

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
349-1200, Town Hall Room
TUESDAY, JULY 2, 2002, **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Trustees Brixie, Stier, Such, Woiwode
ABSENT: Clerk Helmbrecht, Treasurer Hunting
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development
Mark Kieselbach, Director of Engineering & Public Works Ray Severy, EMS/Fire Chief
Fred Cowper, Personnel Director/Assistant Manager Paul Brake, Attorney Mike
Woodworth

1. CALL MEETING TO ORDER

Supervisor McGillicuddy called the meeting to order at 6:06 P.M.

A. Appointment of Clerk Pro Tem (See Agenda Item #3)

2. PLEDGE OF ALLEGIANCE

Supervisor McGillicuddy led the pledge of allegiance.

3. ROLL CALL

Supervisor McGillicuddy called the roll of the Board.

- Appointment of Clerk Pro Tem (Agenda Item #1A.)

Trustee Such nominated Trustee Brixie to serve as Clerk Pro Tem. Seconded by Trustee Woiwode.

VOICE VOTE: Motion carried 5-0.

4. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Todd Brunst, 1021 W. Dansville Road, Mason, speaking on behalf of Richard & Linda Netzloff, declared the recording of a deed restriction on the Netzloff property [subject of Rezoning #02010 (Township Board)] to the development of only single-family detached homes and related amenities.

John Anderson, 215 W. Newman, Okemos, declared the suspension of the petition for referendum on Rezoning #02010 (Township Board) in light of the aforementioned deed restriction.

Leonard Provencher, 5824 Beuna Parkway, Haslett, stated his dissatisfaction with the contractor's lawn restoration following the water main project on Buena Parkway; and requested the Township correct this problem.

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

Supervisor McGillicuddy asked Director Severy to look into the lawn restoration on Beuna Parkway.

Trustee Woiwode asked the Board consider the request from the Zoning Board of Appeals (See Board Communication CL-1).

6. APPROVAL OF AGENDA — OR CHANGES

Trustee Brixie moved to approve the agenda amended as follows: Delete Agenda Items #7B(2) (June 18, 2002 Regular Meeting Minutes) and #11F (Land Clearing). Seconded by Trustee Such.

VOICE VOTE: Motion carried 5-0.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda

Trustee Such moved to adopt the Consent Agenda. Seconded by Trustee Brixie.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Such, Woiwode, Supervisor McGillicuddy

NAYS: None

Motion carried 5-0.

The adopted Consent Agenda items are as follow:

A. Communications

(1). Board Deliberation (BD)

- 7H-1 Stacy Buhs, 1794 Michael Street, Haslett; RE: Support for Michael Street Public Road Improvement Special Assessment District #33
- 9B-1 Charles Louis Willems, 1387 Hickory Island, Haslett; RE: Objection to Lake Lansing Watershed Management Special Assessment District
- 9B-2 Diane Diamond, 6228 Columbia Street, Haslett; RE: Objection to Lake Lansing Watershed Management Special Assessment District
- 9B-3 Charles and Jean Wallin, 6225 East Lake Drive, Haslett; RE: Support for Lake Lansing Watershed Management Special Assessment District
- 10C-1 Joyce Wildenthal, 1468 Oscoda Road, Okemos; RE: Support for Exclusion of Owner Occupied Rental Properties from Section 92.6.5
- 10C-2 Margaret W. Plagge, 2248 Kent Street, Okemos; RE: Support for Rigorous Policy of Licensing Fees and Registration for Rental Properties
- 10C-3 Molly Wingrove, 2649 Melville Drive, East Lansing; RE: Suggested Amendments to the Proposed Rental Housing Code
- 10C-4 Rita D. Freeman, President, Lakeside Village Condo Association, 1952 Lac Dumont, Haslett; RE: Suggested Amendments to the Proposed Rental Housing Code
- 10C-5 Ruth Pecic, 5099 Wardcliff Drive, East Lansing; RE: Petition and Objections to Proposed Rental Housing Code Amendments
- 10G-1 Sally E. Bartley, 2120 Belding Court, Okemos; RE: Opposition to Proposed Pedestrian/Bicycle Pathway on South Side of Kinawa Drive
- 10G-2 William C. Rieske, 2130 Belding Court, Okemos; RE: Opposition to Proposed Pedestrian/Bicycle Pathway on South Side of Kinawa Drive
- 10G-3 Dr. Anna Miller, 4251 Hulett Road, Okemos; RE: Opposition to Proposed Hulett Road Pathway
- 10G-4 Julia Taylor, 4638 Manitou Drive, Okemos; RE: Support for Addition of Manitou Drive to Pedestrian/Bicycle Pathway Master Plan
- 10G-5 John Bondarenko, 1932 Belwood Drive, Okemos, RE: Statement and Petition Opposing Consumers Energy Right-of-Way Pathway
- 10G-6 Ron French, 1995 Cimarron Drive, Okemos; RE: Petition Supporting the Deletion of Pathway Between Okemos and Dobie Roads from the Master Plan
- 10G-7 June Easley, 4597 Manitou Drive, Okemos; RE: Petition Opposing Proposed Addition of Manitou Drive Pathway to Master Plan
- 10G-8 Dan and Donna Blakey, 5571 Okemos Road, East Lansing; RE: Opposition to Addition of Okemos Road Pathway to the Master Plan
- 10G-9 David and Carole McSherry, 2490 Overglen Court, East Lansing; RE: Suggested Amendments to Briarwood/Van Atta Task Force Recommendation
- 10G-10 Kimm X. & Thomas Stuart Jayne, 1485 Sylvan Glen, Okemos; RE: Suggested Amendments to Briarwood/Van Atta Task Force Recommendation

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- 10G-11 Larry R. Smith, President, Dream Lake Condominium Assn.; Robert Perrin, President, Emerald Lake Condominium Assn.; Keith Wilson, President, Bear Lake Assn.; RE: Support for Hidden Lake Drive Pathway
- 10G-12 Elizabeth ("Betsy") Goodman, 1917 Tahoe Circle, Okemos; RE: Opposition to Proposed Manitou Drive Pathway
- 10G-13 William and Muriel Saul, 1971 Cimarron Drive, Okemos; RE: Opposition to Briarwood Pathway
- 10G-14 Gary Stuart, 4206 Hulett Road, Okemos; RE: Opposition to Addition of Hulett Road Pathway to the Master Plan
- 10G-15 Daniel E. and Spiridoula Sine, 4500 Manitou Drive, Okemos; RE: Proposed Tacoma Hills Pathway
- 10G-16 Laurie and Joe Thorp, 2166 Belding Court, Okemos; RE: Opposition to Kinawa Drive Pathway
- 10G-17 Vaughn R. and Terri A. Snook, 4341 Hulett Road, Okemos; RE: Opposition to Proposed Hulett Road Pathway
- 10G-18 Vaughn R. Snook on behalf of Arnella Turner, 4331 Hulett Road, Okemos; RE: Opposition to Proposed Hulett Road Pathway
- 10G-19 Camala A. Riessinger, Ph.D., and Nancy E. Ridley, 4355 Hulett Road, Okemos; RE: Opposition to Proposed Hulett Road Pathway
- 10G-20 Mark R. Gugel, 4375 Okemos Road, Okemos; RE: Opposition to Proposed Hulett Road Pathway
- 10G-21 Susan C. McMullen, 4354 Hulett Road, Okemos; RE: Opposition to Proposed Hulett Road Pathway
- 10G-22 Marc McMullen, 4354 Hulett Road, Okemos; RE: Opposition to Proposed Hulett Road Pathway
- 10G-23 Jean M. Doss, 2276 Hulett Road, Okemos; RE: Opposition to Proposed Hulett Road Pathway

(2). Board Information (BI)

- BI-1 Christine Barden, 5754 Ridgeway Drive, Apt #5, Haslett; RE: Transmittal of Meridian Riverfront Park Walking Journal to the Meridian Township Park Commission
- BI-2 H. R. Smith, 2343 Hulett Road, Okemos; RE: Installation of Hulett Road Railroad Crossing Barricades
- BI-3 Quenda Behler Story, 4526 Marlborough Drive, Okemos; RE: Application to the Ingham County Board of Commissioners for Appointment to the Capital Area District Library Board
- BI-4 Michigan Liquor Control Commission; RE: Denial of Request for New SDD License with Sunday Sales Permit for Borman's Inc.
- BI-5 Eleanor V. Luecke, President, L.I.N.C.; RE: Comprehensive Development Plan Goals & Objectives

(3) Commission Linkage (CL)

- CL-1 Gary Shoup, Chair, Zoning Board of Appeals; RE: Pedestrian/Bicycle Pathway Master Plan

(4) Staff Communication/Referral (SC)

- SC-1 Michigan Townships Association Legislative Fax, June 14, 2002 Edition
- SC-2 Michigan Townships Association Legislative Fax, June 17, 2002 Edition
- SC-3 Michigan Townships Association Legislative Fax, June 21, 2002 Edition

Trustee Such 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 Brixie.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Such, Woiwode,
Supervisor McGillicuddy
NAYS: None
Motion carried 5-0.

- B. Minutes - May 23, 2002 Joint Meeting
Trustee Such moved to approve and ratify the minutes of the May 23, 2002 Joint Meeting as submitted. Seconded by Trustee Brixie.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Such, Woiwode,
Supervisor McGillicuddy
NAYS: None
Motion carried 5-0.

- C. Bills
Trustee Such moved that the Township Board approve the Manager's Bills as follows:

| | |
|---------------------------------|----------------------|
| General Fund/Special Revenue | \$ 223,016.69 |
| Public Works | \$ 288,072.38 |
| <u>Total Checks</u> | <u>\$ 511,089.07</u> |
| | |
| <u>Credit Card Transactions</u> | <u>\$ 16,677.28</u> |
| Total Purchases | <u>\$ 527,766.35</u> |

Seconded by Trustee Brixie.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Such, Woiwode,
Supervisor McGillicuddy
NAYS: None
Motion carried 5-0.

[Bill list in Official Minute Book]

- D. Outdoor Gathering Permit, Towar Community Days
Trustee Such moved that the Township Board approve the Outdoor Assembly License for the Towar Community Day. Seconded by Trustee Brixie.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Such, Woiwode,
Supervisor McGillicuddy
NAYS: None
Motion carried 5-0.

- E. East Lansing-Meridian Water & Sewer Authority Appointment(s)
Trustee Such moved to reappoint Director of Public Works & Engineering Raymond Severy as the Township Representative to the East Lansing-Meridian Water & Sewer Authority for a three- (3) year term ending June 30, 2005. Seconded by Trustee Brixie.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Such, Woiwode,
Supervisor McGillicuddy
NAYS: None
Motion carried 5-0.

- F. Assessing Stipulation - Court One Athletic Club
Trustee Such moved that the Township Assessor be authorized to sign a stipulation with Court One Athletic Clubs, on the following vacant commercial property:

| <u>YEAR</u> | <u>DOCKET NO.</u> | <u>ADDRESS OF PROPERTY</u> |
|----------------------------|-------------------|---|
| 2002 | 0289659 | Vacant Land, Research Circle |
| <u>Assessment</u> | 2002 | <u>AV</u> \$ 69,700 <u>TV</u> \$69,700 |
| <u>Proposed Assessment</u> | 2002 | <u>AV</u> \$ 50,000 <u>TV</u> \$ 50,000 |

Seconded by Trustee Brixie.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Such, Woiwode,
Supervisor McGillicuddy
NAYS: None
Motion carried 5-0.

G. Retirement of Police canine

Trustee Such moved that the Township accept the Offer by Gayelord Mankowski to take on the responsibility for care and custody of "Bandit," the retired Police Department Canine. Seconded by Trustee Brixie.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Such, Woiwode,
Supervisor McGillicuddy
NAYS: None
Motion carried 5-0.

H. Michael Street Public Road Improvement Special Assessment District #33 - **Resolution #3**

Trustee Such moved to approve Michael Street Public Road Improvements Special Assessment District #33 Resolution #3, approving the improvements to grade, gravel and pave Michael Street; defray the cost by a twenty-five percent (25%) match by the Township from the 2002 Township Streets & Highways Construction/improvements budget and the remaining cost defrayed by special assessment; approving the total estimated cost of \$17,000, and determine the special assessment district. Seconded by Trustee Brixie.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Such, Woiwode,
Supervisor McGillicuddy
NAYS: None
Motion carried 5-0.

8. QUESTIONS FOR THE ATTORNEY (See preceding Agenda Item #10 (Action Items), See Agenda Items #11C. 11E.)

9. HEARINGS

A. Act 425 Agreements With City of East Lansing
Supervisor McGillicuddy opened the public hearing at 6:17 P.M.

Manager Richards introduced the proposed agreement summarizing the general provisions.

Supervisor McGillicuddy asked the attorney if he had any comments on the agreement.

Attorney Woodworth stated the proposed agreement represents a product of negotiations beginning February 14, 2002 between the Township and City of East Lansing. The agreement is substantially different from the Act 425 Agreement with the City of Lansing [Governor's Collection] in providing for substantive input from the Township in future land use decisions through a joint Board. He recommended the agreement, recognizing the annexation alternative.

Trustee Woiwode asked the attorney to explain the change to the property description with the deletion of the softball complex property.

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Attorney Woodworth stated there is a slight change in the property description to reflect the change in the boundary from a triangular portion on the east side of the softball complex to a 200-foot strip to prevent adjacencies for annexation.

Trustee Brixie asked if the agreement protects Bath Township as well as Meridian Township from annexations.

Attorney Woodworth answered one must keep in mind the property identified as "Zone 1" is already under the jurisdiction of the City of East Lansing. He stated Zone 1 has been included in the agreement to provide the necessary buffer to prevent future annexations. He stated Bath Township is negotiating its own agreement under Act 425, which creates a strip of property between Meridian Township's border and their Act 425 area. He stated the Bath Township agreement; unlike Meridian Township's agreement, provides for the transfer of jurisdiction to East Lansing following the term of the agreement.

John Anderson, 215 W. Newman Road, Okemos, stated opposition to all agreements under Act 425. He asked for the Township Manager and Attorney to comment on the legality of the Netzloff deed restriction (See Agenda Item #4 (Public Remarks)).

Trustee Stier asked if the provisions for the end of the agreement term have changed?

Manager Richards answered the provision for the termination/renewal of the agreement has not changed, and would continue if either party desired to continue the agreement.

Trustee Stier asked which municipality holds jurisdiction over the property following the termination of the agreement.

Manager Richards stated jurisdiction would revert to Meridian Township.

Trustee Woiwode asked for clarification and a description of the process envisaged for the creation of a conservation easement under the provisions for rezoning of Zone 3.

Attorney Woodworth referred to page 5, Section 2.4, Subsection D. in answer to the question. He stated the procedure is for the property to be rezoned as provided under the subsection. The MDEQ would survey the site to delineate the wetland boundaries. He stated the MDEQ wetland delineation creates a legal description to be inserted into Exhibit B. He noted the current version of Exhibit B has a legal description for the entire property within which the wetland is located. He stated the current Exhibit B will remain the same with a new appendix providing the new legal description for the wetland. He stated that wetland would be conveyed by a permanent conservation easement in form B as drafted and presented to the Township. He stated no discretionary land use permits would be granted with respect to the zone in which the wetland appears until that conveyance takes place.

Trustee Woiwode asked for confirmation that the restrictions on the parcel provides for development based on the existing zoning, but no SUP, PUD, or rezoning could take place until such conservation easement were granted.

Attorney Woodworth stated this is correct.

Supervisor McGillicuddy closed the public hearing at 6:30 P.M.

- B. Lake Lansing Watershed Management Special Assessment District (Continuation)
Supervisor McGillicuddy reconvened the public hearing at 6:30 P.M. (Continued from June 18, 2002 Regular Meeting)

Director Severy introduced the proposed special assessment district.

John Warbach, Member, Lake Lansing Advisory Committee, 6070 Columbia, Haslett, spoke in support of the special assessment district for the following reasons:

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- The current special assessment district represents a successful example of municipal government and the community working together
- The watershed management plan outlines significant work yet to be performed and managed

Cindy Wycoff, 6391 E. Reynolds Rd, Haslett, spoke in support of the special assessment district but objected to the amount assessed to property owners for the following reasons:

- There are approximately 290 families residing on the lake vs. 500,000 annual visitors adding trash and pollution to the lake
- The county and Township portions to the assessment should be raised to compensate for impact of visitors

John Anderson, 215 W. Newman Road, Okemos, stated support for the special assessment district. He asked for the Township Manager and Attorney to comment on the legality of the Netzloff deed restriction (See Agenda Item #4 (Public Remarks)).

Supervisor McGillicuddy closed the public hearing at 6:35 P.M.

- Netzloff Deed Restrictions: (Agenda Item #8 (Questions for the Attorney))
 - Q. Please comment on the filed deed restriction for the Netzloff property.
 - A. The deed restrictions have been reviewed and the terms of the restrictions should address the concerns expressed by Mr. Anderson. The deed restrictions are given in perpetuity: binding the property and run with the property in subsequent conveyances. Future purchasers of the property would need to be put on notice as to the presence of these deed restrictions. The Township is specifically given standing to enforce the deed restrictions, in addition to any other interested property owner. The property is limited to the development and construction of single-family detached homes only and amenities such as curb and gutter. The restrictions are enforceable if and when the need arises.

Manager Richards noted he had nothing to add to the attorney's comments.

10. ACTION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Daria N. Schlega, 2446 Burcham Drive, East Lansing, spoke in support of a definition of the term "landlord" in the Rental Housing Code.

Joe Moyer, 1941 Danbury W., Okemos, spoke in opposition to the adopted Rental Housing Fee Schedule.

Diane Gosler, 5752 Ridgeway Drive, Haslett, spoke in support of a licensing exception for owner-occupied duplexes.

Leonard Provencher, 5824 Beuna Parkway, Haslett, spoke in support of the Pedestrian/Bicycle Pathway Master Plan, in opposition to the deletion of pathways from the master plan, and in opposition to the Van Atta Task Force recommendation.

Supervisor McGillicuddy closed public comment.

- A. Act 425 Agreements With City of East Lansing (See Agenda Item #9A.)
Supervisor McGillicuddy opened discussion on the proposed agreement.

Board Members discussed the following:

- Provides good protection for area residents
- Represents a win-win solution
- Protects the wetlands
- Permits reasonable development

Trustee Such moved [and read the resolution into the record] THEREFORE, BE IT RESOLVED, by the Township Board of the Charter Township of Meridian, Ingham

County, Michigan, that the Act 425 Agreement attached to this Resolution is approved and shall be entered into with the City of East Lansing as provided for herein.

IT IS FURTHER RESOLVED, that the Township Supervisor and Clerk are hereby authorized and directed to execute the Act 425 Agreement attached to this Resolution on or after August 2, 2002, provided that a valid referendum petition is not filed with respect to the subject conditional transfer in accordance with said act.

Seconded by Trustee Brixie.

Board Members discussed the following:

- Quality of agreement
- Potential modifications considered by East Lansing
- Necessity of the adoption of a common agreement
- Potential for improved relationship with East Lansing
- Importance of the protections provided under the Township's wetland ordinance
- General resident support of the agreement
- Resident opportunity for a referendum on the agreement

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Such, Woiwode,
Supervisor McGillicuddy
NAYS: None
Motion carried 5-0.

B. Allocation of Two Class C Liquor Licenses

Director Brake introduced the recommendation for allocation of the two (2) new Class C Liquor Licenses. He corrected the record as to the location of Castaldi's Market and Grill in the J.C. Penney wing of the Mall.

Trustee Such moved that the request for the Class C Licensed Business from Castaldi's Market and Grill, 1982 Grand River Avenue, Okemos, MI, Ingham County, and Japanese Restaurant, 1754 Central Park Drive, Okemos, MI, Ingham County, be approved "above all others" and the Township Clerk be authorized to execute the authorizing resolution.

Seconded by Trustee Brixie.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Such, Woiwode,
Supervisor McGillicuddy
NAYS: None
Motion carried 5-0.

C. Rental Housing Code Amendments – Introduction

Trustee Woiwode stated she needed to recuse herself on this matter.

Trustee Such moved to permit Trustee Woiwode to abstain from consideration of this matter. Seconded by Trustee Stier.

VOICE VOTE: Motion carried 5-0.

[Trustee Woiwode left the room at 7:03 P.M.]

Director Kieselbach introduced the proposed Rental Housing Code amendments.

Trustee Brixie moved [and read the resolution into the record] THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, the Township Board hereby Introduces for Publication and Subsequent Adoption Ordinance No. _ - _, entitled "Ordinance Amending the Code of Meridian Township, Michigan, by Amending Section 92-6 Registration and Inspection of Rental Property." Seconded by Trustee Such.

Board Members discussed the following:

- Addresses enforcement disparities between the Township and East Lansing
- Board consideration of the existing Rental Housing Fee Schedule
- Definition of “owner” in the Code as equivalent to the term “landlord”
- Enforcement and monitoring methodology
- Rental parking enforcement

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Such, Woiwode,
Supervisor McGillicuddy
NAYS: None
Motion carried 5-0.

[Trustee Woiwode reentered at 7:15 P.M.]

- D. Zoning Amendment #02050 (Township Board), amendment to the C-1 zoning district to allow gasoline stations by special use permit (excluding repair service and car washes) - **Introduction**

Director Kieselbach introduced the proposed zoning amendment.

Trustee Stier moved [and read the resolution into the record] THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, the Township Board hereby Introduces for Publication and Subsequent Adoption Ordinance No. - , entitled “Ordinance Amending the Code of Meridian Township, Michigan, by Adding Section 82-11.3E.5.” Seconded by Trustee Woiwode.

Board Members discussed the following:

- Presents an equitable solution for existing non-conforming properties

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Such, Woiwode,
Supervisor McGillicuddy
NAYS: None
Motion carried 5-0.

- E. Purchase of State Tax Foreclosed Properties

Director Kieselbach introduced option for Township purchase of state tax foreclosed properties

Board Members discussed the following:

- Consider as a policy discussion to give direction to the manager
- Policy on acquisition and maintenance of property
- Concerns related to those properties with bids higher than market value
- Township auction of properties
- Implications of the foreclosure of Hidden Meadows PUD open space
- Loss of a common parcel from Coyote Creek
- Need for a base environmental assessment or a Township staff assessment

Trustee Such moved to authorize the Township Manager to apply to the Michigan Department of Natural Resources (MDNR) for the purchase of tax foreclosed properties as he establishes in cooperation with the Township Attorney with payment from the General Fund. Seconded by Trustee Brixie.

Trustee Such amended the motion to change: “ as he establishes in cooperation with the Township Attorney....” to “suitable for ownership by the Township....” Amendment accepted by seconder.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Such, Woiwode,
Supervisor McGillicuddy
NAYS: None
Motion carried 5-0.

- G. Pedestrian/Bicycle Pathway Master Plan Proposed Amendments
Director Severy introduced the proposed amendments.

Board Members discussed the following:

- Concerns related to use of the term "greenway"
- Consideration of postponement
- Development of a Greenspace Plan
- Differences between the pathway concepts developed and recommended by the task forces
- Board action to officially accept the recommendations from the task forces with further consideration of and adoption of implementation measures

Trustee Such moved to postpone the matter until the July 16, 2002 Regular Board Meeting. Seconded by Trustee Woiwode.

VOICE VOTE: Motion carried 4-1 (Stier).

11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Joe Moyer, 1941 Danbury W., Okemos, spoke in opposition to the rental housing inspection schedule for the differing classes of rental units.

Charles Louis Willems, 1387 Hickory Island, Haslett, stated his objection to the Lake Lansing Watershed Management Special Assessment District.

Daria N. Schlega, 2446 Burcham Drive, East Lansing, stated concerns related to the sufficiency of enforcement in the proposed Rental Housing Code.

Supervisor McGillicuddy closed public comment.

- A. Lake Lansing Watershed Management Special Assessment District (See Agenda Item #9B.)
Manager Richards outlined the process for a special assessment district.

Board Members discussed the following:

- Consideration of a equivalent per-capita allocation from the Township and county

- B. Township-wide Traffic Impact Analysis

Supervisor McGillicuddy introduced and opened discussion for a traffic impact study.

Board Members discussed the following:

- Prioritization of corridors for study
- Need to account for built in capacity for existing zoning of Township
- Consideration of existing traffic issues and desired outcomes
- Consideration of Ingham County Road Commission traffic benchmarks for roadway widening
- Need for a broader analysis than a typical traffic impact study
- Involvement of coordinating agencies in addressing problem areas
- Amendments to traffic impact studies required by the Township
- Maintain focus on land use and growth management issues
- Origination and destination studies
- Fiscal implications of existing roadways
- Regional cooperation for corridor studies
- Need for a land use analysis before corridor studies
- Available resources in determining the best approach
- Uses for computer traffic modeling
- Traffic impact of road improvements

- C. Clustered Housing Ordinances (PUD & PRD), and Statutory Compliance
Director Kieselbach introduced the available options to reach statutory compliance.

Best Option: (Agenda Item #8 (Questions for the Attorney))

Q. What is the best route in serving the Board ends?

- A. It is not recommended to create any new overlay districts or further "clutter" the Code of Ordinances. The best route would be to amend the Planned Unit Development (PUD) Ordinance to make provisions there to meet the statutory requirements.

Sufficiency of Recommended PUD Ordinance Amendments: (Agenda Item #8 (Questions for the Attorney))

Q. Are the recommended amendments as detailed in the May 24, 2002 Staff Memorandum sufficient to meet statutory requirements

- A. Yes. That is not to say the Township could not make additional amendments to the ordinance. In terms of minimum requirements, the answer is yes.

Advisability of Amendments to the Planned Residential Development (PRD) Ordinance: (Agenda Item #8 (Questions for the Attorney))

Q. Should the Township also amend the PRD Ordinance as it only requires twenty percent (20%) open space?

- A. The Township must make accommodation to comply with the statute. If this were done through the PUD Ordinance, that would be sufficient.

Board Members discussed the following:

- Low use of the PRD ordinance
- Areas excluded from the calculation of open space under the PRD
- Lower open space requirement for PRD vs. PUD
- Need for amendments to the PRD Ordinance
- Legislative intent of state statute
- Need for input from area development community in clustered housing ordinance amendments
- Concern regarding usability of ordinances
- Desirability of PUD's over platted subdivisions
- Need for shorter or time limited consideration of PUD applications
- Need for Board involvement in consideration of PUD's
- Clustered housing in RR (Rural Residential) zoning districts
- Approval of RR (Rural Residential) and RRR (Rural Residential-Low Density) PUD's without public sewer

- D. Railroad Right-of-Way Setbacks

Director Kieselbach introduced railroad right-of-way setbacks.

Board Members discussed the following:

- Current ordinance as a model presented by the Michigan Railroads Association
- Possible addition of a minimum number of access points for any developments adjacent to railroad rights-of-way
- Consideration of impacted properties
- Consideration of increased rail transport of hazardous materials since 1988
- Possible addition of noise buffering requirements
- Need for Zoning Board of Appeals consideration of the public health and safety intent of the ordinance

- E. One Per Year Rezoning Request Limitation

Supervisor McGillicuddy introduced the topic of a limitation on the number of rezoning requests for any one parcel to one per year.

Board Members discussed the following:

- Staff time used per rezoning request

- Equivalent limitation for variance and special use permit requests
- Applicant determination of appropriate zoning before application
- Research into comparable limitations for other municipalities
- Potential impact on the rezoning process

Liability Prevention: (Agenda Item #8 (Questions for the Attorney))

- Q. How does the Township prevent legal disputes as to whether changes to a pending rezoning request constitutes a new request?
- A. As long as the requirement is tied to the data available in terms of the time and energy invested in a request. All governmental units are under pressure as to available resources and time consumed through multiple applications/requests. It would be relatively easy to document how many hours of labor are invested in rezoning requests, and thereby develop a rational basis for a limitation of one request per year. That same limitation could define what constitutes a request or substantially the same request: i.e. if it involves the same parcel or a portion thereof. This could be done definitionally. This is not insurmountable.

Board Members discussed the following:

- Applicant change of request based on initial sentiment of the Board
- Amount of staff time involved in a new request vs. a second request

- G. Administrative Policy for Review of Pedestrian/Bicycle Pathway Master Plan Amendments
Manager Richards summarized the proposed policy.

Board Members discussed the following:

- Board review of amendments before scheduling a hearing
- Reduction in the frequency of review of the master plan
- Possible renaming of the Pedestrian/Bicycle Pathway Master Plan
- Excessive threshold of fifty percent (50%) resident support for Board consideration
- Proposed policy excludes the legitimate planning role of the Township
- Necessity for proper scrutiny before a public hearing
- Need for the incorporation of bicycle trails into a comprehensive transportation plan
- Lack of a workable planning process leading to implementation of the pathway system
- Development of the master plan as a staff function rather than a Board function

12. VISION SESSION/ENDS: Meridian Greenspace Plan - John Warbach

John Warbach, Planning & Zoning Center, introduced the Work Program to develop a Meridian Greenspace Plan.

Board Members discussed the following:

- Development of regional partnerships
- Responsibility of the consultant for public input
- Role of the Greenspace Advisory Committee
- Composition of the Greenspace Advisory Committee
- Time frame for delineation of wood lots and habitat
- Use of satellite imagery vs. aerial photography
- Consideration of the development of greenspaces through redevelopment
- Consideration to how farmland would be included

13. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

John Veenstra, 320 Piper Road, Haslett, spoke in opposition to the Rental Housing Code Amendments and the adopted Rental Housing Fee Schedule.

Lynne Page, President Briarwood Homeowners Association, 3912 Raleigh Drive, Okemos, spoke in support of an addition to the Pedestrian/Bicycle Pathway Master Plan along Kinawa Drive from Breckinridge to Dobie Road. She spoke in opposition to the Briarwood/Van Atta Task Force recommendation.

Supervisor McGillicuddy closed Public Remarks.

14 ADJOURNMENT

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

SUSAN MCGILLICUDDY
TOWNSHIP SUPERVISOR

JULIE BRIXIE
CLERK PRO TEM

Paul J. Cassidy, Secretary