

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING – **APPROVED AS AMENDED** -
5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room
TUESDAY, FEBRUARY 5, 2008, **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting, Trustees Brixie, Such, Veenstra (6:02 P.M.), Woiwode
ABSENT: None
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development Mark Kieselbach, Director of Engineering & Public Works Ray Severy, Police Chief Dave Hall, EMS/Fire Chief Fred Cowper, Assistant Manager/ Personnel Director Paul Brake, Director of Parks & Recreation LuAnn Maisner, Attorney Andria Ditschman

1. CALL MEETING TO ORDER

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

2. PLEDGE OF ALLEGIANCE

Supervisor McGillicuddy led the Pledge of Allegiance.

3. ROLL CALL

Supervisor McGillicuddy called the roll of the Board.

4. PUBLIC REMARKS

Supervisor McGillicuddy opened and closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

A. Recreation Program Update by Director of Parks & Recreation LuAnn Maisner

Director Maisner reported over 1,500 people participated in community recreational activities over the past weekend. She announced the Okemos Athletic Club (OAKS), a volunteer parent organization which operated youth sports programs in the Okemos School District, has now dissolved. Director Maisner noted that Meridian Township and Okemos Community Education had submitted a joint proposal four (4) years ago to administer soccer, flag football, basketball and volleyball programs for OAKS. She indicated Meridian Township will receive a portion of the OAKS assets, which will be placed in a separate account to be used to support youth soccer and flag football programs in the community.

Director Maisner added that the Okemos Baseball and Softball Club has also dissolved, and Meridian Township is now running the baseball and softball programs. She has brought the Board on as a committee of the Parks and Recreation Department to manage the competitive baseball program. They also have funds which will be placed in a separate account to support baseball activities. Director Maisner noted the Township continues its seven (7) to eight (8) year relationship with the Haslett Youth Recreation Program (HYRA).

Director Maisner announced the Meridian Garden Club expressed an interest in placing a Blue Star Memorial Marker by the flagpole near the Meridian Municipal Building. This was a program developed by the National Garden Clubs, Inc. in 1945, to pay tribute to the entire Armed Forces of our country, past, present and future. The Garden Club is currently involved in a fundraising effort to raise \$1,200 to purchase this marker.

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Director Maisner spoke to Agenda Item #7H, authorization to purchase an all-terrain wheelchair. She indicated one focus of the Parks and Recreation Universal Access Advisory Board is to make Township parks accessible to individuals with varying disabilities. Director Maisner stated the Township was able to obtain Access to Recreation Grant Program money through the Kellogg Foundation to purchase the all-terrain wheelchair with the assistance of the Okemos Kiwanis Club, who contributed the local match of \$750.

In response to a Board member inquiry, Director Maisner indicated the Artisans market will be held again this year on the second Sunday of each month, along with the possible addition of a Hobbies and Crafts Marketplace on the fourth Sunday of each month, May through October, all at the Farmers Market Pavilion.

Supervisor McGillicuddy was elected as the 2008 Treasurer of the Tri-County Regional Planning Commission. She announced other communities have pledged \$40,000 to date toward the lawsuit against Comcast. Supervisor McGillicuddy stated she and Cable T.V. Coordinator Guthrie visited with Congressman Mike Rogers to garner support for Meridian Township's efforts to halt Comcast's move of PEG channels in its lineup.

Trustee Brixie reported the Groundwater Management Board received a federal grant application for a pilot plan on collecting pharmaceuticals within communities in the Tri-County area to prevent placement in wastewater treatment plants. She indicated pharmaceuticals are a growing source of groundwater contamination. Trustee Brixie reported the Okemos School District is looking for two PHASE (Personal Health and Sexuality Education) Advisory Board members.

Treasurer Hunting reminded citizens that the deadline for payment of 2007 winter taxes is February 14, 2008. He indicated delinquent taxes will be sent to Ingham County on March 1st and residents will incur a significant penalty.

Treasurer Hunting encouraged Meridian Township business owners to operate a smoke-free restaurant. He also reiterated the need for all Board members to abide by the restrictions of policy governance.

6. APPROVAL OF AGENDA — OR CHANGES

Trustee Brixie moved to approve the agenda as submitted. Seconded by Trustee Such.

VOICE VOTE: Motion carried unanimously.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda.

Trustee Brixie moved to adopt the Consent Agenda amended as follows:

- **Remove Agenda Items #7D and 7G**
- **Add Agenda Item #7M – Correction to Resolution of Agreement to Participate in CADL's Capital Improvement Plan**

Seconded by Trustee Woiwode.

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

NAYS: None

Motion carried unanimously.

The adopted Consent Agenda items are as follow:

A. Communications

- (1) Board Determination (BD)

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BD-10E Rev. Robert Carlson, Jr., The Presbyterian Church of Okemos, 2258 Bennett Road, Okemos and Libby Woodbury, Lite-R-Side Catering; RE: Zoning Amendment to allow commercial kitchens in religious facilities

(2). Board Information (BI)

- BI-1 Judy Kindel & Amanda Hightree, Co-Chairs, Lansing Area Cool Cities Committee, 2915 Margate Lane, East Lansing; RE: Board priority for implementation of Mayors' Climate Protection Agreement
- BI-2 Ronald Brouwer, 3969 Raven Circle, Okemos; RE: Township's lawsuit with Comcast over moving PEG channel line-up
- BI-3 Krisdee Davey, 1985 Lake Lansing Road, #16, Haslett; RE: Voting during the January 15, 2008 Primary Election
- BI-4 Suzette Phillips, 5630 Creekwood Lane, Haslett; RE: Space needs at the Haslett Library
- BI-5 Charter Township of Bloomfield, 4200 Telegraph Road, Bloomfield Hills; RE: Resolution requesting preservation of existing channel locations for PEG channels
- BI-6 Donna D' Angelo, 1259 Hatch Road, Okemos; RE: Potential zoning ordinance violation by Consumers Energy
- BI-7 Donna D' Angelo, 1259 Hatch Road, Okemos; RE: Construction of an apparatus on her property by Consumers Energy

(3) Regional Linkage (RL)

- RL-1 Ingham County Road Commission, 301 Bush Street, Mason; RE: Notice of Public Hearing for 2008 and 2009 Proposed Construction

(4). Staff Communication/Referral (SC)

- SC-1 Michigan Townships Association Legislative E-Report, January 18, 2008 Edition
- SC-2 Michigan Townships Association Legislative E-Report, January 25, 2008 Edition

(5). On File in the Clerk's Office (OF)

Material received at the January 17, 2008 Board meeting
Curt Armbruster, 6411 East Reynolds Road, Haslett; RE: Opposition to Zoning Amendment #07140 (Lake Overlay Ordinance)

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

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

B. Minutes

Trustee Brixie moved to approve and ratify the minutes of the January 17, 2008 Regular Meeting as amended. Seconded by Trustee Woiwode.

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

C. Bills

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

Common Cash	\$ 589,181.29
Public Works	\$ 166,738.70
Total Checks	\$ 755,919.99
Credit Card Transactions	\$ 26,109.66
Total Purchases	<u>\$ 782,029.65</u>
 ACH Payments	 <u>\$ 241,510.38</u>

Seconded by Trustee Woiwode.

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

NAYS: None

Motion carried unanimously.

[Bill list in Official Minute Book]

- E. Compensation for DDA Executive Director Duties for Assistant Township Manager
Trustee Brixie moved that the salary for the position of DDA Executive Director be set at \$4800 for 2008, to be reimbursed from the Okemos DDA Tax Increment Finance Authority. Seconded by Trustee Woiwode.

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

NAYS: None

Motion carried unanimously.

- F. Liquor License Transfer, Sheshiang Garden
Trustee Brixie moved to approve DUC, LLC's application to transfer ownership of a 2007 Class C liquor license for a business, located at 3536 Meridian Crossing, Suite 200, Okemos, Michigan, Meridian Township, Ingham County, from Jiang, Inc. to DUC, LLC and further authorize the Township Clerk to execute the resolution for local approval of this transfer. Seconded by Trustee Woiwode.

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

NAYS: None

Motion carried unanimously.

- H. Authorization to Purchase All-Terrain Wheelchair
Trustee Brixie moved to approve the purchase of an all-terrain wheelchair from restricted account #211-000-000-821-550 in the amount of \$3,280 with funds received from the "Access to Recreation" Grant and from the Okemos Kiwanis Club. The revenue and expense adjustments will be included in the first quarter budget amendments. Seconded by Trustee Woiwode.

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

NAYS: None

Motion carried unanimously.

- I. Appointment to the Community Resources Commission
Trustee Brixie moved to approve the appointment of Katherine Lincoln to the Community Resources Commission for a term of two years expiring December 31, 2009. Seconded by Trustee Woiwode.

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

- J. Lake Lansing Estates Streetlighting SAD, **Resolution #2**
Trustee Brixie moved to approve Lake Lansing Estates Streetlighting Special Assessment District Resolution #2, which confirms the plans and estimate of costs for the Lake Lansing Estates Streetlighting Special Assessment District; directs the Supervisor to make a special assessment according to the roll submitted to the public hearing and confirms the assessment amount of \$1,193.95 for the first year, and \$625.00 annually thereafter, and directs that amount to be assessed against the lands on that roll; orders the special assessment roll filed with the Township Assessor for spreading annually on the tax roll; authorizes Consumers Energy to proceed with the installation of the five streetlights, with cut-off fixtures; and authorizes the Township Supervisor and Clerk to sign the Authorization for Change in Streetlighting Contract.

Seconded by Trustee Woiwode.

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

- K. Canoga/Strawberry Amended Streetlighting SAD, **Resolution #1** (Set Public Hearing Date, March 4, 2008)
Trustee Brixie moved to approve the Canoga/Strawberry Amended Streetlighting Special Assessment District - Resolution #1, tentatively declaring its intention to install and maintain one (1) additional streetlight, operate and maintain seven (7) streetlights, and defray the cost of installation, operation and maintenance by special assessment against the 50 benefiting lots, and setting a public hearing for March 4, 2008. Seconded by Trustee Woiwode.

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

- L. Keystone Woods Streetlighting SAD, **Resolution #1** (Set Public Hearing Date, March 4, 2008)
Trustee Brixie moved to approve the Keystone Woods Streetlighting Special Assessment District - Resolution #1, tentatively declaring its intention to install and maintain four (4) dark sky streetlights and defray the cost of installation, operation and maintenance by special assessment against the 12 benefiting lots, and setting a public hearing for March 4, 2008. Seconded by Trustee Woiwode.

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

- M. Correction to Resolution of Agreement to Participate in CADL's Capital Improvement Plan
Trustee Brixie moved to correct the Resolution of Agreement to Participate in CADL's Capital Improvement Plan by deleting the words "and to the" in No. 2 of the THEREFORE, BE IT RESOLVED clause and inserting the word "for". Seconded by Trustee Woiwode.

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

8. QUESTIONS FOR THE ATTORNEY (See Agenda Item #10, #10A)
9. HEARINGS (None)
10. ACTION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Joe Sheahan, Lake Lansing Property Owners Association, 6150 Columbia, Haslett, thanked the Board for its thoughtful consideration of the Lake Access Ordinance. He expressed concern with the definition of lake access and the verbiage in Section 1(B)(c)(6) which states, "These regulations shall apply to those living adjacent to the easement as well as those using the easement."

Applicability of regulations to certain residents: (See Agenda Item #8 (Questions for the Attorney))

Q. Andria, since you are here, do you see that as a problem? The regulations?

A. Actually, I've raised that issue several times. I think that you might want to have Mark explain what that means. Once he explains it, you may feel that you understand that or you may still feel that there's language changes needed to it.

Supervisor McGillicuddy closed public comment.

- A. Zoning Amendment #07150 (Township Board), Lake Access Ordinance, **Introduction**
Treasurer Hunting moved [and read into the record] NOW THEREFORE BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby INTRODUCES FOR PUBLICATION AND SUBSEQUENT ADOPTION Ordinance No. _____ entitled "Ordinance Amending the Code of the Charter Township of Meridian, Michigan, Chapter 86, Article I by amending Section 86-2, and Chapter 86, Article V, Division 1 by adding Section 86-475."

BE IT FURTHER RESOLVED the Clerk of the Charter Township of Meridian is directed to publish the Ordinance in the form in which it is introduced at least once prior to the next regular meeting of the Township Board.

Seconded by Trustee Brixie.

Board members discussed the following:

- Deletion of (5) a.

The maker offered the following friendly amendment:

- Add "s" to "parcel" in the fifth WHEREAS clause

The seconder accepted the amendment.

Trustee Veenstra offered the following friendly amendment:

- **Amend the third WHEREAS clause to read: "WHEREAS, the Township Board, at its meetings on December 18, 2007 and January 17, 2008, discussed the Planning Commission and staff material forwarded under cover memorandums dated December 14, 2007 and January 11, 2008; and"**

The maker and seconder accepted the amendment.

The maker offered the following amendment:

- **Amend Section 86-475. Lake Access (c)(5) after "common" by inserting "which does not satisfy the requirements of (c)(1)(a)"**

Requirements for access to lake: (See Agenda Item #8 (Questions for the Attorney))

Q. I would like to run this past our attorney. I know it's putting her on the spot.

A. I want to make sure that we're understanding Section (c)(1)(a) correctly. Is the Board reading (c)(1)(a) to state that if you have an apartment complex on the lake, that the people living in the apartment complex must have 650 feet of frontage in order to use the lake? Is that how you are reading it?

SUPERVISOR McGILLICUDDY RESPONSE: Every unit would need to have 65 feet of continuous shoreline according to our code.

ATTORNEY COMMENT: I don't believe that is what this is intending. Mark may be able to redirect me if I'm wrong. The way I believe (1)(a) is saying that if you have a lot, parcel, site or easement held in common, you cannot use it for lake access. Now, lake access, specifically, is defined as only when you're allowing somebody to go through that property that doesn't live on that property to get into the water. The way I read this, it does not require you to have that many feet of frontage in order to use the lake if you live on that property. What this requires you to do is not to allow one parcel to give ten (10) apartments behind it access without having 650 feet. I want to be sure we are clear on that, first of all.

Is that clear to Trustee Veenstra? Because, if not, I want to make sure we are talking about the same thing before we go any further. Is my question not even clear to you? Mark, do you understand what I am saying? To make sure we're all clear that this doesn't prohibit the people living on the lake from having access to the lake; it doesn't limit you on frontage. It only limits you from providing access to somebody who doesn't live on the lake to go through, because the definition of lake access itself says that providing....."pedestrian or vehicular traffic to and from offshore land..." I want to make sure that if your intent was something else, I don't think that's the way this is written. Is your intent to prohibit somebody living on the lake from having more frontage or is your intent to limit people from off the lake getting access to the lake without more frontage. I thought it was the latter. I want to make sure we are all reading Section (c)(1)(a) correctly.

Board members continued discussion on the following:

- Alleyway easements where someone has greater property off the lake and uses this easement which abuts the lake as the access point
- Insertion of "offlake" prior to "dwelling unit" in Section (c)(1)(a)
- Concern expressed by representative of the Lake Lansing Property Homeowners Association regarding the applicability of (c)(6)
- Change definition from Access, Lake to Lake Access in Section 86-2. Definitions
- Lack of legislative intent on this issue
- Submission of Board concerns and observations in writing to staff

Clarity of proposed language: (See Agenda Item #8 (Questions for the Attorney))

Q. Attorney Ditschman, did you have anything else you wanted to add? You've heard the comment here.

A. I don't have any problem looking at it again. This was written by staff with our firm's review afterward. It wasn't written by the firm and was mostly information, I believe, which was taken from other keyhole ordinances. If it's confusing to the Board and you are voting on it, then it needs some review. I would agree that if the Board is not able to understand and clearly be able to apply it, then we need to look at it further.

Trustee Brixie moved to postpone this item until the February 19, 2008 Board meeting. Seconded by Trustee Such.

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

NAYS: Trustee Veenstra

Motion carried 6-1.

- B. Zoning Amendment #07160 (Township Board), amendment to allow "new car dealerships" by Special Use Permit in the C-2 (Commercial) zoning district, **Final Adoption**
Trustee Brixie moved [and read into the record] NOW THEREFORE BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby FINALLY ADOPTS Ordinance No. 2008-02, entitled "Ordinance Amending the Code of the Charter Township of Meridian, Michigan, Chapter 86, Article IV, Division 3, Section 86-404(e) by adding Section 86-404(e)(16)."

BE IT FURTHER RESOLVED the Clerk of the Charter Township of Meridian is directed to publish the Ordinance in the form in which it is finally adopted at least once prior to the next regular meeting of the Township Board. Seconded by Treasurer Hunting.

Board members and staff discussed the following:

- Body shops regulated by the state differently than repairs
- Body shops an industrial use not currently allowed in commercial districts

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

- C. Wetland Use Permit, Shaw's Landing, Essential Wetland Determination
Trustee Woiwode moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, pursuant to Section 22-156 of the Township Code of Ordinances, hereby identifies Township Wetland #04-11 and Township Wetland #04-15 as essential to the preservation of the natural resources of the Charter Township of Meridian. Seconded by Trustee Veenstra.

Board members discussed the following:

- Township wetland ordinance as an asset

The maker offered the following friendly amendment:

- Amend the second WHEREAS clause after the word "into" by deleting "an approximate 0.18 acre" and inserting "approximately 0.18 acres of a"

The seconder accepted the amendment.

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Woiwode, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting
NAYS: Trustee Such
Motion carried 6-1.

- D. Zoning Amendment to allow massage therapy in PO (Professional and Office) district
Trustee Such moved to initiate a zoning amendment to the Charter Township of Meridian Code of Ordinances to permit massage therapy as a use permitted in the PO (Professional Office) district. Staff is instructed to prepare the necessary language for the amendment and to present the amendment to the Planning Commission for a public hearing. Seconded by Trustee Veenstra.

Board members discussed the following:

- Consistency with Policy Governance to initially place an item on the agenda for discussion

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

- E. Zoning Amendment to allow commercial kitchens in religious facilities
Trustee Woiwode moved to amend the agenda by moving Agenda Item #10E to Agenda Item #11C. Seconded by Trustee Such.

By unanimous consent, the Board amended the agenda by moving Agenda Item #10E to Agenda Item #11C.

11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Pastor Rick Stacy, Meridian Christian Church, 4264 Graystone Drive, Okemos, spoke in support of a zoning amendment to allow 2” caliper trees.

Supervisor McGillicuddy closed public comment.

- A. Zoning Amendment #07170 (Township Board), request to allow appropriate uses by SUP in PO (Professional and Office) zoned MUPUD (Mixed Use Planned Unit Development)
Director Kieselbach summarized the proposed zoning ordinance as outlined in staff memorandum dated February 1, 2008.

Board members discussed the following:

- Distinction between a restaurant and outdoor seating of a restaurant
- Preference for alternative #2 which does not require a SUP as it is more cost and time effective for both the applicant and the Township
- Fifty percent (50%) commercial component as an acceptable percentage in PO
- Potential incompatibility between outdoor seating and adjacent residential use can be addressed through reduction of evening hours if the orientation of the café cannot be away from nearby residential use
- Suggestion to change hours of operation in Alternative #2, b.(2)(a) to read 7:00 AM to 10:00 PM
- Support for a drive-through component if it goes through normal SUP procedure
- Allowance of drive-through provision does not promote walkable communities
- No current limit on how much mixed use can be PO
- Assumption there is an automatic proportionality among residential and PO in a PO MUPUD
- Clarity of intent where C-1 type uses are allowed (i.e., a portion of the first floor)
- Preference for a forty percent (40%) commercial component as an acceptable percentage in PO
- Requiring a SUP up front gives the owner of the completed building more flexibility
- Intent of Alternative #2 was to allow the applicant at the time of the mixed use to designate the area set aside for the commercial use
- Intent of Alternative #2 would prohibit the need for the applicant to come back for each commercial user
- Alternative #1 would require applicant to go through the SUP process for any alteration in use for each space or user
- Weight placed on staff recommendation of one alternative over the other
- Support for a drive-through in appropriate locations
- Commercial uses on the second floor would need to be carefully placed so not to interfere with residential uses
- Mixed use works best with more residents than commercial and office uses
- Possible reduction in parking to promote walkability
- Limitation of hours on outdoor seating while keeping current hours for the remainder of the uses
- Reminder of need for Board approval of location of commercial space on the site
- Limitation of hours of operation for uses in commercial space in PO
- Concern that a specific percentage written into the ordinance will become the “floor”, not the “ceiling”
- Intent that commercial use be less than total square footage of the office use

The consensus of the Board was to direct staff to use Board comments to refine Alternative #2 and further discuss this item at the February 19, 2008 Board meeting.

- B. Zoning Amendment to allow 2” caliper trees

Director Kieselbach summarized the proposed zoning ordinance as outlined in staff memorandum dated February 1, 2008.

Board members discussed the following:

- Bare root trees not currently allowed to be planted in parking lots

- Environmental Commission recommendation for a smaller caliper tree with additional criteria
- Crafting an amendment which is performance based and includes a maintenance plan
- Questionable practicality and cost effectiveness of the Environmental Commission recommendation
- Need for more small trees to attain “net” visual impact that the larger trees achieve
- Referral to Planning Commission to amend both the parking lot tree ordinance and street tree ordinance to allow minimum of 1-1/2” trees with watering and replacement criteria
- Use of correct installation procedures and proper maintenance after transplant are key factors in success of any size transplanted tree
- Director of Community Planning and Development decision regarding planting of smaller trees on a case-by-case basis
- Possible pilot program to monitor success of smaller trees
- Cost of staff implementation of an amendment which is performance based and includes a maintenance plan
- Separation of the current request by Meridian Christian Church from amending the zoning ordinance

The consensus of the Board was to allow staff to provide further information and bring this item back for discussion at a future Board meeting.

- C. Zoning Amendment to allow commercial kitchens in religious facilities
Supervisor McGillicuddy summarized the history of the proposed zoning amendment as outlined in staff memorandum dated February 1, 2008.

Board members discussed the following:

- Churches and schools allowed in residential districts due, in part, to the fact they are non-profit organizations
- Fairness to restaurants within the community who offer catering services and have invested in commercial kitchens
- Some churches do have commercial kitchen facilities
- Religious facilities upgrading to commercial kitchens as a safety issue
- Assessor’s opinion on the tax implication of a tax exempt institution allowing use of its equipment for profit
- State law prohibition on election polling locations held in commercial facilities

It was the consensus of the Board there was not a majority of the members interested in moving this item to the Planning Commission.

12. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Donna D’Angelo, 1259 Hatch Road, Okemos, synopsis her Board communication regarding potential violation of a Township zoning ordinance by Consumers Energy in locating a structure within the sight triangle at the intersection of Hatch and Cornell Roads.

Supervisor McGillicuddy closed Public Remarks.

13. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 9:01 P.M.

SUSAN McGILlicuddy
TOWNSHIP SUPERVISOR

MARY M. G. HELMBRECHT, CMC
TOWNSHIP CLERK

Sandra K. Otto, Secretary