

CHARTER TOWNSHIP OF MERIDIAN  
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -  
5151 Marsh Road, Okemos, MI 48864-1198  
853-4000, Town Hall Room  
THURSDAY, JULY 6, 2006, **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting, Trustees Brixie,  
Veenstra, Woiwode  
ABSENT: Trustee Such  
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development  
Mark Kieselbach, Director of Engineering & Public Works Ray Severy, Police Chief  
Dave Hall, EMS/Fire Chief Fred Cowper, Attorney Andria Ditschman

1. CALL MEETING TO ORDER

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

2. PLEDGE OF ALLEGIANCE

Supervisor McGillicuddy led the Pledge of Allegiance.

3. ROLL CALL

Supervisor McGillicuddy called the roll of the Board.

4. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Dennis J. Forsberg, President, T. A. Forsberg, Inc., 2422 Jolly Road, Suite 200, Okemos requested the Jolly Oak Road Paving SAD #36 be removed from tonight's agenda and noted condition #17 (improvements to Jolly Oak and Okemos Road) on Site Plan Review #98-8 (Meridian Crossing Layout).

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

Trustee Veenstra stated he would like the Board to reconsider the Final Preliminary Plat for Georgetown in order for him to offer an amendment to add language.

Reconsideration of the vote on the final preliminary plat for Georgetown: (Questions for the Attorney (See Agenda Item #8))

Q. Andria, can you respond to that, please?

A. I can't respond to Trustee Veenstra's opinion on whether it should be changed or not. My concern with a motion to reconsider at this time is a couple of things. First, there are some procedural issues that I would be concerned about as to how each person voted, if they were opposed or against it in renewing that motion tonight. My other concern would be that if the applicant has taken any action in reliance on your decision, then you would be putting the Township at risk by changing that decision at this time. I wouldn't recommend that you go forward with that kind of motion.

Township Manager Richards noted that several of the microphones are under repair, which is a temporary situation. There is continuing discussion and review of the Briarwood Drain assessment district, with resident and Ingham County Road Commission appeal. He stated there was discussion at a recent meeting regarding an increase in the Township's share of the assessment and he will continue to closely monitor the issue. Manager Richards will report back to the Board once information is finalized.

Clerk Helmbrecht reminded citizens of the August 8<sup>th</sup> primary election. Absentee ballots are available.

Township Manager reminded citizens they can access Township Board, Planning Commission, and Zoning Board of Appeals meetings and agendas through video streaming available on the Township's website at [www.twp.meridian.mi.us](http://www.twp.meridian.mi.us).

6. APPROVAL OF AGENDA — OR CHANGES

**Trustee Woiwode moved to approve the agenda amended as follows:**

- **Remove Agenda Item #7F. Jolly Oak Road Paving SAD #36, Resolution #1**
- **Add Agenda Item #10C. Request for HAVA Grant**

**Seconded by Trustee Veenstra.**

VOICE VOTE: Motion carried 6-0.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda.

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

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Woiwode, Supervisor McGillicuddy,  
Clerk Helmbrecht, Treasurer Hunting

NAYS: None

Motion carried 6-0.

The adopted Consent Agenda items are as follow:

## A. Communications

## (1). Board Determination (BD)

- 11C-1 Mark L. Kastner, AIA, Progressive AE, 1811 4 Mile Road, NE, Grand Rapids;  
Request to discuss and vote of Special Use Permit #06-70141 (Meijer),  
request to construct a 444 square foot addition to the existing building

## (2). Board Information (BI)

- BI-1 Penny Kay Haney, Finance Officer, Michigan Townships Association, 512  
Westshire Drive, Lansing; RE: Thank you for Meridian Township renewal of  
Michigan Townships Association dues for 2006-07.
- BI-2 Irene Garvale, 4200 Cornell Road, Okemos; RE: RE: Support for Meridian  
Township's Recycling Initiatives
- BI-3 Rollie Harmes, 5120 Cornell Road, Okemos; RE: Wetland Use Permit #06-02  
(Georgetown)
- BI-4 Okemos Library, 4321 Okemos Road, Okemos; RE: Library schedule of activities  
for July, 2006
- BI-5 Edward J. Gillespie, 2692 Rockwood Drive, East Lansing; RE: Government  
involvement in the free enterprise system relative to Meridian Township's recycling  
initiatives

## (3) Regional Linkage (RL)

- RL-1 Ingham County Road Commission, 301 Bush Street, Mason; RE: 2006 Chip Seal  
Program

## (4). Staff Communication/Referral (SC)

- SC-1 Susan McGillicuddy, Township Manager; RE: Letter to John Midgley, Managing  
Director, Ingham County Road Commission, regarding protection of trees during the  
development of Georgetown
- SC-2 Gerald Richards, Township Manager; RE: Letter to John Midgley, Managing  
Director, Ingham County Road Commission, relative to request by Gwen Wyatt for  
the abandonment of Zephyr Drive
- SC-3 Ray Severy, Director of Public Works and Engineering; RE: Letter to Keith  
Schroeder, Schroeder Builders, regarding Ember Oaks Sanitary Sewer Lift Station

- SC-4 Memorandum from Cindy Cummings, Police Records Supervisor; RE: Current list of licensed vendors and non-licensed persons or nonprofit organizations engaged in soliciting or canvassing dated June 27, 2006
- SC-5 Memorandum from Cindy Cummings, Police Records Supervisor; RE: Current list of licensed vendors and non-licensed persons or nonprofit organizations engaged in soliciting or canvassing dated June 28, 2006
- SC-6 Memorandum from Cindy Cummings, Police Records Supervisor; RE: Current list of licensed vendors and non-licensed persons or nonprofit organizations engaged in soliciting or canvassing dated June 28, 2006
- SC-7 Mark Kieselbach, Director of Community Planning and Development; RE: Commission Review #06093 (Township Board), Moore-Sylvan Glen Land Preservation Purchase
- SC-8 Mark Kieselbach, Director of Community Planning and Development; RE: Commission Review #06103 (Township Board), S Group Limited Partnership Land Preservation Purchase
- SC-9 Michigan Townships Association Legislative E-Report, June 16, 2006 Edition
- SC-10 Michigan Townships Association Legislative E-Report, June 23, 2006 Edition
- SC-11 Mark Kieselbach, Director of Community Planning and Development; RE: Commission Review #06033, 2007-2012 Public Improvements Program (PIP)

**Trustee 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 Treasurer Hunting.**

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Woiwode, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting  
 NAYS: None  
 Motion carried 6-0.

B. Minutes

**Trustee Brixie moved to approve and ratify the minutes of the June 20, 2006 Regular Meeting as **submitted**. Seconded by Treasurer Hunting.**

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Woiwode, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting  
 NAYS: None  
 Motion carried 6-0.

C. Bills

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

Common Cash	\$ 281,040.54
Public Works	\$ 125,407.62
Total Checks	\$ 406,448.16
Credit Card Transactions	\$ 10,019.17
Total Purchases	<u>\$ 416,467.33</u>
 ACH Payments	 <u>\$ 449,691.15</u>

**Seconded by Treasurer Hunting.**

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Woiwode, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting  
 NAYS: None  
 Motion carried 6-0.

[Bill list in Official Minute Book]

D. Assessing Stipulation

**Trustee Brixie moved that the Township Assessor be authorized to sign a stipulation with Christopher J. and Katrina Iamarino on the following property:**

YEAR	DOCKET NO.	ADDRESS OF PROPERTY			
2005	0318222	4276 Cornell Road, Okemos, MI			
<u>Assessment</u>	2005	<u>AV</u> \$208,300	<u>TV</u>	\$178,615	
<u>Proposed Assessment</u>	2005	<u>AV</u> \$208,300	<u>TV</u>	\$160,815	

**Seconded by Treasurer Hunting.**

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Woiwode, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting  
 NAYS: None  
 Motion carried 6-0.

E. Budget Amendment - Drug Forfeiture Expenditure

**Trustee Brixie moved to authorize the use of the Meridian Township Police Department's narcotic forfeiture funds to purchase eight tasers with air cartridges and 27 holsters not to exceed \$8,200. Seconded by Treasurer Hunting.**

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Woiwode, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting  
 NAYS: None  
 Motion carried 6-0.

8. QUESTIONS FOR THE ATTORNEY (See Agenda Item # 5, #10A, #11B)

9. HEARINGS

A. Wetland Use Permit #06-06, South Whitehills

Supervisor McGillicuddy opened the public hearing at 6:20 P.M.  
 Director Kieselbach summarized the wetland use permit request as outlined in staff memorandum dated June 28, 2006.

Supervisor McGillicuddy closed the public hearing at 6:25 P.M.

10. ACTION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.  
 Gil White, 6005 East Lake Drive, Haslett, explained that National Amusements, Inc. has Wetland Use Permit #06-05 (Whitehills Point) confused with a storm drain condemnation action with the Ingham County Drain Commissioner to attempt to drain the property directly north of the parcel owned by National Amusements, Inc..

Supervisor McGillicuddy closed public comment.

A. Wetland Use Permit #06-04, St. Luke Lutheran Church

**Trustee Woiwode moved [and read into the record] NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, pursuant to Article 4 of Section 22 of the Township Code of Ordinances, the Township Board hereby approves Wetland Use Permit #06-04 with the following conditions:**

1. Approval is based on the plans, documents, and materials prepared by KEBS, Inc., submitted in conjunction with Wetland Use Permit #06-04, including the revised flow spreader design, subject to revisions as required.
2. The applicant shall obtain all necessary permits, licenses, and approvals from the Michigan Department of Environmental Quality (MDEQ) and the Ingham County Drain Commissioner's office prior to any work beginning on the stormwater basin and outlet. Copies of all permits, licenses, and approvals shall be forwarded to the Department of Community Planning and Development.
3. The wetland boundary for Wetland #12-22 shall be flagged in those areas adjacent to the proposed work. The flagging shall be clearly evident throughout construction.
4. The applicant shall ensure the appropriate soil erosion and sedimentation control best management practices are implemented and maintained throughout the duration of the project.
5. Erosion control fencing shall be installed prior to construction and shall be removed after construction is completed and the area is stabilized.
6. No straw bales shall be used for erosion control, unless in conjunction with sediment erosion control fencing.
7. A copy of the approved wetland use permit containing the conditions of issuance shall be posted on the site in a conspicuous manner such that the wording of the permit is available for public inspection. Posting of the site shall be done prior to commencement of work on the site and continue throughout the duration of the project.
8. Prior to work beginning on the site, the applicant shall provide to the Department of Community Planning and Development written notice of commencement.
9. The applicant shall notify the Department of Community Planning and Development when construction has been completed so the site can be inspected to ensure compliance.
10. The applicant shall monitor areas impacted by the rain garden basin and storm water discharge for one year following the completion of construction and shall remediate any problems which develop to the satisfaction of the Director of Community Planning and Development.

Seconded by Trustee Brixie.

Potential revisions: (Questions for the Attorney (See Agenda Item #8))

- Q. In condition #1, it says "subject to revisions as required." Is that enough, so that it will be in compliance with what our environmental consultant suggested that it may not have to be thirty (30) feet, but no less than twenty (20) feet?
- A. No, I don't think that is what that says. I would put "subject to revisions as required by" and I would put the name of the entity that has the ability to make those revisions.

**Supervisor McGillicuddy offered the following amendment:**

- Amend condition #1 after "required" by adding "by the Director of Community Planning and Development."

The amendment was accepted by the maker and seconder.

**By unanimous consent, the Board agreed to amend condition #1 to delete KEBS, Inc. and insert Ledy Design Group.**

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Woiwode, Supervisor McGillicuddy,  
Clerk Helmbrecht, Treasurer Hunting  
NAYS: None  
Motion carried 6-0.

B. Wetland Use Permit #06-05, Whitehills Point

**By unanimous consent, the Board agreed to accept the letter from National Amusements, Inc. dated July 6, 2006, as an official Board communication.**

**Trustee Brixie moved [and read into the record] NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, pursuant to Article 4 of Section 22 of the Township Code of Ordinances, the Township Board hereby approves Wetland Use Permit #06-05 with the following conditions:**

- 1. Approval is based on the plans, documents, and materials prepared by Weir Engineering, Inc., submitted in conjunction with Wetland Use Permit #06-05, subject to revisions as required.**
- 2. The boundary of the wetlands shall be re-flagged in the areas adjacent to the proposed work. The flagging shall be clearly evident throughout construction.**
- 3. The applicant shall obtain all necessary permits, licenses, and approvals from the Michigan Department of Environmental Quality (MDEQ) and the Ingham County Drain Commissioner's office prior to any work beginning on the stormwater basin and outlet. Copies of all permits, licenses, and approvals shall be forwarded to the Department of Community Planning and Development.**
- 4. The applicant shall ensure the appropriate soil erosion and sedimentation control best management practices are implemented and maintained throughout the duration of the project.**
- 5. Prior to construction, erosion control fencing shall be installed at the upland edge of the water features setback. The installation and location of the erosion control fencing shall be subject to the approval of the Director of Community Planning and Development. The erosion control fencing shall be removed after construction is completed and the area is stabilized.**
- 6. No straw bales shall be used for erosion control, unless in conjunction with sediment erosion control fencing.**
- 7. A copy of the approved wetland use permit containing the conditions of issuance shall be posted on the site in a conspicuous manner such that the wording of the permit is available for public inspection. Posting of the site shall be done prior to commencement of work and shall remain through the duration of the project.**
- 8. Prior to work beginning on the site, the applicant shall provide to the Department of Community Planning and Development written notice of commencement.**
- 9. The applicant shall notify the Department of Community Planning and Development when construction has been completed so the site can be inspected to ensure compliance.**

**10. The applicant shall monitor the area of storm water discharge for one year following the completion of construction and shall remediate any problems which develop to the satisfaction of the Director of Community Planning and Development.**

**Seconded by Clerk Helmbrecht.**

Board members discussed the following:

- Lack of relevance between Wetland Use Permit #06-05 and National Amusement property to the north as County drain discharges away from National Amusement property
- Late communication from National Amusements property owner
- Reliance on the Township wetland consultant's ability to preserve and protect this wetland
- Township wetland consultant's belief there will be adequate hydration to the small wetland south of the detention basin
- No variances needed for the construction of the detention basin

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Woiwode, Supervisor McGillicuddy,  
Clerk Helmbrecht, Treasurer Hunting  
NAYS: None  
Motion carried 6-0.

C. Request for HAVA Grant

**Clerk Helmbrecht moved [and read into the record] NOW, THEREFORE, BE IT RESOLVED that the Meridian Township Clerk is authorized to submit this grant application on behalf of the Charter Township of Meridian, Ingham County, on this 6<sup>th</sup> day of July, 2006, and accept same upon approval.**

**Seconded by Trustee Veenstra.**

Board members discussed the following:

- Help America Vote Act (HAVA) Act passed by Congress encouraged all precincts within the United States to move to precinct based tabulation system
- Request is for two (2) additional tabulators to be used for the Township's absentee counting board
- Approximate cost of \$4,500 to \$5,000 per machine

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Woiwode, Supervisor McGillicuddy,  
Clerk Helmbrecht, Treasurer Hunting  
NAYS: None  
Motion carried 6-0.

11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Gil White, 6005 E. Lake Drive, Haslett, spoke in support of Wetland Use Permit #06-06 (South Whitehills).

Supervisor McGillicuddy closed public comment.

A. Wetland Use Permit #06-06, South Whitehills

Board members discussed the following:

- County as the responsible party for maintenance of the detention area on lot #13
- Sheet drainage on the back of lots #12 and #13 achieved through natural contours
- Master grading and drainage plans for the subdivision will retain natural flow and drainage pattern
- Water runs from lot #12 to #13
- Recommendation from Township consultant that the wetland on lot #13 be a rain garden

**The consensus of the Board was to place this item on for action at the July 18, 2006 Board meeting.**

- B. Rezoning #02060 (Eyde), request to rezone 5.4 acres located at 5155 Marsh Road from RAAA (Single Family-Low Density) to PO (Professional and Office)  
Director Kieselbach summarized the rezoning request to date as outlined in staff memorandum dated June 30, 2006.

Mark Clouse, Chief Financial Officer, Eyde Co., 4660 S. Hagadorn, Suite 660, East Lansing, offered a synopsis of action to date on this rezoning request.

Board members and staff discussed the following:

- PUD on this site would allow three percent (3%) for commercial use
- No specific amount of commercial allowed in a MUPUD
- Lack of commercial currently on the west side of Marsh Road from Central Park to the railroad tracks
- No uses for commercial to take advantage of park land to the west
- Project could potentially encourage a downtown “feel”
- Several restaurants, shops, banks and Township offices within walking distance
- Voluntary restriction of certain commercial uses by the applicant
- Problematic parking issues
- Very intense use of the land
- Transitional zone between multiple uses
- Project on this site must be an appropriate fit for a parcel near the park
- Size of proposed commercial areas
- Significant amount of commercial property currently exists in the area
- Prospective businesses would compete with small businesses currently operating within the Township
- Concern with approving zoning for mixed use without the ability to see the project
- Residential PUD zoning would allow residents an opportunity to live adjacent to the park and walkable to existing businesses in the area
- Lack of buffer to property to the north approved for construction as a nursing home
- Concern that project may take business(es) away from Meridian Mall
- Request by applicant to use a team approach with the Board to discuss new ideas
- Initiative for conditional zoning rests with the applicant
- Invitation for expression of ideas by members of the community at the next Board meeting

Board comment(s) on conditional zoning: (Questions for the Attorney (See Agenda Item #8))

Q. We are not supposed to tell the applicant what to condition their proposal on. If members of the public and members of the Board say, “What does this look like?” or “What do you think of that?”, I’m not sure that we’re being out of line. I guess I would be interested in Andria’s opinion on that.

A. If you want me to comment, I can do that tonight. I understand what Mr. Clouse is requesting and I can’t see you sitting at a table, looking at drawings and going that far. I think tonight has been an incredible step towards what conditional zoning is about. I’ve heard lots of suggestions (and I think Mr. Clouse has heard that as well), that you take these back and work with them. I think what that requires is probably more discussion. The more times this is on for discussion, more of the Board members looking at specific issues and saying, “Yes, I think parking makes sense here; it doesn’t make sense there” or “I’d like to see less commercial, one-third commercial”, and issues like that.

With this conditional zoning, what happens is the applicant then has to come back with that, and potentially even a specific plan. That is something that I don’t believe has happened in the Township yet. But it could be a specific plan or close to a specific plan whether in a drawing or outlined, “These are the outlines of what we will do; those are the conditions we’re offering.” That is something you can do, and I think tonight was a really good example of getting closer to that discussion that takes place in conditional zoning. Without stepping over that line, which I don’t think is clear yet and continuing to do what you are doing tonight, I

would think it would be very helpful for the applicant, although it may take a while.

**The consensus of the Board was to place this item on for discussion at the July 18, 2006 Board meeting.**

- C. Special Use Permit #06-70141 (Meijer), request to construct a 444 square foot addition to the existing building  
 Director Kieselbach summarized the proposed amendment to the special use permit as outlined in staff memorandum dated June 30, 2006.

Mark Kastner, consultant to the Meijer project, Progressive AE, 1811 4 Mile Road, NE, Grand Rapids, displayed architectural plans and a rendering of both the current building and the proposed addition.

Board members, staff and the applicant discussed the following:

- Concern with pedestrian safety on the existing and proposed sidewalks in front of the store
- Indoor storage for the grocery carts is inadequate, but outdoor storage must not impede pedestrian safety
- Need for additional awning with bollards for pedestrian safety on the sidewalks
- Possible decorative bollards in select places to discourage patron parking in the fire lane
- Change in airflow with building redesign
- Mechanical systems typically designed to positively pressurize the building which would combat air infiltration
- Concern with exhaust from vehicles entering the redesigned building
- Possible signage for senior citizen pharmacy parking in the parking lot
- Current Meijer new store prototype and departmental relationships within the store determined pharmacy location
- Potential for future Meijer request for a drive-through pharmacy window in another location
- Placement of perimeter landscaping in another location on the site to improve impervious ratio
- Possible addition of islands and other types of pervious surfaces to break up large amount of impervious surface when the site is updated in the future

**The consensus of the Board was to place this item on for action at the July 18, 2006 Board meeting.**

12. PUBLIC REMARKS

Supervisor McGillicuddy opened and closed Public Remarks.

13. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 8:26 P.M.

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SUSAN MCGILLICUDDY  
 TOWNSHIP SUPERVISOR

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MARY M. G. HELMBRECHT  
 TOWNSHIP CLERK

Sandra K. Otto, Secretary