

CHARTER TOWNSHIP OF MERIDIAN  
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -  
5151 Marsh Road, Okemos, MI 48864-1198  
853-4000, Town Hall Room  
TUESDAY, JULY 21, 2015 **6:00 P.M.**

PRESENT: Supervisor LeGoff, Clerk Dreyfus, Treasurer Brixie, Trustees Scales, Styka, Veenstra, Wilson  
ABSENT: None  
STAFF: Township Manager Frank Walsh, Assistant Township Manager/Director of Public Works Derek Perry, Director of Community Planning & Development Mark Kieselbach, Police Chief David Hall, Fire Chief Fred Cowper, Director of Information Technology Stephen Gebes, Human Resources Director Joyce Marx, Communication Director Deborah Guthrie, Parks & Recreation Director LuAnn Maisner, Finance Director Gretchen Gomolka

1. CALL MEETING TO ORDER  
Supervisor LeGoff called the meeting to order at 6:00 P.M.
2. PLEDGE OF ALLEGIANCE/INTRODUCTIONS  
Supervisor LeGoff led the Pledge of Allegiance.
3. ROLL CALL  
The secretary called the roll of the Board.
4. PUBLIC REMARKS  
Supervisor LeGoff opened Public Remarks.

Neil Bowlby 6020 Beechwood Dr, Okemos, spoke to Freedom of Information Act (FOIA) documents discussed at a previous Board meeting. He believed documents were missing in the last Board packet and on the Township website. Mr. Bowlby announced an electronic “adopt a hydrant” program is being utilized in Boston to dig out hydrants during significant snow storms. He suggested this “app” principle be applied to Meridian Township’s storm drain system during heavy rain events. Mr. Bowlby addressed the total number of beds in the current configuration of The Avenue, believing that number lends itself specifically to student housing.

Neil Story, 3537 Ponderosa Drive, Okemos, offered his rationale as to why the applicant is requesting an amendment v. an extension for PRD #15-97015 (Ember Oaks). He showed the applicant’s letter dated March 14<sup>th</sup> on the overhead which primarily addressed the change in the road.

Leonard Provencher, 5824 Buena Parkway, Haslett, expressed concern with the amount of time (3 months) the non-motorized pathway in front of the approved Aldi project has been closed to the public. He suggested a policy be created to address interruptions in the Township’s pathway system and that they be kept to a minimum and repaired as soon as possible. Mr. Provencher offered comments on the Comcast press release titled “Comcast Increases Internet Speeds in Michigan.”

Supervisor LeGoff closed Public Remarks.

5. PRESENTATION OF 2015 GOALS & OBJECTIVES (SIX MONTH REVIEW)  
Township Manager Walsh offered a Powerpoint presentation update on the 2015 Goals and Objectives as follows:
  - New central fire station
  - Continued deer management program, including chronic wasting disease (CWD)
  - Cleaning of 85,000 feet of sewer main and televised 71,000 feet of sewer lines
  - Continued provision of shared police services to Williamstown Township

- Cash payment for a new ambulance
- Cash payments for new patrol vehicles
- Completion of Okemos Road Pathway Bridge with no debt
- Development of Phase 1 of Towner Road Park
- Development of a new Master Plan for Central Park
- Support from Eagle Scouts for park projects
- Improvements to various parks within the Township
- Finalization of franchise agreement with Comcast which includes over \$1 million in new revenue for the Communications Department
- Payroll brought back in house for a savings of \$35,000
- Replacement of the Towar Lift Station
- Replacement of the Service Center roof
- Work on securing funding for five (5) projects in the Township through use of funds from the county wide trail funding millage
- Update to the Township Hall Room
- Redevelopment of the Meridian Area Resource Center (MARC)/closed central fire station property
- Continued focus on the Douglas J Project in the downtown Okemos area
- Promotion of local businesses (Doggy Day Care, Meridian Mall expansion)
- Completion of the 2005 Master Plan update
- Sustaining and enhancing the General Fund Balance (\$5.9 million)
- Possible Celebrate Meridian Event next year
- Continued enrichment of cultural diversity
- Support to enhance the Harris Nature Center
- Possible expansion of the Farmers Market
- Meridian Garden Club activity within the Township
- Continued provision of recreational services to the City of Williamston
- Manager's blog and the *Meridian Monitor* as communication pieces for the Township
- Work on the 2015 Citizen Survey to commence in the near future
- Overhaul of the Township website
- Staff handling of 672 code enforcement complaints in the first half of 2015
- Continued sidewalk repair program (Section 9 – Everett Woods and Everett Farms neighborhoods)
- Continued funding for community gardens

Board and staff discussion:

- Appreciation for the overview to enhance public awareness
- Assistance of Parks & Recreation Department to younger scouts in their community projects
- Over 1,200 Parks & Recreation volunteers contributed 35,000 hours of support
- Board member suggestion to exercise caution in “taking away” anything from the Celebrate Downtown Okemos Event
- Board member preference to establish a separate Township wide event
- Need to address the unfunded pension liability
- Suggestion to create a five (5) year plan to make additional contributions to the MERS fund
- Appreciation that the Township made a \$1 million “advance” payment to the MERS fund as MERS provides a better rate of return than the Township can obtain
- Board member suggestion to fund more Capital Improvements Program (CIP) projects given the low rate of return on the Township's fund balance (less than the rate of inflation)
- Board member belief the Township could maintain less than the “arbitrarily established” \$5.25 million general fund balance (more than 3 months of reserve)
- Appreciation to the Manager and Township staff for a job well done

6. BOARD COMMENTS & REPORTS

Clerk Dreyfus corrected misinformation offered by Citizen Bowlby regarding availability of FOIA documents.

He stated the two documents promised to Board members were the Meridian Township FOIA policies and the Foster Swift Law Firm PowerPoint presentation, and both documents were emailed to all Board members more than two weeks ago. Clerk Dreyfus noted all FOIA documents and forms were posted on the Township website on the July 1<sup>st</sup> implementation date, and no relevant document was missing from the website. He indicated the PowerPoint presentation was not posted on the website because the Foster Swift Law Firm owns the presentation (not the Township) and the Township does not have permission to post material from other organizations on our website. Clerk Dreyfus believed the website is not an appropriate place to post “background information” on an issue or policy, as it would lead to content overload and other website technical issues. He pointed out the old FOIA request form was included in the current Board packet, and was puzzled as to the reason so much attention was being focused on a simple, outdated form which contained virtually no information to review or compare. Clerk Dreyfus assured Meridian Township citizens that they can access every document and form needed to initiate a FOIA public record request on the Clerk’s section of the Township website.

Clerk Dreyfus addressed the contest held last year by the Land Policy Institute of Michigan State University for the “missing middle”, an old phrase which refers to alternative/affordable housing (e.g., duplexes, fourplexes, bungalow court, mansion apartments, live/work units, courtyard apartments, etc.) built from the 1900s through the 1940s. Clerk Dreyfus noted alternative/affordable housing is now being brought up by some Board members as a significant issue, suggesting additional information on urban design can be obtained by visiting [www.landpolicy.msu.edu](http://www.landpolicy.msu.edu) and clicking on the link for “missing middle.” He highlighted a recent news article with the headline “Michigan Cities Gearing Up for Fight with Utilities over LED Streetlights”, which noted the Michigan Public Service Commission is reviewing a request by DTE Energy to raise rates for LED streetlights and lower rates for high pressure sodium fixtures. He stated the city of Ann Arbor is advocating for cities and municipalities to own, operate and maintain their own LED streetlights as a long term cost effective measure. Clerk Dreyfus suggested the Township consider researching the cost of operating Township streetlights, the cost of conversion and whether there would be long term cost savings if the Township maintained its LED streetlights.

Trustee Veenstra commented on a letter contained in the Board packet from neighbors who supported allowing the McCurdy’s to maintain goats at 5458 Okemos Road, believing the McCurdy’s should be able to keep their goats at that property.

Director Kieselbach offered information on the McCurdy property, noting the subject parcel was rezoned to RAAA in 1994 while McCurdy did not purchase the property until 2010. He stated Mr. McCurdy could request a rezoning to RR to address keeping goats on his land.

7. APPROVAL OF AGENDA

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

VOICE VOTE: Motion carried unanimously.

8. CONSENT AGENDA

Supervisor LeGoff reviewed the consent agenda.

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

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

NAYS: None

Motion carried unanimously.

A. Communications

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

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

B. Minutes

**Trustee Styka moved to approve and ratify the minutes of the July 7, 2015 Regular Meeting as submitted. Seconded by Treasurer Brixie.**

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

C. Bills

**Trustee Styka moved that the Township Board approve the Manager's Bills as follows:**

Common Cash	\$ 674,696.05
Public Works	\$ 328,027.81
Total Checks	\$1,002,723.86
Credit Card Transactions	\$ 10,105.11
Total Purchases	<u>\$1,012,828.97</u>
ACH Payments	<u>\$ 427,068.58</u>

**Seconded by Treasurer Brixie.**

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

(Bill list in Official Minute Book)

D. Disposal of Surplus Vehicles

**Trustee Styka move to approve the sale of the following surplus Township vehicle at public auction, internet auction, or by sealed bid:**

<b>2003</b>	<b>Ford Taurus</b>	<b>VIN No. 1FAHP53UX3G207264</b>
<b>2006</b>	<b>Ford Explorer</b>	<b>VIN No. 1FMEU72E36UB11733</b>

**Seconded by Treasurer Brixie.**

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

9. QUESTIONS FOR THE ATTORNEY (None)

10. HEARINGS (None)

11. ACTION ITEMS

Supervisor LeGoff opened Public Remarks.

Neil Bowlby, 6020 Beechwood Drive, Haslett, inquired if the roofline was more than 45 feet for The Avenue. He critiqued several changes proposed by the applicant for MUPUD #15014.

John Gaber, attorney for Campus Village Development, 380 N. Old Woodward, Suite 300, Birmingham, delineated all changes made by the applicant as a result of Board input at the last Board meeting.

Supervisor LeGoff closed Public Remarks.

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

**Trustee Wilson moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby approves Mixed Use Planned Unit Development (MUPUD) #15014, subject to the following conditions:**

- 1. The recommendation for approval is based on the Cover Sheet, Utility Plan, and Amenities Plan, prepared by KEBS, Inc., dated July 16, 2015, and building elevations prepared by Progressive AE, dated May 27, 2015, subject to revisions as required.**
- 2. MUPUD #15014 (Campus Village Communities), a request to establish a mixed use planned unit development with the existing retail building and ten new buildings, consisting of mixed use and residential buildings, with a total of 192 one, two, three, and four bedroom apartment units, shall be contingent on the approval of Special Use Permit (SUP) #15051 (Campus Village Development).**
- 3. Approval is subject to one or more amenities. The applicant proposes the following amenities as identified on the Amenities Plan (Sheet 5): LED lighting; site recycling of trash; relocate transit stop to front of the property; foot and bicycle pathways connecting to the Township pathway system; covered bicycle storage on site; fitness park as public recreation; dog park; outdoor pocket parks; seating plazas visible to the street; private courtyards; public internet; public internet-bus stop; underground utilities; upper floor balconies; sidewalk planters; public art; and consolidation of multiple parcels into one.**
- 4. Waivers shall be granted for those sections of the Code of Ordinances as follows: Impervious surface coverage (Section 86-402(17)); setback for a dwelling unit from the railroad right-of-way (Section 86-470); street trees (Section 86-473); loading/unloading space (Section 86-721(b)); number of parking spaces (Section 86-755); and interior canopy trees and interior landscaping (Section 86-758).**
- 5. The property owner shall be responsible for the on-going maintenance of the dog park.**
- 6. The applicant shall construct the pathway as part of the project, as shown on the site plan, subject to the approval of the Director of Public Works and Engineering. The applicant shall provide an easement for the entire length of the pathway in a form acceptable to the Director of Public Works and Engineering. Once approved, the easement shall be recorded.**
- 7. Any future building additions or expansions to the buildings will require modification to the MUPUD #15014 and SUP #15051.**

8. **Building materials should include, but are not limited to, wood, brick, clapboards, glass, and stone. Other materials, such as vinyl, aluminum, and other metals should be avoided. The character and quality of the building materials and general architectural design of the buildings shall be consistent on all four sides of each building.**
9. **The final building elevations and building materials shall be subject to the approval of the Director of Community Planning and Development.**
10. **The west side of the Salvation Army building shall be covered with brick surfacing that is consistent with the existing and proposed building materials. The building materials shall be subject to the approval of the Director of Community Planning and Development.**
11. **Unless the building elevations are revised, the applicant will be required to receive a variance from the Zoning Board of Appeals for non-compliance with Section 86-440(f)(2)b.2., stating, "Buildings greater than 50 feet in width shall be divided into increments of no more than 50 feet through articulation of the façade."**
12. **Windows shall cover no less than 50 percent of nonresidential street level facades.**
13. **No more than two unrelated persons may occupy the one and two bedroom units and no more than one person may occupy each bedroom in the three and four bedroom units.**
14. **All utility service distribution lines should be installed underground.**
15. **The final design of the two recycling enclosures shall be subject to the approval of the Director of Community Planning and Development.**
16. **Site accessories such as railings, benches, trash and recycling receptacles, exterior lighting fixtures, and bicycle racks shall be of commercial quality, and complement the building design and style. Final design and location shall be subject to the approval of the Director of Community Planning and Development.**
17. **Landscaping shall generally comply with the provisions of the Code of Ordinances, including the mixed use planned unit development standards as outlined in Section 86-440(f)(4) and other applicable sections of the Ordinance pertaining to landscaping.**
18. **Site and building lighting shall comply with Article VII in Chapter 38 of the Code of Ordinances and shall be subject to the approval of the Director of Community Planning and Development, including the height of any new parking lot light poles.**
19. **A final sign program shall be submitted as part of site plan review and shall be subject to the review and approval of the Director of Community Planning and Development.**
20. **All mechanical, heating, ventilation, air conditioning, and similar systems shall be screened from view by an opaque structure or landscape material (if at street level) selected to complement the building. Such screening is subject to approval by the Director of Community Planning and Development.**

21. **The applicant shall obtain all necessary permits, licenses, and approvals from the Michigan Department of Transportation, Ingham County Drain Commissioner, and the Township. Copies of all permits and approval letters shall be submitted to the Department of Community Planning and Development.**
22. **The utility, grading, and storm drainage plans for the site shall be subject to the approval of the Director of Public Works and Engineering and shall be completed in accordance with the Township Engineering Design and Construction Standards.**
23. **A copy of the site plan information that exists in a computer format for the development project and construction plans shall be provided to the Township Engineering staff in an AutoCAD compatible format.**

**Seconded by Trustee Styka.**

Board, staff and applicant discussion:

- Appreciation to the developer for addressing concerns expressed by the Planning Commission and Township Board through each phase of the process
- Appreciation for including low to mid income level units and access for mobility challenged and handicap individuals who desire to live in Meridian Township
- Appreciation for the applicant's incorporation of interior and exterior LED lighting
- Onsite retention of storm water
- Concern with the waiver being requested in the required amount of interior canopy trees/interior landscaping
- Board can grant the waiver for interior canopy trees/interior landscaping through the MUPUD process

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

- **Amend condition #2 after "MUPUD #15014 (Campus Village" by deleting "Communities" and inserting "Development"**

**The friendly amendment was accepted by the maker of the main motion.**

Continued Board and applicant discussion:

- Concern with the waiver being requested in the required amount of interior canopy trees/interior landscaping
- Board can grant a waiver for the required interior canopy trees/interior landscaping through use of the MUPUD process
- Applicant does not need the waiver for street trees as stated in condition #4
- Applicant statement the condition previously numbered as #18 (minimum of nine (9) street trees provided along the frontage of the site...) which was taken out can be added back into the motion

**Trustee Wilson moved to amend her motion to incorporate the previous condition #18 as condition #24. The amendment was accepted by the seconder.**

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

- **Amend condition #4 by deleting "street trees (Section 86-473);"**

**The friendly amendment was accepted by the maker of the main motion.**

Continued Board, staff and applicant discussion:

- Amenities being offered by the applicant are "trade offs" for requested waivers
- Applicant's belief the parking requirements do not accurately reflect the parking needs of the site given the amount of one and two bedroom units
- Number of offered bicycle parking spaces (325) reduces the required parking spaces by 65

- A mixed use development will eliminate trips on Grand River Avenue, thereby reducing the parking needs
- Retail component on the site services the need of the residential component, for a calculated reduction of 59 parking spaces
- Number of spaces requested is based upon the proposed layout and requiring additional islands and canopy trees would eliminate some of the parking spaces
- The ordinance requires each island (200 square feet) to hold two (2) canopy trees and one (1) canopy tree for every ten (10) parking spaces
- New landscape plan will be submitted by the applicant which will delineate the specific number of trees
- Eight foot pathway to be constructed will require removal of existing trees
- The developer will finish the common wall on the west side of the building which currently houses the Salvation Army with brick surfacing to be consistent with other building materials
- Applicant is purchasing the entire site and will become the owner
- Enforcement of bedroom occupancy requirement through the rental program which focuses on occupancy through annual inspections
- Proposed development must be registered as a rental project
- Board member concern with the long list of waivers
- Board member belief the upper floor balconies do not qualify as an amenity
- Elevator in the first building to provide access to ADA apartments on the 2<sup>nd</sup>, 3<sup>rd</sup> or 4<sup>th</sup> floors in Block 1
- Block 1 contains the retail component on the first floor
- Project is a good use of this site
- Appreciation for the cooperation of the developer through this long process
- Board member appreciation for several public amenities
- Proposed project fills the housing needs for young professionals and young families
- Proposed project is walkable and bicycle oriented
- Board member statement it could be five (5) to ten (10) years before the BRT comes to fruition
- Appreciation for providing a recycling center for the tenants
- Waivers requested list the areas of difficulty with the proposed project
- Board member belief the original intent of the MUPUD ordinance is not being followed in this project
- Board member belief the problems and concerns associated with the project are directly linked to a misapplication of the size parameters of the MUPUD
- Board member belief the existing commercial properties and current associated parking should not be included in the MUPUD site plan unless significant redevelopment is being proposed for those components
- Board member belief the project would be a good fit on the subject site if Block 3 was removed from the current design
- Removal of the existing commercial and associated parking within the MUPUD would result in less land upon which to build the MUPUD and provide increased dwelling units per acre given the density bonus
- Suggested removal of the existing commercial and associate parking would likely result in no waivers needed
- Removal of Building 3 would decrease the percentage of impervious surface
- MUPUD ordinance is meant to “involve” commercial redevelopment of an area or include only new commercial development
- Suggestion for the Board to revisit the MUPUD ordinance as part of its 2016 Goals and Objectives
- Request for staff to read the original intent of the MUPUD as noted in the Township’s code of ordinances

- Board member belief the MUPUD ordinance was written for future development to have a better type of development which makes for more efficient use of land
- Parking lot on the western edge will change from its current configuration and be resurfaced
- Parking lot area in the center portion of the site will have new islands with new trees
- Applicant commitment to save existing trees if feasible with possible relocation as appropriate
- Pathway on the south side of the property does not exist and is currently not on the Pathway Master Plan, but is referred to as a pathway in the resolution
- Intent is to place the pathway on the south side of the property on the Master Plan and have it as a part of the Township pathway system
- Easement is not an amenity, but a request from the Capital Area Transportation Authority (CATA) which is shown on the site plan
- Site plan is referenced as part of the resolution to approve
- Board member belief the intent of the MUPUD ordinance, as read by staff, is far beyond redevelopment and is a mindful way to use land for the future to create a more sustainable community
- Applicant's willingness to increase the setback to the industrial area as well as to the railroad
- Key feature in changing the face of the Grand River Corridor is the first connection to the Michigan State University (MSU) to River Trail which will provide rear door access to pedestrians and bicyclists
- Board member objection that condition #13 would prohibit a married couple from sleeping together

**Trustee Veenstra offered the following amendment:**

- **Amend condition #13 by deleting after "two bedroom units" the verbiage "and no more than one person may occupy each bedroom in the three and four bedroom units."**  
**Seconded by Trustee Scales.**

Continued Board and staff discussion:

- Intent of the language proposed to be eliminated is to prevent Campus Village Development from leasing one bedroom to two people
- Staff interpretation a family can rent a three bedroom
- Subject language was recommended by the Planning Commission
- Issue is not with families, but with the unrelated status of renters

[Due to technical difficulties with the video display, Supervisor LeGoff recessed the meeting at 7:52 P.M.]

[Supervisor LeGoff reconvened the meeting at 8:03 P.M]

ROLL CALL VOTE: YEAS: Trustees Scales, Veenstra, Supervisor LeGoff, Clerk Dreyfus  
NAYS: Trustees Styka, Wilson, Treasurer Brixie  
Motion carried 4-3.

**Trustee Wilson offered the following amendment:**

- **Amend condition #13 to read: "No more than two unrelated persons may occupy the one and two bedroom units and no more than one unrelated person may occupy each bedroom in the three and four bedroom units."**

**Seconded by Treasurer Brixie.**

Continued Board and staff discussion:

- Concern this amendment would prohibit unmarried couples from living together

- Definition of family in the Township's Code of Ordinances is broad, is not written specifically to include only the traditional married couple and does not prohibit unmarried couples from living together
- Board member belief the language restriction of two unrelated persons in any rental in the Township (passed in 2002/2003) was in response to a number of complaints from home owners in the Wardcliff neighborhood who had a goal of eliminating most rentals
- Board member belief such action encouraged multi-family and high density apartment complexes and the unrelated persons issue may need to be reviewed by the Board in the future
- Township has one part-time code enforcement officer and all building and housing inspectors have code enforcement as part of their day-to-day assignments
- When housing and building inspectors must perform code enforcement duties, it takes away from their primary responsibilities
- Manager's summary on goals and objectives earlier in the meeting highlighted 672 code enforcement complaints in the first six (6) months of 2015
- Possible regulation through the elimination of four bedroom apartments
- Amendment would allow a total of eight (8) people to live in a four bedroom unit

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

- **Amend condition #13 by adding “, unless members of the same family” after “four bedroom units”**

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

ROLL CALL VOTE: YEAS: Trustees Styka, Veenstra, Wilson, Supervisor LeGoff, Treasurer Brixie  
NAYS: Trustee Scales, Clerk Dreyfus  
Motion carried 5-2.

Continued Board discussion:

- Proposed pathway would help to eventually provide direct access to MSU campus
- Board member belief if funding is acquired, the Bus Rapid Transit (BRT) will commence construction in 2017
- 50 four (4) bedroom units could require 190 parking spaces
- Board member belief the problem with this property is its limited amount of frontage on Grand River Avenue making it not viable as a commercial property as shown by experience over the last 17 years
- Subject property is “potentially’ a good location for an apartment complex due to its access to Grand River Avenue
- Possible odors and fumes from Huntsman which uses base resins and hardeners to create solid epoxy and plastic
- Chemicals in a tanker car on the railroad track are a greater hazard than chemicals emitted from Huntsman
- Township Board has the ability to prevent a new business which would emit toxic fumes from locating in Meridian Township
- Board member belief the biggest difficulty with the project is 192 units constructed on less than eight (8) acres, which equates to more than 24 units per acre
- Concern the driveway layout needs to be smoothed out to be more practical as a circulation device

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff, Treasurer Brixie  
NAYS: Clerk Dreyfus  
Motion carried 6-1.

B. Special Use Permit # 15051 (Campus Village Development) 2655 Grand River Avenue

**Treasurer Brixie moved [and read into the record] NOW THEREFORE BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby approves Special Use Permit #15051 (Campus Village Development) for a group of buildings (ten new buildings and one existing retail building) totaling more than 25,000 square feet in gross floor area, subject to the following conditions:**

- 1. Approval of the special use permit is accordance with the Cover Sheet (Site Plan) prepared by KEBS, Inc., dated July 17, 2015, prepared by Progressive AE, dated received May 27, 2015, subject to revisions as required.**
- 2. Special Use Permit #15051 is subject to all conditions placed on Mixed Use Planned Unit Development #15014 (Campus Village Development) by the Township.**
- 3. The gross square feet of all buildings on the site shall not exceed 224,694 square feet unless the applicant applies for and receives an amendment to Special Use Permit #15051 (Campus Village Development).**
- 4. The above-stated conditions shall replace all prior conditions listed in the approval letter for Special Use Permit #96141, dated March 19, 1997.**

**Seconded by Trustee Styka.**

Board discussion:

- SUP is an additional part of the MUPUD process for this project
- Request for square footage of only the new construction
- Board member preference to increase the number of bicycle lockers (8)

**Trustee Veenstra offered the following amendment:**

- **Amend condition #3 by deleting “224,694” and inserting “225,000”**

**Seconded by Trustee Scales.**

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,  
Clerk Dreyfus  
NAYS: Treasurer Brixie  
Motion carried 6-1.

ROLL CALL VOTE ON THE MAIN YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,  
Treasurer Brixie  
MOTION: NAYS: Clerk Dreyfus  
Motion carried 6-1.

**12. BOARD DISCUSSION ITEMS**

Supervisor LeGoff opened Public Remarks.

Neil Story, 3537 Ponderosa Drive, Okemos, addressed the petition submitted by the residents of Ponderosa Estates concerning the possible diversion of traffic out of Ember Oaks into Ponderosa Estates.

Jeff Kyes, KEBS, Inc., 2116 Haslett Road, reminded Board members if the applicant meets the criteria for the PRD sketch plan, an affirmative vote should be given. He noted moving the proposed road on Jolly Road increases the sight distance to over 1,000 feet. Mr. Kyes disputed earlier public comment that someone leaving Ember Oaks is going to make five (5) turns through Ponderosa Estates to turn east onto Jolly Road.

David Pierson, 1305 S. Washington Avenue, Lansing, attorney for SP Investments, stated the applicant will be building the rest of Ember Oaks with the same restrictions as the first three (3) phases. He indicated the lots and open spaces were revised for three (3) reasons: new stormwater treatment standards from the Ingham County Drain Commissioner (ICDC), increased pipeline setback amended by the Township Board and the new road access for Jolly Road. Mr. Pierson clarified most of the reduction in lot sizes is due to the required setback (i.e., what was once part of a lot is now part of a setback and the setback is considered open space). He spoke to the road connection to Ponderosa Estates which was included in the PRD resolution approval by the then sitting Township Board in 1999.

Chuck Barbieri, Foster Swift Collins and Smith, 313 S. Washington, Lansing. attorney on behalf of The Ponds Cooperative Homes, Inc., requested the Township file a Chapter 20 Drain petition to make major improvements to the Daniels Drain which was created over 40 years ago. He noted the petition must be brought to the ICDC by one of the corporate entities which comprises the Chapter 20 drainage district: Michigan Department of Transportation (MDOT), Ingham County Road Department or the Township. Mr. Barbieri stated the 2.5 acre pond in the midst of the Waldon Pond complex (located south of Grand River between Dobie and Cornell Roads) is contaminated and virtually lifeless. He added the pond is filled with sedimentation which occurred from drainage into the pond over the past 40 years and contains phosphorous and chlorides. Mr. Barbieri indicated 75 trees around the ponds have died due largely to the collapse of the outlet pipe. He specified correction of the problem would include enlargement of the pond, installation of drainage structures and construction of rain gardens. Mr. Barbieri noted during a preliminary meeting with MDOT, representatives indicated MDOT would provide 50% of the cost of the total project. He requested the Board take up a notice of intent to initiate a petition under Chapter 20 of the Drain Code at its next meeting.

Supervisor LeGoff closed Public Remarks.

A. Planned Residential Development #15-97015 (SP Investments Limited Partnership) Amendment to the Planned Residential Development Sketch Plan – Ember Oaks

Board, staff and applicant’s representative discussion:

- Ordinance does not provide an extension for a PRD
- Language in Section 62-62 (4) of the Township’s Code or Ordinances speaks to the desirability by the Township and the Ingham County Road Commission regarding the need for connection of streets to adjacent properties
- Inquiry on the interpretation of that section of the code if the Township and the now ICRD have opposing positions
- Final decision regarding a public road rests with the Ingham County Road Department
- If the Township does not desire to have the road connection, it would be part of the plat process
- The ICRD has to approve the plat during the plat process
- Board member inquiry if the sketch plan can be approved with a condition to remove the connection between Ember Oaks and Ponderosa Estates
- Sketch plan does not approve the plat
- Placing a condition on the sketch plan regarding the Forsberg Road connection will not necessarily prevent the connection
- Sketch plan is before the Board because the applicant has added land and modified the layout due to a change in drainage required by the ICDC
- If the sketch plan is denied by the Board, the applicant can continue with what has already been approved
- Sketch plan has a different set of criteria than what is used for plat approval
- Amendment to the sketch plan provides for a change to the entrance of the subdivision and is an improvement to the safety off Jolly Road
- Board members will have an opportunity to make a change (i.e., elimination of Forsberg Drive) during the preliminary plat process
- Approved preliminary plat included the road connection at Forsberg Drive

- Township has not contacted the ICRD regarding the type of road it intends for Forsberg Drive
- Forsberg Drive is a platted road owned by the ICRD regardless of whether it is improved for curb and gutter
- Forsberg Drive existed prior to Ember Oaks
- Position by engineers with the ICRD is that the ICRD wants this connection and the applicant is required to connect
- Discussion at the preliminary plat stage will be how Ember Oaks connects to Forsberg Drive
- Residents of Ponderosa Estates have never approached the ICRD to vacate Forsberg Drive
- Cross connection of subdivisions is good urban design

[Trustee Wilson left the room at 9:12 P.M.]

- Suggestion to have the item on for action at the next meeting and submit all questions in writing to the Manager
- Suggestion to have a Board in-service training on the steps involved in the entire plat process
- Suggestion to have a representative from the ICRD be involved in this dialogue with the Board
- Staff report included the July 7<sup>th</sup> Board packet contained both the new sketch plan (Attachment #4) and the original sketch plan from 1999 (Attachment #5)
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[Trustee Wilson reentered the room at 9:14 P.M.]

- Final decisions will be made during the plat process
- Since no deadline is before the Board, it is good practice to not rush, but allow Board members to totally vet an issue in an open forum
- Concern with how actions taken in the sketch plan affect the preliminary plat process

**It was the consensus of the Board to place this item on for discussion at the August 18, 2015 Board meeting.**

B. Daniels Drain Improvements

Assistant Township Manager/Director of Public Works Perry summarized the issues relative to the Daniels Drain as outlined in staff memorandum dated July 21, 2015.

Board and staff discussion:

- Pond was in existence for drainage purposes prior to the Walden Pond development
- Petition process for Chapter 20 drains allows passing the assessment costs on to the property owners who directly benefit from the project
- Project will be expensive, but the issues with the pond will not go away
- Cost estimates of \$200,000-\$400,000 to remove approximately 8,500 cubic yards of sediment from the pond
- Information provided by staff shows the Township's share of the assessment for this Chapter 20 drain to be nearly 83%
- Residents who benefit from these improvements would not be the general population, but Chief Okemos, Forest Hills, Cornell Woods, Whispering Oaks, the Ponds and the included commercial area
- Petition process mentioned by staff would allow the Township to pass along its share of the cost to property owners who directly benefit from the improvements
- If the Township proposes the petition for the drainage district, it could ascertain the level of public support for the project prior to expending any funds
- Residents within the proposed drainage district requesting the improvements are a good gauge of public sentiment about the improvements
- When the Daniels Drain was first constructed, Grand River Avenue was a two lane road
- MDOT has expressed significant interest in the project and has the ability to bring additional money to the table
- MDOT has expressed an interest in moving this project forward
- Costs cannot be estimated until commencement of preliminary design after a petition is filed

- Township engineering staff will perform some in-house preliminary work
- MDOT currently paying 3% based upon a complicated formula
- Several of the pipes have failed, creating sink holes
- Water quality is a significant issue
- Daniels Drain travels to the north, makes it way to the Mud Lake Drain and ultimately to the Red Cedar River
- MDOT wants to be a partner in this project
- State installed an additional inlet into the drain when it increased the number of lanes on Grand River Avenue

**It was the consensus of the Board to place this item on for continued discussion at the August 4, 2015 Board meeting.**

- C. Zoning Amendment #14010 Medical Marihuana  
Director Kieselbach summarized the proposed zoning amendment as outlined in staff memorandum dated July 15, 2015.

Board discussion:

- Subcommittee of the Board created a compromise proposal which was sent to the Planning Commission pursuant to Township procedure in November, 2013
- Issue at the state level has not moved forward so the Planning Commission should move on this topic
- Board member belief this home occupation needs to be regulated as it would give residents who live near growing facilities peace of mind
- Township process does not require a second public hearing at the Planning Commission level
- Supervisor to send a written request to the Planning Commission to make a recommendation to the Township Board
- Township Board may choose to hold a public hearing after the Planning Commission makes its recommendation

**It was the consensus of the Board for Supervisor LeGoff to prepare a letter requesting the Planning Commission take up this issue.**

13. PUBLIC REMARKS

Supervisor LeGoff opened Public Remarks.

Karl Ebner, 4392 Cherrywood, Okemos, addressed the issue of deer chronic wasting disease. Having a medical pharmacology/toxicology background, he spoke to toxic and nutritional diagnostic tests he has developed to ascertain how chemicals interfere with mammals assimilating food to thrive.

Supervisor LeGoff closed Public Remarks.

14. FINAL BOARD MEMBER COMMENT

Trustee Veenstra believed the Board should hear from property owners if they desire improvements on the Daniels Drain.

15. ADJOURNMENT

Supervisor LeGoff adjourned the meeting at 9:50 P.M.

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ELIZABETH LEGOFF  
TOWNSHIP SUPERVISOR

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BRETT DREYFUS, CMMC  
TOWNSHIP CLERK

Sandra K. Otto, Secretary