

**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
REGULAR MEETING MINUTES
June 22, 2009**

APPROVED

**5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room, 7:00 P.M.**

PRESENT: Secretary Jorkasky, Commissioners Beyea, Deits, Domas, Honicky, Jackson, Reicosky
ABSENT: Chair Wilcox, Commissioner Klemans
STAFF: Principal Planner Gail Oranchak

1. Call meeting to order

Vice-Chair Reicosky called the regular meeting to order at 7:00 P.M.

2. Approval of agenda

Commissioner Honicky moved to approve the agenda. Seconded by Commissioner Jackson.

VOICE VOTE: Motion carried 7-0.

3. Approval of Minutes

Commissioner Honicky moved to approve the Regular Meeting Minutes of June 8, 2009. Seconded by Commissioner Jorkasky.

VOICE VOTE: Motion carried 7-0.

4. Public Remarks

Vice-Chair Reicosky opened the floor for public remarks.

Bob Andrews, 4731 Woodcraft, Okemos, spoke in support of SUP #09-97161 (Indian Hills Golf Course).

Vance Kincaid, 4530 Nakoma Drive, Okemos, spoke in support of SUP #09-97161 (Indian Hills Golf Course).

William Lee, Vice-President, Indian Lakes Homeowners Association, 4795 Arapaho Trail, Okemos, read from a prepared statement expressing concern whether adequate analysis has been completed on the 7th tee of the Indian Hills Golf Course relative to Special Use Permit #09-97161. He requested assurances from the Planning Commission regarding the safety and well being of residents of Indian Lakes.

John Halloin, 4805 Arapaho Trail, Okemos, expressed concern with the hydrologic changes resulting from this request and believed any filling from the golf course may raise the level of the river and therefore raise the level of water in the back yards of residents of Indian Lakes.

Leslie Adams, 2337 Hamilton Road, Okemos, expressed concern with possible rising of the level of the Red Cedar River which may result from the proposal contained in Special Use Permit #09-97161.

Vice-Chair Reicosky closed public remarks.

5. Communications

A. B. A. Moore, 4790 Arapaho Trail, Okemos; RE: SUP #09-97161 (Indian Hills Golf Course)

B. Owen Neils, 1069 Harper Road, Mason; RE: Letter to the Ingham County Road Commission concerning oak tree removal on Grand River Avenue

6. Public hearings

A. Special Use Permit #09-97161 (Indian Hills Golf Course), a request to place fill in the floodplain of the Red Cedar River at 4887 Nakoma Drive

Vice-Chair Reicosky opened the public hearing at 7:16 P.M.

- Introduction by the Vice-Chair (announcement of procedures, time limits and protocols for public participation and applicants)
- Summary of subject matter
Principal Planner Oranchak summarized the proposed special use permit as outlined in staff memorandum dated June 18, 2009.
- Applicant or Applicant's Representative:
J.C. Peterson, 4287 Burning Bush, Okemos, availed himself for Planning Commission and public questions. He indicated that no one is more impacted by the floodplain than his business, Indian Hills Golf Course. He addressed scope and scale, pointing out that he placed only 16 yards of fill on a 33.6 acre golf course. Mr. Peterson noted the golf course is surrounded by a dike which holds four (4) to five (5) feet of water. He added the golf course holds water and prevents neighboring properties from flooding.
- Planning Commission discussion:
Commissioner Honicky inquired about the Township's ordinances relative to work in the floodplain.

Principal Planner Oranchak responded the ordinances deal with fill in the floodplain, which changes the capacity of the floodplain. She added that when this happens, an applicant is required to provide a compensating cut.

Commissioner Deits inquired how this issue came to the attention of the regulatory bodies.

Principal Planner Oranchak responded Township staff visually observed dirt being placed on the 7th tee.

Commissioner Deits requested staff explain compensating cuts for both the Planning Commission and the public.

Principal Planner Oranchak explained the floodplain has a capacity for floodwater and is relied on to protect upland areas. She noted the capacity has been evaluated and flood elevations established by the Federal Emergency Management Agency (FEMA). The current capacity and location of the floodplain needs to be maintained. Any construction project which removes capacity from the floodplain (thereby the floodplain being unable to hold as much water as it would have originally) can occur through the special use permit (SUP) process. One of the requirements in the SUP process is to remove an amount of material (in proximity to the project) at least equal to or greater than the amount displaced.

Commissioner Beyea requested background information on the protocol for an "after-the-fact" special use permit.

Principal Planner Oranchak explained staff does have the ability to request the applicant restore the land to its previous condition. She added staff has been working with the owner to go through the normal procedures after the fact as it was considered a minor issue and would not impact the surrounding area.

Commissioner Beyea asked staff if there should be any additional analyses done as part of the permitting process to address prior concerns expressed by nearby neighbors.

Ms. Oranchak explained the state and township agencies responsible for reviewing the project see no need for additional information.

Commissioner Beyea inquired if there was any indication of the need for a long term study of this area regarding water problems, as some of the issues raised tonight go beyond the immediate project.

Ms. Oranchak indicated FEMA is the agency responsible for preparing and distributing floodplain maps and updated the original 1976 maps in 2000. She indicated when a major project is proposed, the applicant must submit hydrological analyses to FEMA, the state and the Township to ensure the proposed project will be successful.

Vice-Chair Reicosky noted the project and compensating cut will make the ability of the floodplain to store water “better” than before the project. He believed there is a “hole” in the Township process as no one is maintaining the compensating cuts to prevent them from being filled.

- Public
Bill Cambray, 4672 Chippewa Drive, Okemos, stated floodplains exist because rivers deposit sediment He noted the floodplain is always changing and the river cannot be stopped from adding sediment from the floodplain, a natural process.

Vice-Chair Reicosky closed the public hearing at 7:50 P.M.

7. Unfinished Business

Commissioner Honicky moved to suspend Bylaw No. 6.4a for the purpose of making a decision regarding Special Use Permit #09-97161 on the same date as the public hearing. Seconded by Commissioner Deits.

VOICE VOTE: Motion carried 7-0.

Commissioner Honicky moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby grants special use approval for Special Use Permit #09-97161 subject to the following conditions:

- 1. Approval is subject to the plans and specifications prepared by the Indian Hills Golf Course, received by the Department of Community Planning and Development with the application for Special Use Permit #09-97161 and associated materials, subject to revisions as required.**
- 2. The compensating cut(s) shall result in the removal of 32 cubic yards of soil from one or more locations within the floodway of the Red Cedar River.**
- 3. Prior to work starting on the compensating cut area, the wetland boundary shall be flagged and verified by the Department of Community Planning and Development.**
- 4. The final design and location of the proposed compensating cut areas shall be subject to the approval of the Director of Community Planning and Development.**

5. **The applicant shall dispose of all compensating cut materials to a location approved by the Director of Community Planning and Development.**
6. **Erosion control fencing shall be installed prior to construction of the compensating cut areas to prevent sedimentation from infiltrating into the regulated wetland and shall be removed after construction is completed and the area is stabilized.**
7. **The applicant shall obtain all necessary permits, licenses and approvals from the Michigan Department of Environmental Quality, and the Township prior to any construction at the compensating cut location.**
8. **No work shall take place in regulated wetlands without first obtaining a wetland use permit from the Michigan Department of Environmental Quality and the Township.**
9. **No work shall take place in the natural water features setback around wetlands without first obtaining a variance from the Meridian Township Zoning Board of Appeals.**

Seconded by Commissioner Jorkasky.

ROLL CALL VOTE: YEAS: Commissioners Beyea, Deits, Domas, Honicky, Jackson, Jorkasky,
Vice-Chair Reicosky

NAYS: None

Motion carried 7-0.

8. Other Business (None)

9. Announcements (None)

10. New applications (None)

11. Site plans received (None)

12. Site plans approved (None)

13. Public remarks

Vice-Chair Reicosky opened and closed public remarks.

14. Adjournment

Vice-Chair Reicosky adjourned the regular meeting at 8:00 P.M.

Respectfully Submitted,

Sandra K. Otto
Recording Secretary