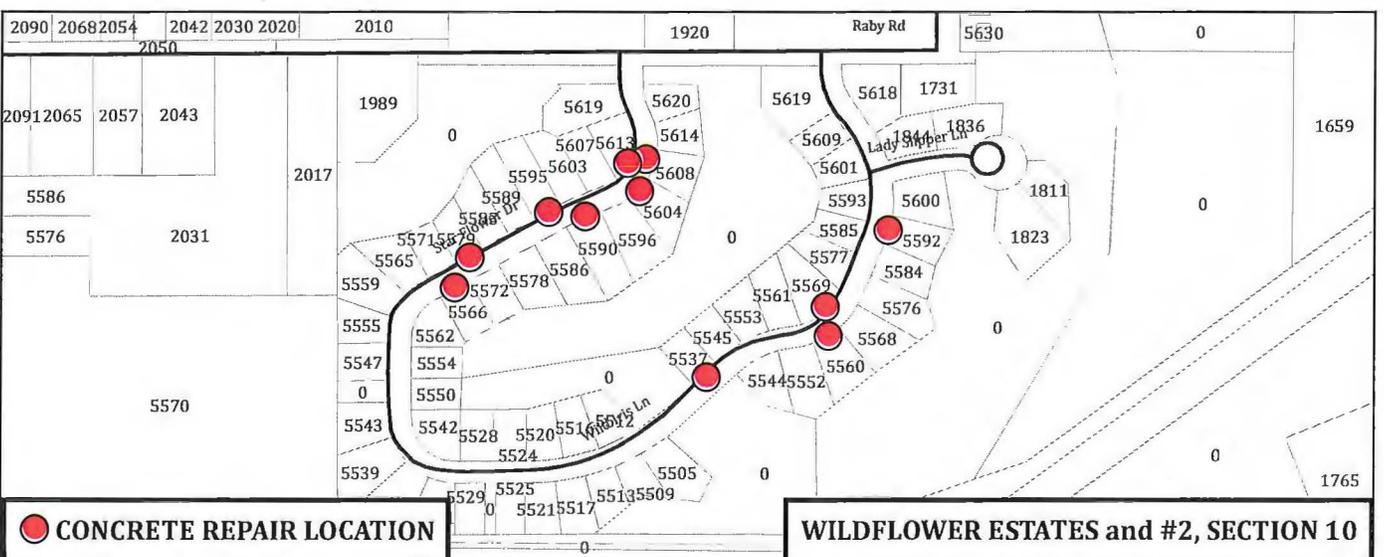
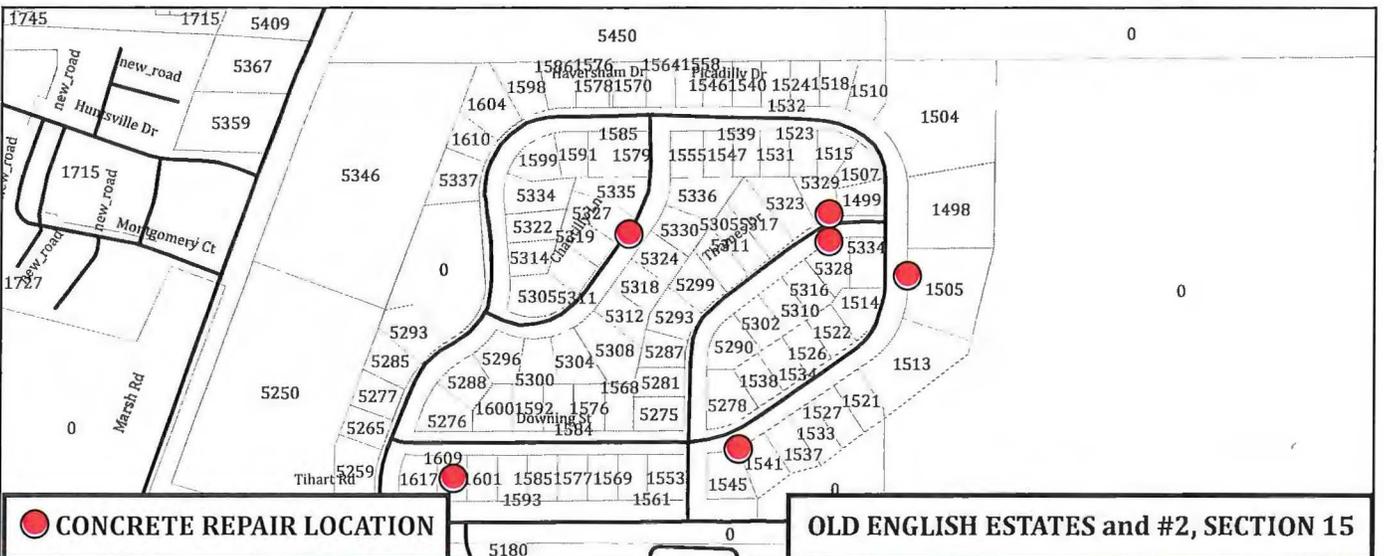
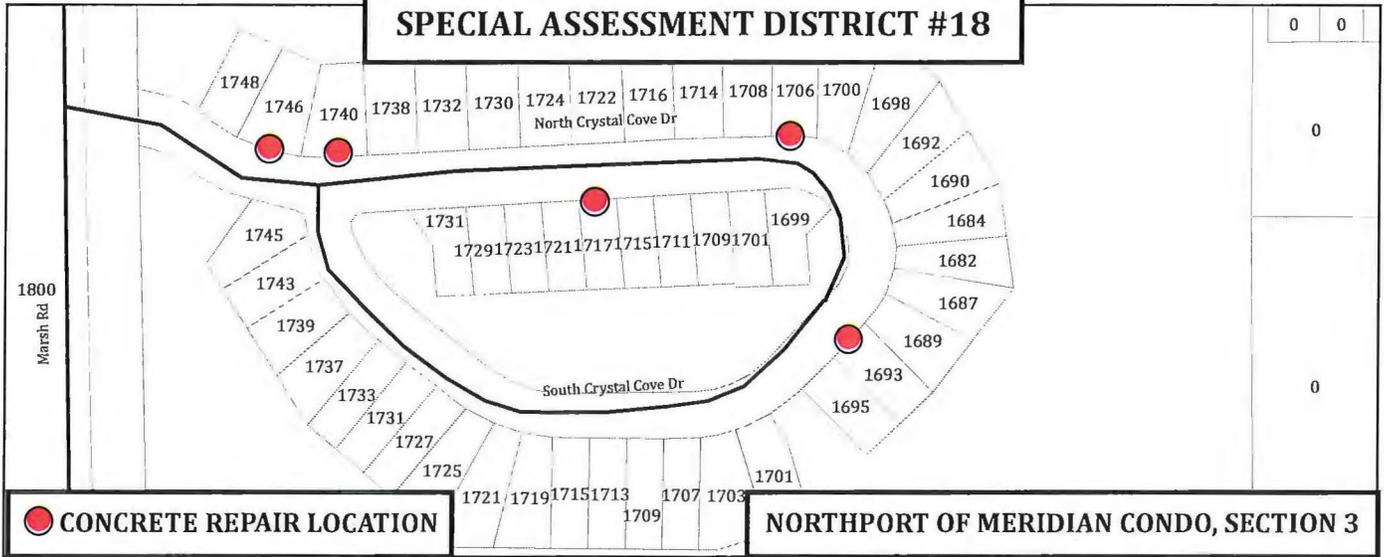
OKEMOS POINTE OFFICE PARK; BRIARWOOD #5, SECTION 33



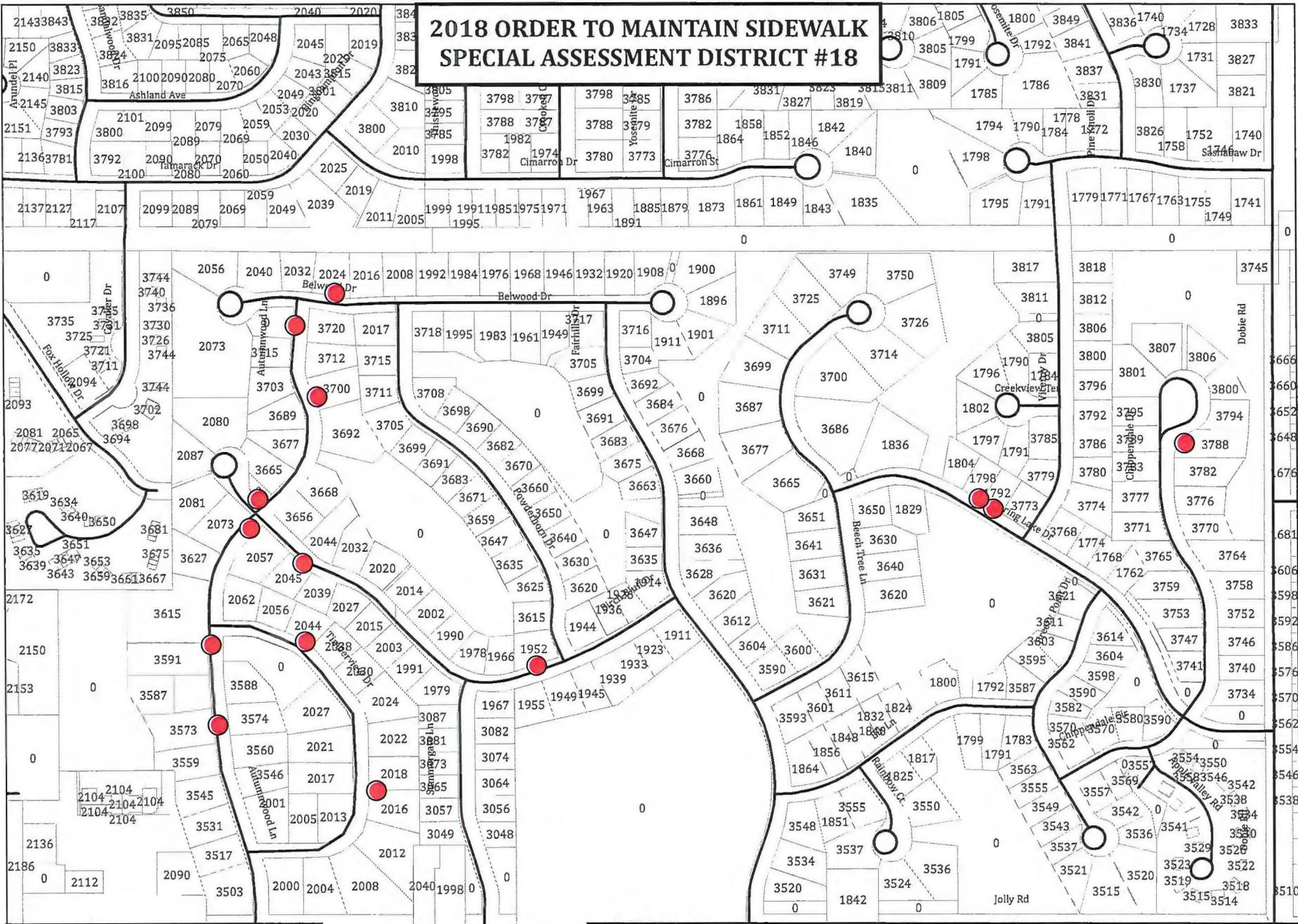
FOREST HILLS #4, SECTION 27



**2018 ORDER TO MAINTAIN SIDEWALK
SPECIAL ASSESSMENT DISTRICT #18**



2018 ORDER TO MAINTAIN SIDEWALK SPECIAL ASSESSMENT DISTRICT #18



● CONCRETE REPAIR LOCATION

HIAWATHA LAKES #5, 6, 7, SECTION 33; SPRING LAKE and #2, 5, SECTION 34



Meridian Township
5151 Marsh Road
Okemos, MI 48864

P 517.853.4000
F 517.853.4096

Township Board:

Ronald J. Styka
Township Supervisor

Brett Dreyfus
Township Clerk

Julie Brixie
Township Treasurer

Phil Deschaine
Township Trustee

**Patricia Herring
Jackson**
Township Trustee

Dan Opsommer
Township Trustee

Kathy Ann Sundland
Township Trustee

Frank L. Walsh
Township Manager

DEPARTMENT OF PUBLIC WORKS

ORDER-TO-MAINTAIN SIDEWALK PROGRAM

Why has my sidewalk been chosen for replacement or leveling?

Township inspectors found certain sections of the sidewalk abutting your property need to be replaced or leveled to make the sidewalk safer. This inspection is part of a yearly program created to replace or level defective sidewalk. Sidewalk maintenance is important because it may save a pedestrian from injury and you from an expensive lawsuit.

Why is replacement or leveling necessary?

Removal and replacement or leveling is necessary to provide reasonably safe and accessible sidewalks. Leveling by “mudjacking” may be possible if the sidewalk is not cracked.

How can I replace the sidewalk?

You have three options:

1. Take no action and allow the Township’s contractor to replace or level the sidewalk as part of the sidewalk maintenance program.
2. Hire your own contractor.
3. Perform the work yourself.

If you elect to hire a contractor or do the work yourself, you must obtain a permit from the Department of Public Works. For work related to this Order-To-Maintain sidewalk program, application for a permit is free of charge for both contractors and homeowners. All work must be completed in accordance with the standards and specifications of Meridian Township. Copies of the standards and specifications are available from the Department of Public Works. An inspection is required when forms are ready and when the concrete is poured.

If you do nothing, the Township’s contractor will be in your area and will replace or level the sidewalk at your expense, and you will be billed as explained in this brochure. You do not have to obtain a permit if the work is done by the Township’s contractor.

Can I make temporary repairs instead of replacement or leveling?

No, filling vertical or horizontal gaps or displacements by placing mortar or asphalt is not considered a permanent repair.

How much will replacing or leveling the defective sidewalk cost?

Your exact cost will be determined **after** completion of the work; however your estimated cost is indicated on the enclosed “Notice of Public Hearing”, and is on file with the Township Clerk. You may contact the Department of Public Works for a detailed breakdown of your costs and the location of the sidewalk to be replaced or leveled.

You are responsible for 100% of the sidewalk across your frontage. If you own a residential corner lot, the Township will pay for 40% of the cost of the sidewalk replacement or leveling along the street to which the house is not addressed. The Township will pay 100% for ramp replacement at the street intersection.

How will I be billed?

You will receive a bill, called a special assessment, in **June 2019, with a due date of July 1, 2019**. The assessment may be paid in full with one payment (in 2019), or over 5 years at 5% interest per year. Please do not make any payments until after you receive this bill.

The Township sidewalk contractor will complete the work over the Summer/Fall of 2018. Once the sidewalk repairs have been completed, a Township inspector will measure the exact dimensions of the replacement sidewalk. Your special assessment will be based on these measurements.

(Please note you will receive a second Township Board "Notice of Hearing" in early 2019 after the contractor has completed all of the sidewalk replacements. It will state the exact cost of your sidewalk repairs. The purpose of the second hearing is for the public to comment on the proposed assessments.)

What about damage caused by trees or utility structures?

Where tree roots have displaced the sidewalk they will be removed prior to new sidewalk installation. A healthy tree should survive this process.

Property owners are responsible for replacement of all sidewalk damaged by tree roots whether the tree is on public or private land. The Township will pay for 100% of the cost for sidewalk directly damaged by Township manhole covers or water valves.

Will the contractor restore my lawn after the work?

Usually only a few inches of grass adjacent to the replaced sidewalk is uprooted. This strip will be filled with topsoil, seeded, and mulched after the concrete forms are removed.

How do I protect my sprinkler or invisible fence system (or other private utility)?

The contractor is responsible for damage to underground utilities, **but only those that are marked**.

You will receive a notice in the mail and a doorhanger shortly before the start of construction notifying you to mark any private utilities near the sidewalk. If you have a sprinkler system or private underground wires (e.g. invisible fence or private lights) they must be marked prior to construction. Contact the person that installed your lines for a detailed layout.

If private utilities are not marked and become damaged during construction, the contractor is NOT responsible to fix them. If the utility is marked and becomes damaged by the contractor, then the contractor is responsible to fix the utility.

May I have private work done by the Township's contractor?

You may have additional work (driveways, approaches, patios, etc.) performed under a private agreement between you and the Township contractor. You also must be sure that you are not paying the Township contractor directly for work to be done under their contract with the Township.

The Township will not become involved in disputes between you and the contractor for private work. You and the contractor must negotiate the price, timing, restoration, and payment terms for all private work.

What about tree branches and other vegetation that obstruct the sidewalk?

The property owner is responsible for removal of all obstructions; including vegetation such as tree limbs, branches, shrubs, and bushes and other objects; that interfere with the safe use of the sidewalk. The area to be kept clear is one (1) foot from the edges of the sidewalk and eight (8) feet above the sidewalk.

If I still have questions, whom should I contact?

Department of Public Works at (517) 853-4440 or DPW@meridian.mi.us.





13.A

To: Township Board

From: Mark Kieselbach, Director of Community Planning and Development

Date: August 30, 2018

Re: Medical Marihuana Ordinance

The Township Board at its last meeting discussed establishing an overlay district for commercial medical marihuana facilities. Staff has prepared a sample zoning ordinance that would allow all types of commercial medical marihuana facilities by special use permit in certain areas of the Township. A map is provided showing six possible areas where facilities could be located. All the lots in the six areas are outside the 500 foot setback from schools and churches. Some of the lots however, in three areas, are within the 1,000 foot setback from schools and churches. The Township Board will need to determine if it wants to limit a specific type of commercial medical marihuana facility in any of the overlay areas.

No changes were proposed to the sample non-zoning ordinance that was discussed at the last meeting on August 21, 2018. This ordinance outlines and defines the types of commercial medical marihuana facilities, provides operational standards for each type of facility, and establishes a permit requirement to operate a facility in the Township. The Township Board can place limits on the number of permits for each type of facility if desired.

Both sample ordinances are intended to suggest a policy direction but are for discussion purposes only at this time.

Attachments

1. Sample non-zoning ordinance dated August 3, 2018.
2. Sample overlay district ordinance dated August 30, 2018.
3. Overlay district map dated August 29, 2018.

G:\Community Planning & Development\Planning\Medical Marihuana\Medical Marihuana Ordinance (overlay).tb2.docx

SAMPLE ORDINANCE

CHARTER TOWNSHIP OF MERIDIAN

ORDINANCE AUTHORIZING AND PERMITTING COMMERCIAL MEDICAL MARIHUANA FACILITIES

Section 1. Definitions. The following words and phrases shall have the following definitions when used in this Ordinance:

1. "Application" means an Application for a Permit under this Ordinance and includes all supplemental documentation attached or required to be attached thereto; the Person filing the Application shall be known as the "Applicant."
2. "Clerk" means the Charter Township of Meridian Clerk or his/her designee.
3. "Commercial Medical Marihuana Facility" or "Facility" means one of the following:
 - a. "Provisioning Center," as that term is defined in the Medical Marihuana Facilities Licensing Act, Public Act 281 of 2016 ("MMFLA");
 - b. "Processor," as that term is defined in the MMFLA;
 - c. "Secure Transporter," as that term in the MMFLA;
 - d. "Grower," including Class A, Class B and Class C, as those terms are defined in the MMFLA;
 - e. "Safety Compliance Facility," as that term is defined in the MMFLA.
4. "Department" means the Michigan State Department of Licensing and Regulatory Affairs or any authorized designated Michigan agency authorized to regulate, issue or administer a Michigan License for a Commercial Medical Marihuana Facility.
5. "License" means a current and valid License for a Commercial Medical Marihuana Facility issued by the State of Michigan.
6. "Licensee" means a Person holding a current and valid Michigan License for a Commercial Medical Marihuana Facility.
7. "Marihuana" means that term as defined in Section 7106 of the Michigan Public Health Code, 1978 PA 368, MCL 333.7106.
8. "Medical Marihuana" means that term as defined in MCL 333.26423.
9. "Paraphernalia" means drug paraphernalia as defined in section 7451 of the Michigan Public Health Code, 1978 PA 368, MCL 333.7451, that is or may be used in association with Medical Marihuana.

Medical Marihuana draft ordinance

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10. "Patient" means a "registered qualifying patient" or a "visiting qualifying patient" as those terms are defined by MCL 333.26421, et seq.
11. "Permit" means a current and valid Permit for a Commercial Medical Marihuana Facility issued under this Ordinance, which shall be granted to a Permit Holder only for and limited to a specific Permitted Premises and a specific Permitted Property. Said Permit shall be in addition to the Special Use Permit required to be obtained under the Township Zoning Ordinance.
12. "Permit Holder" means the Person that holds a current and valid Permit issued under this Ordinance.
13. "Permitted Premises" means the particular building or buildings within which the Permit Holder will be authorized to conduct the Facility's activities pursuant to the Permit.
14. "Permitted Property" means the real property comprised of a lot, parcel or other designated unit of real property upon which the Permitted Premises is situated.
15. "Person" means a natural person, company, partnership, profit or non-profit corporation, limited liability company, or any joint venture for a common purpose.
16. "Primary Caregiver" means a Person qualified under MCL 333.26423(g), and the rules promulgated therefore by the Department of Community Health, R 333.101 et seq., including, but not limited to possession of a valid, unexpired registry identification card, to assist with a Patient's medical use of Marihuana, and authorized under the Michigan Medical Marihuana Act ("MMMA") to operate as a Primary Caregiver.
17. "Primary Caregiver Operation" means a location where a Primary Caregiver can lawfully operate as permitted by the MMMA and this Ordinance. A Primary Caregiver Operation is not a Commercial Medical Marihuana Facility.
18. "Public Place" means any area in which the public is invited or generally permitted in the usual course of business.
19. "Registry Identification Card" means the document issued to a Patient or a Primary Caregiver and defined under MCL 333.26423(i).

Medical Marihuana draft ordinance

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Section 2. Permit Required; Number of Permits Available; Eligibility; General Provisions.

1. The Township hereby authorizes the operation of the following types of Commercial Medical Marihuana Facilities, subject to the number of available Permits issued in this Section:
 - a. Growers, Class A
 - b. Growers, Class B
 - c. Growers, Class C
 - d. Processors
 - e. Provisioning Centers
 - f. Safety Compliance Facilities
 - g. Secure Transporters
2. The number of Commercial Medical Marihuana Facility Permits in effect at any time shall not exceed the following maximums within the Township:
 - a. Grower Permits, Class A: ____
 - b. Grower Permits, Class B: ____
 - c. Grower Permits, Class C: ____
 - d. Processor Permits: ____
 - e. Provisioning Center Permits: ____
 - f. Safety Compliance Facility Permits: ____
 - g. Secure Transporter Permits: ____
3. No person shall operate a Commercial Medical Marihuana Facility at any time or any location within the Township unless a currently-effective Permit for that person at that location has been issued under this Ordinance.
4. Commercial Medical Marihuana Facilities shall operate only as allowed under this Ordinance.
5. The requirements set forth in this Ordinance shall be in addition to, and not in lieu of, any other licensing or permitting requirements imposed by applicable federal, state or local laws, regulations, codes or ordinances.
6. At the time of Application, each Applicant shall pay Application fees, annual fees, renewal fees and inspection fees for Permits to the Township to defray the costs incurred by the Township for inspection, administration and enforcement of the local regulations regarding Commercial Medical Marihuana Facilities. The Township Board shall by resolution set the fees in an amount not to exceed any limitations imposed by Michigan law.

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7. A Permit and a Renewal Permit shall not confer any vested rights or reasonable expectation of subsequent renewal on the Applicant or Permit Holder, and shall remain valid only until the June 1 immediately following its approval. A completed Application or Renewal Application must be received by the Township Clerk no later than March 31 of each year in order to grant or renew the Permit effective on June 1 of that year.
8. Each year, any pending Applications for renewal or amendment of existing Permits shall be reviewed and granted or denied before Applications for new Permits are considered.
9. It is the sole and exclusive responsibility of each Permit Holder or Person applying to be a Permit Holder at all times during the Application period and during its operation to immediately provide the Township with all material changes in any information submitted on an Application and any other changes that may materially affect any state License or its Township Permit.
10. No Permit issued under this Ordinance may be assigned or transferred to any Person unless the assignee or transferee has submitted an Application and all required fees under this Ordinance and has been granted a Permit by the Township Board. No Permit issued under this Ordinance is transferrable to any other location except for the Permitted Premises on the Permitted Property.
11. The original Permit issued under this Ordinance shall be prominently displayed at the Permitted Premises in a location where it can be easily viewed by the public, law enforcement and administrative authorities.
12. Acceptance by the Permit Holder of a Permit constitutes consent by the Permit Holder and its owners, officers, managers, agents and employees for any state, federal or local law enforcement to conduct random and unannounced examinations of the Facility and all articles of property in that Facility at any time to ensure compliance with this Ordinance, any other local regulations, and with the Permit.
13. A Permit Holder may not engage in any other Commercial Medical Marihuana Facility in the Permitted Premises or on the Permitted Property, or in its name at any other location within the Township, without first obtaining a separate Permit.
14. No Permit shall be granted or renewed for a Commercial Medical Marihuana Facility in a residence or in any area of the Township where the predominant land uses within $\frac{1}{4}$ mile of the proposed Commercial Medical Marihuana Facility are residential.

Section 3. Other Laws and Ordinances. In addition to the terms of this Ordinance, any Commercial Medical Marihuana Facility shall comply with all Township Ordinances, including without limitation the Township Zoning Ordinance, and with all other applicable federal, state and local ordinances, laws, codes and regulations. To the extent that the terms of this Ordinance are in conflict with the terms of any other applicable federal, state or local ordinances, laws, codes or regulations, the terms of the most restrictive ordinance, law, code or regulation shall control.

Section 4. Application for and Renewal of Permits.

1. **Application.** An Application for a Permit for a Facility shall be submitted to the Clerk, and shall contain the following information:
 - a. The name, address, phone number and e-mail address of the proposed Permit Holder and the proposed Commercial Medical Marihuana Facility;
 - b. The names, home addresses and personal phone numbers for all owners, directors, officers and managers of the Permit Holder and the Commercial Medical Marihuana Facility;
 - c. One (1) copy of all the following:
 - 1) All documentation showing the proposed Permit Holder's valid tenancy, ownership or other legal interest in the proposed Permitted Property and Permitted Premises. If the Applicant is not the owner of the proposed Permitted Property and Permitted Premises, a notarized statement from the owner of such property authorizing the use of the property for a Commercial Medical Marihuana Facility.
 - 2) If the proposed Permit Holder is a corporation, non-profit organization, limited liability company or any other entity other than a natural person, indicates its legal status, attach a copy of all company formation documents (including amendments), proof of registration with the State of Michigan, and a certificate of good standing.
 - 3) A valid, unexpired driver's license or state issued ID for all owners, directors, officers and managers of the proposed Facility.
 - 4) Evidence of a valid sales tax license for the business if such a license is required by state law or local regulations.
 - 5) Application for Sign Permit, if any sign is proposed.
 - 6) Non-refundable Application fee.
 - 7) Business and Operations Plan, showing in detail the Commercial Medical Marihuana Facility's proposed plan of operation, including without limitation, the following:
 - i. A description of the type of Facility proposed and the anticipated or actual number of employees.

Medical Marihuana draft ordinance

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- ii. A security plan meeting the requirements of Section 5 of this Ordinance, which shall include a general description of the security systems(s), current centrally alarmed and monitored security system service agreement for the proposed Permitted Premises, and confirmation that those systems will meet State requirements and be approved by the State prior to commencing operations.
 - iii. A description by category of all products to be sold.
 - iv. A list of Material Safety Data Sheets for all nutrients, pesticides, and other chemicals proposed for use in the Commercial Medical Marihuana Facility.
 - v. A description and plan of all equipment and methods that will be employed to stop any impact to adjacent uses, including enforceable assurances that no odor will be detectable from outside of the Permitted Premises.
 - vi. A plan for the disposal of Marihuana and related byproducts that will be used at the Facility.
- 8) An identification of any business that is directly or indirectly involved in the growing, processing, testing, transporting or sale of Marihuana for the Facility.
- 9) Whether any Applicant has ever applied for or has been granted any commercial license or certificate issued by a licensing authority in Michigan or any other jurisdiction that has been denied, restricted, suspended, revoked, or not renewed and a statement describing the facts and circumstances concerning the application, denial, restriction, suspension, revocation, or nonrenewal, including the licensing authority, the date each action was taken, and the reason for each action.
- 10) Signed and sealed (by Michigan registered architect, surveyor or professional engineer) site plan and interior floor plan of the Permitted Premises and the Permitted Property.
- 11) Information regarding any other Commercial Medical Marihuana Facility that the Licensee is authorized to operate in any other jurisdiction within the State, or another State, and the Applicant's involvement in each Facility.
- d. Any other information reasonably requested by the Township to be relevant to the processing or consideration of the Application.
 - e. Information obtained from the Applicant or proposed Permit Holder is exempt from public disclosure under state law.

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2. **Renewal Application.** The same requirements that apply to all new Applications for a Permit apply to all Renewal Applications. Renewal Applications shall be submitted to and received by the Clerk not less than ninety (90) days prior to the expiration of the annual Permit, except that an Application requesting a change in the location of the Permitted Premises shall be submitted and received not less than one hundred twenty (120) days prior to the expiration of the Permit. A Permit Holder whose Permit expires and for which a complete Renewal Application has not been received by the expiration date shall be deemed to have forfeited the Permit under this Ordinance. The Township will not accept Renewal Applications after the expiration date of the Permit.
3. **Approval, Issuance, Denial and Appeal.** All inspections, review and processing of the Application shall be completed within ninety (90) days of receipt of a complete Application and all required fees. The Township Board shall approve or deny the Permit within one hundred twenty (120) days of receipt of the completed Application and fees, or within one hundred fifty (150) days if the location of the Permitted Premises is proposed to be amended. The processing time may be extended upon written notice by the Township for good cause, and any failure to meet the required processing time shall not result in the automatic grant of the Permit. Any denial must be in writing and must state the reason(s) for denial. Any final denial of a Permit may be appealed to a court of competent jurisdiction; provided that, the pendency of an appeal shall not stay or extend the expiration of any Permit. The Township has no obligation to process or approve any incomplete Application, and any times provided under this Ordinance shall not begin to run until the Township receives a complete Application, as determined by the Township Board. A determination of a complete Application shall not prohibit the Township from requiring supplemental information.
4. **Applications for new Permits where no building is as yet in existence.** Any Applicant for a Commercial Medical Marihuana Facility Permit whose building is not yet in existence at the time of the Township's initial approval shall have one year immediately following the date of the Township's initial approval to complete construction of the building, in accordance with applicable zoning ordinances, building codes, and any other applicable state or local laws, rules or regulations, and to commence business operations.
5. **Duty to Supplement.**
 - a. If, at any time before or after a Permit is issued pursuant to this Ordinance, any information required in the Permit Application, the MMFLA, or any rule or regulation promulgated thereunder, changes in any way from that which is stated in the Application, the Applicant or Licensee shall supplement such information in writing within ten (10) days from the date upon which such change occurs.

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- b. An Applicant or Permit Holder has a duty to notify the Township Board in writing of any pending criminal charge, and any criminal conviction of a felony or other offense involving a crime of moral turpitude by the Applicant, any owner, principal officer, director, manager, or employee within ten (10) days of the event.
- c. An Applicant or Permit Holder has a duty to notify the Township Board in writing of any pending criminal charge, and any criminal conviction, whether a felony, misdemeanor, petty offense, or any violation of a local law related to the cultivation, processing, manufacture, storage, sale, distribution, testing or consumption of any form of marijuana, the MMMA, the MMFLA, any building, fire, health or zoning statute, code or ordinance related to the cultivation, processing, manufacture, storage, sale, distribution, testing or consumption of any form of marijuana by the Applicant, any owner, principal officer, director, manager, or employee within (10) ten days of the event.

Section 5. Operational Requirements – Commercial Medical Marihuana Facilities. A Commercial Medical Marihuana Facility issued a Permit under this Ordinance and operating in the Township shall at all times comply with the following operational requirements, which the Township Board may review and amend from time to time as it determines reasonable.

1. *Scope of Operation.* Commercial Medical Marihuana Facilities shall comply with all respective applicable codes of the local zoning, building, and health departments. The Facility must hold a valid local Permit and State Commercial Medical Marihuana Facility License for the type of Commercial Medical Marihuana Facility intended to be carried out on the Permitted Property. The Facility operator, owner or Licensee must have documentation available that local and State sales tax requirements, including holding any licenses, if applicable, are satisfied.
2. *Required Documentation.* Each Commercial Medical Marihuana Facility shall be operated from the Permitted Premises on the Permitted Property. No Commercial Medical Marihuana Facility shall be permitted to operate from a moveable, mobile or transitory location, except for a Permitted and Licensed Secure Transporter when engaged in the lawful transport of Marihuana. No person under the age of eighteen (18) shall be allowed to enter into the Permitted Premises without a parent or legal guardian.
3. *Security.* Permit Holders shall at all times maintain a security system that meets State law requirements, and shall also include the following:
 - a. Security surveillance cameras installed to monitor all entrances, along with the interior and exterior of the Permitted Premises;
 - b. Robbery and burglary alarm systems which are professionally monitored and operated 24 hours a day, 7 days a week;

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- c. A locking safe permanently affixed to the Permitted Premises that shall store all Marihuana and cash remaining in the Facility overnight;
 - d. All Marihuana in whatever form stored at the Permitted Premises shall be kept in a secure manner and shall not be visible from outside the Permitted Premises, nor shall it be grown, processed, exchanged, displayed or dispensed outside the Permitted Premises; and
 - e. All security recordings and documentation shall be preserved for at least 48 hours by the Permit Holder and made available to any law enforcement upon request for inspection.
4. *Operating Hours.* No Provisioning Center shall operate between the hours of 8:00 p.m. and 8:00 a.m.
5. *Required Spacing.* No Commercial Medical Marihuana Facility shall be located within one-thousand (1,000) feet from any educational institution or school, college or university, five hundred (500) feet from any church, house of worship or other religious facility, and five hundred (500) feet from any library or preschool, with the minimum distance between uses measured horizontally between the nearest property lines.
6. *Amount of Marihuana.* The amount of Marihuana on the Permitted Property and under the control of the Permit Holder, owner or operator of the Facility shall not exceed that amount permitted by the state License or the Township's Permit.
7. *Sale of Marihuana.* The Marihuana offered for sale and distribution must be packaged and labeled in accordance with state law. The Facility is prohibited from selling, soliciting or receiving orders for Marihuana or Marihuana Products over the internet.
8. *Sign Restrictions.* No pictures, photographs, drawings or other depictions of Marihuana or Marihuana Paraphernalia shall appear on the outside of any Permitted Premises nor be visible outside of the Permitted Premises on the Permitted Property. The words "Marihuana," "cannabis" and any other words used or intended to convey the presence or availability of Marihuana shall not appear on the outside of the Permitted Premises nor be visible outside of the Permitted Premises on the Permitted Property.
9. *Use of Marihuana.* The sale, consumption or use of alcohol or tobacco products on the Permitted Premises is prohibited. Smoking or consumption of controlled substances, including Marihuana, on the Permitted Premises is prohibited.

Medical Marihuana draft ordinance

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10. *Indoor Operation.* All activities of Commercial Medical Marihuana Facilities, including without limitation, distribution, growth, cultivation, or the sale of Marihuana, and all other related activity permitted under the Permit Holder's License or Permit must occur indoors. The Facility's operation and design shall minimize any impact to adjacent uses, including the control of any odor by maintaining and operating an air filtration system so that no odor is detectable outside the Permitted Premises.
11. *Unpermitted Growing.* A Patient may not grow his or her own Marihuana at a Commercial Medical Marihuana Facility.
12. *Distribution.* No person operating a Facility shall provide or otherwise make available Marihuana to any person who is not legally authorized to receive Marihuana under state law.
13. *Permits.* All necessary building, electrical, plumbing, and mechanical permits must be obtained for any part of the Permitted Premises in which electrical, wiring, lighting or watering devices that support the cultivation, growing, harvesting or testing of Marihuana are located.
14. *Waste Disposal.* The permit holder, owner and operator of the Facility shall use lawful methods in controlling waste or by-products from any activities allowed under the License or Permit.
15. *Transportation.* Marihuana may be transported by a Secure Transporter within the Township under this Ordinance, and to effectuate its purpose, only:
 - a. By Persons who are otherwise authorized by state law to possess Marihuana for medical purposes;
 - b. In a manner consistent with all applicable state laws and rules, as amended;
 - c. In a secure manner designed to prevent the loss of the Marihuana;
 - d. No vehicle used for the transportation or delivery of Marihuana under this Ordinance shall have for markings the words "Marihuana", "cannabis" or any similar words; pictures or other renderings of the Marihuana plant; advertisements for Marihuana or for its sale, transfer, cultivation, delivery, transportation or manufacture, or any other word, phrase or symbol indicating or tending to indicate that the vehicle is transporting Marihuana.
 - e. No vehicle may be used for the ongoing or continuous storage of Marihuana, but may only be used incidental to, and in furtherance of, the transportation of Marihuana.
16. *Additional Conditions.* The Township Board may impose such reasonable terms and conditions on a Commercial Medical Marihuana Facility special use as may be necessary to protect the public health, safety and welfare, and to obtain compliance with the requirements of this Ordinance and applicable law.

Section 6. Operational Requirements – Primary Caregiver Operations

1. *Scope of Primary Caregiver Operation.* Only one (1) Primary Caregiver is permitted to operate within any Primary Caregiver Operation.
2. *Required spacing.* A Primary Caregiver Operation shall not be within one-thousand (1,000) feet from any school, church, house of worship or other religious facility, or public or private park, with the minimum distance between uses measured horizontally between the nearest points of each property line.
3. *Amount of Marihuana.* The amount of Marihuana on the property and under the control of the Primary Caregiver operating the Primary Caregiver Operation may be no more than twelve (12) Marihuana plants and no more than 2.5 ounces of usable Marihuana per Patient to whom the Primary Caregiver is lawfully connected, up to a maximum of five (5) patients, sixty (60) Marihuana plants and 12.5 ounces of Usable Marihuana per Caregiver. A Primary Caregiver who is also registered as a Patient may grow an additional 12 Marihuana plants and maintain 2.5 ounces of Usable Marihuana for himself. The Primary Caregiver operating the Primary Caregiver Operation must specify the name and address of the place where all portions exceeding the amount permitted by law shall be disposed.
4. *Storage of Marihuana.* All Marihuana must be contained within a separate enclosed, locked facility for each Patient to whom the Primary Caregiver is lawfully connected, in accordance with the MMMA, MCL 333.26421, et seq. The Primary Caregiver Operation shall have secure windows and doors and the Primary Caregiver shall implement security measures to prevent theft of stored Marihuana.
5. *Use of Marihuana.* Smoking or consumption of controlled substances, including Marihuana, shall be prohibited on the site of the Primary Caregiver Operation.
6. *Indoor Operation.* Distribution, growth or cultivation of Medical Marihuana, and all other related activity, must occur indoors. The Primary Caregiver Operation's operation and design shall minimize any impact to adjacent uses, including the control of any odor by maintaining and operating an air filtration system so that no odor is detectable outside the Primary Caregiver Operation.
7. *Unpermitted growing.* A Patient may not grow his or her own Marihuana at a Primary Caregiver Operation.
8. *Permits.* A Primary Caregiver Operation must obtain all necessary building, electrical, plumbing, and mechanical permits for any part of the structure in which electrical, wiring, lighting, or watering devices that support the cultivation, growing, or harvesting of Marihuana are located.
9. *Distribution of Marihuana.* No person operating a Primary Caregiver Operation shall provide or otherwise make available medical Marihuana to any person who is not a Patient legally connected to that Primary Caregiver.

Medical Marihuana draft ordinance

August 3, 2018

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10. *Inspections.* Primary Caregiver Facilities are subject to random and unannounced examinations of the Primary Caregiver Operation and all articles of property in that facility at any time to ensure compliance with this Ordinance, any other local regulations, and state law.

Section 7. Medical Marihuana Use and Cultivation by Patients. To the extent that it is otherwise lawful, the use and cultivation of Medical Marihuana by a Patient is permitted only in the Patient's personal residence where the Patient resides, subject to the standards set forth in this section, and compliance with the MMMA, rules promulgated by the State, and any other applicable local regulations or ordinances as amended from time to time.

1. *Restrictions on Medical Marihuana Patient.* A Patient may cultivate no more than twelve (12) marihuana plants in compliance with the MMMA in the Patient's own personal residence where that Patient resides.
2. *General Standards for Medical Marihuana Cultivated or Manufactured at Patient's Residence.*
 - a. *Secondary use.* Any activity or use related to Medical Marihuana use or cultivation under the Michigan Medical Marihuana Act and this Ordinance must be a clearly incidental and secondary use of the Patient's personal residence and shall not alter the exterior of the property or affect the residential character of the neighborhood. Interior alterations to the Patient's personal residence shall comply with all building codes and shall not alter the residential character of the Patient's personal residence.
 - b. *Amount of Marihuana.* The amount of Marihuana located at or on any Patient's personal residence shall not exceed twelve (12) Marihuana plants and 2.5 ounces of usable Marihuana for each Patient residing in the residence.
 - c. *Permits.* In accordance with the building code, all necessary building, electrical, plumbing, and mechanical permits must be obtained for any part of the structure altered for cultivation, growing, or harvesting of Marihuana, including changes to electrical wiring, lighting, plumbing, heating, cooling, ventilation or watering devices.
 - d. *Cultivating Marihuana.* The Patient's cultivation, production or possession of Marihuana plants shall not be perceptible from the exterior of the structure in which those activities occur. All cultivating and manufacturing of Marihuana must take place indoors in either the Patient's own personal residence or in an accessory secondary structure on the same property that meets the requirements of an enclosed, locked facility. If the area in the personal residence or secondary structure used for the cultivating or manufacturing of Marihuana has windows, no light may spill out and cause a distraction for adjacent residential properties during the hours of 8:00 p.m. to 8:00 a.m.

Section 8. Penalties and Consequences for Violation. In addition to any other penalties or legal consequences provided under applicable federal, state and local law, regulations, codes and ordinances:

1. Violations of the provisions of this Ordinance or failure to comply with any of the requirements of this Ordinance shall constitute a misdemeanor. Any person who violates this Ordinance or fails to comply with any of the requirements of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than \$500.00, or imprisoned for not more than 90 days, or both, and, in addition, shall pay all costs and expenses involved. Each day such violation continues shall be considered a separate offense.
2. Violations of the provisions of this Ordinance or failure to comply with any of the requirements of this Ordinance shall be subject to and found responsible for a municipal civil infraction. The forfeiture for any municipal civil infraction shall be five hundred dollars (\$500.00) plus court costs, attorney fees and abatement costs of each violation, together with all other remedies pursuant to MCL 600.8701, et seq. Each day a violation continues shall be deemed a separate municipal civil infraction.
3. The owner of record or tenant of any building, structure or premises, or part thereof, and any architect, builder, contractor, agent or person who commits, participates in, assists in or maintains such violation may each be found guilty or responsible of a separate offense and suffer the penalties and forfeitures provided in subsections (1) and (2) of this section, except as excluded from responsibility by state law.
4. In addition to any other remedies, the Township may institute proceedings for injunction, mandamus, abatement or other appropriate remedies to prevent, enjoin, abate or remove any violations of this Ordinance. The rights and remedies provided herein are both civil and criminal in nature. The imposition of any fine, jail sentence or forfeiture shall not exempt the violator from compliance with the provisions of this Ordinance.

**SAMPLE ORDINANCE
COMMERCIAL MEDICAL MARIHUANA FACILITIES OVERLAY DISTRICT
CHARTER TOWNSHIP OF MERIDIAN**

**Chapter 86: Zoning
Article I: In General
Section 86-2: Definitions**

1. “Commercial Medical Marihuana Facility” or “Facility” means one of the following:
 - a. “Provisioning Center,” as that term is defined in the Medical Marihuana Facilities Licensing Act, Public Act 281 of 2016 (“MMFLA”);
 - b. “Processor,” as that term is defined in the MMFLA;
 - c. “Secure Transporter,” as that term in the MMFLA;
 - d. “Grower,” including Class A, Class B and Class C, as those terms are defined in the MMFLA;
 - e. “Safety Compliance Facility,” as that term is defined in the MMFLA.
2. “Marihuana” means that term as defined in Section 7106 of the Michigan Public Health Code, 1978 PA 368, MCL 333.7106.
3. “Medical Marihuana” means that term as defined in MCL 333.26423.
4. “Patient” means a “registered qualifying patient” or a “visiting qualifying patient” as those terms are defined by MCL 333.26421, et seq.
5. “Permit” means a current and valid permit for a Commercial Medical Marihuana Facility issued under the Charter Township of Meridian Ordinance Authorizing and Permitting Commercial Medical Marihuana Facilities, Charter Township of Meridian Ordinance No. ____, which shall be granted to a Permit Holder only for and limited to a specific Permitted Premises and a specific Permitted Property. Said Permit shall be in addition to the Special Use Permit required to be obtained under this Zoning Ordinance.
6. “Person” means a natural person, company, partnership, profit or non-profit corporation, limited liability company, or any joint venture for a common purpose.
7. “Primary Caregiver” means a Person qualified under MCL 333.26423(g), and the rules promulgated therefore by the Department of Community Health, R 333.101 et seq., including, but not limited to possession of a valid, unexpired registry identification card, to assist with a Patient's medical use of Marihuana, and authorized under the Michigan Medical Marihuana Act (“MMMA”) to operate as a Primary Caregiver.

Medical Marihuana draft ordinance

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Page 2

8. "Primary Caregiver Operation" means a location where a Primary Caregiver can lawfully operate as permitted by the MMMA and this Ordinance. A Primary Caregiver Operation is not a Commercial Medical Marihuana Facility.

Chapter 86: Zoning

Article IV: District Regulations

Division 4: Other Districts

Section 86-445 Commercial Medical Marihuana Facilities Overlay District

(a) Applicability. The Commercial Medical Marihuana Facilities overlay district shall apply to all lots within the areas shown on Map (s) _____. All lots included in the overlay district shall be subject to the terms and conditions imposed in this section, in addition to the terms and conditions imposed by the zoning district where such lots may be located, any other applicable ordinance and the requirements of Section (Ordinance Authorizing and Permitting Commercial Medical Marihuana Facilities).

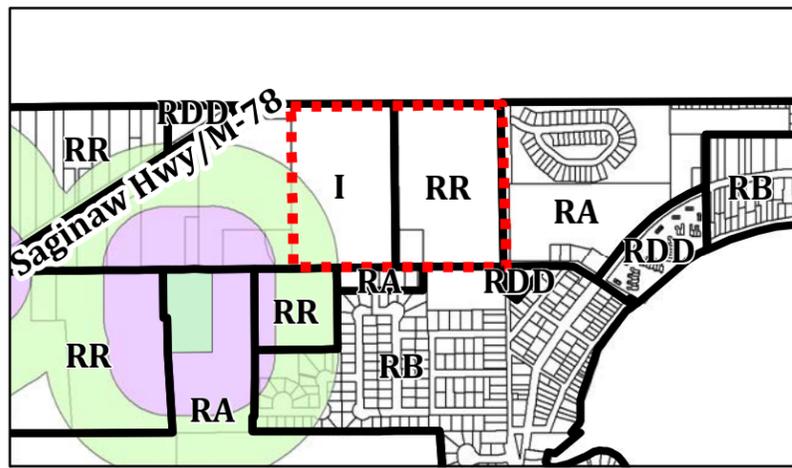
(b) Uses permitted by right. All uses permitted by right in the underlying zoning districts.

(c) Uses permitted by special use permit. All uses permitted by special use permit in the underlying zoning district and all types of Commercial Medical Marihuana Facilities subject to the number of available Permits allowed per Section (Ordinance Authorizing and Permitting Commercial Medical Marihuana Facilities).

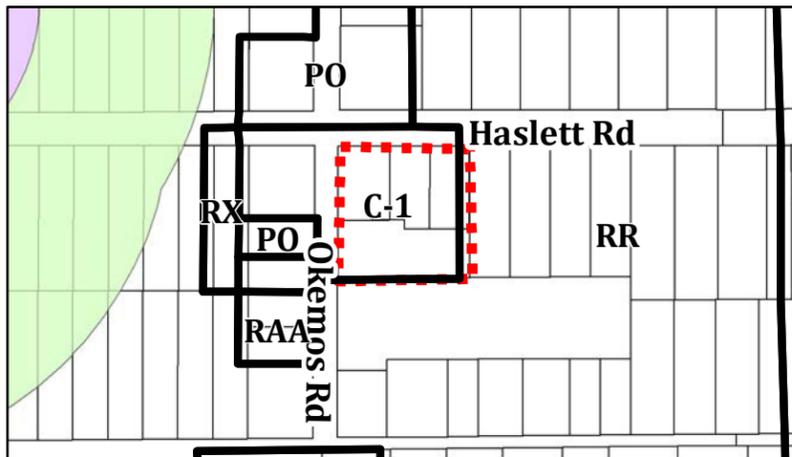
(d) Uses not permitted. Any use not permitted in the underlying zoning district is not permitted in the Commercial Medical Marihuana Facilities overlay district.

(e) Application, Review Process and Issuance.

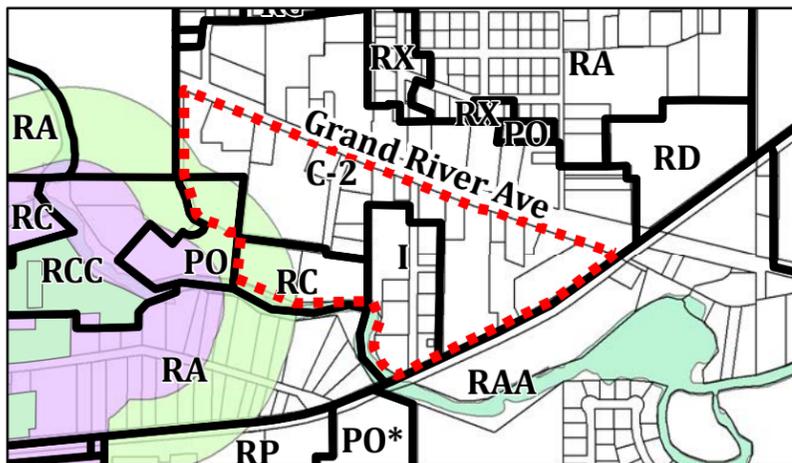
- (1) The procedures and requirements for obtaining a special use permit shall be the same as set forth in Division 4 Special Use Permits.
- (2) A special use permit for a Commercial Medical Marihuana Facility shall also meet all requirements set forth in (Ordinance Authorizing and Permitting Commercial Medical Marihuana Facilities).



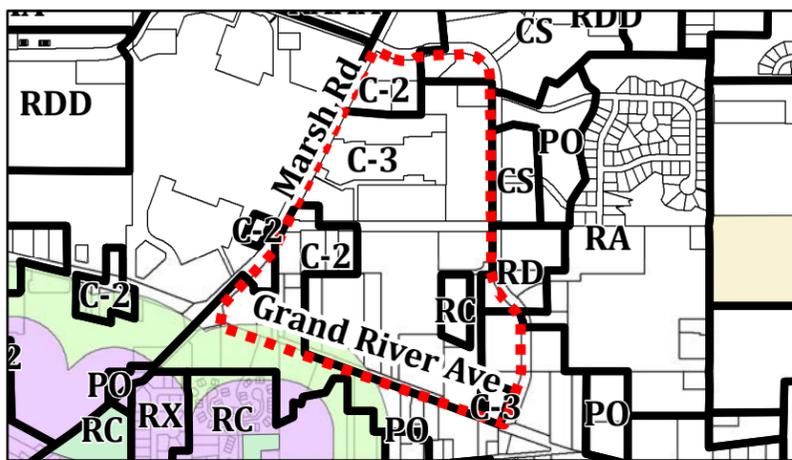
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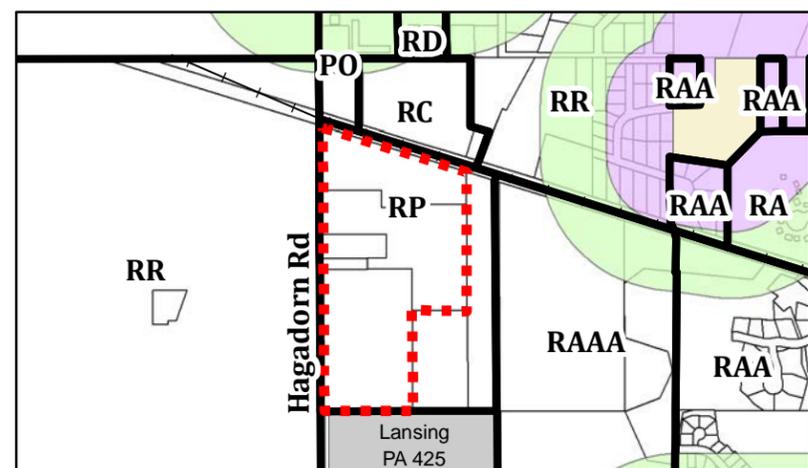
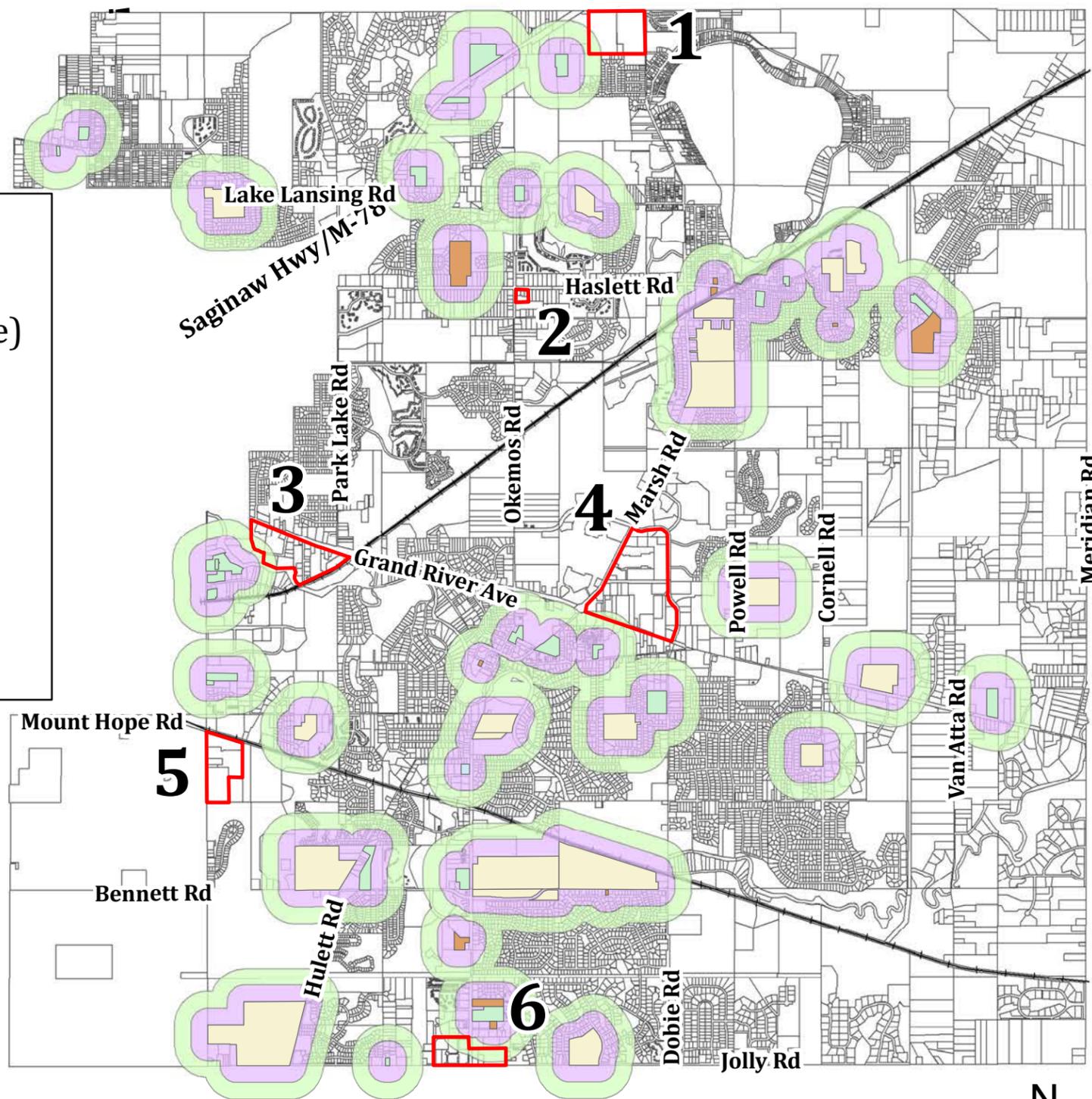
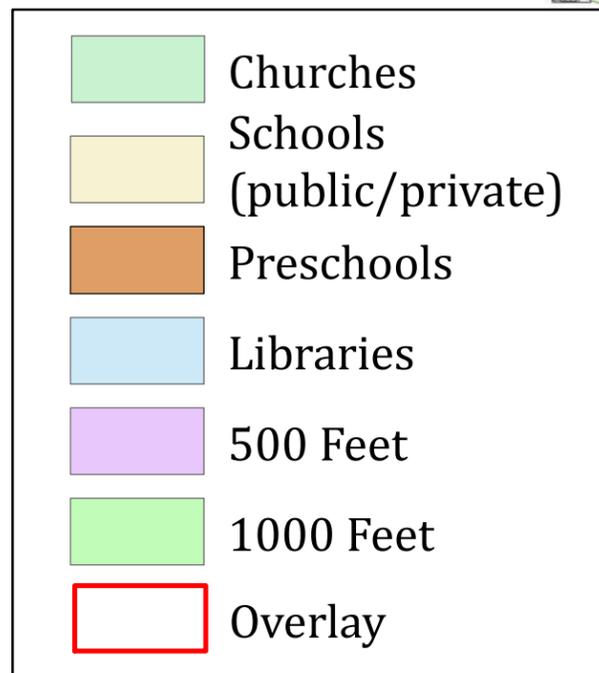
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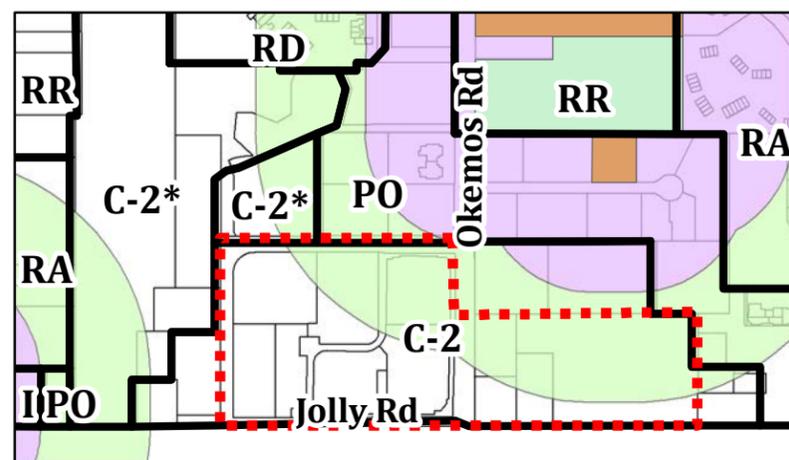
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Prepared:
8/31/2018





11.B/13.B

To: Township Board

From: Mark Kieselbach, Director of Community Planning and Development
Peter Menser, Principal Planner

Date: August 29, 2018

Re: Summer Park Realty (Walnut Hills) Consent Judgment

At its meeting on May 2, 2017 the Township Board voted to deny the rezoning of 157 acres at 2847 Lake Lansing Road (Walnut Hills) from RR (Rural Residential) to RAA (Single Family-Low Density). Following the denial of the rezoning a lawsuit was filed by the property owner in Circuit Court (*Summer Park Realty v Meridian Township*, Case No. 17-000643-CZ). Prior to allowing any other proceedings, the judge ordered both parties to go through mediation in an effort to settle the lawsuit. Mediation is a process in which the parties discuss their disputes with the assistance of a trained and impartial mediator, who assists them in reaching a settlement. In this case, the mediator selected was Scott S. Brinkmeyer from the Grand Rapids law firm Mika Meyers.

For the last eight months the Township and property owner, with legal representatives for both parties, have met in a several mediation sessions. The Township's goal in mediation was to attempt to limit the number of homes, increase the setbacks from existing residential properties, and maintain more than 50% of the property (excluding wetlands) as open space. As a result of the discussions, the property owner and the Township's representatives have presented a development plan for the 190-acre property, including a proposed consent judgment and conceptual site plan, which establishes the general layout of residential development on the property in a manner consistent with a Planned Unit Development (PUD) and associated terms and conditions for the project. The consent judgment and conceptual site plan include the following provisions, among others:

- Maximum of 311 single family residential dwelling units on the property (gross density of 1.64 units per acre). The 2005 Master Plan (in place when the lawsuit was filed) allows 1.25 to 3.5 dwelling units per acre.
- No more than 52 of the residential units may be detached single-family condominiums.
- Enhanced buffer areas around the perimeter of the property, including a 150-foot buffer along the west property line, 100-foot buffer along the east property line, 50-foot buffers from the Lake Lansing Road and Park Lake Road rights-of-way, and a 280-foot buffer between the detached condominium unit yards and the Lake Lansing Road right-of-way.
- Total open space (excluding wetlands) will be approximately 93.5 acres (54% of property).
- Lots must have between 50-80 feet of frontage and at least 120 feet of depth.

**Summer Park Realty (Walnut Hills) Consent Judgment
Township Board (September 4, 2018)
Page 2**

- Lots must have at least 20-foot front yard setbacks, five-foot side yard setbacks (7.5 feet for lots with 80 feet of lot frontage), and 25-foot rear yard setbacks.
- Minimum floor area of 1,200 square feet for all one-story residential units, 1,400 square feet for all Cape Code style units, and 1,600 square feet for all two-story units.
- Demolition of the existing clubhouse, pool, and parking lot, as well as dilapidated old house adjacent to Lake Lansing Road.

The conceptual site plan is generally consistent with the Township's planned unit development (PUD) ordinance (Section 86-439 of the Code of Ordinances). The PUD ordinance allows a developer to propose a residential project with diverse housing types and different lot dimensions and yard setbacks than those prescribed in the underlying zoning district. Lot size, yards, frontage requirements, setbacks, building height, and type and size of dwelling unit restrictions are generally waived in a PUD. In exchange for the flexible standards, a minimum of 50% of the project area, excluding wetlands and floodplains, must be preserved as open space. Approval of the consent judgment would allow the property owner to develop a project in accordance with the conceptual site plan and terms and conditions established in the consent judgment.

In comparison to the consent judgment's maximum of 311 units on the property, the zoning in place prior to the lawsuit would have allowed as many as 262 single-family residential units. If the entire property was rezoned to RAA, as requested in the lawsuit, the property owner may have been able to develop up to 427 units. The proposed consent judgment minimizes the number of homes on the property, while also preserving open space and establishing enhanced buffers from adjacent residential neighborhoods.

If the consent judgment is approved by the Township Board, the property owner will be required to submit for Site Plan Review before work on the development can begin. Site Plan Review is a detailed staff-level analysis of the project which includes reviews of storm water, utilities, landscaping, grading, and other issues to ensure compliance with all applicable ordinances as well as confirmation of approvals from local agencies such as the Ingham County Drain Commissioner's Office and Road Department.

Attachments

1. Consent judgment dated August 13, 2018.
2. Conceptual site plan dated August 13, 2018.

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STATE OF MICHIGAN

IN THE CIRCUIT COURT OF THE COUNTY OF INGHAM

SUMMER PARK REALTY, LLC, a Michigan
limited liability company,

Plaintiff,

vs.

CHARTER TOWNSHIP OF MERIDIAN, a
Michigan municipal corporation,

Defendant.

Case No. 17-000643-CZ

Hon. James S. Jamo

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CONSENT JUDGMENT

At a session of said Court held in the City of Lansing, County of
Ingham, State of Michigan on _____, 2018

PRESENT: Honorable James S. Jamo, Circuit Court Judge

The parties to this Consent Judgment, after court-ordered facilitation with Scott Brinkmeyer serving as the Facilitator, agree to settle this dispute by this Consent Judgment, which incorporates all the attached exhibits. The parties represent that all requirements necessary for them to be bound by this Consent Judgment have been met. The Court has reviewed this Consent

Judgment and finds that its terms are fair, just, reasonable, and in the public interest, and that it has been entered in good faith by the parties.

THE COURT HEREBY FINDS, ORDERS AND ADJUDGES THAT:

1. The following findings are made by the Court:

(a) Plaintiff Summer Park Realty, LLC (“Plaintiff”) is a Michigan limited liability company doing business in Michigan.

(b) Defendant Charter Township of Meridian (the “Township”) is a Michigan charter township organized under Michigan law.

(c) This matter involves approximately 190 acres of land located along Lake Lansing Road and Park Lake Road in the Township, more particularly described in attached **Exhibit A** (the “Property”).

(d) 157 acres of the Property are currently zoned RR (One-Family/Rural Residential) and the remaining 33 acres of the Property are currently zoned RAA (One-Family/Low Density Residential) under the Township Zoning Ordinance. Most of the Property has been developed and used as a golf course for many years. The Property is designated as R-2 residential under the Township 2017 Master Plan, indicating residential development at a density in the range of 0.5 to 3.5 dwelling units per acre.

(e) In October 2016, Plaintiff applied to rezone the portion of the Property zoned RR to the RAA zoning classification to develop a residential development. If the RR portion of the Property were rezoned to the RAA zoning classification, Plaintiff may have been able to develop more residential units on the Property than would have been permitted under the Property’s current zoning classifications.

(f) At a public meeting held on March 27, 2017, the Township Planning Commission approved a resolution recommending denial of the rezoning, identifying concerns and issues that the Planning Commission had with the proposed rezoning.

(g) On May 2, 2017, the Township Board adopted a motion concurring with the Planning Commission's recommendation and denying the proposed rezoning.

(h) Plaintiff filed a Complaint on August 31, 2017, challenging the Township's rezoning denial; the Township filed an Answer denying any liability.

(i) On October 25, 2017, the Court directed the parties to participate in facilitation. Scott Brinkmeyer was selected to serve as the Facilitator. Facilitation sessions were held over several months, leading to the agreements in this Consent Judgment. The Facilitator has advised the parties that the settlement in this Consent Judgment is reasonable under the facts and circumstances presented.

(j) The parties agree that, notwithstanding the current zoning of the Property, the Property may be used and developed as provided in this Consent Judgment.

2. **Approval of Residential Development.** Subject to the conditions and terms of this Consent Judgment, including the subsequent Township approvals and additional agency approvals listed in this Consent Judgment, Plaintiff's use, development, construction and operation of the Property for a residential development (the "Residential Development" or "Development") shall be permitted as depicted on the Conceptual Plan prepared by Allen Design, dated May 15, 2018 (the "Conceptual Plan") and attached as **Exhibit B**.

3. **Features of the Residential Development.** The Residential Development shall satisfy the following requirements and features:

(a) Each residential unit in the Development shall be a detached single-family residential unit. The maximum number of residential units in the Development shall not exceed 311. The Development may include no more than 52 detached condominium units (the “Detached Condominium Units”), with the balance being single-family units located on individual lots (the “Single-Family Units”). To provide variety in housing, the Single-Family Units shall be on lots ranging from 55’ in lot width to 80’ in lot width. All residential lots shall have a minimum lot depth of 120’.

(b) The minimum building setbacks (rear, front and side-yard) applicable to the Single-Family Units for each lot and for the Detached Condominium Units shall be as shown in the Conceptual Plan.

(c) Entrance landscaping and features shall be provided as shown on the Conceptual Plan, except that there shall be no landscaped islands in the road entries to the Development, unless permitted by the Ingham County Road Department (“Road Department”).

(d) Open spaces and natural areas, including preserved wetlands, shall be provided as shown on the Conceptual Plan and described further below, and as may be determined by any required Wetland Permits, which permits have not been granted at the time of this Consent Judgment.

(e) The square footage of the Single-Family Units shall be a minimum of 1200 square feet for a one-story residence, 1400 square feet for a cape cod style residence and 1600 square feet for two-story residences. The square footage of the Detached Condominium Units shall be a minimum of 1200 square feet.

(f) Each Detached Condominium Unit shall have a two-car attached garage.

(g) The existing clubhouse, pool facility and associated parking lot on the Property shall be removed and demolished as part of the first phase of the Development.

(h) The existing residential structure near Lake Lansing Road shall be removed and demolished as part of the first phase of the Development.

(i) Recreational amenities in addition to the walking trails and pathways described below, including pocket parks, play structures and benches shall be included as part of the Residential Development and shall be depicted and described in the Final Site Plan, subject to approval by the Township. The Final Site Plan may include a new clubhouse, but a clubhouse is not a required amenity for the Development.

(j) Enhanced vegetated buffer areas along the perimeter of the Development to neighboring residential properties shall be as depicted on the Conceptual Plan, with minor variations permitted for grading, utilities, engineering, and final design. In particular: the buffer between the rear lot lines of the Single-Family Units and the western boundary of the Property line shall be at least 150'; the buffer between the rear yards of the Detached Condominium Units and the east Property line shall be at least 100'; the setbacks from the rear lot lines of the Single-Family Units and the rights-of-way for Lake Lansing Road and Park Lake Road shall be at least 50'; the setback from the Lake Lansing Road right-of-way to the rear or side yards of the Detached Condominium Units shall be at least 280'. As shown on the Conceptual Plan, the enhanced buffer areas will contain portions of preserved wetland areas and detention ponds.

(k) Street lighting will be provided at street intersections, which shall be LED lights and conform to the requirements of the Township Lighting Ordinance.

4. **Preservation of Natural Features and Open Space**. The total amount of open space, excluding wetlands, shall be approximately 93.5 acres or approximately 54% of the

Property as shown on the Conceptual Plan. In addition, at least 14.5 acres of wetland areas shall be preserved throughout the Development, with the final amounts and locations to be determined by any required Wetland Permits, which permits have not been granted at the time of this Consent Judgment.

5. **Pathways.** Plaintiff shall: (a) install at its expense a 5' wide network of walking paths (which may be constructed from decomposed rolled limestone, asphalt or such other material mutually agreed up by the parties) through the open spaces of the Development as depicted on the Conceptual Plan, and which shall include an access point to the Land Preservation Program land owned by the Township at the northwestern boundary of the Property; and (b) install at its expense 5' wide concrete sidewalks along both sides of all roads within the Development as depicted on the Plan.

6. **Road Improvements.** The internal roads within the Residential Development may be private or public at the discretion of Plaintiff but shall be asphalt with concrete curb and gutter and constructed to Road Department construction and engineering standards. In addition, the Road Department may, but is not obligated to: (a) require Plaintiff to prepare an additional traffic study, which will show the distribution of vehicles in the Development that would use the Lake Lansing Road entrance compared to the Park Lake Road entrance; (b) limit parking to one side along the internal roads in the Development as posted to permit adequate ingress and egress along the roads; (c) require Plaintiff to locate an additional road access stub to the north edge of the Development; (d) require Plaintiff to install temporary road end turnarounds as part of any phases of the Development; (e) require Plaintiff to install right turn lanes along Park Lake Road and Lake Lansing Road; (f) restrict the installation of traffic islands at the Lake Lansing Road and Park Lake Road entrances to the Development; (g) require Plaintiff to install paved shoulders along the

Property's frontage on Park Lake Road and Lake Lansing Road; and (h) require Plaintiff to provide the Road Department up to 30' of additional road right-of-way along Lake Lansing Road and Park Lake Road. The approved setbacks, open space calculations and other development parameters described above and in the Exhibits hereto, however, are based upon the rights of way as shown on Exhibit B. Plaintiff shall also install a paved shoulder along the Park Lake Road frontage of the Property and upgrade the pathway along the Property's Lake Lansing Road frontage for ADA compliance, in accordance with the Township's Pedestrian Bicycle Pathway Master Plan.

7. **Utilities and Drainage.** The Residential Development shall be served by public sewer and water. Plaintiff shall be responsible for paying all costs necessary to extend water and sewer services to the Development. The Township will reserve sufficient sewer and water capacity needed to serve up to 311 residential units and a clubhouse (if included on the final site plan) and related amenities for a period not to exceed three (3) years after issuance of a construction permit for the first phase of the Development. The Ingham County Drain Commissioner may, but is not obligated to: (a) verify whether any additional drain easements are necessary and require Plaintiff to provide such easements; (b) require Plaintiff to pretreat stormwater prior to entering any detention areas; (c) require Plaintiff to provide detention areas designed for a 100-year flood and located outside of any wetland areas; (d) require Plaintiff to provide detailed engineering plans; and (e) require Plaintiff to include the use of some bio-swales and raingardens as part of the Development's overall stormwater management plans.

8. **PUD Approval.** The parties intend that this Consent Judgment shall constitute the Township Board's approval of the Development as a Planned Unit Development ("PUD") under Section 86-439(e)(4) and (f)(5) of the Township Zoning Ordinance. Plaintiff agrees to pursue further site plan review and engineering approvals for the Development as required by the Zoning

Ordinance and other applicable ordinances, laws and regulations. Except as revised by the terms in this Consent Judgment and Exhibits hereto, the final site plan and other permits and approvals required to construct the Residential Development authorized by this Consent Judgment shall be governed by the terms of the Zoning Ordinance and other ordinances, laws and regulations in effect at the time of such approvals. In acting upon applications for such permits and approvals, including the final site plan, the Township shall not unreasonably delay review and action on the applications.

9. **Condominium Provisions and Phasing**. Plaintiff may develop the Residential Development as one or more condominium Developments pursuant to the Michigan Condominium Act, MCL 559.101 *et seq.* In connection with final site plan review described in paragraph 8 above and in the Township Zoning Ordinance, Plaintiff shall submit the condominium master deed and bylaws (the “Condominium Documents”) to the Township Attorney for review and approval, which approval shall not be unreasonably withheld or delayed. The Condominium Documents shall be approved if they are consistent with the final site plan and the terms of this Consent Judgment and other applicable ordinances, laws and regulations, provided that the terms of this Consent Judgment and attached exhibits shall control in the event of any conflict with the Township Ordinances. The Residential Development may be developed in any number of phases as approved in the final site plan and, site improvements, such as roads and utility construction, may also be constructed in phases as approved in the final site plan. The final site plan shall establish the scope of improvements that would be required to be constructed in connection with each phase, so that such phase shall be capable of standing alone if the construction and development of subsequent phases are delayed.

10. **Government Approvals.** Nothing in this Consent Judgment shall be construed to relieve Plaintiff of the duties imposed by applicable laws, ordinances and regulations to obtain other applicable governmental or regulatory approvals and permits for the proposed Residential Development, including without limitation the permits and approvals required from the County Road Department, County Drain Commissioner and Michigan Department of Environmental Quality.

11. **Cooperation.** The parties, their agents, representatives, and employees shall cooperate in good faith with each other and their respective agents, successors, and assigns, in order to carry out the development contemplated in this Judgment, including, but not limited to, cooperating or assisting in Plaintiff's efforts to obtain any necessary approvals from other governmental or regulatory entities, such as permits, licenses, or other approvals, as necessary or convenient for the development and use of the Property, in accordance with the terms and conditions of this Consent Judgment. If either party must seek judicial assistance to enforce the terms of this Consent Judgment, the prevailing party shall be entitled to recover its reasonable costs and attorneys' fees incurred in pursuing and/or defending against such action.

12. **Conflicting Provisions.** The uses and structures permitted by this Consent Judgment shall be deemed conforming uses and structures. To the extent that any specific terms or provisions in this Consent Judgment and/or any exhibits hereto, including the Conceptual Plan, are inconsistent with any of the provisions or requirements of the Township's Zoning Ordinance, wetlands ordinance, storm water management ordinance, or other codes, ordinances, regulations, or procedures of the Township in effect at the time of further application or development, the terms of this Consent Judgment and Conceptual Plan control. To the extent the Consent Judgment is silent on issues regulated by Township ordinances or regulations, then the Township ordinances

and regulations shall control. Subsequent enactments to, modifications of, or amendments to the Township's Zoning Ordinance, condominium ordinance, subdivision control ordinance, and/or related regulations of the Township shall apply to the Development to the extent they are not inconsistent with or do not vary the terms of this Consent Judgment.

13. **Modifications to Conceptual Plan**. Modifications to the Conceptual Plan may be approved by the Township without a requirement for Court approval or amendment of the Consent Judgment in the following instances:

a) Where such modifications are required or requested by other reviewing governmental agencies having jurisdiction over the Residential Development or any portion thereof; and/or

b) Where such modifications are reasonably required because of Final Site Plan, final engineering and/or design considerations, including grading, as confirmed by the Township's professional engineers or other appropriate Township consultants; and/or

c) Where such modifications are made to address design, marketing or other conditions, including changes to the lot widths and mix of lot widths depicted on the Conceptual Plan for the Single-Family Units, provided that:

i. Although such modifications may decrease the total number of residential units or the total number of Detached Condominium Units permitted on the Property, no such modification shall increase the total number of 311 residential units permitted on the Property or the total number of 52 Detached Condominium Units and no Single-Family Unit shall have less than 55' in lot width. At Plaintiff's discretion, and subject to Township staff review and approval of an amended site plan reflecting the change, Plaintiff may convert the area devoted to the Detached Condominium Units to additional Single-Family Units which units shall meet the

minimum lot width of 55' and the other setback requirements set forth in this Consent Judgment for the Single-Family Units;

ii. No such modification shall reduce the amount of open space, Development amenities or perimeter buffers required by this Consent Judgment; and

iii. No such modification shall reduce the minimum setbacks.

Any of the above modifications shall be initiated by application to the Township for review and approval in accordance with the standards, requirements and procedures of the Township Zoning Ordinance and other applicable laws, regulations and ordinances then in effect, and such review and approval shall not be unreasonably withheld or delayed.

14. **Release of Claims and Dismissal of Lawsuit.** Subject to the terms and provisions of this Consent Judgment, all the claims and causes of action alleged by Plaintiff in the Complaint or which could have been alleged by Plaintiff or its successors or assigns or any other person or entity having an ownership interest in the Property, against the Township or any Township employee, officer, or other official, including without limitation all claims for money damages relief, shall be and are hereby merged into this Consent Judgment and are dismissed with prejudice and without costs or attorney fees to any party.

15. **Continuing Compliance Certificates.** From time to time, upon fifteen (15) days' written request, the Township shall furnish to Plaintiff, its lender(s), and/or any other party requested by Plaintiff, a written certification executed by an authorized representative of the Township, confirming, as of the date of the request for the certification, that: (a) this Consent Judgment is in full force and effect; and (b) to the Township's actual knowledge as of the date of the written request, Plaintiff is in full compliance with the terms of this Consent Judgment (or, if

not, specifying any claimed defaults by Plaintiff under this Consent Judgment). Plaintiff reserves the right to dispute any claimed default.

16. **Successors and Assigns.** All the provisions of this Consent Judgment shall be binding upon and inure to the benefit of Plaintiff and the Township, and their respective heirs, successors, assigns, and transferees. Plaintiff may assign some or all its rights and obligations under this Consent Judgment, provided any such assignee(s) shall, by operation of this Consent Judgment, be bound by the terms of this Consent Judgment to the same extent as Plaintiff is bound. Unless the context or express language indicates otherwise, any reference in this Consent Judgment to the Township shall include any agent, employee, representative, and official of the Township; and any reference to Plaintiff shall include any owner, officer, agent, employee, representative, successor or assign of the Plaintiff.

17. **Recording.** This Consent Judgment shall be recorded with the Register of Deeds for the County of Ingham. This Consent Judgment shall be deemed to run with the land. Plaintiff shall pay the costs of recording the Consent Judgment.

18. **Amendment/Modification.** Except as stated in paragraph 13 above, this Consent Judgment may be amended or modified only by written agreement of the parties or their successors in interest, with the express approval of the Township Board, and approved and ordered by this Court.

19. **Time of the Essence.** All specific time periods set forth in this Consent Judgment are of the essence.

20. **Severability.** Each restriction and clause are intended to be severable and, if any restriction or clause is for any reason held void, it shall not affect the validity of the remainder of this Consent Judgment.

21. **Clerical Errors.** Any clerical errors or mistakes in document or exhibit descriptions contained in this Consent Judgment may be corrected by the parties, and both parties agree to cooperate in making such corrections to effectuate the spirit and intent of the parties in entering this Consent Judgment.

22. **Jurisdiction.** The Court shall retain jurisdiction of this matter to assure compliance with and enforcement of the terms and conditions of this Consent Judgment. The parties agree that the terms of this Consent Judgment may be specifically enforced through mandatory injunctive or other equitable relief.

23. **Closure of Case.** This Consent Judgment resolves the last pending claim and closes the case.

Dated: _____

James S. Jamo, Circuit Court Judge

Approved for entry as to form and substance:

DYKEMA GOSSETT PLLC

FAHEY SCHULTZ BURZYCH RHODES PLC

By: _____
Alan M. Greene (P31984)
Jennifer Boueri Chilson (P71176)
Attorneys for Plaintiff
39577 Woodward Avenue, Suite 300
Bloomfield Hills, MI 48304
(248) 203-0700

By: _____
William K. Fahey (P27745)
John S. Brennan (P55431)
Matthew A. Kuschel (P76679)
Attorneys for the Township
4151 Okemos Road
Okemos, MI 48864
(517) 381-0100

CHARTER TOWNSHIP OF MERIDIAN,
a Michigan municipal corporation

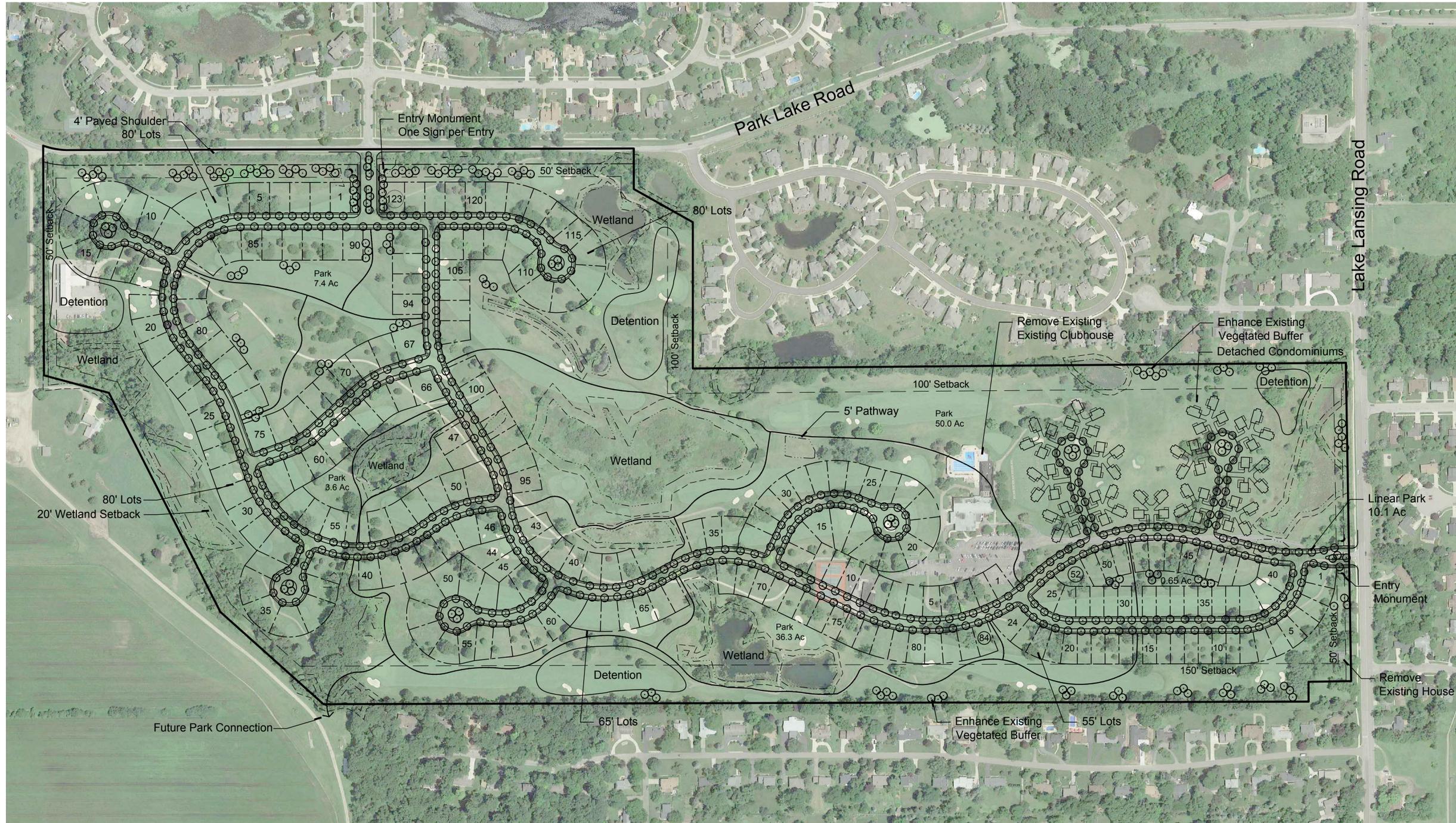
By: _____
Ronald J Styka
Its: Supervisor

By: _____
Brett Dreyfus
Its: Clerk

SUMMER PARK REALTY, LLC,
a Michigan limited liability company,

By: _____

Its: Manager



Seal: _____

Title: _____
Conceptual Plan

Project: _____
Walnut Hills CC
 Meridian Township, Michigan

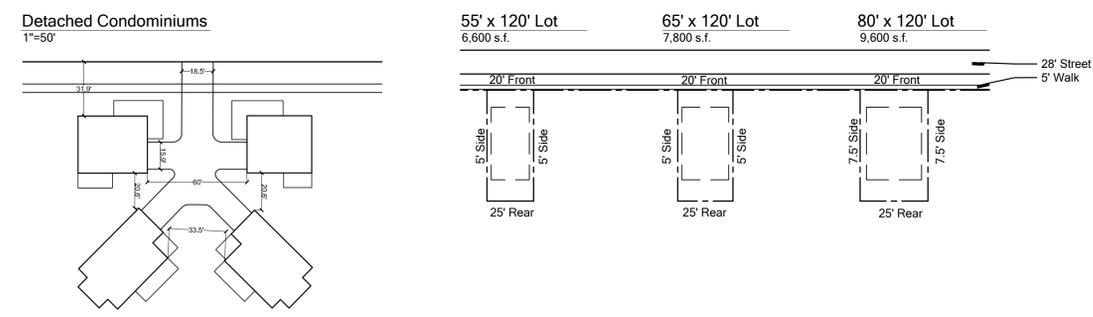
Prepared for: _____
 Summer Park Realty
 29800 Middlebelt Road, Suite 150
 Farmington Hills, Michigan 48334

Revision:	Issued:
Submission	January 17, 2017
Revised	February 5, 2018
Revised	February 6, 2018
Revised	February 8, 2018
Revised	February 15, 2018
Revised	April 27, 2018
Revised	May 15, 2018

Job Number: _____
 18-075

Drawn By: _____ Checked By: _____
 jca jca

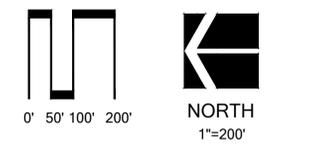
Typical Units



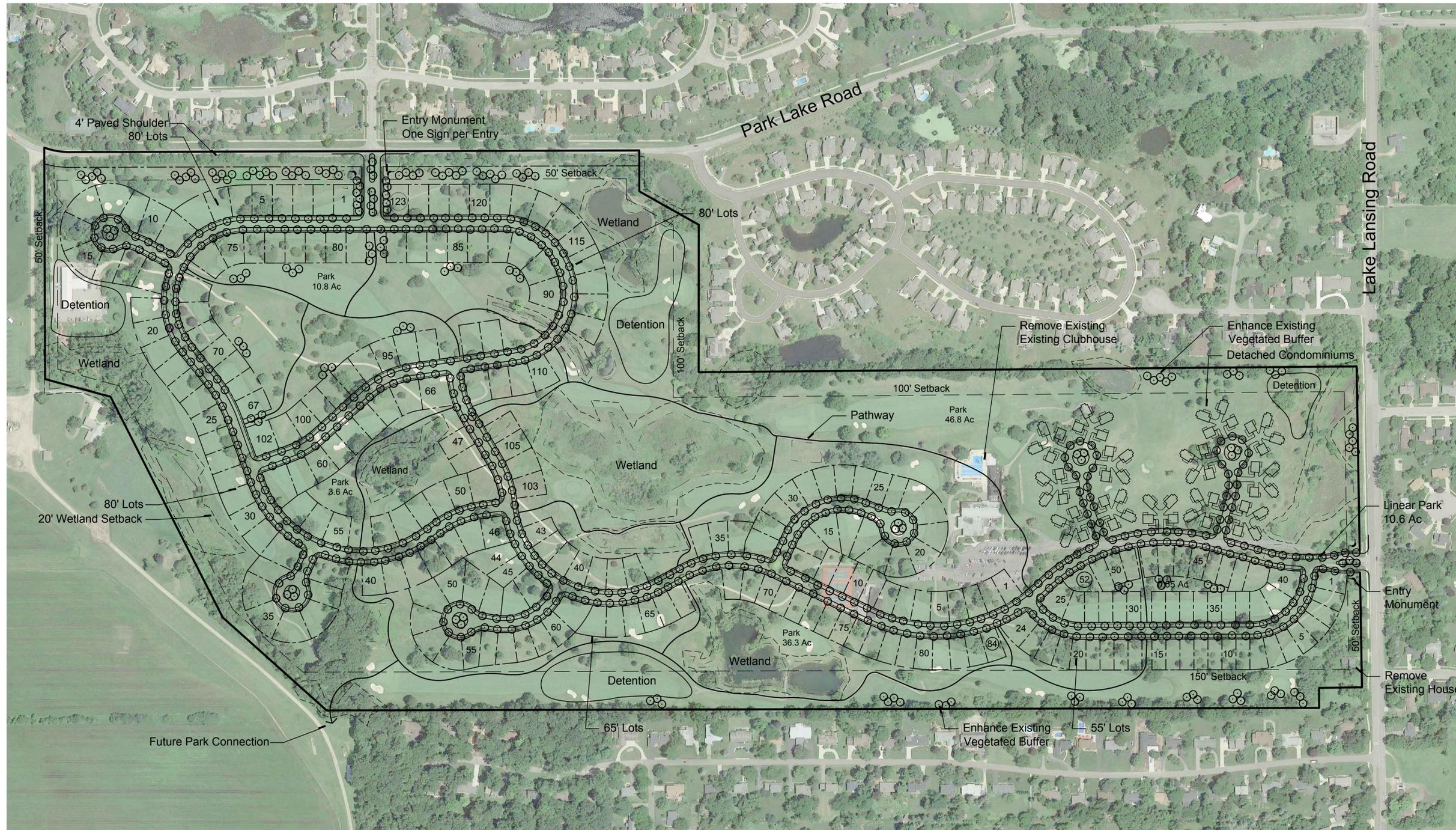
Site Summary

Gross Site Area	189.94 Acres
Less Perimeter ROW	3.21 Acres
Less Wetland	14.6 Acres
Net Site Area	172.13 Acres
Existing Zoning	RAA, RR
Open Space	
Open Space Req'd for Bonus	86.07 Acres (172.13 x 50%)
Non-Wetland Open Space	93.5 Ac (54.3%)
Unit Breakdown	
80' x 120'	123 Lots
65' x 120'	84 Lots
55' x 120'	52 Units
Detached Condominiums	52 Units
Total Units	311 Units
Density Shown	1.66 Units/Acre (311 / 186.73 Acres)

Note:
 Plan Scale was Developed from an Alta PDF. A Survey is Required.
 Lot Counts are Subject to Change as a Result.



Sheet No. _____



Seal: _____

Title: _____
Alternative Conceptual Plan

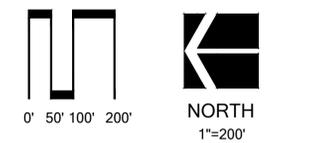
Project: _____
Walnut Hills CC
 Meridian Township, Michigan

Prepared for: _____
 Summer Park Realty
 29800 Middlebelt Road, Suite 150
 Farmington Hills, Michigan 48334

Revision: _____ Issued: _____
 Revised April 27, 2018
 Revised May 15, 2018

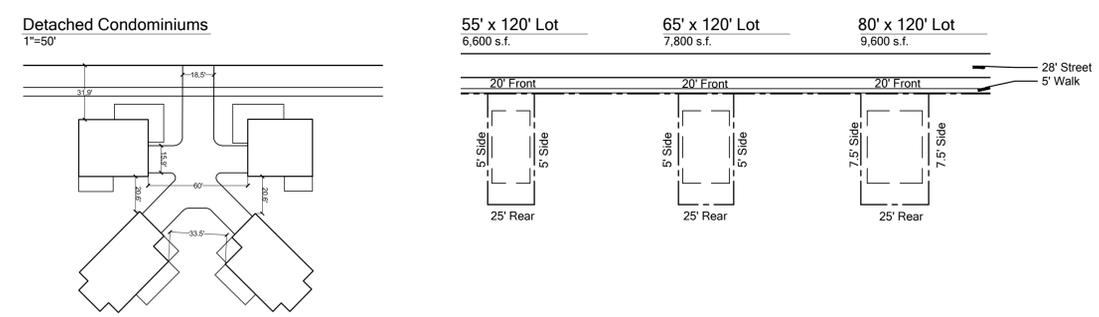
Job Number: _____
 15-075

Drawn By: _____ Checked By: _____
 jca jca



Sheet No. _____

Typical Units



Site Summary

Gross Site Area	189.94 Acres
Less Perimeter ROW	3.21 Acres
Less Wetland	14.6 Acres
Net Site Area	172.13 Acres
Existing Zoning	RAA, RR
Open Space	
Open Space Req'd for Bonus	86.07 Acres (172.13 x 50%)
Non-Wetland Open Space	94.2 Ac (54.7%)
Unit Breakdown	
80' x 120'	123 Lots
65' x 120'	84 Lots
55' x 120'	52 Lots
Detached Condominiums	52 Units
Total Units	311 Units
Density Shown	1.66 Units/Acre (311 / 186.73 Acres)

Note:
 Plan Scale was Developed from an Alta PDF. A Survey is Required.
 Lot Counts are Subject to Change as a Result.



Seal: _____

Title: _____
Site Inventory

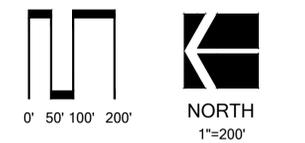
Project: _____
Walnut Hills CC
 Meridian Township, Michigan

Prepared for: _____
 Summer Park Realty
 29800 Middlebelt Road, Suite 150
 Farmington Hills, Michigan 48334

Revision: _____ Issued: _____
 Revised May 15, 2018

Job Number: _____
 15-075

Drawn By: _____ Checked By: _____
 jca jca



Sheet No. _____

Note:
 Wetlands Shown have been approved by FTC&H



Landscape Summary

Street Trees	
Trees Required for Lots	259 Trees (1 per lot)
Tree Provided	456 Trees
Condominium Street Frontage	2,536 l.f.
Trees Required for Condos	34 Trees (2,536 / 75')
Trees Provided	52 Trees
Cul-de-sac	
Trees Required	20 Trees (1 tree per 1,000 s.f.) x 7
Trees Provided	21 Trees

Note:
Plan Scale was Developed from an Alta PDF. A Survey is Required.
Lot Counts are Subject to Change as a Result.



Seal: _____

Title: _____

Conceptual Landscape Plan

Project: _____

Walnut Hills CC
Meridian Township, Michigan

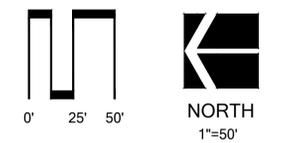
Prepared for: _____

Summer Park Realty
29800 Middlebelt Road, Suite 150
Farmington Hills, Michigan 48334

Revision: _____ Issued: _____
Revised May 15, 2018

Job Number: _____
15-075

Drawn By: _____ Checked By: _____
jca jca



Sheet No. _____



To: Township Board

From: Mark Kieselbach, Director of Community Planning and Development
Justin Quagliata, Assistant Planner

Date: August 29, 2018

Re: Rezoning #18080 (Giguere Homes), rezone approximately 7.36 acres located at 3760 Hulett Road from RR (Rural Residential) to RA (Single Family-Medium Density).

Giguere Homes has requested the rezoning of approximately 7.36 acres located at 3760 Hulett Road from RR (Rural Residential) to RA (Single Family-Medium Density). The site is located on the eastern end of a 17.91 acre parcel on the north side of Robins Way. Only the 7.36 acre portion of the property is proposed for rezoning to RA. The remainder of the property, approximately 10.55 acres, would remain in the RR zoning district.

The applicant was previously denied a request to rezone the property from RR to RAA (Single Family-Low Density) in 2018 (REZ #18010). The conditions offered as a part of that rezoning request mirror those offered in this proposal, with the exception being the limit on the number of lots, which was capped at 10 lots in the previous request (limited to a maximum of eight lots in the current request). Since the Planning Commission made its recommendation the applicant, in a letter dated August 20, 2018, offered an additional voluntary condition on the rezoning. The applicant also submitted a revised concept drawing dated August 21, 2018 (attached). The six conditions offered by the applicant, with the latest offered condition listed first, are as follows:

- Provision of a 20 foot buffer along the north side of the parcel, with the inclusion of a deed restriction on lots along the parcel's north property line that would require any trees within the 20 foot buffer with a trunk diameter greater than or equal to eight inches be preserved.
- Limiting development of the site to a maximum of eight lots.
- Providing a 50 foot wide natural preservation area along Robins Way.
- Establishing deed restrictions for the development that meet or exceed those of the existing Sanctuary development.
- Restricting construction hours to 8 a.m. to 6 p.m. Monday-Saturday.
- Installation of a temporary chain link gate at the entrance off Robins Way during the land development phase of construction.

**Rezoning #18080 (Giguere Homes)
Township Board (September 4, 2018)
Page 2**

The Planning Commission held the public hearing on the rezoning request at its July 9, 2018 meeting and voted 6-2 to recommend approval at the July 23, 2018 meeting, citing the following reasons for its decision:

- The subject site meets the minimum standard for lot area of the proposed RA (Single Family-Medium Density) zoning district.
- The subject site is located in close proximity to an existing RA (Single Family-Medium Density) zoning district to the north.
- In a letter dated June 12, 2018 the applicant offered voluntary conditions on the rezoning, including limiting development of the site to a maximum of eight lots, providing a 50 foot wide natural preservation area along Robins Way, establishing deed restrictions for the development that meet or exceed those of the existing Sanctuary development, restricting construction hours to 8 a.m. to 6 p.m. Monday-Saturday, and the installation of a temporary chain link gate at the entrance off Robins Way during the land development phase of construction.
- The proposed rezoning to RA (Single Family-Medium Density) is consistent with the 2017 Future Land Use Map designation of R2-Residential 0.5 3.5 dwelling units per acre.
- Public water and sanitary sewer services are available to serve the site.

Staff memorandums outlining the rezoning and minutes from the Planning Commission meetings at which the rezoning was discussed are attached for the Board's review.

Township Board Options

The Township Board may approve or deny the proposed rezoning from RR (Rural Residential) to RA (Single Family-Medium Density). If the Board amends the proposal, the request may be referred back to the Planning Commission for a recommendation. A resolution will be provided at a future meeting.

Attachments

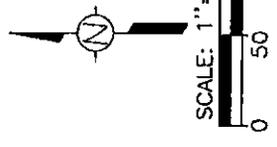
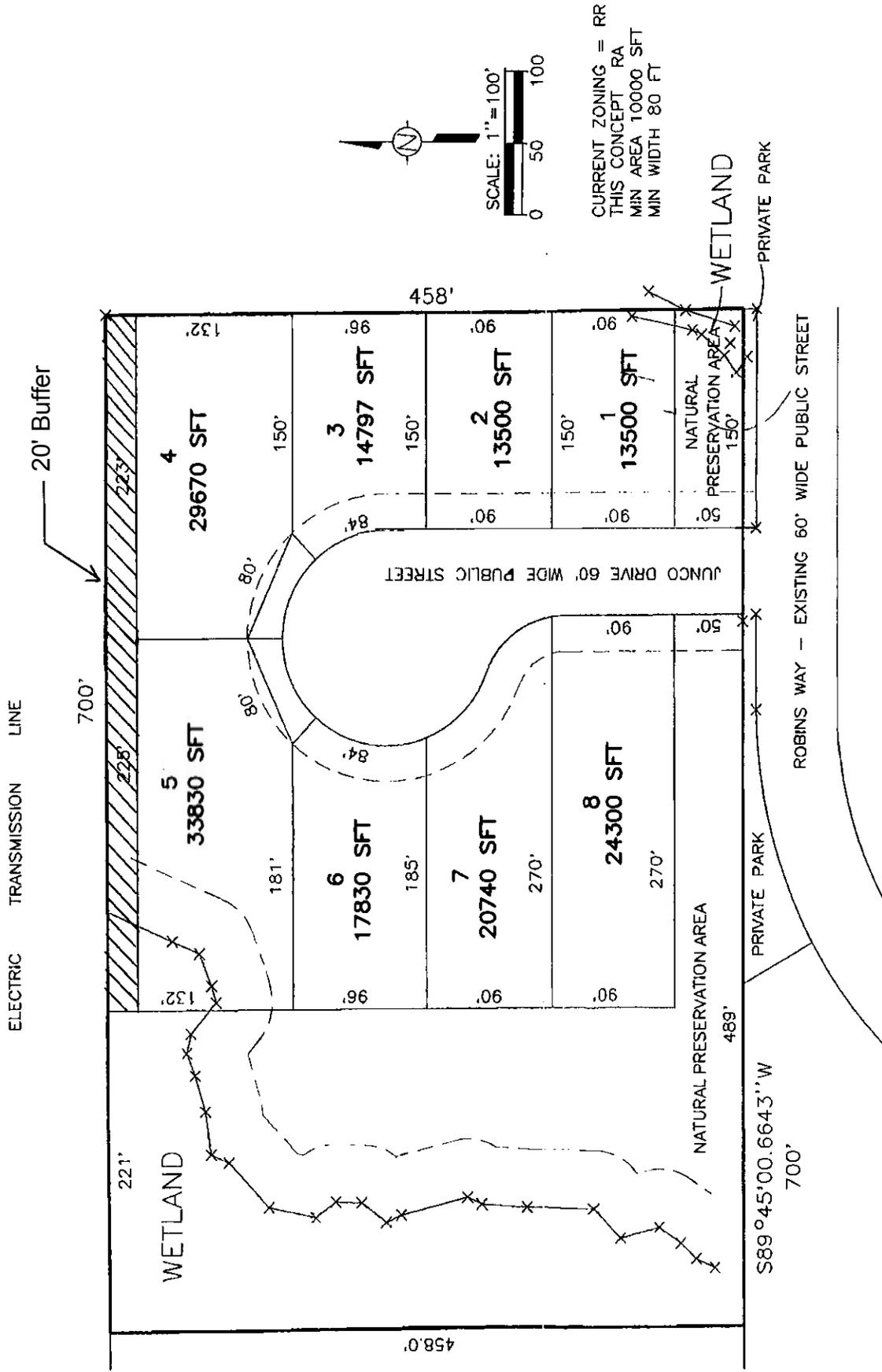
1. Revised concept drawing from Giguere Homes dated August 21, 2018, received by the Township on August 21, 2018.
2. Additional condition letter from Giguere Homes dated August 20, 2018, received by the Township on August 20, 2018.
3. Staff memorandums dated July 5, 2018 and July 19, 2018 with attachments.
4. Resolution recommending approval dated July 23, 2018.
5. Planning Commission minutes dated July 9, 2018 (public hearing) and July 23, 2018 (decision).
6. Communications.

G:\Community Planning & Development\Planning\REZONINGS (REZ)\2018\REZ 18080 (Giguere Homes)\REZ 18080.tb1.doc



Concept Drawing

Revised 8/21/18



CURRENT ZONING = RR
 THIS CONCEPT RA
 MIN AREA 10000 SFT
 MIN WIDTH 80 FT



Mr. Peter Menser
Meridian Charter Township
Community Planning and Development
5151 Marsh Rd
Okemos MI 48864

August 20, 2018

Re: Rezoning Application 18080

Mr. Menser,
Please add the following condition to those already included with our rezoning application:

-20' deep buffer included along North side of parcel (lots 4 & 6). Deed restriction will require that any trees within this 20' buffer with a trunk diameter of $\geq 8''$ be preserved by the homeowner.

Sincerely,

A handwritten signature in blue ink, appearing to read "Derek Lisabeth".

Derek Lisabeth
Giguere Homes



To: Planning Commission

From: Peter Menser, Principal Planner

Keith Chapman, Assistant Planner

Date: July 5, 2018

Re: Rezoning #18080 (Giguere Homes), rezone approximately 7.36 acres located at 3760 Hulett Road from RR (Rural Residential) to RA (Single Family-Medium Density).

Giguere Homes has requested the rezoning of approximately 7.36 acres located at 3760 Hulett Road from RR (Rural Residential) to RA (Single Family-Medium Density). The site is located on the eastern end of a 17.91 acre parcel on the north side of Robins Way. Only the 7.36 acre portion of the property is proposed for rezoning to RA. The remainder of the property, approximately 10.55 acres, would remain in the RR zoning district.

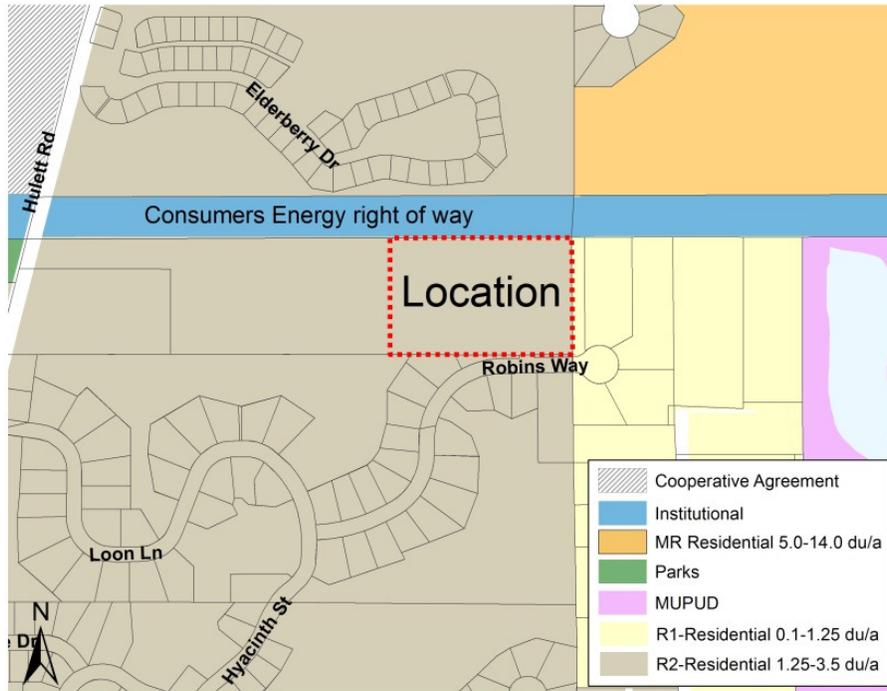
The subject site is located north of the Sanctuary subdivision (FP #04052), which was platted in 2004 and contains 48 single family lots. A Consumers Energy right-of-way is located north of the subject site.

The applicant submitted a letter offering to place five conditions on the rezoning, including limiting development of the site to a maximum of eight lots, providing a 50 foot wide natural preservation area along Robins Way, establishing deed restrictions for the development that meet or exceed those of the existing Sanctuary development, restricting construction hours to 8 a.m. to 6 p.m. Monday-Saturday, and the installation of a temporary chain link gate at the entrance off Robins Way during the land development phase of construction.

The applicant was previously denied a request to rezone the property from RR to RAA (Single Family-Low Density) in 2018 (REZ #18010). The conditions offered as a part of that rezoning request mirror those offered in this proposal, with the exception being the limit on the number of lots, which was capped at 10 lots in the previous request.

The Future Land Use Map from the 2017 Master Plan designates the subject property in the R2 Residential 0.5 – 3.5 dwelling units per acre category.

2017 FUTURE LAND USE MAP

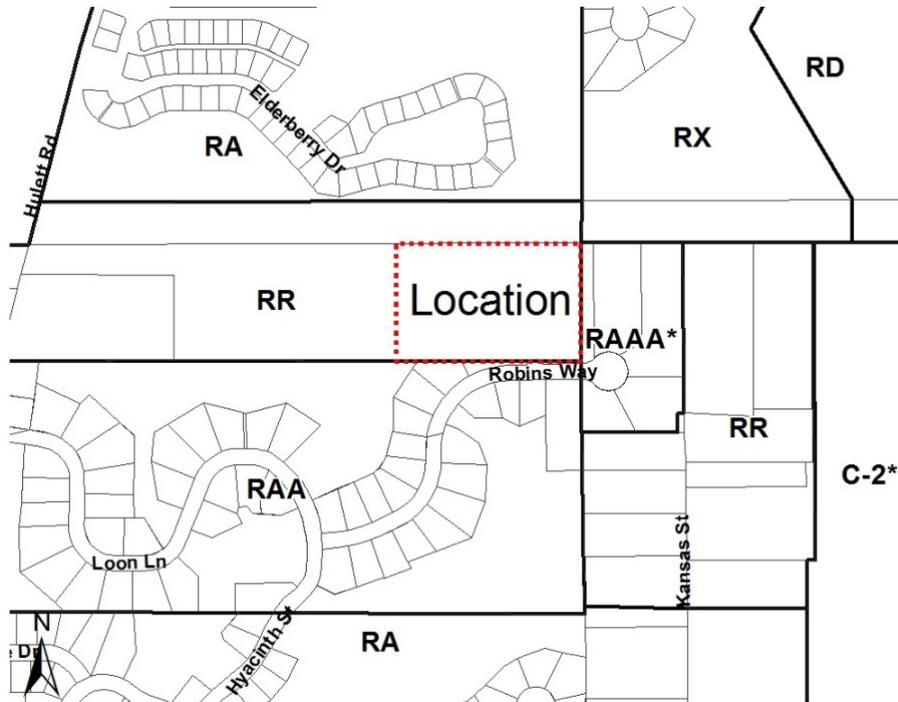


Zoning

The subject site is located in the RR (Rural Residential) zoning district, which requires a minimum of 200 feet of lot width and 40,000 square feet of lot area. The requested RA zoning district requires a minimum 80 feet of lot width and 10,000 square feet of lot area. A land division would be required to separate the portion of the property that is proposed for rezoning. The following table illustrates the lot width and lot area standards for the existing RR and proposed RA zoning districts:

ZONING DISTRICT	MINIMUM LOT AREA	MINIMUM LOT WIDTH
RR	40,000 sq. ft.	200 ft.
RA	10,000 sq. ft.	80 ft.

ZONING MAP



Physical Features

The site contains a 2,116 square foot, two-story single family residence built in 1984 near the western end of the parcel with access on Hulett Road. The topography of the site slopes from 876 feet above mean sea level in the center of the parcel to a low point of 864 feet above mean sea level near the western edge of the site. The Flood Insurance Rate Map (FIRM) for Meridian Township indicates the property is not located in a floodplain.

Wetlands

The Township Wetland Map depicts several wetlands on the site. If development is proposed a wetland delineation report will be required to determine the boundary and size of any wetlands. Future development of the site will be required to comply with the wetland protection ordinance and water features setbacks as applicable.

WETLANDS MAP



GREENSPACE PLAN



The Township Greenspace Plan shows a Priority Conservation Corridor (PCC) on the property. A PCC is a network of ecologically significant open spaces.

Streets & Traffic

The site fronts on Robins Way. Robins Way is a two-lane road designated as a Local Street. Traffic counts are not available for Robins Way. The most recent (2017) traffic count information from the Ingham County Road Department (ICRD) for Hulett Road, between Jolly Road and Bennett Road, showed a total of 3,552 vehicles in a 24 hour period.

The table below compares estimates of future traffic volumes resulting from development of the subject property under both the existing RR zoning and proposed RA zoning using data from the Institute of Transportation Engineers (ITE) Trip Generation Manual (8th Edition). For each zoning district the land use with the highest potential traffic volume is identified and compared. In this case the land use producing the highest potential traffic volumes for both the existing and proposed zoning districts are single family dwellings.

	Existing RR zoning (7 lots)	Proposed RA zoning (8 lots)	Change
Peak Hour trips	5.39 (a.m.) 7.14 (p.m.)	6.16 (a.m.) 8.16 (p.m.)	+0.77 +1.02
Weekday trips	66.99	76.56	+9.57

Traffic generation is calculated using the estimated maximum number of dwelling units that could be developed on the property under both the current and proposed zoning. Staff estimates that seven lots could be developed under the current RR zoning. Eight lots was used for estimating traffic under the proposed RA zoning, since the applicant has offered a condition establishing that number of lots as the maximum that could be developed.

A traffic study is required when the trips from the highest potential traffic generator in the requested zoning district would generate more than 100 additional directional trips during a peak hour than the highest potential traffic generator permitted under the current zoning. In this case, the rezoning does not generate greater than 100 peak hour trips so a traffic study was not required.

Utilities

Municipal water and sanitary sewer is available in the vicinity of the subject site. The location and capacity of utilities for any proposed development will be reviewed in detail by the Department of Public Works and Engineering at the time of a development submittal.



Staff Analysis

The applicant has requested the rezoning of approximately 7.36 acres of a 17.91 acre parcel from RR to RA with conditions. When evaluating a rezoning request, the Planning Commission should consider all uses permitted by right and by special use permit in the current and proposed zoning districts, as well as the reasons for rezoning listed on page two of the rezoning application.

The applicant has offered to condition the rezoning on limiting future development of the site to a maximum of eight dwelling units. If approved, the rezoning and associated conditions would run with the land, so if the rezoning was approved and the property was sold the eight dwelling unit limit would remain in place.

Staff estimates that seven lots could be developed under the current RR zoning. This is derived using minimum lot sizes permitted in the zoning district and reductions for road rights-of-way. The number of units produced using this calculation is just a guide to help identify potential future density, it does not factor in wetland areas, topography, site layout, or other factors that may limit buildable area.

Planning Commission Options

The Planning Commission may recommend approval or denial of the request, or it may recommend a different zoning designation than proposed by the applicant to the Township Board. A resolution will be provided at a future meeting.

Attachments

1. Application and supporting materials.
2. Rezoning criteria.

G:\Community Planning & Development\Planning\REZONINGS (REZ)\2018\18080 (Giguere)/REZ 18080.pc1.docx

CHARTER TOWNSHIP OF MERIDIAN
DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT
5151 MARSH ROAD, OKEMOS, MI 48864
PHONE: (517) 853-4560, FAX: (517) 853-4095

RECEIVED

JUN 13 2018

REZONING APPLICATION

Part I, II and III of this application must be completed. Failure to complete any portion of this form may result in the denial of your request.

Part I

- A. Owner/Applicant Giguere Homes
Address of applicant 6200 Pine Hollow Drive, Ste. 100, East Lansing, MI 48823
Telephone: Work 1-517-339-3600 Home _____
Fax 1-517-339-7201 Email dilizabeth@giguerehomes.com
If there are multiple owners, list names and addresses of each and indicate ownership interest. Attach additional sheets if necessary. If the applicant is not the current owner of the subject property, the applicant must provide a copy of a purchase agreement or instrument indicating the owner is aware of and in agreement with the requested action.
****Please see attached purchase agreement that includes provisions for rezoning**
- B. Applicant's Representative, Architect, Engineer or Planner responsible for request:
Name / Contact Person Enger Surveying & Engineering
Address 805 N. Cedar, PO Box 87, Mason, MI 48854
Telephone: Work 1-517-676-6565 Home _____
Fax _____ Email ese@acd.net
- C. Site address/location Portion of 3760 Hulett Road, Okemos, MI 48864, Adjacent to Robins Way
Legal description (Attach additional sheets if necessary) See attached
Parcel number 33-02-02-32-400-005 Site acreage 7.36
- D. Current zoning RR Requested zoning RA
- E. The following support materials must be submitted with the application:
1. Nonrefundable fee.
 2. Evidence of fee or other ownership of the subject property.
 3. A rezoning traffic study prepared by a qualified traffic engineer based on the most current edition of the handbook entitled *Evaluating Traffic Impact Studies: A Recommended Practice for Michigan Communities*, published by the State Department of Transportation, is required for the following requests:
 - a. Rezoning when the proposed district would permit uses that could generate more than 100 additional directional trips during the peak hour than the principal uses permitted under the current zoning.
 - b. Rezoning having direct access to a principal or minor arterial street, unless the uses in the proposed zoning district would generate fewer peak hour trips than uses in the existing zoning district.
(Information pertaining to the contents of the rezoning traffic study will be available in the Department of Community Planning and Development.)
 4. Other information deemed necessary to evaluate the application as specified by the Director of Community Planning and Development.

Part II

REASONS FOR REZONING REQUEST

Respond only to the items which you intend to support with proof. Explain your position on the lines below, and attach supporting information to this form.

A. Reasons why the present zoning is unreasonable:

- 1) There is an error in the boundaries of the Zoning Map, specifically: N/A
- 2) The conditions of the surrounding area have changed in the following respects: **The surrounding parcels which were previously zoned RR have since been rezoned to RA,RAA,RAAA & RX.**
- 3) The current zoning is inconsistent with the Township’s Master Plan, explain: **The Future Land Use Map dated shows this parcel as an R-2 area while the existing RR zoning is an R-1 category. The Master plan states the water and sewer service shall not be extended to R-1 locations. Both of these utilities along with storm drain are now available to this parcel and the proposed project.**
- 4) The Township did not follow the procedures that are required by Michigan laws, when adopting the Zoning Ordinance, specifically: N/A
- 5) The Township did not have a reasonable basis to support the current zoning classification at the time it was adopted; and the zoning has exempted the following legitimate uses from the area: N/A
- 6) The current zoning restrictions on the use of the property do not further the health safety or general welfare of the public, explain: N/A

B. Reasons why the requested zoning is appropriate:

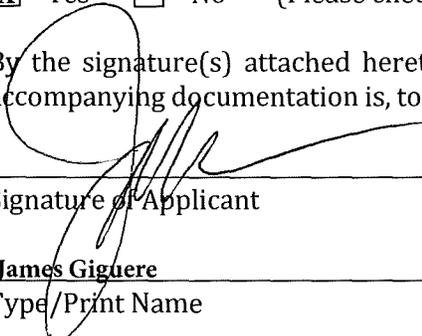
- 1) Requested rezoning is consistent with the Township’s Master Plan, explain: **Requested RA zoning is consistent with the R-2 designation for this parcel on the Future Land Use Map dated 9/22/17.**
- 2) Requested rezoning is compatible with other existing and proposed uses surrounding the site, specifically: **Proposed average lot sizes will be larger than adjacent RAA development and homes will meet or exceed the deed restrictions of that development.**
- 3) Requested rezoning would not result in significant adverse impacts on the natural environment, explain: **The conditions included with this application will minimize the impact on both the environment and the adjacent developments.**
- 4) Requested rezoning would not result in significant adverse impacts on traffic circulation, water and sewer systems, education, recreation or other public services, explain: **The existing infrastructure and public services are capable of supporting the proposed rezoning.**
- 5) Requested rezoning addresses a proven community need, specifically: **There is a need for new well built homes in Okemos and more specifically in proximity to Okemos High School.**
- 6) Requested rezoning results in logical and orderly development in the Township, explain: **The proposed development requires limited new infrastructure and allows for perpetual preservation of environmentally sensitive areas**
- 7) Requested rezoning will result in better use of Township land, resources and properties and therefore more efficient expenditure of Township funds for public improvements and services, explain: **This project allows for better utilization of existing infrastructure and will require a limited amount of new infrastructure. The proposed project will result in significant tax and per pupil revenue for both the Township and School District**

Part III

I (we) hereby grant permission for members of the Charter Township of Meridian's Boards and/or Commissions, Township staff member(s) and the Township's representatives or experts the right to enter onto the above described property (or as described in the attached information) in my (our) absence for the purpose of gathering information including but not limited to the taking and the use of photographs.

Yes No (Please check one)

By the signature(s) attached hereto, I (we) certify that the information provided within this application and accompanying documentation is, to the best of my (our) knowledge, true and accurate



Signature of Applicant

6/13/18
Date

James Giguere
Type/Print Name

Fee: \$860.00

Received by/Date: Notar Meridian 6-13-18

GIGUERE *Homes*

RECEIVED
JUN 13 2018

Mr. Peter Menser
Meridian Charter Township
Community Planning and Development
5151 Marsh Rd
Okemos MI 48864

June 12, 2018

Re: Rezoning Application conditions

Mr. Menser,

Please include the following conditions as part of our rezoning application:

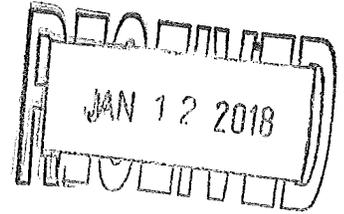
- Maximum number of 8 lots
- Inclusion of Natural Preservation Area (as shown on attached concept drawing)
- Deed restrictions of new development to meet or exceed those of existing Sanctuary development
- Restrict hours of land development construction activities to 8am-6pm Monday-Saturday
- Temporary chain link gate to be installed at entrance off of Robins Way during land development phase of construction

Sincerely,



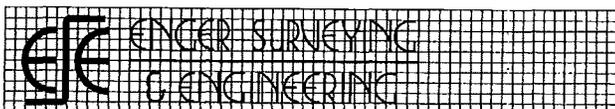
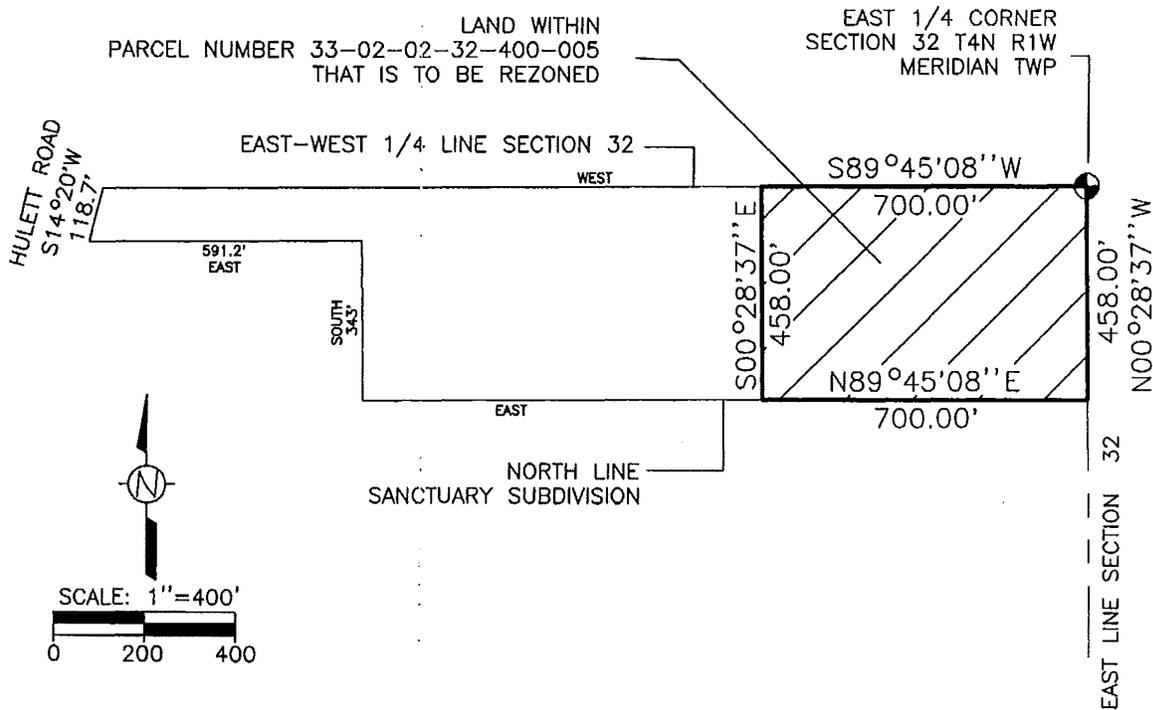
Derek Lisabeth
Giguere Homes

LEGAL DESCRIPTION
 REZONING APPLICATION MADE BY GIGUERE HOMES



LEGAL DESCRIPTION OF LAND TO BE REZONED

A parcel of land in the Southeast 1/4 of Section 32, T4N, R1W, Meridian Township, Ingham County, Michigan; the boundary of said parcel being described as BEGINNING at the East 1/4 Corner of Section 32, T4N, R1W, Michigan Meridian; thence S89°45'08''W, along the East-West 1/4 line, 700.00 feet; thence S00°28'37''E, 458.00 feet to the North line of the recorded subdivision named Sanctuary; thence N89°45'08''E, along said North line, 700.00 feet to the East line of said Section; thence N00°28'37''W, along said Section line, 458.00 feet to the point of beginning; said parcel contains 7.36 acres.



805 N. CEDAR PO BOX 87
 MASON, MICHIGAN 48854-0087
 517-676-6565

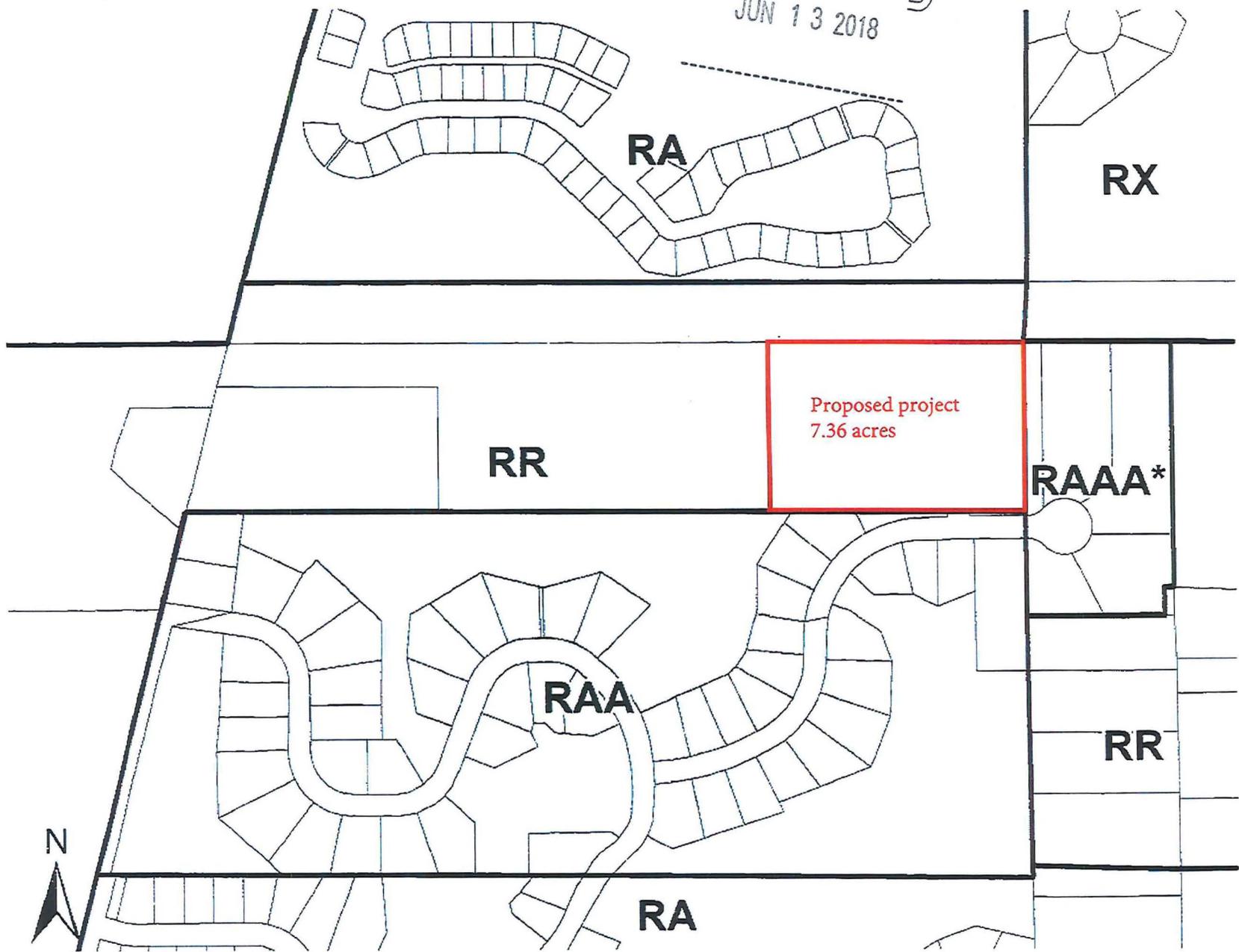
REZONING APPLICATION FOR PART OF
 PARCEL NUMBER 33-02-02-32-400-005

JANUARY 12, 2018

JOB NO 33-3152
 SHEET 1 OF 1

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JUN 13 2018



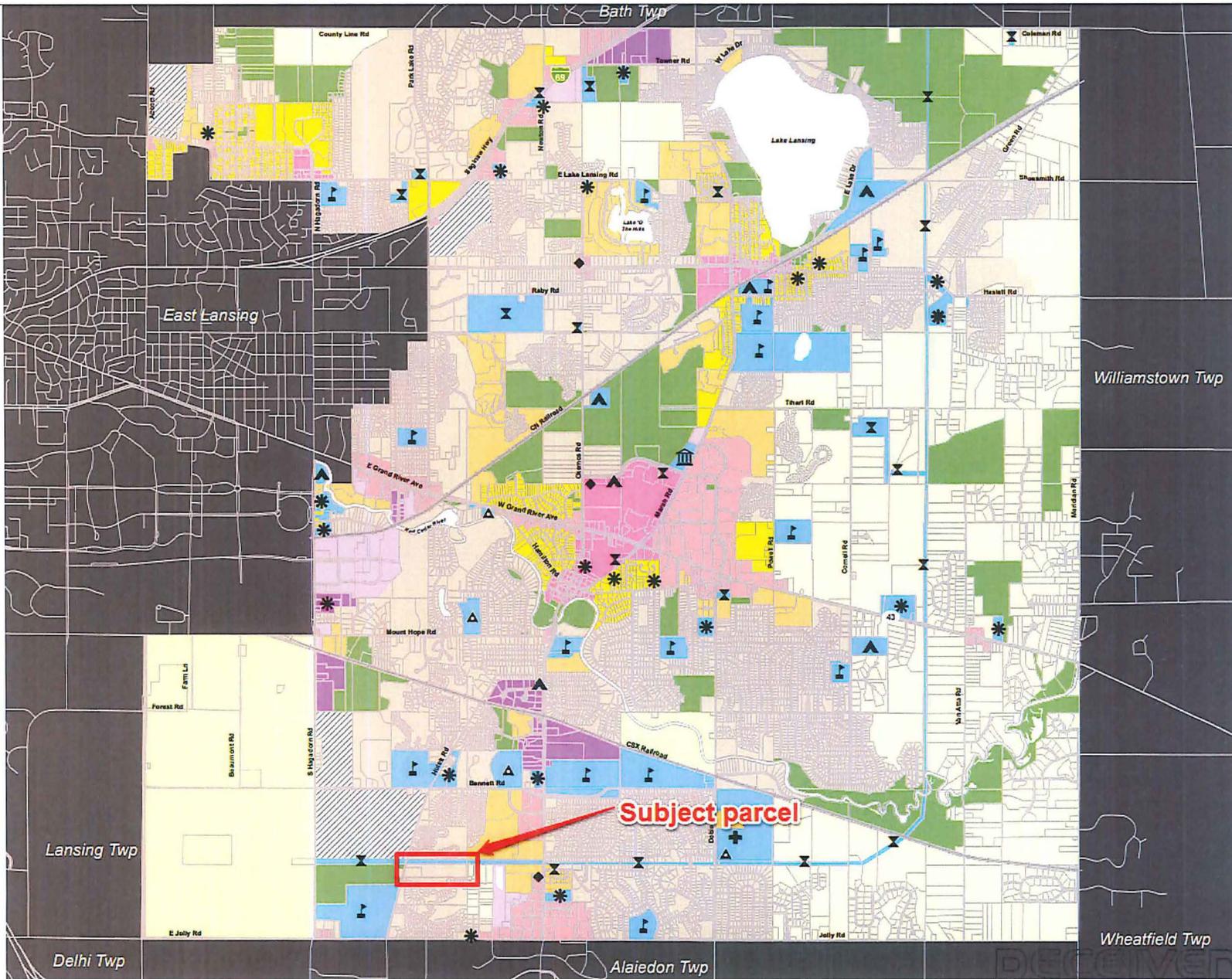
Future Land Use

Meridian Charter Township
Ingham County, Michigan

September 22, 2017

Legend

- AGRICULTURE/EDUCATIONAL
- R1-RESIDENTIAL 0.0-0.5 DU/A
- R2-RESIDENTIAL 0.5-3.5 DU/A**
- R3-RESIDENTIAL 1.25-3.5 DU/A with Bonus Density Up to 5 DL
- MR-RESIDENTIAL 5.0-14.0 DU/A
- BUSINESS/TECHNOLOGY
- COMMERCIAL
- MUPUD
- MIXED USE CORE
- INSTITUTIONAL
 - ▲ Cemetery
 - ⊕ County Medical Center
 - ◆ Fire Station
 - ⌚ Meridian Township Municipal Cent
 - ▲ Public
 - * Religious Institution
 - 🏫 School
 - ⌚ Utility
- PARKS/LAND PRESERVATION
- COOPERATIVE AGREEMENT
- WATER



0 2,000 4,000 FEET

McKENNA
ASSOCIATES

Map Feature Source: Meridian Charter Township 2016

JUN 13 2018

Zoning Plan

The Zoning Plan consists of the Future Land Use Map and the land use designations outlined in this chapter. It suggests the Township adopt the recommendations for revisions to the Zoning Ordinance and Zoning Map.

A Zoning Plan is required by the Michigan Planning and Zoning Enabling Acts. Section 33(d) of the Michigan Planning Enabling Act, PA 33 of 2008, as amended, requires that the Master Plan prepared under that act shall serve as the basis for the community's Zoning Plan. The Michigan Zoning Enabling Act, PA 110 of 2006, as amended, requires a zoning plan to be prepared as the basis for the zoning ordinance. The Zoning Plan must be based on an inventory of conditions pertinent to zoning in the municipality and the purposes for which zoning may be adopted (as described in Section 201 of the Michigan Zoning Enabling Act). This Zoning Plan consists of the Future Land Use Map, the land use designations outlined in this chapter, and the suggestions that the Township adopt the recommendations for revisions to the zoning ordinance and map.

The following table presents the Meridian Township Zoning districts that apply to each of this Plan's Future Land Use designations.

Table 1. Future Land Use and Zoning Map Correlation

Future Land Use Designation	Zoning Districts
R1 Residential	RR, RRR, AG, CV
R2 Residential	RRA, RAAA, RAA, RA
R3 Residential	RA, RB, RX
MR Residential	RX, RD, RDD, RC, RCC, RN, PRD, MP, PUD
Business/Technology	PO, RP, I
Commercial	C-1, C-2, C-3, PO, CR
Mixed Use Planned Unit Development	C-PUD, MUPUD
Mixed Use Core	C-PUD, PUD, MUPUD
Institutional	All Districts
Parks and Open Space	All Districts

Source: McKenna Associates 2016

Not all of the Master Plan's future land use categories will match up with the current location or regulations of the Zoning District to which they most closely correspond. Zoning Ordinance text amendments, map amendments, or new Zoning Districts will be necessary to implement the Future Land Use Plan. The key revisions of the Zoning Ordinance are discussed on the following page.

The Zoning Ordinance is the major tool available to local government to implement the land use mapping element of the Master Plan. The Meridian Township Future Land Use Map indicates residential growth areas of different densities and provides locations for commercial and industrial uses.



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Agricultural/Educational

Preserving agricultural character that was once prevalent throughout the Township. Michigan State University owns and operates this land and uses it for research and living classrooms.

Residential

In an effort to encourage land preservation, densifying residential development is encouraged instead of expansion to the east. For example, in neighborhoods adjacent to the mixed use centers, the Township is interested in pursuing strategies that would permit accessory dwelling units without altering the existing character of the neighborhoods. Also, the Urban Service Boundary has been redefined to clarify the intended extent of utility service provided by the Township and to help prevent undesired residential sprawl into the natural and agricultural landscapes to the east.

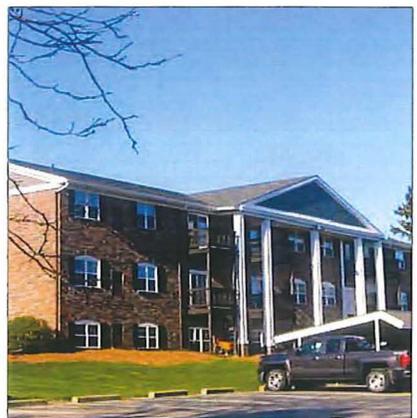
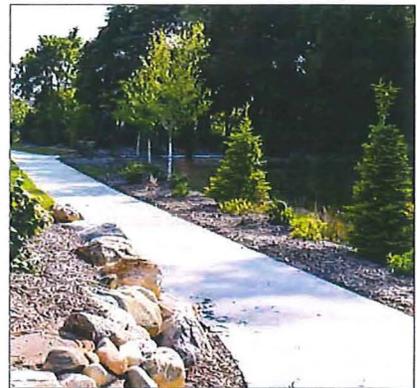
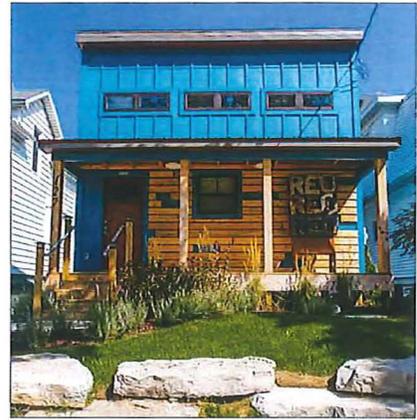
R1: 0 – 0.5 DU/A. Preserving rural and agricultural character through low density. These areas, characterized by agricultural fields, natural settings, wetlands, and stands of vegetation, are generally found in the eastern one-third of the Township. No water and sewer service should be extended to these locations.

R2: 0.5 – 3.5 DU/A. Providing suburban amenities in a medium density environment. The most prevalent residential category in the Township, these areas are characterized by planned aesthetic, proximity to retail and cultural centers, and personal vehicle-centric transportation. These areas are found throughout the western two-thirds of the Township.

R3: 1.25 – 3.5 DU/A, with bonus density of up to 5 DU/A. Encouraging residential infill near activity centers to promote density and walkability. This single-family residential category is similar in feel and function to the R2, but has the additional benefit of proximity to mixed use cores of activity. Accessory dwelling units and prioritization of pedestrian movement should be encouraged in these areas. Meridian Township should develop regulations for granting bonus densities to encourage accessory dwelling units on appropriate sites.

As the densest of the single-family residential designations, planned and redeveloped R3 Residential districts should provide more flexible housing options than other single-family residential districts. Planned R3 areas should incorporate into the Township's Zoning Ordinance regulations intended to provide a consistent transition from the Mixed Use Core.

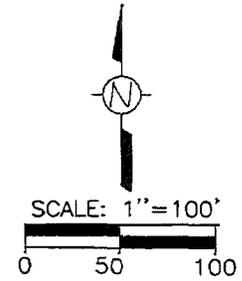
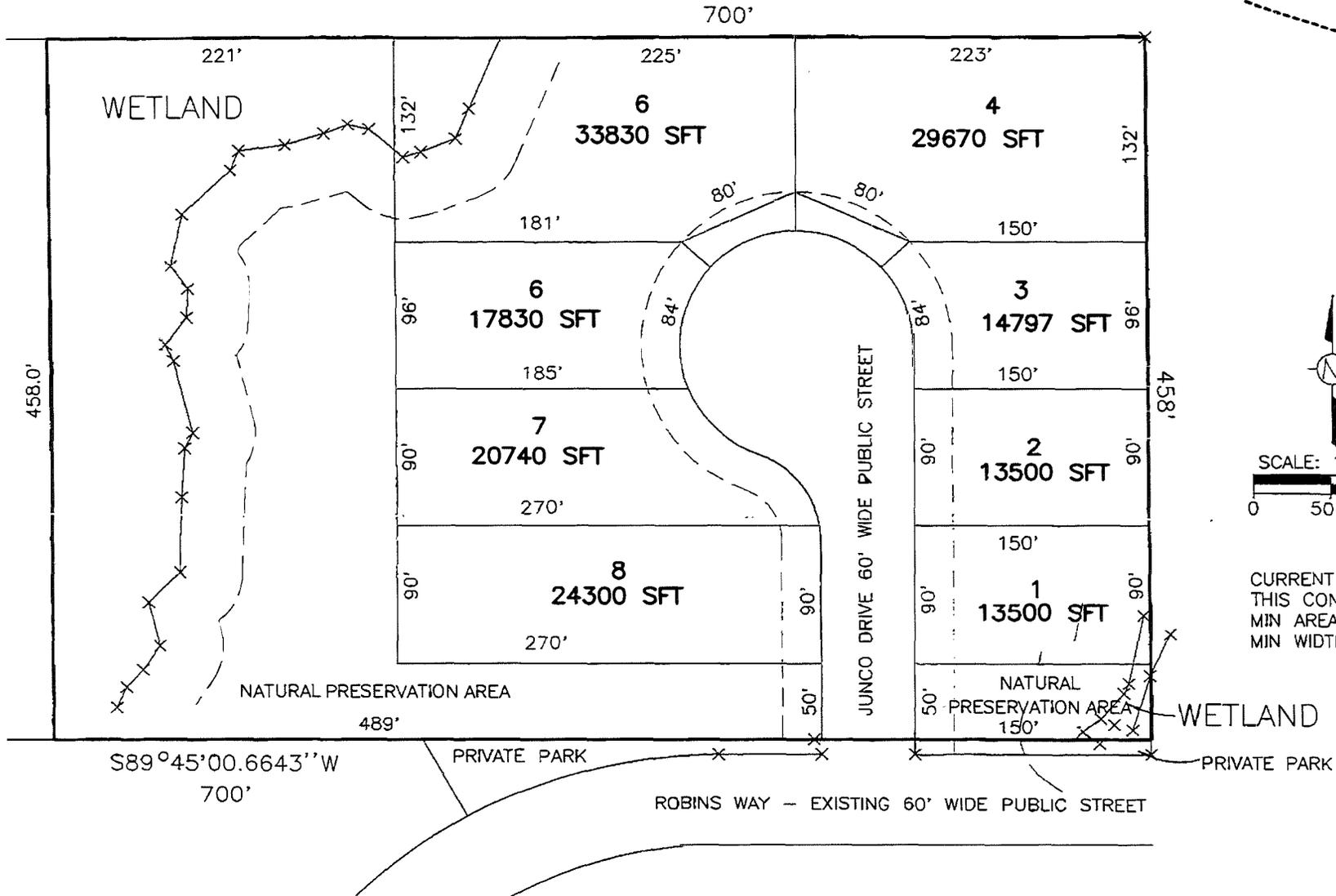
MR: 5 – 14 DU/A. Providing varying design, density, and amenities for multiple-family housing. The multi-family residential category provides housing options of varying intensity. These areas are found throughout the western two-thirds of the Township, between high-intensity commercial uses and low-intensity single-family housing. Bonus densities should be considered for developers that can incorporate inclusionary housing units into 20% of the development.



Concept drawing for future project

ELECTRIC TRANSMISSION LINE

RECEIVED
JUN 13 2018



CURRENT ZONING = RR
THIS CONCEPT RA
MIN AREA 10000 SFT
MIN WIDTH 80 FT

Part II

REASONS FOR REZONING REQUEST

Respond only to the items which you intend to support with proof. Explain your position on the lines below, and attach supporting information to this form.

A. Reasons why the present zoning is unreasonable:

- 1) There is an error in the boundaries of the Zoning Map, specifically: _____

- 2) The conditions of the surrounding area have changed in the following respects: _____

- 3) The current zoning is inconsistent with the Township's Master Plan, explain: _____

- 4) The Township did not follow the procedures that are required by Michigan laws, when adopting the Zoning Ordinance, specifically: _____

- 5) The Township did not have a reasonable basis to support the current zoning classification at the time it was adopted; and the zoning has exempted the following legitimate uses from the area: _____

- 6) The current zoning restrictions on the use of the property do not further the health safety or general welfare of the public, explain: _____

B. Reasons why the requested zoning is appropriate:

- 1) Requested rezoning is consistent with the Township's Master Plan, explain: _____

- 2) Requested rezoning is compatible with other existing and proposed uses surrounding the site, specifically: _____

- 3) Requested rezoning would not result in significant adverse impacts on the natural environment, explain: _____

- 4) Requested rezoning would not result in significant adverse impacts on traffic circulation, water and sewer systems, education, recreation or other public services, explain: _____

- 5) Requested rezoning addresses a proven community need, specifically: _____

- 6) Requested rezoning results in logical and orderly development in the Township, explain: _____

- 7) Requested rezoning will result in better use of Township land, resources and properties and therefore more efficient expenditure of Township funds for public improvements and services, explain: _____



To: Planning Commission

From: Peter Menser, Principal Planner
Justin Quagliata, Assistant Planner

Date: July 19, 2018

Re: Rezoning #18080 (Giguere Homes), rezone approximately 7.36 acres located at 3760 Hulett Road from RR (Rural Residential) to RA (Single Family-Medium Density).

The public hearing for Rezoning #18080 was held at the July 9, 2018 regular meeting. At the meeting the Planning Commission agreed to consider a resolution to recommend approval of the rezoning request at its next meeting.

As requested by the Planning Commission at its last meeting, the applicant has provided a copy of the deed restrictions currently in place for the Sanctuary subdivision.

Planning Commission Options

The Planning Commission may recommend approval or denial of the rezoning as requested by the applicant or recommend a different zoning category. A resolution to recommend approval to RA (Single Family-Medium Density) is attached.

- **Move to adopt the attached resolution to recommend approval of Rezoning #18080.**

Attachments

1. Resolution to recommend approval.
2. Sanctuary subdivision deed restrictions submitted by Giguere Homes.
3. Sanctuary subdivision maps submitted by Giguere Homes.

RESOLUTION TO APPROVE RA

**Rezoning #18080
Giguere Homes
3760 Hulett Road**

RESOLUTION

At a regular meeting of the Planning Commission of the Charter Township of Meridian, Ingham County, Michigan, held at the Meridian Municipal Building, in said Township on the 23rd day of July, 2018, at 7:00 p.m., Local Time.

PRESENT: _____

ABSENT: _____

The following resolution was offered by _____ and supported by _____.

WHEREAS, Giguere Homes requested the rezoning of approximately 7.36 acres located at 3760 Hulett Road from RR (Rural Residential) to RA (Single Family-Medium Density); and

WHEREAS, the Planning Commission held a public hearing and discussed the rezoning at its meeting on July 9, 2018; and

WHEREAS, the Planning Commission reviewed and discussed the staff material provided under a cover memorandum dated July 5, 2018; and

WHEREAS, the subject site meets the minimum standard for lot area of the proposed RA (Single Family-Medium Density) zoning district; and

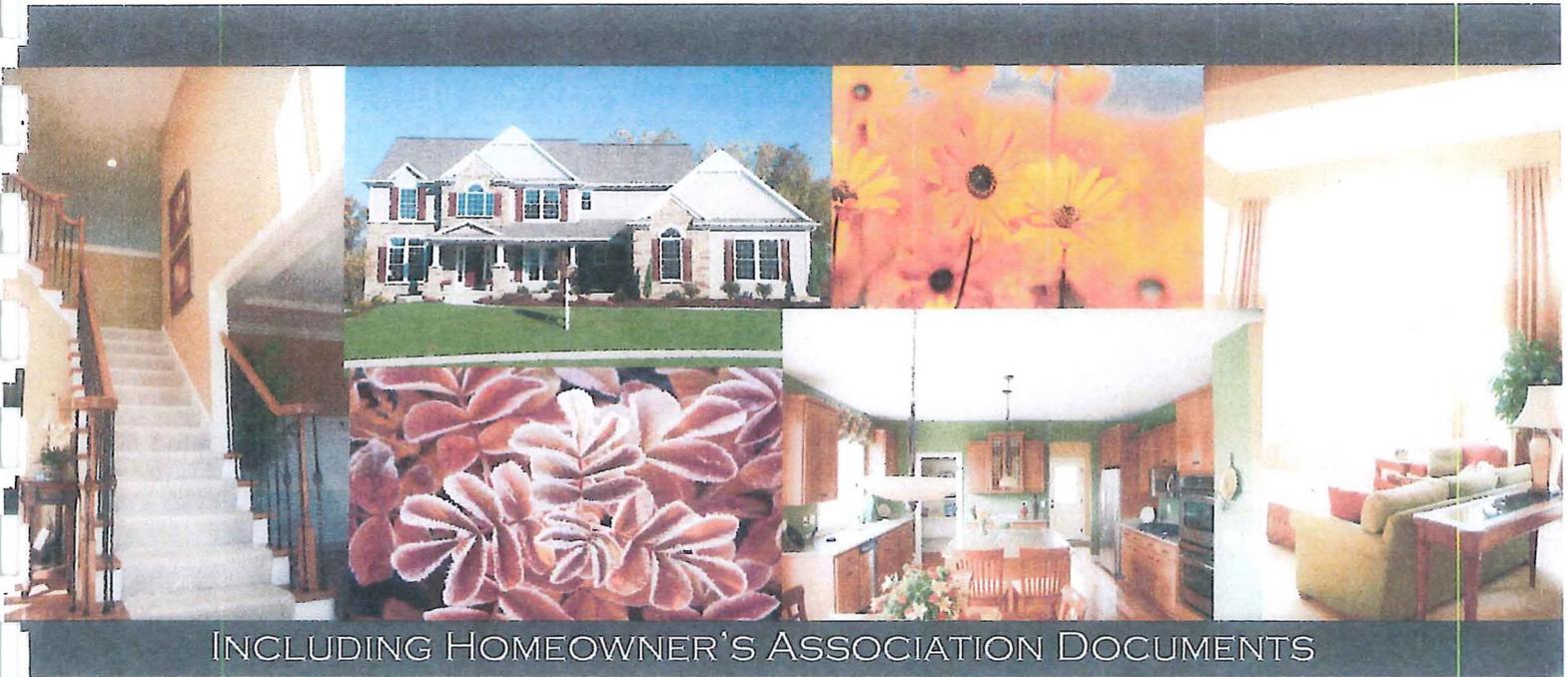
WHEREAS, the subject site is located in close proximity to an existing RA (Single Family-Medium Density) zoning district to the north; and

WHEREAS, in a letter dated June 12, 2018 the applicant offered voluntary conditions on the rezoning, including limiting development of the site to a maximum of eight lots, providing a 50 foot wide natural preservation area along Robins Way, establishing deed restrictions for the development that meet or exceed those of the existing Sanctuary development, restricting construction hours to 8 a.m. to 6 p.m. Monday-Saturday, and the installation of a temporary chain link gate at the entrance off Robins Way during the land development phase of construction; and

WHEREAS, the proposed rezoning to RA (Single Family-Medium Density) is consistent with the 2017 Future Land Use Map designation of R2-Residential 0.5 to 3.5 dwelling units per acre; and

WHEREAS, public water and sanitary sewer services are available to serve the site.

THE SANCTUARY HOMEOWNER'S MANUAL



INCLUDING HOMEOWNER'S ASSOCIATION DOCUMENTS

GIGUERE
Associates

SANCTUARY HOMEOWNERS' ASSOCIATION OF OKEMOS

RECEIPT

Dear Co-Owner:

At this time we are furnishing you with a booklet containing the following documents for Sanctuary Homeowners' Association of Okemos:

1. Articles of Incorporation
2. Bylaws
3. Declaration of Restrictions
4. Voting Representative Designation

Please sign this receipt to acknowledge that the documents described above have been delivered to you.

Very truly yours,

Sanctuary Homeowners' Association of Okemos

Receipt of documents acknowledged:

By: _____

(If more than one Co-owner, all must sign)

Lot No. _____ Date: _____

SANCTUARY HOMEOWNERS' ASSOCIATION OF OKEMOS

INDEX

1. Articles of Incorporation
2. Bylaws
3. Declaration of Restrictions
4. Voting Representative Designation

502

FILED

(Please do not write in spaces below - For Department Use)

AUG 11 2006

Administrator
Bureau of Commercial Services

MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH
BUREAU OF COMMERCIAL SERVICES – CORPORATION DIVISION

DATE _____

Tran Info#1 12047567-1 08/10/06
Chk#: 11563 Amt: \$20.00
ID: MCCLELLAND & ANDERSON

800590

(Nonprofit Domestic Corporations)

ARTICLES OF INCORPORATION

OF

SANCTUARY HOMEOWNERS' ASSOCIATION OF OKEMOS

These Articles of Incorporation are signed by the Incorporator for the purpose of forming a nonprofit corporation pursuant to the provisions of Act 162 of the Public Acts of 1982, as amended, as follows:

ARTICLE I

The name of the Corporation is SANCTUARY HOMEOWNERS' ASSOCIATION OF OKEMOS.

ARTICLE II

The purpose or purposes for which the Corporation is organized are as follows:

8

- (a) To manage and administer the affairs of SANCTUARY SUBDIVISION, a residential subdivision (the "Subdivision");
- (b) To own and maintain the Common Property;
- (c) To levy and collect assessments against and from the members of the Corporation and to use the proceeds therefrom for the purposes of the Corporation;
- (d) To contract for and employ persons, firms, corporations or other agents to assist in the management, operation, maintenance and administration of the Corporation;
- (e) To enforce the provisions of the Declaration of Restrictions;
- (f) To establish such other committees as it deems necessary, convenient or desirable, and to appoint persons thereto for the purpose of administration of the Corporation; and
- (g) To enforce the Rules and Regulations of the Corporation, if any.

ARTICLE III

Said Corporation is organized upon a nonstock basis.

The amount of assets which said Corporation possesses is: Real Property -- None; Personal Property -- None.

Said Corporation is to be financed under the following general plan:
Assessment of Members.

ARTICLE IV

Said Corporation is organized on a membership basis.

ARTICLE V

The address of the initial registered office is:

287 Turner Road
Williamston, Michigan 48895

The name of the initial resident agent at the registered office is: Lynda
Overton.

ARTICLE VI

The name and address of the Incorporator is as follows:

Lynda Overton
287 Turner Road
Williamston, Michigan 48895

ARTICLE VII

The term of this Corporation shall be perpetual.

ARTICLE VIII

The qualifications of members, the manner of their admission to membership in the Corporation, the termination of membership and voting by members shall be as follows:

(a) Each co-owner (including the Developer) of a Subdivision Lot shall be a member of the Corporation, and no other person or entity shall be entitled to membership.

(b) Membership in the Corporation shall be established by the acquisition of legal or equitable title to a Subdivision Lot and by recording with the Register of Deeds in the county where the Subdivision is located a deed or other instrument evidencing such title and the furnishing of evidence of same satisfactory to the Corporation, the new co-owner thereby becoming a member of the Corporation, and the membership of the prior co-owner of such Lot thereby being terminated.

(c) Neither membership nor the share of a member in the funds and assets of the Corporation can be assigned, pledged or transferred in any manner, except as an appurtenance to a Subdivision Lot.

(d) Voting by members shall be in accordance with the provisions of the Bylaws of this Corporation.

ARTICLE IX

A volunteer director or volunteer officer of the Corporation shall not be personally liable to the Corporation or its members for monetary damages for a breach of the director's or officer's fiduciary duty, except for liability: (a) for a breach of the director's or officer's duty of loyalty to the Corporation or its members; (b) for acts or omissions not in good faith or that involve intentional misconduct or a knowing violation of law; (c) for a violation of Section 551(1) of the Michigan Nonprofit Corporation Act; (d) for a transaction from which the director or officer derived an improper personal benefit; (e) for an act or omission occurring prior to the effective date of this provision; or (f) for an act or omission that is grossly negligent. If, after approval by the members of this provision, the Michigan Nonprofit Corporation Act is amended

to authorize corporate action further eliminating or limiting the personal liability of directors and/or officers, then the liability of a volunteer director or volunteer officer of the Corporation shall be eliminated or limited to the fullest extent permitted by the Michigan Nonprofit Corporation Act, as so amended. Any repeal or modifications of the foregoing provisions of this Article by the members of the Corporation shall not adversely affect any right or protection of a volunteer director or volunteer officer of the Board existing at the time of such repeal or modification.

The Corporation assumes the liability for all acts or omissions of a volunteer director, volunteer officer or other volunteer if all of the following are met: (a) the volunteer was acting or reasonably believed he or she was acting within the scope of his or her authority; (b) the volunteer was acting in good faith; (c) the volunteer's conduct did not amount to gross negligence or willful and wanton misconduct; (d) the volunteer's conduct was not an intentional tort; and (e) the volunteer's conduct was not a tort arising out of the ownership, maintenance, or use of a motor vehicle for which tort liability may be imposed as provided in section 3135 of the insurance code of 1956, Act No. 218 of the Public Acts of 1956, being section 500.3135 of the Michigan Compiled Laws.

ARTICLE X

These Articles of Incorporation may be amended, altered, changed or repealed only by the affirmative vote of not less than seventy-five percent (75%) of the entire membership of the Corporation; provided, that in no event shall any amendment

make changes in the qualification for membership or the voting rights of members without the unanimous consent of the membership.

I, the Incorporator of the above-named Corporation, hereby sign these Articles of Incorporation on this 4th day of August, 2006.


Lynda Overton

Prepared by and return to:

Gail A. Anderson, Esq.
McClelland & Anderson, L.L.P.
1305 S. Washington Avenue
Suite 102
Lansing, Michigan 48910

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SANCTUARY HOMEOWNERS' ASSOCIATION OF OKEMOS

BYLAWS

ARTICLE I

VOTING

Section 1. Vote. The Co-owner(s) of a Lot shall have one vote, and each vote shall be equal. Where a Lot is owned by an entity or more than one individual, the Co-owner(s) of that Lot shall file a Designation of Voting Representative pursuant to Section 3 below.

Section 2. Eligibility to Vote. The vote of each Co-owner may be cast only by the individual representative designated by such Co-owner in the notice required in Section 3 of this Article, or by a proxy given by such individual representative.

Section 3. Designation of Voting Representative. Each Co-owner shall file a written notice with the Association designating the individual representative who shall vote at meetings of the Association and receive all notices and other communications from the Association on behalf of such Co-owner. Such notice shall state the name and address of the individual representative designated, the number or numbers of the Lot or Lots owned by the Co-owner, and the name and address of each person, firm, corporation, partnership, association, trust or other entity who is the Co-owner. Such notice shall be signed and dated by the Co-owner. The individual representative designated may be changed by the Co-owner at any time by filing a new notice.

Section 4. Quorum. The presence in person or by proxy of 10% of the Co-owners in number qualified to vote shall constitute a quorum for holding a meeting of the members of the Association, except for voting on questions specifically required by the Bylaws to require a greater quorum. The written vote of any person furnished at or prior to any duly called meeting at which meeting such person is not otherwise present in person or by proxy shall be counted in determining the presence of a quorum with respect to the question upon which the vote is cast.

Section 5. Voting. Votes may be cast only in person or in a writing signed by the designated voting representative not present at a meeting in person or by proxy. Proxies and any written votes must be filed with the Secretary of the Association at or before the appointed time of each meeting of the members of the Association. Cumulative voting shall not be permitted.

Section 6. Majority. A majority, except where otherwise provided, shall consist of more than 50% of those qualified to vote and present in person or by proxy (or written vote, if applicable) at a meeting of the members of the Association.

ARTICLE II

MEETINGS

Section 1. Place of Meeting. Meetings of the Association shall be held at such suitable place convenient to the Co-owners as may be designated by the Board of Directors. Meetings of the Association shall be conducted in accordance with Roberts Rules of Order or some other generally recognized manual of parliamentary procedure, when not otherwise in conflict with the Bylaws or the laws of Michigan.

Section 2. Annual Meetings. Annual meetings of members of the Association shall be held on the third Tuesday in March. At such meetings there shall be elected by ballot of the Co-owners, a Board of Directors, in accordance with the requirements of this Article. The Co-owners may also transact at annual meetings such other business of the Association as may properly come before them.

Section 3. Special Meetings. It shall be the duty of the President to call a special meeting of the Co-owners as directed by resolution of the Board of Directors or upon a petition signed by 1/3 of the Co-owners presented to the Secretary of the Association. Notice of any special meeting shall state the time and place of such meeting and the purposes thereof. No business shall be transacted at a special meeting except as stated in the notice.

Section 4. Notice of Meetings. It shall be the duty of the Secretary (or other Association officer in the Secretary's absence) to serve a notice of each annual or special meeting, stating the purpose of the meeting as well as the time and place where it is to be held, upon each Co-owner of record, at least 10 days but not more than 60 days prior to any such meeting. Mailing notice to a representative or Co-owner at the address shown in the notice required by Article I, Section 3 shall be deemed served upon mailing. Any member may, by written waiver of notice signed by such member, waive such notice, and such waiver, when filed in the records of the Association, shall be deemed due notice.

Section 5. Adjournment. If any meeting of Co-owners cannot be held because a quorum is not in attendance, the Co-owners who are present may adjourn the meeting to a time not less than 48 hours from the time the original meeting was called.

Section 6. Order of Business. The order of business at all meetings of the members shall be as follows: (a) roll call to determine the voting power represented at the

meeting; (b) proof of notice of meeting or waiver of notice; (c) reading of minutes of preceding meeting; (d) reports of officers; (e) reports of committees; (f) election of Directors (at annual meeting or special meetings held for such purpose); (g) unfinished business; and (h) new business. Meetings of members shall be chaired by the most senior officer of the Association present at such meeting. For purposes of this Section, the order of seniority of officers shall be President, Vice President, Treasurer and Secretary.

Section 7. Action Without Meeting. Any action which may be taken at a meeting of the members (except for election or removal of Directors) may be taken without a meeting by written ballot of the members. Ballots shall be solicited in the same manner as provided in Section 5 for giving of notice of meetings of members. Such solicitations shall specify (a) the number of responses needed to meet the quorum requirements; (b) the percentage of approvals necessary to approve the action; and (c) the time by which ballots must be received in order to be counted. The form of written ballot shall afford an opportunity to specify a choice between approval and disapproval of each matter. Approval by written ballot shall be constituted by receipt, within the time period specified in the solicitation, of (i) a number of ballots which equals or exceeds the quorum which would be required if the action were taken at a meeting, and (ii) a number of approvals which equals or exceeds the number of votes which would be required for approval if the action were taken at a meeting at which the total number of votes cast was the same as the total number of ballots cast.

Section 8. Consent of Absentees. The transactions at any meeting of members, either annual or special, however called and noticed, shall be as valid as though made at a meeting duly held after regular call and notice, if a quorum is present either in person or by proxy; and if, either before or after the meeting, each of the members not present in person or by proxy signs a written waiver of notice, or a consent to the holding of such meeting, or an approval of the minutes of the meeting. All such waivers, consents or approvals shall be filed with the corporate records and made a part of the minutes of the meeting.

Section 9. Minutes, Presumption of Notice. Minutes or a similar record of the proceedings of meetings of members, when signed by the President or Secretary, shall be presumed truthful as evidence of the matters set forth in the minutes. A recitation in the minutes of any such meeting that notice of the meeting was properly given shall be prima facie evidence that such notice was given.

ARTICLE III

BOARD OF DIRECTORS

Section 1. Number and Qualification of Directors. The Board of Directors shall initially be comprised of two (2) members appointed by the Declarant. At such time as the Declarant shall transfer administration of the Declaration of Restrictions to the Homeowners' Association, the Board of Directors shall be increased to five (5) members, all of whom must be members of the Association. Directors shall serve without compensation.

Section 2. Election of Directors. Election of the Directors shall be held at the annual meeting of the members of the Association.

Section 3. Powers and Duties. The Board of Directors shall have the powers and duties necessary for the administration of the affairs of the Association.

Section 4. Other Duties. In addition to duties imposed by these Bylaws or any further duties which may be imposed by resolution of the members of the Association, the Board of Directors shall be responsible specifically for the following:

- (a) To manage and administer the affairs of the Association.
- (b) To own and maintain the Common Property.
- (c) To levy and collect assessments from the members of the Association and to use the proceeds for the purposes of the Association.
- (d) To contract for and employ persons, firms, corporations or other agents to assist in the management, operation, maintenance and administration of the Association.
- (e) To establish such committees as it deems necessary, convenient or desirable, and to appoint persons thereto for the purpose of administration of the Association.
- (f) To enforce the provisions of the Declaration of Restrictions.
- (g) To enforce the Rules and Regulations of the Association, if any.

Section 5. Vacancies. Vacancies in the Board of Directors caused by any reason other than the removal of a director by a vote of the members of the Association shall be filled by vote of the majority of the remaining directors. Each person so elected shall be a director until a successor is elected at the next annual meeting of the members of the Association.

Section 6. Removal. At any regular or special meeting of the Association duly called with due notice of the removal action proposed to be taken, any one or more of the directors may be removed with or without cause by the affirmative vote of more than 50% in number of all of the Co-owners. Any vacancy caused by the removal of a director shall be filled in accordance with Section 5 hereof. Any director whose removal has been proposed by the Co-owners shall be given an opportunity to be heard at the meeting. The Declarant may remove and replace any or all of the directors selected by it at any time or from time to time in its sole discretion.

Section 7. Regular Meetings. Regular meetings of the Board of Directors may be held at such times and places as shall be determined from time to time by a majority of the directors, but at least two such meetings shall be held during each fiscal year. Notice of regular meetings of the Board of Directors shall be given to each director personally, by mail or telephone, at least 10 days prior to the date named for such meeting.

Section 8. Special Meetings. Special meetings of the Board of Directors may be called by the President on three days notice to each director given personally, by mail or telephone, which notice shall state the time, place, and purpose of the meeting. Special meetings of the Board of Directors shall be called by the President or Secretary in like manner and on like notice on the written request of two directors.

Section 9. Waiver of Notice. Before or at any meeting of the Board of Directors, any directors may, in writing, waive notice of such meeting and such waiver shall be deemed equivalent to the giving of such notice. Attendance by a director at any meetings of the Board of Directors shall be deemed a waiver of notice by him of the time and place thereof. If all the directors are present at any meeting of the Board of Directors, no notice shall be required and any business may be transacted at such meeting.

Section 10. Quorum. At all meetings of the Board of Directors, a majority of the directors shall constitute a quorum for the transaction of business, and the acts of the majority of the directors present at a meeting at which a quorum is present shall be the acts of the Board of Directors. If, at any meeting of the Board of Directors, there is less than a quorum present, the majority of those present may adjourn the meeting to a subsequent time upon 24 hours' prior written notice delivered to all directors not present. At any such adjourned meeting, any business which might have been transacted at the meeting as originally called may be transacted without further notice. The joining of a director in the action of a meeting by signing and concurring in the minutes of the meeting, shall constitute the presence of such director for purposes of determining a quorum.

Section 11. Fidelity Bonds. The Board of Directors may require that all officers and employees of the Association handling or responsible for Association funds furnish adequate fidelity bonds. The premiums on the bonds shall be expenses of administration.

ARTICLE IV

OFFICERS

Section 1. Officers. The principal officers of the Association shall be a President, who shall be a member of the Board of Directors, a Vice President, a Secretary and a Treasurer. Any two offices except that of President and Vice President may be held by one person.

(a) President. The President shall be the chief executive officer of the Association. He shall preside at all meetings of the Association and of the Board of Directors. He shall have all of the general powers and duties which are usually vested in the office of the President of an association, including, but not limited to, the power to appoint committees from among the members of the Association from time to time as he may in his discretion deem appropriate to assist in the conduct of the affairs of the Association.

(b) Vice President. The Vice President shall take the place of the President and perform his duties whenever the President shall be absent or unable to act. The Vice President shall also perform such other duties as shall from time to time be imposed upon him by the Board of Directors.

(c) Secretary. The Secretary shall keep the minutes of all meetings of the Board of Directors and the minutes of all meetings of the members of the Association; he shall have charge of the corporate seal, if any, and of such books and papers as the Board of Directors may direct; and he shall, in general, perform all duties incident to the office of the Secretary.

(d) Treasurer. The Treasurer shall have responsibility for the Association's funds and securities and shall be responsible for keeping full and accurate accounts of all receipts and disbursements in books belonging to the Association. He shall be responsible for the deposit of all monies and other valuable effects in the name and to the credit of the Association, and in such depositories as may, from time to time, be designated by the Board of Directors.

Section 2. Election. The officers of the Association shall be elected annually by the Board of Directors at the organizational meeting of each new Board of Directors and shall hold office at the pleasure of the Board of Directors.

Section 3. Removal. Upon affirmative vote of a majority of the members of the Board of Directors, any officer may be removed either with or without cause, and his successor elected at any regular meeting of the Board of Directors, or at any special meeting of the Board of Directors called for such purpose. No such removal action may be taken, however, unless

the matter shall have been included in the notice of such meeting. The officer who is proposed to be removed shall be given an opportunity to be heard at the meeting.

Section 4. Duties. The officers shall have such other duties, powers and responsibilities as shall, from time to time, be authorized by the Board of Directors.

ARTICLE V

FINANCE

Section 1. Records. The Association shall keep detailed books of account showing all expenditures and receipts of administration.

Section 2. Fiscal Year. The fiscal year of the Association shall be a calendar year, unless changed by action of the Board of Directors for accounting reasons or other good cause.

Section 3. Bank. Funds of the Association shall be initially deposited in such bank or savings association as may be designated by the Board of Directors and shall be withdrawn only upon the check or order of such officers, employees or agents as are designated by resolution of the Board of Directors from time to time. The funds may be invested from time to time in accounts or deposit certificates of such bank or savings association as are insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation and may also be invested in interest-bearing obligations of the United States Government.

ARTICLE VI

INDEMNIFICATION

The Association shall indemnify any person who was or is a party to or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative by reason of the fact that he or she is or was a director or officer of the Association against expenses (including attorney's fees), judgments, penalties, fines and amounts paid in settlement actually and reasonably incurred by him or her in connection with such action, suit or proceeding if the person acted in good faith and in a manner that the person reasonably believed to be in or not opposed to the best interest of the Association or its members, and with respect to any criminal action or proceeding, if the person had no reasonable cause to believe that the conduct was unlawful.

ARTICLE VII
AMENDMENTS

Section 1. Proposal. Amendments to these Bylaws may be proposed by the Board of Directors of Directors of the Association acting upon the vote of the majority of the Directors or may be proposed by 1/3 or more in number of the Co-owners, in writing and signed by them.

Section 2. Meeting. Upon the proposal of any amendments, a meeting for consideration of the same shall be duly called in accordance with the provisions of these Bylaws.

Section 3. Voting. These Bylaws may be amended by the Co-owners at any regular meeting, annual meeting or special meeting called for such purpose by an affirmative vote of 66-2/3% of all Co-owners in number.

Section 4. Binding. A copy of each amendment to the Bylaws shall be furnished to every member of the Association after adoption; provided, however, that any amendment to these Bylaws that is adopted in accordance with this Article shall be binding upon all persons who have an interest in the Subdivision irrespective of whether such persons actually receive a copy of the amendment.

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Paula Johnson, Ingham County, Michigan

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**RESTATED
DECLARATION OF RESTRICTIONS
FOR SANCTUARY SUBDIVISION**

THIS RESTATED DECLARATION OF RESTRICTIONS is made as of the 16th day of August, 2006, by DENIS C. SMITH, BARBARA B. SMITH and SANCTUARY LLC, a Michigan limited liability company at 287 Turner Road, Williamston, Michigan 48895, pertaining to the plat of the Sanctuary Subdivision, a subdivision of part of Meridian Township, Ingham County, Michigan as recorded on June 8, 2006 in Liber 57 of Plats, Pages 11 through 19, Ingham County Records.

WHEREAS, Sanctuary LLC (hereafter, "Declarant") is the developer of the Sanctuary Subdivision;

WHEREAS, Declarant desires all lands within the Sanctuary Subdivision to be subject to certain land and building use restrictions as hereinafter set forth for the common benefit of all owners of lots within the Sanctuary Subdivision; and

WHEREAS, Denis C. Smith and Barbara B. Smith, as the owners of the Sanctuary Subdivision, hereby consent to these Restrictions;

NOW, THEREFORE, Declarant hereby declares and establishes the following covenants, conditions, restrictions, easements, reservations, powers, obligations and agreements on the pages following upon all lands within the Sanctuary Subdivision and upon all present and future owners and occupants of such lands. This Restated Declaration of Restrictions shall replace in its entirety the Declaration of Restrictions recorded with the Ingham County Register of Deeds on July 14, 2006 at Liber 3227, Page 765 (Document No. 2006-036280).

e-Gail Anderson

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DEFINITIONS

As used in this Restated Declaration of Restrictions, the following terms shall have the meanings designated:

1. "Declarant" means SANCTUARY LLC, its successors and assigns.
2. "Plat" means Sanctuary Subdivision, a subdivision of part of Southeast ¼ of Section 32, T4N, R1W, Meridian Township, Ingham County, Michigan, according to the plat thereof recorded on June 8, 2006, in Liber 57 of Plats, Pages 11-19, Ingham County Records.
3. "Homeowners' Association" means the Michigan non-profit corporation known as Sanctuary Homeowners' Association of Okemos, which is a membership corporation established by Declarant.
4. "Architectural Control Committee" means the committee of the Homeowners' Association established by Bylaws of the Homeowners' Association to implement and approve the architectural control provisions under Article III of these Restrictions.
5. "Architectural Prints" means:
 - (a) complete building plans showing the exterior design, all elevations including roof pitch of a dwelling and the location, size, design and number of garage doors, decks, porches, patios, breezeways, driveways, parking areas, sidewalks and any buildings to be detached from the residence;
 - (b) complete specifications covering the type and quality of exterior walls, trim, decks, porches, patios, breezeways, driveways, parking areas, sidewalks and roofs; and
 - (c) a plot plan showing the location of all building(s) and appurtenances relative to the lot lines.
6. "Landscaping" means trees, shrubs, hedges, fences, retaining walls, rock gardens or other vegetation or landscaping structures or devices.

7. "Landscape Plans" means:

(a) a drawing showing the location of all Landscaping and the configuration of planting beds relative to the location of structures and the boundaries of the lot; and

(b) specifications detailing and identifying the genus, species and size of all plants shown on the drawing, and the design of all landscape structures and the type, quality and color of all materials to be used in the construction thereof.

8. "Common Property" means the following areas and facilities and equipment within the Plat:

(a) The entrance signs on Loon Lane and the equipment pertaining thereto.

(b) Any security lighting installed by Declarant in the Plat.

(c) Any other facility, apparatus or equipment hereafter designated by Declarant to be Common Property.

(d) Sanctuary drain improvements and Turtle Crossing drain improvements.

(e) All open space and natural areas designated on the Plat, including Eagle Park, Bluebird Park, Robin's Way Park and Finch Park.

9. "Homeowners' Association Fund" means the moneys deposited in a bank account established by the Homeowners' Association to pay for costs of maintenance of the Common Property administrative expense and other costs as detailed in these Restrictions.

10. "Costs of maintenance" means all costs associated with maintaining the Common Property, including but not limited to, costs of insurance, taxes, utilities, upkeep, repair and replacement.

POLICY STATEMENT

It is the desire of the Declarant to maintain the Plat in an aesthetically pleasing and high-grade manner for protection of all lot owners within the Plat, balancing the

interests of all lot owners. Therefore, Declarant has intentionally reserved in this Declaration of Restrictions broad powers to direct and control the development and use of lands within the Plat, including the power to freely amend these Restrictions. It is the intention of Declarant that any ambiguity about the extent of Declarant's authority in this regard be construed and resolved in favor of Declarant, and each lot owner, in purchasing a lot, hereby contractually agrees to such principles.

ARTICLE I

ADMINISTRATION OF RESTRICTIONS

During the development stage of the Plat, Declarant intends to retain control of the administration of these Restrictions. Once development of the Plat is completed, or substantially completed as determined by Declarant, Declarant intends to transfer administration of these Restrictions to the Homeowners' Association. However, Declarant reserves the right to transfer administration to the Homeowners' Association at any time, and Declarant further reserves the right to retain administration of any portion of these Restrictions indefinitely. Prior to any transfer to the Homeowners' Association, Declarant reserves the right to transfer or assign its rights hereunder, in whole or in part, to any other person. Successors of Declarant shall automatically accede to all rights of Declarant under these Restrictions.

Should an owner of any lot within Plat violate any of these Restrictions, Declarant shall have the right to undertake correction of the violation and the costs incurred by Declarant in doing so shall be immediately due and, if not paid, may be enforced as provided in Article XXXIII.

ARTICLE II

VARIANCES, DETERMINATIONS AND APPROVALS

Declarant shall have right to grant a variance from any of these Restrictions to the owner of any lot.

Once transfer of administration of any Restriction has been made by Declarant to the Homeowners' Association, all determinations and approvals required of Declarant under such Restriction, and all variances there from obtainable from Declarant shall be obtained from the Architectural Control Committee.

All determinations, approvals and variances, whether from Declarant or the Architectural Control Committee, shall be in writing and shall be procured prior to any act being undertaken which requires such determinations, approvals or variances, or which would violate these Restrictions unless a variance was obtained.

The granting of any variance or approval, or the making of any determination shall not be construed as a precedent binding Declarant or the Architectural Control Committee to any other similar or identical variance, approval or determination, and no action or inaction of Declarant or the Architectural Control Committee shall be deemed a waiver of any of their rights hereunder.

ARTICLE III

ARCHITECTURAL CONTROL

No building shall be erected, located or altered upon any lot within the Plat unless and until the architectural features of the building designated in the Architectural Prints have been approved by Declarant. In addition, prior to commencement, each lot owner shall submit to Declarant for its approval, a plan for preservation of trees in connection with the construction process.

The Architectural Prints shall be submitted to Declarant. If Declarant rejects all or any portion of the Architectural Prints, the owner shall resubmit them or portions of them the for approval.

The extent of discretion reserved to Declarant in approving and rejection Architectural Prints is broad and will cover not only matters treated elsewhere in these Restrictions, but other matters deemed by Declarant to be appropriate from time-to-time, including considerations that are aesthetic and subjective, to assure a proper mix,

coordination and blending of house design, exterior material and color treatments, and placements of houses on lots within the Plat, and to maintain height and view control. Design approval shall take into account not only front elevations, but rear and side elevations as well, with particular attention to aesthetic and subjective considerations relative to dwellings with walkout lower levels.

ARTICLE IV

LANDSCAPE CONTROL

No Landscaping shall be planted, constructed or altered or planting beds or landscape structures created or altered on any lot within the Plat until Landscape Plans have been submitted to and approved by Declarant, with the exception of annual and perennial flowers which may be planted at the discretion of the lot owner.

The Landscape Plans shall be submitted to Declarant. If Declarant rejects all or any portion of the Landscape Plans, the owner shall resubmit them or portions of them for approval.

As a part of construction of a dwelling on any lot, the lot shall be landscaped to standard determined by Declarant to be minimally acceptable and, if not completed by occupancy of the dwelling, shall be completed within two (2) months thereafter. For purposes of the preceding sentence, the months of December, January, February and March shall be excluded from calculation of the two-month period, although a Landscape Plan shall be submitted and approved prior to occupancy.

ARTICLE V

**CESSATION OF CONSTRUCTION AND REMOVAL
OF UNAPPROVED CONSTRUCTION**

Prior to the commencement of construction of any dwelling on any lot, the owner(s) of the lot and the contractor retained by the owner(s) to construct the dwelling,

shall meet with Declarant to review Declarant's requirements for construction based on various provisions of these Restrictions relating to construction. The purpose of this meeting is to avoid any construction which violates the provision of these Restrictions or approvals given by or required to be obtained from Declarant under these Restrictions. If at any time any construction on a lot violates any provision of these Restrictions or any approval given by or required to be obtained from Declarant under these Restrictions, Declarant may require that all or any part of the construction cease for as long as necessary to remove or otherwise remedy the violation, and, upon failure of the owner(s) and/or contractor to cease construction and to begin and continuously proceed to remedy the violation, the owner(s) shall be responsible to Declarant for liquidated damages in an amount equal to \$250.00 for each day the violation continues, which amount, if not paid, shall be a lien on the lot and enforced in the manner provided in Article XXXIII. The provisions of the proceeding sentence shall apply to any aspect of construction activity on the lot, including, but not limited to, the dwelling, driveways, parking areas or Landscaping.

ARTICLE VI

OCCUPANCY

Before a house constructed on any lot in the Plat is occupied, the owner thereof shall file with Declarant an accurate "as built" survey and shall advise Declarant that the house is ready for final inspection so that Declarant may ascertain whether the house and appurtenances have been built according to the Architectural Prints as approved by Declarant and to ensure that they do not violate these Restrictions in any way.

The approval procedures established in this Article shall apply to an addition to an existing dwelling and Landscaping beyond the approved Landscape Plans. Regardless of whether any inspections are made, this Article shall not be construed to create any liability whatever on the part of Declarant to any lot owner.

ARTICLE VII

TYPE OF USE

Only detached single family residential buildings shall be built in the Plat and once built, shall only be used for such purpose, except that Declarant reserves the right to maintain an office within the Plat and a "model" home or homes within the Plat.

ARTICLE VIII

MINIMUM FRONTAGE AND LOT AREA

The minimum frontage of any lot, or portion of lot, or combination of lots or portions of lots for building purposes shall be Township minimums for residential, as the front building line is determined by the Township.

ARTICLE IX

BUILDING SIZE

Houses constructed on lots within the Plat shall have a minimum square footage of finished floor space above street grade, excluding breezeways, porches and garages as determined by Declarant. In the absence of such determination, the minimum shall be:

1. 1 story 2,200 square feet
2. 2 story 2,400 square feet (1,200 square feet first floor)
3. 1½ story 2,200 square feet (1,400 square feet first floor)

It is anticipated that Declarant may grant a credit in any amount determined by Declarant toward the minimum square footage requirements for any house built on a sloping lot with walk-out living space in the lower level where the rear lot line is at a lower grade than the street along the front lot line. It is also anticipated that Declarant may grant a credit for any house of exceptional design and construction as determined by Declarant. For purposes of this article, the term "lower level" means any floor space below the grade of the

street on which the house fronts. Any credit granted hereunder shall not exceed 15% of the minimum square footage established above.

ARTICLE X

BUILDING SETBACK

The minimum setbacks of houses (including garages, porches, decks, patios, greenhouses, eaves, bays and chimneys) from the front and side lot line shall be determined by Declarant. In the absence of such determination, the following setbacks shall apply exclusive of open porches, chimneys or eaves:

1. the minimum setback from the front lot line shall be twenty five (25) feet.
2. the minimum setback from the side lot line shall be ten (10) feet.

ARTICLE XI

BUILDING HEIGHTS

Declarant shall determine individual maximum height restrictions on houses build on each lot in the Plat because of the need and desirability to limit and control the height of dwellings. In absence of determination to the contrary, no house shall exceed two and one half (2 1/2) stories in height, and in no event shall any portion of any building, other than the chimney, exceed thirty five (35) feet in height, as measured from the lowest grade adjacent to the building to the highest point of the building, other than the chimney.

ARTICLE XII

EXTERIOR WALLS

To maintain a high quality of construction and appearance within the Plat, the front exterior elevation shall be approved by Declarant and be 20% stone, brick, or E.F.I.S. or wood/cement board or other material approved by Declarant. Exposed foundations with

over 24" exposure in height, must be covered with siding, brick, stone or stucco. Exterior chimneys must be approved by Declarant. The Declarant may require, on its discretion, that vents without surrounding chases be painted. Roofs must have minimum of a 6/12 pitch unless otherwise approved by Declarant.

ARTICLE XIII

GARAGES AND CARPORTS

Each house constructed within the Plat shall have an attached or built-in garage containing a minimum of 400 square feet of floor area, with walls drywalled or plastered or finished with material approved by Declarant. Automatic door openers shall be installed on main garage doors. Declarant reserves the right to regulate the width and number of garage doors for each garage built within the Plat. No detached garage, or carport of any type may be erected within the Plat.

ARTICLE XIV

PARKING AREAS AND DRIVEWAYS

Outside parking areas, other than driveways shall be permitted only upon the approval of Declarant and shall be landscaped and located no closer than two (2) feet from side lot lines, twenty five (25) feet from front lot lines. No front yard parking areas shall be used for the parking of more than two (2) cars. Outside parking areas shall be constructed of concrete, asphalt or brick.

The location of all driveways within the Plat shall be approved by Declarant and shall be located no closer than two (2) feet from any property line. All driveways shall be constructed of concrete, asphalt or brick.

ARTICLE XV

OUTBUILDINGS AND OUTDOOR RECREATIONAL EQUIPMENT

No playhouse, tree house, dollhouse, greenhouse, gazebo, or outbuildings or structure of any type detached from a dwelling, or children's play equipment or recreational equipment shall be constructed or placed on any lot within the Plat without the approval of Declarant as to size, design, materials and location. Declarant reserves the right to prohibit any of the same if, in the opinion of Declarant, it would constitute a nuisance to owners of other lots within the Plat.

ARTICLE XVI

DECKS, HEDGES, WALLS AND FENCES

No decks, hedges, walls or fences shall be permitted on any lot within the Plat unless approved as to height, location, material and design by Declarant. No hedge, wall, or fence taller than four (4) feet shall be permitted within ten (10) feet of any lot line.

ARTICLE XVII

SWIMMING POOLS AND TENNIS COURTS

No swimming pool shall be constructed on any lot within the Plat without plans therefore having been approved by Declarant. The plans shall include size, design, location, fencing (or other enclosure) and lighting. Approval or rejection of plans shall be governed by the procedure for approval or rejection of Architectural Prints under Article III. In no event shall a swimming pool be located within twenty (20) feet of any adjoining lot, nor shall any such facility be used in a manner to constitute a nuisance to owners of other lots within the Plat. On account of view considerations, tennis courts shall be prohibited without the consent of Declarant, and any consent shall be subject to approval by Declarant of size, design, location, fencing and lighting.

ARTICLE XVIII

EXTERNAL ENERGY SYSTEMS

No solar collector or any other device or equipment erected either on the exterior of a dwelling or detached there from and designed for the production of energy for heating or cooling or for any other purpose shall be permitted without approval from Declarant.

ARTICLE XIX

OUTDOOR LIGHTING

The placement and intensity of outdoor lighting, whether for security or ornamentation, other than decorative fixtures erected on buildings and having a maximum wattage of 100 watts, shall be approved by Declarant.

Declarant reserves the right to have street lights installed by Meridian Township and the periodic service charges rendered by the Township, through taxation or assessment for such lighting, shall be borne by the individual lot owners within the Plat.

Declarant also reserves the right to install security lighting within the Plat, which, if installed, shall become Common Property. The cost of installation, maintenance, and the periodic service charges for such lighting shall be paid through the assessments procedures set forth in Article XXVI. If such lighting becomes public property, any periodic service charges rendered by the Township through taxation or assessment shall be borne by the individual lot owners within the Plat.

ARTICLE XX

SUBDIVISION OF PLATTED LOT

No lot shall be subdivided without the prior written approval of Declarant and in compliance with all applicable local ordinances and State statutes.

ARTICLE XXI

DAMAGED OR DESTROYED BUILDINGS

Any building or other structure on any lot in the Plat which may be damaged or destroyed by fire, windstorm or from any other cause, shall be repaired, rebuilt, or torn down and all debris removed and the lot restored to a sightly condition with reasonable promptness. Declarant may enter on any lot where an excavation, foundation, or uncompleted building or other structure has been left without substantial and continuing building progress for more than three (3) months and cause such excavation or foundation to be filled or removed, or such uncompleted building or other structure to be demolished, the expense thereof shall be immediately due and payable to Declarant by the lot owner and shall become a lien on the property, which lien be foreclosed by Declarant as in the case of the foreclosure of a mortgage under Michigan statutes.

ARTICLE XXII

APPEARANCE OF LOTS AND BUILDINGS

The owners of all occupied lots in the Plat shall keep their lots landscaped and maintain their structures in good repair, consistent with the high standard of the development in the Plat. Prior to and during construction of a dwelling on any lot, the owner shall keep and maintain the lot in a sightly condition consistent with the high standards of the development in the Plat, causing weeds and other growth to be cut. It shall be the obligation of every lot owner to prevent accumulations of rubbish and debris on the lot at all times, including periods of construction.

ARTICLE XXIII

GRADING AND EXCAVATING

The rough grading of each lot within the Plat will have been established by Declarant by the time of the initial sale of the lot. The final grade of a lot may not be

changed from the grading plans without the approval of Declarant. Once the final grade has been established, no modifications therefrom shall be made without the approval of Declarant. No structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the drainage plan of the Subdivision or which may obstruct or retard the nature flow of water over any lot or prevent proper grading and blending of adjoining lots to further the drainage plan.

Each lot owner is responsible for insuring that all dirt from the owner's lot which through erosion or construction activity is deposited on the streets in the Plat is cleaned on an ongoing basis. Should the lot owner fail to meet this standard Declarant may, but is not required to, clean the streets. This expense will be billed to lot owner.

ARTICLE XXIV

NUISANCES

The following shall be considered nuisances and shall not be permitted within the Plat, it being desirable and essential to maintain a high-quality aesthetic living community within the Plat:

1. the keeping of wildlife, livestock or poultry;
2. the keeping of any domestic animals by the owner of any lot in the Plat other than: (1) animals which are kept exclusively indoors; (2) no more than two dogs; and (3) no more than two cats. In no case shall outdoor kennels, pens, or runs be maintained for any animal unless approved by Declarant, including location on the lot;
3. billboards or signs of any type, except signs advertising the sale of lots and houses, although Declarant reserves the right to install and maintain promotional signs and displays within the Plat during development; and to have a model home office;
4. outdoor tanks for storage of fuel;
5. outdoor receptacles for ashes, garbage or refuse;
6. burning of garbage, refuse, brush or leaves;

7. the parking or storing of commercial vehicles, campers, trailers, motor homes, boats, snowmobiles, or other recreational devices or vehicles unless placed wholly within an enclosed garage or other outbuilding approved by Declarant;
8. on-site exploration or drilling of oil or gas;
9. on-site exploration or removal of sand, gravel or other subsurface minerals;
10. outdoor clotheslines;
11. uncovered metal chimneys;
12. vegetable gardens in the front or side yards, or any vegetable garden exceeding 600 square feet;
13. operation of snowmobiles, dirt bike-type motorcycles, or other motorized or alternately powered recreational vehicles, except such other motorized or alternately powered vehicles that may be lawfully operated on public streets;
14. windmills;
15. airborne vehicles of any type;
16. adult camping;
17. a home business which causes excessive vehicular traffic in the Plat or which is conducted at a time of day or night or in a manner which causes a disturbance or annoyance to residents in the Plat; and
18. female poplar (or cottonwood) or box elder trees.

ARTICLE XXV

HOMEOWNERS' ASSOCIATION

Declarant has established the Homeowners' Association as a nonprofit corporation. Copies of the Articles of Incorporation and Bylaws of the corporation, which specify the powers and obligations of the corporation, voting rights of its members and administrative structure of the corporation, shall be given to each lot owner by Declarant prior to or at closing of the sale of each lot by Declarant. Upon becoming a member of the

corporation, each lot owner shall be entitled to vote and required to pay dues in accordance with the terms of the Articles of Incorporation and Bylaws.

ARTICLE XXVI

ASSESSMENT PROCEDURES

Assessments for the cost of maintenance and other items as detailed in Article XXVII shall be made on a calendar year basis, in advance.

1. The regular annual assessments shall be based upon the total estimated costs of maintenance, together with all Association administration expenses. The full regular annual assessment shall be imposed upon single lot owners only. The regular annual assessment for the Declarant and any builder who owns more than one lot will be 100% of the regular annual assessment on the first lot and 1/3 the regular annual assessment on each lot thereafter. If during any year the total accumulations from the regular annual assessments are not sufficient, supplemental special assessments may be made.

2. Regular annual assessments and supplemental special assessments within this Article shall be determined by the Declarant until such time as it shall assign such responsibility to the Homeowners' Association, in which case said assessments shall be determined by the Board of Directors of the Homeowners' Association. Notice of the assessments shall be billed to owners of lots by mailing said notice to their last known address. Accompanying any supplemental special assessment shall be a statement identifying the nature and cost of each item of maintenance being assessed.

3. All assessments under this Article shall be due in full within thirty (30) days of mailing. Any assessment not paid when due shall accrue interest from the due date at such lawful rate as established from time to time by Declarant, and shall become a lien on the lot in question until paid once notice of claiming a lien is recorded by Declarant with the Ingham County Register of Deeds. Such lien may be enforced as provided in Article XXXIII.

4. Assessments shall commence in 2007. The 2007 regular annual assessment is estimated to be \$50.00.

5. Assessments shall be made whether a lot is improved or unimproved with exceptions of multiple lots owned by Developer or any builder (see Article XXVI, Paragraph 1).

6. Declarant shall be entitled to reimburse itself for reasonable costs of administration and accounting of matters covered by this Article from monies in the Homeowners' Association Fund.

7. Declarant reserves the right to transfer the responsibility for maintenance of the Common Property to the Homeowners' Association at any time, and upon such transfer, the Homeowners' Association shall be bound to assume the responsibility for maintenance of such items. Upon transfer, assessments for these items shall be made by the Homeowners' Association, on the bases described in this Article, and the Homeowners' Association shall make determinations reserved to Declarant in this Article as to the same.

ARTICLE XXVII

HOMEOWNERS' ASSOCIATION FUND

The Declarant shall establish and maintain the Homeowners' Association Fund, until such time as the responsibility for maintenance of the Common Property shall be turned over to the Homeowners' Association.

Contributions to the Homeowners' Association Fund shall be made by each lot owner within the Plat based on formulas and assessment procedures established under Article XXVI.

The Declarant or the Homeowners' Association, as appropriate, shall account annually to all lot owners within the Plat for receipts and expenditures from the Homeowners' Association Fund, and shall make the books and records of these funds available for inspection at reasonable times upon request.

Nothing herein shall be construed to prohibit the Declarant or the Homeowners' Association from investing fund moneys in certificates of deposit, treasury bills

or like instruments, and all interest from such investments, and any interest from any bank account into which assessments are deposited, shall insure to the benefit of the Homeowners' Association Fund.

ARTICLE XXVIII

EASEMENTS

Easements are granted as shown on the Plat for the construction and perpetual operation and maintenance of conduits, poles, wires and fixtures for electric lights, telephone and other public and quasi-public utilities and to trim or remove any trees or other vegetation which at any time may interfere or threaten to interfere with the maintenance of such facilities and fixtures, with the right of ingress to and egress from the lots encumbered by the easements in favor of agents and employees of the utilities.

ARTICLE XXIX

WETLANDS AND WATER FEATURES

1. The Subdivision contains certain designated wetland areas and other regulated water features. Such areas are under the jurisdiction of the Michigan Department of Environmental Quality ("DEQ") and the Charter Township of Meridian ("Township") and, therefore, are subject to the laws, ordinances, rules and regulations of the DEQ and the Township and any other governmental authority that may now or in the future have jurisdiction over such areas. Lot owners are advised that such regulations cover not only the designated wetland areas and water features themselves, but also certain lands surrounding these areas. Lot owners shall comply with all such laws, ordinances, rules and regulations.

2. The Homeowners' Association shall preserve and maintain all designated wetlands and water feature areas within the Common Property in the Subdivision. None of the regulated areas within the Subdivision shall be modified in any manner, including, but not limited to, altering the topography of, placing fill material in, dredging, removing or excavating any soil or minerals from, draining surface water from,

constructing or placing any structure on, plowing, tilling, cultivating, or otherwise altering or developing the wetlands, unless a permit for such modification has been issued by the DEQ, the Township and all other appropriate governmental unit or agency, and unless such modification is also approved by the Association.

ARTICLE XXX

REMOVAL OF TREES

Clear-cutting or removal of trees by the Homeowners' Association or by any lot owner shall not be permitted unless such clear-cutting or tree removal is in compliance with all applicable municipal ordinances, and approved by Declarant. Prior to commencement of construction, each lot owner shall submit to Declarant for its approval, a plan for the preservation of trees in connection with the construction process. It shall be the responsibility of each lot owner to maintain and preserve all street trees and large trees on his lot.

ARTICLE XXXI

DURATION, TERMINATION AND AMENDMENT

These Restrictions shall remain in effect until January 1, 2020 and shall thereafter automatically be extended for successive terms of five (5) years each unless at least one (1) year prior to the expiration of the original term or of any renewal term they are terminated. Termination shall be accomplished by recording with the Ingham County Register of Deeds an Agreement of Termination executed by all of the owners of at least two-thirds (2/3) of the lots in the Plat. Termination shall be effective at the end of the term, or such later date as stated.

These Restrictions may be amended by Declarant at any time until it transfers all of its rights hereunder to the Homeowners' Association. When such event occurs, or if prior to that time by recorded instrument Declarant grants amendment powers to the Homeowners' Association, these Restrictions may then be amended by all of the owners of

at least two-thirds (2/3) of the lots in the Plat executing and recording with the Ingham County Register of Deeds an agreement in writing acknowledging and embodying the amendment(s). The term "amend" means the modification or deletion of any restriction, or the imposition of any additional restriction. PROVIDED, HOWEVER, these Restrictions shall not be amended by the lot owners (other than Declarant) in any manner to impair neither any rights of Declarant, nor any obligations under the easements identified in Article XXVII. AND PROVIDED FURTHER that these Restrictions shall not be amended by the Homeowners' Association in any manner to alter the assessment formula under Article XXVI.

ARTICLE XXXII

PARTIAL INVALIDITY

Should any provision of these Restrictions, or portion thereof be deemed invalid, the validity of the remainder shall not be impaired.

ARTICLE XXXIII

ENFORCEMENT

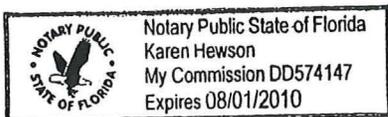
These Restrictions may be enforced and any violation thereof enjoined, and any action for damages maintained by any lot owner, by Declarant as long as Declarant retains any rights hereunder, and by the Homeowners' Association at such time as Declarant transfers all of its rights hereunder to the Homeowners' Association. Included herein is the right to undertake correction of any violation. The costs incurred in doing so shall be immediately due and, if not paid, a lien may be imposed on the owner's lot until paid, by recording a notice of lien with the Ingham County Register of Deeds. The lien may be foreclosed in the manner of the foreclosure of a mortgage under the statutes of Michigan.

SANCTUARY LLC

BY: Barbara B. Smith, Member

STATE OF FLORIDA)
)SS
COUNTY OF PALM BEACH

The foregoing was acknowledged before me this 16 day of AUGUST, 2006 by BARBARA B. SMITH, Member, Sanctuary LLC, a Michigan limited liability company, on behalf of said company.



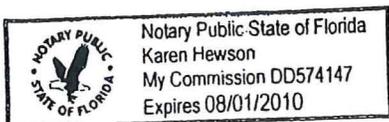
Karen Hewson
Notary Public
PALM BEACH County, Florida
My Commission Expires: 8-1-2010
Acting in PALM BEACH, County, Florida

Denis C. Smith by Barbara B. Smith
Denis C. Smith, by his attorney-in-fact his attorney in fact

Barbara B. Smith
Barbara B. Smith

STATE OF FLORIDA)
)SS
COUNTY OF PALM BEACH

The foregoing was acknowledged before me this 16 day of AUGUST, 2006, by Barbara B. Smith for herself and as Attorney-In-Fact for Denis C. Smith.



Karen Hewson
Notary Public
PALM BEACH County, Florida
My Commission Expires: 8-1-2010
Acting in PALM BEACH County, Florida

SANCTUARY HOMEOWNERS' ASSOCIATION OF OKEMOS

NOTICE OF VOTING REPRESENTATIVE DESIGNATION

The undersigned, constituting the sole Co-owners of Lot _____ in the Sanctuary Subdivision, hereby designate the person named below as the person entitled to vote on behalf of the Co-owners of the property at all meetings of the Sanctuary Homeowners' Association of Okemos and to receive all notices and other communications on behalf of such Co-owners:

(Name of Representative)

This notice is delivered pursuant to Article I, Section 3 of the Bylaws and shall be deemed to empower the named representative to do all acts permitted to be done by such representative under the Bylaws, including, but not limited to, voting by proxy pursuant to Article I, Section 5, and voting by written ballot pursuant to Article II, Section 7 of the Bylaws. This designation of voting representative shall take immediate effect, shall supersede any prior designations, and shall be binding on the undersigned until such time as a new designation shall be filed with the Sanctuary Homeowners' Association of Okemos.

This voting representative designation is executed as of this _____ day of _____, 20__.

Names, Addresses, and
Signatures of Co-owners:

Name

Name

Signature

Signature

Address

Address

The Sanctuary



BriarWood
REALTY COMPANY

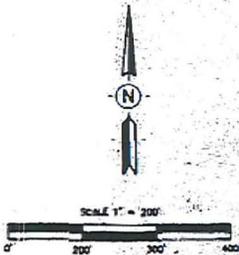
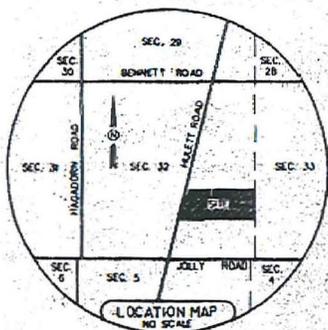
Connie Benca **Scott Fairmont**
706-2449 927-0203

Built By:
GIGUERE
Developers

SANCTUARY

A SUBDIVISION IN PART OF THE SOUTHEAST 1/4 OF SECTION 32, T1N, R1W,
MERIDIAN TOWNSHIP, INGHAM COUNTY, MICHIGAN

SHEET 1 OF 9



SHEET INDEX PLAN

EAST 1/4 CORNER
SECTION 32, T1N, R1W
LIVER 8, PAGE 290
E = 1314822.9077
Y = 433731.9508
M.C.S. 83-84 SOUTH ZONE
STANDARD DEVIATION
X = 0.04, Y = -0.04

SURVEYOR'S CERTIFICATE

I, Jeffrey K. Autenrieth, Surveyor, certify:

That I have surveyed, divided, and mapped the land shown on this plot, described as follows:

SANCTUARY, a subdivision in part of the Southeast 1/4 of Section 32, T1N, R1W, Meridian Township, Ingham County, Michigan, described as: Commencing at the East 1/4 corner of said Section 32; thence $S00^{\circ}28'37''E$ along the East line of said Section 32 a distance of 458.00 feet to the point of beginning of this description; thence $S00^{\circ}28'37''E$ containing along said East line 162.83 feet to the North line of the South 73 acres of the Southeast 1/4 lying East of the centerline of Hallett Road and to the North line of The Meadows as recorded in Book 57 of Plats, Pages 1-5, Ingham County Records; thence $S89^{\circ}33'52''W$ (recorded as $S89^{\circ}53'44''W$) along said North line 2502.00 feet to the centerline of Hallett Road; thence $N14^{\circ}17'10''E$ along said centerline 749.80 feet; thence $S81^{\circ}42'50''E$ 188.50 feet; thence $N07^{\circ}47'10''E$ 261.35 feet; thence $N89^{\circ}45'08''E$ parallel with the East-West 1/4 line of said Section 32 a distance of 2005.05 feet to the point of beginning; said parcels containing 51.35 acres more or less, containing 48 Lots numbered 1 through 48 inclusive and 6 private parks.

That I have made such survey, land-division, and plat by the direction of the owners of said land;

That such plot is a correct representation of all exterior boundaries of the land surveyed and the subdivision of it;

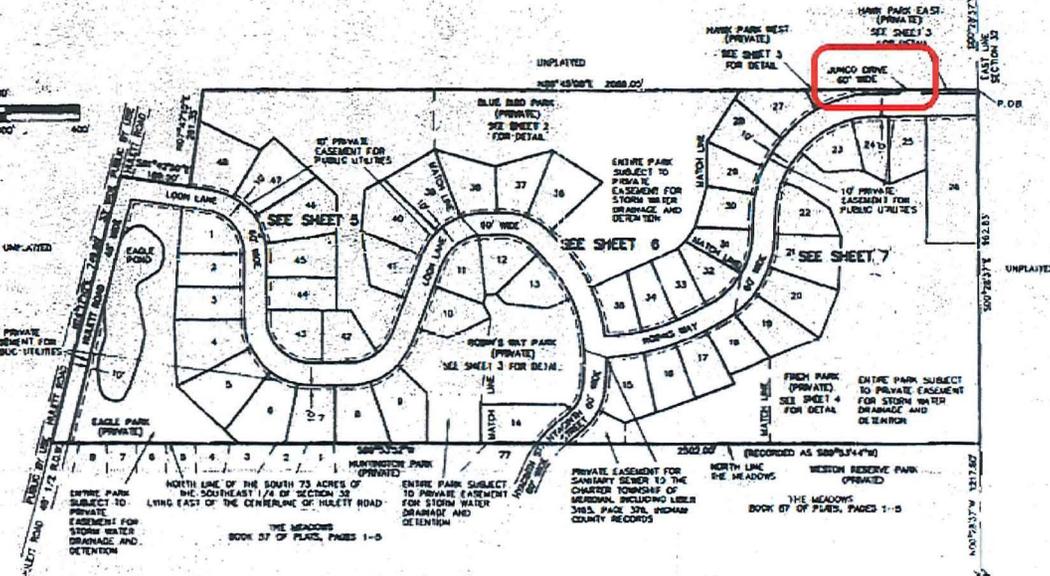
That the required monuments and lot markers have been located in the ground or that surety has been deposited with the municipality, as required by section 125 of the Act;

That the accuracy of the survey is within the limits required by section 126 of the Act;

That all bearings shown on the plot are expressed as required by section 126(3) of the Act and as expressed in the register.

Date 11-21-05

Jeffrey K. Autenrieth
Jeffrey K. Autenrieth, Vice President
Professional Surveyor No. 31588
METS, INC.
2115 Hallett Road
Hallett, Michigan 48846



LEGEND

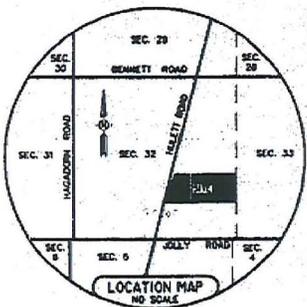
1. ALL DIMENSIONS ARE IN FEET.
2. ALL CURVE DIMENSIONS ARE ARC MEASUREMENTS.
3. STEEL BARS 1/2" IN DIAMETER 36" LONG ENCASED IN CONCRETE 4" IN DIAMETER HAVE BEEN PLACED AT ALL CORNERS MARKED "C".
4. STEEL BARS 1/2" IN DIAMETER 36" LONG ENCASED IN CONCRETE 4" IN DIAMETER HAVE BEEN FOUND AT ALL CORNERS MARKED "F".
5. LOT CORNERS HAVE BEEN MARKED WITH STEEL BARS 1 1/2" IN LENGTH BY 5/8" IN DIAMETER WITH A PLASTIC CAP MARKED "KEBS 25B32, 31588, 49108".
6. ALL BEARINGS AND GOVERNMENT CORNER COORDINATES ARE DERIVED FROM THE MICHIGAN COORDINATE SYSTEM OF 1983, 1989 ADJUSTMENT, SOUTH ZONE, AS DEFINED IN ACT 154 OF THE PUBLIC ACTS OF 1980. GOVERNMENT CORNER COORDINATES ARE EXPRESSED IN INTERNATIONAL FEET, AND WERE ESTABLISHED USING GLOBAL POSITIONING AND GROUND TRAVERSE METHODS, AND ARE REFERENCED TO THE FOLLOWING HORIZONTAL CONTROL STATIONS: 33201 (PID #1747); LAT: $42^{\circ}43'10.330517''N$, LONG: $84^{\circ}24'57.76732''W$; 19003 (PID #1436); LAT: $42^{\circ}46'15.652317''N$, LONG: $84^{\circ}30'48.92456''W$. A COMBINED SCALE FACTOR OF 0.9999931 HAS BEEN APPLIED TO ACHIEVE GROUND DISTANCES. THE CONVERGENCE OF GRID BEARING TO TRUE NORTH AT THE EAST 1/4 CORNER OF SECTION 32, IS $-00^{\circ}03'00''$. ALL BEARINGS AND DISTANCES SHOWN ARE GROUND BEARINGS AND GROUND DISTANCES.

1. R = RADIAL LINE NR = MUN RADIAL LINE

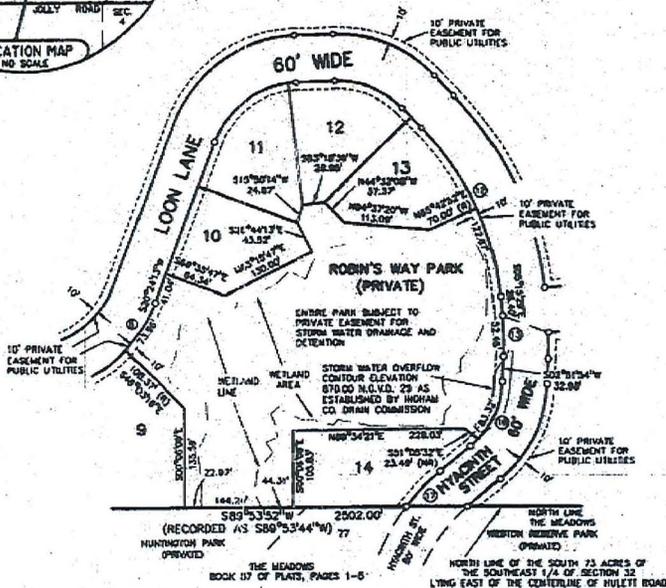
SOUTHEAST CORNER
SECTION 32, T1N, R1W
LIVER 8, PAGE 290
E = 1310304.0614
Y = 431083.7808
M.C.S. 83-84 SOUTH ZONE
STANDARD DEVIATION
X = 0.05, Y = 0.03

SANCTUARY

A SUBDIVISION IN PART OF THE SOUTHEAST 1/4 OF SECTION 32, T4N, R1W, MERIDIAN TOWNSHIP, INGHAM COUNTY, MICHIGAN



OVERALL ROBIN'S WAY PARK DETAIL



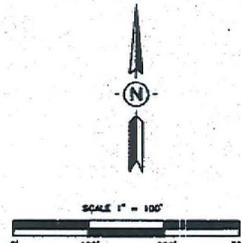
OVERALL HAWK PARK WEST DETAIL



OVERALL HAWK PARK EAST DETAIL



EAST 1/4 CORNER SECTION 32, T4N, R1W
LIBER 8 PAGE 250
X = 13,103,022.0877
Y = 433,731.9501
M.C.S. 83-84, SOUTH ZONE
STANDARD DEVIATION:
X = 0.04', Y = 0.04'



LEGEND

- ALL DIMENSIONS ARE IN FEET.
- ALL CURVE DIMENSIONS ARE ARC MEASUREMENTS.
- STEEL BARS 1/2" IN DIAMETER 30" LONG ENCASED IN CONCRETE 4" IN DIAMETER HAVE BEEN PLACED AT ALL CORNERS MARKED "o".
- STEEL BARS 1/2" IN DIAMETER 36" LONG ENCASED IN CONCRETE 4" IN DIAMETER HAVE BEEN FOUND AT ALL CORNERS MARKED "o".
- LOT CORNERS HAVE BEEN MARKED WITH STEEL BARS 18" IN LENGTH BY 5/8" IN DIAMETER WITH A PLASTIC CAP MARKED "KEBS 25832, 31588, 49105".
- ALL BEARINGS AND GOVERNMENT CORNER COORDINATES ARE DERIVED FROM THE MICHIGAN COORDINATE SYSTEM OF 1983, 1994 ADJUSTMENT, SOUTH ZONE, AS DEFINED IN ACT 154 OF THE PUBLIC ACTS OF 1988. GOVERNMENT CORNER COORDINATES ARE EXPRESSED IN INTERNATIONAL FEET, AND WERE ESTABLISHED USING GLOBAL POSITIONING AND GROUND TRAVERSE METHODS, AND ARE REFERENCED TO THE FOLLOWING HORIZONTAL CONTROL STATIONS: 33201 (PID NF1747); LAT: 42°43'10.53051"N, LONG: 84°24'57.78732"W; 19003 (PID NF1438); LAT: 42°46'15.85231"N, LONG: 84°30'49.92659"W. A COMBINED SCALE FACTOR OF 0.9999631 HAS BEEN APPLIED TO ACHIEVE GROUND DISTANCES. THE CONVERGENCE OF GRID BEARING TO TRUE NORTH AT THE EAST 1/4 CORNER OF SECTION 32, IS -00°03'00". ALL BEARINGS AND DISTANCES SHOWN ARE GROUND BEARINGS AND GROUND DISTANCES.

7. R = RADIAL LINE NR = NON RADIAL LINE

CURVE DATA

CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING
2	218.52	180.00'	89°22'30"	203.18'	N83°02'00"E
12	283.64	370.00'	39°18'30"	248.71'	N24°03'48"W
13	32.46	370.00'	87°29'30"	32.41'	N01°17'47"W
18	87.83	120.00'	48°22'30"	65.14'	N88°25'14"E
27	002.18	370.00'	87°11'11"	033.08'	S49°07'37"W



Gregory L. Auterly

RESOLUTION TO APPROVE RA

**Rezoning #18080
Giguere Homes
3760 Hulett Road**

RESOLUTION

At a regular meeting of the Planning Commission of the Charter Township of Meridian, Ingham County, Michigan, held at the Meridian Municipal Building, in said Township on the 23rd day of July, 2018, at 7:00 p.m., Local Time.

PRESENT: _____

ABSENT: _____

The following resolution was offered by _____ and supported by _____.

WHEREAS, Giguere Homes requested the rezoning of approximately 7.36 acres located at 3760 Hulett Road from RR (Rural Residential) to RA (Single Family-Medium Density); and

WHEREAS, the Planning Commission held a public hearing and discussed the rezoning at its meeting on July 9, 2018; and

WHEREAS, the Planning Commission reviewed and discussed the staff material provided under a cover memorandum dated July 5, 2018; and

WHEREAS, the subject site meets the minimum standard for lot area of the proposed RA (Single Family-Medium Density) zoning district; and

WHEREAS, the subject site is located in close proximity to an existing RA (Single Family-Medium Density) zoning district to the north; and

WHEREAS, in a letter dated June 12, 2018 the applicant offered voluntary conditions on the rezoning, including limiting development of the site to a maximum of eight lots, providing a 50 foot wide natural preservation area along Robins Way, establishing deed restrictions for the development that meet or exceed those of the existing Sanctuary development, restricting construction hours to 8 a.m. to 6 p.m. Monday-Saturday, and the installation of a temporary chain link gate at the entrance off Robins Way during the land development phase of construction; and

WHEREAS, the proposed rezoning to RA (Single Family-Medium Density) is consistent with the 2017 Future Land Use Map designation of R2-Residential 0.5 to 3.5 dwelling units per acre; and

WHEREAS, public water and sanitary sewer services are available to serve the site.

**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
REGULAR MEETING MINUTES**

APPROVED

July 9, 2018

5151 Marsh Road, Okemos, MI 48864-1198

517-853-4560, Town Hall Room, 7:00 P.M.

PRESENT: Commissioners Richards, Cordill, Ianni, Scott-Craig, Trezise and Shrewsbury
ABSENT: Commissioners Stivers, Premoe, and Lane
STAFF: Principal Planner Peter Menser

1. Call meeting to order

Chair Ianni called the regular meeting to order at 7:00 P.M.

2. Public Remarks - none

3. Approval of Agenda

Commissioner Cordill moved to approve the agenda as written.

Supported by Vice-Chair Scott-Craig.

VOICE VOTE: Motion approved unanimously.

4. Approval of Minutes - none

5. Communications

Principal Planner Menser noted two communications had arrived after the meeting packet was sent out and will be included in the meeting packet for the next Planning Commission meeting on July 23, 2018. He further noted that hard copies of the two communications were distributed to the Planning Commission at their places on the dais prior to tonight's meeting.

6. Public Hearings

- 
- A. Rezoning #18080 (Giguere Homes) rezone approximately 7.36 acres located at 3760 Hulett Road from RR (Rural Residential) to RA (Single Family-Medium Density).

Chair Ianni opened the public hearing at 7:03 p.m.

Principal Planner Menser outlined Rezoning #18080 for discussion.

Mr. Jim Giguere, the applicant, stated he was offering several conditions to the rezoning in hopes of satisfying the desires of the current residents in the area and the Township Board. He stated the five conditions were: No more than eight (8) lots would be developed, preservation of a 50 foot wide strip of green space to act as a buffer between new development and existing neighborhood, deed restrictions equal to or greater than those in the existing neighborhood, limited hours of construction from 8 a.m. to 6 p.m., and the installation of a gated fence separating any new development from the existing neighborhood during the development phase of the neighborhood.

Mr. Giguere stated the proposed rezoning would preserve green space, trees, and minimize impact on the surrounding neighborhoods.

Mr. Brian Lick, 2613 Elderberry Lane, spoke in opposition to Rezoning #18080.

Ms. Alina Gorelik, 2577 Robin's Way, spoke in opposition to Rezoning #18080.

Vice-Chair Scott-Craig asked Mr. Giguere what he meant by meeting or exceeding the deed restrictions of the existing neighborhood.

Mr. Giguere said his intent would be to limit the types of homes, sizes of the lots, and the sizes of the homes. He said he would provide a copy of the deed restrictions for the existing neighborhood at the next meeting.

Vice-Chair Scott-Craig asked if the proposed buffer strip had an existing pathway.

Mr. Giguere said the Township has plans to put a trail on the property that would connect to other Township pathways.

Vice-Chair Scott-Craig asked the applicant what was meant by the "development phase" of the proposed property.

Mr. Giguere explained the development phase is prior to the building phase when land is being cleared, the road is constructed and utilities are placed.

Commissioner Cordill asked who would be in charge of making sure all the deed restrictions would be met.

Principal Planner Menser replied the Township does not enforce deed restrictions; it would be up to a homeowner's association to enforce the deed restrictions.

Commissioner Richards said he has difficulty with the idea that rezoning would be the only option to provide the desired outcome.

Commissioner Trezise asked if the proposed neighborhood would be part of the existing Sanctuary homeowner's association.

Mr. Giguere stated it would be up to the individual home owners and the association whether they would join.

Vice-Chair Scott-Craig asked if a buffer could be planned for the other side of the proposed development to soften the view of the neighborhood across the road.

Mr. Giguere said it could be a consideration.

Commissioner Cordill asked if the proposed cul-de-sac is of a standard size.

Principal Planner Menser replied he could find out but the Ingham County Road Department would be the authority over the road construction.

Commissioner Shrewsbury asked if a rezoning was the only option for achieving the desired result.

Principal Planner Menser replied a rezoning, planned unit development (PUD), or planned residential development (PRD) would be the options.

Commissioner Richards asked if a plat would be required.

Principal Planner Menser responded a plat would be required, as metes and bounds may not yield the number of lots desired by the developer.

A straw poll conducted indicated the Planning Commission would be in favor of a resolution of approval to be drafted for the next meeting.

Chair Ianni closed the public hearing at 7:45 p.m.

7. Unfinished Business

- A. Special Use Permit #18061 (Meridian Township), replace drain structure in the floodplain of the Pine Lake Outlet Drain adjacent to the Old Raby Trail located east of Raby Road, south of Haslett Road, and west of Marsh Road.

Principal Planner Menser outlined Special Use Permit #18061 for discussion.

Commissioner Richards moved to approve Special Use Permit #18061 as outlined in the resolution. Supported by Commissioner Shrewsbury.

VOICE VOTE:

YEAS: Commissioners Richards, Shrewsbury, Cordill, Trezise, Vice-Chair Scott-Craig, and Chair Ianni

NAYS: None

MOTION CARRIED: 6-0.

8. Other Business-None

9. TOWNSHIP BOARD, PLANNING COMMISSION OFFICER, COMMITTEE CHAIR, AND STAFF COMMENTS OR REPORTS-None

10. PROJECT UPDATES

- A. New Applications - None
- B. Site Plan Received-None
- C. Site Plans Approved
 - 1. Site Plan Review #18-07 (Wieland), construct a 29,270 square foot church at 6322 Newton Road.

11. PUBLIC REMARKS - NONE

12. ADJOURNMENT

Commissioner Trezise stated he supports the rezoning and agreed the traffic issue needs to be addressed by the Michigan Department of Transportation as soon as possible.

Vice-Chair Scott-Craig stated he was in support of the rezoning.

Commissioner Stivers added her support but said she would like to hear the opinion of Bath Township regarding the traffic issue.

Commissioner Lane asked if the business currently operating from the site would be able to continue operation if the rezoning request was denied.

Principal Planner Menser said they would be allowed to continue operation but the use would be non-conforming.

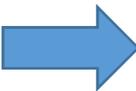
Vice-Chair Scott-Craig asked if it was possible to get the input of Bath Township.

Principal Planner Menser replied that staff has had ongoing discussions with their counterparts at Bath Township regarding the issues of rezoning and development.

A straw poll conducted indicated the Planning Commission would be in favor of approval for Rezoning #18100. Staff was asked to draft a resolution of approval for the next meeting.

Chair Ianni closed the public hearing at 7:50 p.m.

7. Unfinished Business

- 
- A. Rezoning #18080 (Giguere Homes), rezone approximately 7.36 acres located at 3760 Hulett Road from RR (Rural Residential) to RA (Single Family-Medium Density).

Principal Planner Menser outlined Rezoning #18080 for discussion. He stated the applicant had provided the deed restrictions for the Sanctuary as he was asked to at the previous meeting.

Commissioner Trezise moved to approve Rezoning #18080 as outlined in the resolution.
Supported by Vice-Chair Scott-Craig.

VOICE VOTE:

YEAS: Commissioners Trezise, Vice-Chair Scott-Craig, Premoe, Cordill, Stivers, and Chair Ianni

NAYS: Commissioners Richards and Lane

MOTION CARRIED: 6-2.

8. Other Business-None

9. TOWNSHIP BOARD, PLANNING COMMISSION OFFICER, COMMITTEE CHAIR, AND STAFF COMMENTS OR REPORTS

Vice-Chair Scott-Craig gave a brief summary of the July 12, 2018 Economic Development Corporation (EDC) meeting. He said the August meeting has been cancelled.

Commissioner Stivers gave a brief summary of the July 9, 2018 Downtown Development Authority (DDA) meeting.

July 6th, 2018

Okemos, MI

To:

Mr. Peter Menser
Principal Planner
Charter Township of Meridian
5151 Marsh Road,
Okemos, MI 48864

Re: Opposition to Rezoning #18080 (Giguerre Homes)

Dear Mr. Menser:

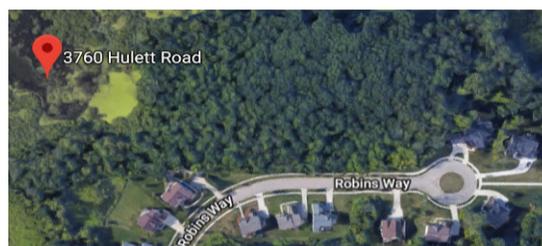
I am a long time resident of Okemos and currently reside at 2483, Robins Way in the Sanctuary II subdivision. Firstly, I would like to thank you, the Planning Commission and the Board of Meridian Township for ruling in favor of the residents who opposed the rezoning request #18010 by Giguerre Homes.

Although, I appreciate that Mr. Giguerre has agreed to self-impose conditions for the development of subject property, I continue to register my **opposition** to the rezoning requested by Giguerre Homes, where under renewed proposal #18080 approximately 7.5 acres is to be rezoned from Rural Residential (RR) to RA (Single Family – Medium Density). The grounds for my opposition are as follows and **are in addition to those I had submitted against proposal #18010:**

- 1) One has to question why a developer would propose restrictions and take on added costs, to request a rezoning to build **only one** additional house above the 7 that would be permitted by current zoning. It is imperative, that the developer and Township provide full transparency in this matter
- 2) Based on the proposed layout, the lots have limited frontage. One can expect, that to construct houses of size and style similar to those on Robins Way, the dwellings will be very close to each other and hence will not maintain the essential character of the Sanctuary subdivision
- 3) The Township had committed to conduct a wetland impact study during the public hearings on the original proposal #18010. As such, no consideration should be given to the new proposal #18080 without such a certified study for review by residents.

Objections to original Rezoning proposal #18010:

- 1) Section 86-221 under the Township's zoning ordinance states that *"granting the variance will not adversely affect adjacent land or the essential character in the vicinity of the property"*. The property in question is currently densely wooded (see satellite picture) and provides a much needed green space. The proposed rezoning will result in removal of a most of the green cover and significantly alter the character of the area.



- 2) The address of the said property is 3760, Hullett Road. However, I understand that the only access will be on Robins Way, which is a winding road. Having a road to this new development that is perpendicular to Robins Way, will make it unsafe for vehicular traffic.
- 3) My current residence at 2483 Robins Way, faces the said property. I had purchased the property in 2012 at a premium, on account of the open and green spaces, from Giguere Builders. At the time I was not informed of any plans for development or rezoning of the property. Doing so, will result in a loss of privacy, impact on the environment, increased traffic and ultimately will diminish the value of my property.
- 4) In order to increase tax revenues, it appears that Meridian Township is in a rush to increase the construction of higher density housing. However, this increase in tax base, has not resulted in lower property taxes for existing residents nor has it enhanced township services. For example, it is not uncommon for residents of Robins Way to go for days without snow ploughing or to endure the poor condition of Okemos Road.

On behalf of myself and other residents of the Sanctuary subdivision, I kindly request the Charter Township of Meridian to reject the rezoning request #18080.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay Murthy". The signature is stylized with a large initial "J" and "M".

Jay Murthy
2483, Robins Way
Okemos, MI 48864

To the Planning Commission of the Charter Township of Meridian:
Re: Rezoning #18080

I am writing a letter in opposition to the request of Giguere Homes to rezone the area at 3760 Hulett Road from (RR) Rural Residential to RA (Single Family-Medium Density). As a homeowner in the Sanctuary at 2470 Robins Way, I have personally attended several meetings regarding the rezoning of this area since early 2018. The first attempt to rezone this area was initially approved by the Planning Commission by a 4-3 vote despite the opposition of more than 20 homeowners within the neighborhood. The final decision was then given to the Township Board for consideration where after much discussion the rezoning was turned down by a 6-1 vote. Several members of the board were specifically concerned about the loss of green space this area affords for both natural wildlife as well as the neighborhood as a whole. Furthermore, several board members commented how opposing the rezoning was in accordance with the Meridian Township Master Plan that was adopted in 2017 and praised each other's decision to oppose further development of this area within the township.

While the homeowners within the development were very pleased with the Board's recent decision, it would appear Mr. Giguere is taking another bite at the apple. The area being considered is currently zoned for the development of seven homes. Why then are we considering this rezoning initiative for one additional home? In speaking with Mr. Menser, it appears the driving force behind this rezoning is so that Mr. Giguere will be given the opportunity to develop another cul-de-sac within the property to further his *financial* benefit at the expense of this habitat. **The rezoning of this area for one additional home is purely for the financial benefit of the developer.**

As a homeowner on Robin's Way, I would like nothing more than for this area to be preserved for both the beauty of our neighborhood as well as to preserve the natural habitat of this area. If however this acreage is to be developed, we ask that the zoning of this area remain in accordance with the zoning of the existing cul-de-sac and remain rural residential.

At a previous meeting, the Planning Commission asked the residents whether or not Mr. Giguere had communicated with the homeowners association in an attempt to reach a compromise with the residents of the Sanctuary. To my knowledge, Mr. Giguere has not communicated with any of the homeowners to discuss the rezoning of this area and how we would be affected. These are the same individuals and families who paid a premium to Mr. Giguere to build their homes within the Sanctuary. We were happy to pay this premium and become residents of Meridian Township as we were assured that we were the final phase of development within the Sanctuary and that further development was not possible. A short four years later and Mr. Giguere has reversed the pledge to the homeowners of this development so that he may build *just one more home*.

I urge the Planning Commission to uphold the decision reached by the Township Board and hold Mr. Giguere to the promises that he made to the residents of the Sanctuary. Do not approve this rezoning which serves to benefit only Mr. Giguere to the detriment of the residents of Meridian Township and the Sanctuary.

Sincerely,

Brent Felton
2470 Robins Way



13.D

To: Township Board

From: Mark Kieselbach, Director of Community Planning and Development
Peter Menser, Principal Planner

Date: August 30, 2018

Re: 6365 Newton Road Concept Plan

M78 Insite Ventures, LLC has submitted a concept plan to develop the property at 6365 Newton Road using the mixed use planned unit development (MUPUD) ordinance. The submitted conceptual site plan depicts a project with a horizontal mix of retail and multiple family uses. The site was rezoned from RD (Multiple Family) to C-2 (Commercial) in 2018. In addition to MUPUD approval, a special use permit (SUP) would be required for any building or group of buildings over 25,000 square feet in size.

The mixed use planned unit development (MUPUD) ordinance includes a provision for an applicant to submit a concept plan for concurrent review by the Planning Commission and Township Board. The review provides an opportunity to offer comments and suggestions on the project design prior to a MUPUD application. The review is informal; therefore a public hearing and associated noticing are not required. The Planning Commission reviewed and provided comments on the concept plan at its August 27, 2018 meeting.

The MUPUD process requires public hearings with both the Planning Commission and Township Board. The Planning Commission makes a recommendation on the project with the Township Board having final approval.

Attachments

1. Project narrative submitted by the property owner and received by the Township on August 22, 2018.
2. Conceptual site plan dated August 22, 2018 and received by the Township on August 22, 2018.

G:\Community Planning & Development\Planning\MIXED USE PLANNED UNIT DEVELOPMENTS (MUPUD)\CONCEPT PLANS\2018\6365 Newton Road\Newton Road concept plan.tb1.docx

NEWTON / SAGINAW MUPUD CONCEPT NARRATIVE

M78 Insite Ventures, LLC (M78 Insite), acquired the subject Property in January, 2016, from National Amusement, Inc. National Amusement owned the property for over 40 years and were the operators of the drive in theater which first opened in 1969 with 2 screens and later added a third screen. The property had a capacity of almost 2,100 cars and operated from 1969-1992. Then for a short period of year, National Amusement opened and ran a 12 screen, second run movie theater until closing for good early 2000's. The building was demolished and the property has sat vacant, overgrown and unsightly ever since.

The property consist of 41.04 acres and is currently zoned C2.

M78 Insite now comes before the Township Board and Planning Commission with the logical request to rezone the Property to Mixed Use Planned Unit Development (MUPUD) which is ideal for the area and the Township as well as all of the neighboring residential.

The purpose of the MUPUD is to create a more walkable pedestrian oriented development by promoting mixed use within one development. All PUD's in Meridian Township require the incorporation of amenities to benefit the community.

The proposed MUPUD plan combines both multifamily residential and commercial uses within one large overall project that re-develops a site that has sat idle/vacant for many years. An amenity to the environment, this project would rehabilitate a degraded site. The site is a prime location for a "gateway" type of development at the beginning of the Saginaw Highway corridor that offers the opportunity to incorporate numerous amenities that would be beneficial to both the residents, customers, and the township. The combination of multiple uses within a single development will allow for a comprehensive and cohesive overall design.

The multifamily component is approximately 20 acres with 288 units in low-rise buildings (14.5 du/acre).

The larger retailer component provides regional draw for customers, and provides opportunities for out-lot ancillary retail development. This occupies the remaining 20 acres of the site.

There appears to be pockets of existing wetlands on the site that has potential to be incorporated into a water features linking pedestrian and bicycle friendly recreation system. These linkages provide opportunities for other recreation activities such as ball courts, picnic areas, dog parks and play grounds. Access to Township recreation opportunities would be provide where appropriate, including pedestrian-ways within the retail development.

Modern and technological amenities being considered include electric car charging, low-impact site design elements, LED site lighting and charging stations for wireless technology. New storm water management facilities will be incorporated into the design framework. Use of current BMP's would help increase perviousness in paved areas, and allow for greater infiltration opportunities.

Other site designs being considered are extensive landscaping and use of canopy style street trees would help reduce the "heat island" effect, and increase shade for parked cars. Park-like areas and additional landscape would enhance and extend the surrounding woodlands, and buffer the impacts of the development from surrounding residents and uses.

Access management and traffic control onto and along Saginaw Highway are improved with the use of shared, existing curb cuts to the west. Additional access to the property is diverted to Newton Road, a secondary collector road, and off the main flow of through traffic.

Collection points within the retail component would provide linkages to public transit systems, and provide areas for covered/enclosed bicycle storage. Pedestrian friendly connections between retail uses will be incorporated, as well as outdoor seating/gathering spaces.

Requested zoning is consistent with the Townships Master Plan:

The Master Plan calls for MR-Residential, 5-14 units per acre. A C2/MUPUD zoning is consistent with the current residential allowance but would also generate the opportunity to add retail services, office and other commercial uses all of which are fitting in this area.

Requested rezoning is compatible with other existing and proposed uses surrounding the site:

Saginaw/M78 is a main County artery road running east-west. The area surrounding the subject property is primarily residential. With Meijer approximately 1.0 mile east and a new Cosco approximately 1.5 mile to the west, the area has proved to be low on supply of retail services. Dividing the property into commercial/retail on the road frontage with a residential buffer to the Neighborhood on the north is a compatible use for the surrounding area.

Requested rezoning would not result in significant adverse impacts on the natural environment:

Based on initial inspections by design professionals, mapping, local knowledge, and a survey work, there appears to be small pockets of wetlands located through-out the site, most notably, the detention basin located along the perimeter of the site.

The majority of the site has been impacted by a parking lot that covered almost the entire site to provide parking for the theater operation. Experts have concluded that most if not all of the quality of the plant life has been diminished by past commercial uses and the proliferation of invasive species.

Based on the available information, there does not appear to be any concern for re-development of the site as all of the possible wetland areas are along the perimeter and of those, only one would possibly be a regulated wetland. Prior to site plan approval, an updated wetland delineation will be performed to determine if the wetlands shown on the original survey are still present or if any additional wetland areas have emerged and what if any wetlands would be regulated.

Requested rezoning would not result in significant adverse impacts on traffic circulation, water and sewer systems, education, recreation or other public services:

UTILITIES:

The site has adequate space to provide above ground detention. Domestic Water is provided along the east side of Newton Road. Sanitary Sewer is provided in the ROW along the north side of Saginaw Street and at a depth suitable to the proposed development. All other private utilities appear to be adequate and available to the site without offsite improvements.

STORM WATER:

- There are multiple potential outlet locations
- The site is not located within a FEMA floodplain
- Detention and water quality will be required and engineered for the site.
- The existing detention ponds could be utilized for detention if desired. New outfall structures would need to be designed and installed.

WATER:

- Water is currently on-site and located in a loop around the former Cinema Building location.
- The existing system will need to be relocated to accommodate the location of the proposed buildings.

SANITARY SEWER:

- The sanitary sewer in the Saginaw Street ROW is 10" and approximately 12 feet deep.
- The existing system is sized to accommodate the proposed development.

TRAFFIC STUDY:

- A traffic impact study will be required with the scope to determine the impacts on Newton Road and the intersection with Saginaw Street.
- MDOT has performed its own studies due to the increase in traffic from current and existing proposed developments.
- The TIS will dictate the offsite roadway improvements, necessary turn lanes, light or signal improvements, and the potential reconstruction of Newton Road, entrances tapers and/or bypass lanes.

Requested rezoning addresses a proven community need:

There is a strong need for retail and community services as well as multi-family residential product that can be offered in this northern portion of the Township.

Requested rezoning results in logical and orderly development in the Township:

The area of the subject site is significantly under developed from a standpoint of road improvements, lighted intersection, curb, gutters, street lights, and other natural landscaping effects that would support the significant neighborhoods in close proximity. The C2/MUPUD zoning requested would allow the right mix of uses such as a multi-family complex, small to medium, and large big box retail and office.

Requested rezoning will result in better use of Township land, resources and properties and therefore more efficient expenditure of Township funds for public improvements and services:

1. Increase tax basis from the development
2. Increase draw from the regional population
3. Increase in overall population
4. Better services
5. One-of-a-kind development to help make Meridian Township's northern boundary area, and the Saginaw Highway gateway more attractive.



LEGEND

- ① PROP. MULTIFAMILY BUILDINGS
- ② PROP. CLUB HOUSE
- ③ PROP. LARGE RETAILER
- ④ PROP. OUT LOTS (TOTAL AND TYPE TBD)
- ⑤ PROP. STORM WATER DETENTION
- ⑥ EX. WETLANDS
- ⑦ SHARED ACCESS DRIVE OFF PROPERTY

NOTES

Site Location:	6365 Newton Road East Lansing, MI 48823
Total Site Area	= 40.2 ac.
Residential Site Area	= 20.8 ac.
Commercial Site Area	= 19.4 ac.
Residential Unit Total	= ±280
Commercial Bldg Area	= 250,000 sf





11. A & 13. E

To: Township Board

From: Frank L. Walsh, Township Manager

Date: August 31, 2018

Re: 2019 Recommended Budget Public Hearing and Discussion

On Friday, August 24, 2018, the Draft 2019 Budget was delivered to the Township Board members and at the same time was made publicly available on our website and at the Haslett and Okemos Libraries.

The overarching goals of the 2019 Budget mirror the 2018 Action Plan adopted by the Board in January 2018. Our target is to eliminate the Municipal Employees' Retirement System (MERS) pension debt by 2026, committing multiple resources to our core PICA areas, finding a path to allocate additional resources to fix local roads and relocating the Farmers' Market.

It would be helpful if you bring your copy of the Draft 2019 Budget to the Board meeting.

Finance Director Miriam Mattison and I look forward to presenting the budget to you on Tuesday, September 4th. In the meantime, please do not hesitate to contact me if should you have any questions.