

**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
AGENDA**

**WORK SESSION MEETING
AND
REGULAR MEETING**

October 26, 2015

**Meridian Municipal Building
5151 Marsh Road, Okemos, MI 48864**

Work Session Meeting – Administrative Conference Room

1. Call meeting to order at approximately 6:00 p.m.
2. Approval of agenda
3. Discussion
 - A. Master Plan Request for Proposals
4. Public Remarks
5. Adjournment

Regular Meeting – Town Hall Room

1. Call meeting to order at approximately 7:00 p.m.
2. Approval of agenda
3. Approval of minutes
 - A. October 12, 2015 Regular Meeting
4. Public remarks
5. Communications
 - A. Elaine Hauptman RE: SUP #14041 (Fedewa)
 - B. Neil Bowlby RE: Corridor Improvement Auth.
6. Public Hearings
7. Unfinished Business

Planning Commission Agenda

October 26, 2015

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- A. Rezoning #15050 (McCurdy), request to rezone 5458 Okemos Road from RAAA (Single Family Low Density) to RR (Rural Residential).
 - B. Zoning Amendment #15070 (Planning Commission), amend Section 86-2 Definitions and Section 86-438 Wireless Communication Facilities Overlay District to comply with federal and state regulations.
8. Other Business
- A. Corridor Improvement Authority
9. Township Board, Planning Commission officer, committee chair, and staff comment or reports
- A. Future Projects/New Applications
 - i. Special Use Permit #15141 (Chvala), request to work in the 100-year floodplain to construct a pond at 5384 Van Atta Road
 - ii. Wetland Use Permit #15-02 (Chvala), request to impact wetlands to construct a pond at 5384 Van Atta Road
 - iii. Zoning Amendment #15080 (Township Board), proposal to amend Section 86-473 Street Trees
 - B. Update of Ongoing Projects
 - i. Site Plans Received - NONE
 - ii. Site Plans Approved - NONE
10. Public Remarks
11. Adjournment

Post Script: Joyce Van Coevering

The Planning Commission's Bylaws state agenda items shall not be introduced for discussion or public hearing that is opened after 10:00 p.m. The chair may approve exceptions when this rule would cause substantial backlog in Commission business (Rule 5.14 Limit on Introduction of Agenda Items).

Persons wishing to appeal a decision of the Planning Commission to the Township Board in the granting of a Special Use Permit must do so within ten (10) days of the decision of the Planning Commission (Sub-section 86-189 of the Zoning Ordinance)

**TENTATIVE
PLANNING COMMISSION AGENDA**

**Work Session Meeting
and
Regular Meeting
November 9, 2015**

**Meridian Municipal Building
5151 Marsh Road, Okemos, MI 48864**

Work Session Meeting – Administrative Conference Room

1. 2005 Master Plan Update

Regular Meeting – Town Hall Room

1. Public Hearings
 - A. Special Use Permit #15141 (Chvala), request to work in the 100-year floodplain to construct a pond at 5384 Van Atta Road
 - B. Wetland Use Permit #15-02 (Chvala), request to impact wetlands to construct a pond at 5384 Van Atta Road
 - C. Zoning Amendment #15080 (Township Board), proposal to amend Section 86-473 Street Trees
1. Unfinished Business
 - A. Rezoning #15050 (McCurdy), request to rezone 5458 Okemos Road from RAAA (Single Family Low Density) to RR (Rural Residential)
2. Other Business

**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
REGULAR MEETING MINUTES
October 12, 2015**

DRAFT

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

PRESENT: Commissioners Cordill, DeGroff, Deits, Honicky, Ianni, Jackson, Scott-Craig, Tenaglia,
Van Coevering
ABSENT: None
STAFF: Principal Planner Principal Planner Oranchak, Associate Planner Martha Wyatt

1. Call meeting to order

Chair Scott-Craig called the regular meeting to order at 7:03 P.M.

2. Approval of agenda

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

VOICE VOTE: Motion carried unanimously.

3. Approval of Minutes

Commissioner Honicky moved to approve the Work Session Meeting Minutes and Regular Meeting Minutes of September 28, 2015. Seconded by Commissioner Jackson.

VOICE VOTE: Motion carried unanimously.

4. Public Remarks

Chair Scott-Craig opened the floor for public remarks.

Leonard Provencher, 5824 Buena Parkway, Haslett, questioned the prudence of voting on Rezoning #15040 the same night as the public hearing.

Chair Scott-Craig explained a public hearing and subsequent approval was held on this rezoning last month; however, a problem with notification to surrounding neighbors required a second public hearing.

Scott Fairmont, 4429 Apache Drive, Okemos, availed himself for Planning Commission questions during the public hearing on Rezoning #15040 (Mayberry Homes).

Dave Ledebuhr, 4767 Cornell Road, Okemos, expressed appreciation for holding a second public hearing on Rezoning #15040, as he owns property adjacent to the subject site. He voiced support for the project moving forward, but expressed apprehension with an engineered community septic system for the development. He was also concerned about residents within the county drain district absorbing the cost of moving the county drain as requested by the developer.

Robert Pairolero, 15590 Center Road, Bath, availed himself for Planning Commission questions during the public hearing on Special Use Permit (SUP) #15131.

Mike McCurdy, 5458 Okemos Road, East Lansing, voiced support for Rezoning #15060 and availed himself for Planning Commission questions during the upcoming public hearing.

Chair Scott-Craig closed public remarks.

5. Communications

- A. Adam Whitz, Broker/Owner, RE/MAX Commercial Group, 300 W. Lake Lansing Road, East Lansing; RE: Rezoning #00150 (St. King)
- B. Joy and Rich Schaberg, 5596 Star Flower, Haslett; RE: Rezoning #15060 (McCurdy)

6. Public hearings

- A. Rezoning #15040 (Mayberry Homes), request for conditional rezoning of approximately 25.5 acres located on the east side of Powell Road from RR (Rural Residential) and CR (Commercial Recreation) to RAA (Single Family-Low Density with a request for a decision the same night as the hearing.

Chair Scott-Craig opened the public hearing at 7:11 P.M.

- Introduction by the Chair (announcement of procedures, time limits and protocols for public participation and applicants)
- Summary of subject matter
Principal Planner Oranchak summarized the rezoning request as outlined in staff memorandum dated October 8, 2015.
- Applicant
Scott Fairmont, 4429 Apache Drive, Okemos, noted concerns voiced during earlier public comment will be addressed during preliminary plat review.
- Planning Commission discussion:
Chair Scott-Craig inquired as to the components updated within the resolution.

Principal Planner Oranchak replied all dates have been updated as well as changes which may have been made at the last meeting.

Commissioner Deits inquired if the Planning Commission could condition the rezoning on the presence of the community septic system.

Principal Planner Oranchak replied it is the applicant's decision to offer conditions for the rezoning.

Commissioner Deits asked what would be the effect in the event the applicant chose to go into a different direction for the sewer system.

Principal Planner Oranchak believed the issue would be handled during the plat review portion of the project, which goes before both the Planning Commission for a recommendation and to the Board for a final decision. She noted the decision concerning any sewer will not be made until the plat is approved.

Chair Scott-Craig closed the public hearing at 7:19 P.M.

- B. Special Use Permit #15131 (Pairolero), request to construct a non-residential use in a residential district (optometry clinic) on two undeveloped platted lots located on the east side of Marsh Road north of Haslett Road

Chair Scott-Craig opened the public hearing at 7:19 P.M.

- Summary of subject matter
Associate Planner Wyatt summarized the special use permit (SUP) request as outlined in staff memorandum dated October 9, 2015.
- Applicant
Tom Gottschalk, James Edwards Builder, 1031 E. Saginaw Street, Lansing, representing the applicant, spoke to Eyecare Associates as a longstanding business in the Haslett community. He spoke to the thought which went into the design of the new building.
- Public
Simhr Pawar, 5697 Edson Street, Haslett, stated this relocation of the optometry clinic will be welcome change for Haslett. She indicates trees at the rear of the subject property are leaning over onto her residential property and the berm which separates the two properties is sinking.
- Planning Commission discussion:
Commissioner Cordill inquired how long the land has been vacant.

Associate Planner Wyatt did not believe there has ever been a home located on the property.

Commissioner Cordill inquired that if the nearby properties were rentals, would the owners be inclined to share the notification with their tenants.

Principal Planner Oranchak responded both owners and the occupants are noticed during the notification process.

Commissioner Ianni inquired if there was a way to eliminate the need for a parking variance by adding additional bicycle parking.

Associate Planner Wyatt responded parking cannot be reduced more than ten (10) percent of the required amount, so two would be the limit of the reduction for 20 required parking spaces.

Commissioner Deits asked why the property is not being rezoned to PO.

Principal Planner Oranchak replied because the SUP goes with the zoning and it would be a longer process for the applicant to go through a rezoning and then go through the remaining review.

While acknowledging the inconvenience, Commissioner Deits believed it a relevant issue from a planning perspective. He pointed out one lot immediately to the south is zoned residential while surrounded by PO and what amounts to an office building to the north.

Commissioner Deits stated if it is the Township's desire to have businesses extend farther along Marsh Road than the current location, it should make that decision in a more coherent fashion. He expressed concern the applicant is requesting a variance on all four (4) sides of the property, stating from a zoning, design and land use point of view, he could not support the project. Commissioner Deits suggested a number of variances could be relieved by placing the parking in the rear and underneath, instead of in front and on top.

Commissioner Honicky expressed concern with the eight (8) foot drop and the surface water running downhill into the Lake Lansing Watershed. He believed water should be managed with forethought prior to bringing the project before the Planning Commission. He noted

there is an abundance of PO zoned land in the Township and inquired if the applicant had considered any of those nearby parcels.

Mr. Pairolero stated he currently practices at 1536 Haslett Road and was proposing to move his practice two (2) blocks to the subject site. He indicated he has looked for over a year for PO zoned property for sale to accommodate his needs. Mr. Pairolero expressed concern with all the restrictions placed on rented property and none appeared to fit his professional needs. Regarding the question relative to water, he hired KEBS, Inc. to perform the engineering on the project and proposed a stormwater treatment area underneath the parking lot which would retain water runoff.

Commissioner Jackson spoke to the eight (8) foot drop in the land and the location of the stormwater treatment as the rationale for the parking being larger than the building and placed in the front of the site.

Mr. Pairolero added the number of parking spaces required was calculated based on the size of the building.

Commissioner DeGroff suggested the applicant is placing too much building into a small area as the rationale for requesting variances on all four (4) sides. He believed if a SUP is available for this zoning designation, the applicant should be able to ask for it.

Commissioner Cordill believed the SUP is the more appropriate route for this project over a rezoning. She believed a rezoning would be interpreted as spot zoning based on the fact there are single family homes on three (3) of the four (4) sides.

Dr. Pairolero added he attempted to purchase the third lot without success.

Commissioner Cordill inquired about the possibility of building upward as height is available.

Dr. Pairolero responded many of his patients are handicapped and a second floor would present mobility issues and not be practical.

Commissioner Cordill suggested employee parking on the sides of the building.

Dr. Pairolero responded that in order to meet the need for expansion, parking on the north and south sides of the building would also require variances.

Commissioner Tenaglia did not believe this type of business would need the required number of parking spaces as it is not a high volume business. She reminded fellow Commissioners working with the applicant would result in use of property that has been vacant for many years.

Commissioner Deits noted approval of a SUP to allow a non-residential use in a residential district would restrict Dr. Pairolero as he could only sell to a prospective buyer in the future who intended some type of medical use.

Commissioner Ianni stated part of the reason the property needs a significant number of variances is due to the fact these parcels were platted over a hundred years ago as residential parcels, were never used that way and are too small for other uses without variances.

Commissioner DeGroff believed earlier Commissioner comment regarding the limitation of an SUP is really an argument against this type of SUP.

Commissioner Ianni indicated medical use is a low intensity community based business and more appropriate in residentially zoned areas.

Chair Scott Craig stated the building is too large for the site. He noted the Planning Commission must uphold community standards and setbacks are one of those standards. He stated the Planning Commission has been asked by the Zoning Board of Appeals not to pass along projects to them when there are multiple variance requests which have been self-created. He agreed building up would eliminate the need for most of the variances.

Dr. Pairolero replied that a building which contained multiple floors but had a 30 foot by 30 foot footprint would not be aesthetically pleasing or attractive.

Chair Scott-Craig asked if the seven (7) foot pathway was required by the Township.

Associate Planner Wyatt responded in the affirmative, and would be placed on the applicant's property.

Chair Scott-Craig explained the Planning Commission's position on making a decision the same night as the public hearing for this SUP.

Mr. Gottschalk inquired if Planning Commission members had suggestions to the applicant relative to acceptable landscaping and parking lot setbacks. He stated he viewed the newly constructed building at Cornell and Grand River Avenue with front yard parking as an example of an approved project.

It was the consensus of the Planning Commission not to vote on this project the same night as the public hearing and not to support the project as proposed.

Chair Scott-Craig closed the public hearing at 8:14 P.M.

- C. Rezoning #15060 (McCurdy), request to rezone 5458 Okemos Road from RAAA (Single Family Low Density) to RR (Rural Residential)

Chair Scott-Craig opened the public hearing at 8:14 P.M.

- Summary of subject matter
Principal Planner Oranchak summarized the rezoning request as outlined in staff memorandum dated October 8, 2015.
- Applicant
Mike McCurdy, 5458 Okemos Road, East Lansing, stated the goats currently located on his property are not in compliance with RAAA zoning regulations. Relative to the Right to Farm Act, he indicated there will never be a large commercial operation on only six (6) acres. Mr. McCurdy noted the property is surrounded by other parcels with large acreage and no nearby residential development.
- Planning Commission discussion:
Commissioner Ianni inquired as to how code enforcement was involved.

Principal Planner Oranchak replied the Township received a complaint which was investigated and found not to be in compliance.

Mr. McCurdy stated he filed two (2) Freedom of Information Act (FOIA) requests for copies of any complaints and was told by Township staff there was no record of any complaints.

Commissioner Tenaglia inquired how long the property owner has lived at 5458 Okemos Road and how long he has housed goats on that property.

Mr. McCurdy replied they have resided at 5458 Okemos Road approximately five (5) years and acquired pygmy goats last fall. He stated the previous property owner housed a horse, goats and chickens.

Commissioner DeGroff inquired what type of industrial farming could be conducted on six (6) acres.

Principal Planner Oranchak replied there are no limits for goats, chickens or rabbits in the RR district.

Commissioner DeGroff asked the applicant how many animals he could legally raise on this six (6) acre parcel.

Mr. McCurdy could not give an exact estimate, but there are very strict regulations regarding water runoff into existing wetlands and odor control.

Commissioner Jackson reiterated the zoning goes with the land and the real question is the appropriateness of RR zoned land at this location.

Commissioner Deits asked what would trigger the Right to Farm Act on the subject parcel.

Principal Planner Oranchak replied she will research this issue and provide a response to Planning Commissioners.

Commissioner Deits asked if the applicant had any intent to sell any goat by-products.

Mr. McCurdy responded he may sell goat milk, etc. to friends in the future.

Commissioner Honicky noted the amount of wetland on the property limits an expanded agricultural use.

Principal Planner Oranchak clarified that agricultural use is an exemption in the wetland ordinance and read the applicable section(s) of the ordinance for the benefit of Commissioners. She stated it would apply to land zoned RR, RRR and agriculture, noting the Township does not currently have any land zoned for agriculture.

Commissioner DeGroff added that even if there is no regulatory restriction because of the wetlands, there may still be logistical restrictions because of the wetlands in the types of things a homeowner could do agriculturally.

Commissioner Ianni stated one purpose of the Right to Farm Act is to prevent urban sprawl into agricultural communities. He believed in this case, rural development is coming into a residential neighborhood, bringing a nuisance to individuals who are already residentially established in the area. He expressed opposition to the rezoning request.

Commissioner Jackson believed this type of question has previously been vetted several times, when chickens and rabbits were subsequently allowed to be raised in residential areas.

She pointed out goats were specifically not permissible in more urbanized residential areas. Commissioner Jackson stressed that several attempts to rezone this property and several parcels to the south from RAAA to RR have failed and believed these types of uses should not be placed in the RAA and RAAA environment.

Commissioner DeGroff suggested the applicant bring proof that no industrial farming could take place on property this small in an effort to persuade Commissioners to support the rezoning request.

Commissioner Deits believed that although there is history to moving this area of the Township into residential, local agriculture is now viewed as an asset and a significant change since the last time this issue was before the Township. He noted the Planning Commission has not heard from any of the adjacent property owners in the neighborhood. He expressed support for the formation of "farmlets" but cautioned there is a need for a more global perspective.

Commissioner Van Coevering pointed to many letters (some of which were submitted by adjoining neighbors) contained in Board communications in support of the rezoning request. She inquired if those letters were still available.

Principal Planner Oranchak stated she would provide the aforementioned letters for the next meeting.

Commissioner Jackson requested staff provide the number of neighbors in the area who voiced support and opposition to the goats.

Commissioner Cordill inquired if the applicant was aware that he could request a conditional rezoning.

Principal Planner Oranchak responded the applicant is aware of that option.

Commissioner Jackson urged fellow Commissioners to consider the precedent which would be set within the Township if the rezoning request is approved.

Commissioner Ianni voiced concern with bringing rural uses into an established neighborhood area.

Chair Scott-Craig suggested one way to address the pygmy goats was to amend the ordinance to limit the number of animals within the RR designation. He believed the Right to Farm Act was established to protect existing farms from the pressure of residential development, not to expand the farm. Chair Scott-Craig pointed out that four (4) of the five (5) RR parcels to the north are nonconforming in terms of size. He reminded fellow Commissioners the Planning Commission would be making a recommendation to the Township Board on this rezoning request.

Mr. McCurdy added petitions have been submitted to the Township by his neighbors voicing support for retention of his pygmy goats through rezoning the subject property to the RR zoning designation. He requested the Planning Commission not make a fear based decision on a worst case scenario and believed granting the rezoning request would discourage development which would be inappropriate in this area.

Chair Scott-Craig expressed concern with the timing of a decision as it relates to the pending court case on this issue.

Commissioner Van Coevering requested additional information regarding the Township's response to Mr. McCurdy's FOIA requests.

Commissioner Deits urged the Township to hold the court case in abeyance until there is a decision on the rezoning request.

Chair Scott-Craig closed the public hearing at 8:58 P.M.

Without objection, Agenda Items #7C and #7B will be taken up at this time to allow the applicants to go home.

[Chair Scott-Craig recessed the meeting at 9:13 P.M.]

[Chair Scott-Craig reconvened the meeting at 9:19 P.M.]

- D. Zoning Amendment #15070 (Planning Commission), amend Section 86-2 Definitions and Section 86-438 Wireless Communication Facilities Overlay District to comply with federal and state regulations

Chair Scott-Craig opened the public hearing at 9:19 P.M.

- Summary of subject matter
Principal Planner Oranchak summarized the proposed zoning amendment as outlined in staff memorandum dated October 8, 2015.
- Planning Commission discussion:
Commissioner Van Coevering inquired if the 60 and 90 day time periods were 60 and 90 business days.

Principal Planner Oranchak responded the draft states 90 days.

Commissioner Deits expressed concern Sec. 86-438 (a) (1) c. does not include commercial areas, which was the argument brought forth by the business owner adjacent to the proposed cell tower recently reviewed by the Planning Commission and Township Board. He also voiced concern with the use of the blanket term "protect" in that same subsection. Commissioner Deits suggested a rewrite of Sec. 86-438 (a) (1) c. to read: "Avoid potential adverse impacts of towers and antennas on future land uses." He suggested it may be beneficial to point out somewhere in the ordinance that protection does not extend to the concept of direct or indirect health impacts.

Commissioner Jackson asked what kind of land "protections" are referred to in this section.

Commissioner DeGroff believed Sec. 86-438 (a) (1) c. does not add anything which is not already covered by Sec. 86-438 (a) (1) b.

Commissioner Ianni suggested (a) (1) c. be deleted, and there was general consensus from the other Commissioners.

Commissioner Jackson requested clarification whether Section 3514. (1) of the Michigan Zoning Enabling Act (MZEA) speaks specifically to colocation not being subject to special land use approval or any other approval because the tower is already in place. She believed it does not mean a new tower is a permitted use by right in every zoning district.

Principal Planner Oranchak responded that Commissioner Jackson was correct.

Chair Scott-Craig asked for clarification about the statement in the staff memorandum which spoke to the equipment meeting the first two conditions but not the last two as there were only three (3) listed.

Principal Planner Oranchak responded she will look into it prior to the next meeting.

Commissioner Deits noted the attorney's comment about apparent ambiguity regarding tower height on page 10. He inquired if a maximum height was contained in the ordinance.

Principal Planner Oranchak did not believe there is a maximum height designated in the ordinance.

Commissioner Jackson asked if the maximum structural height within a specific zoning district applied.

Principal Planner Oranchak responded it did not.

Commissioner Jackson inquired if the ordinance specifically states that the maximum structural height within a specific zoning district cannot be applied.

Principal Planner Oranchak noted if the tower is stealth, it is a use by right except for site plan review. She indicated any other type of tower would require a special use permit (SUP) where height can be a consideration.

Chair Scott-Craig inquired if the Township would be allowed to regulate the height of a tower.

Principal Planner Oranchak believed the attorney's comment speaks to a possible maximum height limit.

Commissioner Honicky inquired if we have height limits on other structures, e.g., windmills.

Principal Planner was unsure there was anything in the ordinance which speaks specifically to windmills. She did share there are certain things (i.e., church spire) which are not subject to a maximum height requirement of the zoning ordinance.

Commissioner DeGroff stated that, in some ways, it does not make sense to place a restriction on towers with a height of 200 feet or less as noted in the attorney's comment for subsection (F)(3) E.5. He believed the rationale behind that language is that if a tower is taller than 200 feet, it cannot be disguised as looking like the sky as a safety feature for planes.

Principal Planner Oranchak added the Federal Aviation Administration (FAA) requires lights to be installed on a cell tower if it is taller than 200 feet.

Commissioner Deits pointed out this ordinance speaks to wireless telecommunication, and was fairly certain it would not apply to radio towers, e.g., the radio tower at Vann Atta and Jolly Roads.

Principal Planner Oranchak concurred with Commissioner Deits assumption.

Commissioner Deits asked if the Township had a radio tower ordinance.

Principal Planner Oranchak was unsure whether the Township had a radio tower ordinance in place, but apprised the aforementioned radio tower has a SUP.

Commissioner Deits asked on what grounds the applicant applied for the SUP.

Principal Planner Oranchak replied she will go back and look at which section of the ordinance was used to apply for the SUP.

Commissioner DeGroff inquired as to why the automatic approval period in Section 85-438 (E) (5) is necessary.

Chair Scott-Craig stated the automatic approval period is in the law.

Commissioner DeGroff requested the meaning of “minimum height necessary” used in Section 85-438 (F)(1) a.

Commissioner Jackson responded that there were specific increments required between collocators.

As an addendum to Ms. Oranchak’s comment relative to the FAA requirement for lights on a cell tower taller than 200 feet, Commissioner Jackson stated there is a “typical” range where cell towers are built, and thought keeping the height requirement less than 200 feet was in response to the FAA requirement. She believed the range took into account the area between the height of most buildings and the height at which airplanes fly.

Commissioner Deits noted language in Section 85-438 (F)(1) a. states the report will discuss a number of issues relative to the necessary height, among them which is colocation needs, which would include both current and future colocation needs.

Commissioner Jackson added that the Township is encouraging permission for colocation as a means to have less towers within the Township, which would require height for the primary provider and additional height for collocators.

Principal Planner Oranchak explained the use of the word necessary means what is necessary to deliver service they are looking to provide in the designated area. She reminded Commissioners that for the proposed cell tower case which recently came before the Planning Commission, the applicant’s engineer provided documentation and maps showing the service area and the justification for the height needed for good coverage to that area.

Commissioner DeGroff believed without defining “minimum height necessary”, an applicant could select the desired height and show what that height would provide, and then use that criteria to justify the desired height.

Commissioner Van Coevering reminded fellow Commissioners of the graphs provided by Neil Bowlby during Planning Commission discussion on the recent cell tower request, which depicted the service areas for different heights.

Commissioner Deits added while Mr. Bowlby made a case that while the proposed tower was not of a height “necessary” for current service, it was made taller because of a desire to collocate in the future.

Commissioner Honicky recalled that during the most recent Planning Commission hearing on the application for a cell tower, the cell tower was requested in order to take some of the load off a current tower to better process high speed data. He added each increase in height provided additional coverage. Commissioner Honicky also recalled there was a direct correlation between the cell tower height and the required infrastructure, and believed sharing the associated cost could come through collocation. He believed language within the ordinance should reflect best engineering practices relative to the minimum necessary.

Commissioner Cordill believed cell tower applicants ascertain what capacity they can have in an effort to "edge" out their competitors. She stated there are land use implications from this competitive industry.

Commissioner Jackson urged caution in taking a position within the Township's ordinance which unfairly impacts business competition; however, she believed the Township should also have leverage within the process. She believed state and federal law has taken away the Township's ability to weigh and leverage these interests. Commissioner Jackson stated ways must be found for the Township to be involved in the decision making process to help manage how this resource is being used.

Commissioner Jackson inquired as to the decision making process to determine whether the Planning Commission or planning staff finds an application to be complete with the 14 day time period.

Principal Planner Oranchak replied planning staff already determines whether any application is administratively complete, and the new language now has a time limit of 14 days to do so.

Commissioner Cordill asked if the 90 day application approval process included the 14 days allowed for the application to be considered administratively complete.

[Commissioner Tenaglia left the room at 9:59 P.M.]

Chair Scott-Craig explained the 90 day application approval process begins when the staff determines the application to be administratively complete.

Commissioner Deits offered an alternative to the standard staff process for an application to be considered complete by allowing the Planning Commission to review the application and ask questions.

Principal Planner Oranchak inquired if the Planning Commission was willing to hold special meetings under the aforementioned scenario.

Commissioner Deits responded only in the event needed and there was not likely to be very many of them.

Commissioner Ianni believed the Township's professional planning staff is competent to determine whether an application is administratively complete prior to it coming before the Planning Commission.

Commissioner DeGroff expressed concern cell tower applicants have a distinct advantage and the onus is on the Township to hire experts to take issue with the information provided. He stated all the applicant needs to do is "run out the clock" and not ultimately provide answers.

Chair Scott-Craig reminded fellow Commissioners the zoning amendment is being presented by staff to bring the current Township ordinance into compliance with the 2012 state law and the other issues raised are not part of the proposed zoning amendment. He suggested future discussions for the Planning Commission to reinsert some control over cell tower location may be to designate cell tower compatible zones.

Principal Planner Oranchak stated she did not believe the Township could set up a negotiation period within the initial 14 days, as the ordinance should state exactly what makes an application complete.

Commissioner Jackson pointed out that Section 85-438 (F)(1) a. specifically states what makes for a complete application. She also disagreed with the Chair that the proposed zoning amendment only deals with bringing our ordinance into compliance with state law as there are changes being proposed which support that effort.

Principal Planner Oranchak clarified that the proposed language being offered is for compliance with the state law which was passed in 2012.

Commissioner Deits believed the attorney's comment about tower height is relevant and needs to be addressed. He voiced concern with being able to revisit the issue of cell towers again.

Commissioner Jackson added the Planning Commission is the applicant for this zoning amendment.

Commissioner Honicky requested clarification if there is a standard for best engineering practices with regard to cell tower height.

Commissioner Van Coevering believed there needs to be clarification of what the Planning Commission is asking itself to do as there is confusion among Commissioners as to what is the Planning Commission's role.

Chair Scott-Craig explained the zoning amendment was prepared by planning staff and submitted to the Township attorney, who has clarified or "tweaked" the ordinance to bring the Township into compliance with state law. He outlined the remainder of the process for the proposed zoning amendment.

Commissioner Jackson noted that since the Township has been out of compliance with state law since 2012, the compliance argument is no reason not to look at other concerns already expressed by commission members.

Commissioner Van Coevering suggested focusing on compliance now and revisiting the entire ordinance at some point in the near future.

Commissioner DeGroff suggested changing "recommended" to "required" in 85-438 (F)(1) f.

Chair Scott-Craig closed the public hearing at 10:18 P.M.

7. Unfinished Business

- A. ~~Special Use Permit #15131 (Pairolero), request to construct a non residential use in a residential district (optometry clinic) on two undeveloped platted lots located on the east side of Marsh Road north of Haslett Road~~

[Commissioner Cordill left the room at 9:08 P.M.]

- B. Rezoning #15040 (Mayberry Homes), request for conditional rezoning of approximately 25.5 acres located on the east side of Powell Road from RR (Rural Residential) and CR (Commercial Recreation) to RAA (Single Family-Low Density).

Commissioner Jackson moved to suspend Planning Commission Bylaw 6.4a to consider Rezoning #15040 the same night as the public hearing. Supported by Commissioner Tenaglia.

VOICE VOTE: Motion carried unanimously.

Commissioner Deits moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends approval of Rezoning #15040 to rezone approximately 25.5 acres located on the east side of Powell Road, north of Grand River Avenue from RR (Rural Residential) and CR (Commercial Recreation) to RAA (Single Family Low Density) with the voluntary offer to condition the rezoning on not more than one dwelling unit per acre. Seconded by Commissioner Jackson.

[Commissioner Cordill reentered the room at 9:10 P.M.]

Planning Commission discussion:

- Planning Commission oversight of the community septic system v. sewer will take place during the plat process

ROLL CALL VOTE: YEAS: Commissioners Cordill, DeGroff, Deits, Honicky, Jackson, Ianni, Tenaglia, Van Coevering, Chair Scott-Craig

NAYS: None

Motion carried unanimously.

- C. Rezoning #15030 (Sumbal), request to rezone approximately 1.4 acres addressed as 1998 Jolly Road from RR (Rural Residential) to RA (Single Family, Medium Density) with the offer of a condition to retain RR zoning if a variance for a shared driveway is not granted by the Zoning Board of Appeals

Commissioner DeGroff moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends approval of Rezoning #15030 to rezone approximately 1.4 acres located at 1998 Jolly Road from RR (Rural Residential) to RA (Single Family-Medium Density) with a voluntary offer of a condition which would allow the property to remain RR (Rural Residential) if the applicant should be unsuccessful in obtaining a variance to allow a shared driveway. Seconded by Commissioner Ianni.

Planning Commission discussion:

- No imposition on surrounding landowners if the land remains zoned RR
- Condition requested respects the wishes of the applicant
- Importance of individuals who donate land to the Township “playing by the rules”
- Inquiry if the shared driveway issue can be resolved prior to the rezoning
- If the parcel is not rezoned and not split, there is no reason for the Zoning Board of Appeals to consider the variance
- Inquiry if a RR parcel is taxed at a lower rate than RA
- One Commissioner voted previously on the rezoning request for reasons which had nothing

to do with the driveway

- Allowing this condition would make the Planning Commission's original decision on this rezoning capricious

ROLL CALL VOTE: YEAS: Commissioners DeGroff, Deits, Honicky, Ianni, Tenaglia, Van Coevering, Chair Scott-Craig

NAYS: Commissioners Cordill, Jackson

Motion carried 7-2.

8. Other Business (None)

9. Township Board, Planning Commission officer, committee chair, and staff comment or reports

Commissioner Deits reported a special meeting of the Downtown Development Authority (DDA) was held last week to discuss the design of the project proposed for the site currently occupied by the former central fire station and the Meridian Area Resource Center (MARC) building. He stated there will be the customary public input phases for the proposed mixed use planned unit development (MUPUD). Commissioner Deits also conveyed considerable discussion ensued about the Celebrate Downtown Okemos Event and there was general agreement to approve the idea of reimbursement to the Township for staff time required to manage the event. He noted whether this will become a Meridian wide event is still "up in the air."

Chair Scott-Craig reported his attendance at the Environmental Commission meeting where there was one wetland use permit on the agenda which the Planning Commission will probably see next month. He announced a public meeting on Ingham County's Regional Trails and Parks Plan will be held on Thursday, October 15, 2015 at 6:30 P.M. in the Township Hall.

A. Future Projects/New Applications

Zoning Amendment #15080 (Township Board) Amendment to Section 86-473 Street Trees

B. Update of Ongoing Projects

i. Site Plans Received

1. Site Plan Review #15-08 (Auto Zone), construct a 7,381 square foot building for auto parts sales

ii. Site Plans Approved - None

10. Public remarks

Chair Scott-Craig opened and closed public remarks.

11. Adjournment

Chair Scott-Craig adjourned the regular meeting at 10:24 P.M.

Respectfully Submitted,

Sandra K. Otto
Recording Secretary

CHARTER TOWNSHIP OF MERIDIAN

MEMORANDUM

TO: Planning Commission

FROM



Gail Oranchak, AICP
Principal Planner

DATE: October 22, 2015

RE: Rezoning #15060 (McCurdy), request to rezone 5458 Okemos Road from RAAA (Single Family Low Density) to RR (Rural Residential)

At the October 12, 2105 meeting, the Planning Commission decided to continue discussion of Rezoning #15060, a request to rezone 5458 Okemos Road from RAAA (Single Family Low Density) to RR (Rural Residential) and delay making a recommendation on this case until a future meeting. This staff report responds to issues raised at the last meeting.

The applicant has requested rezoning from RAAA (Single Family Low Density) to the RR (Rural Residential) district because the RAAA district does not permit the raising and keeping of goats for personal or commercial purposes however no more than four chickens and/or rabbits may be permitted as a nonagricultural use in RAAA. The RR district permits the raising and keeping of poultry, rabbits, and without limiting the number of such animals that may be raised and kept on a RR zoned parcel of land. RR district lots must be at least 40,000 square feet in area (approximately .92 acre). In this case the lot area is six acres (261,360 square feet). It has been suggested, prior to making a decision on this case, the RR zoning district should be amended to place a limit on the number of goats, rabbits and chickens that may be raised on a RR zoned site.

Comments were made alluding to the policy decisions inherent in rezoning the site from RAAA to RR based on the inconsistency with the site's Master Plan designation and the potential to change the character of the neighborhood. The site is centrally located in the Township across Okemos Road from single family subdivisions zoned RA and RAA with required lot sizes 1/3 to 1/4 the size of minimum lots in the RR district. Rezoning to RR will permit the introduction of commercial farming not only in proximity to single family residential subdivisions but within 1.13 miles of the Township's commercial core. While there are five RR zoned lots located north of the subject site, only one is actually consistent with the lot width and lot area requirements of the RR zoning district. The lots have been zoned RR for several decades and the zoning is also inconsistent with the Master Plan.

To clarify comments made regarding the use of wetlands, in 2013, the State amended the Natural Resources and Environmental Protection Act, Act 451 of 1994. Beginning October 1, 2013, new farming operations are not exempt from State and Township wetland regulations. Thus any activity impacting a wetland such as plowing, irrigation, irrigation ditching, seeding, cultivating, minor drainage and harvesting is subject to receiving a wetland use permit. Grazing and the installation of a specifically designed farm fence remain exempt from wetland regulations. The applicant has indicated he intends to begin a commercial operation selling milk and cheese in the future.

REZ #15060 (McCurdy)
Planning Commission (October 22, 2015)
Page 2

The applicant commented he was denied a Freedom of Information request to identify the person or persons who submitted the complaint regarding the keeping and raising of goats in the RAAA district. Per the Township's legal advisor, on-line complaints are not subject to a FOIA request.

Planning Commission Options

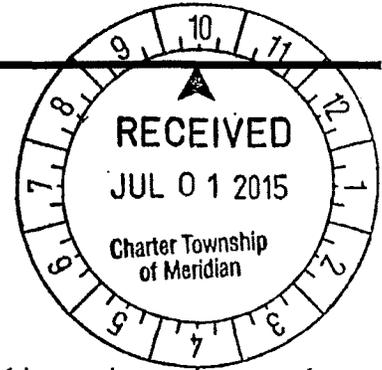
The Planning Commission may recommend approval or denial of the request or it may recommend a different zoning designation to the Township Board. A resolution will be provided for a future meeting.

Attachments

1. Communications received by the Township Board
2. Township Board meeting minutes dated September 1, 2015

Sandy Otto

From: Teresa (DeLisle) Morgan <tldmorgan@gmail.com>
Sent: Wednesday, July 01, 2015 10:28 AM
To: Board
Subject: McCurdy Goats



Hello,

As a relatively new resident of Meridian Township, I can say that I was drawn to this area in part because the people and families who make up the community. One of those families is the McCurdy family. I find their suburban farm fascinating and a wonderful addition to the fabric of the community. It is creative and resourceful people like the McCurdy family that really make Meridian Township special and their farm provides a breath of fresh air amongst the suburban landscape. Based on having a large lot heading away from town, I feel that re-zoning to allow the goats would be in the best interest of all involved.

Thank you for your consideration.

Teresa Morgan

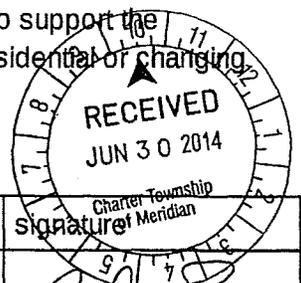
4444 Dobie Rd.
Okemos, MI 48864

JUL 07 2015

BI-2

JUL 07 2015

We the undersigned friends and neighbors of the McCurdy Family at 5458 Okemos Rd. wish to support the McCurdy's in their efforts to maintain their goats either through rezoning the property to rural residential or changing the RAA zoning rules to allow for goats on appropriately sized parcels.



printed name	address	email	Signature
JOHN ESSER	5448 OKEMOS	heronpro@comcast.net	<i>John Esser</i>
Tony Cheatham	5404 Okemos Rd	starrantijia@aol.com	<i>Tony Cheatham</i>
W Kirk Green	5473 Okemos Rd	wkgreen1@gmail.com	<i>W Kirk Green</i>
Katie Murray	5420 Okemos Rd	murraykatie@yahoo.com	<i>Katie Murray</i>
Greg Lamb	5420 Okemos Rd.	lambgreg@msu.edu	<i>Greg Lamb</i>
Jessica Stuart	2072 Cameron Oaks	jessica.m.stuart@gmail.com	<i>Jessica Stuart</i>
Nate Stuart	2072 Cameron Oaks	nstuart@msu.edu	<i>Nate Stuart</i>
Douglas FEDERAU	5370 Okemos Rd E.L.	dfed3@sbcglobal.net	<i>Doug Federau</i>
Beverly Federau	5370 Okemos, E.L.	berfed@sbcglobal.net	<i>Beverly Federau</i>

JUL 07 2015
 BI-3
 JUL 07 2015

Brett Dreyfus

From: Nate and Jessica Stuart <njstuart@me.com>
Sent: Monday, July 06, 2015 7:57 AM
To: Brett Dreyfus
Cc: mikemccurdy74@gmail.com
Subject: McCurdy Family Goats

Dear Board of Trustees and Planning Department Staff,

We are writing in support of the McCurdy Family's efforts to maintain goats at 5458 Okemos Road. We do not consider the animals to be a nuisance to the neighborhood in any way. The property at 5458 Okemos Road is well situated with an appropriate aesthetic, location, grazing, fencing and outbuildings for the keeping of this type of small livestock.

The goats are an asset to our community. We have children (3 and 6 years old) who love the presence of the goats. We chose to live in this part of Meridian Township because it maintains a country like feel and the goats are a key part of this.

The properties immediately to the north of the McCurdy property are zoned rural residential despite being smaller properties than the McCurdy's. The McCurdy property is surrounded by larger than normal parcels for the RAAA district as well as land owned and protected by the township. The 6 acre size, the aesthetic nature of the property and it's location support the McCurdy's being allowed to maintain their small goat heard.

Best Regards,

Jessica and Nate Stuart

2072 Cameron Oaks
Haslett

JUL 21 2015

BI-1

JUL 21 2015

Sandy Otto

From: Mike McCurdy <mikemccurdy74@gmail.com>
Sent: Monday, August 03, 2015 11:11 PM
To: Board
Subject: McCurdy Goats

Dear Board of Trustees,

As I know you are aware I am in possession of several small goats that are in violation of Meridian Township's zoning laws. I apologize for any trouble this has caused. When we bought our property it seemed an appropriate place for animals and we knew that the previous owners had had goats at times as well as a horse. We never considered that a property of 6 acres would not be allowed to graze a few goats.

We did receive notice from Richard Brown approximately 7 weeks ago that we were out of compliance with the law. I immediately went to the township and met with Mr. Brown. He was very helpful and advised me that I could apply for rezoning or ask the township to change the zoning rules. Mr. Brown also advised that I could ask the Board to waive the filing fee for the application.

I have since corresponded and met with Trustee Dreyfuss and talked with Trustee Veenstra about the issue. I've also written to Mr. Brown asking for some extended time to work this situation out. (Though he may be on vacation and not have received my correspondence.) It is my understanding that in order for our family to keep our goats we will need to either get rezoned to rural residential or the rules for RAAA zoning would need to be changed. I have been encouraged to apply for rezoning.

I am happy to ask for rezoning as I believe our property and others around us were not zoned for their optimal use.. The wetlands on and around these properties make them inappropriate for the density of development that is encouraged by the current zoning. The fact that The Cameron Oaks development was refused their request to build 16 houses on 45 acres and only allowed 10 supports this observation. We also have historic houses built in the 1800's as well as a historic barn on our little stretch of Okemos Road. The idea of increasing density on any of the parcels along this stretch of road seems undesirable at best.

Our property is bordered to the north by a stretch of properties smaller than our own zoned RR. Our property has 6 acres and has a historical enclosure built to contain animals that is recognized by lifetime residents, like myself, as a landmark. I can remember driving by our paddock as a small child. When I tell area natives where I live all I have to do is mention this paddock and our location is known. It is a joy to me to have begun to restore the paddock and put it back to its intended use.

We have two requests of the board of trustees at this time. The first is, please grant us 3 months to work with the township and our neighbors to identify the appropriate parcels to be considered as part of a rezoning application. (I have asked Richard Brown to provide educational materials for our neighborhood association to review.) During this time I would asked our family be allowed to maintain our goats. Second, we would ask that the approximately \$900 application fee be waived. I believe the work we will be doing is in the best interest of the township. The fee would pose a serious burden on the finances of our young family and threaten our ability to file this application.

Thank you in advance for taking your time to consider our request.

Sincerely,

Mike McCurdy

AUG 1 8 2015

BI-7

AUG 1 8 2015

Sandy Otto

From: Mike McCurdy <mikemccurdy74@gmail.com>
Sent: Monday, August 10, 2015 9:05 AM
To: Frank Walsh; Board
Cc: Carol Hasse; Mark Kieselbach
Subject: Re: McCurdy Goats

Dear Board of Trustees,

Thank you all for the time you have taken in discussing the issue of our goats and zoning. We especially thank trustees Veenstra, Dreyfuss and Brixie who have all taken time to talk with me personally about this issue. It is clear that there is a desire to find a solution to the current problem without resulting to the courts.

On the advice of Frank Walsh and trustee Brixie, we have decided we would like to apply for rezoning for just our own property 5458 Okemos Rd. at this time. There may be other applications forthcoming but do to the issue of our nonconforming goats it seems the planning dept. would prefer to deal with our request separately and ASAP and not await a larger application.

We still face what we consider to be a large fee associated with this rezoning application. The fee is \$820. We have received support from Trustees Veenstra and Dreyfuss in considering the possibility of waiving this fee. Trustee Brixie suggested that waiving the fee would be unfair to other applicants.

We have decided to attempt to find a compromise. We would like to ask the Board of Trustees to waive half of the rezoning fee. We are prepared to pay the other half. We believe this to be fair for the following reasons:

- The majority of this fee is a set application fee and would not change if we were applying for 100 acres or 1 acre. As we are separating our application from future applications by our neighbors at the township's request this puts an unnecessary burden of cost on the application for our property.
- The issue with our goats is an issue that has been brought to light by the township. No complaint exists on record against our goats. In essence this issue never really needed to be an issue if the township could have left well enough alone.
- Our goats are enjoyed by the community at large and hence are an asset to the community. This has been proven by many letters, emails, facebook messages and petition signers requesting a solution be found which allows our goats to remain on our property. I hazard a guess that no goats in Township history have ever received such an out pouring of support.

These three items together make this a unique situation worthy of action by the board of trustees. The situation is unique enough that it should be clear that no precedent is being set that would apply to other situations.

While waiving half the fee will have no significant impact on the township, and will set no meaningful precedent, it will bring the fee within a range that we feel our family is able to afford. We feel this compromise is a way we can move forward in a positive manner that is fair to both the township and ourselves. We look forward to being able to put this issue behind us, allowing our goats to live as law abiding creatures once again.

Sincerely,

--
Mike McCurdy
Facilities Director
MSU Student Housing Cooperative
(517)488-7702

AUG 18 2015

BI-8

AUG 18 2015

Sandy Otto

From: Mike McCurdy <mikemccurdy74@gmail.com>
Sent: Monday, August 17, 2015 6:11 PM
To: Frank Walsh; Board
Cc: Carol Hasse; Mark Kieselbach
Subject: Re: McCurdy Goats

Board of Trustees,

I am re-sending this email originally sent on Aug. 10 to ensure that it was received. I have not received a response. I am hoping the B.O.D. will bring this matter to conclusion at it's meeting tomorrow night by agreeing to waive half of the fee. I have been commanded to appear in court on Thur. 8/20 at 10:15 am in Mason on this matter. I have already missed work over this issue on several occasions while meeting with various representatives of the township and this seems unnecessary. I hope it is clear that we are seeking to come to a solution with the township and court action is both unnecessary and might be misconstrued as rudeness.

Sincerely,
Mike McCurdy

Dear Board of Trustees,

Thank you all for the time you have taken in discussing the issue of our goats and zoning. We especially thank trustees Veenstra, Dreyfuss and Brixie who have all taken time to talk with me personally about this issue. It is clear that there is a desire to find a solution to the current problem without resulting to the courts.

On the advice of Frank Walsh and trustee Brixie, we have decided we would like to apply for rezoning for just our own property 5458 Okemos Rd. at this time. There may be other applications forthcoming but do to the issue of our nonconforming goats it seems the planning dept. would prefer to deal with our request separately and ASAP and not await a larger application.

We still face what we consider to be a large fee associated with this rezoning application. The fee is \$820. We have received support from Trustees Veenstra and Dreyfuss in considering the possibility of waiving this fee. Trustee Brixie suggested that waiving the fee would be unfair to other applicants.

We have decided to attempt to find a compromise. We would like to ask the Board of Trustees to waive half of the rezoning fee. We are prepared to pay the other half. We believe this to be fair for the following reasons:

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- The issue with our goats is an issue that has been brought to light by the township. No complaint exists on record against our goats. In essence this issue never really needed to be an issue if the township could have left well enough alone.
- Our goats are enjoyed by the community at large and hence are an asset to the community. This has been proven by many letters, emails, facebook messages and petition signers requesting a solution be found which allows our goats to remain on our property. I hazard a guess that no goats in Township history have ever received such an out pouring of support.

These three items together make this a unique situation worthy of action by the board of trustees. The situation is unique enough that it should be clear that no precedent is being set that would apply to other situations.

SEP 01 2015

BI-6

SEP 01 2015

While waiving half the fee will have no significant impact on the township, and will set no meaningful precedent, it will bring the fee within a range that we feel our family is able to afford. We feel this compromise is a way we can move forward in a positive manner that is fair to both the township and ourselves. We look forward to being able to put this issue behind us, allowing our goats to live as law abiding creatures once again.

Sincerely,

--

Mike McCurdy
Facilities Director
MSU Student Housing Cooperative
(517)488-7702

--

Mike McCurdy
Facilities Director
MSU Student Housing Cooperative
(517)488-7702

SEP 01 2015

BI-6

(page 2 of 2)

SEP 01 2015

Sandy Otto

From: Janet Allen <rawnursejanet@yahoo.com>
Sent: Friday, August 21, 2015 9:52 AM
To: Board
Subject: McCurdy Goats

Dear Meridian Township,
Please rezone of whatever you need to do to allow the McCurdys to keep their little goats. They are clean, healthy fun animals and are posing no danger or nuisance to anyone.
Dr. Janet J Allen

SEP 0 1 2015

BI-7

SEP 0 1 2015

Sandy Otto

From: Linda <lindacarrington@hotmail.com>
Sent: Friday, August 21, 2015 1:19 PM
To: Board
Subject: McCurdy's Goats

Dear Board of Meridian Township,

I am writing on behalf of the McCurdy's on Okemos Rd. in Okemos, with regard to their Goats. I have written somewhere before, but, I have had no confirmation that you received the email.

Will you please allow this family to keep their goats? It makes no sense to make them get rid of them. The goats hurt no one. There were horses in the corral, the goats are in, at one time. VanAlstine's owned that land years ago and there were cows, on the land behind the McCurdy's house, and a meat market, as well.

There are buffers around the corral that the goats are in and I do not understand why this is an issue. If people can raise chickens in Lansing, in the neighborhood, people should be able to raise their goats, on that piece of land that McCurdy's live on.

Please do the right thing and allow the McCurdy family to keep their goats!!!!

Kindly,

Linda M. Carrington
5808 Bayonne Ave
Haslett, MI 48840

SEP 0 1 2015

BI-8

SEP 0 1 2015

Sandy Otto

From: beanardo09@gmail.com on behalf of Jean Bronson <jbronson@msu.edu>
Sent: Saturday, August 22, 2015 8:49 PM
To: Board
Subject: McCurdy Goat Outrage

Dear Meridian Township Board of Trustees,

My family and me are outraged that you are trying to force the McCurdy family to get rid of their goats! Especially since they live on a sizable plot of land and have a farm! I grew up on a farm when I was young. I now realize as an adult how fortunate I was to grow up with the benefit of raising and growing our own food. Not to mention the amazing life lessons we learned early on as children, of which the animals had everything to do with!

Furthermore, I was severely allergic to cows milk as a baby and small child to the point where I would be covered in hives and even had them in my throat! My parents got and milked goats, since goats milk is so similar to human milk and I was not allergic. In that sense, goats even helped nourish me as a child to grow strong and healthy.

Moreover, goats can eat things normally harmful to humans, like poison ivy! Wouldn't that be amazing to have an animal that would naturally eliminate poison ivy and other weeds from your property without having to use chemicals that could be harmful for the ecosystems?! Goats have even been used as natural lawn mowers by some, where they simultaneously fertilize as they mow the grass. Not to mention how they are even friends to the McCurdy children.

I remember how befriending animals on my farm as a child benefits me even today. I believe I am more compassionate, yet assertive (as sometimes you have to be bossy with animals), and therefore even more confident as an adult learning to be around goats and other farm animals.

For these reasons, goats are extremely beneficial animals to keep. It is very sad and infuriating to think of the government literally taking these children and family's furry friends away. If this family lived in a subdivision, it would make total sense! But they live on a farm!!

I hope the board will seriously reconsider and rescind this decision.

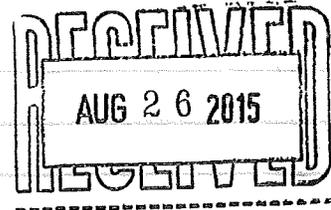
Thank you sincerely for your time,
Jean Bronson

SEP 01 2015
BI -9

SEP 01 2015

AUG. 01, 2015

BOARD OF ZONING
CHARTER TOWNSHIP OF MERIDIAN
5151 MARSH ROAD
OKEMOS MICHIGAN 48864



DEAR BOARD OF TRUSTEES, MERIDIAN TWP
I AM WRITING TO SUPPORT THE
MCCURRY FAMILY IN THEIR APPEAL TO
BE PERMITTED TO KEEP THEIR GOATS.
THESE GOATS ARE SMALLER THAN
MANY DOGS AND ARE NOT A NUISANCE.
PLEASE CONSIDER GRANTING A VARIANCE
FOR THESE MILD MANNERED CREATURES.

SINCERELY
STEPHEN RUPPEN

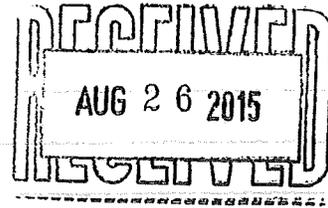
A handwritten signature in black ink, appearing to be "SR" followed by a long horizontal line.

SEP 01 2015

BI-10

SEP 01 2015

August 1, 2015



TO: Charter Twp of Meridian,

RE: McCurdy Family Goats,

I am writing in support of the goat farm to promote healthy life-styles in our Michigan communities. They live at 5448 Okemos Rd. They are quiet and do not smell. They are not a nuisance as they are in these enclosures,

My daughter in the Peace Corp in Tanzania would love to have goats for her village. Also it is too far to send them there.

Please consider this request as an important part of Michigan culture to help sustain our family farms.

Sincerely,
Mary Ann Amir-Rudner

SEP 01 2015

BI-11

SEP 01 2015

Brett Dreyfus

From: Kayleigh Brauer <kayleigh_brauer@yahoo.com>
Sent: Thursday, August 27, 2015 9:21 AM
To: Board
Subject: McCurdy Family

To Whom it May Concern,

As a member of this community, I support the Mccurdy family and their goats. My parents have goats and what most people don't realize about them is they are a lot like dogs. They are friendly, affectionate and just want to be loved. Do any of you remember what it was like as a child to be fascinated and in awe of animals? Did you ever get to enjoy feeding goats at a zoo? I often think this world would be a better place if we, as adults, cared about animals as much as we did when we were children. With that being said, please don't take away this family's goats and the right to sustain their household with them. Thank you for taking time to read this.

Sincerely,
Kayleigh Brauer

SEP 01 2015

BI-12

SEP 01 2015

Sandy Otto

From: Matheson Barbara <mathesonbarb@comcast.net>
Sent: Saturday, August 29, 2015 2:02 PM
To: Board
Cc: mikemccurdy74@gmail.com
Subject: McCurdy Goats

To the Meridian Township Zoning Board re: McCurdy Family pygmy goats (parcel 16-200-015?):

My understanding is Meridian Township has asked the McCurdys for \$820 in order to (most likely) grant a zoning variance to accommodate their pygmy goats. I have no experience asking for a variance and was not aware a charge is usually involved - is this so?

If so, I would like to ask The Board to consider waiving this fee in an act of good faith. I have personally visited their property and seen the goats several times, and I think they're wonderful animals! Having spent all of my 51 years living in the East Lansing and Meridian Township areas, I remember when Okemos Road properties sported cows and chicken coops. Clearly things have changed since then, but I think the goats are a wonderful neighborhood addition as they are docile creatures and also a local learning tool regarding self sufficiency and living off the land in a symbiotic way. In fact, I think they enhance the neighborhood and co-exists nicely with the spirit of the local neighborhood and all it promotes (i.e. connected pathways and creating a more neighborly environment throughout Meridian Township).

Having recently spoken at the Zoning Board Meeting (8-26-15 re: Mr. Stocum) I feel you are a very sincere group of individuals who care deeply about about maintaining the quality of life established in Meridian Township and do carefully consider the opinions of residents, so I trust you will make a decision based on all of those factors and many more.

I hope you will consider granting them this variance without expense. However, I respect whatever decision you make, as I will support the McCurdys and their efforts any way I can.

Thank you for listening.

Very sincerely,

Barb Matheson
5577 Okemos Rd
East Lansing
517-282-2242

SEP 15 2015

BI-1

SEP 15 2015

Sandy Otto

From: mdstrickland1040 <mdstrickland1040@sbcglobal.net>
Sent: Sunday, August 30, 2015 7:22 AM
To: Board
Subject: Save the goats

These goats are a welcomed addition to our community. My neighbor can leave junk cars sinking into the ground and not be fined. I would think that would be a zoning violation in this community. But goats in a fenced in field that give smiles to every passerby need to pay to be there. They are not a community eyesore. I could show you some properties that need to be fined.
Dana Strickland

Sent from my Verizon Wireless 4G LTE Smartphone

SEP 15 2015

BI-2

SEP 15 2015

Sandy Otto

From: mdtanner@comcast.net
Sent: Monday, August 31, 2015 7:10 PM
To: Board
Subject: McCurdy goats

It is my understanding that Meridian Township is requiring the McCurdy family to get rid of their pygmy goats or pay the township \$850 to apply for a re-zoning of their property in order to be able to keep their goats. This is ridiculous. The goats are doing no harm, the neighbors are not complaining, and the McCurdy family loves and cares for their goats.

I know of other farm animals who live in residential areas of Meridian Township, and there seems to be no problem there, so what is the issue? Sounds like an unwarranted money grab to me.

Please leave the McCurdy family free to raise their goats. Or is the township planning to require rezoning or taxation on home vegetable gardens and other "light farming" done throughout the township?

Thank you,
Marcia Tanner

SEP 15 2015

BI-3

SEP 15 2015

Sandy Otto

From: Joycie FS <jfslovesnature@gmail.com>
Sent: Monday, September 28, 2015 2:22 AM
To: Board
Subject: Goats on Okemos road

Dear Board and To Whom it May Concern:

On Saturday September 26, 2015, my husband and I were on a walk on a lovely path near Okemos Road. We met two nice girls on our walk. One of the girls mentioned that she is a member of the family that has the sweet goats on Okemos Road, and said that we could see the goats. Being nature, animal and bird lovers, we were thrilled.

Nature has enhanced my career in the care business and my tutoring jobs in special education and pre-school. Animals, birds, amphibians, etc. bring joy, comfort, peace, unconditional love, uplift spirits, bring comfort during times of loss of loved ones, provide great therapy needs for all ages and needs, provide a needed escape from stress, and much more. In fact, nature should be on a prescription list due to the fact that being around nature creates a wonderful sense that has uplifted people away from any awareness of problems, has helped people cope better with daily needs, demands, and issues, etc. Nature has helped people get through challenges better. Nature is a need for solid good mental and physical health.

Having just lost my beloved mom on April 24, 2015, I am having a very hard time with it. The fun, uplifting, affectionate, sweet and comical goats have been one of the many nature needs that I have benefited from to help me cope with this loss.

Just think of all the people in addition to me and my husband that have been blessed by just seeing these goats, that have uplifted and made our, and their day better and happier.

For these reasons above, we vote *yes* to the goats so this lovely family (who deserve the goats), can keep their goats to continue blessing themselves and others.

Thank you very much and have a good day.

Joy and Rich Schaberg
jfslovesnature@gmail.com
517-339-9525

Warmly, Joy F.S.

OCT 06 2015

BI-4

OCT 06 2015

Sandy Otto

From: Barbara Loyer <nomadpc@att.net>
Sent: Monday, September 28, 2015 12:07 PM
To: Board
Subject: Goats on Okemos Road

Dear Meridian Township Board,

I am a long time resident of Okemos and would like to advocate for the continued ownership and grazing of the Pygmy Goats owned by the residents of 5458 Okemos Road. Not only are these goats not a hazard, but are an asset to the community as they attract many admirers. I personally stopped to visit them and enjoyed feeding and petting them. I am in favor of our community finding more ways for citizens to raise farm animals, grow food crops and create more and healthier habitat for wildlife within populated areas. I would much rather see these goats than a water & pesticide consuming lawn. Thank you for reading my request and I hope you vote in favor of the goats early this October.

Sincerely,
Barbara Loyer
1445 E. Pond Dr. #11
Okemos, MI 48864

OCT 06 2015

BI-5

OCT 06 2015

CHARTER TOWNSHIP OF MERIDIAN, SEPTEMBER 1, 2015 REGULAR MEETING *DRAFT*

Ody Norkin, 3803 Sandlewood, Okemos, requested the Board obtain staff review of Meridian Township's Redi-Ride program as \$300,000-\$400,000 is sent to CATA to administer the program. He believed it an absolute necessity that seniors and residents with disabilities who cannot drive retain their dignity through available use of the Redi-Ride program. He noted these "non choice" riders who could speak to this issue tonight are precluded from Board meetings as the Redi-Ride service in Meridian Township ends at 5:00 P.M. He offered a comparison between the Spec-Tran provider in Ann Arbor and Spec-Tran in Meridian Township.

Mike McCurdy, 5458 Okemos Road, East Lansing, expressed appreciation for rezoning his property being added to tonight's agenda as a discussion item. He believed the entire issue of his goats has been initiated by the Township and he desires to be left alone. He noted there have been no complaints about the goats by other residents and does not object to the Township rezoning his land.

Supervisor LeGoff closed Public Remarks.

A. 2016 Recommended Budget

Board discussion:

- Support for reinvesting some of the proceeds from the sale of the former central fire station property into the Haslett area to promote economic development as suggested by the Manager
- Continued concern with paying \$15,000 in dues to Lansing Area Economic Partnership (LEAP) when its chief executive officer receives a higher salary than the Governor of Michigan
- Reminder about the need for street lights on Marsh Road
- Reminder about the discussion of rental registration fees in the Wardcliff area
- Rental registration fees should be equivalent to the fees charged by East Lansing as the Wardcliff area borders East Lansing
- Rental registration fees would need to be the same irrespective of location in the Township
- Staff to provide East Lansing rental registration fees at the next regular Board meeting
- State legislative concern about municipalities across the state charging disparate rental registration fees
- Board member belief the legislature indicated there was no nexus between the amount of fees charged and how the governmental unit allocated costs for maintaining the program
- Rental registration fees for single family homes v. fees charged for apartment complexes
- Board member support for reinstatement of the previous rental registration fee of \$1,200
- Board member belief the \$800 rental registration fee is already high and would not like to see it increased
- Township Board requires a \$100 annual renewal fee and a \$100 annual inspection fee
- State legislature introduced a bill to curtail disparate rental registration fees to \$100
- Request for rental registration fees from surrounding communities at the next meeting

It was the consensus of the Board to place this item on for discussion at the next Board meeting.



B. McCurdy Goats

Board and staff discussion:

- Board member preference for the Board to initiate a rezoning of property at 5458 Okemos Road from RAAA to RR
- Concern with Mr. McCurdy's use of the Right to Farm Act at tomorrow's court hearing
- Staff statement the Township is not "going after" any family
- Mr. McCurdy's housing of goats is a code violation
- Township has a duty to enforce its ordinances and community standards
- Property was rezoned in 1994 to RAAA, well before Mr. McCurdy purchased the property
- Prior to 1994, the property in question was zoned RA (single family) and did not allow for livestock to be housed on the premises
- Comments contained in the *Lansing State Journal* indicated the Township has "bent over backwards" for this homeowner
- If goats are allowed on this property without it being rezoned, then every home in the Township can keep goats

CHARTER TOWNSHIP OF MERIDIAN, SEPTEMBER 1, 2015 REGULAR MEETING *DRAFT*

- Another homeowner on Hawthorne maintains goats, they have been a constant problem and the court has sided with the Township on three (3) separate occasions
- Issue before the Board deals with upholding current community standards within the Township
- Township has adjourned one court hearing in an effort to reach a resolution with Mr. McCurdy
- Township staff has met with Mr. McCurdy to discuss the best way to address keeping his goats
- Many residents who have contacted the Township have offered to donate towards the rezoning application fee
- Board member suggested establishing a gofundme account which was refused by Mr. McCurdy
- If the gofundme account was established two weeks ago, there would be more money donated than needed for the rezoning fee
- Three (3) avenues are available to effectuate a rezoning to RR to keep the goats: Township Board initiation, Planning Commission initiation or initiation by the property owner
- History provided by staff showed property was rezoned in 1960 from agricultural to RA
- Property was rezoned to RAAA in 1995 because it was inconsistent with the Future Land Use Map
- Township is willing to assist the homeowner in any way possible if he will work with the Township
- Van Alstine's had a beef farm on this property prior to 1960 which was a legal non-conforming use and the non-conforming use continued when the property was sold to Ms. Allen
- Board member belief the non-conforming use ended when the last of Ms. Allen's animals "died off" (as noted in her letter) prior to sale of the property to Mr. McCurdy
- Public bodies need to be consistent in their application of the laws
- Exceptions are only possible when there is a rational basis in the law, and the fee itself is not such a basis
- One resident who is a proponent for the goats has already donated towards the cause
- Necessity for uniform application of Township ordinances by staff
- Mr. McCurdy stated he has no objection to the Township raising funds for the rezoning fee, but feels uncomfortable soliciting for them himself
- Mr. McCurdy stated he also has no objection to the Township initiating the rezoning

12. PUBLIC REMARKS

Supervisor LeGoff opened Public Remarks.

Leonard Provencher, 5824 Buena Parkway, Haslett, stated there has been no action on reestablishing the pathway in front of the Aldi project. He objected to the new agenda format which placed the Township Manager's Report and Board Member Comments and Reports at the end of the meeting as it does not allow the public to offer a response to those comments. Mr. Provencher reported his attendance at the annual CATA meeting where the \$50 million CATA budget was placed on the consent agenda with no roll call. He expressed concern with a statement contained in the CATA budget that the CEO was the sole individual who determined how the funds would be used with no further oversight. Mr. Provencher added he did not believe CATA to be open and transparent.

Supervisor LeGoff closed Public Remarks.

13. TOWNSHIP MANAGER REPORT

Manager Walsh reported the following:

- Wonch Park ribbon cutting tomorrow at noon
- Aldi sidewalk expected to be poured at the end of the week
- Food truck discussion to commence at the next regular Board meeting
- Direction to the Planning Commission to move forward with what the Township Board sent to it regarding medical marijuana

14. BOARD MEMBER COMMENTS & REPORTS

CHARTER TOWNSHIP OF MERIDIAN

MEMORANDUM

DATE: October 22, 2015

TO: Planning Commission

FROM: 
Gail Oranchak, AICP
Principal Planner

RE: Zoning Amendment #15070 (Planning Commission), amend Section 86-2
Definitions and Section 86-438 Wireless Communication Facilities Overlay District
to comply with federal and state regulations

The purpose of this zoning amendment is to bring the Township's Wireless Communications Facilities Overlay District into compliance with the amendment to the Michigan Zoning Enabling Act adopted in 2012. If the Planning Commission wishes to make changes to the Wireless Communications Facilities Overlay District unrelated to compliance with the recent Michigan Zoning Enabling Act amendment, a new zoning amendment should be initiated.

Attached is a revised draft. Any change made to the public hearing draft will appear in red.

Planning Commission Options

The Planning Commission may recommend approval of the draft as proposed or a revised draft to the Township Board. A resolution to approve has been provided.

Attachments

1. Resolution to approve
2. Draft – Public Hearing revisions dated October 26, 2015

RESOLUTION TO APPROVE

**Zoning Amendment #15070
Planning Commission
Section 86-2 Definitions and
Section 86- 438 Wireless Communications Facility Overlay District**

RESOLUTION

At the regular meeting of the Planning Commission of the Charter Township of Meridian, Ingham County, Michigan, held at the Meridian Municipal Building, in said Township on the 26th day of October, 2015, at 7:00 p.m., Local Time.

PRESENT: _____

ABSENT: _____

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

WHEREAS, a zoning amendment (ZA #15070) was initiated to amend Section 86-2 Definitions and Section 86-438 Wireless Communications Facility Overlay District to comply with a recent amendment to the Michigan Zoning Enabling Act, P.A. 110 of 2006 regulating activities associated with the installation of wireless communications facilities; and

WHEREAS, the Planning Commission held a public hearing on the proposed zoning amendment on October 12, 2015, and reviewed staff material forwarded under cover memorandums dated October 8, 2015 and October 22, 2015; and

WHEREAS, the Michigan Zoning Enabling Act is the legal basis for the Charter Township of Meridian's Zoning Ordinance; and

WHEREAS, consistency with the Michigan Zoning Enabling Act is imperative to insure the accuracy of Township decisions related to zoning.

NOW THEREFORE BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends approval of Zoning Amendment #15070, to amend Section 86-2 Definitions and Section 86-438 Wireless Communications Facility Overlay District of the Code of Ordinances to insure consistency with the Michigan Zoning Enabling Act, P. A. 110 of 2206.

ADOPTED: YEAS: _____

NAYS: _____

ZA #15070 (Planning Commission)

October 22, 2015

Page 2

STATE OF MICHIGAN)
) ss
COUNTY OF INGHAM)

I, the undersigned, the duly qualified and acting Chair of the Planning Commission of the Charter Township of Meridian, Ingham County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and a complete copy of a resolution adopted at a regular meeting of the Planning Commission on the 26th day of October, 2015.

John Scott-Craig
Planning Commission Chair

Zoning Amendment #15070

Sec. 86-2 – Definitions.

Collocate or collocation means to place or install wireless communications equipment on an existing wireless communications support structure or in an existing equipment compound.

Equipment compound means an area surrounding or adjacent to the base of a wireless communications support structure and within which wireless communication equipment is located.

Stealth wireless facility design means a wireless communication facility which is not recognizable as a conventional facility (e.g., a metal lattice or monopole), but instead disguised, or concealed, or architecturally integrated into a building's design in such a fashion as to conform to its surroundings.

Wireless communications equipment means the set of equipment and network components used in the provision of wireless communications services, including, but not limited to, antennas, transmitters, receivers, base stations, equipment shelters, cabinets, emergency generators, power supply cables, and coaxial and fiber optic cables, but excluding wireless communications support structures.

Wireless communications facility means a site where a wireless communications support structure, wireless communication equipment, or a wireless communications equipment compound is located.

Wireless communications support structure means a structure that is designed to support, or is capable of supporting wireless communications equipment, including monopole, self-supporting lattice tower, guyed tower, water tower, utility pole, or building.

Sec. 86-438. - Wireless communications facilities overlay district.

(a) *Purpose:*

(1) The purpose of the wireless communications facilities overlay district is to:

- a. Provide standards and regulations pertaining to the location, construction, design, and maintenance of wireless communication facilities within the township;
- b. Minimize adverse effects of wireless communications facilities through careful design, siting, and screening;

~~c. Protect residential areas, agricultural or natural areas, and protect future land uses from potential adverse impacts of towers and antennas;~~

- d. Avoid potential damage to adjacent properties from structural failure of a wireless communications support structure through proper engineering and careful siting of structures; and
- e. Minimize the total number of towers throughout the Township by encouraging the joint use of any new or existing wireless communication facility or other suitable structure.

(b) *Applicability.*

- (1) The regulations and standards of this overlay district shall apply to any wireless communication facility permitted by right or by special use permit in the Township and which is utilized to send or receive communications, including, but not limited to, cellular towers, paging towers, radio and television broadcasting transmission towers, microwave towers, and antenna, satellite antenna towers, digital communication towers, whip antenna, panel antenna, dish antenna, mounted antenna, personal communication services (PCS), or other similar wireless communications towers, antennas, and facilities.
 - a. Police, fire, and emergency communications, citizen band radio, shortwave, ham and amateur radio, or personal antennas are exempt from this section.
 - b. In no case shall any portion of a wireless communications facility be permitted within the required natural vegetation strip per section 86-471, a floodway, a heritage neighborhood, a property or structure listed on the national register of historic places or eligible property or structure, Native American burial sites, or within 300 feet of a designated natural beauty road.

(c) *Uses permitted by right.*

- (1) Wireless communications support structures which incorporate stealth design.
- (2) Wireless communications equipment if all of the following requirements are met:
 - a. The wireless communications equipment will be collocated on an existing wireless communications support structure or in an existing equipment compound.
 - b. The existing wireless communications support structure or the existing equipment compound is in compliance with the Township zoning ordinance or has been previously approved by the Township.
 - c. The proposed collocation will not result in any of the following:
 - 1. An increase in the overall height of the wireless communications support structure by more than 20 feet or 10 percent of its original height, whichever is greater.

- 2. An increase in the width of the wireless communications support structure by more than the minimum required to permit collocation.
 - 3. An increase in the area of the existing equipment compound to greater than 2,500 square feet.
 - d. The proposed collocation complies with the terms and conditions of any previous final approval of the wireless communications support structure or equipment compound by the Township.
- (3) Roof-mounted antenna
- a. Not exceeding 20 feet in height above the average height of the roof line, located on nonresidential buildings at least two stories in height.
 - b. Not exceeding ten feet in height above the average height of the roof line, located on nonresidential buildings at least four stories in height.
- (4) Mounted antenna not located on a roof which have a total height of three feet or less. With the exception of one whip antenna, mounted antenna shall not be permitted on business signs without a special use permit.
- (5) Collocation of a wireless communication antenna on a public water tower, athletic field light standard, electrical utility transmission tower or distribution pole, or on an existing tower or pole within the right-of-way or easement of an electrical utility corridor.

Where freestanding wireless communication facilities are permitted to locate by an electric utility within an electrical utility easement, the wireless communication tower shall meet the minimum setback requirements in this section.

- (d) *Uses permitted by special use permit.* Any proposed wireless communications facility not described under uses permitted by right.
- (e) Special use permit review process.
- (1) A completed special use permit application shall be submitted to the director community planning and development pursuant to the requirements of sectin 86-124.
 - (2) After the special use permit application is filed, the Planning Commission or the Planning Commission's authorized designee shall determine whether the application is administratively complete. The application shall be considered to be administratively complete when the planning commission or the planning commission's authorized designee makes that determination or 14 business days

after the planning commission or the planning commission's authorized designee receives the application, whichever is first.

- (3) Before the expiration of the 14 business days, the planning commission or the planning commission's authorized designee shall notify the applicant that the application is not administratively complete, specifying the information necessary to make the application administratively complete, or notify the applicant that a fee required to accompany the application has not been paid, specifying the amount due. The running of the 14 business days is tolled until the applicant submits to the planning commission or the planning commission's authorized designee the specified information or fee amount due. The notice shall be given in writing or by electronic notification.
- (4) After the application is determined to be administratively complete, the planning commission shall hold a public hearing. Notice of the public hearing shall comply with the provisions of subsection 86-65(b) of the code of ordinances.
- (5) The planning commission shall approve or deny a special use permit not more than 60 days after the application is considered to be administratively complete, except a special use permit for a new wireless communications facility shall be approved or denied not more than 90 days after the application is considered to be administratively complete. If the planning commission fails to approve or deny the special use permit within the time period, the special use permit shall be considered approved and the planning commission shall be considered to have made any determination required for approval.
- (6) Conditions placed on a special use permit approval shall be limited to meeting the requirements of this section, other Township ordinances, and state and federal laws.

(f) *Standards applying to wireless communications facilities.*

(1) General requirements:

- a. The applicant shall demonstrate to the township by means of an architect's or engineer's report the proposed wireless communications facility is no more than the minimum height necessary. This report shall be certified and sealed and shall at a minimum include details on the support structure's design and safety, location and topography constraints, expected usage or cell range, potential interference sources, collocation needs, safety, and siting need and requirements.
- b. Applicants for a wireless communications facility shall disclose any potential impact on the environment in an environmental assessment for the following categories:
 - Wetlands.
 - Floodplains, including floodway and floodway fringe.
 - Wildlife preserves and corridors.
 - Endangered species.

Historical sites.

Native American religious sites.

Groundwater recharge areas.

Woodlands.

- c. At wireless communications facilities with a freestanding wireless communications support structure, a minimum of two off-street parking spaces shall be provided on the site. An additional off-street parking space for each two employees required as on-site personnel shall be provided at the facilities.
- d. All wireless communications facilities with a freestanding wireless communications support structure located in a residential zoning district shall be located on a separate parcel of land which meets the lot area and width requirements of the residential zoning district where it is located or the minimum setbacks in this section, whichever is greater.
- e. All wiring connecting a freestanding wireless communications support structure with buildings and equipment within the equipment compound shall be placed underground or fully enclosed.
- f. All applicants proposing a wireless communications facility are recommended to schedule a pre-site selection conference with the department of community planning and development.
- g. The applicant shall provide the Department of Community Planning and Development with copies of all Federal Communications Commission (FCC) and other regulatory approvals.
- h. Accessory mechanical buildings associated with a wireless communications facility shall be designed in a manner which is architecturally compatible with the surrounding neighborhood.

(2) Collocation.

- a. In order to maximize the efficiency of wireless communication services, while also minimizing the impact of such facilities on the township, all applicants for wireless communication facilities shall be required to provide information regarding the feasibility of collocation at all proposed or existing sites in the Township. Furthermore, all applicants shall be required to provide a notarized letter of intent to commit itself to:
 - 1. Respond to any requests for information from another potential shared use applicant;
 - 2. Negotiate in good faith and allow for leased shared use if an applicant or the Township as a user, demonstrates that it is technically feasible; and

3. Make no more than a reasonable charge for a shared use lease.
- b. Should collocation be proposed at a wireless communication facility, accessory mechanical buildings shall either be situated directly adjacent to or abutting each other and separated by a firewall, shall be placed underground, or shall be designed in a manner which limits the number and size of the buildings on the site. On-site constraints, such as existing topographical and other natural features, may be considered when reviewing a proposed collocation design. Accessory mechanical buildings shall be designed to be consistent in design, style, and exterior appearance. Review and approval of accessory mechanical buildings at a collocation site shall be made by the director of community planning and development.

(3) *Site development requirements.*

- a. All wireless communications facilities shall be subject to site plan review.
- b. *Height.* Unless otherwise provided for in this section, the antenna and towers associated with wireless communication facilities shall be exempt from the maximum height requirements of the zoning district where they are located.
- c. *Setbacks.* Freestanding wireless communication facilities shall be subject to the following minimum setback requirements:
 1. Freestanding wireless communications support structures employing guy anchors shall be sited so that the guy anchors for the structure meet the minimum setback requirements of the zoning district where they are located and do not cross into another zoning district.
 2. When a monopole, self-supporting lattice tower, or guyed towers is used as the wireless communications support structure, it shall be setback from all property lines a distance equal to the height of the monopole, self-supporting lattice tower, or guyed tower or the minimum setback required by the zoning district, whichever is greater.
 3. Mounted wireless communication equipment shall meet the required setbacks for the structure upon which they are located and shall be situated to provide for maximum safety on the site.
- d. *Safety and security requirements.*
 1. The applicant shall, in conjunction with the application, submit a statement that is certified and sealed by a licensed architect or engineer indicating that the proposed wireless communications facility is in compliance with all Federal Communications Commission (FCC) regulations and all building and code requirements.

2. All wireless communication facilities shall be fitted with anticlimbing devices.
 3. Proof of adequate insurance coverage, sufficient to cover any potential damages done by or to the facility shall be provided.
 4. Security fencing, compatible with the township's fence regulations of section 86-506 shall be installed completely around freestanding wireless communications facilities, including guy anchors. Access shall be provided only by a locked gate. Security fencing shall not be required for mounted facilities.
 5. When a monopole, self-supporting lattice tower, or guyed tower is used as the wireless communications support structure, a statement verifying that the tower, including any and all attachments, shall comply with all building code and Electronics Industry Association (ETA) (222-E) requirements and shall be certified and sealed by a licensed architect or engineer and furnished with the application.
 6. The wireless communications facility shall not block areas which will hamper firefighting or emergency equipment or maintenance of other utilities.
 7. All wireless communication facilities shall receive regular and routine care and maintenance.
- e. *Landscaping and visual impact requirements.*
1. Landscaping consisting of native species approved by the township shall be provided in sufficient quantity around the perimeter of the required security fencing, as well as adjacent to any buildings and anchors. Site access entrances shall also be landscaped with native materials. This information shall be presented on a landscape plan and subject to the approval of the Director of Community Planning and Development.
 2. When located on an otherwise undeveloped site, the existing natural vegetation of the property shall be maintained to the greatest extent possible. The applicants shall provide information on a landscape plan regarding existing vegetation which is proposed to be removed and methods for replacement. In no case shall an entire site be graded and/or cleared for installation of a wireless communication facility.
 3. Where a wireless communications facility is proposed, the applicants shall demonstrate how the accessory building's design will limit adverse visual impacts to neighboring property owners. Appropriate landscaping shall also be provided.

4. Lighting at the wireless communications facility shall be designed so not to adversely affect adjacent property owners and shall be in compliance with FAA standards and Chapter 38, Article VII as applicable.
5. When a monopole, self-supporting lattice tower, or guyed tower of 200 feet or less in height is used as the wireless communications support structure a design utilizing light sky-blue, sky-mist gray, or a similar unobtrusive color shall be required, unless otherwise directed by the FAA.

(g) *Abandonment.*

- (1) Wireless communications facilities which have been abandoned or are unused or disconnected from the network for a period of six months shall be immediately removed from the site at the cost of the facility applicant or their successor.
- (2) Upon removal of the wireless communications facility from the site all foundations shall also be removed to a depth of at least six feet in residentially zoned districts. In all other zoning districts, the foundation shall be removed to a depth of at least three feet. Additionally, the fencing and accessory structures shall be demolished and removed from the site at the cost of the applicant, or their successor.
- (3) The siting of any antenna or tower shall require the applicant to deposit with the Township Clerk security of a performance guarantee (in a time duration and with financial institution deemed acceptable to the Township) in the form of cash, a certified check, or irrevocable bank letter of credit, which will ensure full compliance with this Ordinance and any conditions of approval. The security shall cover removal of the facility when it has been abandoned, or unused or disconnected from the network as provided herein. The amount of security shall be sufficient to remove the entire facility, equipment, equipment compound and related improvements and satisfactory to the Township.

The security shall be kept in full force and effect and irrevocable and non-cancelable (except by the written consent of both the Township and the then-owner of the antenna, tower or related facility) during the entire time while the antenna or tower exists or is in place. The applicant and owner shall further agree as a condition of the security that the applicant and owner are responsible for the payment of any costs and attorney fees incurred by the Township in securing removal.

MEMORANDUM

TO: Planning Commission

FROM: 
Peter Menser
Associate Planner

DATE: October 22, 2015

RE: Corridor Improvement Authority (CIA)

The Planning Commission discussed the proposed corridor improvement authority (CIA) at its October 12, 2015 work session. At the meeting, the Planning Commission requested information on the goals of the proposed CIA and information on CIAs in other communities.

The goals of the proposed CIA as envisioned by the Meridian Township Economic Development Corporation (EDC) include the following:

- Increase the coordination and collaboration between adjoining municipalities to achieve the big picture vision for the Grand River Avenue corridor.
- Align future development and growth with the C.A.T.A. bus rapid transit (BRT) system.
- Engage and develop a broad group of stakeholders with a focus on Grand River Avenue.
- Allow for policy application in a specific geographic area, such as an overlay zoning district.
- Assist the Township Board with their goal to focus economic development efforts on the Grand River Avenue corridor.

The City of East Lansing, City of Lansing, and Lansing Township have all established corridor improvement authorities and entered into an inter-local agreement in order to form the Grand River/Michigan Avenue Corridor Improvement Authority. The CIA has not established a tax increment financing (TIF) district. The CIA has served mainly as an advisory body since their creation in 2009. Recent activities include advocacy of the U.S. 127 underpass public art project, discussion of the C.A.T.A. bus rapid transit project, and review of the Red Cedar golf course redevelopment project. The goals of the CIA include streetscape improvements, promoting mixed-use developments, and advocating regional collaboration on corridor projects.

Several other municipalities in Michigan have created corridor improvement authorities, including Detroit, Traverse City, Grand Rapids, Sterling Heights, Waterford, Dewitt Township, Oshtemo Township, and Ann Arbor, among others. Several of these communities have multiple authorities along different commercial corridors; some of these authorities span many miles and cross multiple jurisdictions. Each CIA has its own set of goals, but they all seem to center around improving a corridor via streetscape improvements, policy, and redevelopment.

A map is attached outlining the potential boundaries of a CIA as recommended by the EDC Board. Staff will review the CIA state act in detail to ensure the CIA boundary complies with the state act criteria prior to the Township Board adopting a resolution of intent to establish a CIA. The boundary will be revised if it does not meet the criteria in the state act.

Planning Commission (October 26, 2015)

Corridor Improvement Authority (CIA)

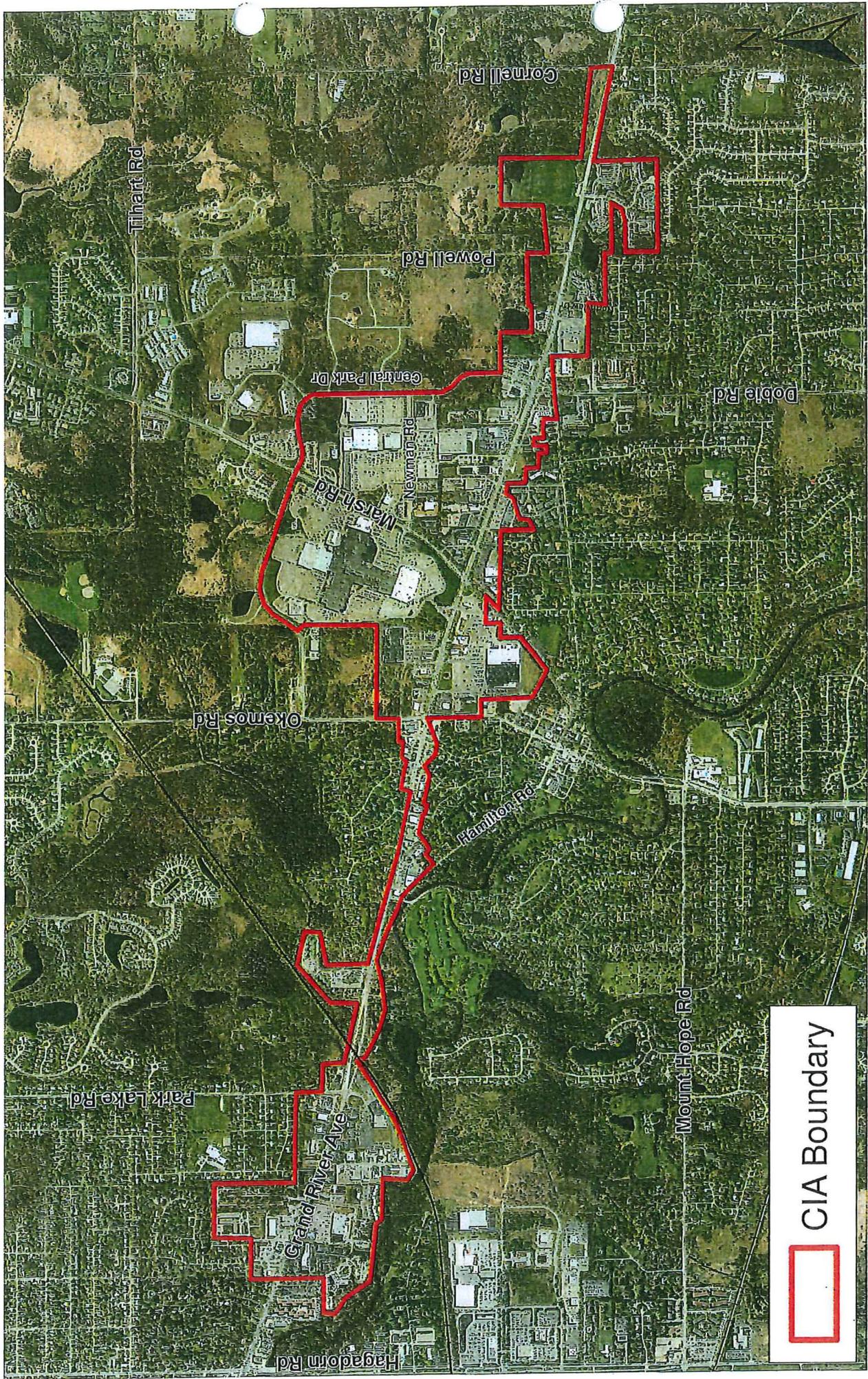
Page 2

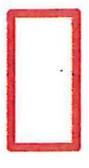
In the event the Township Board adopts the CIA, the Township Supervisor would recommend potential members of the authority for review and approval by the Township Board. The state act dictates the CIA Board would be comprised of the Township Supervisor (or designee) and not more than nine, or less than five, members. A majority of the CIA Board would have to have an ownership or business interest in property included in the CIA. At least one member of the CIA Board has to be a resident of the CIA area, or live within one-half mile of it.

- **MOTION TO RECOMMEND TOWNSHIP BOARD TO PROCEED WITH ADOPTING RESOLUTION OF INTENT TO CREATE CORRIDOR IMPROVEMENT AUTHORITY**

Attachment

1. CIA boundary map recommended by EDC Board.



 CIA Boundary