



AGENDA
CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD – REGULAR MEETING
June 20, 2023 6:00 PM

1. CALL MEETING TO ORDER
2. PLEDGE OF ALLEGIANCE/INTRODUCTIONS
3. ROLL CALL
4. PRESENTATION
 - A. AED Program for Businesses

5. CITIZENS ADDRESS AGENDA ITEMS AND NON-AGENDA ITEMS
6. TOWNSHIP MANAGER REPORT
7. BOARD MEMBER REPORTS OF ACTIVITIES AND ANNOUNCEMENTS
8. APPROVAL OF AGENDA
9. CONSENT AGENDA
 - A. Communications
 - B. Minutes-June 6, 2023 Regular Township Board Meeting
 - C. Bills
 - D. Ratification of New Full-Time Firefighter/EMT Appointment
 - E. Ratification of New Police Officer Appointments

10. QUESTIONS FOR THE ATTORNEY
11. HEARINGS
 - A. Sierra Ridge Final Preliminary Plat Extension

12. ACTION ITEMS
 - A. Sierra Ridge Final Preliminary Plat Extension
 - B. Ordinance 2022-19 – Marijuana Zoning Ordinance Updates – Introduction
 - C. Ordinance 2023-02 – Recreational Marijuana Licensing – Introduction
 - D. Ordinance 2023-03 – Medical Marijuana Licensing Update – Introduction
 - E. Zoning Board of Appeals Appointment
 - F. Nancy Moore Park Accessibility Improvements - SPARK Grant Application
 - G. Approval of Deficit Elimination Plan Resolution
 - H. BWL Board of Commissioners Appointment

13. BOARD DISCUSSION ITEMS
 - A. Redevelopment Ready Communities Recertification Updates
 - B. Community/Senior Center Task Force Report
 - C. 2017 & 2019 Millage Audits

14. COMMENTS FROM THE PUBLIC
15. OTHER MATTERS AND BOARD MEMBER COMMENTS
16. ADJOURNMENT

All comments limited to 3 minutes, unless prior approval for additional time for good cause is obtained from the Supervisor. Appointment of Supervisor Pro Tem and/ or Temporary Clerk if necessary. Individuals with disabilities requiring auxiliary aids or services should contact the Meridian Township Board by contacting: Township Manager Frank L. Walsh, 5151 Marsh Road, Okemos, MI 48864 or 517.853.4258 - Ten Day Notice is Required.

Meeting Location: 5151 Marsh Road, Okemos, MI 48864 Township Hall
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McCLELLAND & ANDERSON, L.L.P.

ATTORNEYS AT LAW

GAIL A. ANDERSON
DAVID E. PIERSON
MELISSA A. HAGEN

GREGORY L. McCLELLAND
(1950-2018)

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BERNARDO A. BALLESTEROS

June 15, 2023

VIA HAND DELIVERY

Township Board
Meridian Charter Township
5151 Marsh Rd
Okemos MI 48864

Ladies & Gentlemen:

I am writing on behalf of George F. Eyde Family, LLC (the "Eyde Family"), the owner of property immediately east of Sierra Ridge Estates to request that the Township require the developer of Sierra Ridge Estates, G.S. Fedewa Builders, Inc., to reconfigure its plat to allow connection to the Eyde Family property as a condition to approval of the preliminary plat and any remaining final plat of Sierra Ridge Estates. Without that connection, the Fedewa development isolates the Eyde Family property in violation of the Land Division Act and effectively makes the Eyde Family property worthless. With construction of the remaining roads in Sierra Ridge Estates underway, the Eyde Family has been forced to take action and pursue litigation in the Circuit Court. The Township Board can, and should now resolve the issue by requiring that connection.

The Sierra Ridge Estates preliminary plat (enclosed) comprises ninety-nine single-family lots on seventy-three acres north of Lake Lansing Road and east of Newton Road; it was first approved by the Township Board on July 1, 2003. As the first three phases of the subdivision were built and the Township Board granted extensions for the preliminary plat, the Eyde Family has objected to the Township's failure to require connection to property to the east in accordance with the plain language of the Land Division Act and the policies of the Township and the Ingham County Road Department. The Land Division Act requires the Township Board to reject a final plat "which isolates other lands from existing public streets, unless suitable access is provided." MCL 560.182.

In line with this requirement, county road regulations have long required stub streets or connecting roads in subdivisions like Sierra Ridge: "the layout of roads in proposed developments shall provide a continuous circuit for travel" and "shall include road stubs, with dedicated right-of-way to provide future connections to unplatted or undeveloped lands adjacent to the proposed development." The Township Subdivision Ordinance also requires the "continuation of existing roads from adjacent areas into new subdivisions."

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The Eyde Family property is split into north and south parcels by extensive wetlands and the Costigan Drain. The southern portion of Sierra Ridge Estates, as approved for final plat, follows the statute and regulations and provides a connection to the adjoining property to the east, developed as Lake Lansing Estates. The northern part of the Sierra Ridge plat, however, as currently approved, specifically violates it. There are no planning reasons or other conditions for these areas, both planned for single-family development, to be isolated from one another.

We understood that a final plat for the last part of the subdivision, Sierra Ridge Estates #4 had been filed for your approval. To avoid the construction of roads and the sale of lots that would forever block access, the Eyde Family filed suit, asking the court to declare that failing to require Fedewa Builders to provide access from Sierra Ridge Estates #4 to the Eyde Family property to the east will violate the Land Division Act.

In response, the Township's and Fedewa's attorneys filed a motion for summary disposition. Following a hearing, Judge Draganchuk denied the motion. Among the reasons given by Judge Draganchuk for denying the motion were her disagreement with the claim that the Land Division Act prohibited the Township from requiring Fedewa Builders to change the road configuration in Sierra Ridge Estates #4 to provide access for the Eyde Family property. Judge Draganchuk ruled that the Township is **not** precluded from requiring Fedewa Builders to revise its Sierra Ridge Estates #4 plat.

Judge Draganchuk also disagreed with the argument that the Eyde Family property is not isolated in violation of Land Division Act. Although looking at a parcel map alone would suggest there are many routes for access, a key to her ruling was the engineering report of The Mannik & Smith Group, Inc., a copy of which is enclosed, outlining the obstacles to other access.

During the course of the litigation since Judge Draganchuk's early ruling, the Eyde Family requested Bergman PC, civil engineers, to examine alternative routes for access suggested by Fedewa and the Township. As detailed in the report attached, Bergman concluded that the only suitable primary access is through Sierra Ridge Estates, based on the wetlands, county drain, floodplain, and utilities.

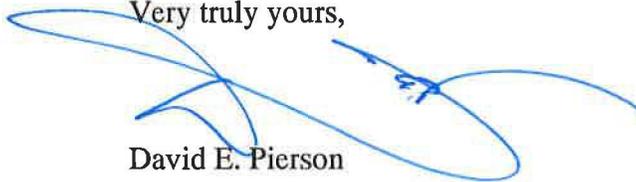
An appraisal by James Hartman concluded that if the only access were from the south, (assuming it could be approved which Bergman concluded would not be feasible) the cost of access would exceed the value of the property; the property would be essentially worthless.

As found in the minutes, in 2007, the Township Board added a condition to extension of the preliminary plat, that the issue of access remain open and be determined prior to the construction of the last road, Modesto Drive. Fedewa has now begun construction of the last phase of Sierra Ridge, effectively calling the question, and the Township Board must now require that access.

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A summary of the law and evidence as presented for the lawsuit is attached, along with the expert reports mentioned. If you need further information, we are glad to provide it, and look forward to answering any questions at the hearing on June 20.

Very truly yours,

A handwritten signature in blue ink, appearing to read "David E. Pierson", is written over the typed name. The signature is fluid and cursive, with a large loop at the end.

David E. Pierson

DEP/caj

Enclosure

cc via email:

Mark K. Clouse, Esq.

John Brennan, Esq.

McCLELLAND & ANDERSON, L.L.P.

ATTORNEYS AT LAW

GAIL A. ANDERSON
DAVID E. PIERSON
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BERNARDO A. BALLESTEROS

June 15, 2023

VIA HAND DELIVERY

Mr. Frank Walsh, Township Manager
Meridian Charter Township
5151 Marsh Rd
Okemos MI 48864

Re: June 20, 2023 Board Meeting

Dear Mr. Walsh:

Along with this letter to you, we are submitting seven packets of materials, one for each member of the Township Board, for their review and use at the upcoming June 20, 2023 meeting. A copy of the packet is enclosed for you as well, along with a complete copy of a report prepared by Paul Furtaw, PE of Bergmann. These materials are submitted on behalf of George F. Eyde Family, LLC in support of its position regarding the provision of access from Sierra Ridge Estates to Lake Lansing Estates.

Thank you for your consideration.

Very truly yours,

David E. Pierson

DEP/caj
Enclosure
cc via email:

Mark K. Clouse, Esq.
John Brennan, Esq.

POSITION STATEMENT OF GEORGE F. EYDE FAMILY, LLC

A. Introduction

The Eyde Family filed its lawsuit on February 24, 2021, to prevent G.S. Fedewa Builders, Inc. (“Fedewa”) from obtaining, and Meridian Charter Township (the “Township”) from approving, a final plat which, in violation of the Land Division Act (“LDA”), leaves property owned by George F. Eyde Family, LLC (“Eyde”) isolated and without suitable access. The LDA expressly prohibits approval of a final plat “which isolates other lands from existing public streets, unless suitable access is provided.” MCL 560.182. The Township’s own Subdivision Ordinance similarly requires the “continuation of existing streets from adjacent areas into new subdivisions.” Township Ordinance No. 2006-03, 8-1-2006, Chapter 62 Land Division, Article III, §62-62(3).

Fedewa contends that as a matter of law, this Court must find the Eyde Family Property has “suitable access” by routes other than Fedewa’s subdivision. Reports from two engineering firms show that “suitable access” to the Eyde Family Property is only available through the Fedewa Property. Neither Fedewa nor the Township has produced evidence to contradict those conclusions.

B. The Parties and Their Properties

Fedewa is a builder and developer and owns property in the Township north of Lake Lansing Road near Okemos Road (the “Fedewa Property”). Since 2003, Fedewa has been developing the Fedewa Property as a single-family residential subdivision – Sierra Ridge Estates. Affidavit of Mark Clouse (“Clouse Affidavit”), ¶¶5-6, Exhibit 1.

Eyde is a developer and owns property in the Township north of Lake Lansing Road, immediately east of the Fedewa Property (the “Eyde Family Property”). In 2006, Eyde developed the southern portion of the Eyde Family Property as a single-family residential subdivision –

Lake Lansing Estates – with access from the adjoining subdivision, Sierra Ridge Estates. Clouse Affidavit, ¶¶4 and 22, Exhibit 1.

C. The Eyde Family Property and Surrounding Area



The Eyde Family Property, on the east side of the Fedewa Property, is two parcels separated from each other and from road access by regulated wetlands and a large open county drain (the Costigan Drain): (1) the southern parcel located immediately north of Lake Lansing Road, developed in 2006 as a single-family residential subdivision named Lake Lansing Estates; and (2) the northern parcel, which Eyde plans to develop in the future as Lake Lansing Estates II. Clouse Affidavit, ¶¶21-23, Exhibit 1. Road access for the southern parcel, in accordance with the requirements of the LDA, was provided through the first phase of Sierra Ridge Estates via Isaac Lane. Sierra Ridge Estates No. 1 final plat, Exhibit 2.

The northern Eyde Family parcel, however, has no road access. Rather, the northern parcel is surrounded by:

- wetlands regulated by both the State and Township and the Costigan Drain (a substantial open drain) to the south and to the east;
- Towner Road Park owned by the Township; and
- a cellphone tower and its foundations owned by Consumers Energy, which preclude construction of an access road to the north to M-78/Saginaw.

Clouse Affidavit, ¶¶24-27, Exhibit 1.

By process of elimination then, the only suitable access for the northern portion of the Eyde Family Property is from the west through Sierra Ridge Estates. Clouse Affidavit, ¶26, Exhibit 1. The preliminary plat for Sierra Ridge Estates, however, depicts two dead-end cul-de-sacs with lots blocking access at the shared border between the Fedewa Property and the northern parcel of the Eyde Family Property and no connection to the northern parcel of the Eyde Family Property. Clouse Affidavit, ¶36, Exhibit 1.

D. The Development of the Fedewa Property

The original preliminary plat of Sierra Ridge Estates was approved by the Township on July 1, 2003. Clouse Affidavit, ¶12, Exhibit 1. Since then, Fedewa has developed, and the Township has approved, as final plats, three phases – Sierra Ridge Estates No. 1, Sierra Ridge Estates No. 2 and Sierra Ridge Estates No. 3, with 69 total individual lots. Clouse Affidavit, ¶13, Exhibit 1. In 2021, Fedewa submitted a revised preliminary plat for Sierra Ridge Estates No. 4 for review by the Township, the Ingham County Road Department and the Ingham County Drain Commission. Those plans for Sierra Ridge Estates No. 4 show a lot and road configuration different from that depicted in the original Sierra Ridge Estates preliminary plat. Clouse Affidavit, ¶17, Exhibit 1. However, even with the new, revised configuration, the Sierra Ridge Estates No. 4 preliminary plat still depicts a dead-end

cul-de-sac with lots blocking access to the northern parcel of the Eyde Family Property. A copy of the Sierra Ridge Estates No. 4 revised preliminary plat is attached as Exhibit 3. The western portion of Sierra Ridge Estates No. 4 is being developed now – the road is constructed but the final plat has not yet been submitted and, therefore, no lots have been sold. Development of the eastern portion of Sierra Ridge Estates No. 4, Modesto Drive, awaits the resolution of this lawsuit. Deposition Transcript of Gerald Fedewa excerpts (“Fedewa Dep Tran”), pp 13-14, Exhibit 4.

Throughout the development of all phases of Sierra Ridge Estates, Fedewa requested, and the Township granted, 2-year extensions for the preliminary plat. Eyde objected time and time again to the Township’s failure to require a connection between Sierra Ridge Estates No. 4 and the northern parcel of the Eyde Family Property as a condition of approval. Clouse Affidavit, ¶¶34-35, Exhibit 1.

In the course of this lawsuit, it was found that on August 21, 2007, in conjunction with granting the second of the many 2-year extensions for the Sierra Ridge Estates preliminary plat, the Township Board added a condition: **that the issue of access between Sierra Ridge Estates No. 4 and the northern portion of the Eyde Family Property remains open and shall be determined prior to the construction of the road, Modesto Drive, shown as a cul-de-sac on the Sierra Ridge Estates No. 4 revised preliminary plat (the “Access Condition”).** August 21, 2007 Meeting Minutes, Exhibit 5. **That Access Condition has been carried over in each extension and remains in place today.** The Township must now require that access.

E. The Land Division Act

In Michigan, the platting of subdivisions, in all aspects, is governed by the LDA. *Eyde Constr Co v Charter Twp of Meridian*, 149 Mich App 802, 814; 386 NW2d 687 (1986) (“The [LDA] is a comprehensive statute dealing with the subdivision of land and controls over the other general statutes cited by the Township.”). The initial step to the platting process

under the LDA is for the proprietor to submit a preliminary plat to the governing body of the local unit of government, requesting “tentative” approval. MCL 560.111. The governing body of the local unit of government “shall tentatively approve and note its approval on the copy of the preliminary plat, or tentatively approve it subject to conditions.” MCL 560.112(2). Tentative approval confers upon the proprietor approval of lot sizes, lot orientation and street layout, and application of the then-current subdivision regulations, for a period of one year. MCL 560.112(4).

In step two of the platting process, the plat is distributed to state and county agencies and authorities, including the county road commission, drain commissioner, Michigan Department of Transportation and Michigan Department of Environment, Great Lakes and Energy. If all of the agencies approve the plat, the proprietor submits those approvals to the governing body of the local unit of government for its approval of the preliminary plat. MCL 360.120. If approved, the proprietor then has a “conditional right” to have the general terms and conditions under which preliminary plat approval was granted, unchanged for 2 years from the date of approval. MCL 360.120(3). The proprietor may request, and the governing body may grant, extensions of the initial 2-year period in 2-year increments. *Id.*

Following the approval of the preliminary plat, the proprietor may build the roads, utilities and other improvements and begin step three of the platting process by preparing a final plat, starting with a survey and development details such as utilities, easements, floodplains, lot descriptions and roads. MCL 560.132 through MCL 560.141. The final plat must be submitted to all of the approving agencies again. MCL 560.142 and MCL 560.161. If all agencies approve, the plat is again submitted to the governing body of the local unit of government, MCL 560.167, and the governing body may reject the plat or approve the plat. Relevant here, however,

the governing body may approve the final plat only “if it conforms to all of the provisions of [the LDA],” MCL 560.167, one of which provides:

- (4) The governing body **shall** reject a plat in any of the following circumstances:
 - (a) The plat is isolated from or isolates other lands from existing public streets, unless suitable access is provided.

MCL 560.182(4)(a) (emphasis supplied) (the “LDA Access Provision”).

If the final plat is approved, the proprietor may begin to sell lots. MCL 560.264(1).¹ Once lots are sold, the recorded final plat cannot be changed, amended or revised without the written agreement of all lot owners in the subdivision – a virtual impossibility. *Brookshire-Big Tree Ass’n v Oneida Twp*, 225 Mich App 196, 201; 570 NW2d 294 (1997).

F. The Provision of Access is Mandatory

The LDA requires that the Township reject any plat which isolates other property by failing to provide “suitable” access for that property to a public road. MCL 560.182(4)(c). The LDA Access Provision is not permissive or discretionary. Compliance is mandatory. *Bay City v Bay Co Treasurer*, 292 Mich App 156, 171; 807 NW2d 892 (2011) (use of the word “shall” by the Legislature indicates a mandatory act, not a permissive or discretionary one). Therefore, contrary to Fedewa’s claim in the litigation, the Township does not have carte blanche discretion in the area of requiring access – if the Sierra Ridge Estates No. 4 proposed final plat fails to provide suitable access, thereby isolating the northern portion of the Eyde Family Property, the Township must reject it or require that the plat be revised so that suitable access is provided.

¹ A person who sells or agrees to sell any lot without having recorded a final plat is guilty of a misdemeanor and may be fined and imprisoned up to 180 days for a first offense. MCL 560.264(1).

The Township’s action is further guided by its own Subdivision Ordinance, which requires that access be provided from one subdivision to another precisely in the manner requested by Eyde.

The Subdivision Ordinance reads:

Continuity of street system. The arrangement of streets shall provide for the continuation of existing streets from adjacent areas into new subdivisions, unless otherwise approved by the Township Board due to documented environmental constraints or where the abutting street system is not deemed capable of safely handling additional traffic volumes. **Where adjacent vacant areas are zoned or planned for development similar to the proposed subdivision, streets shall be extended to the boundary line of the tract to make provision for the future street connections.**

Meridian Charter Township Ordinance No. 2006-03, 8-1-2006, Chapter 62 Land Division, Article III, §62-62(3) (emphasis supplied).

G. The Law on “Suitable” Access

The LDA doesn’t just require “access” – it requires “suitable access.” In 1992, the Michigan Supreme Court gave definition to the concept of “suitable access. Specifically, in *Altman v Meridian Twp*, 439 Mich 623; 487 NW2d 155 (1992), the plaintiff developer sued the Township seeking a writ of mandamus following disapproval of his final plat and the placement of a condition for approval – specifically, that the developer build a direct access route to Haslett Road. *Id.* at 629. The plat at issue provided only direct access to Haslett Road “via a stub street, Wood Knoll Drive, to an existing subdivision cul-de-sac, Creekwood Lane, which in turn opened onto Haslett Road.” *Id.* at 626-627. The developer, among other things, claimed that the Township lacked the authority to condition plat approval on the requirement that the developer build a direct access route to Haslett Road. *Id.* at 629. The Township, however, claimed that it did have the authority to require the developer to change the roads shown on the preliminary plat in order to get final plat approval. *Id.*

The Ingham County Circuit Court granted the Township’s motion for summary disposition and the Court of Appeals reversed. *Id.* The Supreme Court, after receiving clarification from the Circuit Court on its ruling, reversed the judgment of the Court of Appeals and reinstated the judgment of the Circuit Court. *Id.* at 642. The Supreme Court stated:

In any event, reading § 182(4)(a) as an integrated whole, it clearly provides that the remedy for “isolation” is to provide “*suitable* access.” Not just *any* access, or *some* access, but *suitable* access. It would contradict ordinary usage to deem *any* access, no matter how minimal or **inconvenient**, to automatically constitute *suitable* access. One standard dictionary defines “suitable” as “[a]ppropriate to a given purpose or occasion,” and offers such synonyms as “fit, ... meet, proper, appropriate, apt, fitting, happy, [and] felicitous.” *The American Heritage Dictionary of the English Language: New College Edition* (1982), pp 1217, 508. “Suitable ... implies **ability to meet requirements related to a particular need** or to an occasion” *Id.* at 508. [Italics in original; bold added for emphasis.]

* * *

The Court of Appeals interpretation, in effect, rewrites § 182(4)(a) to read as follows:

“The governing body shall ... [r]eject a plat which is *totally* isolated from or which *totally* isolates other lands from *any* existing public street, unless some access is provided *to any existing public street.*” [Italicized words added by Supreme Court].)

The effective excision of the term “suitable” from § 182(4)(a) violates, of course, the familiar principle of statutory construction that “[e]very word of a statute should be given meaning and no word should be treated as surplusage or rendered nugatory if at all possible.” *Baker v General Motors Corp*, 409 Mich. 639, 665; 297 NW2d 387 (1980).

Id. at 634-635 (Bold for emphasis supplied). Accordingly, again, the Township, under Section 182, must reject the Sierra Ridge Estates No. 4 final plat or, as it did in *Altman*, require that Fedewa provide “suitable” access.

H. “Suitable Access” is Via Sierra Ridge Estates

To date, no other credible evidence of “suitable access”² has been provided. During the course of the lawsuit, the Township prepared and produced a map of the Eyde Family Property which depicted six purported access routes to a road for the northern portion of the Eyde Family Property. A copy of the “Township Map” is attached as Exhibit 6. However, neither Fedewa nor the Township have ever claimed that the Township Map was prepared with consideration of the actual topography of the Eyde Family Property and surrounding area, including wetlands, floodplain limitations, the Costigan Drain, necessity for fire (secondary) access, elevation drop-offs, and distance. Instead, Township staff provided a map with lines simply drawn from the northern parcel of the Eyde Family Property to surrounding, existing roads without any consideration of suitability or feasibility.

By contrast, Eyde has verified through two engineering firms – The Mannik & Smith Group, Inc. (“MSG”) and Bergmann, PC (“Bergmann”) – that the alternative access routes proposed in the Township Map are not “suitable” as required by the LDA, nor do they comply with the Township’s Subdivision Ordinance. Specifically, after extensive investigation and analysis, both MSG and Bergmann concluded that due to wetland constraints, floodplain limitations, the Costigan Drain, necessity for fire (secondary) access, elevation drop-offs and distance, “suitable” access for the northern portion of the Eyde Family Property is from Sierra Ridge Estates No. 4.

First, MSG conducted significant wetland studies of the Eyde Family Property and surrounding area; specifically, a Surface Water Delineation of the 29-acre parcel that makes up the northern portion of the Eyde Family Property. MSG published the results of its Surface Water

² Fedewa has not even named or retained any expert witnesses, including engineers.

Delineation in an October 7, 2021 Surface Water Delineation Report containing a discussion of its methodology, test results, photographs and conclusions.³ Notably, MSG concluded:

In summary, MSG's professional opinion is that the Township's proposed six alternative access routes to the Subject Property all have economic barriers to access development related to the presence of significant existing wetlands and are cost-prohibitive. In order to further evaluate the impacts the existing wetlands would have on access development, MSG recommends that the wetlands be delineated on the Eyde Subject Property and surrounding properties. In addition, it is MSG's opinion that the most economically feasible access to the Eyde Subject Property would be through the Sierra Ridge Estates #4 proposed development. MSG recommends the Township give strong consideration to granting access to the Eyde Property through the Sierra Ridge #4 property.

Affidavit of Daniel Capone and Exhibit 2 thereto, Exhibit 7.

Second, and more recently, Paul Furtaw of Bergmann, a civil engineer, was retained by Eyde to analyze and report on the six access routes proposed by the Township and the access route from Sierra Ridge Estates No. 4 to the northern portion of the Eyde Family Property. Deposition Transcript of Paul Furtaw, PE ("Furtaw Dep Tran"), pp 6-7, Exhibit 9. Mr. Furtaw considered MSG's Surface Water Delineation Report, zoning ordinance, fire code, topographic information, environmental features including wetlands, floodplains, cost, and the number of developable lots to determine which routes were viable for primary and/or secondary access.⁴ Mr. Furtaw testified that his assignment was:

To determine which ones were viable alternates or which ones were viable, which ones you could actually physically build to get

³ The Surface Water Delineation Report was later adopted by, and incorporated into, the Bergmann analysis and is part of the "Bergmann Report" (Exhibit B-1) attached to Fedewa's Brief as Exhibit D. Due to its volume, the Bergmann Report in its entirety is not reproduced here. However, for the Court's convenience, excerpts are attached as Exhibit 8.

⁴ A primary access road is a full 66-foot width public right-of-way with utilities and sidewalks on both sides; a private secondary (fire lane) access, without utilities or sidewalks, is less than half the width. Both are needed to develop a full subdivision on the northern portion of the Eyde Family Property.

to the site and then, you know, considering costs and permitting and approvals, whether or not they would be viable.

Furtaw Dep Tran, p 8-9, Exhibit 9. Mr. Furtaw then reported his analysis and conclusions in the “Bergmann Report.” Excerpts of the Bergmann Report are attached as Exhibit 8.

Mr. Furtaw concluded that the only suitable primary access from the Eyde Property is from Modesto Drive, through Sierra Ridge Estates (identified as Access Route #7 in his report and in Exhibit 6).

Mr. Furtaw eliminated five potential access routes from the Eyde Property to public roads on the Township Map without reference to topography, See, Township Map, Exhibit 6, based on feasibility, cost, what Township, County, and State agencies such as EGLE would approve, maintenance concerns, topography, distance, and other development concerns. Furtaw Dep Tran, pp 18-25 and 88-93, Exhibit 9. Mr. Furtaw concluded that proposed access routes 2 through 5 as shown on the Township Map, Exhibit 6, were precluded; that is, they are simply not possible because, based on his 20+ years of experience as an engineer, EGLE would not authorize them. Furtaw Dep Tran, pp 92-93, Exhibit 9.

Thus, of the seven routes evaluated, Mr. Furtaw eliminated 2 through 5 as not viable at all and, as to the other three, provided the following analysis of development considerations, number of lots, and cost. A map of these three access routes is attached as Exhibit 10:

1. Access Route #7, West to Fedewa’s Sierra Ridge Estates results in limited impacts to wetlands, does not impact floodplain or inland lakes or streams, and does not require crossing a County Drain. It is by far the shortest of any of those considered and the only route that provides access to gravity sanitary sewer. While this route requires modifications to the proposed plans for Sierra Ridge Estates, modifications can maintain the number of lots currently proposed in the preliminary plat.

2. Access Route #1, South across the Costigan Drain to Isaac Lane, is not feasible as primary access. It cannot provide gravity sewer access and if sized for primary access with utilities results in greater impacts to wetlands and floodplain, reasons for its rejection for permits needed for development. If sized only for the needed fire access road (without utilities), it would result in limited impacts to wetlands, floodplain and inland lakes and streams as compared to other routes considered.

3. Access Route #6, East across Township Property to Wilder Street, is also not feasible for primary access. If sized only for the needed fire access road (without utilities), it results in limited impacts to wetlands, does not impact floodplain or inland lakes or streams, and does not require crossing a County Drain, but it crosses property owned by the Township.

Based on these considerations and the number of lots that can be developed, Mr. Furtaw concluded that Access Route #7 through Sierra Ridge Estates provides suitable primary access. (Note that as an engineer Mr. Furtaw uses the term “best,” as “suitable” might imply a legal conclusion under the LDA. As his analysis eliminates the others possible routes for primary access, “suitable” is used here.) Bergmann Report excerpts, pp 6-7, Exhibit 8, p 12, Exhibit 8.

Mr. Furtaw provided and considered improvement cost for each of the three possible routes as follows:

- Access Route #7 (Primary Access) - \$361,362.50
- Access Route #1 (If Permitted for Primary Access) - \$895,320.17
- Access Route #1 (Secondary Access) - \$335,000.00
- Access Route #6 (Secondary Access) - \$369,129.50

Bergmann Report excerpts, pp 8-11, Exhibit 8. With these cost considerations in mind, Access Route #7 becomes the only suitable access: The value of the northern portion of the Eyde Family Property is \$874,000, that is, \$21,000 less than the cost to build a primary access road on Access Route #1, even if permits could be obtained. See, excerpts, “Appraisal,” Valbridge Property Advisors, James Hartman, MAI, SGA, AI-GRS, p 50, Exhibit 11.

Mr. Furtaw designed an alternative plat of Sierra Ridge Estates No. 4. See, Bergmann Report excerpts, original and alternative versions for plat, pp 13-14, Exhibit 8. The alternative version allows for access between Sierra Ridge Estates No. 4 and the northern portion of the Eyde Family Property without eliminating even a single lot from Sierra Ridge Estates. The Township has indicated that this alternative design can be approved.

I. Conclusion

As the Michigan Supreme Court has held, “suitable” means “apt, fitting, appropriate and able to meet the requirements of the particular situation.” “Suitable” does not mean “only.” Here, as determined by two engineers, the appropriate and “suitable” access from the northern portion of the Eyde Property to a public road is through Sierra Ridge Estates No. 4. In the absence of suitable access, the Eyde Property is isolated. The Township Board must require Fedewa to design and develop his subdivision with access to the Eyde Property through Sierra Ridge Estates No. 4. It has long been the Township’s policy, reflected in its subdivision ordinance, to connect neighborhoods and roads, and require developers like Fedewa to include roads and utilities that will allow adjoining properties to continue those public roads and utilities. The Eyde Family is not seeking to cut through Fedewa’s backyard. Fedewa is a developer and the LDA, the Township Subdivision Ordinance, and other reasonable regulations require all developers to provide improvements that serve the public and future development.

LIST OF EXHIBITS

1. Affidavit of Mark Clouse with Exhibits
2. Sierra Ridge Estates No. 1 final plat
3. Sierra Ridge Estates No. 4
4. Deposition Transcript of Gerald Fedewa excerpts
5. August 21, 2007 Meeting Minutes
6. Township Map
7. Affidavit of Daniel Capone with Exhibits
8. Bergmann Report excerpts
9. Deposition Transcript of Paul Furtaw, PE excerpts
10. Route Map
11. Appraisal excerpts

STATE OF MICHIGAN
IN THE INGHAM COUNTY CIRCUIT COURT
BUSINESS COURT

GEORGE F. EYDE FAMILY, LLC,
a Michigan limited liability company,

Case No. 21-114-CB

Plaintiff,

Hon. Joyce Draganchuk

v

AFFIDAVIT OF MARK CLOUSE

MERIDIAN CHARTER TOWNSHIP,
a Michigan municipal corporation,
and
G. S. FEDEWA BUILDERS, INC.,
a Michigan corporation,

Defendants.

Melissa A. Hagen (P42868)
David E. Pierson (P31047)
MCCLELLAND & ANDERSON, LLP
Counsel for Plaintiff
1142 S. Washington Ave
Lansing, MI 48910
517-482-4890

William K. Fahey (P27745)
FAHEY SCHULTZ BURZYCH RHODES PLC
Counsel for Defendant Meridian Charter Twp
4151 Okemos Rd
Okemos, MI 48864-6202
517-381-0100

Kevin J. Roragen (P56510)
LOOMIS, EWERT, PARSLEY, DAVIS & GOTTING, P.C.
Counsel for Defendant G. S. Fedewa Builders, Inc.
124 W. Allegan, Suite 700
Lansing, MI 48933
517-482-2400

Mark Clouse, being duly sworn, deposes and says:

1. I have personal knowledge of the facts as set forth in this Affidavit and, if called and sworn as a witness, can competently testify as to same.

2. I am, and at all times relevant have been, the Chief Financial Officer and General Counsel for George F. Eyde Family, LLC ("Eyde").

3. I make this Affidavit in support of Plaintiff's Response to Defendants' Motion for Summary Disposition.

4. Eyde is the owner of commercial real property located within Meridian Charter Township (the "Township") north of Lake Lansing Road near Okemos Road (the "Eyde Family Property").

5. G. S. Fedewa Builders, Inc. ("Fedewa") is the owner of commercial real property located within the Township on Lake Lansing Road to the west of the Eyde Family Property (the "Fedewa Property").

6. I have reviewed documents, including plat requests and approvals, submitted by Eyde and Fedewa to Meridian Charter Township (the "Township"), including the original preliminary plat for the Fedewa Property called Sierra Ridge Estates with individual lots sold, and to be sold, for the construction of single-family houses. A true and accurate copy of the Sierra Ridge Estates original preliminary plat is attached as Exhibit 1.

7. I have reviewed topographical maps of the Eyde Family Property prepared by civil engineers and land surveyors, KEBS, Inc. I have reviewed topographical maps of the Eyde Family Property and surrounding area prepared by the Ingham County Drain Commissioner, including the 100-foot wide easement which contains the open Costigan Drain. I have reviewed topographical maps of the preliminary plat of Sierra Ridge Estates No. 4 prepared by KEBS, Inc.

8. I have reviewed and have knowledge of the Township wetland map, a true and accurate copy of which is attached hereto as Exhibit 2.

9. I have reviewed and have knowledge of the zoning and land division maps and ordinances of the Township.

The Fedewa Property

10. I have personally viewed the Fedewa Property.

11. The Fedewa Property is being developed by Fedewa as a subdivision known as Sierra Ridge Estates.

12. The original preliminary plat for Sierra Ridge Estates was first approved by the Township on July 1, 2003.

13. Since July 1, 2003, Fedewa has obtained approval of the final plats of Sierra Ridge Estates, phases 1 through 3, as Sierra Ridge Estates No.1 , Sierra Ridge Estates No. 2, and Sierra Ridge Estates No. 3. Fedewa has developed 69 individual lots within these three phases of Sierra Ridge Estates. See, Exhibit 1.

14. The final plats for Sierra Ridge Estates No. 2 and Sierra Ridge Estates No. 3 changed the lot configuration and the number of lots from the approved preliminary plat.

15. I was informed by Township planning staff and the Township attorney that Fedewa was submitting a final plat for Sierra Ridge Estates No. 4, the final and most northern phase of Sierra Ridge Estates. This fourth and final phase could add another 27 lots to the overall Fedewa development. See, Exhibit 1.

16. The Township Board was scheduled to review the Sierra Ridge Estates No. 4 final plat at its April 13, 2021 meeting.

17. My understanding is that the Township has since determined that Fedewa has not submitted a final plat for Sierra Ridge Estates No. 4 and, instead, submitted a revised preliminary plat, entitled Sierra Ridge Estates No. 4, for review by the Township, the Ingham County Road Department, and the Ingham County Drain Commissioner. The Sierra Ridge Estates No. 4 revised preliminary plat, attached hereto as Exhibit 3, shows a revised lot and road configuration.

18. I understand further that the Township Board then cancelled its April 13, 2021, review of the Sierra Ridge Estates No. 4 plat, that Fedewa withdrew the revised preliminary plat

for Sierra Ridge Estates No. 4 after this lawsuit was filed, and that Fedewa has not yet submitted a final plat.

19. There have not been any improvements made by Fedewa, or anyone else, to Sierra Ridge Estates No. 4 – the area is primarily woods.

The Eyde Family Property

20. I have personally viewed the Eyde Family Property.

21. The Eyde Family Property is adjacent and to the east of the Fedewa Property.

22. The Eyde Family Property comprises two physically separate parcels – a southern parcel located closer to Lake Lansing Road which has been developed as a single-family residential subdivision known as Lake Lansing Estates and a northern parcel which Eyde plans to develop in the future.

23. The two parcels of the Eyde Family Property are physically separated by regulated wetlands and a large open drain (the Costigan Drain).

24. Neither Eyde Family parcel had direct access to Lake Lansing Road or any other road.

25. The southern parcel of the Eyde Family Property was provided public road access through Sierra Ridge Estates via a public road known as Isaac Lane. See, true and accurate copies of Sierra Ridge Estates No. 1 final plat, Exhibit 4, and Lake Lansing Estates final plat, Exhibit 5.

26. The northern parcel of the Eyde Family Property currently has no road access. Access is suitable through Sierra Ridge Estates No. 4.

27. More specifically, the northern parcel of the Eyde Family Property is surrounded by wetlands regulated by both the State of Michigan and Township (to the east and south), the Costigan Drain, a substantial open drain (to the south and to the east), Towner Road Park

owned by the Township with improvements that block any use for access (to the north) to M-78/Saginaw and a cellphone tower owned by Consumers Energy, with a tower and foundations which preclude construction of an access road (to the north) to M-78/Saginaw.

28. Eyde also attempted to get access for the northern parcel of the Eyde Family Property by purchasing property to the north from Ronald Applegate. Instead, he sold the property to the Township, and the Township developed the property as Towner Road Park.

29. In 2008 and 2009, Eyde attempted to get access for the northern parcel of the Eyde Family Property from the Township through Towner Road Park. Those requests were denied by the Township.

30. The Township has adopted the International Fire Code, 2018 edition, including Appendix Chapter D, which limits the number of single-family dwelling units to thirty, unless there are two separate and approved fire apparatus access roads.

31. The upland on the northern portion of the Eyde Family Property is zoned RA – One-Family Medium-Density Residential, which requires a minimum lot of area of 10,000 square feet and a lot width of 80 feet and could be developed with 12-15 single-family lots as platted subdivision or site condominium under the Township zoning and land division ordinances and the International Fire Code.

The Landlocking of The Eyde Family Property

32. Sierra Ridge Estates No. 1 included access to the southern parcel of the Eyde Family Property via Isaac Lane. See, Exhibits 4 and 5.

33. Sierra Ridge Estates No. 4 does not include access to the adjoining northern parcel of the Eyde Family Property. See, Exhibits 1 and 3.

34. Over the years, since 2003, Fedewa requested, and the Township granted, eight 2-year extensions for the original preliminary plat of Sierra Ridge Estates. Fedewa did not change the preliminary plat and the Township did not change the conditions of approval as to any of these extensions (although the final plats for Sierra Ridge Estates No. 2 and Sierra Ridge Estates No. 3 differ from the approved preliminary plat).

35. Eyde objected to Fedewa's failure to show on the preliminary plat, and the Township's failure to require as a condition of approval, a connection to the property to the east in accordance with the plain language of the Land Division Act. Neither Fedewa nor the Township took any action on any of Eyde's objections.

36. As shown on both the Sierra Ridge Estates original preliminary plat (Exhibit 1) and the Sierra Ridge Estates No. 4 revised preliminary plat (Exhibit 3), the public roads are dead-end cul-de-sacs with no connection to the northern parcel of the Eyde Family Property.

37. If Fedewa receives final plat approval for Sierra Ridge Estates No. 4, as currently configured in the preliminary plat (original or revised), the northern parcel of the Eyde Family Property, having no suitable road access from any of the surrounding property other than Sierra Ridge Estates No. 4, will become permanently isolated and landlocked.

38. Final plat approval of Sierra Ridge Estates No. 4 by the Township would allow Fedewa to complete road and utility work, sell lots, and cut off access to the northern parcel of the Eyde Family Property.

39. Upon information and belief, the Township intends to grant final plat approval for Sierra Ridge Estates No. 4 without requiring a road connection to the northern parcel of the Eyde Family Property and Fedewa intends to build Sierra Ridge Estates No. 4, sell lots, and cut off access to the northern parcel of the Eyde Family Property.

Further Affiant Sayeth Not.

Mark Clouse
Mark Clouse

STATE OF MICHIGAN)
) ss.
COUNTY OF INGHAM)

Subscribed and sworn to before me, a notary public, on this 27th day of April 2021.

JASON GOLDIE
Notary Public - State of Michigan
COUNTY OF CLINTON
My Commission Expires August 30, 2022
Acting in the County of Ingham

Jason Goldie
Jason Goldie, Notary Public
Clinton County, MI
My Commission Expires: August 30, 2022
Acting in Ingham County, MI

LIST OF EXHIBITS TO AFFIDAVIT OF MARK CLOUSE

1. Sierra Ridge Estates (all 4 phases) preliminary plat
2. Township wetland map
3. Sierra Ridge Estates No. 4 revised preliminary plat
4. Sierra Ridge Estates No. 1 final plat
5. Lake Lansing Estates final plat

EXHIBIT 1

to Affidavit of Mark Clouse

**Sierra Ridge Estates
(all 4 phases) preliminary plat**

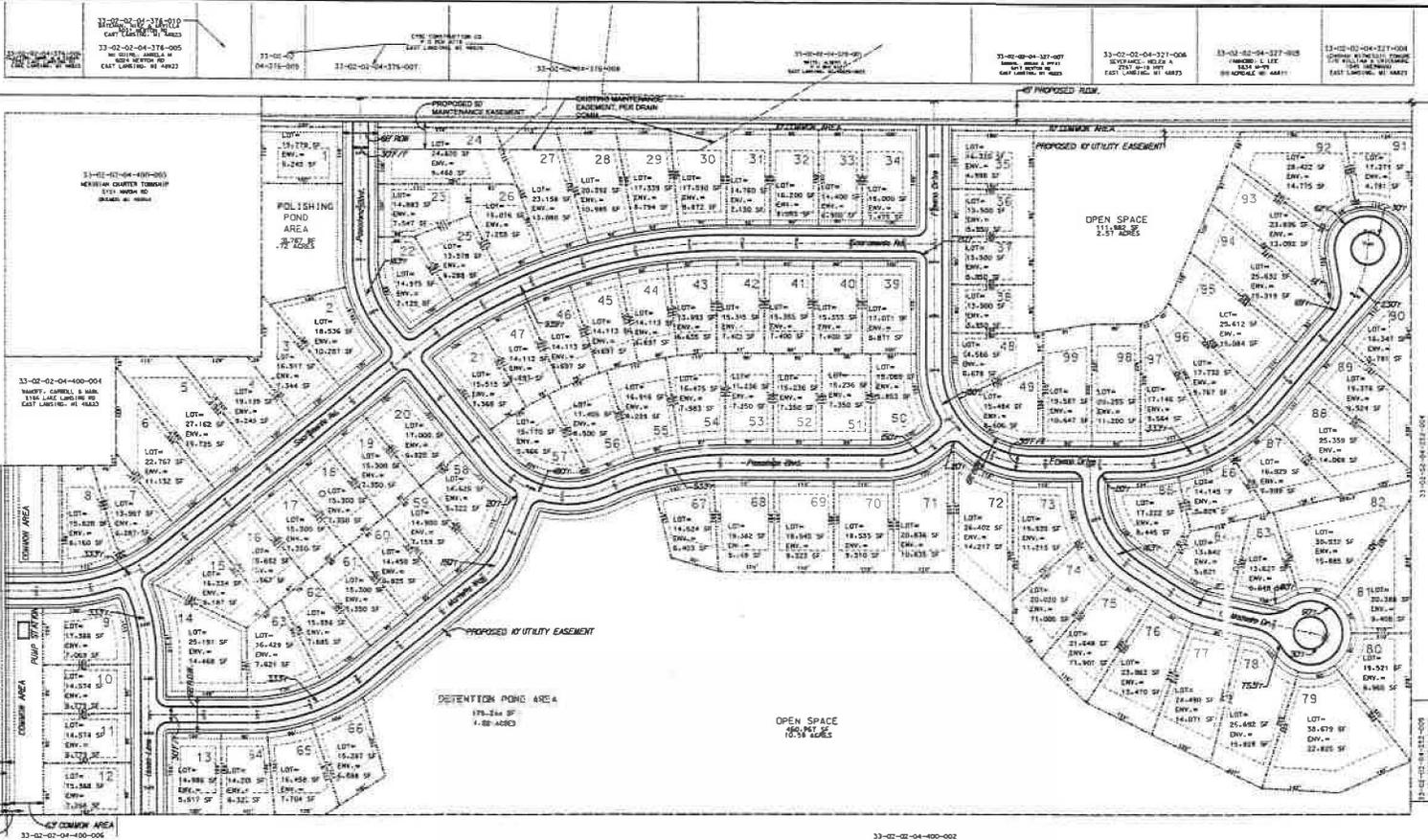
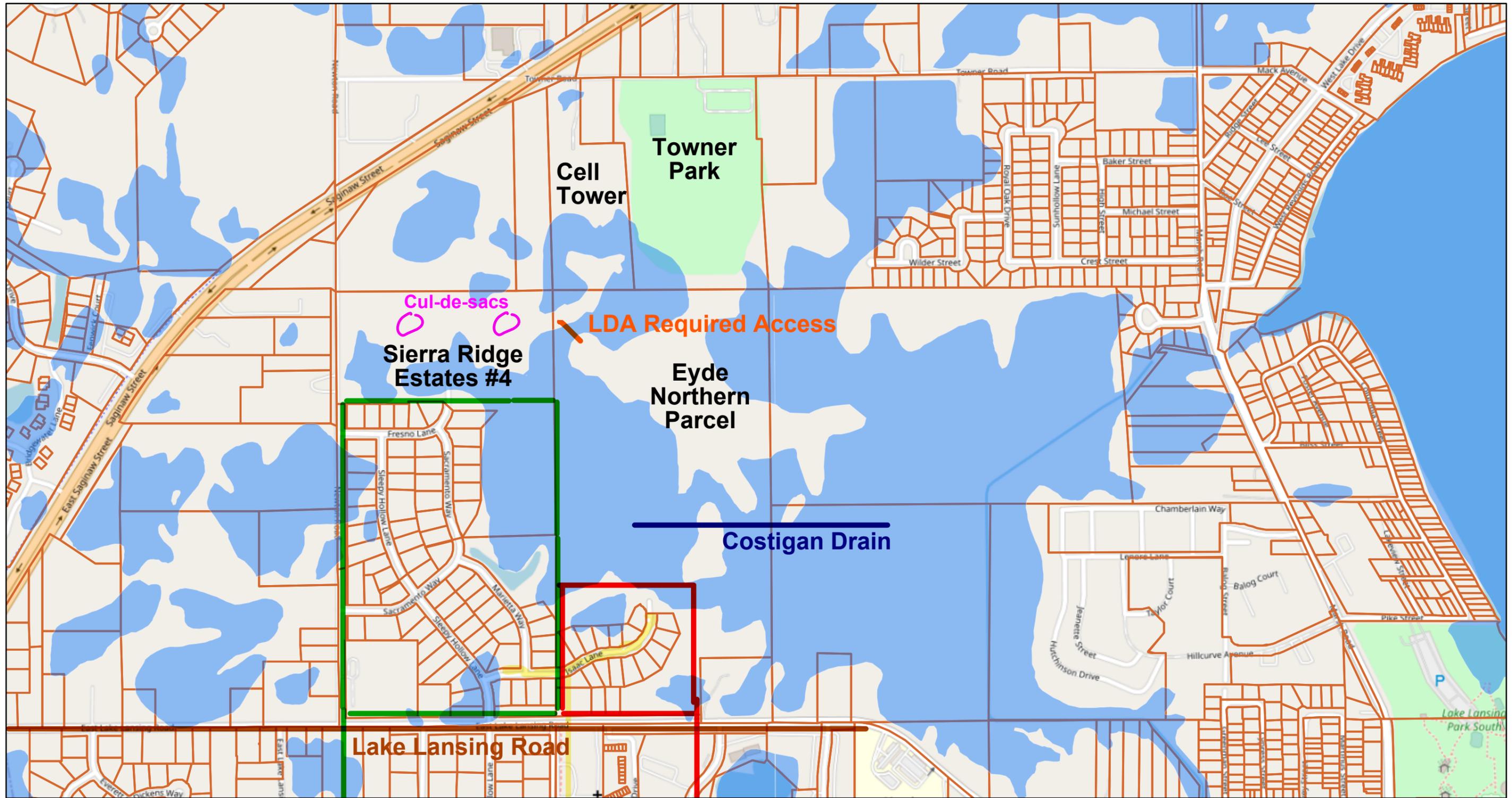


EXHIBIT 2

to Affidavit of Mark Clouse

Township wetland map

ArcGIS Web Map



3/24/2021, 3:34:33 PM

Township Boundary

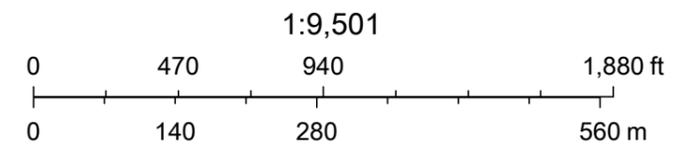
Wetlands

Parcel Layer

Fedewa's Sierra Ridge Estates 1-3

Access from Sierra Ridge to Lake Lansing Estates - Isaac Lane

Eyde's Lake Lansing Estates



© OpenStreetMap (and) contributors, CC-BY-SA

EXHIBIT 3

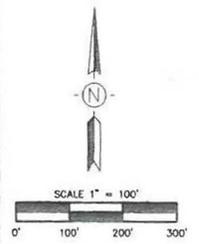
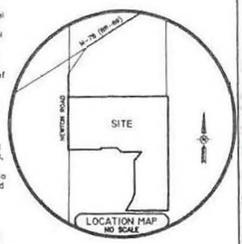
to Affidavit of Mark Clouse

**Sierra Ridge Estates No. 4
revised preliminary plat**

Sierra Ridge Est# 4

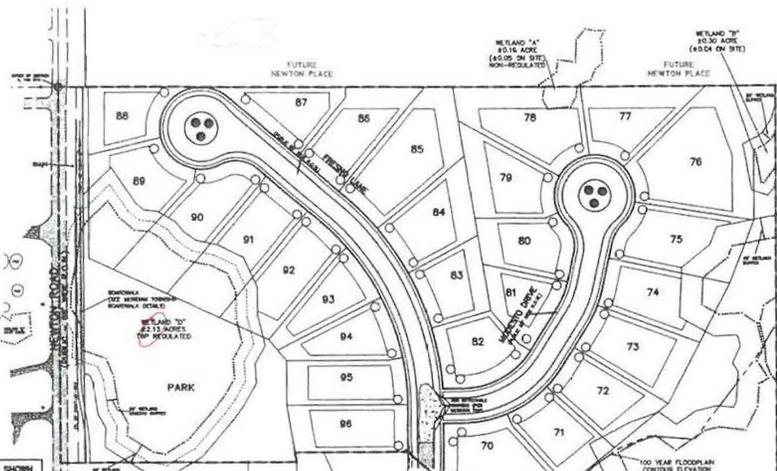
MERIDIAN TOWNSHIP, INGHAM COUNTY, MICHIGAN

Proposed Sierra Ridge Estates No. 4 Legal Description: A parcel of land in the Southeast 1/4 of Section 4, T4N, R1W, Meridian Township, Ingham County, Michigan, the boundary of said parcel described as: Commencing at the South 1/4 corner of said Section 4; thence N00°08'49"E along the North-South 1/4 line of said Section 4 a distance of 1847.55 feet to the Northwest corner of Sierra Ridge Estates No. 3 as recorded in Book 56 of Plats, Pages 33-35, Ingham County Records and the point of beginning of this description; thence N00°08'49"E continuing along said North-South 1/4 line 698.35 feet to the Center of said Section 4; thence S89°44'44"E along the East-West 1/4 line of said Section 4 a distance of 1332.42 feet to the East line of the West 1/2 of said Section 1/4; thence S00°04'18"W along said East line 1507.09 feet to the Northeast corner of Sierra Ridge Estates as recorded in Liber 56 of Plats, Pages 42-44, Ingham County Records; thence N89°05'42"E along the North line of said Sierra Ridge Estates 559.43 feet to the Southeast corner of Sierra Ridge Estates No. 2 as recorded in Book 56 of Plats, Pages 19-21, Ingham County Records; thence along the East and North lines of said Sierra Ridge Estates No. 2 the following eight courses: N31°06'40"E 163.89 feet, N152°04'E 80.64 feet, N00°04'15"E 435.45 feet, N41°30'06"E 148.04 feet, N89°45'10"W 288.44 feet, N48°21'26"W 84.24 feet, N89°51'37"W 210.15 feet and S09°13'32"E 18.13 feet; thence N89°51'37"W continuing along said North line and the North line of said Sierra Ridge Estates No. 3 a distance of 433.72 feet to the point of beginning; said parcel containing 12.95 acres, more or less, including 0.52 acre, more or less, presently in use as public right of way said parcel subject to all easements and restrictions, if any.



SEWER INVENTORIES

- CATCH BASIN #100**
 10' CONC WEST - 858.11
 10' CONC SOUTH - 858.27
- CATCH BASIN #101**
 10' CONC WEST - 858.58
 8' CONC EAST - 858.66
- STORM MANHOLE #102**
 24" CONC NORTH - 854.32
 24" CONC SOUTH - 854.43
 10' CONC NORTH - 858.27
- STORM MANHOLE #103**
 24" CONC NORTH - 853.44
 24" CONC SE - 853.29
 24" CONC SW - 853.63
 10' CONC WEST - 858.58
- SANITARY MANHOLE #200**
 8" PVC NORTH - 853.30
 8" PVC SOUTH - 853.10
- SANITARY MANHOLE #201**
 8" PVC NORTH - 852.24
 8" PVC SW - 852.40
 8" PVC SE - 852.15



NOTE: PROPOSED TREES SHOWN CLOSE TOGETHER SHALL BE PLANTED FURTHER APART WHEN DRIVEWAY LOCATION ARE KNOWN

NOTE: STREET LIGHTING WILL REQUIRE A LIGHTING DISTRICT AND WILL BE DESIGNED BY CONSUMERS AGENCY.

- DENOTED PROPOSED STREET TREE LOCATIONS**
- STREET TREES REQUIRED**
 1 STREET TREE FOR EVERY 70 FEET OF FRONTAGE
- TOTAL ROAD FRONTAGE = 3183.70=45,17=46 TREES REQUIRED = 46 TREES PROVIDED**

- DENOTED PROPOSED CUL-DE-SAC TREE LOCATIONS**
- TREES REQUIRED**
 1 TREE FOR EVERY 1,000 SQUARE FEET OF ISLAND
- TOTAL ISLAND AREA = 5,488 SF (2 ISLANDS)**
 REQUIRED 6 TREES = 6 TREES PROVIDED

- TREE NOTES:**
- STREET TREES SHALL BE 2" MIN. CALIPER WHEN PLANTED
 - CUL-DE-SAC TREES SHALL BE 3" MIN. CALIPER WHEN PLANTED, 10' BEHIND BACK OF CURB
 - NO MORE THAN TWO PLANTED TREES IN A ROW SHALL BE THE SAME SPECIES.
 - NO MORE THAN 25% OF TREES CAN BE THE SAME SPECIES.

BOUNDARIES:

BM#3 - ELEVATION 871.07 N.A.V.D. 88
 NORTHEAST BOLT UNDER "A" AT THE
 SOUTHEAST CORNER OF NEWTON ROAD &
 SAGINAW HIGHWAY/74-78

BM#4 - ELEVATION 867.82 N.A.V.D. 88
 SOUTHEAST BOLT UNDER "C" ON THE
 EAST SIDE OF NEWTON ROAD, 140' S
 SOUTH OF NORTHEAST CORNER OF SITE

NOTE: WATER SHALL HAVE 10' HORIZONTAL SEPARATION & 12" VERTICAL SEPARATION FROM ALL SEWERS

EX. LEGEND

(M) = MEASURED DISTANCE	○ = SANITARY MANHOLE
(R) = RECORD DISTANCE	○ = ORNAMENTAL MANHOLE
⊖ = SET 1/4" BAR WITH CAP	○ = ELECTRIC MANHOLE
⊖ = FOUND IRON AS NOTED	○ = TELEPHONE MANHOLE
⊖ = DEED LINE	○ = CATCHBASIN
- - - = DISTANCE, NOT TO SCALE	○ = SANITARY CLEANOUT
○ = FENCE	○ = FIRE HYDRANT
○ = KERNAL	○ = VALVE
○ = CONCRETE	○ = UTILITY POLE
○ = DIRT	○ = LIGHT POLE
○ = EXISTING SPOT ELEVATION	○ = DIRT HOLE
○ = EXISTING CONTOUR ELEVATION	○ = DIRT MIRE
○ = GAS LINE	○ = UTILITY PEDESTAL
○ = UNDERGROUND TELEPHONE	○ = TRANSFORMER
○ = UNDERGROUND ELECTRIC	○ = MANHOLE
○ = OVERHEAD WIRING	○ = ELECTRIC METER
○ = EDGE OF WOODS	○ = GAS METER
○ = DEODOROUS TREE	○ = WATER METER
○ = CONIFERUS TREE	○ = SOIL BORING
○ = BUSH	○ = SIGN
	○ = POST
	○ = AIR CONDITIONING UNIT

EXISTING POND QUILITY TO COURTESY DRAIN (POOL PLAN)

SIERRA RIDGE ESTATES
 LIBER 56 PLATES 42-44

NOTE: ALL SANITARY SEWER & WATER MAIN SHALL HAVE A 20' WIDE EASEMENT

STORM SEWER

- All storm sewer construction shall comply with the requirements of the Ingham County Drain Commission and the Ingham County Road Commission and shall be subject to their inspection and approval.
- All 12" - 18" pipe shall be PVC SD 35 or HDPE N-12. All joints shall be "T" ring rubber-gaskets.
- All storm sewer pipe 12" and larger shall be C-76 Class II reinforced concrete pipe.
- All storm sewer installed within the influence the public road shall be C-76, Class II reinforced concrete pipe with premium joints using MUDT trench catch pit.
- All pipe to be laid with the aid of water equipment.
- All storm sewer manholes and catch basins shall be ASTM C-478 precast concrete with a minimum of two (2) precast reinforced concrete adjoining ribs for structural curb inlets.
- Catch basin coverings shall be East Jordan 7043 or Newark R3034A for Standard curb inlets.
- All catch basins and yard drains shall have a three foot deep sump.

MERIDIAN TOWNSHIP ZONING ORDINANCE

- ZONED - RAA**
- MINIMUM LOT SIZE: 13,500 S.F.
 G25% CAN BE 12,000 S.F. BUT PLAT MUST AVG. 13,500
- MINIMUM LOT WIDTH: 90'
 G25% CAN BE 80' BUT PLAT MUST AVG. 90' AND NO MORE THAN 2 ADJACENT
- MINIMUM CORNER LOT WIDTH: 100' ON LOT FRONT SIDE
- SETBACKS:
 FRONT - 25'
 SIDE 10'
 REAR - 30' (LOTS UP TO 150') 40' (OVER 150')

SHEET INDEX

- OVERALL & STREET TREE PLAN
 - UTILITY PLAN
 - STORM & DRAINING PLAN
 - SECC PLAN
 - PLAN & PROFILE
 - PLAN & PROFILE
 - SECC/DETAIL SHEET
- ATTACHMENTS:
 MERIDIAN TWP. WATER SHEET
 MERIDIAN TWP. SANITARY SHEET
 MERIDIAN TWP. PARKWAY SHEET
 MERIDIAN TWP. BOARDWALK SHEET



REVISIONS NO. 01 - 01 - 01 - 01 DATE: 7-20-20 DRAWN BY: JLN CHECKED BY: JLN		10' (9/22/27) (3/27/27) - COMBINED SURVEY (P6443) (3/27/27)
KEBS, INC. 8700 SAGINAW ROAD, MARENGO, MI 48840 PH: 517-338-0124 FAX: 517-338-0077		ERES CONSULTANTS BYRON LIND SURVEYS 1000 S. HAWK CREEK RD. MARENGO, MI 48840 PH: 517-338-0124 FAX: 517-338-0077
Project: Sierra Ridge Est# 4 Title: OVERALL & STREET TREE PLAN Scale: 1" = 100' Date: 7-20-20 Drawn by: JLN Checked by: JLN		SHEET 1 OF 7 JOB # 96463

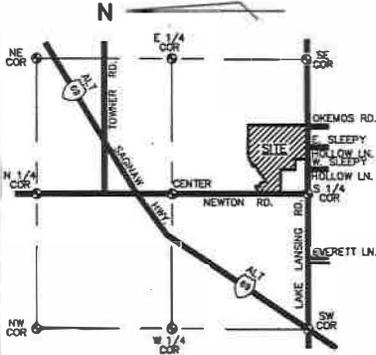
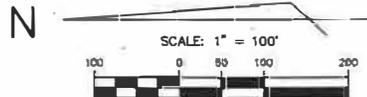
EXHIBIT 4

to Affidavit of Mark Clouse

**Sierra Ridge Estates No. 1
final plat**

SIERRA RIDGE ESTATES

PART OF THE SOUTHEAST QUARTER OF SECTION 4, TOWN 4 NORTH, RANGE 1 WEST, MERIDIAN TOWNSHIP, INGHAM COUNTY, MICHIGAN



SECTION 4, TOWN 4 NORTH, RANGE 1 WEST
MERIDIAN TOWNSHIP
LOCATION MAP
NOT TO SCALE

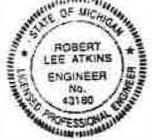
LEGEND

- All dimensions are in feet.
- All curve dimensions are arc measurements.
- 4" diameter, 3' long concrete monuments with 1/2" diameter steel rod, 36" long in center have been placed at points marked thus "a". 4" diameter concrete monuments with 1/2" diameter steel rod in center have been found at points marked thus "e".
- Lot corners have been marked with 1/2" diameter steel rods 18" long. No I.D. Caps.
- Bearings were established from the recorded plat of SLEEPY HOLLOW, L. 25, P. 12.
- ⊙ Indicates curve data number.
- (R) = Radial line.
- (NR) = Non-radial line.

NO.	RADIUS	ARC	DELTA	CHORD
1	306.00'	12.33'	18°59'50"	N09°29'49"W 120.80'
2	300.00'	116.33'	21°23'17"	N79°10'21"E 111.87'
3	866.00'	136.72'	21°52'23"	S79°03'54"W 138.88'
4	386.00'	61.68'	09°38'18"	N04°11'59"W 61.00'
6	213.00'	70.18'	18°52'45"	N41°32'00"E 80.87'
6	117.00'	69.15'	29°27'14"	S53°45'15"E 56.49'
7	300.00'	204.73'	39°06'00"	S19°28'36"E 200.78'
8	36.60'	249.77'	53°05'00"	N19°28'36"W 244.35'
9	183.00'	94.07'	29°27'14"	N53°45'15"W 83.04'
10	213.00'	100.21'	28°57'17"	N00°47'01"E 90.28'
11	147.00'	163.22'	63°37'05"	S19°08'30"W 134.95'
12	906.00'	104.11'	06°33'03"	N33°01'58"W 104.06'
13	972.00'	96.35'	05°40'48"	S33°37'35"E 96.31'
14	160.00'	102.18'	38°01'44"	S70°28'14"W 100.21'
15	218.00'	147.14'	38°01'44"	N70°29'14"E 144.31'
16	350.00'	204.35'	38°01'44"	S19°30'48"E 200.43'
17	736.00'	124.79'	08°42'53"	N51°22'29"W 124.64'
18	736.00'	77.77'	08°03'16"	N33°12'17"W 77.74'

THIS PLAN IS SUBJECT TO RESTRICTIONS AS REQUIRED BY ACT 289 OF 1967, AS AMENDED ON CERTAIN LOTS WITH RESPECT TO THE REQUIREMENTS OF THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY, WHICH IS RECORDED IN LIBER 3191 PAGE 95 OF RECORDS OF THIS COUNTY.

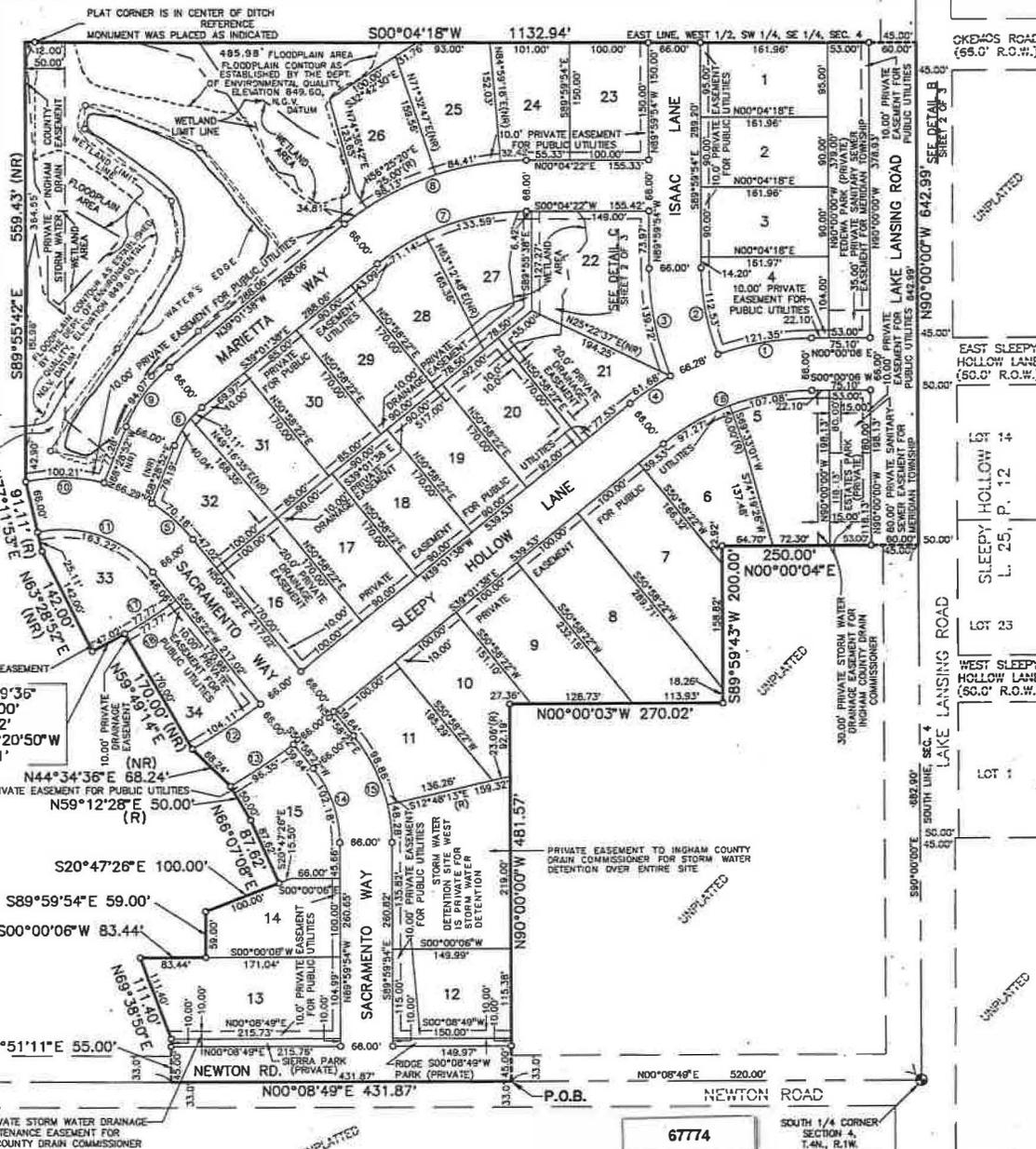
100.00' PRIVATE DRAINAGE EASEMENT
DELTA = 03°39'36"
RADIUS = 736.00'
LENGTH = 47.02'
CHORD = N28°20'50"W 47.01'



Robert L. Atkins, Professional Engineer No. 43180 Secretary



Charles W. Glasner, Professional Surveyor/Engineer No. 13165



CENTER SECTION 4, T.4N., R.1W., L. 11, P. 287

NORTH & SOUTH 1/4 LINE, SEC. 4
NEWTON ROAD

100.00' PRIVATE STORM WATER DRAINAGE MAINTENANCE EASEMENT FOR INGHAM COUNTY DRAIN COMMISSIONER

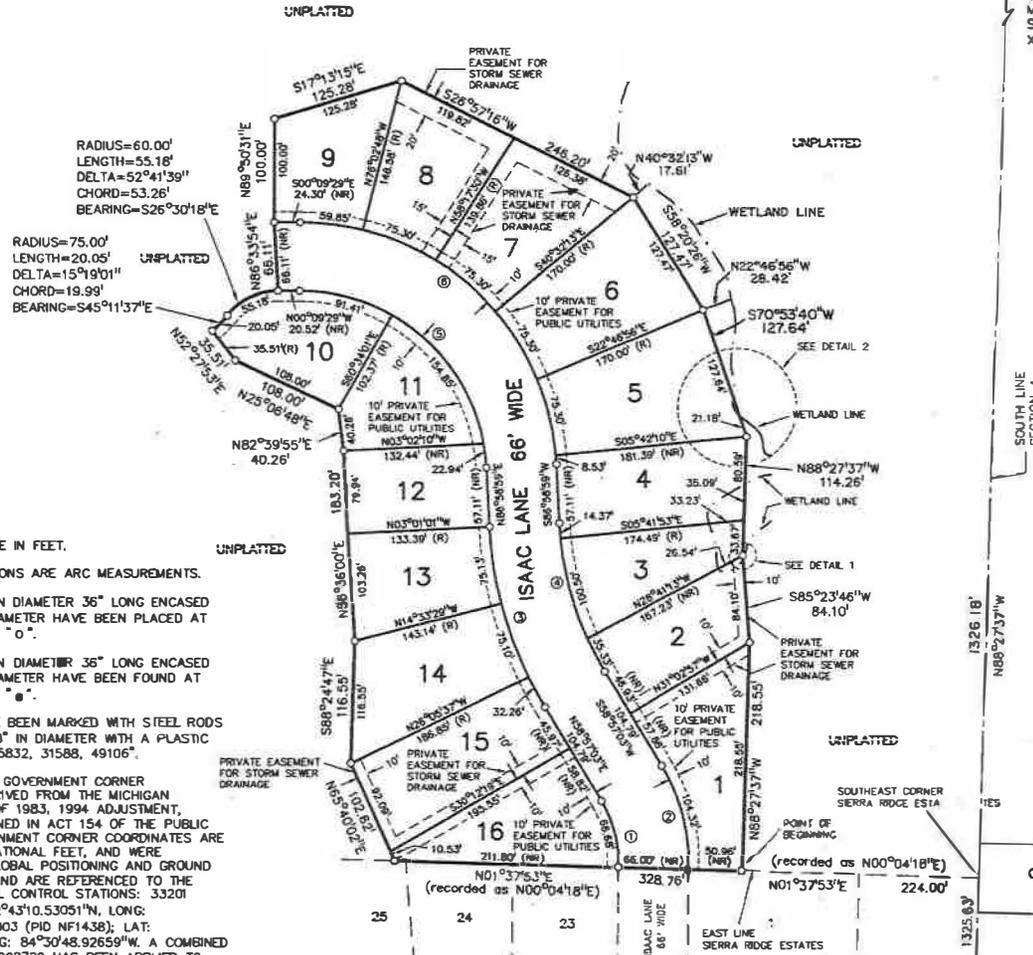
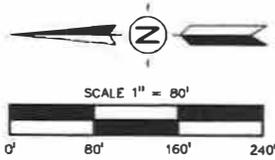
67774

SOUTH 1/4 CORNER SECTION 4, T.4N., R.1W., L.11, P. 289

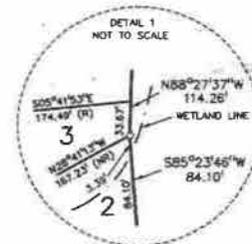
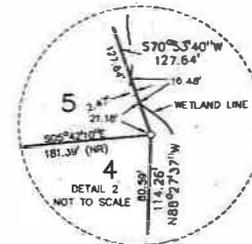
EXHIBIT 5
to Affidavit of Mark Clouse
Lake Lansing Estates final plat

LAKE LANSING ESTATES

A SUBDIVISION OF PART OF THE SOUTHEAST 1/4 OF SECTION 4, T4N, R1W,
MERIDIAN TOWNSHIP, INGHAM COUNTY, MICHIGAN



SOUTHEAST CORNER
SECTION 4, T4N, R1W
LIBER 11, PAGE 283
X = 13,108,325.9826
Y = 457,424.3078
M.C.S. 83-94, SOUTH ZONE
STANDARD DEVIATION:
X = 0.04', Y = 0.03'



Jeffrey K. Auerhuth

THIS PLAT IS SUBJECT TO RESTRICTIONS BY ACT 288 OF 1967, AS AMENDED ON CERTAIN LOTS WITH RESPECT TO THE REQUIREMENTS OF THE MERIDIAN CHARTER TOWNSHIP WHICH ARE RECORDED IN LIBER 3192, PAGE 378, OF RECORDS OF THIS COUNTY.

CURVE DATA					
CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING
1	66.68'	117.00'	32°39'11\"	65.78'	N75°16'38\"
2	104.32'	183.00'	32°39'47\"	102.92'	S75°16'56\"
3	182.48'	373.00'	28°01'56\"	180.58'	N72°58'01\"
4	150.20'	307.00'	28°01'56\"	148.31'	S72°58'01\"
5	269.20'	571.00'	87°08'28\"	243.99'	N43°24'45\"
6	384.36'	243.00'	87°08'28\"	334.97'	S43°24'45\"

LEGEND

- ALL DIMENSIONS ARE IN FEET.
- ALL CURVE DIMENSIONS ARE ARC MEASUREMENTS.
- STEEL BARS 1/2" IN DIAMETER 36" LONG ENCASED IN CONCRETE 4" IN DIAMETER HAVE BEEN PLACED AT ALL CORNERS MARKED "o".
- STEEL BARS 1/2" IN DIAMETER 36" LONG ENCASED IN CONCRETE 4" IN DIAMETER HAVE BEEN FOUND AT ALL CORNERS MARKED "•".
- LOT CORNERS HAVE BEEN MARKED WITH STEEL ROOS 18" IN LENGTH BY 5/8" IN DIAMETER WITH A PLASTIC CAP MARKED "KCBS 25832, 31588, 49106".
- ALL BEARINGS AND GOVERNMENT CORNER COORDINATES ARE DERIVED FROM THE MICHIGAN COORDINATE SYSTEM OF 1983, 1994 ADJUSTMENT, SOUTH ZONE, AS DEFINED IN ACT 154 OF THE PUBLIC ACTS OF 1988. GOVERNMENT CORNER COORDINATES ARE EXPRESSED IN INTERNATIONAL FEET, AND WERE ESTABLISHED USING GLOBAL POSITIONING AND GROUND TRAVERSE METHODS, AND ARE REFERENCED TO THE FOLLOWING HORIZONTAL CONTROL STATIONS: 33201 (PID NF1747); LAT: 42°43'10.53051"N, LONG: 84°24'57.76732"W; 19003 (PID NF1438); LAT: 42°46'15.65231"N, LONG: 84°30'48.92659"W. A COMBINED SCALE FACTOR OF 0.9998729 HAS BEEN APPLIED TO ACHIEVE GROUND DISTANCES. THE CONVERGENCE OF GRID BEARING TO TRUE NORTH AT THE SOUTH 1/4 CORNER OF SECTION 4, IS -00°04'00". ALL BEARINGS AND DISTANCES SHOWN ARE GROUND BEARINGS AND GROUND DISTANCES.
- R = RADIAL LINE NR = NON RADIAL LINE

SIERRA RIDGE ESTATES
LIBER 56 OF PLATS, PAGES 42-44

SOUTH 1/4 CORNER
SECTION 4, T4N, R1W
LIBER 11, PAGE 289
X = 13,105,675.4680
Y = 457,495.5914
M.C.S. 83-94, SOUTH ZONE
STANDARD DEVIATION:
X = 0.05', Y = 0.03'

68011

SHEET 1 OF 2

LAKE LANSING ESTATES

A SUBDIVISION OF PART OF THE SOUTHEAST 1/4 OF SECTION 4, T4N, R1W,
MERIDIAN TOWNSHIP, INGHAM COUNTY, MICHIGAN

SURVEYOR'S CERTIFICATE

I, Jeffrey K. Autenrieth, Surveyor, certify:

That I have surveyed, divided, and mapped the land shown on this plat, described as follows:

LAKE LANSING ESTATES a subdivision of part of the Southeast 1/4 of Section 4, T4N, R1W, Meridian Township, Ingham County, Michigan, described as: Commencing at the Southeast corner of said Section 4; thence N88°27'37"W along the South line of said Section 4 a distance of 1326.18 feet to the Southeast corner of Sierra Ridge Estates as recorded in Liber 56 of Plots, Pages 42-44, Ingham County Records; thence N01°37'53"E (recorded as N00°04'18"E) along the East line of said Sierra Ridge Estates 224.00 feet to the point of beginning of this description; thence continuing N01°37'53"E (recorded as N00°04'18"E) along said East line 328.76 feet; thence N65°40'02"E 102.62 feet; thence S68°24'47"E 116.55 feet; thence N86°36'00"E 183.20 feet; thence N82°39'55"E 40.26 feet; thence N25°06'48"E 108.00 feet; thence N52°27'53"E 35.51 feet to a non-tangent curve; thence Southeasterly 20.05 feet along a curve to the left, said curve having a radius of 75.00 feet, a delta angle of 15°19'01", and a chord length of 19.99 feet bearing S45°11'37"E; thence Southeasterly 53.18 feet along a curve to the right, said curve having a radius of 60.00 feet, a delta angle of 32°41'39", and a chord length of 53.26 feet bearing S26°30'18"E; thence N86°33'54"E 66.11 feet; thence N89°50'31"E 100.00 feet; thence S17°13'45"E 125.28 feet; thence S26°57'16"W 246.20 feet; thence S58°20'26"W 127.47 feet; thence S70°53'40"W 127.64 feet; thence N88°27'37"W 114.26 feet; thence S85°23'46"W 84.10 feet; thence N88°27'37"W 218.55 feet to the point of beginning; containing 6.14 acres and containing 16 Lots, numbered 1 through 16 inclusive.

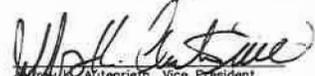
That I have made such survey, land-division, and plat by the direction of the owners of such land;

That such plat is a correct representation of all exterior boundaries of the land surveyed and the subdivision of it;

That the required monuments and lot markers have been located in the ground or that surety has been deposited with the municipality, as required by section 125 of the Act;

That the accuracy of the survey is within the limits required by section 126 of the Act; That all bearings shown on the plat are expressed as required by section 126(3) of the Act and as explained in the legend.

Date: 10-28-06


Jeffrey K. Autenrieth, Vice President
Professional Surveyor No. 31588
KESK, INC.
2116 Haslett Road
Haslett, Michigan 48840



CERTIFIED TRUE COPY OF
RECORDED PLAT
BY DEPARTMENT OF LABOR
AND ECONOMIC GROWTH
BY Manard R. Dyer
MAYNARD R. DYER, P.S., DIRECTOR
OFFICE OF LAND SURVEY
AND REMONUMENTATION
DATE 11-9-2006

PROPRIETOR'S CERTIFICATE

We as proprietors certify that we caused the land embraced in this plat to be surveyed, divided, mapped and dedicated as represented on this plat and that the land is for the use of the public; that the public utility easements are private easements, and that all other easements are for the uses shown on the plat.

Eyde Construction Company
Co-partnership
Ingham County Clerk's Office
Filed January 17, 2003
C-0008883
4660 S. Hagadorn Road
Suite 660
East Lansing, Michigan 48823


Louis J. Eyde, Co-partner

George F. Eyde, Co-partner

ACKNOWLEDGEMENT

State of Michigan }
County of Ingham } S.S.

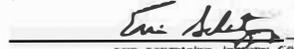
Personally came before me this 10th day of July, 2006, Louis J. Eyde, Co-partner and George F. Eyde, Co-partner of the above name co-partnership, to me known to be the persons who executed the foregoing instrument, and to me known to be such co-partners of said co-partnership and acknowledged that they executed the foregoing instrument as such co-partners as the free act and deed of said co-partnership, by its authority.

Notary Public, Kathy M. Elsworth, Ingham County, Michigan
Kathy M. Elsworth acting in the County of Ingham, Michigan

My commission expires 1-20-2012

COUNTY TREASURER'S CERTIFICATE

The records in my office show no unpaid taxes or special assessments for the five years preceding July 11, 2006, involving the lands included in this plat.


Eric Schertzing, Ingham County Treasurer

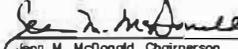
COUNTY DRAIN COMMISSIONER'S CERTIFICATE

Approved on 8-15, 2006, as complying with Section 192 of Act 288, P. A. 1967 and the applicable rules and regulations published by my office in the County of Ingham.

Date original mylar is signed 8-17-06
Patrick E. Lindemann
Ingham County Drain Commissioner

CERTIFICATE OF COUNTY ROAD COMMISSIONERS

Approved on August 15, 2006, as complying with Section 183 of Act 288, P. A. 1967 and the applicable published rules and regulations of the Board of Road Commissioners of Ingham County.


Jean M. McDonald, Chairperson
August 23, 2006
Date original mylar is signed

CERTIFICATE OF MUNICIPAL APPROVAL

I certify that this final plat was approved by the Township Board of the Township of Meridian at a meeting held August 15, 2006, and was reviewed and found to be in compliance with Act 288, P.A. 1967; that public sewer and public water services are installed and ready for connection; and that Meridian Township has adopted zoning and subdivision control ordinances, and waives the minimum lot sizes specified in the Act; and that adequate surety has been deposited with the Clerk for the placing of monuments and lot markers within a reasonable length of time, not to exceed one year from the above date.

August 31, 2006
Date original mylar is signed

Mary M.C. Halmbrecht, Clerk

COUNTY PLAT BOARD CERTIFICATE

This plat has been reviewed and is approved by the Ingham County Plat Board on September 6, 2006, as being in compliance with all of the provisions of Act 288, P.A. 1967 and the Plat Board's applicable rules and regulations.


Eric Schertzing, County Treasurer

Paula Johnson, Register of Deeds

Mike Bryanton, County Clerk

RECORDING CERTIFICATE

State of Michigan
Ingham County

This plat was received for record on the 3rd day of November, 2006, at 12:47 p.m., and recorded in Liber 57 of plots at Pages 20-21.

151
Paula Johnson, Register of Deeds

68011

Sierra Ridge Est# 4

MERIDIAN TOWNSHIP, INGHAM COUNTY, MICHIGAN

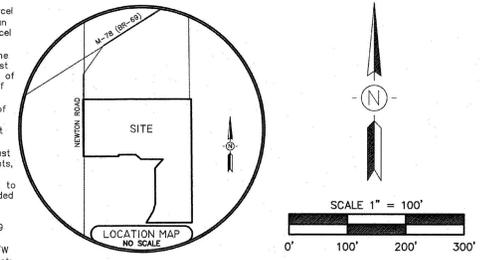
CLIENT:

G.S. FEDEWA BUILDERS
5530 OCEANUS ROAD
EAST LANSING, MI 48823
PH (313) 719-4022

ENGINEER/SURVEYOR:

KEBS, INC.
2116 HASLETT RD.
HASLETT, MI 48840
PH (313) 338-1014
FAX (313) 330-9047

Proposed Sierra Ridge Estates No. 4 Legal Description: A parcel of land in the Southeast 1/4 of Section 4, T4N, R1W, Meridian Township, Ingham County, Michigan, the boundary of said parcel described as: Commencing at the South 1/4 corner of said Section 4; thence N00°08'49"E along the North-South 1/4 line of said Section 4 a distance of 1947.58 feet to the Northwest corner of Sierra Ridge Estates No. 3 as recorded in Book 58 of Plats, Pages 33-35, Ingham County Records and the point of beginning of this description; thence N00°08'49"E continuing along said North-South 1/4 line 698.35 feet to the Center of said Section 4; thence S89°44'44"E along the East-West 1/4 line of said Section 4 a distance of 1322.42 feet to the East line of the West 1/2 of said Southeast 1/4; thence S00°04'18"W along said East line 1507.09 feet to the Northeast corner of Sierra Ridge Estates as recorded in Liber 56 of Plats, Pages 42-44, Ingham County Records; thence N89°55'42"W along the North line of said Sierra Ridge Estates No. 2 as recorded in Book 58 of Plats, Pages 19-21, Ingham County Records; thence along the East and North lines of said Sierra Ridge Estates No. 2 the following eight courses: N31°06'40"E 165.89 feet, N18°27'04"E 90.84 feet, N00°04'15"E 435.45 feet, N41°56'08"E 148.04 feet, N89°51'17"W 268.44 feet, N48°12'26"W 84.24 feet, N89°51'17"W 210.15 feet and S09°13'32"E 180.13 feet; thence N89°51'17"W continuing along said North line and the North line of said Sierra Ridge Estates No. 3 a distance of 433.77 feet to the point of beginning; said parcel containing 29.72 acres, more or less, including 0.52 acre, more or less, presently in use as public right of way; said parcel subject to all easements and restrictions, if any.



EX. SEWER INVENTORIES

- CATCH BASIN #100
INLET - 864.82
8" CONC. WEST - 859.11
10" CONC. SOUTH - 858.67
- CATCH BASIN #101
INLET - 864.90
8" CONC. EAST - 859.60
- STORM MANHOLE #102
RM - 855.19
24" CONC. NORTH - 854.52
24" CONC. SOUTH - 854.43
10" CONC. NORTH - 858.27
- STORM MANHOLE #103
RM - 856.33
24" CONC. NORTH - 853.44
24" CONC. SE - 852.01
24" CONC. SW - 853.53
12" CONC. WEST - 856.58
- SANITARY MANHOLE #200
RM - 855.35
8" PVC NORTH - 853.20
8" PVC SOUTH - 853.10
- SANITARY MANHOLE #201
RM - 856.54
8" PVC NORTH - 852.24
8" PVC SOUTH - 852.40
8" PVC SE - 852.15

TRAFFIC DATA:

NEWTON ROAD - 669 (2008)

NOTE: PROPOSED TREES SHOWN CLOSE TOGETHER SHALL BE PLANTED FURTHER APART WHEN DRIVEWAY LOCATION ARE KNOWN

NOTE: STREET LIGHTING WILL REQUIRE A LIGHTING DISTRICT AND WILL BE DESIGNED BY CONSUMERS ENERGY.

- DENOTED PROPOSED STREET TREE LOCATIONS
- STREET TREES REQUIRED
- 1 STREET TREE FOR EVERY 70 FEET OF FRONTAGE
- TOTAL ROAD FRONTAGE = 3183.70=45.17=46 TREES REQUIRED - 46 TREES PROVIDED
- DENOTED PROPOSED CUL-DE-SAC TREE LOCATIONS
- TREES REQUIRED
- 1 TREE FOR EVERY 1,000 SQUARE FEET OF ISLAND
- TOTAL ISLAND AREA = 5,468 SF (2 ISLANDS) REQUIRED 5 TREES - 6 TREES PROVIDED

BENCHMARKS:

- BM3 - ELEVATION 871.07 N.A.V.D. 88
NORTHEAST BOLT UNDER "A" AT THE
SOUTHEAST CORNER OF NEWTON ROAD &
SAGANAN HIGHWAY/M-78
- BM4 - ELEVATION 867.82 N.A.V.D. 88
SOUTHEAST BOLT UNDER "E" ON THE
EAST SIDE OF NEWTON ROAD, 140' E
SOUTH OF NORTHWEST CORNER OF SITE

NOTE: WATER SHALL HAVE 10' HORIZONTAL SEPARATION & 18" VERTICAL SEPARATION FROM ALL SEWERS.

LEGEND

- EXT. CONTOURS
- EXT. WATER MAIN
- EXT. SANITARY SEWER
- EXT. STORM SEWER
- EXT. ELEVATIONS
- PROPOSED WATER MAIN
- PROPOSED SANITARY SEWER
- PROPOSED STORM SEWER
- PROPOSED CUL-DE-SAC
- MANHOLE (ELEV.)
- UTILITY EASEMENT
- CENTER LINE OF ROAD
- RIGHT OF WAY
- PROPERTY LINE
- FIRE HYDRANT
- WATER VALVE
- THRUST BLOCK
- PROPOSED TOP OF CURB ELEV.

ZONED C-2

NOTE: NOT FULLY WORKED

ZONED RRA

NOTE: NOT FULLY WORKED

ZONED RA

NOTE: NOT FULLY WORKED

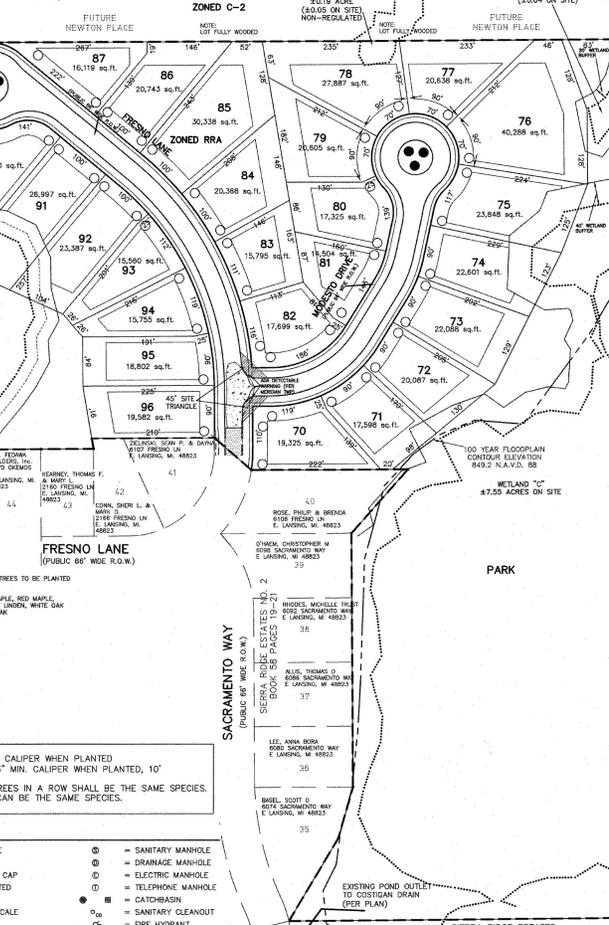
EX. LEGEND

- (M) = MEASURED DISTANCE
- (R) = RECORD DISTANCE
- = SET 1/2" BAR WITH CAP
- = FOUND IRON AS NOTED
- = DEED LINE
- = DISTANCE NOT TO SCALE
- = ASPHALT
- = CONCRETE
- = DECK
- = GRAVEL
- = EXISTING SPOT ELEVATION
- = EXISTING CONTOUR ELEVATION
- = GAS LINE
- = UNDERGROUND TELEPHONE
- = UNDERGROUND ELECTRIC
- = OVERHEAD WIRE
- = EDGE OF WOODS
- = CONIFEROUS TREE
- = BUSH
- = SANITARY MANHOLE
- = DRAINAGE MANHOLE
- = ELECTRIC MANHOLE
- = TELEPHONE MANHOLE
- = CATCH-BASEIN
- = SANITARY CLEANOUT
- = FENCE
- = WALVE
- = UTILITY POLE
- = LIGHT POLE
- = GUY POLE
- = GUY WIRE
- = TRANSFORMER
- = HANDLE
- = ELECTRIC METER
- = GAS METER
- = WATER METER
- = SOIL BORING
- = SIGN
- = POST
- = AIR CONDITIONING UNIT

- TREE NOTES:
- STREET TREES SHALL BE 2" MIN. CALIPER WHEN PLANTED
 - CUL-DE-SAC TREES SHALL BE 3" MIN. CALIPER WHEN PLANTED, 10' BEHIND BACK OF CURB.
 - NO MORE THAN TWO PLANTED TREES IN A ROW SHALL BE THE SAME SPECIES.
 - NO MORE THAN 25% OF TREES CAN BE THE SAME SPECIES.

EX. LEGEND

- = SANITARY MANHOLE
- = DRAINAGE MANHOLE
- = ELECTRIC MANHOLE
- = TELEPHONE MANHOLE
- = CATCH-BASEIN
- = SANITARY CLEANOUT
- = FENCE
- = WALVE
- = UTILITY POLE
- = LIGHT POLE
- = GUY POLE
- = GUY WIRE
- = TRANSFORMER
- = HANDLE
- = ELECTRIC METER
- = GAS METER
- = WATER METER
- = SOIL BORING
- = SIGN
- = POST
- = AIR CONDITIONING UNIT



SIERRA RIDGE ESTATES NO. 4 LIBER 56 PAGES 42-44

MINIMUM LOT SIZE: 13,500 S.F.
<25% CAN BE 12,000 S.F. BUT PLAT MUST AVE. 13,500
MINIMUM LOT WIDTH: 90'
<25% CAN BE 80' BUT PLAT MUST AVE. 90' AND NO MORE THAN 2 ADJACENT MINIMUM CORNER LOT WIDTH: 100' ON LOT FRONT SIDE

SETBACKS:
FRONT - 25'
SIDE 10'
REAR - 30' (LOTS UP TO 150') 40' (OVER 150')

NOTE: ALL SANITARY SEWER & WATER MAIN SHALL HAVE A 20' WIDE EASEMENT

STORM SEWER

- All storm sewer construction shall comply with the requirements of the Ingham County Drain Commission and the Ingham County Road Commission and shall be subject to their inspection and approval.
- All 6"-10" pipe shall be PVC SD# 35 or HDPE N-12. All joints shall be "O" ring water-tight.
- All storm sewer pipe 12" and larger shall be C-76, Class III reinforced concrete pipe.
- All storm sewer installed within the influence the public road shall be C-76, Class III reinforced concrete pipe with premium joints using MDOT trench detail B1.
- All pipe to be laid with the aid of laser equipment.
- All storm sewer manholes and catch basins shall be ASTM A-478 precast concrete with a minimum of two (2) precast re-inforced concrete adjoining rings for final grade.
- Catch basin castings shall be East Jordan 7045 or Neenah RJ333A for Standard curb inlets.
- All catch basins and yard drains shall have a three foot deep sump.

MERIDIAN TOWNSHIP ZONING ORDINANCE

ZONED - RAA

MINIMUM LOT SIZE: 13,500 S.F.
<25% CAN BE 12,000 S.F. BUT PLAT MUST AVE. 13,500
MINIMUM LOT WIDTH: 90'
<25% CAN BE 80' BUT PLAT MUST AVE. 90' AND NO MORE THAN 2 ADJACENT MINIMUM CORNER LOT WIDTH: 100' ON LOT FRONT SIDE

SETBACKS:
FRONT - 25'
SIDE 10'
REAR - 30' (LOTS UP TO 150') 40' (OVER 150')

NOTE: ALL SANITARY SEWER & WATER MAIN SHALL HAVE A 20' WIDE EASEMENT

SHEET INDEX

- OVERALL & STREET TREE PLAN
- UTILITY PLAN
- STORM & GRADING PLAN
- SECC PLAN
- PLAN & PROFILE
- SECC/DETAIL SHEET

ATTACHMENTS:
MERIDIAN TWP. WATER SHEET
MERIDIAN TWP. SANITARY SHEET
MERIDIAN TWP. PATHWAY SHEET
MERIDIAN TWP. BOARDWALK SHEET



REVISIONS

NO.	DATE	DESCRIPTION
01-20-21	SUBMITTAL	
02-20-21	DRAN	
02-20-21	TWP	

Sierra Ridge Est# 4

SCALE: 1" = 100'
DATE: 7-20-20
APPROVED BY: [Signature]
PROJECT MGR. [Signature]
SHEET 1 OF 7
JOB # 96443
G.S. FEDEWA BUILDERS

TOP09227TOP-COMBINED SURVEY p06443.SUS

KEBS, INC. 2116 HASLETT ROAD, HASLETT, MI 48840
PH 313-338-1014 FAX 313-330-9047

KEBS ENGINEERING
SERVING LAND SURVEYS

Overall & Street Tree Plan
Approved By: [Signature]
Project Mgr: [Signature]
Sheet 1 of 7
Job # 96443

Transcript of the Deposition of

GERALD FEDEWA

Date Taken: 11/23/22

Case No.: 21-114-CB

Case Name:

GEORGE F. EYDE FAMILY, LLC
V
MERIDIAN CHARTER TOWNSHIP

REPORTED BY:

STEFANIE S. POHL - CSR-5616

METROPOLITAN REPORTING, LLC
Phone:517-886-4068
Email:metroreporting1990@gmail.com

STATE OF MICHIGAN
IN THE INGHAM COUNTY CIRCUIT COURT
BUSINESS COURT

GEORGE F. EYDE FAMILY, LLC,
a Michigan limited liability company,

Plaintiff/Counter-Defendant,

vs. Case No. 21-114-CB

Hon. Joyce Dranganchuk

MERIDIAN CHARTER TOWNSHIP,
a Michigan municipal corporation,

Defendant,

and

G.S. FEDEWA BUILDERS, INC.,
a Michigan corporation,

Defendant/Counter-Plaintiff.

DEPOSITION OF: GERALD FEDEWA

LOCATION: Clark Hill
215 Washington Square
Suite 200
Lansing, Michigan

DATE: Wednesday, November 23, 2022

TIME: 9:00 a.m.

Taken in the above-entitled cause, before Stefanie S.
Pohl, Certified Shorthand Reporter, CSR 5616, and Notary
Public for the County of Clinton.

1 APPEARANCES :

2

MELISSA A. HAGEN, ESQUIRE
McClelland & Anderson LLP
1142 South Washington Avenue
Lansing, Michigan 48910-1660
Appearing on Behalf of the
Plaintiff/Counter-Defendant.

6

7

KEVIN J. RORAGEN, ESQUIRE
Clark Hill PLC
215 South Washington Square, Suite 200
Lansing, Michigan 48933-1888
Appearing on Behalf of the
Defendant/Counter-Plaintiff G.S. Fedewa
Builders, Inc.

10

11

12

JOHN S. BRENNAN, ESQUIRE
Fahey, Schultz, Burzych, Rhodes PLC
4151 Okemos Road
Okemos, Michigan 48864-6202
Appearing on Behalf of the Defendant,
Meridian Charter Township.

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1 Q Newton Road. Okay. Did you -- I understand that
2 Sierra Ridge is currently now five phases?

3 **A Thanks to...**

4 Q This lawsuit. And was it originally four phases?

5 **A Yes.**

6 Q Was that the plan for development at all times was four
7 phases?

8 **A Yes.**

9 Q Are any of the plats -- the final plats for those four
10 phases different from the preliminary plat?

11 **A None.**

12 Q Are Phases 1 through 3 completed?

13 **A Yes.**

14 Q And when was the final Phase 3 completed?

15 **A Four years ago. Three, four years ago. I don't have
16 that exact time frame.**

17 Q So all the lots are sold in --

18 **A Yes.**

19 Q And are all the houses built?

20 **A Yes.**

21 Q On Phase 4 are all the roads constructed?

22 **A Yes.**

23 Q Is Modesto Drive constructed?

24 **A No.**

25 Q Modesto Drive would be in Phase 5?

1 **A Yes.**

2 **(Whereupon Plaintiff's Deposition Exhibit**
3 **Number 1 was marked for identification.**

4 Q (By Ms. Hagen) We've had the preliminary plot for
5 Sierra Ridge Estates marked as Exhibit 1. And do you
6 recognize Exhibit 1 to be the preliminary plat of
7 Sierra Ridge Estates?

8 **A Yes.**

9 Q And that shows Isaac Lane access in the southern
10 portion down here --

11 **A Uh-huh.**

12 Q -- to the Eyde property?

13 **A Named after my grandfather.**

14 Q And how did that access come about?

15 **A How did the access come about?**

16 Q Yeah. How -- why did you put it there?

17 **A Well, I guess it was placed there because we wanted to**
18 **build Marietta Lane.**

19 Q Which is where?

20 **A Which is off from Isaac Lane, which is here.**

21 Q Uh-huh.

22 **A And the logical conclusion is: So we built that road**
23 **so we could build Marietta Lane.**

24 Q Okay. Marietta Lane is the one that's -- it's got a
25 proposed utility easement?

1 Q And Modesto Drive cul-de-sac is the one that we've been
2 discussing that would be used to provide access to Lake
3 Lansing Estates, right?

4 A **It's -- it just says shall determine if the connection
5 should be provided.**

6 Q Correct.

7 A **Yeah. And apparently they didn't because they've
8 approved it a number of times since then.**

9 Q Okay. How did this added condition arise?

10 A **Well, probably because of Mark Clouse continuously
11 showing up at these meetings.**

12 Q Were you at this meeting?

13 A **I was usually at the meetings where we got our
14 approvals.**

15 Q So you don't recall being at this meeting?

16 A **No, no, 2007. I was at a lot of the meetings, and you
17 go to one township meeting, they're all like about the
18 same kind of meeting.**

19 Q On that we can agree.

20 (Whereupon Plaintiff's Deposition Exhibit
21 Number 9 was marked for identification.)

22 Q (By Ms. Hagen) Exhibit 9 is a letter to you from Mark
23 Kieselbach, and that's from -- dated August 23, 2007.
24 Did you receive this letter?

25 A **I'm assuming I did.**

- 1 Q And that confirms the condition that prior to
2 construction of Modesto Drive the Township Board shall
3 determine if a street connection should be provided to
4 Lake Lansing Estates; is that correct?
- 5 **A I see that, yes.**
- 6 Q Did you respond to this letter?
- 7 **A No, they approved the extension.**
- 8 Q Approved what extension?
- 9 **A They approved the extension of the Sierra Ridge plat.**
- 10 Q Uh-huh. And added a condition, correct?
- 11 **A Yeah.**
- 12 Q Okay. Now I'm asking you --
- 13 **A I don't think I --**
- 14 Q -- when you received this letter did you respond to it?
- 15 **A I don't think I did. I don't remember responding to**
16 **it.**
- 17 Q Okay. Not even to call up Mark Kieselbach and have a
18 conversation with him?
- 19 **A No. I mean, you know, there was no -- no point in me**
20 **calling.**
- 21 Q Okay.
- 22 **A What was the point?**
- 23 Q I don't know.
- 24 **A Yeah.**
- 25 Q To say that you disagreed? No?

1 (Whereupon Plaintiff's Deposition Exhibit
2 Number 15 was marked for identification.)

3 Q (By Ms. Hagen) Exhibit 15 again are meeting minutes
4 from July 23, 2019. And page 2 is a letter to you
5 granting yet another 2000 -- or two-year, I'm sorry,
6 extension from July 19 to July 2021. And, again, all
7 previous conditions placed on the preliminary plat
8 approval shall remain in effect. Is that correct?

9 A Yes, that's what it looks like.

10 (Whereupon Plaintiff's Deposition Exhibit
11 Number 16 was marked for identification.)

12 Q (By Ms. Hagen) Exhibit 16 is a letter from you to Mark
13 Kieselbach. Why don't you take a minute and review
14 that letter. Do you recall writing that letter?

15 A Yeah, it's got my signature on it.

16 Q And what was going on there?

17 A No, I was just -- they had been -- reminded me to
18 reapprove the plat, and I didn't get it, and so I was
19 late in responding. And so it was basically I didn't
20 have my homework done, and here's my excuse. So they
21 gave me -- that was working on the extension back then.

22 Q So you had -- your request for extension didn't arrive
23 prior to the expiration of the prior --

24 A Well, that was the discussion -- the discussion was
25 prior, but, you know, you got to get into their queue

1 **for their meeting that's like a month later. A month**
2 **or two -- well, sometimes a month and a half later. So**
3 **the discussion was there and basically we probably had**
4 **verbally talked about it and got it in to them.**

5 Q Probably verbally talked about the extension?

6 A **Yeah, before that I wrote the letter.**

7 Q Okay. Your letter says -- correct me if I'm wrong --
8 in the second paragraph, not until our July 13 meeting
9 was I advised that the plat had expired. That would be
10 after --

11 A **Yup, it was.**

12 Q So the plat actually did expire, correct?

13 A **It's -- that's a question for Meridian Township.**

14 Q Well, you wrote this letter. Were -- when you wrote
15 this letter, did you understand that the plat had
16 expired, was that why you were writing this letter?

17 A **Well, the time frame that -- yeah, I mean, in my**
18 **comment because I talk to them all the time, they may**
19 **have said, you need to get a letter over to us to --**
20 **because they facilitated me extending it.**

21 Q Previously?

22 A **Yeah. I mean, through this time frame they may have**
23 **reminded me that I needed to apply, and I did apply,**
24 **and they granted the approval; the extension.**

25 Q Is it your position that the Township had an obligation

1 to notify you when your plat was coming up for renewal?

2 **A Well, they had in the past.**

3 Q That's -- that's fine. Is it your position that the
4 Township had an obligation to notify you when your plat
5 was expiring?

6 **A Well, when they had previously done it, that becomes an
7 expectation.**

8 Q Did they do it after this letter?

9 **A They didn't do it. I think that's what the problem is,
10 I didn't get that letter or I didn't acknowledge
11 receiving it, so that's where that's -- this came from.**

12 Q If you go back to Exhibit 11 please. And on the first
13 page of the fourth bullet point down it says that there
14 was a concern that changing conditions would require
15 another hearing and lengthen the process. Do you
16 recall what that was about?

17 **A No.**

18 Q Again, with the concern with the tone of the
19 developer's letter, do you think that was the letter
20 that you wrote on July 14, 2011, which we had marked as
21 Exhibit 16?

22 MR. RORAGEN: I'll object that that's been
23 asked and answered. He already said he doesn't know
24 what that refers to.

25 MS. HAGEN: Well, I'm trying to refresh his

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CERTIFICATE OF NOTARY - COURT REPORTER

STATE OF MICHIGAN)
)
COUNTY OF CLINTON)

I, Stefanie S. Pohl, a Notary Public in and for the above county and state, do hereby certify that this transcript consisting of 105 pages stenographically reported is a complete, true and correct record of the testimony of GERALD FEDEWA held in the case on Wednesday, November 23, 2022.

I also certify that prior to taking this deposition GERALD FEDEWA was duly sworn to tell the truth.

I also certify that I am not a relative or employee of an attorney for a party or financially interested in the action.

Stefanie S. Pohl
CSR #5616
Notary Public, Clinton County,
Michigan
My Commission Expires: 6/21/25

- Assertion that two-thirds of all nonpoint source pollution comes from soil erosion on construction sites
- Belief this is a policy issue, not an administrative one

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Supervisor McGillicuddy, Treasurer Hunting
 NAYS: Trustee Veenstra, Woiwode, Clerk Helmbrecht
 Motion carried 4-3.

C. Sierra Ridge Preliminary Plat Extension Request

Landlocked property: (See Agenda Item #8 (Questions for the Attorney))

Q. Andria, what would you advise in this? We have several, I would call them almost threatening or posturing, letters from the Eyde Development Company regarding their property that is adjacent to this property. I know there is one street already connecting to their property and I believe the Road Commission did not give them a permit to cross the drain, if I recall in reading the Road Commission's minutes, to access the rest of their property. Would this be an appropriate action for us to put something, as Trustee Brixie suggested, in here? Do we need to be concerned about these letters on a road access that the Ingham County Road Commission did not require? I feel like it is putting us in an odd position.

A. I have read the letters from the Eyde Company and also talked to staff about how these subdivisions or proposed subdivisions are set up. The concern here is that under the Land Division Act the Board is precluded from approving a plat that either does not have suitable access for the plat itself or somehow does not allow suitable access for property in the vicinity of the plat. If approving the plat somehow means that you are "landlocking" a piece of property, that may be a problem, and the Board is not supposed to move forward with that.

I first want to say that those requirements do not come into play until final plat approval; this is not final plat approval. So, I think what Trustee Brixie is talking about is perhaps putting something in place so that you don't get to final plat approval and then have that issue arise. Perhaps no other access becomes available through other routes around this property, you get to final plat approval; there's no other access allowed to this property (not Sierra Ridge, but the other property in question), and then you are left with all of this activity that has gone on for Sierra Ridge and now we can't do final approval. I think, at this point, asking to have it come back to assess it again is a good idea. You can decide, further down the road, if access is going to be an issue.

There isn't a way to answer the question of access right now. Case law and the state act require suitable access and you can't answer that right now. You don't have to answer that right now; you answer that at final plat approval. If you want to have another chance at looking at that before you get into a position of not being able to control the situation, this may be a good way to go about that.

- Q. Does all of this not matter? How much should it matter whether or not Mr. Fedewa is in agreement? It is his plat and his property, and he has a cul-de-sac on the northern end of his property. As I recall when we walked the property a long while ago, those are probably the most highly valued lots in his subdivision because of the amount of trees. They are very beautiful treed lots which I can understand why he would want to keep. Should that come into consideration for us? Or, does it make a difference?
- A. The Board's responsibility in the end at the final level is to not approve a plat that will limit off suitable access. If those are the best places for him to put his lots, but it doesn't allow suitable access and you landlock, you have a problem. I think you need to take everything into consideration, but the fact that there may be some prime lots there cannot override the Board's obligation to follow state law.

Trustee Brixie moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby grants the extension of Preliminary Plat #03012, Sierra Ridge Estates, for a period of two years, from July 1, 2007 to July 1, 2009, with the following conditions:



1. **Prior to the construction of the proposed Modesto Drive, the eastern cul-de-sac, the Township Board shall determine if a street connection should be provided to the property east of the plat.**
2. **All previous conditions placed on the preliminary plat approval shall remain in effect.**

Seconded by Trustee Such.

Suitable road access: (See Agenda Item #8 (Questions for the Attorney))

- Q. Has something changed in the statute since this was approved? Has there been a change in the statute?
- A. I can't answer that question. I know that requirement has been there for some time. I don't think it's changed recently. That requirement was in a case that was looked at in 1992 involving Meridian Township, so that requirement has been there for some time.

Board members and staff discussed the following:

- Discussion of a definition of "suitable access"
- Need to look at bigger issue of this property's surroundings as there are wetlands nearby
- Urge the two parties to resolve this issue as the logical place for the connection to occur have important ecological attributes

Timeline for construction within the approval process: (See Agenda Item #8 (Questions for the Attorney))

Q. In the first condition, should it say "prior to the approval of the final plat and the construction of"? Can we have approval of the plat without....?

A. I believe construction begins before final approval.

Continued Board discussion:

- Granting preliminary plat allows the developer to construct the subdivision prior to final plat approval
- Inconsistencies within the resolution
- Developer is using phased approach and may request an amendment to change the design

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

Clerk Helmbrecht, Treasurer Hunting

NAYS: None

Motion carried unanimously.

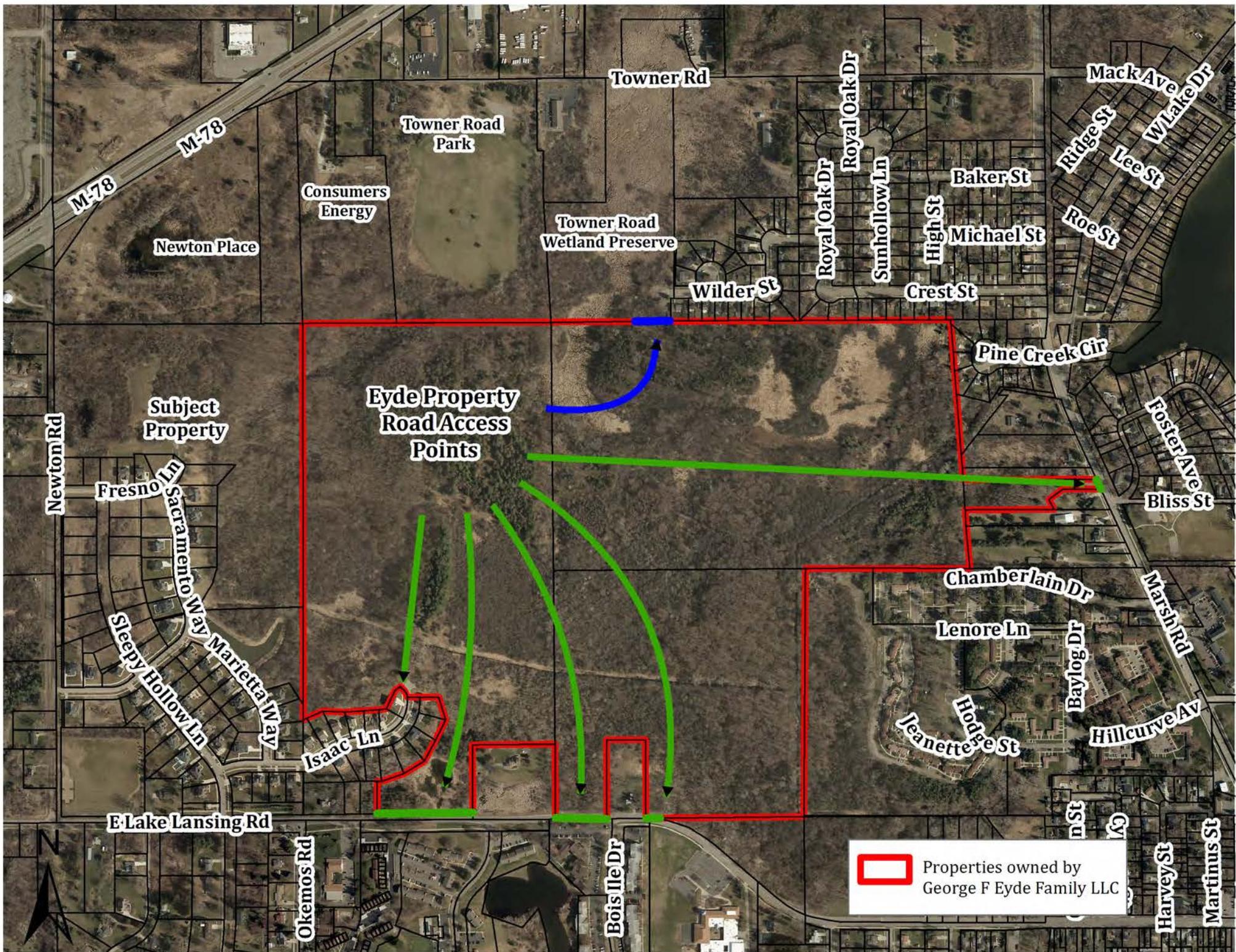
11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Joe Sheahan, Chair, Lake Lansing Property Owners Association Special Assessment District Advisory Committee, 6150 Columbia, Haslett; spoke in support of the Lake Lansing Watershed Management SAD.

Pam Tynning, Progressing AE, 1811 4 Mile Road, NE, Grand Rapids, stated her firm has been collecting water quality samples from Lake Lansing since the late 1990's. The samples allow the firm to collect information on the physical, chemical and biological characteristics of the lake. Ms. Tynning indicated the current phosphorus levels of the lake (approx. 20 parts/billion) indicate rooted plant and algae growth and continued input of phosphorus into the lake would exacerbate nuisance plant growth. She also indicated water clarity of Lake Lansing is at a borderline level.

Robert Hollenshead, President, Lake Lansing Property Owners Association, 6068 Columbia Street, Haslett, spoke in support of the Lake Lansing Access Ordinance. He also stated many lots on Lake Lansing are narrower than the allowed zoning and the overlay district would greatly simplify the process for improvements. Mr. Hollenshead noted his reservation with the maximum lot coverage component of the proposal. He believed the real concern was stormwater runoff.



STATE OF MICHIGAN
IN THE INGHAM COUNTY CIRCUIT COURT
BUSINESS COURT

GEORGE F. EYDE FAMILY, LLC,
a Michigan limited liability company,

Case No. 21-114-CB

Plaintiff,

Hon. Joyce Draganchuk

v

AFFIDAVIT OF DANIEL CAPONE

MERIDIAN CHARTER TOWNSHIP,
a Michigan municipal corporation,
and
G. S. FEDEWA BUILDERS, INC.,
a Michigan corporation,

Defendants.

Melissa A. Hagen (P42868)
David E. Pierson (P31047)
McCLELLAND & ANDERSON, LLP
Counsel for Plaintiff
1142 S. Washington Ave
Lansing, MI 48910
517-482-4890

William K. Fahey (P27745)
FAHEY SCHULTZ BURZYCH RHODES PLC
Counsel for Defendant Meridian Charter Twp
4151 Okemos Rd
Okemos, MI 48864-6202
517-381-0100

Kevin J. Roragen (P56510)
LOOMIS, EWERT, PARSLEY, DAVIS & GOTTING, P.C.
Counsel for Defendant G. S. Fedewa Builders, Inc.
124 W. Allegan, Suite 700
Lansing, MI 48933
517-482-2400

Daniel M. Capone, being duly sworn, deposes and says:

1. I have personal knowledge of the facts as set forth in this Affidavit and, if called and sworn as a witness, can competently testify as to same.

2. I am, and at all times relevant have been, a Senior Project Manager with The Mannik & Smith Group, Inc. in its Lansing, Michigan office. My qualifications are set forth in Exhibit 1.

3. The Mannik & Smith Group, Inc., offers a variety of services in the areas of civil and structural engineering, construction support, cultural resources, environmental, geotechnical, landscape architecture and surveying.

4. The Mannik & Smith Group, Inc. has been retained by George F. Eyde Family, LLC ("Eyde") to review and evaluate all possibilities for road access to real property owned by Eyde and located north of Lake Lansing Road and east of Newton Road (the "Eyde Family Property").

5. The attached Exhibit 2 is a true and accurate report of that review.

6. The review and report were prepared by Tyler Smith, P.E., Timothy Walther, P.E., and Todd Brown, of The Mannik & Smith Group, Inc. Their qualifications are set forth in Exhibit 3.

7. Further Affiant Sayeth Not.


Daniel M. Capone

STATE OF MICHIGAN)
) ss.
COUNTY OF INGHAM)

Subscribed and sworn to before me, a notary public, on this 27th day of April 2021.

KIMBERLY L BUSH
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF INGHAM
My Commission Expires August 19, 2023
Acting in the County of Ingham


_____, Notary Public
_____, County, _____
My Commission Expires: _____
Acting in _____ County, _____

LIST OF EXHIBITS TO AFFIDAVIT OF DANIEL CAPONE

1. Daniel M. Capone qualifications.
2. The Mannik & Smith Group, Inc. Review and Professional Opinion Regarding Dispute Associated with Access to Eyde Family Property (Eyde) through Sierra Ridge #4.
3. Timothy Walther, P.E., Todd Brown, and Tyler Smith, P.E. qualifications.

EXHIBIT 1

to Affidavit of Daniel Capone

Daniel M. Capone

Professional Background

Dan is a seasoned veteran in the environmental consulting and engineering field including managing and conducting hazardous waste management projects, remedial investigation studies, biological and ecological studies, site assessments, removal and remedial actions (including sediment dredging projects), and emergency response to chemical, biological, and radiological releases and oil spill emergencies. Extensive experience in coordinating with local, state, and federal stakeholders during emergency response situations. His consulting experience also involves Phase I/Phase II environmental site assessments, managing large industrial demolition and site redevelopment projects, natural disaster response, and underground storage tank release and closure assessments.

Specializations

Chemical and Oil Spill Emergency Response

Dan has a wealth of experience providing technical assistance to the U.S. EPA during releases involving chemical, biological and radiological contaminants conducting activities such as air monitoring and sampling, soil/sediment/water sampling, waste sampling and characterization, ecological sampling and risk evaluation. Dan spent over 4 years at the Kalamazoo River Enbridge Oil Spill response where he provided management and oversight support to the US EPA.

Building Demolition Projects

Dan managed numerous large scale demolition and redevelopment projects for the Michigan Department of Environmental Quality utilizing the Clean Michigan Initiative funds. Facilities included large industrial foundries and paper mills, and other industrial properties.

Environmental Site Assessments/Due Diligence

Dan has performed and managed numerous site investigation projects including hydrogeologic investigations, groundwater remedial investigations, Leaking Underground Storage Tank (LUST) Investigations, CERCLA removal assessments, ecological assessments, and sediment contamination projects. Expertise includes coordinating, managing and/or performing a wide range of field activities, data evaluation/interpretation, statistical analyses and technical document preparation. Dan also manages various services through our work with the City of Detroit including Phase I and Phase II assessments, pre-demolition regulated materials surveys, and managing emergency tank removals.

Specializations

- Environmental Site Assessments
- Project and Program Management
- Remedial Investigation Studies
- Emergency Response to Chemical Releases and Oil Spills
- Sediment Contamination and Environmental Dredging
- Pre-demolition Regulated Materials Surveys
- Incident Command System

Education:

- BA, Biology, Hamilton College, 1983

Certifications / Affiliations:

- Graduate Certificate, Hazardous Waste Management, Wayne State University, 1993
- OSHA 29 CFR 1920.120, 40-Hour Certification
- OSHA 29 CFR 1920.120, 8-Hour Certification
- Incident Command System (ICS) training including IS-100, -200, -300, -700, and -800

Years of Experience:

With MSG: 2014 – Present
Other Firms: 1984 – 2014

Daniel M. Capone





Daniel M. Capone

Previous Experience

- **Allied Paper US EPA Region 5 START Contract (Subcontractor to Tetra Tech) – Kalamazoo, Michigan**
Project Manager and lead technical support to the U.S. EPA for Time Critical Removal Action (TCRA) conducted within Area 3 of Operating Unit 5 of the Kalamazoo River PCB Superfund Site. Project involves removal of PCB contaminated bank soil and river sediments along a 2 mile stretch of the Kalamazoo River upstream of the Otsego Township dam. Project will also include the removal of the deteriorating dam as part of the TCRA restoration. Dan provides technical support to the U.S. EPA who is directing the TCRA under a Unilateral Administrative Order (UAO) with the responsible parties (RP). Tasks include RP plan reviews, technical planning and coordination, oversight of TCRA implementation, data review and data management.
- **Gordie Howe International Bridge Environmental Owners Representative Consultant – Detroit, Michigan**
MSG was selected by MDOT to serve as the environmental owner's representative consultant (ORC) for the Gordie Howe International Bridge (GHIB). The ORC project consists of two areas of proposed work related to the GHIB in Michigan: 1) the interchange/plaza area, bounded by I-75, Campbell Avenue, Green Street and Jefferson Avenue, and 2) the bridge area. The core service for this project include providing expert environmental professionals as the ORC and providing management and oversight services for various due diligence activities required prior to and during the construction of the GHIB over a five year period. Many properties in the Delray neighborhood and along the Detroit riverfront have environmental concerns for redevelopment that originate from historic heavy industry and manufacturing land use, as well as gasoline service stations, dry cleaners, and placement of fill soils and dredge materials. Furthermore, historic buildings and industrial processes often used chemicals and materials that resulted in environmental impacts to properties. Typical contaminants include asbestos, polychlorinated biphenyls (PCB), heavy metals (including mercury, lead based paint), petroleum products, and solvents. As the MDOT ORC, MSG is providing expert environmental management services for ensuring property acquisition due diligence is performed in compliance with Federal, State and local regulations for approximately 1,000 properties located within the GHIB interchange/plaza and the bridge area.
- **Detroit Building Authority (DBA)- 6800 Gratiot UST Assessment – Detroit, Michigan**
Managed the assessment and removal of six USTs identified at the site during demolition of the site building. Provided expedited support to the DBA to insure that all assessment, UST removal, waste management, and regulatory requirements were met.
- **Phase I/II ESAs, Various Sites, Groups 1, 2, 5, 8 and 10 City of Detroit – Detroit, Michigan**
Project Manager for Due Diligence services conducted of City of Detroit. Phase I and II services conducted on various commercial properties scheduled for demolition.
- **Environmental Expanded Triage Drilling ISID, MDEQ RRD – Michigan Statewide**
Project Manager for various DEQ Districts for the 2015 and 2016 Environmental Expanded Triage ISID to expeditiously conduct statewide limited investigations on Underground Storage Tank sites. Projects include conducting geophysical assessments, Geoprobe investigations including groundwater and soil sampling, and soil vapor intrusion evaluations.
- **Ingham County Land Bank Fast Track Authority Hardest Hit Demolitions – Lansing, Michigan**
Provide Asbestos Containing Material and Hazardous Materials Building Surveys for pre-demolition residential buildings. The Ingham County Land Bank has been awarded a grant to demolish up to 240 residential properties within the City of Lansing. MSG was one of two contractors selected to perform identification of asbestos containing materials (ACM) and hazardous materials on the residential structures assigned to this project. Structures were surveyed for the following materials: ACM, mechanical and electrical systems containing polychlorinated biphenyls (PCB), potentially hazardous or regulated materials/waste located in containers and/or drums, and potential mercury containing equipment.



Daniel M. Capone

- **Board of Water & Light 2015-2018 Environmental Assessment Services – Lansing, Michigan**
Project Manager for a contract with the Lansing Board of Water and Light to provide various Environmental Due Diligence Assessment Services. Projects include conducting real estate transaction services such as Phase 1, Phase II, Baseline Environmental Assessments and Due Care Plans.
- **Enbridge Oil Spill, Marshall, MI, EPA Region 5 START, Response Leader.**
Supported Region 5 EPA Emergency Response Branch during response efforts to pipeline release which discharged approximately 1 million gallons of tar sands oil to Talmadge Creek and subsequently the Kalamazoo River, resulting in over \$1 billion cleanup effort to date by responsible party. Response Leader during initial ramp up of staff in the first few weeks from 5 to 100 START personnel conducting air monitoring/ sampling, water and sediment sampling, and responsible party cleanup contractor oversight during 24 hour, 7 day per week operations. Subsequently provided ongoing support to EPA Command structure, including Deputy Operations Section Chief, Operations Section Chief, and Deputy Incident Commander for U.S. EPA.
- **Hurricane Katrina and Hurricane Ike, Response Leader (2005, 2008).**
Provided leadership under Region 6 START Contract in supporting EPA's Mission Assignments with FEMA for responses to hurricanes, managing 20 to 100 personnel as START Incident Commander and Operations Section Chief.
- **Columbia Shuttle Disaster, Response Leader (2003).**
Provided team leader support during Columbia Shuttle disaster response for U.S. EPA under Region 6 START contract, managing 35 to 40 START personnel during collection and data management of shuttle debris.
- **Tittabawassee River Dioxin Cleanup, Midland, MI, EPA Region 5 START**
Response Leader. Provided technical support to U.S. EPA during investigation and cleanup of Dow Chemical Dioxin project at Tittabawassee and Saginaw Rivers. Managed investigations for various floodplain and in-river reaches and provided technical support and oversight to U.S. EPA during subsequent floodplain removal actions. Provided technical review support to U.S. EPA on responsible party Work Plans for contaminated sediment investigation and dredging plans. Managed oversight of responsible party dredging and overbank cleanup actions.
- **Little Traverse Bay Cement Kiln Dust Site, Petoskey, MI, EPA Region 5 START**
Project Manager. Project was a large multi-year investigation and cleanup involving releases of cement kiln dust leachate into the Little Traverse Bay of Lake Michigan from a former cement mining and manufacturing plant. Led multi-person START team in conducting surface water monitoring and sampling, and groundwater monitoring and sampling. Provided technical support to EPA and oversight of responsible party contractor personnel. Managed all facets of project and provided support to EPA from 2004 through 2010.
- **Project Management Services - Various Sites in MI, MDEQ-Environmental Response Division**
Project Manager. Project Manager for 15 sites under Project Management contract with MDEQ/MDMB. Sites included large-scale demolition and impaired property redevelopment, RI/FS, design, remedial action, construction management and O&M. Managed all aspects of the projects including project planning, development of work plan outlines and requests for proposal for professional services contractor, solicitation, procurement and management of construction contractors, contractor solicitation, procurement, and management and technical review of all project reports and deliverables. Responsible for routine communication with MDEQ PM, and other key parties (i.e., municipal, government stakeholders) regarding progress of site activities.
- **Environmental Site Investigations for Numerous Remedial Investigations, Various Locations, MDEQ,**
Project Manager. Scope of work for projects included work plan and sampling and analysis plan development, field investigation implementation, review and evaluation of field investigation results relating to Act 307 and Part 201 cleanup criteria, report preparation, and bid document preparation for site cleanups. All work performed in compliance with State of Michigan Act 64 and Act 307 and Part 201 regulations and federal RCRA, CERCLA, and OSHA regulations.



Daniel M. Capone

- **Acid Precipitation Research Project, Adirondack Mountains, New York**

Field Team Leader/Field Biologist. Conducted extensive fisheries and water chemistry studies on over 100 ponds and lakes in upstate New York. Studies included collection of surface water samples and collection of sediments for the purpose of assessing aquatic macro invertebrate population. Responsible for overseeing all field operations of assigned team, including training, scheduling, and public relations. Fisheries sampling included gill netting, trap netting, and electroshocking techniques. Other ecological work included bathymetry surveys, aquatic macrophyte surveys, and watershed mapping.

EXHIBIT 2

to Affidavit of Daniel Capone

The Mannik & Smith Group, Inc. (MSG) Review and Professional Opinion regarding Dispute Associated with Access to Eyde Family Property (Eyde) through Sierra Ridge #4

In summary, MSG's professional opinion is that the Township's proposed six alternative access routes to the Subject Property all have economic barriers to access development related to the presence of significant existing wetlands and are cost prohibitive. In order to further evaluate the impacts the existing wetlands would have on access development, MSG recommends that the wetlands be delineated on the Eyde Subject Property and surrounding properties. In addition, it is MSG's opinion that the most economically feasible access to the Eyde Subject Property would be through the Sierra Ridge Estates #4 proposed development. MSG recommends the Township give strong consideration to granting access to the Eyde Property through the Sierra Ridge #4 property.

The following paragraphs summarize MSG's review of the provided documents and provides the basis for MSG's professional opinions and recommendations.

1. MSG professionals have reviewed the plats for the Fedewa Property named Sierra Ridge Estates #4, as well as plans submitted to the Ingham County Road Department (ICRD), the Ingham County Drain Commissioner (ICDC), and the Charter Township of Meridian (Township). These plans for Sierra Ridge Estates #4 are not marked as a final plat. MSG has reviewed the above documents and determined the Sierra Ridge Estates #4 preliminary plan may eliminate the possibility of accessing the northern portion of the Eyde property (Parcel 04-400-012 – Subject Parcel) from the west side of the parcel which provides the most economically feasible access option due to the limited presence of wetlands.
2. MSG has reviewed topographical maps of the Eyde property prepared by KEBS, Inc. and has reviewed topographical maps of the Eyde property and surrounding area prepared by the ICDC, including the 100-foot wide easement which contains the open Costigan Drain. MSG has also

reviewed topographical maps of the preliminary plat of Sierra Ridge Estates #4 prepared by KEBS, Inc.

3. MSG has reviewed the Township wetland map as well as other wetland maps provided including:
 - MIRIS Wetland Map (shows less wetlands than other maps)
 - National Wetland Inventory Map

4. MSG has reviewed the International Fire Code, 2018 edition, including Appendix Chapter D, which limits the number of single-family dwelling units to thirty, unless there are two separate and approved fire apparatus access roads, and the Township Subdivision ordinance provisions for roads.

5. MSG has reviewed the Township map on which arrows have been drawn to show the Township's potential alternative routes for road access to the Subject Parcel.

Based on our review of the wetlands and topographical maps, there are developable uplands on the northern portion of the Eyde Subject Parcel.

6. The Township claims that there are several potential alternative access routes to the northern portion of the Subject Property other than access through the Sierra Ridge Estates #4 parcel as follows (see the following potential access routes on attached Access Routes Exhibit):

- a. **Access #1** – The Township claims that “[a]n access route is feasible through the existing Isaac Lane located south of the Subject Property.” This route will require the following to obtain access:
 - Excessive grading likely required to install new drain (Costigan Drain) crossing route and maintain reasonable slopes for fire access
 - Crossing the Costigan (County) Drain for the proposed access route will require permitting for the culvert crossing. Specifically, a “Crossing and Tap-In Permit” from the County Drain Commission and a “General Permit, Minor Project” from EGLE for construction of a culvert at a drain crossing.

- Wetland mitigation will likely be required. For wetland mitigation used for this access option and others below, an EGLE/USACE Joint Permit Application will likely be required for cut/fill of the existing wetland. A conceptual wetland mitigation plan is required when disturbing more than 1/3 acre of an existing wetland with the proposed construction. Wetland mitigation entails delineation of the existing wetland conditions and providing plans for replacement/restoration areas to compensate for the areas disturbed with the proposed plans. Cross sections will likely be required to show the proposed grading changes compared to the existing wetland areas. The ratio of impacted wetlands to restored wetlands can range from 1:1 to 1:1.5 or more dependent on the wetland type determined during the delineation phase.
 - Majority of the access route is within the floodplain limits defined by FEMA Flood Rate Insurance Map (FIRM) #26065C0043D, dated August 11th 2011. The grading changes within the floodplain could require a state flood plain permit if disturbing the county drain which has greater than a 2 acre drainage area.
- b. **Access #2** – The Township claims that “[a]n access route is feasible by connecting directly to Lake Lansing Road via the southern portion of the Subject Property.” This route would require the following to obtain access:
- Wetland mitigation will be required, significantly more than other access routes. Nearly entire access route would be within wetland areas per wetland mapping.
 - Excessive grading likely required to install new drain crossing route and maintain reasonable slopes. Most grading likely at low point near Lake Lansing Road and to meet significant elevation drop-off from Lake Lansing Road.
 - Excessive access route length, over 3,800 feet from Marsh Road to approximate project entrance. Costs would be exceedingly high based on this length.
 - More than half of access route within flood plain limits per FIRM map 26065C0043D, which could require a state floodplain permit.
- c. **Access #3** – The Township claims that “[a]n access route is feasible by connecting directly to Lake Lansing Road via the southern portion of parcel no. 03-351-001, located to the east of the Subject Property.” This route would require the following to obtain access:
- Wetland mitigation will be required as a large majority of access route in wetland areas per wetland mapping.
 - Excessive grading likely required to install new drain crossing route and maintain reasonable slopes. Most grading likely at low point near Lake Lansing Road and to meet significant elevation drop-off from Lake Lansing Road.
 - Overall length exceeds 2,000 feet to proposed development.
 - Nearly entire route within flood plain limits per FIRM map 26065C0043D which could require a state floodplain permit.

d. **Access #4** – The Township claims that “[a]n additional access route is feasible by connecting directly to Lake Lansing Road via the southern portion of parcel no. 03-351-001, located to the east of the Subject Property.” This route would require the following for access:

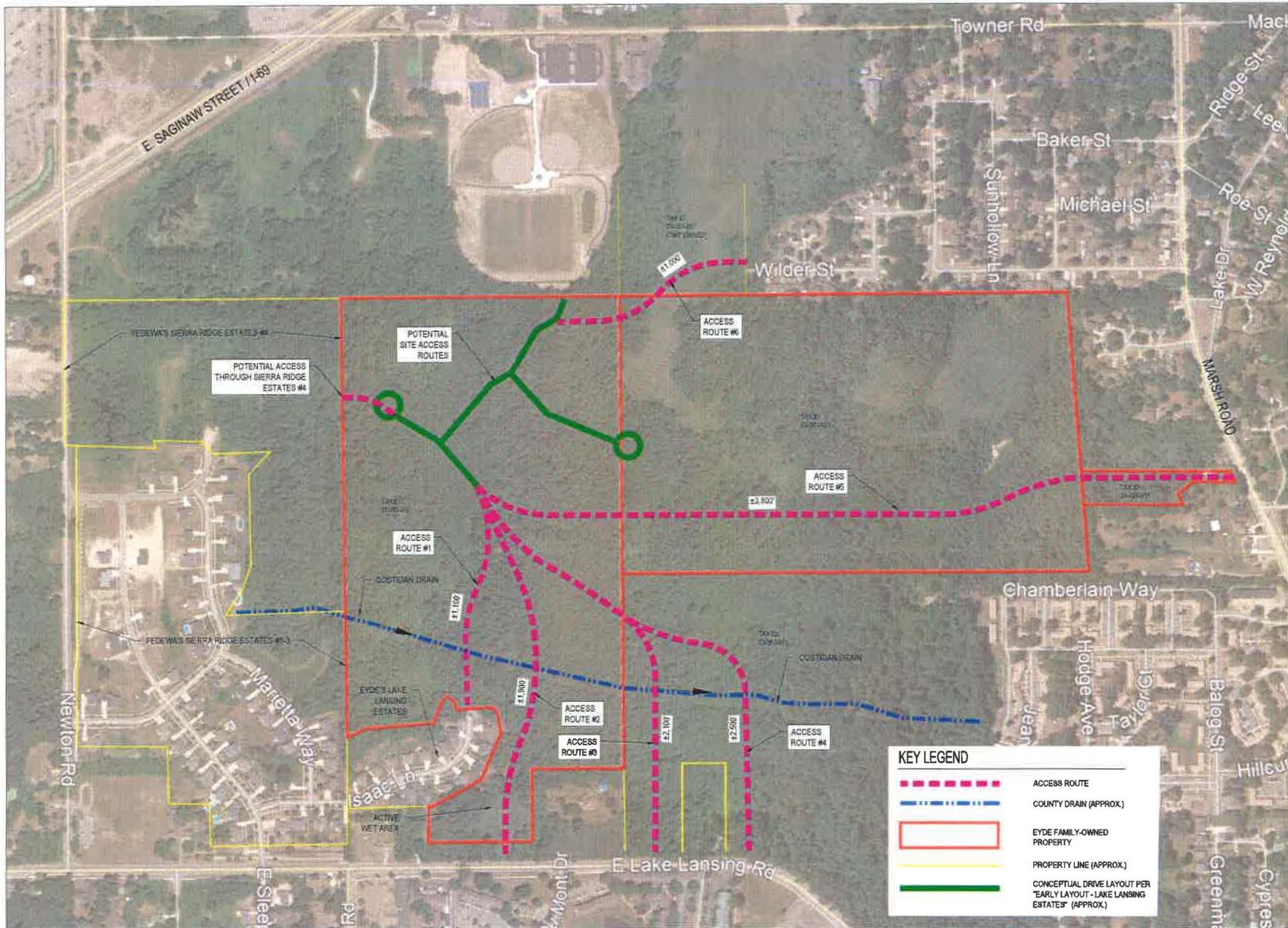
- Wetland mitigation will be required as a large majority of access route passes through wetland areas per wetland maps.
- Clearing of heavily wooded area for building access road.
- Excessive grading likely required to install new drain crossing route and maintain reasonable slopes. Most grading likely at low point near Lake Lansing Road and to meet significant elevation drop-off from Lake Lansing Road.
- Overall length of access road exceeds 2,500 feet to proposed development.
- Nearly entire access route within floodplain limits per FIRM map 26065C0043D which could require a state floodplain permit.

e. **Access #5** – The Township claims that “[a]n access route is feasible through parcel nos. 03-301-001 and 03-326-016 to connect directly to Marsh Road.” This route would require the following for access:

- Wetland mitigation will be required as a significant portion of the access route passes through wetlands per all three wetland maps. Standing water and low point exists near Lake Lansing Road.
- Excessive grading likely required to install new drain crossing route and maintain reasonable slopes. Most grading likely at low point near Lake Lansing Road and to meet significant elevation drop-off from south side of property (sloping downward to north) existing wetland area.
- Nearly entire route within floodplain limits per FIRM map 26065C0043D which could require a state floodplain permit.

f. **Access #6** – The Township claims that “[a]n access route may be possible through the existing Wilder Road via the northern portion of parcel no. 03-301-001.” This route would require the following for access:

- Wetland mitigation will be required for most of access route to proposed subject property per wetland maps and aerial images.
- This option would require adjacent property owner sign off on extending access from Wilder Road (Crestwood Subdivision) based on layout of existing dead end road.



LAKE LANSING ESTATES II
 EYDE PROPERTIES
 ACCESS ROUTES EXHIBIT

EXHIBIT 3

to Affidavit of Daniel Capone

Timothy E. Walther PE

Professional Background

Tim is a seasoned project manager and design engineer with experience in both government and private civil engineering projects. His public sector experience includes the design of interstate highways including interchanges, county roads, city streets and bikeways. Additionally, Tim has designed large and small water mains and underground duct banks. His private experience includes subdivisions, large industrial sites, and a wide array of highly visible site development projects. He is knowledgeable in pavement and drainage design, traffic control, and maintenance of traffic. Tim has also prepared many bids for design build projects and received Continuing Education credits from the Design-Build Institute of America. He is fully versed in American Association of State Highway and Transportation Officials (AASHTO) specifications, including roadway lighting guidelines, as well as Michigan Department of Transportation (MDOT) and Ohio Department of Transportation (ODOT) standards and procedures.

Specializations

Roadway Design

As project engineer and lead design engineer, Tim has experience in the design of interstate and state highways, county roads, city streets, and bikeways. This experience includes designing interchange reconfigurations, grade separations, road widening projects, and preliminary and final approach pavement replacement plans. He is knowledgeable in horizontal and vertical geometrics, pavement design, traffic control, and maintenance of traffic.

Drainage and Utility Design

As lead design engineer, Tim has designed large and small water mains (6" through 48") and underground duct banks. He has led site development and improvement projects for large retail developments and intermodal facilities. These projects have involved complex drainage designs including open channel, closed conduits, large and small detention basins, and stormwater drainage improvements using best management practices.

Complex Site and Roadway Lighting Design

As an electrical engineer, Tim has extensive experience in the management and design of complex highway lighting projects. He is prequalified with ODOT in the area of Complex Highway Lighting, and is knowledgeable in ANSI-IES standards. His lighting experience includes complex interchanges and interstate highways, as well as lighting designs for large commercial developments. Tim's lighting designs have included conventional and high mast systems. He is well versed with the use of both manual and computer-aided lighting analysis methods, and received specialized training through Halophane Company's Roadway Lighting Seminar.

Specializations

- Roadway Design
- Drainage and Utility Design
- Complex Site and Roadway Lighting Design

Education

- BS, Engineering, Case Western Reserve University, 1987

Certifications / Affiliations

- Professional Engineer, State of Michigan, #43798
- Professional Engineer, State of Ohio, #57335
- ODOT Prequalified – Complex Roadway Design
- ODOT Prequalified – Highway Lighting Design Limited

Years of Experience

- With MSG: 1997 – Present
Other Firms: 1985 – 1997

Timothy E. Walther PE



Experience

- **Cullen Park – Toledo, Ohio**
Senior design engineer for site development. Worked with a team to develop the best management practices (BMP's) and design of this park, creating a demonstration project that will utilize green infrastructure, including vernal pools, sand filters, native plantings, habitat restoration, and bio-retention techniques to manage stormwater runoff and improve water quality. The design objectives included the creation of vernal pools, habitat restoration areas, ADA accessible boardwalk, gravel paths, native plantings, habitat observation areas, interpretive signage creation, utilizing stormwater BMPs, and developing a design that is universally accessible.
- **ProMedica Toledo Hospital Patient Tower – Toledo, Ohio. With HKS.**
Senior design engineer for site design and civil engineering for hospital improvements including the design and construction of a new 13-story patient tower plus a basement, 4-story addition, 1-story connector, and 2-level parking garage. Additionally, new parking lots and drives will be constructed as part of the improvements to the facility. A new public parkway was designed, as well as new public and private utilities. Stormwater management BMPs to meet Ohio EPA criteria were designed and implemented throughout the site and parkway.
- **ProMedica Hospital Campus Master Plan – Toledo, Ohio. With HKS.**
Senior design engineer for site design and civil engineering, as well as member of large multi-disciplinary team studying the feasibility and design for a major hospital. Program includes an 13-story patient tower, 2-level underground parking garage, public roads, utilities and infrastructure, sustainable stormwater management, green roofs, outdoor dining, courtyards, and parking.
- **Wayne State University, Advanced Technology Education Center (A-TEC) – Warren, Michigan**
Senior design engineer for civil engineering in redevelopment of an urban brownfield site converting a vacant supermarket into a university research lab and learning center for Wayne State University. Worked with architectural firm to develop an outdoor classroom and student lounge areas to provide a small-scale campus feel to this newly repurposed building. Site work also included demolition, utilities investigation, grading, LED parking lot lighting, and sustainable landscape design.
- **General RV – Wixom, Michigan**
Senior design engineer for the relocation of General RV in Wixom, Michigan. Prepared site plans including detention pond design, grading, soil erosion and sedimentation control, water main design, sanitary sewer design, and storm sewer design. The project also included alignments and profiles for a new access road and Wixom Road intersection and commercial drive rehabilitations.
- **Menard Inc. – Wixom, Michigan**
Senior design engineer for site design for a proposed Menard Store development in Wixom, Michigan. Assisted with plan preparation, grading, water main design, and sanitary sewer design. The project lies on Wixom Road and included intersection and commercial drive rehabilitations, as well as profiles and alignments.
- **Historic Woodlawn Cemetery & Arboretum – Toledo, Ohio**
Participated in development of the Cemetery's north section; a 21-acre parcel. Developed a traditional, park-like meandering design that fit within the context of the existing historic cemetery framework. The design also evolved around pedestrian usage, creating an outdoor experience for surrounding communities that use the site for nature walks, birding classes, biking, and general outdoor enjoyment. Focused on developing a calm, serene experience, mixing natural woodland areas with open areas for burial. Established a stormwater management system encompassing total detention for a 100-year storm event on the site. A system of ponds, swales, culverts and storm sewers were utilized for the system. It was designed for temporary detention/ponding which also allowed for removal of suspended solids. Grading allowed for ADA access to grave sites through drainage courses. The Historic Woodlawn Cemetery and Arboretum, established in 1876, has approximately 160 acres, with 40 acres of remaining burial sites, or 75 years of inventory.



Timothy E. Walther PE

- **Ford Lima Engine Plant – Lima, Ohio**
Provided design plans and specifications for roadway replacement and rehabilitation. Included employee parking lot with 700 spaces and access drives with all associated pavement markings, illustrative alternatives for reconfigure and realignment of existing truck entrance to alleviate queuing on the public roadways.
- **Ford Ohio Assembly Plant – Avon Lake, Ohio**
Provided design plans and specifications for roadway replacement and reconstruction. Included employee parking lot with 1500 spaces and access drives with all associated pavement markings, and stormwater drainage improvements using best management practices.
- **Ford Cleveland Engine Plant #1 – Brook Park, Ohio**
Provided design plans and specifications for roadway rehabilitation and reconstruction. Included two employee parking lots with 125 spaces and access drives with all associated pavement markings, and main plant entrance reconstruction with curbs, gutters, paving and public roadway access coordination. Also included engineering upgrades to lighting.
- **University of Michigan, 42E Courtyard – Ann Arbor, Michigan**
The 42E Courtyard on North Campus will be a major barrier-free connection between the engineering buildings surrounding the Grove and student housing to the north. MSG designed the courtyard as an extension of the Grove, "similar but different". It is a steeply sloping landscape of white pines and ferns, designed with student mobility in mind. MSG is currently working on design development drawings and site details.
- **Hubbard Road Reconstruction; University of Michigan (U-M) – Ann Arbor, Michigan**
Senior design engineer for lighting design and stormwater review for a 3-lane road and corresponding sidewalk that connected the existing NCRC Building 90 Parking Lot to Hubbard Road to alleviate traffic issues. Project included stormwater design for additional impervious pavement, lighting and striping design for the roadway and proposed sidewalk, and integrating the existing features of the surrounding areas to value engineer the project.
- **University of Michigan, Mobility Transformation Facility – Ann Arbor, MI**
Senior design engineer for lighting design for the new automated vehicle test track for vehicle research purposes for 1.5 miles of test track with numerous intersection treatments for researching automated vehicles, including urban, suburban, and freeway road sections of asphalt, concrete, and brick pavers.
- **University of Michigan Ferry Field War Memorial Plaza – Ann Arbor, Michigan**
Senior design engineer for site design and civil engineering, MSG developed a series of concepts, and ultimately construction documents, for the Weidenbach Hall/Keen Arena/Hartwig/Ferry Field area at the Athletic Campus. Several different concepts showing a range of solutions, materials and costs were developed to explore alternatives and arrive at a final concept plan. The goal was to develop a richer, more pedestrian focused and green solution, which knit together a large number of service and pedestrian entries, as well as a limited amount of VIP parking.

In addition to meeting the program requirements Campus, MSG introduced concepts for sustainability, multiple levels of vehicle circulation and walkability. A former service area will become a high impact, sought after area for tailgating and outdoor alumni functions. Seating areas, shade trees, porous pavement for stormwater management and reserved parking will all be evaluated for the final design.
- **Heavy Haul Roads for Pickling Line Tandem Cold Mill – Dearborn, Michigan**
Resident engineering services for the Pickling Line and Tandem Cold Mill Plant for hot band shipping transition. Designed efficient traffic movement patterns for heavy haul vehicles around the site, paving roads that had not been paved utilizing new alignments and profiles. Included rail road crossings, constructed a new gate entrance, parking lots and associated drives. Total roadway design, reconstruction/rehabilitation of 2 miles of existing and new roadway with pavement marking and signage.

- **Heavy Haul Roads for Hot Dip Galvanizing Line – Dearborn, Michigan**
Resident engineering services for the Hot Dip Galvanizing Line for hot band shipping transition. Designed efficient traffic movement patterns for heavy haul vehicles around the site, paving roads that had not been paved utilizing new alignments and profiles. Included a new gate entrance, parking lots and associated drives. Total roadway design, reconstruction/rehabilitation of 1 mile of existing and new roadway with pavement marking and signage.
- **Angstrom – USA Ypsilanti Plant Redevelopment Planning – Ypsilanti, Michigan**
Redevelopment of an existing brownfield Ford Motor Company facility on 37 acres straddling both sides of the Huron River in Ypsilanti, Michigan. The project balanced code compliant site plan approval within the harsh existing conditions of the existing plant. The scope included stormwater first flush treatment, revised circulation patterns, reduction of impervious surfaces, compliance with landscape zoning requirements and definition of future waterfront easement needs.
- **Ford Rouge Dearborn Assembly Plant – Dearborn, Michigan**
Project consisted of a partial demolition of the 1,000,000-sf Dearborn Assembly Plant with re-stabilization of an historic 300,000-sf section for reuse including modifications to, rerouting, and removal of the building's electrical equipment. The Batch & Hold parking lot redevelopment occurred within the 700,000-sf demolition footprint area.
- **Ford Monroe Stamping Plant Decommissioning – Monroe, Michigan**
Project manager to complete activities associated with site utilities shifting the plant to cold idle status. MSG previously evaluated the existing utility service usage and future usage needs required to maintain operation of the eastern containment unit and western containment unit leachate collection manhole pumps, WWTP, and sanitary sewer pump station. The utilities evaluated included electrical, potable water, sanitary sewer, communications, and natural gas. MSG provided alternative routes for key utility features to be protected. As part of this phase, activities included but were not limited to: coordinated with DTE Energy to shut down and remove redundant power services to the main plant substation and remove unnecessary transformers, confirmed and designated plant substations that were partially or completely shut down, designated main switch gear/contactors that could be shut down, designed electrical system modifications to service new basement dewatering sump pumps, designed electrical system modifications to service new heaters, and coordinated with AT&T to shut down existing service and remove any unnecessary utility company owned equipment.
- **Robert Scott Correctional Facility – Northville Township, Michigan**
Provided engineering and design services for pavement improvements for a combined MDOT and MDBM funded project. Parking lots, access drives, and truck loading areas had severe pavement deterioration and were in need of complete reconstruction. Project required a specialized stormwater management system to meet MDOT and Wayne County requirements. Special construction staging was required to accommodate daily facility operations. Special security requirements were also developed and included in the bidding documents.
- **Fort Street (M-85) and Gibraltar Indirect Left Turn – Gibraltar, Michigan**
Lead road engineer for the study and design of an indirect left turn lane for M-85 (Fort Street). Existing horizontal curvature, super elevation, weave distance, and spacing from existing intersection were factors for consideration in location of indirect left turn. Various design vehicles (turning radii) were used to develop alternatives. A bump out/loon's head was ultimately designed to accommodate large truck turns due to the narrow median width.
- **Willis Road, Platt Road, Bemis Road, US-23 Ramps – York Township, Michigan**
Lead road engineer for construction of a new 5-line hot mix asphalt (HMA) pavement road with curb and gutter, new profile on new alignment, and US-23 ramp reconfiguration for MDOT.
- **Oakwood / I-94 Interchange – Dearborn, Michigan**
Lead road engineer for reconstruction of exit ramps, removal of existing ramps, new geometry for ramps with widened shoulders, new guardrail with calculation sheets, new profiles, and new drainage for MDOT.

- **Miller Road Reconstruction at Ford Rouge Complex – Wayne County, Michigan**
Project engineer to develop conceptual plans for reconstruction project on existing alignment with new profile. A median swale was designed for mitigation of Wayne County Best Management Practices for Stormwater Quality. Plans included staged maintenance of traffic, traffic signals, and pavement markings. Lead lighting design engineer for reconstruction of 1.5 miles of new pavement divided roadway including a new lighting system for the entire length of the project. Median left turn lanes were designed and constructed to MDOT standards.
- **I-94 Access Road Interchange with Schaefer Road – Dearborn, Michigan**
Project leader for engineering portion of project implementing document recommendations. Project included new access road and ramp alignment and profiles, new closed drainage system with curb and gutter for surface water conveyance, ground mounted and overhead signing, new traffic signals, pavement markings, complete interchange lighting and a complex maintenance of traffic scheme utilizing temporary ramps, temporary signals, and detours.
- **Hurd Road and Yax Road, Monroe County Road Commission – Frenchtown Township, Michigan**
Project leader for reconstruction of 1.5 miles and rehabilitation of an additional one mile of roadway on existing alignment with new profile. Project includes drainage improvements, safety improvements and reconstruction of three grade railroad crossings, pavement markings, signing, and maintaining traffic plans.
- **Warren Road, Wayne County Department of Public Services – Wayne County, Michigan**
Project leader for reconstruction of 1.0 mile of new concrete pavement with integral curb. This 5-lane pavement is on existing alignment with new profile. Project includes new drainage system in compliance with Wayne County Best Management Practices, pavement markings, signing, traffic maintenance and right-of-way. The project is adjacent to a wetland that requires no impacts.
- **I-75/SR 18 Interchange Reconfiguration – North Baltimore, Ohio**
Project Engineer to develop plans for the I-75/SR 18 interchange reconfiguration.
- **Reconstruction of Stewart Road, Monroe County Road Commission – Monroe, Michigan**
Project leader for reconstruction of two miles of roadway. Project included drainage improvements, safety upgrades, pavement markings, signing and maintenance of traffic.
- **Tiffin Ave. Relocation and Grade Separation- Toledo-Lucas County Port Authority – Toledo, Ohio**
Lead design engineer for relocation and grade separation.
- **I-75 – County Line to Gibraltar Road – Wayne County, Michigan**
Responsible for detention design in compliance with Best Management Practices of Wayne County Storm Water Management Standards during the road design engineering services for reconstruction of I-75 for 2.783 miles through Rockwood, Flat Rock, Woodhaven, and Brownstown Township. Existing roadway is a 6-lane principal urban interstate highway.
- **Butler Road Reconstruction & Directional Signage, Ford Rouge Complex – Dearborn, Michigan**
Project leader for reconstruction of 0.4 miles of new concrete pavement roadway. Included new closed drainage in compliance with Wayne County Best Management Practices for Storm Water Quality, pavement markings, signing, maintenance of traffic, and utility coordination. Also project leader for design and ground mount directional signage placed around Ford Rouge Complex. Signage installed for guidance of deliveries to Butler Yard truck staging area and various locations around the Rouge Complex. Signs and supports designed by MDOT standards and requirements, including FHWA alphabet standards.
- **42" Interconnect Water Main – Rocky River, Westlake and Cleveland, Ohio**
Project lead designer for design plans and construction assistance of 5 miles of 42" transmission water main to interconnect an existing 30" water main and 54" water main. Design included supplement connections to the distribution grid throughout the project to equalize grid pressures. Included 36" water main mounted to roadway structure and SCADA telemetry system in vault with venturi pipe for flow monitoring.

- **DaimlerChrysler Toledo North Assembly Plant – Toledo, Ohio**
Designed stormwater detention and water quality pond for new supplier park development. Rewrote stormwater pollution prevention plan for new construction.

COMPLEX SITE AND ROADWAY LIGHTING DESIGN

- **Overland Industrial Park – Toledo, Ohio**
Senior design engineer provided lighting analysis and design plans for the first site development plan within the newly created industrial park at the site of the former Jeep Plant. Provided photometric analysis of pole and building mounted LED light fixtures.
- **Jeep Parkway – Toledo, Ohio**
Senior design engineer provided lighting analysis and design plans for approximately 3,300 feet of new roadway to service Overland Industrial Park. Provided photometric analysis of pole mounted LED light fixtures for the first location in the City of Toledo to utilize LED technology.
- **Various Parking Lot Lighting Improvements Ford Rouge Complex – Dearborn, Michigan**
Lead lighting design engineer for safety improvements for three employee parking lots (approximately 5,000 parking stalls). Improvements included new lights on new foundations, pole mounted cameras, and call boxes. New lighting circuits, conduit, and fiber optics were also installed.
- **I-271/I-90 Dual Lanes – Cuyahoga County, Ohio**
New continuous freeway lighting (6 miles) using high mast tower lights median mounted on concrete barrier.
- **Road 4 Ford Rouge Complex – Dearborn, Michigan**
Lead lighting design engineer for reconstruction and rehabilitation of 1.0 mile of roadway through the Ford Rouge complex. Project included new pavement, drainage, curbing with plants, roadway lighting, and pedestrian lighting.
- **Beldren Road to Trump Road – Stark County, Ohio**
New interchange lighting using high mast lighting with asymmetric distributions.
- **Rehabilitation of Public Square – Cleveland, Ohio**
Performed redesign, plan preparation, and construction monitoring for reconstruction of interior light of Northeast quadrant.
- **Ford Rouge Complex – Dearborn, Michigan**
Provided electrical upgrades to Gate 10 and Frame Plant Extension. Design and ground mounted directional signage placed at various locations around the complex. Signage and supports designed per MDOT standards and requirements, including FHWA alphabet standards.

Todd J. Brown

Professional Background

Todd has over 22 years of experience as an Engineer and Project Manager. He has specialized skills in municipal utilities and has worked closely with Directors of Utilities, City Engineers, Department Heads, City Personnel, and contracted employees. His primary engineering focus is in water services, including: waste water treatment plants, water mains, sewer mains, backflow prevention devices, lift stations, fire hydrants and valves and detention/retention basin design review. Todd is similarly expert in the preparation of construction plans for water and sewer projects, the design and update of city utility maps; the development of charts and graphs from data collected in the field; and, the compilation of bid packages for utilities projects. As a Project Manager, Todd has been instrumental in design, survey, draft and implementation of projects that have included the acquisition of permits and easements. Todd, in his Engineering capacity, has managed and supervised, and had oversight for the construction of city street networks and related projects. He has also generated reports and written grants to obtain funds for municipal projects. Todd is adept at computer modeling. He is proficient in industry proprietary software packages including: AutoCAD Map Releases 12 through 2014, Field Manager Suite, MS Project, KY Pipe 2000, and WaterCAD, among others.

Specializations

Civil Engineering

In his Engineering role, Todd has prepared construction plans for water and sewer projects, has designed city maps and prepared graphs and charts culled from field data. He has compiled bid packages for utilities projects, and updated utility maps. Todd has performed site plan design and layout for private and municipal complexes, subdivisions, and industrial sites. He has surveyed, designed, drafted and implemented projects. He has prepared budget costs and engineer's estimates. In his engineering capacity, Todd has been responsible for oversight, construction and maintenance of pavement markings, street lighting network, and street, sidewalk, parking lot and traffic signs. Additionally, Todd has managed and supervised 30 full time and 20 seasonal and part time employees within engineering/public works, cemetery, and parks and forestry departments.

Municipal/Utility Design

Todd is well versed in all aspects of municipal, street and utility engineering including design of storm sewer, water systems. He has also designed detention/retention ponds. He has expertise in coordinating and supervising city utilities departments capital projects such as: waste water treatment plant improvement projects, sewer system improvement projects, water main improvements and lift station and well-field projects, to name a few.

Specializations

- Civil Engineering
- Municipal/Utility Design
- Waste Water/Storm Water Management
- Infrastructure Maintenance/Oversight
- Surveying/Mapping
- Grant Writing/Project Documentation

Education:

- AAS, Washtenaw Community College, 2016
- BBA, Siena Heights University, 2016

Certifications / Affiliations:

- S-1 Waterworks System Operator License, 2004, Current
- MDOT Computerized Office Technician
- Confined Space Superintendent, Entrant, Attendant

Years of Experience:

With MSG: 2018
Other Firms: 1996 – 2018

Todd J. Brown



Previous Experience (other firms)

- **Director of Parks and Engineering Services – Adrian, Michigan**
In his role as Director of Parks & Engineering Services, Todd managed and supervised 30 full time and 20 seasonal and part time employees within the Engineering/Public Works, Cemetery and Parks and Forestry Departments. He worked within a \$5M annual operating and capital budget. He was responsible for oversight, construction and maintenance of a 75 mile city street network that included: pavement markings, street lighting network, snow related activities and street and traffic sign maintenance.
- **Project Manager – Adrian, Michigan**
As Project Manager, Todd coordinated and supervised City Engineering and Utilities Department capital projects. He was peripherally involved with a City Complex project, consisting of a new city hall, renovation of an existing 125 year old post office, construction of a new police station and the demolition of existing facilities. He was heavily involved in the preparation of grants; multiple ARRA & CDBG Grant funded projects. He administered contracts for street and storm sewer maintenance, CCTV inspection, and numerous other projects and maintenance items. Todd was responsible to review site plans for compliance. He was additionally for surveying, designing and drafting and implementation of projects. Todd also monitored project budgets, schedules, expenditures, work plans and provided cost/estimate projections. He analyzed, prepared and presented reports to City Commissioners, Mayor, Department Heads and State officials on performance of projects.
- **Associate Engineer – Albany, New York**
Todd performed as Associate Engineer and designed and detailed sanitary sewers (gravity and pressurized), storm sewers and water mains. Other responsibilities included: construction services and oversight of projects, site plan design and layout of private and municipal complexes; subdivisions and industrial sites; preparation of budget costs and engineer's estimates; reports and grant writing; retention/detention pond design, and, aiding in survey and wetland delineation.
- **Infrastructure Technician – Toledo, Ohio**
As an Infrastructure Technician, Todd designed and detailed sanitary sewers, storm sewers, water mains and various underground systems at a wastewater treatment facility for municipalities. He served as back-up Water Treatment Plant Operator. With his diverse skills, Todd performed field work identifying inflow/infiltration of sanitary sewers, collected information/data for project design, and verified compliance of specifications and plans. He prepared budget costs, provided engineer's estimates and prepared specifications. He also served as a Residential Project Representative for sanitary and storm sewer separation projects.
- **Engineer/CAD Technician – Adrian, Michigan**
Todd performed as an Engineer/CAD Technician, preparing construction plans for water and sewer projects; compiling bid packages for pending utilities projects; updating utility maps; supervising the installation of water mains, fire hydrants, and water services; and, serving as City Representative during groundwater and geotechnical investigations. He installed flow meters in sanitary sewers and collected data to develop useful charts and graphs used to analyze infiltration and/or inflow of illicit storm water entering the system. His versatility included the design and updating of City maps using AutoCAD Map R14.

Tyler Smith PE

Professional Background

Tyler has over 7 years experience in planning and design for land development, utilities, roadways, and general construction for municipality and private clients. Tyler is also experienced in a variety of survey specialties including preparation of easement documents, legal descriptions, as-built plans, and ALTA surveys.

Land Development

Mr. Smith is experienced in all phases of the site development process including site layout, detailed grading design, utility design and plan/specification preparation. His experience includes work for significant site development projects including schools and commercial/industrial sites, roadways and utilities projects.

Municipal/Utility Design

Mr. Smith is well versed in all aspects of municipal, street and utility engineering including the design of streets; and the design of detention/retention ponds; storm sewer and water system design.

Roadway Design

Mr. Smith has conducted various roadway design project including

- Design of reconstruction, geometrical and rehabilitation projects,
- Design per Green and Complete Streets standards
- County driveway permitting
- Design of ADA compliant sidewalk and facilities
- Streetscape design

Specializations

- Land Development
- Municipal/Utility Design
- Roadway Design

Education:

- BS, Civil Engineering, Michigan State University

Certifications / Affiliations:

- Professional Engineer, State of Michigan
- MDOT Certified Computerized Office Technician
- Constructing Pedestrian Facilities for Accessibility
- Field Manager Certified

Years of Experience:

With MSG: 2020 – Present

With MSG: 2014 – 2020

Tyler Smith PE





To: Mr. David Pierson

From: Paul Furtaw, PE

Date: February 28, 2023

RE: Lake Lansing Estates II – Access Route Evaluation

EXECUTIVE SUMMARY

The proposed Lake Lansing Estates II site is located on the north side of Lake Lansing Road between Newton Road and Marsh Road and is currently vacant. The proposed development includes a single-family residential subdivision of up to approximately 50 single-family residential lots. The subject site and surrounding properties are depicted in the drawing titled **Access Route Exhibit** (Exhibit A).

Access to Lake Lansing Estates II was contemplated through a number of routes based on suggestions provided by Meridian Township and as depicted in the drawing titled **Access Route Exhibit** (Exhibit A). These proposed routes were evaluated to determine the most suitable route to provide access to the subject property, considering, among other things, the following:

- District Regulations and Design Standards as prescribed in the Meridian Township Zoning Ordinance;
- Natural features including wetlands, floodplains, floodways, County Drains and inland lakes and streams;
- Probable costs related to the routes.

The Conclusions related to this analysis are as follows:

1. **Access Route #7 through Sierra Ridge Estates is the best route for Primary Access to Lake Lansing Estates II.**
2. **Access Route #1 through Isaac Lane is the best route for Secondary Access to Lake Lansing Estates II.**
3. **Access Route #6 may be considered as an alternate route for Secondary Access but only as a last resort and provided Meridian Township will grant appropriate easements or right-of-way over the property to accommodate the proposed route.**

PROJECT OVERVIEW

This memorandum presents the methodologies, results and recommendations of the analysis for proposed site access to the proposed Lake Lansing Estates II in Meridian Township, Michigan. The subject site is located on the north side of Lake Lansing Road between Newton Road and Marsh Road and is currently vacant. The proposed development includes a single-family residential subdivision of up to approximately 50 single-family residential lots. The subject site and surrounding properties are depicted in the drawing titled **Access Route Exhibit** (Exhibit A).

Access to Lake Lansing Estates II was contemplated through a number of routes based on suggestions provided by Meridian Township and as depicted in the drawing titled **Access Route Exhibit** (Exhibit A). These proposed Access Routes were reviewed in context with the following information:



- Natural Features Maps and Reports (Exhibit B):
 - **Surface Water Delineation Report prepared by the Mannik & Smith Group, Inc. dated October 7, 2021** (Exhibit B-1);
 - **Flood Insurance Rate Map, Panel 43 of 425, Map Number 26065C0043D** (Exhibit B-2);
 - **Firmette of Flood Insurance Rate Map, Map Number 26065C0043D** (Exhibit B-3);
 - **Image from Ingham County Public Drain Viewer** (Exhibit B-4);
 - **National Wetlands Inventory Map** (Exhibit B-5);
 - Image printed from Michigan Department of Environment, Great Lakes, and Energy (**EGLE Wetland Map** Viewer (Exhibit B-6).
- Design Drawings, Topographic Maps, and Record Plans as prepared by others (Exhibit C):
 - **Plans for Sierra Ridge Estates #4 as prepared by KEBS, Inc. with a revision date of 4/14/22** (Exhibit C-1, 12 pages);
 - **Preliminary Plat for Sierra Ridge Estates as prepared by KEBS, Inc. with a revision date of 8/22/02** (Exhibit C-2);
 - **Topographic Information for Parcel 33-02-02-04-400-012** (Exhibit C-3);
 - **Sanitary Sewer Record Plans** (Exhibit C-4, 2 pages).
- Published Codes and Regulations (Exhibit D):
 - **International Fire Code, 2018 Edition, Appendix D Fire Apparatus Roads** (Exhibit D-1, 6 pages);
 - **Chapter 86 of the Meridian Township Zoning Ordinance, Article IV, Division 2, Section 86-373** (Exhibit D-2, 2 pages);
 - **Chapter 62 of the Meridian Township Zoning Ordinance, Article II, Section 62-62** (Exhibit D-3, 3 pages).

Upon review of the proposed Access Routes, Concept plans and Opinions of Probable Costs were developed for routes that were determined to be viable from an engineering and permitting perspective, and each route was evaluated for suitability to access Lake Lansing Estates II. Criteria used in this evaluation included the following:

- Estimated costs.
- An understanding of the permitting and approvals required to be able to construct any of the Access Routes contemplated including, but not limited to, the following:
 - **Rules of the Ingham County Drain Commissioner Standards for Stormwater Management, Systems, Procedures and design Criteria;**
 - Ingham County Road Department **Procedures and Guidelines for Developing Public Roads;**
 - **Meridian Township Zoning Ordinance;**
 - Michigan Department of Environment, Great Lakes and Energy (EGLE) Joint Permit Application for impacts to the following:
 - Regulated wetlands;
 - Floodplains and floodways;
 - Inland lakes and streams.



- As it relates to the EGLE Joint Permit Application, please note the following:
 - EGLE was not consulted to discuss or review any of the information included herein. A formal application is required to be submitted to EGLE before they will entertain any conversations about a potential project.
 - As a condition of issuance of a permit, EGLE will require that alternate scenarios be submitted. These alternate scenarios will be evaluated by permit staff and considered in determination as to when and/or if a permit will be issued. It is Bergmann's experience that unless there are extenuating circumstances, EGLE will generally issue permits for projects that result in less impacts to wetlands, floodplains, and/or inland lakes or streams.

Lastly, per Chapter 62 of the Meridian Township Zoning Ordinance, no more "...than 35 single-family lots be permitted within a platted subdivision unless two means of street access are provided." As such, the evaluation considered two (2) means of "street" access to be able to fully develop the property. For the purposes of the evaluation, the proposed Access Routes were considered to be either **Primary Access Routes** (i.e., full width public roads per County and Township design standards with 66-foot-wide rights-of-way), and **Secondary Access Route** (i.e. narrower roadways with dedicated easements for emergency ingress/egress, utilities, and non-vehicular traffic).

ANALYSIS

Based on the information and criteria cited above, Bergmann's assessment of the proposed Access Routes is as follows:

- **Access Route 1 – Through Subject Property to Isaac Lane:**
 - This route includes approximately 1,000 feet of roadway from the end of Isaac Lane to the developable upland area of the subject property.
 - *Please note that the Exhibit A document as prepared by the Township references a length of 1,100. For the purposes of this report and the other documents included herein an approximate length of 1,000 feet was used as this is more indicative of what the actual road length would be.*
 - This route was determined to be potentially viable from an engineering and permitting perspective based on (1) the "limited" impacts to regulated wetlands, floodplain and inland lakes and streams as compared to the other routes considered and (2) the understanding that existing Isaac Lane currently terminates at a dead end and its original design and construction contemplated extension to the north.
 - Given this route was determined to be potentially viable, **Conceptual Engineering Plans for Access Route 1** were prepared to help determine the extent of improvements required (Exhibit E-1, 2 Pages).
 - During the course of preparing the Conceptual Engineering Plans, it was determined that access to gravity sewer cannot be provided through this route due a conflict with the Costigan Drain.
 - Given that the subject property cannot access gravity sewer from this route and that other proposed Access Routes result in less impacts to regulated wetlands, floodplains, and/or inland lakes and streams, it was determined that Access Route 1 should be considered a candidate for Secondary Access.



- An **Opinion of Probable Cost** for construction of **Access Route 1 as Primary Access** was prepared (Exhibit E-2). An additional **Opinion of Probable Cost** for construction of **Access Route 2 as Secondary Access** was also prepared (Exhibit E-3).
- Based on the Opinion of Probable Cost and the reasons cited above, it was determined that **Access Route 1 is the best route for Secondary Access** to Lake Lansing Estates II.
- **Access Route 2 – Through Subject Property to Lake Lansing Road:**
 - This route includes approximately 1,900 feet of roadway from Lake Lansing Road to the developable upland area of the subject property.
 - This proposed Access Route has greater impact to regulated wetlands and floodplain compared to proposed Access Route 1.
 - Understanding that EGLE will review and consider alternates as part of any Joint Permit Application, proposed **Access Route 2 was determined not to be viable** and worth pursuing based on the additional impacts.
 - No Concept Plans or Opinion of Probable Cost was prepared for Access Route 2 however, based on the fact that the length of this route is longer than that described in Access Route 1, it stands to reason that the costs of this route would be greater than that of Access Route 1.
- **Access Route 3 – Through Adjacent Property to Lake Lansing Road:**
 - This route includes approximately 2,100 feet of roadway from Lake Lansing Road to the developable upland area of the subject property.
 - This route does traverse onto adjacent property however, this property is under same ownership of the subject property. As such, it was assumed that there would be no objections to granting easements or right-of-way for this route.
 - This proposed Access Route has greater impact to regulated wetlands and floodplain compared to proposed Access Route 1.
 - Understanding that EGLE will review and consider alternates as part of any Joint Permit Application, proposed **Access Route 3 was determined not to be viable** and worth pursuing based on the additional impacts.
 - No Concept Plans or Opinion of Probable Cost was prepared for Access Route 3 however, based on the fact that the length of this route is longer than that described in Access Route 1, it stands to reason that the costs of this route would be greater than that of Access Route 1.
- **Access Route 4 – Through Adjacent Property to Lake Lansing Road:**
 - This route includes approximately 2,500 feet of roadway from Lake Lansing Road to the developable upland area of the subject property.
 - This route does traverse onto adjacent property however, this property is under same ownership of the subject property. As such, it was assumed that there would be no objections to granting easements or right-of-way for this route.
 - This proposed Access Route has greater impact to regulated wetlands and floodplain compared to proposed Access Route 1.
 - Understanding that EGLE will review and consider alternates as part of any Joint Permit Application, proposed **Access Route 4 was determined not to be viable** and worth pursuing based on the additional impacts.



- No Concept Plans or Opinion of Probable Cost was prepared for Access Route 4 however, based on the fact that the length of this route is longer than that described in Access Route 1, it stands to reason that the costs of this route would be greater than that of Access Route 1.
- **Access Route 5 – Through Subject Property to Marsh Road:**
 - This route includes approximately 3,800 feet of roadway from Marsh to the developable upland area of the subject property.
 - Out of any of the proposed routes considered, Access Route 5 results in the greatest impact to wetlands and floodplain.
 - Additionally, Access Route 5 encroaches onto the regulated floodway.
 - Understanding that EGLE will review and consider alternates as part of any Joint Permit Application, proposed **Access Route 5 was determined not to be viable** and worth pursuing based on the additional impacts.
 - No Concept Plans or Opinion of Probable Cost was prepared for Access Route 5 however, based on the fact that the length of this route is the longest of any considered, it stands to reason that the costs of this route would be the greatest of any considered.
- **Access Route 6 – Through Adjacent Property to Wilder Street:**
 - This route includes approximately 1,000 feet of roadway from Wilder Street to the developable upland area of the subject property.
 - This route was determined to be potentially viable from an engineering and permitting perspective based on (1) the “limited” impacts to regulated wetlands as compared to the other routes considered, (2) the fact that this proposed route does not require crossing a County Drain and (3) the fact that there are no impacts to regulated floodplain and/or inland lakes and streams.
 - It should be noted that this route traverses across adjacent property owned by Meridian Township and that easements and/or right-of-way would need to be acquired from the Township to be able to implement this proposed Access Route.
 - Given this route was determined to be potentially viable, ***Conceptual Engineering Plans for Access Route 6*** were prepared to help determine the extent of improvements required (Exhibit F-1, 2 Pages).
 - During the course of preparing the Conceptual Engineering Plans, it was determined that access to gravity sewer cannot be provided through this route due to the depth of the existing sanitary sewer.
 - Given that the subject property cannot access gravity sewer from this route and that other proposed Access Routes result in less impacts to regulated wetlands, floodplains, and/or inland lakes and streams, it was determined that Access Route 6 should be considered a candidate for Secondary Access.
 - An ***Opinion of Probable Cost*** for construction of Access Route 6 as a Secondary Access was prepared (Exhibit F-2).
 - Based on the Opinion of Probable Cost and the reasons cited above, it was determined that **Access Route 2 should only be pursued as a last resort and provided that the Township will grant appropriate easements or right-of-way over the property.**



- **Access Route 7 – Through Adjacent Sierra Ridge Estates:**
 - This route includes approximately 250 feet of roadway from proposed Modesto Drive in proposed Sierra Ridge Estates to the proposed easterly boundary of proposed Sierra Ridge Estates.
 - This route was determined to be potentially viable from an engineering and permitting perspective based on (1) the “limited” impacts to regulated wetlands as compared to the other routes considered, (2) the fact that this proposed route does not require crossing a County Drain and (3) the fact that there are no impacts to regulated floodplain and/or inland lakes and streams.
 - It should be noted that this proposed Access Route impacts proposed plans for Sierra Ridge Estates and that modifications would be required to accommodate this proposed route.
 - As part of this analysis, Bergmann did provide an alternate layout for Sierra Ridge. This alternate layout considers reductions to the lot frontage dimensions and sizes of the lots in accordance with the Chapter 86 of the Meridian Township Zoning Ordinance, Article IV, Division 2, Section 86-373. This **Alternate Layout for Sierra Ridge** maintains the same number of lots as previously proposed (Exhibit G-3, 2 Pages).
 - Given this route was determined to be potentially viable, **Conceptual Engineering Plans for Access Route 6** were prepared to help determine the extent of improvements required (Exhibit G-1, 2 Pages).
 - During the course of preparing the Conceptual Engineering Plans, it was determined that access to gravity sewer can only be provided to a portion of Lake Lansing Estates II.
 - Given (1) that the subject property has, at least, limited access to gravity sewer from this route and that this proposed Routes results in less impacts to regulated wetlands, floodplains, and/or inland lakes and streams that other routes considered, it was determined that Access Route 7 should be considered a candidate for Primary Access.
 - An **Opinion of Probable Cost** for construction of Access Route 7 as a Primary Access was prepared (Exhibit G-2).
 - Based on the Opinion of Probable Cost and the reasons cited above, it was determined that **Access Route 7 is the best route for Primary Access** to Lake Lansing Estates II.

CONCLUSIONS AND RECOMMENDATIONS

The following conclusions of this assessment are based on the information outlined herein:

1. **Access Route #7:**
 - a. **This proposed route results in “limited” impacts to wetlands, does not impact floodplain or inland lakes or streams, and does not require crossing a County Drain.**
 - b. **This proposed route is the shortest of any of those considered.**
 - c. **Of any of the other routes considered, this is the only route that provides for access to gravity sanitary sewer.**
 - d. **While this proposed route will require modifications to the proposed plans for Sierra Ridge Estates, modifications can be done in such a way as to maintain the number of lots currently proposed.**
 - e. **Given the points above, it was determined that proposed Access Route #7 through Sierra Ridge Estates is the best route for Primary Access to Lake Lansing Estates II.**



2. **Access Route #1:**
 - a. **This proposed route results in “limited” impacts to wetlands, floodplain and inland lakes and streams as compared to other routes considered.**
 - b. **This proposed route does not allow for access to gravity sanitary sewer.**
 - c. **The proposed route does not require modifications or property acquisition from other 3rd Parties.**
 - d. **Given the points above, it was determined that proposed Access Route #1 through Isaac Lane is the best route for Secondary Access to Lake Lansing Estates II.**
3. **Access Route #6:**
 - a. **This proposed route results in “limited” impacts to wetlands, does not impact floodplain or inland lakes or streams, and does not require crossing a County Drain.**
 - b. **This proposed route does not allow for access to gravity sanitary sewer.**
 - c. **This proposed route requires that Meridian Township grant easements and/or right-of-way to accommodate the proposed route.**
 - d. **Given the points above, it was determinate that Access Route #6 may be considered as an alternate route for Secondary Access but only as a last resort and provided Meridian Township will grant appropriate easements or right-of-way over the property to accommodate the proposed route.**
4. **Development of Lake Lansing Estates II can only be fully realized if a minimum of two (2) of the proposed Access Routes are implemented. Implementation of only (1) one of these access points would only allow for limited development per the following:**
 - a. **Access Route #7:**
 - i. **A total of 29 Lots are either existing or currently proposed at the ends Sierra Ridge Estates Modesto Drive and Fresno Lane. This would allow for only six (6) lots in Lake Lansing Estates II to be developed if Access Route #7 were the only Access Route.**
 - b. **Access Route #7:**
 - i. **A total of 19 Lots are located at the end of Isaac Lane. This would allow for only sixteen (16) lots in Lake Lansing Estates II to be developed if Access Route #7 were the only Access Route.**
 - c. **Access Route #6:**
 - i. **Wilder Road is currently non-confirming with respect to the number of lots allowed at a dead-end street. Implementation of only Access Route #6 does not allow for development of any lots in Lake Lansing Estates II.**

An **Overall Site Plan** depicting a potential layout for Lake Lansing Estates II along with the proposed Access Routes described above is included in the Appendix (Appendix H).

EXHIBIT G-2
EYDE LAKE LANSING ESTATES - ACCESS 7 (PRIMARY ACCESS)
+/-250 LF ROADWAY (27' WIDE WITH 5' SIDEWALKS)
FROM PROPOSED SUBDIVISION TO MODESTO DRIVE

DESCRIPTION	UNIT	QUANTITY	UNIT COST	COST	TOTAL
ON-SITE IMPROVEMENTS					
SITE PREP / EARTHWORK					
Erosion Control					
Silt Fence	LF	1,250	\$ 3.00	\$ 3,750.00	
Construction Entrance	LS	1	\$ 10,000.00	\$ 10,000.00	
Truck Exit Wash Down Area	LS	1	\$ 30,000.00	\$ 30,000.00	
Temporary pond protection system	LS	1	\$ 10,000.00	\$ 10,000.00	
Slope Blanket	SY	1,250	\$ 2.00	\$ 2,500.00	
Inlet Protection	EA	6	\$ 500.00	\$ 3,000.00	
Total Erosion Control Cost				\$ 59,250.00	
Site Clearing					
Clear & Grub	AC	1	\$ 3,500.00	\$ 1,750.00	
Total Site Clearing Cost				\$ 1,750.00	
Earthwork					
On-Site Earthwork (Cut)	CY	0	\$ 3.50	\$ -	
On-Site Earthwork (Fill)	CY	3,500	\$ 15.00	\$ 52,500.00	
TOTAL EARTHWORK COST				\$ 52,500.00	
TOTAL SITE PREP/EARTHWORK COST					\$ 113,500.00
UTILITIES, WET (storm, sanitary, water)					
Storm Sewer					
Manholes/Catch Basins 4'	EA	4	\$ 2,500.00	\$ 10,000.00	
Manholes/Catch Basins 5'	EA	1	\$ 4,000.00	\$ 4,000.00	
Outlet Control Structure - complete	EA	1	\$ 5,000.00	\$ 5,000.00	
Flared End Sections	EA	1	\$ 2,500.00	\$ 2,500.00	
Rip Rap	SY	10	\$ 50.00	\$ 500.00	
12" HDPE Pipe	LF	150	\$ 30.00	\$ 4,500.00	
24" HDPE Pipe	LF	75	\$ 50.00	\$ 3,750.00	
30" HDPE Pipe	LF	0	\$ 65.00	\$ -	
60" HDPE Pipe	LF	0	\$ 75.00	\$ -	
Total Storm				\$ 30,250.00	
Sanitary Sewer					
Manholes	EA	2	\$ 3,500.00	\$ 7,000.00	
8" PVC Pipe	LF	250	\$ 55.00	\$ 13,750.00	
6" Ductile Iron Force Main	LF	0	\$ 30.00	\$ -	
Connect to Existing	EA	1	\$ 1,700.00	\$ 1,700.00	
Pump Station with Generator	LS	0	\$ 150,000.00	\$ -	
Total Sanitary				\$ 22,450.00	
Water					
8" D.I. Pipe	LF	250	\$ 75.00	\$ 18,750.00	
6" D.I. Pipe (Hydrant Leads)	LF	10	\$ 50.00	\$ 500.00	
Fire Hydrant Assembly (includes 6" gate valve & tee)	EA	1	\$ 2,000.00	\$ 2,000.00	
Fire Department Connection	EA	0	\$ 10,000.00	\$ -	
8" Gate Valve and Well	EA	2	\$ 5,000.00	\$ 10,000.00	
Total Water				\$ 31,250.00	
TOTAL UTILITIES, WET (storm, sanitary, water) COST					\$ 83,950.00
UTILITIES, DRY (power, phone, gas)					
Power					
Primary Electric Service Conduit	LF	250	\$ 15.00	\$ 3,750.00	
Electric Manhole	EA	1	\$ 3,000.00	\$ 3,000.00	
Electric Pull Box	EA	1	\$ 500.00	\$ 500.00	
Transformer	EA	1	\$ 25,000.00	\$ 25,000.00	
Connect to Existing	EA	0	\$ 5,000.00	\$ -	
Total Power				\$ 32,250.00	
Phone					
Telephone Service Conduit	LF	250	\$ 15.00	\$ 3,750.00	
Telephone Pull Box	EA	1	\$ 500.00	\$ 500.00	
Connect to Existing Fiber	LS	1	\$ 17,000.00	\$ 17,000.00	
Total Phone				\$ 21,250.00	
Gas					
Natural Gas Service Conduit	LF	250	\$ 15.00	\$ 3,750.00	
Connect to Existing	EA	1	\$ 5,000.00	\$ 5,000.00	
Total Gas				\$ 8,750.00	
TOTAL UTILITIES, DRY (power, phone, gas) COST					\$ 62,250.00
WETLANDS MITIGATION					
Wetlands Mitigation	AC	0.25	\$ 50,000.00	\$ 12,500.00	
TOTAL WETLANDS MITIGATION COST					\$ 12,500.00
LANDSCAPING					
Shade Trees	EA	0	\$ 350.00	\$ -	
Ornamental Trees	EA	0	\$ 250.00	\$ -	
Evergreen Trees	EA	0	\$ 350.00	\$ -	
Shrubs/Plants	EA	0	\$ 100.00	\$ -	
Green Area (seeding, mulching, sod)	SY	3,000	\$ 2.50	\$ 7,500.00	
TOTAL LANDSCAPING COST					\$ 7,500.00
PAVING, CURB & GUTTER					
Light Duty Asphalt (1.5" Wearing Course)	TON	75	\$ 100.00	\$ 7,500.00	
Light Duty Asphalt (2.5" Leveling Course)	TON	160	\$ 100.00	\$ 16,000.00	
Aggregate Base (9" 21AA)	SY	825	\$ 10.50	\$ 8,662.50	
Concrete Sidewalk	SF	2,750	\$ 6.00	\$ 16,500.00	
Curb and Gutter (MDOT type M entrance w/F4 curb)	LF	500	\$ 50.00	\$ 25,000.00	
TOTAL PAVING, CURB & GUTTER COST					\$ 73,662.50
SITE LIGHTING					
Conduit	LF	250	\$ 2.50	\$ 625.00	
Light Pole & Base	EA	2	\$ 4,000.00	\$ 8,000.00	
TOTAL SITE LIGHTING COST					\$ 8,000.00
SUB-TOTAL ON-SITE IMPROVEMENTS COST					\$ 361,362.50
TOTAL ON-SITE PLUS OFF-SITE IMPROVEMENTS COST					\$ 361,362.50

EXHIBIT E-2
EYDE LAKE LANSING ESTATES - ACCESS 1 (PRIMARY ACCESS)
+/-1,000 LF ROADWAY (27' WIDE WITH 5' SIDEWALKS)
FROM PROPOSED SUBDIVISION TO ISAAC LANE

DESCRIPTION	UNIT	QUANTITY	UNIT COST	COST	TOTAL
ON-SITE IMPROVEMENTS					
SITE PREP / EARTHWORK					
Erosion Control					
Silt Fence	LF	2,000	\$ 3.00	\$ 6,000.00	
Construction Entrance	LS	1	\$ 10,000.00	\$ 10,000.00	
Truck Exit Wash Down Area	LS	1	\$ 30,000.00	\$ 30,000.00	
Temporary pond protection system	LS	1	\$ 10,000.00	\$ 10,000.00	
Slope Blanket	SY	4,500	\$ 2.00	\$ 9,000.00	
Inlet Protection	EA	10	\$ 500.00	\$ 5,000.00	
Total Erosion Control Cost				\$ 70,000.00	
Site Clearing					
Clear & Grub	AC	3	\$ 3,500.00	\$ 10,500.00	
Total Site Clearing Cost				\$ 10,500.00	
Earthwork					
On-Site Earthwork (Cut)	CY	1,500	\$ 3.50	\$ 5,250.00	
On-Site Earthwork (Fill)	CY	20,000	\$ 10.00	\$ 200,000.00	
TOTAL EARTHWORK COST				\$ 205,250.00	
TOTAL SITE PREP/EARTHWORK COST					\$ 285,750.00
UTILITIES, WET (storm, sanitary, water)					
Storm Sewer					
Manholes/Catch Basins 4'	EA	6	\$ 2,500.00	\$ 15,000.00	
Manholes/Catch Basins 5'	EA	2	\$ 4,000.00	\$ 8,000.00	
12" HDPE Pipe	LF	250	\$ 30.00	\$ 7,500.00	
15" HDPE Pipe	LF	200	\$ 35.00	\$ 7,000.00	
18" HDPE Pipe	LF	100	\$ 40.00	\$ 4,000.00	
24" HDPE Pipe	LF	75	\$ 50.00	\$ 3,750.00	
Total Storm				\$ 45,250.00	
Sanitary Sewer					
Manholes	EA	1	\$ 3,500.00	\$ 3,500.00	
8" PVC Pipe	LF	300	\$ 55.00	\$ 16,500.00	
6" Ductile Iron Force Main	LF	0	\$ 30.00	\$ -	
Connect to Existing	EA	1	\$ 1,700.00	\$ 1,700.00	
Total Sanitary				\$ 21,700.00	
Water					
8" D.I. Pipe	LF	1,000	\$ 75.00	\$ 75,000.00	
6" D.I. Pipe (Hydrant Leads)	LF	20	\$ 50.00	\$ 1,000.00	
Fire Hydrant Assembly (includes 6" gate valve & tee)	EA	4	\$ 2,000.00	\$ 8,000.00	
Fire Department Connection	EA	0	\$ 10,000.00	\$ -	
8" Gate Valve and Well	EA	2	\$ 5,000.00	\$ 10,000.00	
Total Water				\$ 94,000.00	
TOTAL UTILITIES, WET (storm, sanitary, water) COST					\$ 160,950.00
UTILITIES, DRY (power, phone, gas)					
Power					
Primary Electric Service Conduit	LF	1,000	\$ 15.00	\$ 15,000.00	
Electric Manhole	EA	1	\$ 3,000.00	\$ 3,000.00	
Electric Pull Box	EA	1	\$ 500.00	\$ 500.00	
Transformer	EA	1	\$ 25,000.00	\$ 25,000.00	
Connect to Existing	EA	1	\$ 5,000.00	\$ 5,000.00	
Total Power				\$ 48,500.00	
Phone					
Telephone Service Conduit	LF	1,000	\$ 15.00	\$ 15,000.00	
Telephone Pull Box	EA	9	\$ 500.00	\$ 4,500.00	
Connect to Existing Fiber	LS	1	\$ 17,000.00	\$ 17,000.00	
Total Phone				\$ 36,500.00	
Gas					
Natural Gas Service Conduit	LF	1,000	\$ 15.00	\$ 15,000.00	
Connect to Existing	EA	1	\$ 5,000.00	\$ 5,000.00	
Total Gas				\$ 20,000.00	
TOTAL UTILITIES, DRY (power, phone, gas) COST					\$ 105,000.00
WETLANDS MITIGATION					
Wetlands Mitigation	AC	0.5	\$ 50,000.00	\$ 25,000.00	
TOTAL WETLANDS MITIGATION COST					\$ 25,000.00
LANDSCAPING					
Green Area (seeding, mulching, sod)	SY	10,000	\$ 2.50	\$ 25,000.00	
TOTAL LANDSCAPING COST					\$ 25,000.00
PAVING, CURB & GUTTER					
Light Duty Asphalt	SY	3,000	\$ 21.24	\$ 63,720.00	
Light Duty Asphalt (1.5" Wearing Course)	TON	245	\$ 75.00	\$ 18,351.56	
Light Duty Asphalt (2.5" Leveling Course)	TON	653	\$ 75.00	\$ 48,937.50	
Aggregate Base (9" 21AA)	SY	3,000	\$ 10.50	\$ 31,500.00	
Concrete Sidewalk	SF	10,000	\$ 6.00	\$ 60,000.00	
Curb and Gutter (MDOT type M entrance w/F4 curb)	LF	2,000	\$ 25.00	\$ 50,000.00	
TOTAL PAVING, CURB & GUTTER COST					\$ 272,509.06
SITE LIGHTING					
Conduit	LF	950	\$ 2.50	\$ 2,375.00	
Light Pole & Base	EA	5	\$ 4,000.00	\$ 21,111.11	
TOTAL SITE LIGHTING COST					\$ 21,111.11
SUB-TOTAL ON-SITE IMPROVEMENTS COST					\$ 895,320.17
TOTAL ON-SITE PLUS OFF-SITE IMPROVEMENTS COST					\$ 895,320.17

EXHIBIT E-3

**EYDE LAKE LANSING ESTATES - ACCESS 1 (SECONDARY ACCESS)
+/-1,000 LF ROADWAY (30' WIDE EASEMENT WITH SHARED USE PATH FOR EMERGENCY AND NON-VEHICULAR ACCESS) FROM PROPOSED SUBDIVISION TO ISAAC LANE**

DESCRIPTION	UNIT	QUANTITY	UNIT COST	COST	TOTAL
ON-SITE IMPROVEMENTS					
SITE PREP / EARTHWORK					
Erosion Control					
Silt Fence	LF	2,000	\$ 3.00	\$ 6,000.00	
Construction Entrance	LS	1	\$ 10,000.00	\$ 10,000.00	
Truck Exit Wash Down Area	LS	0	\$ 30,000.00	\$ -	
Temporary pond protection system	LS	0	\$ 10,000.00	\$ -	
Slope Blanket	SY	2,500	\$ 2.00	\$ 5,000.00	
Inlet Protection	EA	0	\$ 500.00	\$ -	
Total Erosion Control Cost				\$ 21,000.00	
Site Clearing					
Clear & Grub	AC	1	\$ 3,500.00	\$ 1,750.00	
Total Site Clearing Cost				\$ 1,750.00	
Earthwork					
On-Site Earthwork (Cut)	CY	0	\$ 3.50	\$ -	
On-Site Earthwork (Fill)	CY	12,000	\$ 15.00	\$ 180,000.00	
TOTAL EARTHWORK COST				\$ 180,000.00	
TOTAL SITE PREP/EARTHWORK COST				\$ 202,750.00	
UTILITIES, WET (storm, sanitary, water)					
Storm Sewer					
Manholes/Catch Basins 4'	EA	0	\$ 2,500.00	\$ -	
Manholes/Catch Basins 5'	EA	0	\$ 4,000.00	\$ -	
Outlet Control Structure - complete	EA	0	\$ 5,000.00	\$ -	
Flared End Sections	EA	0	\$ 2,500.00	\$ -	
Rip Rap	SY	0	\$ 50.00	\$ -	
12" HDPE Pipe	LF	0	\$ 30.00	\$ -	
24" HDPE Pipe	LF	0	\$ 50.00	\$ -	
30" HDPE Pipe	LF	0	\$ 65.00	\$ -	
60" HDPE Pipe	LF	0	\$ 75.00	\$ -	
Total Storm				\$ -	
Sanitary Sewer					
Manholes	EA	0	\$ 3,500.00	\$ -	
8" PVC Pipe	LF	0	\$ 55.00	\$ -	
6" Ductile Iron Force Main	LF	0	\$ 30.00	\$ -	
Connect to Existing	EA	0	\$ 1,700.00	\$ -	
Pump Station with Generator	LS	0	\$ 150,000.00	\$ -	
Total Sanitary				\$ -	
Water					
8" D.I. Pipe	LF	0	\$ 75.00	\$ -	
6" D.I. Pipe (Hydrant Leads)	LF	0	\$ 50.00	\$ -	
Fire Hydrant Assembly (includes 6" gate valve & tee)	EA	0	\$ 2,000.00	\$ -	
Fire Department Connection	EA	0	\$ 10,000.00	\$ -	
8" Gate Valve and Well	EA	0	\$ 5,000.00	\$ -	
Total Water				\$ -	
TOTAL UTILITIES, WET (storm, sanitary, water) COST				\$ -	
UTILITIES, DRY (power, phone, gas)					
Power					
Primary Electric Service Conduit	LF	0	\$ 15.00	\$ -	
Electric Manhole	EA	0	\$ 3,000.00	\$ -	
Electric Pull Box	EA	0	\$ 500.00	\$ -	
Transformer	EA	0	\$ 25,000.00	\$ -	
Connect to Existing	EA	0	\$ 5,000.00	\$ -	
Total Power				\$ -	
Phone					
Telephone Service Conduit	LF	0	\$ 15.00	\$ -	
Telephone Pull Box	EA	0	\$ 500.00	\$ -	
Connect to Existing Fiber	LS	0	\$ 17,000.00	\$ -	
Total Phone				\$ -	
Gas					
Natural Gas Service Conduit	LF	0	\$ 15.00	\$ -	
Connect to Existing	EA	0	\$ 5,000.00	\$ -	
Total Gas				\$ -	
TOTAL UTILITIES, DRY (power, phone, gas) COST				\$ -	
WETLANDS MITIGATION					
Wetlands Mitigation	AC	0.5	\$ 50,000.00	\$ 25,000.00	
TOTAL WETLANDS MITIGATION COST				\$ 25,000.00	
LANDSCAPING					
Shade Trees	EA	0	\$ 350.00	\$ -	
Ornamental Trees	EA	0	\$ 250.00	\$ -	
Evergreen Trees	EA	0	\$ 350.00	\$ -	
Shrubs/Plants	EA	0	\$ 100.00	\$ -	
Green Area (seeding, mulching, sod)	SY	5,000	\$ 2.50	\$ 12,500.00	
TOTAL LANDSCAPING COST				\$ 12,500.00	
PAVING, CURB & GUTTER					
Light Duty Asphalt (1.5" Wearing Course)	TON	200	\$ 100.00	\$ 20,000.00	
Light Duty Asphalt (2.5" Leveling Course)	TON	325	\$ 100.00	\$ 32,500.00	
Aggregate Base (9" 21AA)	SY	2,500	\$ 10.50	\$ 26,250.00	
Concrete Sidewalk	SF	0	\$ 6.00	\$ -	
Curb and Gutter (MDOT type M entrance w/F4 curb)	LF	0	\$ 50.00	\$ -	
TOTAL PAVING, CURB & GUTTER COST				\$ 78,750.00	
SITE LIGHTING					
Conduit	LF	1,000	\$ 2.50	\$ 2,500.00	
Light Pole & Base	EA	4	\$ 4,000.00	\$ 16,000.00	
TOTAL SITE LIGHTING COST				\$ 16,000.00	
SUB-TOTAL ON-SITE IMPROVEMENTS COST				\$ 335,000.00	
TOTAL ON-SITE PLUS OFF-SITE IMPROVEMENTS COST				\$ 335,000.00	

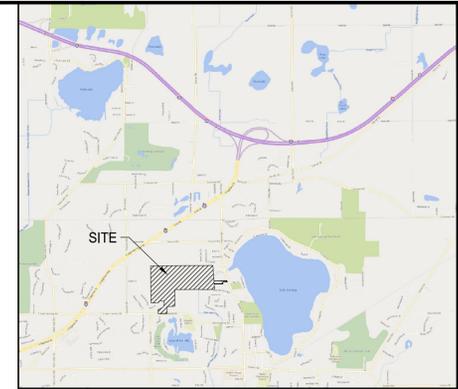
EXHIBIT F-2

EYDE LAKE LANSING ESTATES - ACCESS ROUTE 6 (SECONDARY ACCESS)

+/-1,000 LF ROADWAY (30' WIDE EASEMENT WITH SHARED USE PATH FOR EMERGENCY AND NON-VEHICULAR ACCESS) FROM PROPOSED SUBDIVISION TO WILDER STREET

DESCRIPTION	UNIT	QUANTITY	UNIT COST	COST	TOTAL
ON-SITE IMPROVEMENTS					
SITE PREP / EARTHWORK					
Erosion Control					
Silt Fence	LF	1,800	\$ 3.00	\$ 5,400.00	
Construction Entrance	LS	1	\$ 10,000.00	\$ 10,000.00	
Truck Exit Wash Down Area	LS	1	\$ 30,000.00	\$ 30,000.00	
Temporary pond protection system	LS	1	\$ 10,000.00	\$ 10,000.00	
Slope Blanket	SY	2,655	\$ 2.00	\$ 5,310.44	
Inlet Protection	EA	10	\$ 500.00	\$ 5,000.00	
Total Erosion Control Cost				\$ 65,710.44	
Site Clearing					
Clear & Grub	AC	2	\$ 3,500.00	\$ 6,512.44	
Total Site Clearing Cost				\$ 6,512.44	
Earthwork					
On-Site Earthwork (Cut)	CY	83	\$ 3.50	\$ 290.50	
On-Site Earthwork (Fill)	CY	9,500	\$ 10.00	\$ 95,000.00	
TOTAL EARTHWORK COST				\$ 95,290.50	
TOTAL SITE PREP/EARTHWORK COST					\$ 167,513.39
UTILITIES, WET (storm, sanitary, water)					
Storm Sewer					
Manholes/Catch Basins 4'	EA	0	\$ 2,500.00	\$ -	
Manholes/Catch Basins 5'	EA	0	\$ 4,000.00	\$ -	
Flared End Sections	EA	0	\$ 2,500.00	\$ -	
Rip Rap	SY	0	\$ 50.00	\$ -	
12" HDPE Pipe	LF	0	\$ 30.00	\$ -	
15" HDPE Pipe	LF	0	\$ 35.00	\$ -	
Total Storm				\$ -	
Sanitary Sewer					
Manholes	EA	0	\$ 3,500.00	\$ -	
8" PVC Pipe	LF	0	\$ 55.00	\$ -	
6" Ductile Iron Force Main	LF	0	\$ 30.00	\$ -	
Connect to Existing	EA	0	\$ 1,700.00	\$ -	
Pump Station with Generator	LS	0	\$ 150,000.00	\$ -	
Total Sanitary				\$ -	
Water					
8" D.I. Pipe	LF	0	\$ 75.00	\$ -	
6" D.I. Pipe (Hydrant Leads)	LF	0	\$ 50.00	\$ -	
Fire Hydrant Assembly (includes 6" gate valve & tee)	EA	0	\$ 2,000.00	\$ -	
Fire Department Connection	EA	0	\$ 10,000.00	\$ -	
8" Gate Valve and Well	EA	0	\$ 5,000.00	\$ -	
Total Water				\$ -	
TOTAL UTILITIES, WET (storm, sanitary, water) COST					\$ -
UTILITIES, DRY (power, phone, gas)					
Power					
Primary Electric Service Conduit	LF	0	\$ 15.00	\$ -	
Electric Manhole	EA	0	\$ 3,000.00	\$ -	
Electric Pull Box	EA	0	\$ 500.00	\$ -	
Transformer	EA	0	\$ 25,000.00	\$ -	
Connect to Existing	EA	0	\$ 5,000.00	\$ -	
Total Power				\$ -	
Phone					
Telephone Service Conduit	LF	0	\$ 15.00	\$ -	
Connect to Existing Fiber	LS	0	\$ 17,000.00	\$ -	
Total Phone				\$ -	
Gas					
Natural Gas Service Conduit	LF	0	\$ 15.00	\$ -	
Connect to Existing	EA	0	\$ 5,000.00	\$ -	
Total Gas				\$ -	
TOTAL UTILITIES, DRY (power, phone, gas) COST					\$ -
WETLANDS MITIGATION					
Wetlands Mitigation	AC	1.0	\$ 50,000.00	\$ 50,000.00	
TOTAL WETLANDS MITIGATION COST				\$ 50,000.00	
LANDSCAPING					
Green Area (seeding, mulching, sod)	SY	5,254	\$ 2.50	\$ 13,136.11	
TOTAL LANDSCAPING COST				\$ 13,136.11	
PAVING, CURB & GUTTER					
Light Duty Asphalt	SY	2,000	\$ 21.24	\$ 42,480.00	
Light Duty Asphalt (1.5" Wearing Course)	TON	150	\$ 100.00	\$ 15,000.00	
Light Duty Asphalt (2.5" Leveling Course)	TON	400	\$ 100.00	\$ 40,000.00	
Aggregate Base (9" 21AA)	SY	2,000	\$ 10.50	\$ 21,000.00	
Concrete Sidewalk	SF	0	\$ 6.00	\$ -	
Curb and Gutter (MDOT type M entrance w/F4 curb)	LF	0	\$ 50.00	\$ -	
TOTAL PAVING, CURB & GUTTER COST				\$ 118,480.00	
SITE LIGHTING					
Conduit	LF	900	\$ 2.50	\$ 2,250.00	
Light Pole & Base	EA	5	\$ 4,000.00	\$ 20,000.00	
TOTAL SITE LIGHTING COST				\$ 20,000.00	
SUB-TOTAL ON-SITE IMPROVEMENTS COST					\$ 369,129.50
TOTAL ON-SITE PLUS OFF-SITE IMPROVEMENTS COST					\$ 369,129.50

EXHIBIT H



VICINITY MAP
NOT TO SCALE



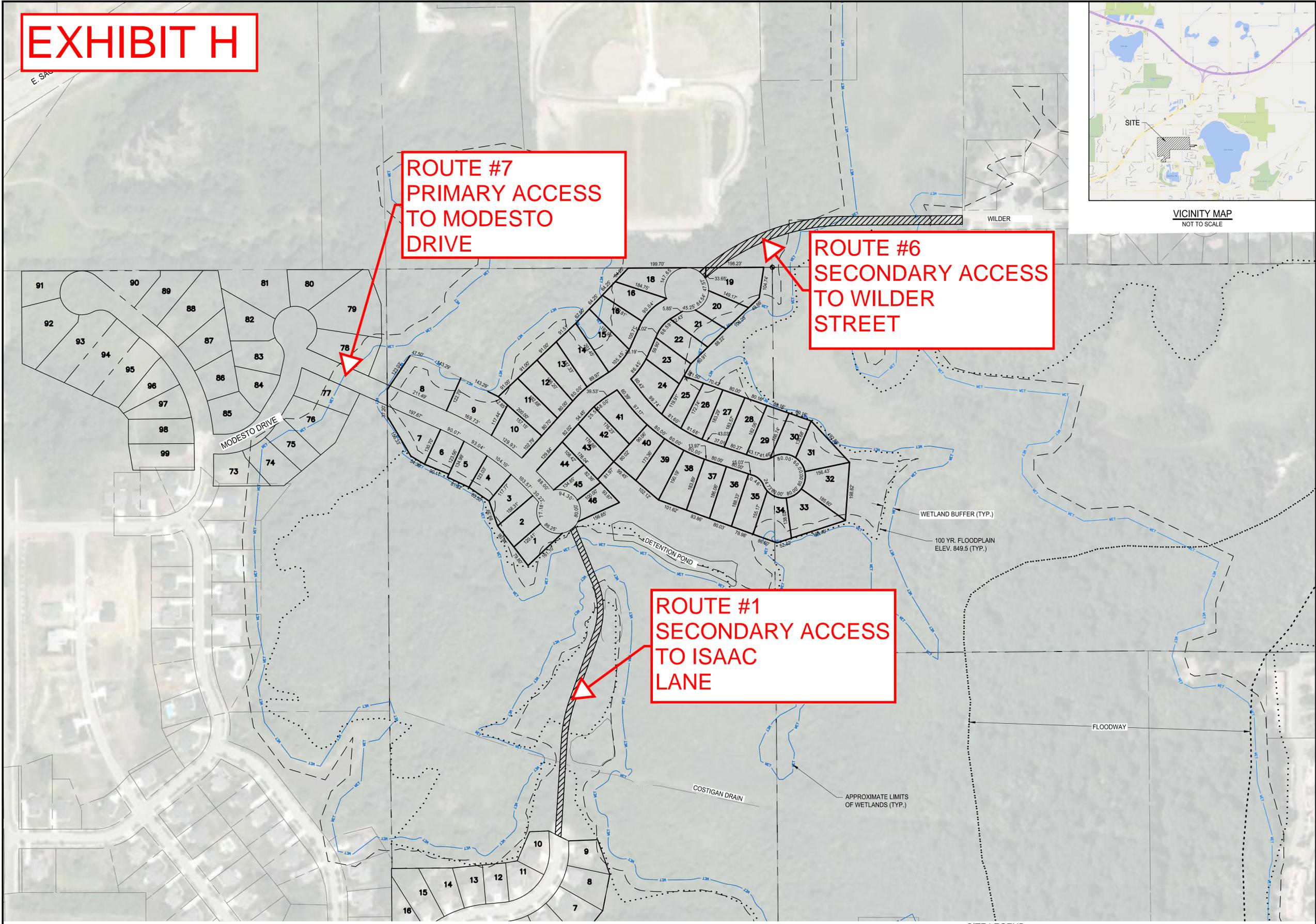
7050 West Saginaw Hwy.
Suite 200
Lansing, MI 48917
office: 517.272.9835
fax: 517.272.9836

EYDE

LAKE LANSING ESTATES

MERIDIAN TOWNSHIP MICHIGAN

Date Revised	Description



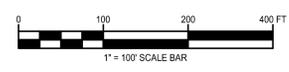
**ROUTE #7
PRIMARY ACCESS
TO MODESTO
DRIVE**

**ROUTE #6
SECONDARY ACCESS
TO WILDER
STREET**

**ROUTE #1
SECONDARY ACCESS
TO ISAAC
LANE**

SITE LEGEND:

- PROPERTY LINE
- WETLAND LINE
- 100 YR. FLOODPLAIN
- WETLAND BUFFER
- AREA OF WETLAND IMPACT



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Project Manager P. FURTAW, PE	Discipline Lead P. FURTAW, PE
Designer A. NODARSE, PE	Reviewer A. NODARSE, PE
Date Issued MMDDYY	Project Number 00000.00

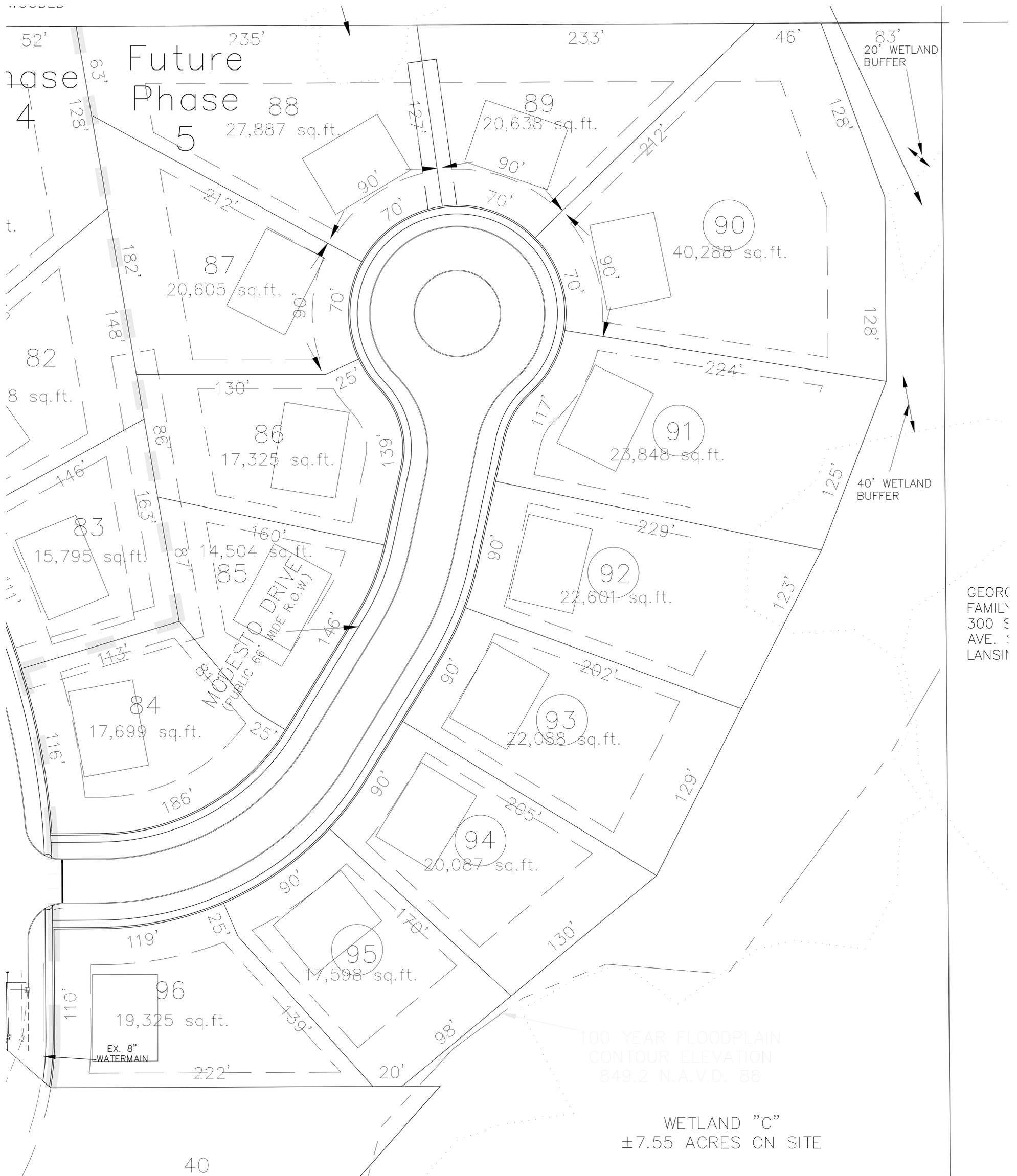
Sheet Name

OVERALL SITE PLAN

Drawing Number

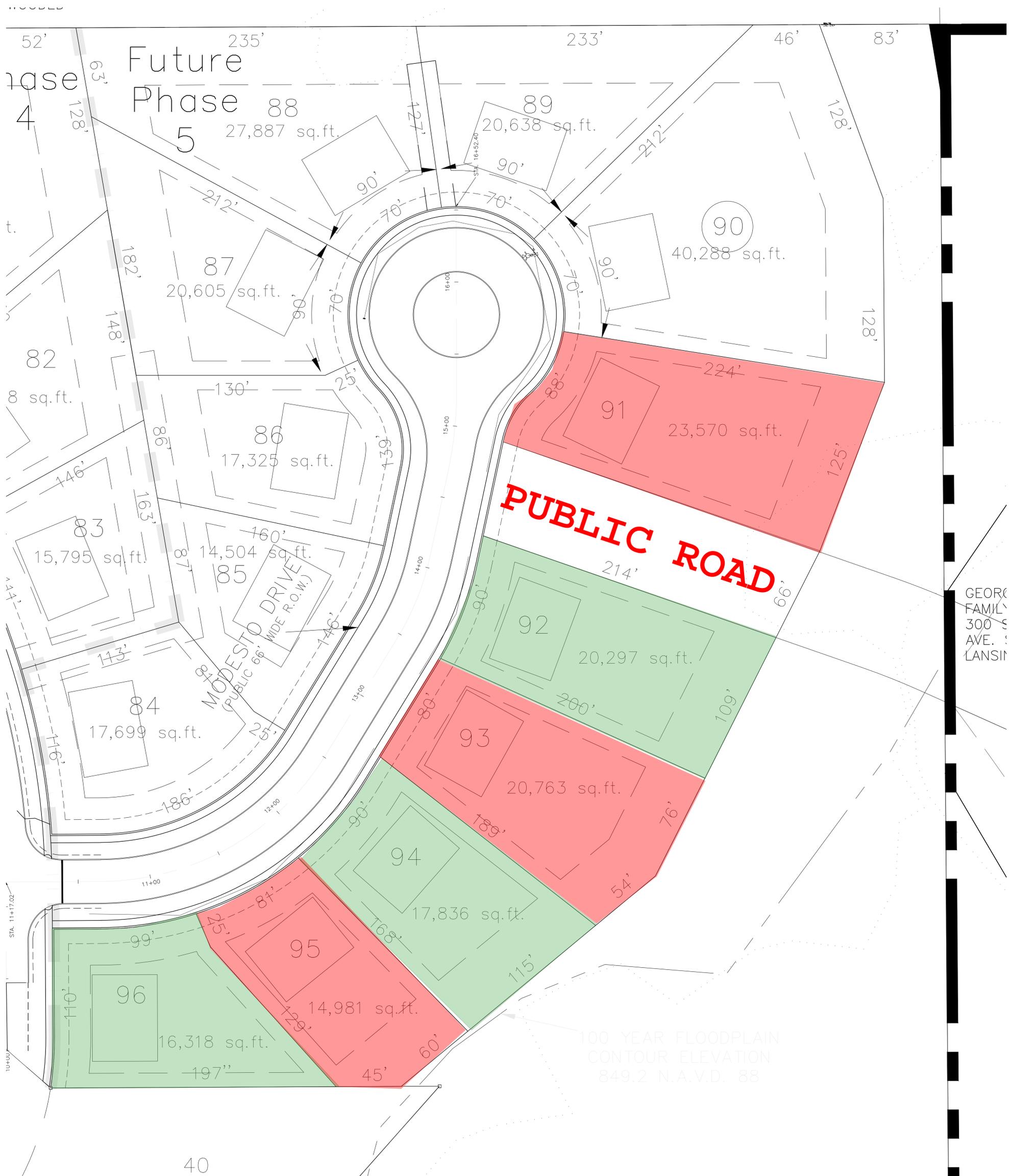
C100

EXHIBIT G-3



SIERRA RIDGE ESTATES ORIGINAL VERSION

EXHIBIT G-3



SIERRA RIDGE ESTATES ALTERNATE VERSION

Transcript of the deposition of

PAUL FURTAW, P.E.

Date Taken: 3/20/23

Case No.: 21-114-CB

Case Name:

GEORGE F. EYDE FAMILY, LLC

V

MERIDIAN CHARTER TOWNSHIP, ET AL

Reporter:

Joan Farhat Byrnes - CSR-2062

METROPOLITAN REPORTING, LLC

Phone: 517-886-4068

Email: metroreporting1990@gmail.com

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF INGHAM

GEORGE F. EYDE FAMILY, LLC,
a Michigan limited liability company,

Plaintiff/
Counter-Defendant,

-vs-

File No. 21-114-CB
HON. JOYCE DRAGANCHUK

MERIDIAN CHARTER TOWNSHIP, a
Michigan municipal corporation,

Defendant,

and

G.S. FEDEWA BUILDERS, INC., a
Michigan corporation,

Defendant/Counter-Plaintiff.

_____ /

D E P O S I T I O N

of PAUL FURTAW, P.E., a witness called by Defendant, taken
before Joan Farhat Byrnes, CSR-2062, Certified Shorthand
Reporter and Notary Public, at 1142 South Washington Avenue,
Lansing, Michigan, on Monday, March 20, 2023 noticed for the
hour of 10:30 a.m.

APPEARANCES:

On behalf of Plaintiff:
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MCCLELLAND & ANDERSON, LLP
1142 South Washington Avenue
Lansing, Michigan 48910

METROPOLITAN REPORTING, LLC
(517) 886-4068

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Lansing, Michigan 48933

5 On behalf of Defendant/Counter-Plaintiff:

6 JOHN S. BRENNAN (P55431)

7 MATTHEW A. KUSCHEL (P76679)

FAHEY, SCHULTZ, BURZYCH, RHODES, PLC

4151 Okemos Road

Okemos, Michigan 48864

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1 professional engineer?

2 **A. That's correct.**

3 Q. How long have you been a licensed P.E.?

4 **A. Since 2002.**

5 Q. And that entire time was in the state of Michigan?

6 **A. Yes, although I do have licenses in other states.**

7 Q. What other states do you have licenses in?

8 **A. Illinois, Ohio, Indiana, Pennsylvania, Nebraska and**
9 **Wyoming.**

10 Q. And those licenses, to the best of your knowledge, are
11 all still current --

12 **A. Yes.**

13 Q. -- in the other states?

14 Okay. Mr. Furtaw, you were approached by
15 Eyde Family or their legal counsel with regard to this
16 current litigation?

17 **A. Yes.**

18 Q. And which one was it, were you approached by the Eydes
19 or by their counsel?

20 **A. It was the Eydes.**

21 Q. And you were asked to engage in some analysis and
22 create a report for the purpose of this litigation?

23 **A. Yes.**

24 Q. What were you asked to do?

25 **A. Evaluate access routes to Lake Lansing Estates**

1 **property on the north side of Lake Lansing, the vacant**
2 **property on the north side of Lake Lansing north of**
3 **existing Lake Lansing Estates.**

4 Q. And what information were you provided by the Eydes
5 and their counsel in order to do this?

6 A. **I was provided a copy of a wetlands report prepared by**
7 **Mannik Smith. I was provided copies of some**
8 **topographic maps, and I was provided a copy of a**
9 **preliminary layout for Lake Lansing Estates done by**
10 **KEBS and then some other wetlands maps that came from**
11 **the State of Michigan's website.**

12 Q. Those were provided to you by the Eydes?

13 A. **By, actually by counsel, yes.**

14 Q. Okay. So those weren't things that -- let me figure
15 out a better way to ask that question.

16 My question is were those things that you had
17 looked up on your own as part of your analysis or you
18 were just relying on what was provided to you by
19 counsel?

20 A. **I was relying on the wetlands report, but the other**
21 **information I did look up on my own to confirm.**

22 Q. And you said that your engagement was to evaluate
23 various access roads to Lake Lansing Estates property?

24 A. **Yes.**

25 Q. And in what regard were you evaluating them? What

1 were you evaluating those various access routes for?

2 **A.** **To determine which ones were viable alternates or**
3 **which ones were viable, which ones you could actually**
4 **physically build to get to the site and then, you**
5 **know, considering costs and permitting and approvals,**
6 **whether or not they would be viable. I do want to**
7 **clarify something, if I may.**

8 **Q.** Go ahead.

9 **A.** **I was provided a copy by counsel, the access route map**
10 **that's in the report. I think it's the first exhibit.**

11 **Q.** Exhibit A in the report?

12 **A.** **Yes, correct. Counsel provided that to me.**

13 **Q.** Let's do this and make life easier for everybody.
14 I've got a copy of your report and all the exhibits,
15 and I'm going to have those marked as exhibits for the
16 deposition and that way we can just refer to things as
17 we go forward. Does that sound good?

18 **A.** **Yes.**

19 **(Deposition Exhibit Number 1**
20 **marked for identification.)**

21 **Q.** **(BY MR. RORAGEN) Mr. Furtaw, I'm going to hand you**
22 **what you probably already have sitting with you but**
23 **it's now been marked as Deposition Exhibit Number 1,**
24 **and if you just want to take a moment to look at that**
25 **and confirm that it is, in fact, a full and complete**

1 copy of the report that you provided?

2 **A. It appears to be, yes.**

3 Q. Okay. So now you were just referring to an access
4 route map that I think is what is attached as
5 Exhibit A to that report?

6 **A. That's correct.**

7 Q. You said that you were provided that?

8 **A. Yes.**

9 Q. I'm sorry, I probably interrupted you. What were you
10 saying about that particular --

11 **A. I wanted to correct the statement. I neglected to
12 mention that counsel provided this map to me.**

13 Q. Okay. So, you said that the purpose of your
14 evaluation was to determine various access routes,
15 whether those routes were viable?

16 **A. Yes.**

17 Q. And I think you were starting to do this as well. Can
18 you explain to me, or what criteria did you look at to
19 determine whether a route was viable or not?

20 **A. I considered the zoning ordinance, the fire code,
21 topographic information, environmental features like
22 wetlands, floodplain. I think that was it generally.
23 And then we did do, we did look at certain options for
24 cost estimates, so cost was something else that was
25 considered in my evaluation.**

1 Q. All right. I just want to go through some of the
2 items in your report. If you could turn to Exhibit B
3 of the report. And actually it's Exhibits B-1 through
4 B-6.

5 **A. Okay.**

6 Q. And these are a surface water delineation report that
7 was prepared by Mannik & Smith?

8 **A. Yes.**

9 Q. And then there's also some flood insurance maps?

10 **A. Yes.**

11 Q. An image from the Ingham County drain viewer?

12 **A. Yes.**

13 Q. And a couple of wetlands maps, correct?

14 **A. Yes.**

15 Q. These were the materials that you reviewed or that you
16 relied upon -- well, that's two different things, so
17 let me ask. These were the materials that you
18 reviewed with regard to wetlands and floodplains or
19 floodways in the vicinity of Lake Lansing Estates?

20 **A. Yes.**

21 Q. Did you or anyone from your firm personally conduct
22 any sort of wetlands delineation or wetlands
23 inspection?

24 **A. No, we did not.**

25 Q. Did you or anyone from your firm personally visit the

1 site as part of your preparation of this report?

2 **A. I drove out to the site at the end of Isaac Lane, but**
3 **I did not walk into the property.**

4 Q. And then there are a number of drawings that are
5 attached as Exhibit C?

6 **A. Yes.**

7 Q. There's some plans and a preliminary plat for
8 Sierra Ridge Estates?

9 **A. Yes.**

10 Q. And some topographic drawing as well as, that's
11 Exhibit C-3, as well as a sanitary sewer plans, a
12 couple pages that are attached as Exhibit C-4?

13 **A. Correct.**

14 Q. And these design drawings were provided to you by
15 Eyde's counsel?

16 **A. The Exhibits C-1 and C-2 were and C-3. C-4 was**
17 **provided by Meridian Township.**

18 Q. And these were plans and information that you relied
19 upon in making your analysis?

20 **A. Yes.**

21 Q. Were there any other plans or drawings or design
22 drawings that you reviewed as part of your analysis
23 that were not included as Exhibit C here?

24 **A. KEBS provided several drawings in AutoCAD files that**
25 **were looked at as part of our analysis and review.**

1 Q. Okay. Those are the AutoCAD files relating to
2 Sierra Ridge Estates?

3 A. Yes.

4 Q. And then Exhibit D just contains excerpts from the
5 fire code?

6 A. Yes.

7 Q. And a couple excerpts from the Meridian Township
8 Zoning Ordinance?

9 A. Yes.

10 Q. Those were things that you reviewed as part of your
11 analysis?

12 A. Yes.

13 Q. And you relied on those?

14 A. Yes.

15 Q. What I'd like to do now is talk about or ask some
16 questions with regard to Access Route 1 which is the
17 route that is an extension of Isaac Lane.

18 A. Okay.

19 Q. If you turn to Exhibit E-1 of your report, I believe
20 that's a drawing that depicts the extension of
21 Isaac Lane, this proposed access route?

22 A. Yes.

23 Q. I think you said earlier that you determined that this
24 route was one of the viable routes?

25 A. Yes.

1 Q. Okay. This proposed route crosses over through some
2 identified wetlands, doesn't it?

3 **A. Yes.**

4 Q. It's possible to build a road through wetlands, isn't
5 it?

6 **A. Yes.**

7 Q. What does building a road through wetlands, what does
8 that require from a permitting perspective?

9 **A. You need a permit from the State of Michigan.**

10 Q. And it's possible to get one of those, right?

11 **A. It is possible, yes.**

12 Q. Okay. And --

13 **A. I mean, sorry, State of Michigan among others. I**
14 **mean, the County would have to approve it as well as**
15 **with Meridian Township, but yes.**

16 Q. Okay. This proposed access route commences at the
17 south end where existing Isaac Lane currently
18 terminates, correct?

19 **A. Correct.**

20 Q. You mentioned in your report that this particular
21 proposed route does not, would not permit access to a
22 gravity sewer?

23 **A. Yes.**

24 Q. And can you explain to me what that means or what the
25 impact of that is?

1 A. I'm trying to -- the sewer is, trying to think how to
2 explain it. The sewer isn't deep enough to serve the
3 site. If we were to run it at gravity at the minimum
4 slope, it would intersect the county drain, and so you
5 can actually see it there in the profile view
6 approximate station 20, it would theoretically go
7 through --

8 Q. Hold on. We're looking at Exhibit E-1, right? I want
9 to make sure the record is clear in what you're
10 talking about.

11 A. Yes.

12 MR. BRENNAN: I'm sorry, E-1?

13 MR. RORAGEN: E-1, yes.

14 Q. (BY MR. RORAGEN) You mentioned the profile which is
15 the bottom drawing, correct?

16 A. Yes. If we take the sewer from the elevation at its
17 existing terminus, which we derived from the maps
18 provided by the Township which is shown on the right,
19 and we run it at minimum slope into the site, it
20 intersects the county drain, which isn't a viable
21 option. The pipe would essentially be exposed in the
22 open drain in this case.

23 Q. Where that is shown on this profile drawing, I just
24 want to make sure that I'm looking at this correctly,
25 first of all, there's a dashed line that I believe

1 indicates the existing grade on the site?

2 **A. Yes.**

3 Q. And then there's a point you referenced station 20,
4 which I think is a reference to the numbers on the
5 bottom of the drawing?

6 **A. Yes.**

7 Q. And so there's a point at or about station 20 where
8 the existing grade, obviously it goes down. On this
9 drawing it's shown as going down and forming kind of
10 an upside down triangle, right?

11 **A. Right.**

12 Q. That upside down triangle, is that the Costigan Drain?

13 **A. Yes.**

14 Q. The Costigan Drain is just an open drain, correct?

15 **A. Yes.**

16 Q. Basically it's a ditch --

17 **A. Yes.**

18 Q. -- with water running through it?

19 **A. Yes.**

20 Q. And then the sewer pipe that's shown running through
21 here at the right, at the terminus on the right-hand
22 side of the page, I think it's the right hand, yeah,
23 the right-hand side of the page, that's the existing
24 grade of the sewer that ends at the end of Isaac Lane,
25 correct?

1 **A. Yes.**

2 Q. You said that was based on information provided to you
3 by the Township?

4 **A. Yes.**

5 Q. So, when you're talking about a gravity sewer, you're
6 talking about a sewer that just operates with gravity.
7 In other words, it's placed at such an elevation that
8 just by power of gravity water and other affluent will
9 move through the sewer naturally?

10 **A. Yes.**

11 Q. From one point to another. And in this case the
12 direction of movement would be from north to south?

13 **A. Yes.**

14 Q. This is a proposed sanitary sewer?

15 **A. Yes.**

16 Q. And you indicated that the problem is, the problem
17 with this is that it would enter at the grade that you
18 would need to have it at to operate as a gravity
19 sewer, it would intersect the Costigan Drain?

20 **A. Yes.**

21 Q. Which I assume, or you tell me, that's not allowed?

22 **A. I would -- yes, I don't believe that would be allowed.**
23 **There has been instances of it, but it's been a long**
24 **time since I've seen that. I don't think it would be**
25 **approved by the State or the County.**

1 Q. So I was going to say, the parties that have
2 jurisdiction over that drain would be the
3 Ingham County Drain Commissioner?

4 **A. Yes, and it's likely the State has some jurisdiction**
5 **over it as well.**

6 Q. So those would be the governmental entities that you
7 would have to talk to if you wanted to get approval to
8 run a sewer that intersected with that drain?

9 **A. And it would be the township sewer, yes.**

10 Q. And your opinion is that it's not possible to get
11 permission to intersect the sewer with the county
12 drain?

13 **A. I don't think it would be approved. It's physically**
14 **possible, but I don't think anybody would approve it.**

15 Q. And so, I'm not trying to be difficult, I'm just
16 trying to get to a better understanding --

17 **A. Okay.**

18 Q. -- of what you're saying. Is there any set of
19 circumstances under which that could be approved?

20 **A. Not that I can see, not today, no.**

21 Q. And can you just give me, can you tell me why that is?

22 **A. It's a potential maintenance concern. You could get**
23 **debris going down the Costigan Drain, and it would run**
24 **into that exposed sewer and compromise it.**

25 Q. So if you can't run the sewer in a way that intercepts

1 **A. Yes, yes.**

2 Q. Is that something that would be considered in terms of
3 the culvert over the drain and/or the pavement that
4 would be necessary?

5 **A. The pavement yes, not so much the culvert.**

6 Q. And is it your opinion then that EGLE would not have
7 any particular interest in the intensity of use with
8 regard to traffic through the wetlands?

9 **A. Correct.**

10 Q. I want to talk about EGLE for a second. You mentioned
11 that obviously with the various access points out to
12 Lake Lansing, all the access points, 1 through 7, all
13 would require some form of EGLE approval, correct?

14 **A. That's correct.**

15 Q. And you're aware that EGLE has pre-application meeting
16 opportunities, correct?

17 **A. That is correct.**

18 Q. Did you engage EGLE at all in a pre-application
19 meeting to discuss these various access options?

20 **A. No, we did not.**

21 Q. When you mentioned that EGLE would require
22 alternatives --

23 **A. Yes.**

24 Q. -- have you ever been in a situation in which EGLE
25 would require an alternative that would necessitate

1 access for which there was no legal right?

2 MS. HAGEN: I'm going to object. Calls for a
3 legal conclusion.

4 Q. (BY MR. BRENNAN) Again, I am not asking for a legal
5 conclusion. I'm asking in your experience is what I
6 asked. Have you ever been in a situation in which
7 EGLE has required that an alternative be presented
8 that would require access for which there were no
9 legal rights?

10 **A. Yes.**

11 Q. Can you tell me what that is?

12 **A. Well, as far as like a specific example?**

13 Q. Yeah. I asked if you had experience is what I'm
14 trying to get at?

15 **A. Yes. We recently did a project where one of the
16 alternates included off-site acquisition of property.**

17 Q. And would EGLE in its permit decision ever require
18 that an alternative be used that would necessitate the
19 acquisition of those rights?

20 **A. I can't speak to whether or not they would ever
21 require it, but in this particular case they did not.**

22 Q. Are you aware of any instance in which that has
23 happened?

24 **A. No, not specifically.**

25 Q. If EGLE did not require an applicant to obtain access

1 rights that they didn't have, then that would mean in
2 this case that EGLE would be looking only at
3 alternatives 1, 2, 3, 4 and 5, is that correct?

4 **A. Yes, yeah. Could you repeat the question?**

5 Q. If EGLE did not require applicants in order to get a
6 permit to acquire legal rights that they didn't have,
7 then only alternatives 1 through 5 would be considered
8 in this case?

9 **A. Yes.**

10 Q. Okay. And is it your experience, you've mentioned
11 quite a bit and I believe in your report as well, that
12 at least one of the most important factors that you
13 see in terms of alternatives that EGLE is likely to
14 permit had to do with the number of feet that each of
15 these access alternatives involved, correct?

16 **A. I don't know that I specifically said feet. It was
17 more a function of acreage and fill in the floodplain,
18 fill in the wetlands.**

19 Q. Wasn't that a function of how long it was?

20 **A. It could be, but that's part of the function I guess.
21 Part of the function, maybe I said that, I'm just
22 going off memory, but, you know, you could have a
23 length of road and it only be so much feet off the
24 ground necessitating only a certain amount of fill,
25 whereas if it's a lot higher you might need more fill,**

- 1 **but linear feet would be a function of that. I don't**
2 **mean to be difficult.**
- 3 Q. No, no, I understand, believe me. I just want to
4 understand.
- 5 **A. Yeah.**
- 6 Q. It appeared to me at least that the other alternatives
7 2, 3, 4 and 5 were creating more impact to wetlands
8 and floodplains primarily because of their increased
9 length as compared to alternative 1?
- 10 **A. Yes.**
- 11 Q. Can those impacts be mitigated in other ways other
12 than choosing a less impactful alternative?
- 13 **A. Can -- I'll try -- can you ask it again?**
- 14 Q. Sure. So, there are means of mitigating impact other
15 than choosing a less intrusive alternative, are there
16 not?
- 17 **A. For, can I paraphrase?**
- 18 Q. For wetlands.
- 19 **A. Yes, for wetlands, yes, you could mitigate wetlands,**
20 **yes.**
- 21 Q. Did you consider that in connection with choosing the
22 alternatives?
- 23 **A. Not with -- I did consider wetland mitigation in**
24 **relation to Routes 1, 6 and 7.**
- 25 Q. I'm sorry, in relation to what?

1 **A. Routes 1, 6 and 7.**

2 Q. Okay. What about 2, 3, 4 and 5?

3 **A. I did not.**

4 Q. Is there any reason why you didn't?

5 **A. Just because of -- the same reason I didn't consider**
6 **those viable, that the impacts and the resulting**
7 **mitigation would be more than it would be for the**
8 **other routes.**

9 Q. Expense wise, is that what you mean?

10 **A. Yes, and it would be more expensive, yes, but, again,**
11 **my opinion is that you can mitigate, I mean, even if**
12 **you mitigate, even if your mitigation offsets the**
13 **disturbance because it's more disturbance that EGLE**
14 **wouldn't see that option as favorable. Not doing a**
15 **good job of explaining it.**

16 Q. In your opinion does it make it unpermissible or just
17 in terms of probability of approval you would rate it
18 less?

19 **A. In context with this entire Exhibit A, I don't think**
20 **they would permit it.**

21 Q. Even if you were to fully mitigate, for example, if
22 you chose Access Route Number 2 and indicated to EGLE
23 that you would fully mitigate all of the impact to
24 wetlands and that you needed it for one reason or
25 another, you don't think that EGLE would permit that

1 simply because there was a shorter route available?

2 **A. Yeah, correct, yes.**

3 Q. And so, it sounds like in terms of this analysis
4 anyway, that the length of the access is really just
5 the determining point that EGLE would use? It's just
6 going to default to the shortest access?

7 **A. Yeah, in context with everything else. Yes, again, if
8 it's a longer access but there aren't any wetlands,
9 they would be more inclined to permit.**

10 Q. Right. But all of these have wetlands?

11 **A. Yes.**

12 Q. Okay. Is that your experience that EGLE simply even
13 if wetlands can be fully mitigated, that EGLE simply
14 slams the door and says no, if you've got an access or
15 an option that disturbs less we don't care that you're
16 going to be able to mitigate everything else?

17 **A. I think they, my opinion is that if there were other
18 options that have less impacts that they are more
19 inclined to approve the option with the less impacts.**

20 Q. Have you ever worked in a situation where a client was
21 willing to fully mitigate a more impactful option and
22 EGLE declined the invitation?

23 **A. No, I don't believe so.**

24 Q. So your opinion here isn't based on real life
25 experience as opposed what you would anticipate EGLE

EXHIBIT H



VICINITY MAP
NOT TO SCALE



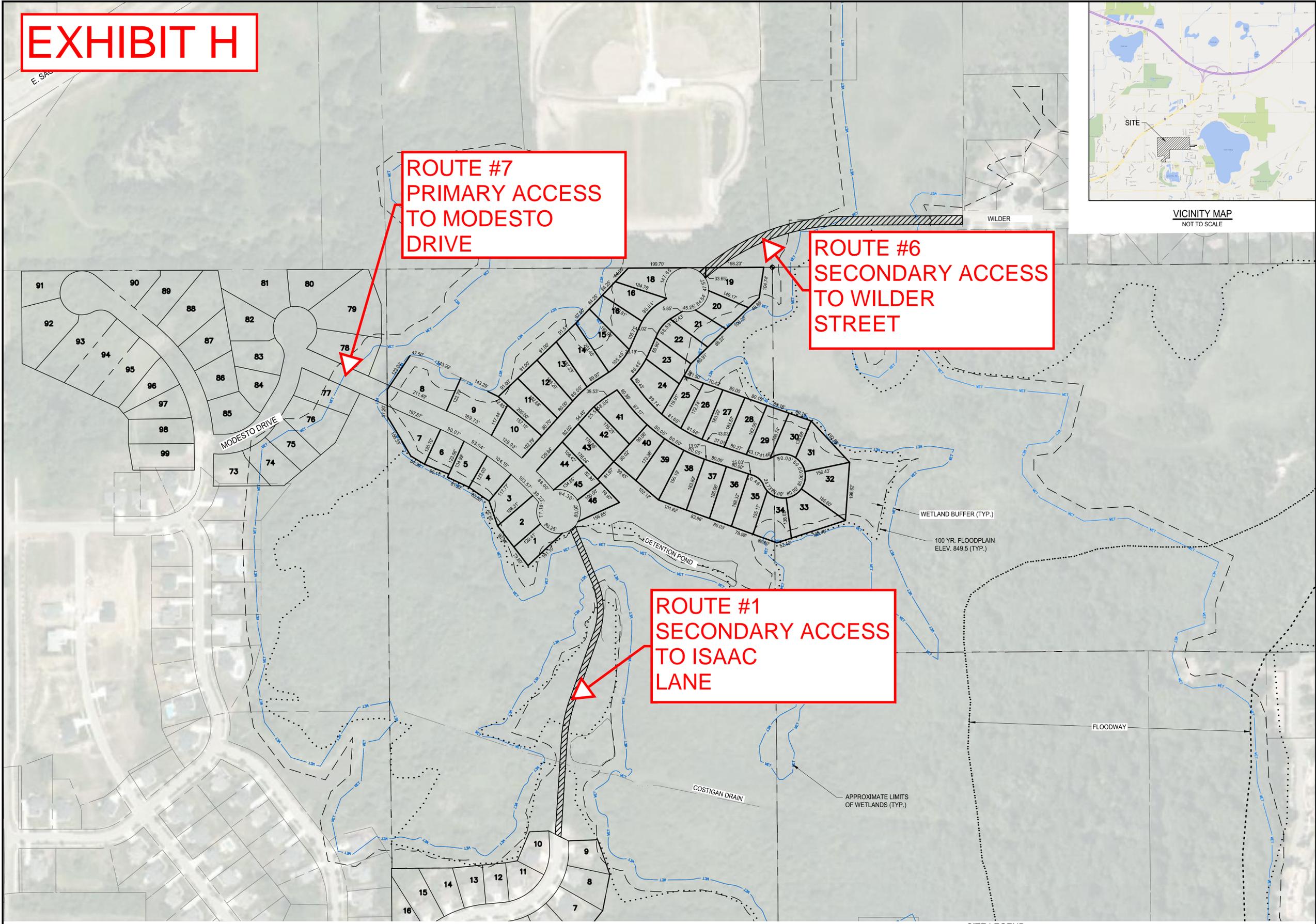
7050 West Saginaw Hwy.
Suite 200
Lansing, MI 48917
office: 517.272.9835
fax: 517.272.9836

EYDE

LAKE LANSING ESTATES

MERIDIAN TOWNSHIP
MICHIGAN

Date Revised	Description



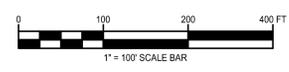
**ROUTE #7
PRIMARY ACCESS
TO MODESTO
DRIVE**

**ROUTE #6
SECONDARY ACCESS
TO WILDER
STREET**

**ROUTE #1
SECONDARY ACCESS
TO ISAAC
LANE**

SITE LEGEND:

- PROPERTY LINE
- WETLAND LINE
- 100 YR. FLOODPLAIN
- WETLAND BUFFER
- AREA OF WETLAND IMPACT



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Project Manager P. FURTAW, PE	Discipline Lead P. FURTAW, PE
Designer A. NODARSE, PE	Reviewer A. NODARSE, PE
Date Issued MMDDYY	Project Number 00000.00

Sheet Name

OVERALL SITE PLAN

Drawing Number

C100



Valbridge
PROPERTY ADVISORS

Appraisal Report

Lake Lansing Estates
Lake Lansing Road
Meridian Township, Ingham County, Michigan 48823

Report Date: January 27, 2023



FOR:

Mr. David E. Pierson
McClelland and Anderson, LLP
1142 South Washington Avenue
Lansing, Michigan 48910

**Valbridge Property Advisors |
Southern Michigan**

2127 University Park Drive, Suite 390
Okemos, Michigan 48864

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Valbridge File Number:
22-0007



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Detroit, MI 48226
313-986-3313

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valbridge.com

January 27, 2023

Mr. David E. Pierson
McClelland and Anderson, LLP
1142 South Washington Avenue
Lansing, Michigan 48910

RE: Appraisal Report
Lake Lansing Estates, Lake Lansing Road, Meridian Township, Ingham County, Michigan 48823

Dear Mr. Pierson:

In accordance with your request, an appraisal of the above referenced property was performed. This appraisal report sets forth the pertinent data gathered, the techniques employed, and the reasoning leading to the value opinions. This letter of transmittal does not constitute an appraisal report and the rationale behind the value opinion(s) reported cannot be adequately understood without the accompanying appraisal report.

The subject property, as referenced above, is located on Lake Lansing Road, Meridian Township, Ingham County, Michigan and is further identified as tax parcel numbers 33-02-02-04-400-012 and 33-02-02-03-301-001. The subject of this report is a 136.6-acre vacant site situated north of Lake Lansing Road, within Meridian Township, Ingham County, Michigan. The site is to be improved under two scenarios. The first scenario is a 46-lot residential subdivision. The second scenario is an 11-lot residential subdivision.

The analyses, opinions, and conclusions were developed, and this report was prepared in conformity with the Uniform Standards of Professional Appraisal Practice (USPAP) of the Appraisal Foundation; the Code of Professional Ethics and Standards of Professional Practice of the Appraisal Institute; and the requirements of my client.

The client in this assignment is Mr. David E. Pierson of McClelland and Anderson, LLP. The intended user of this report is Mr. David E. Pierson of McClelland and Anderson, LLP, and the George F. Eyde Family LLC and no others. The intended use is for litigation. The value opinions reported herein are subject to the definitions, assumptions, limiting conditions, and certifications contained in this report.

The findings and conclusions are further contingent upon the following extraordinary assumptions and/or hypothetical conditions, the use of which might have affected the assignment results:

Extraordinary Assumptions:

- The first scenario is for 46 lots. Access is provided by a +/- 250-foot primary “unrestricted” access (66’ wide public right of way) off of Modesto Drive. A secondary limited access (30’ wide easement for emergency ingress/egress, shared use pathway) is provided off of Isaac Lane.
- The second scenario is for 11 lots. Access is provided by a 27’ side roadway with curb and gutter, sidewalk and utilities off of Isaac Lane.
- I have assumed the non-upland lands would be part of the development.

Hypothetical Conditions:

- None

The value conclusions are based on the analysis in the following report and presented in the following table:

Value Conclusions

Component	As Is
Value Type	Market Value
Property Rights Appraised	Fee Simple
Effective Date of Value	October 7, 2022
Value Conclusion (46 Lots)	\$874,000
Value Conclusion (11 Lots)	\$48,542
Difference	\$825,458

This letter of transmittal is not considered valid if separated from this report and must be accompanied by all sections of this report, as outlined in the table of contents, in order for the value opinions set forth above to be valid.

Respectfully submitted,

VALBRIDGE PROPERTY ADVISORS | Southern Michigan



James T. Hartman, MAI, SGA, AI-GRS
 Certified General Real Estate Appraiser
 State of Michigan, License # 1205005950
jhartman@valbridge.com

JTH:RWM/mns
 File # MI01-22-0007

Reconciliation

Summary of Value Indications

The indicated values from the approaches used and my concluded market values for the subject property are summarized in the following table.

Value Indications

Approach to Value	As Is
Sales Comparison - 46 Lots	\$874,000
Sales Comparison - 11 Lots	\$48,542
Cost	Not Developed
Income Capitalization	Not Developed

Value Conclusions

Component	As Is
Value Type	Market Value
Property Rights Appraised	Fee Simple
Effective Date of Value	October 7, 2022
Value Conclusion (46 Lots)	\$874,000
Value Conclusion (11 Lots)	\$48,542
Difference	\$825,458

To reach a final opinion of value, the reliability and relevance of each value indication was considered based upon the quality of the data and applicability of the assumptions underlying each approach. Given the availability and reliability of data within the Sales Comparison Approach, this approach was given primary weight in reconciling to the final value conclusions. Furthermore, land properties such as the subject property are typically purchased by an owner occupant or local developers, who primarily rely upon the methods employed by the Sales Comparison Approach.

The findings and conclusions are further contingent upon the following extraordinary assumptions and/or hypothetical conditions, the use of which might have affected the assignment results:

Extraordinary Assumptions:

- The first scenario is for 46 lots. Access is provided by a +/- 250-foot primary "unrestricted" access (66' wide public right of way) off of Modesto Drive. A secondary limited access (30' wide easement for emergency ingress/egress, shared use pathway) is provided off of Isaac Lane.
- The second scenario is for 11 lots. Access is provided by a 27' side roadway with curb and gutter, sidewalk and utilities off of Isaac Lane.
- I have assumed the non-upland lands would be part of the development.

Hypothetical Conditions:

- None

Exposure Time and Marketing Period

Based on statistical information about days on market, escrow length, and marketing times gathered through national investor surveys, sales verification, and interviews of market participants, marketing and exposure time estimates of 6 months and 6 months, respectively, are considered reasonable and appropriate for the subject property.

National Quality Control

Valbridge's top priority is delivering a quality report. Valbridge requires all reports to be reviewed by an experienced director with the MAI designation. This quality control assessment consists of reading the report, checking calculations, and providing feedback on its quality and consistency prior to report delivery. All Valbridge reports are signed by an experienced appraiser with the MAI designation.

Valbridge values all clients' opinions, and any/all feedback is critical to the ongoing efforts to improve client servicing. Please feel free to contact the National Quality Control Director below with any feedback, questions, or comments.

Tye Neilson, MAI, SRA, MRICS, Esq.
Senior Managing Director
832.916.4608
tneilson@valbridge.com



**CONSENT AGENDA
PROPOSED BOARD MINUTES
June 20th, 2023**

PROPOSED MOTION:

- (1) Move to approve and ratify the minutes of the Regular Meeting of June 6, 2023 as submitted.**

ALTERNATE MOTION:

- (1) Move to approve and ratify the minutes of the June 6, 2023 Regular Meeting with the following amendment(s): [insert amendments]**

CHARTER TOWNSHIP OF MERIDIAN
REGULAR MEETING TOWNSHIP BOARD 2023 **-DRAFT-**
5151 Marsh Road, Okemos MI 48864-1198
517.853.4000, Township Hall Room
TUESDAY, June 6, 2023 **6:00 pm**

PRESENT: Supervisor Jackson, Clerk Guthrie, Treasurer Deschaine, Trustees Hendrickson, Sundland, Wilson, Wisinski

ABSENT: None

STAFF: Township Manager Walsh, Deputy Manager Opsommer, Community Planning and Development Director Schmitt, IT Director Gebes, Communications Manager Diehl, Finance Director Garber, Chief of Police Plaga, Fire Chief Hamel, Economic Developer Director Clark, Assessor Winstead, Parks and Recreation Director Maisner, Director of Operations Massie

1. CALL MEETING TO ORDER

Supervisor Jackson called the meeting to order at 6:00 pm.

2. PLEDGE OF ALLEGIANCE/INTRODUCTIONS

Supervisor Jackson led the Pledge of Allegiance.

3. ROLLCALL

Deputy Clerk Lemaster called the roll of the Board. All board members are present.

4. PRESENTATION

A. Meridian Township 2022 Audit Presentation

Ally Barnes of Yeo and Yeo gave a presentation on the Meridian Township 2022 Audit.

She explained the township is the lessor of some agreements meaning a receivable of about \$1.5 million has been added in the water fund. She explained about IT subscription SPITAS being recorded as a right to use asset coming into effect in 2023. She overviewed general fund revenues and explained the additional \$5 million in the "all other category" as a drain assessment obligation. There is \$12 million in general government expenditures and \$14 million in public safety expenditures. She noted water fund operating expenses were greater than operating revenues in 2022. She noted sewer fund operating revenue exceeds sewer operating expenses in 2022. She noted as of 12/31/2022 the township had a net employee pension plan liability of \$600,000. The MERS plan has a net pension liability of \$20.3 million. Postemployment health benefits plan (OPED) had a net liability of \$1.5 million as of 12/31/2022. No significant deficiencies and no federal award findings.

B. MERS Annual Presentation Report

Manager Walsh gave a presentation on the MERS Annual Report.

MERS pension funding grew from 72% in 2021 to 74% in 2022. He explained the fund could be 100% funded in less than 10 years.

Treasurer Deschaine spoke about the millage for police and fire pension funding and asked if this could be 100% funded in about 12 years.

Manager Walsh replied it could be funded in 12 years, but it is market driven.

Clerk Guthrie asked if there is a way to pay this off before this millage ends.

Manager Walsh replied by the time the millage ends he hopes to see funding in the mid-80s.

Clerk Guthrie asked if this millage should come back to voters.

Manager Walsh replied if funding is in the mid-80s he would recommend the millage be cut in half and allotted to the pension fund.

5. CITIZENS ADDRESS AGENDA ITEMS AND NON-AGENDA ITEMS

Supervisor Jackson opened public comment at 6:45 PM.

Mark Santucci, 5909 Blythefield Dr., spoke in support of Recreational Marijuana and in support of allowing professional marijuana growing operations in the township. He also spoke about how well the accessible handicaps curbs were installed.

Bob Baldori, 2719 Mt. Hope Rd., spoke in support of allowing a marijuana growing license in the township.

Supervisor Jackson closed public comment at 6:51 PM.

6. TOWNSHIP MANAGER REPORT

Manager Walsh reported the building renovation is going well. The painters will be finished with the first floor of the Municipal Building by the end of the week. He's currently expecting the renovation to be complete on September 1st. The majority of roads treated with Chip and Fog have been resurfaced. A few sinkholes must be fixed before resurfacing. Celebrate Meridian is on June 24th. Roberts Rules training with Mr. Merrill will take place on June 27th and June 28th at 6 pm at central fire station. The Townships 2024 budget prep is underway. Meridian is charging Alaieton Township \$250 for ems transport on top of what the patient pays. Extensive Phishing and DEI training is coming up. Thanked Director Massie and Communications for Michigan Municipal League Achievement award program submission.

Supervisor Jackson asked for further clarification on phishing training.

Manager Walsh noted staff will receive bogus emails in an attempt to phish staff.

7. BOARD MEMBER REPORTS OF ACTIVITIES AND ANNOUNCEMENTS

Trustee Hendrickson

- Attended May 31st communities' leaders meeting where major concerns were traffic related

Treasurer Deschaine

- Attended May 17th CATA Board meeting
- Attended May 29th attended Memorial Service
- Special Assessment bills went out on June 1st

Trustee Wilson

- February senior center task force will present first report at next meeting

Supervisor Jackson

- Attended May 31st Communities' leaders meeting and noted communities without HOAs were not represented, she suggested leaders invite other communities to this meeting

Trustee Sundland

- Attended May 18th Transportation Commission

8. APPROVAL OF THE AGENDA

Treasurer Deschaine moved to approve the agenda as presented. Seconded by Trustee Wilson.

ROLL CALL VOTE: YEAS: Supervisor Jackson, Clerk Guthrie, Treasurer Deschaine, Trustees Hendrickson, Sundland, Wilson, Wisinski

NAYS: None

Motion carried: 7-0

9. CONSENT AGENDA

Supervisor Jackson reviewed the Consent Agenda.

Trustee Hendrickson moved to approve the Consent Agenda as presented. Seconded by Trustee Wisinski.

Treasurer Deschaine gave a brief description of the First Quarter 2023 Investment Report.

ROLL CALL VOTE: YEAS: Supervisor Jackson, Clerk Guthrie, Treasurer Deschaine, Trustees Hendrickson, Sundland, Wilson, Wisinski

NAYS: None

Motion carried: 7-0

A. Communications

Trustee Hendrickson moved that the communications not already assigned for disposition be referred to the Township Manager or Supervisor for follow-up. Seconded by Trustee Wilson.

ROLL CALL VOTE: YEAS: Supervisor Jackson, Clerk Guthrie, Treasurer Deschaine, Trustees Hendrickson, Sundland, Wilson, Wisinski

NAYS: None

Motion carried: 7-0

B. Minutes- May 16, 2023 Regular Township Board Meeting Minutes

Trustee Hendrickson moved to approve and ratify the minutes of the Regular Meeting of May 16th, 2023 as presented. Seconded by Trustee Wilson.

ROLL CALL VOTE: YEAS: Supervisor Jackson, Clerk Guthrie, Treasurer Deschaine, Trustees Hendrickson, Sundland, Wilson, Wisinski

NAYS: None

Motion carried: 7-0

C. Bills

Trustee Hendrickson moved to approve that the Township Board approve the Manager's Bills as follows: Seconded by Trustee Wilson.

Common Cash	\$	331,114.36
Public Works	\$	612,752.30
Trust & Agency	\$	60.00
	Total Checks	\$ 943,926.66
Credit Card Transactions	\$	4,233.13
04/27/2023 to 05/10/2023		
	Total Purchases	\$ 948,159.79
ACH Payments	\$	1,482,840.77

ROLL CALL VOTE: YEAS: Supervisor Jackson, Clerk Guthrie, Treasurer Deschaine, Trustees Hendrickson, Sundland, Wilson, Wisinski

NAYS: None

Motion carried: 7-0

10. QUESTIONS FOR THE ATTORNEY-NONE

11. HEARINGS-NONE

12. ACTION ITEMS

A. Acceptance of 2022 Audit Findings

Director Garber outlined the Acceptance of 2022 Audit Findings.

Trustee Wilson move to approve the 2022 audited financial statements as presented by Yeo & Yeo. Seconded by Trustee Hendrickson.

Trustee Wilson spoke in support of this item.

Trustee Hendrickson spoke in support of this item.

Treasurer Deschaine asked about the weakness explanation.

Director Garber explained the IT overhaul project was paid in 2022 but covered years 2023-25 causing a deficit.

VOICE VOTE: YEAS: Supervisor Jackson, Clerk Guthrie, Treasurer Deschaine, Trustees Hendrickson, Sundland, Wilson, Wisinski

NAYS: None

Motion carried: 7-0

B. Resolution in Support of Flag Day

Clerk Guthrie outlined the resolution in Support of Flag Day.

Treasurer Deschaine moved to support the resolution recognizing Flag Day. Seconded by Trustee Wisinski.

Treasurer Deschaine spoke in support of this item and Flags over Meridian.

Trustee Wisinski thanked Clerk Guthrie for this item and spoke in support of this item and Flags over Meridian.

Trustee Hendrickson thanked Clerk Guthrie for bringing this to the board and Treasurer Deschaine and Kiwanis for their work with flags over meridian.

Trustee Hendrickson offered a friendly amendment to change the preface of the resolution to read the 6th day of June at 6th PM instead of the 1st day of June.

Treasurer Deschaine accepted the friendly amendment.

VOICE VOTE: YEAS: Supervisor Jackson, Clerk Guthrie, Treasurer Deschaine, Trustees Hendrickson, Sundland, Wilson, Wisinski

NAYS: None

Motion carried: 7-0

C. Pension Board Updates

Supervisor Jackson outlined the Pension Board Updates.

Trustee Wilson moved to appoint Jim Houthoofd to the pension board for a term ending 12/31/25. Seconded by Trustee Wisinski.

Trustee Wilson spoke in support of this item.

Trustee Wisinski spoke in support of this item.

VOICE VOTE: YEAS: Supervisor Jackson, Clerk Guthrie, Treasurer Deschaine, Trustees Hendrickson, Sundland, Wilson, Wisinski

NAYS: None

Motion carried: 7-0

D. Financial Advisor Consideration

Treasurer Deschaine outlined the Financial Advisor Consideration. He explained this will cost \$25,000.

Trustee Hendrickson move to approve the investment advisory agreement between the Charter Township of Meridian and Robinson Capital, effective June 7th, 2023. Seconded by Trustee Wilson.

Trustee Hendrickson spoke in support of this item.

Trustee Wilson spoke in support of this item.

Trustee Sundland spoke in support of this item and asked when the contract will end.

Treasurer Deschaine explained there is no end date but the agreement can be terminated by either party with 30 days' notice.

Trustee Wisinski spoke in support of this item and noted cost of services range from \$25,000-\$48,000.

Clerk Guthrie spoke in support of this item and asked how this service would be paid for.

Treasurer Deschaine explained it would come out of the investment balance.

Manager Walsh noted he struggles with the timing of annual investments into MERS and this company will help with that decision.

Supervisor Jackson spoke in support of this item. She asked about reasoning for an open ended contract as opposed to one with solid end date.

Treasurer Deschaine noted the freedom to terminate works well if the contractor retires, and their replacement isn't up to standards.

Supervisor Jackson asked if the rates noted in the proposal are annual rates.

Treasurer Deschaine explain these are annual rates.

ROLL CALL VOTE: YEAS: Treasurer Deschaine, Trustees Hendrickson, Sundland, Wilson, Wisinski, Supervisor Jackson, Clerk Guthrie

NAYS: None

Motion carried: 7-0

13. BOARD DISCUSSION ITEMS

A. Residents Listening Tour

Manager Walsh outlined the Residents Listening Tour for discussion. He noted the 22 voting precincts would be broken down into 3 or 4 groups for a listening tour with residents and staff. Two to be held in October, 2 in November and two in December.

Trustee Hendrickson spoke in support of this item. He noted he would like to move this up one month and out of December. He noted strong communication to residents before this is necessary.

Clerk Guthrie spoke in support of this item and moving it forward one month. She asked if an initial communication could go out with taxes. She asked why we use the voter roll instead of another list.

Trustee Wilson spoke in support of this item and noted the timing of the invitations is important.

Trustee Wisinski spoke in support of this item and noted research into each area would be helpful.

Manager Walsh explained a letter would be sent 4-6 weeks in advance and will move the initial listening sessions up a month.

Treasurer Deschaine spoke in support of this item.

Supervisor Jackson noted locations and dates will need to be figured out quickly.

B. Marijuana Ordinance Update

Director Schmitt outlined the Marijuana Ordinance Update. He noted Ordinance 2022-19 was slightly changed to remove the prohibition of drive through sales, per the Township Board's previous discussions. He walked through the timeline of this ordinance.

Township Attorney Kuschel further outlined the licensing ordinances for discussion. He noted the inclusion of a conditional approval process. He walked through the application of the conditional approval process. He noted under this version the board will not see the actual permit but does set the criteria. There will be a requirement for approved retailers to open within 18 months of approval with 6-month extensions available, however that could be changed.

Treasurer Deschaine asked for a legal definition of an unusual hardship, and asked about video surveillance.

Township Attorney Kuschel spoke about video surveillance related to drive through and there is a requirement to clearly record the drive through service. He noted security plans could be included in the application which will be prohibited from FOIA by state law.

Trustee Hendrickson noted contradictions between paragraph b and e on page 15.

Attorney Kuschel replied paragraph b clarifies any type of transfer of any interest must be approved by the board. Paragraph e notes that 10% transfer is the limit of transfer over the first three years.

Trustee Hendrickson asked if the township still maintains over authority of transfers after the first three years.

Township Attorney Kuschel replied that is correct.

Trustee Wilson asked about page 10 including grow operations in indoor activities.

Attorney Kuschel explain the ordinance language is over expansive and this is just standard language.

Trustee Wilson asked if the ordinance prohibits grow operations.

Attorney Kuschel replied that it does.

Trustee Wisinski asked about indoors activities and how it relates to curbside, drive through, and transport.

Attorney Kuschel explained this is where more specific language could be offered to override the general language.

Trustee Wisinski asked about background check language being vague.

Attorney Kuschel noted there is no specific criteria at this time, but the board could review the criteria.

Trustee Wisinski asked about page 12 section 3c appeals with hearing officer.

Township Attorney Kuschel noted someone on the board could not make that decision, but they could create a pool of people to review appeals.

Trustee Wisinski asked about online ordering and how it relates to curbside and delivery.

Township Attorney Kuschel replied the broad goal is to avoid out of state purchasers. He noted someone could make purchases over the phone, and that online orders could be added for delivery and curbside.

Trustee Wisinski noted section 8 goes against the sign ordinance.

Director Schmitt replied that is does, but as this is a federally controlled substance the township is still in the clear.

Trustee Wisinski noted the timeline notes a dispensary will likely not open until 2023-2024.

Director Schmitt replied this is just laying out realistic expectations, however one could open sooner.

Trustee Wisinski asked if other board members would like to discuss grow operations.

Treasurer Deschaine explained the growing operations are the point of focus for complaints.

Trustee Wisinski explained the ordinance covers smell and location. She further noted the medical ordinance allowed other establishments in overlays.

Township Attorney Kuschel noted there is no fundamental problem with allowing grow operations. He also noted there were no applications for the dawn avenue overlay.

Trustee Hendrickson noted applicants will go through the current SUP process. He asked if there is language about odor in the SUP process.

Director Schmitt replied there is language prohibiting an applicant from impacting neighboring areas.

Trustee Hendrickson asked if a grow op were allowed and it smelled what would happen.

Director Schmitt replied it would go to code enforcement and the offender would be fined. After a second offence in a six month period the permit could be revoked.

Clerk Guthrie noted a grow op would not be a part of the ordinance. She noted if grow ops were to be considered it should be a different discussion. She spoke about difficulties with enforcing code on facilities with noticeable odors. She spoke in support of providing definitions of unusual hardship. She asked for further information on online sales, and

ordering over the phone. She further noted that when we designate a person in ordinance or policy his/her should be stricken and not used in the future.

Treasurer Deschaine spoke against allowing grow operations.

Trustee Wisinski noted only half grow ops are allowed under the medical ordinance.

Treasurer Deschaine noted if a grow op is allowed it must be in an industrial zone.

Trustee Wisinski noted the proposed area is rural next to a land preserve and is not residential.

Trustee Wilson asked for the parcel number of the potential grow site.

Trustee Wisinski noted there is filtration to eliminate odors.

Trustee Hendrickson suggested observing the effects of the ordinance after it's been passed and that prolonging this ordinance would be a poor decision.

Trustee Sundland asked if it's feasible to have a grow operation in the same building as a dispensary.

Director Schmitt explained it's feasible, but a developer would not build until they knew how much they could do.

Trustee Wilson explained that introducing grow operation at this point is too late.

Supervisor Jackson explained the ordinance is written to prohibit the escape of odor. She noted she would like to see a definition of marijuana establishment. She noted the township can always go back and make adjustments as needed. Supervisor Jackson asked if there are there separate permits for both medical and recreational.

Township Attorney Kuschel replied there are.

Trustee Wisinski noted that moving forward with the work that's been done is the best option.

Trustee Hendrickson noted he could discuss grow at any time but to push the entire ordinance back 2-3 months would be a poor decision.

14. COMMENTS FROM THE PUBLIC

Supervisor Jackson opened public remarks at 9:04 pm.

Bob Baldori 2719 Mt. Hope spoke in support of the marijuana ordinance.

Supervisor Jackson closed public remarks at 9:08 pm.

15. OTHER MATTERS AND BOARD MEMBER COMMENTS

Trustee Hendrickson spoke about how frequently the marijuana ordinance has been before the board and how he believes the board will soon come to an agreement supported by the community.

Clerk Guthrie thanked Zachary Lemaster for his service to the township.

16. ADJOURNMENT

Trustee Wisinski moved to adjourn. Seconded by Trustee Wilson.

ROLL CALL VOTE: YEAS: Supervisor Jackson, Clerk Guthrie, Treasurer Deschaine, Trustees Hendrickson, Sundland, Wilson, Wisinski

NAYS: None

Motion carried: 7-0

The meeting was adjourned at 9:14 pm.

PATRICIA H. JACKSON,
TOWNSHIP SUPERVISOR

DEBORAH GUTHRIE
TOWNSHIP CLERK



9.C

To: Board Members
From: Amanda Garber, Finance Director
Date: June 20, 2023
Re: Board Bills

Charter Township of Meridian
Board Meeting
6/20/2023

MOVED THAT THE TOWNSHIP BOARD APPROVE THE MANAGER'S
BILLS AS FOLLOWS:

COMMON CASH	\$1,336,657.05
PUBLIC WORKS	\$563,092.64
TRUST & AGENCY	\$39.76

TOTAL CHECKS: \$1,899,789.45

CREDIT CARD TRANSACTIONS

05/31/2023 - 06/14/2023

\$9,976.49

TOTAL PURCHASES: \$1,909,765.94

ACH PAYMENTS

\$692,733.03

Vendor Name	Description	Amount	Check #
1. 242 COMMUNITY CHURCH	JUNE 17 - JULY 16 2023 - 242 BLDG LEASE (2630 BENN	3,800.00	
2. A T & T	MAY 28 - JUN 27 2023 FIBER INTERNET	195.25	109628
3. ALLGRAPHICS CORP	OKEMOS YOUTH BASEBALL UNIFORMS [VISORS, SOCKS, JERS ADD ON SHIRTS FOR WILLIAMSTON HORNETS SHIRTS HNC STAFF	828.18 14.70 348.40	
	TOTAL	1,191.28	
4. AMERICAN RENTALS	4/21/23 TO 5/21/23 - TRANSFER STATION - PORTABLE T 5/21/2023 - 6/21/2023 - TRANSFER STATION - PORTABL	86.00 86.00	
	TOTAL	172.00	
5. AT & T	MAY 2 - JUN 1 2023 - HVAC @THB 517.347.1710 201 4 MAY 2 2023 - JUN 1 2023 - PSB FAX 517 347-4285 92 MAY 2 - JUN 1 2023 - THB HVAC 517 347.6021 564 8 MAY 2 - JUN 1 2023 - PSB FAX 517 347 6826 173 5	49.68 50.93 377.25 52.01	109629 109629 109629 109629
	TOTAL	529.87	
6. AT&T	JUNE 2023 LEGACY TELEPHONE NUMBERS - 517.349.1200	32.93	109630
7. AUTO VALUE OF EAST LANSING	UNIT #10 - FLEET REPAIR PARTS UNIT #10 - FLEET REPAIR PARTS UNIT #76 - FLEET REPAIR PARTS FIRE DEPT - FLEET REPAIR PARTS UNIT #145 - FLEET REPAIR PARTS UNIT #96 - FLEET REPAIR PARTS UNIT #141 - FLEET REPAIR PARTS CORE CHG FOR INV 1474789 - FLEET REPAIR PARTS UNIT #7 - FLEET REPAIR PARTS STOCK - FLEET REPAIR PARTS CREDIT BATTERY CORE INV 1475423 - FLEET REPAIR PAR STOCK - FLEET REPAIR PARTS UNIT #10 - FLEET REPAIR PARTS STOCK - FLEET REPAIR PARTS UNIT #121 - FLEET REPAIR PARTS UNIT #52 - FLEET REPAIR PARTS CIRCULATION HTR - FLEET REPAIR PARTS	101.79 203.58 69.98 165.00 1,622.85 79.25 126.99 8.00 63.86 32.94 (8.00) 45.10 15.46 294.78 619.99 92.95 115.16	
	TOTAL	3,649.68	
8. AXON ENTERPRISE, INC	BODY WORN CAMERA AND STORAGE PLAN - YEAR 1 AXON FLEET PD VEHICLE CAMERA STORAGE AND LICENSES	37,949.21 9,072.00	109622 109622
	TOTAL	47,021.21	
9. BECKS PROPANE	5/19/2023 DELIVERY PROPANE - HARRIS NATURE CENTER	431.04	
10. BOARD OF WATER & LIGHT	5/1/2023 - 6/1/2023 - STREETLIGHT SERVICE	702.81	
11. BOBCAT OF LANSING	2023 BOBCAT SVB60 60" SNOW V-BLADE	4,301.00	
12. BOUNDTREE MEDICAL	ORDER #1044344653 - MEDICAL SUPPLIES ORDER #104532241 - MISC. MEDICAL SUPPLIES ORDER #104558613 - MEDICAL SUPPLIES ORDER #104558614 - MEDICAL SUPPLIES	173.84 1,006.92 2,079.58 38.29	
	TOTAL	3,298.63	
13. BRIAN SHORKEY	PARKING MIAPA CONF - RECEIPT 091649	18.00	

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Vendor Name	Description	Amount	Check #
14. BRIGHTLINE TECHNOLOGIES	JUNE 2023 QUICKHELP SUBSCRIPTION	1,440.00	
	BRIGHTLINE HPE 36M	2,975.00	
	PHISHING EMAIL TRAINING 50%	6,900.00	
	TOTAL	11,315.00	
15. BSN SPORTS	MLB REPLICHA HATS FOR 2023 YOUTH BASEBALL	41.92	
16. BULL ENTERPRISES	MAY 2023 - JANITORIAL SERVICES TWP BLDGS	8,477.00	
17. CAPITAL ASPHALT LLC	2023 MILL & FILL LOCAL ROAD PROGRAM CONTRACT	346,244.67	
18. CBL & ASSOCIATES LIMITED PARTNERSHIP	01/2023-04/2023 - FARMERS MKT MERIDIAN MALL	1,097.50	109625
19. CDW	CISCO MERAKI CAMERA LICENSE 1YR	222.09	
	BARCODE SCANNER FOR TREASURER'S OFFICE	163.93	
	TOTAL	386.02	
20. CENTRALSQUARE TECHNOLOGIES LLC	08/01/2023 - 12/31/2023 - PD CRYWOLF FALSE ALARM B	1,278.81	
	8/1/2023 - 12/31/2023 - PD CAD VARIOUS ANNUAL RENE	3,959.71	
	TOTAL	5,238.52	
21. CHRISTOPHER CORNWELL	BALLOON TWISTING ON JUNE 24 2023 - CELEBRATE MERID	150.00	
22. CINTAS CORPORATION #725	06/01/2023 - MECHANICS UNIFORMS	30.00	
	06/07/2023 - MECHANICS UNIFORMS	30.00	
	TOTAL	60.00	
23. CITY PULSE	04/05/2023 - LEGAL ADS FOR TWP	269.36	
	4/19/2023 - LEGAL ADS FOR TWP	354.83	
	05/17/2023 - LEGAL ADS FOR TWP	135.79	
	ACCT #1351 - FARMERS MKT SALE AD 1/8 PAGE	205.20	
	06/07/2023 - PRIDE AD	205.20	
	TOTAL	1,170.38	
24. COMCAST	MAY 29 2023 TO JUNE 28 2023 - INT TV TEL @ HNC	250.95	109619
	JUN 16 2023 TO JUL 15 2023 - TV + INET 8529 11 416	161.85	109631
	TOTAL	412.80	
25. CONSUMERS ENERGY	M.GREEN - EMERGENCY UTILITIES ASSISTANCE	411.33	109620
26. CONWAY SHIELD INC	FIRE GLOVES, SIZE 2XL	208.50	
27. CROSSROADS CHURCH OF LANSING	W.RODRIQUEZ - EMERGENCY RENTAL ASSISTANCE	286.00	109618
28. CRYSTAL FLASH	ORDER #4570613 - FLEET FUEL	2,199.65	
	ORDER #4570613 - FLEET FUEL	10,444.85	
	ORDER #4570614 - FLEET FUEL	3,991.07	
	TOTAL	16,635.57	
29. CULLIGAN WATER CONDITIONING	ACCT #5454003 - WATER SOFTENER SALT HNC	24.00	
30. CURTIS SQUIRES	2023 MI TACTICAL OFFICERS CONF REIMB	103.36	
31. CYGNET ENTERPRISES INC	ORDER #57785 - AQUANEAT 5 EA 2.5 GAL	197.22	
32. DONALD DOVE	06/07/2023 - SEA CRUISERS SUMMER CONCERT SERIES	700.00	
33. DR ALLISON WOOD PLLC	EXPERT WITNESS FEES	2,750.00	

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34. EDGEWOOD VILLAGE APARTMENTS	M.WILSON -EMERGENCY RENTAL ASSISTANCE	408.00	109626
35. ELECTRICAL TERMINAL SERVICE	MOTOR POOL - MISC SUPPLIES	103.87	
36. ENVIRONMENTAL LAW INSTITUTE	1ST HALF OF 2023 GREEN GRANT PROVIDE EDUCATIONAL R	750.00	
37. FAHEY SCHULTZ BURZYCH RHODES PLC	FIRE DEPT - LEGAL FEES	292.50	
	TREASURER MATTERS - LEGAL FEES	22.50	
	COLLECTIVE BARGAINING - LEGAL FEES	67.50	
	MARIJUANA REGULATION - LEGAL FEES	2,048.50	
	WINSLOW MOBILE HOMES - LEGAL FEES	225.00	
	EYDE-SIERRA RIDGE LITIGATION - LEGAL FEES	1,687.50	
	THE PONDS - LEGAL FEES	202.50	
	ASSESSOR - LEGAL FEES	118.24	
	LEGAL FEES - COMMUNITY PLANNING & DEVELOPMENT	2,261.48	
	FIRE DEPT - LEGAL FEES	132.50	
	FOIA/OMA - LEGAL FEES	1,739.75	
	HUMAN RESOURCES/LABOR - LEGAL FEES	895.96	
	MANAGER - LEGAL FEES	183.92	
	POLICE DEPT - LEGAL FEES	16.52	
	TOWNSHIP BOARD - LEGAL FEES	401.63	
	E & W INVESTMENTS - LEGAL FEES	225.00	
	2018-2415 - DM SUBPOENA REQUEST FOR RECORDS - LEGA	2,492.00	
	TOTAL	13,013.00	
38. FERAL FLORA	PERENNIAL SEED STRATIFICATION	512.55	
39. FIRST COMMUNICATIONS	5/1/2023 - 5/31/2023 - ANALOG TELEPHONE LINES-3142	1,435.47	
40. FORESIGHT GROUP	6/1/2023 - WATER BILLS AND POSTAGE	1,636.54	
	UNIT #679 - LABELING	176.56	
	TOTAL	1,813.10	
41. GARDEN PROJECT	2021 GREATER LANSING FOOD BANK GARDEN PROJECT COST	5,000.00	
42. GOV'T FINANCE OFFICERS ASSOC	AUG 4, 2023 - SBITA INTERACTIVE LMS VIRTUAL TRAINI	85.00	
43. GRANGER	HASLETT STORAGE CLEAN UP AND REMOVAL OF ITEMS TO G	154.58	
	2023 - PARKS SEASONAL TRASH SERVICE	432.85	
	TOTAL	587.43	
44. GRANICUS	MAY 1 2023 TO MAY 31 2023 - HOMTV CAPTION LIVE	2,613.75	
45. HAMMOND FARMS	ATHLETIC FIELD MARKERS	766.00	
46. HASLETT-OKEMOS ROTARY	2ND QTR 2023 - ROTARY DUES - D.GUTHRIE	145.00	
47. HUBBEL, ROTH & CLARK INC	PROF SERVICES EDNING MAY 27, 2023 - FIELD & CONTRA	116,919.12	
48. JOEL MATTHEW KRUPA	2023 PRIDE EVENT	275.00	
49. JOHN HINES	COCM 2023 TRAVEL EXP REIMB - MILEAGE & MEALS	169.75	
50. JOHNSON, ROBERTS & ASSOCIATES INC	MAY 2023 OFFICER CANDIDATE TESTS - KLING/BARBER	35.00	
51. KIESLER'S POLICE SUPPLY INC	AVI EQUIPMENT	3,054.00	
52. KIMBALL MIDWEST	MISC FASTNERS AND LUBRICANTS	499.31	

Vendor Name	Description	Amount	Check #
53. KODIAK EMERGENCY VEHICLES	UNIT #135 - INSTALATION OF STRYKER SYSTEMS	1,877.50	109621
	UNIT #663 - INSTALATION OF STRYKER SYSTEMS	1,125.00	109621
	UNIT #701 - INSTALATION OF STRYKER SYSTEMS	1,125.00	109621
	UNIT #134 - INSTALATION OF STRYKER SYSTEMS	1,392.50	109621
	REPAIRS MEDIC 93- UNIT #134	113.00	109621
	TOTAL	5,633.00	
54. LAFONTAINE AUTOMOTIVE GROUP	UNIT #668 & #670 - REPAIR PARTS	604.32	
55. LANGUAGE LINE SERVICES	MAY 2023 - INTERPRETATION SERVICES	32.55	
56. LANSING GLASS COMPANY	MB ENTRANCE DOOR REPLACEMENT	46,929.00	
57. LANSING SANITARY SUPPLY INC	ACCT MERID140 - BUILDINGS - CUSTODIAL SUPPLIES	434.24	
	CLEANING SUPPLIES FOR FIRE DEPT.	610.36	
	TOTAL	1,044.60	
58. LANSING UNIFORM COMPANY	FIRE UNIFORM ITEMS - J. HARRISON	239.85	
	OFFICER BOOTS - L. VANDERMOLEN & B. LROY	579.90	
	OFFICER UNIFORM ITEMS - CLEMENTS/VANDERMOLEN/HEINE	1,516.55	
	TOTAL	2,336.30	
59. LAWN STAR GROUP LLC	MAY 2023 - GLENDALE MOWING	3,675.00	
60. LEAH MARIE BRONSON	2023 SERGEANT'S PROMOTIONAL ASSESSMENT EXAM	250.00	
61. LEAK PETROLEUM EQUIPMENT INC	REPAIR LEAKING HOSE ON DIESEL PUMP	561.44	
62. LEAVITT & STARCK EXCAVATING INC	REMAINING WORK ON EXISTING CONTRACT: MSU TO LAKE L	14,500.00	
63. LEAVITT & STARCK EXCAVATING, INC	REMAINING WORK ON EXISTING CONTRACT: MSU TO LAKE L	59,088.15	
64. LEROY HARVEY	REIMB SIGN CLAMPS SPRING RECYCLING 04.23.2023	16.88	
65. LEXISNEXIS RISK DATA MGT LLC	5/01/2023 - 5/31/2023 - SEARCH SERVICES MINIMUM CO	200.00	
66. LOPEZ CONCRETE CONSTRUCTION	CONCRETE REPAIR CONTRACT 2023	146,412.51	
	2023 CONCRETE REPAIR CONTRACT	4,244.20	
	TOTAL	150,656.71	
67. M & M MOVING OF LANSING	POD RENTAL - 4/12/23-5/11/23 & 5/12/23-6/11/23 & 6	1,050.00	
68. MANNIK AND SMITH	PROF SERV THRU APRIL 28 2023 - LOCAL ROAD PROGRAM	14,537.58	
69. MBSC, INC	TWO TEAMS MASON PONY LEAGUE GIRLS SOFTBALL	450.00	
70. MEDICAL MANAGEMENT SYSTEMS OF	MAY 2023 COLLECTION FEE AMBULANCE BILLINGS	11,054.64	
71. MEI TOTAL ELEVATOR SERVICES	JUNE-AUG 2023 QUARTERLY ELEVATOR SERVICE	520.98	
72. MERIDIAN TOWNSHIP RETAINAGE	CONCRETE REPAIR CONTRACT 2023	16,440.72	
	2023 ROADWAY IMPROVEMENTS CRUSHING & HMA OVERLAY C	14,176.68	
	2023 MILL & FILL LOCAL ROAD PROGRAM CONTRACT - RET	18,223.40	
	TOTAL	48,840.80	
73. MICHIGAN NOTARY SERVICE	ZACKARIE SPURLOCK - NOTARY COMMISSION APPLICATION	66.35	
74. MICHIGAN TOWNSHIP ASSOCIATION	7/1/2023 TO 6/30/2024 - MTA ANNUAL DUES	8,776.62	
75. MID MICHIGAN EMERGENCY EQUIPMENT	POLICE INTERCEPTOR UPFITTING	17,245.50	

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76. MIKE DEVLIN	MRPA 2023 CONF TRAVEL REIMB	38.00	
	REIMB 2023 MI REC & PARK ASSN CONF	38.00	
	TOTAL	76.00	
77. MONTESSORI RADMOOR SCHOOL	1ST HALF OF 2023 GREEN GRANT TO CREATE A NATIVE ME	1,500.00	
78. MORRIES OKEMOS FORD	REPAIRS - PATROL 123 - UNIT 668	3,888.36	
	UNIT #8 - REMOVE & REPLACE RADIATOR	562.96	
	UNIT #679 - REPAIR PARTS	339.25	
	TOTAL	4,790.57	
79. MTECH	UNIT #649 - STREET SWEEPER REPAIR	1,079.00	
80. PEOPLEFACTS LLC	MAY 2023 EMPLOYEE PRE-EMPLOYMENT CREDIT CHECKS	46.47	
81. PHOENIX SAFETY OUTFITTERS	SALES ORDER #220276 - FIRE GEAR REPAIRS (COAT)	190.00	
82. PRESBYTERIAN CHURCH OF OKEMOS	1ST HALF OF 2023 GREEN GRANT AWARD	1,000.00	
83. PROGRESSIVE AE	PROF SERVICES THRU MARCH 31 2023 - LAKE LANSING WA	1,798.23	109624
84. PRO-TECH MECHANICAL SERVICES	WO #43828 - REPAIR A/C - POLICE STATION	315.00	
	WO#43867 - NORTH FIRE A/C REPAIR	274.88	
	TOTAL	589.88	
85. QUALITY COATINGS	UNIT #707 BULLET LINER CAB/BED - 2023 TOOLCAT	1,150.00	
86. QUALITY TIRE INC	UNIT #707 - TIRES	405.52	
	DISPOSAL FEES FOR SCRAP TIRES	108.00	
	STOCK TIRES MOTOR POOL	1,313.55	
	STOCK TIRES	596.20	
	TOTAL	2,423.27	
87. REFPAY TRUST ACCOUNT	2023 BASEBALL/SOFTBALL GAMES UMPIRES	1,470.00	
88. RICHARD G VONTERSCH	MAY 2023 - MUNICIPAL BLDG LANDSCAPE MAINT	270.00	
89. RIETH-RILEY CONSTRUCTION CO INC	2023 ROADWAY IMPROVEMENTS CRUSHING & HMA OVERLAY C	267,776.99	
90. ROWERDINK AUTOMOTIVE PARTS	ORDER #511910 - UNIT #129 - FLEET REPAIR PARTS	223.60	
	ORDER #512050 - UNIT #151 - FLEET REPAIR PARTS	272.96	
	ORDER #512460 - BATTERY CORE CREDITS - FLEET REPAI	(137.00)	
	ORDER #518460- BATTER/CORE - FLEET REPAIR PARTS	114.00	
	ORDER #518800 - BATTERY CORE CREDIT - FLEET REPAIR	(14.00)	
	ORDER #527780 - UNIT #118 - FLEET REPAIR PARTS	583.82	
	ORDER #106800 - STOCK - FLEET REPAIR PARTS	322.76	
	ORDER #541610- STOCK - FLEET REPAIR PARTS	244.50	
	ORDER #542170 - REF 1153414 - FLEET REPAIR PARTS	(75.00)	
	TOTAL	1,535.64	
91. SAFEWARE, INC.	EMERGENCY PLUG FOR ELECTRIC VEHICLES	905.00	
92. SPARKY'S ELECTRIC LLC	PERMIT CANCELLED, 50% REFUND	61.75	
93. SPARROW OCCUPATIONAL	MAY 2023 EMPLOYEE PHYSICALS	4,712.00	
94. SPARTAN DISTRIBUTORS	TORO MOWER REPAIR PARTS	1,659.45	109623
	UNIT #689 - TORO MOWER GUIDE HOSE	136.70	109623
	TOTAL	1,796.15	

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95. ST MARTHA CONFERENCE OF	T. WEEKS - EMERGENCY RENTAL ASSISTANCE	500.00	109627
96. STAPLES	OFFICE SUPPLIES	332.91	
97. STATE OF MICHIGAN	4/1/23 TO 6/30/23 - QA AMBULANCE ASSESSMENT	2,462.61	
98. STEVEN T. SPEES, III	6/14/2023 - SUMMER CONCERT SERIES	200.00	
99. TEAM FINANCIAL GROUP	CUST #40035014 - COPIER CONTRACT	2,499.47	
100 TRIPP'S COLLISION EAST LANSING	REPAIRS - POLICE UNIT 124	3,996.65	
101 USA SOFTBALL OF MICHIGAN	2023 ADULT SUMMER SOFTBALL REGISTRATIONS	270.00	
102 USA TODAY NETWORK	LSJ 4/23/2023 - 4/29/2023 - PUBLIC NOTICES 2023	48.65	
103 VERIZON CONNECT	5/1/2023 - 5/31/2023 - VEHICLE DATA UPLINK - MERIO	1,311.39	
104 WASTE MANAGEMENT	6/1/23-6/30/23 - GAYLORD C SMITH - DEER PROGRAM	182.65	
105 WEST SHORE FIRE INC	AIR PAK REPAIRS	830.00	
106 WILDTYPE DESIGN	SEED SUPPLY FOR TOWNSHIP	997.96	
	NATIVE PLANTS	444.00	
	NATIVE PLANT INSTALLATION AT SERAFINE PRESERVE	345.55	
	TOTAL	1,787.51	
107 YEO & YEO	ANNUAL AUDIT ENDING 12/31/2022	30,250.00	
	SERVICES RENDERED TO IMPLEMENT LEASE STANDARD & UP	1,305.00	
	TOTAL	31,555.00	
TOTAL - ALL VENDORS		1,336,657.05	

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1. C & S SOLUTIONS	UNDERGROUND UTILITY LOCATOR	7,138.99	
2. CARL SCHLEGEL INC	CLASS II SAND DELIVERIES - MAY 2023	1,552.40	
3. CITY OF EAST LANSING	JUNE 2023 - SEWER OPERATIONS	181,891.25	
	ELMWSA OPERATING & INTERCONNECT & DEBT SHARING JUN	297,403.75	
	TOTAL	479,295.00	
4. DELTA DENTAL PLAN of MICHIGAN	OVRPMT ON PREVIOUS CREDIT	75.25	
5. DIXON ENGINEERING	PROJECT MI2021 EVB-3552 - WATER TOWER IMPROVEMENTS	2,250.00	
6. FERGUSON WATERWORKS #3386	TOP SECTION OF A 2 INCH COMPOUND METER - NON READ	2,175.00	
	WATER - 3/4 INCH HEAD FOR COMPOUND METER @ THE MAR	101.50	
	TOP 2" METER PIT - NEW HOUSE OLD GOLF COURSE	1,086.00	
	TOTAL	3,362.50	
7. GRAINGER	ACCT # 80494437 - TRANSMITTER - MEADOWS LIFT STATI	503.25	
8. K & H CONCRETE CUTTING INC	SAW CUT OKEMOS ROAD - IN FRONT OF DELTA DENTAL	400.00	
9. KIMBALL MIDWEST	VALVE REPAIR SUPPLIES - BOLTS/NUTS/WASHERS	218.25	
10. LIVINGSTON LAND HOLDINGS	1314 ORLANDO DR - WATER/SEWER OVRPMT	12.00	
11. LOPEZ CONCRETE CONSTRUCTION	PW CONCRETE REPAIR CONTRACT 2023	1,554.00	
	2023 CONCRETE REPAIR CONTRACT	448.76	
	TOTAL	2,002.76	
12. MERIDIAN TOWNSHIP RETAINAGE	2023 SANITARY SEWER REHABILITATION PROJECT - PAY E	4,137.40	
	2023 CONCRETE REPAIR CONTRACT	521.44	
	TOTAL	4,658.84	
13. RIETH-RILEY CONSTRUCTION CO INC	PW 2023 ROADWAY IMPROVEMENTS CRUSHING & HMA OVERLA	1,580.00	
14. SA SMITH PAVING & TRUCKING INC	ASPHALT SPOT REPAIR CONTRACT 2023	8,317.85	
	ASPHALT SPOT REPAIR CONTRACT 2023	14,425.70	
	TOTAL	22,743.55	
15. TITLE RESOURCE	4453 OAKWOOD DR - OVRPMT FINAL WATER/SEWER	63.25	
16. VISU-SEWER	2023 SANITARY SEWER REHABILITATION PROJECT - PAY E	37,236.60	
TOTAL - ALL VENDORS		563,092.64	

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1. MERIDIAN TOWNSHIP DDA	DPP PAYOUT 5.16.2023 TO 5.31.2023	9.76	13412
2. STATE OF MICHIGAN	MI3392600-20230501-042826971 - A. JENEY - SOR FEES	30.00	
TOTAL - ALL VENDORS		39.76	

Credit Card Report 5/31/2023-6/14/2023

Posting Date	Merchant Name	Amount	Name
2023/05/31	THE UPS STORE 811	\$56.28	ROBERT STACY
2023/05/31	IN *NAULT HOLDINGS, LLC	\$58.00	MICHAEL HAMEL
2023/05/31	AMZN MKTP US*T90X93BK3	\$248.15	ROBERT MACKENZIE
2023/05/31	CITY OF LANSING, MI	\$0.75	ED BESONEN
2023/06/01	HASLETT TRUE VALUE HARDW	\$9.49	KYLE FOGG
2023/06/01	MEIJER # 025	\$3.99	LUANN MAISNER
2023/06/01	CITY OF LANSING, MI	\$1.65	ED BESONEN
2023/06/01	THE HOME DEPOT 2723	\$498.00	DANIEL OPSOMMER
2023/06/02	MIDWEST POWER EQUIPMENT	\$17.22	RYAN CAMPBELL
2023/06/02	MICHIGAN ASSOC OF CHIEFS	\$330.00	ANDREW MCCREADY
2023/06/02	MEIJER # 025	\$34.65	ANDREW MCCREADY
2023/06/02	THE HOME DEPOT #2723	\$8.68	THOMAS BAKER
2023/06/02	BUILDASIGN.COM	(\$11.49)	LUANN MAISNER
2023/06/02	CITY OF LANSING, MI	\$1.65	ED BESONEN
2023/06/02	PLAQUES	\$2,463.75	DANIEL OPSOMMER
2023/06/05	THE HOME DEPOT #2723	\$34.98	LAWRENCE BOBB
2023/06/05	THE HOME DEPOT #2723	\$51.61	ROBERT STACY
2023/06/05	HAMMOND FARMS E LANSING	\$160.00	TYLER KENNEL
2023/06/05	DNH*GODADDY.COM	\$856.00	STEPHEN GEBES
2023/06/05	DNH*GODADDY.COM	\$24.16	STEPHEN GEBES
2023/06/05	MEIJER # 253	\$13.98	RICHARD GRILLO
2023/06/05	PANERA BREAD #600715 P	\$15.99	RICHARD GRILLO
2023/06/05	TST* SADDLEBACK BBQ - OKE	\$129.94	RICHARD GRILLO
2023/06/05	AMZN MKTP US*O86HS4IU3	\$89.00	ROBERT MACKENZIE
2023/06/05	TRACTOR-SUPPLY-CO #0278	\$227.96	LUANN MAISNER
2023/06/05	QUALITY DAIRY 31280027	\$26.07	LUANN MAISNER
2023/06/05	THE HOME DEPOT #2723	\$8.76	LUANN MAISNER
2023/06/05	THE HOME DEPOT #2723	\$9.32	LUANN MAISNER
2023/06/05	HAMMOND FARMS E LANSING	\$120.00	KEITH HEWITT
2023/06/05	AMZN MKTP US*U65RK79O3 AM	\$71.70	MICHELLE PRINZ
2023/06/05	AMZN MKTP US*NQ8L52MR3	\$31.98	MICHELLE PRINZ
2023/06/05	MIDWAYUSA COM	\$81.95	BART CRANE
2023/06/05	WAL-MART #2866	\$60.28	SAMANTHA DIEHL
2023/06/05	MEIJER # 253	\$33.04	ALLISON GOODMAN
2023/06/06	COMPLETE BATTERY SOURCE	\$25.46	KYLE FOGG
2023/06/06	KIESLER POLICE SUPPLY	\$548.59	ANDREW MCCREADY
2023/06/06	AMZN MKTP US*RZ4EP84M3	\$197.01	ROBERT MACKENZIE
2023/06/06	CITY OF LANSING, MI	\$0.75	ED BESONEN
2023/06/07	THE HOME DEPOT #2723	\$43.93	LAWRENCE BOBB
2023/06/07	THE HOME DEPOT #2723	\$39.11	TYLER KENNEL
2023/06/07	AMZN MKTP US*DM0S09HZ3 AM	\$12.86	MICHELLE PRINZ
2023/06/07	SOLDAN S PET SUPPLIES	\$10.74	CATHERINE ADAMS
2023/06/07	CITY OF LANSING, MI	\$0.75	ED BESONEN
2023/06/07	WAL-MART #2866	(\$53.73)	SAMANTHA DIEHL
2023/06/08	HAMMOND FARMS E LANSING	\$390.00	ROBERT STACY
2023/06/08	THE HOME DEPOT #2723	\$1.25	RUDY GONZALES
2023/06/08	DOLLAR TREE	\$66.25	MIKE DEVLIN
2023/06/08	COSTCO WHSE#1277	\$75.93	MIKE DEVLIN
2023/06/08	USA ARCHERY	\$70.00	CATHERINE ADAMS
2023/06/08	AMAZON.COM*TR1LS0373	\$41.98	CATHERINE ADAMS
2023/06/08	CITY OF LANSING, MI	\$1.87	ED BESONEN
2023/06/08	TEAM LANSING FNDTN	\$20.00	SAMANTHA DIEHL

2023/06/08	TEAM LANSING FNDDN	\$20.00	SAMANTHA DIEHL
2023/06/08	TEAM LANSING FNDDN	\$20.00	SAMANTHA DIEHL
2023/06/09	MEIJER # 025	\$2.29	MIKE DEVLIN
2023/06/09	GRAND TRAVERSE PIE COM	\$16.55	FRANK L WALSH
2023/06/09	MICHIGAN ASSOC OF CHIEFS	\$100.00	RICHARD GRILLO
2023/06/09	AC&E RENTALS INC	\$31.37	DAN PALACIOS
2023/06/09	HEARST NEWSPAPERSMIDWEST	\$9.20	MICHELLE PRINZ
2023/06/09	CITY OF LANSING, MI	\$0.75	ED BESONEN
2023/06/09	BESCO WATER TREATMENT IN	\$133.31	DANIEL OPSOMMER
2023/06/09	BESCO WATER TREATMENT IN	\$133.31	DANIEL OPSOMMER
2023/06/12	THE HOME DEPOT #2723	\$33.34	LAWRENCE BOBB
2023/06/12	ID CARDS INSTANTCARD	\$50.00	RICHARD GRILLO
2023/06/12	THE HOME DEPOT #2723	(\$8.76)	LUANN MAISNER
2023/06/12	THE HOME DEPOT #2723	\$33.57	DAN PALACIOS
2023/06/12	MIDWEST POWER EQUIPMENT	\$56.64	KEITH HEWITT
2023/06/12	THE HOME DEPOT #2723	\$34.94	KEITH HEWITT
2023/06/12	AMZN MKTP US*PC2L375P3	\$35.86	CATHERINE ADAMS
2023/06/12	OFFICEMAX/OFFICEDEPT#3379	\$93.98	DANIEL OPSOMMER
2023/06/12	OFFICEMAX/OFFICEDEPT#3379	\$83.28	DANIEL OPSOMMER
2023/06/12	OFFICEMAX/OFFICEDEPT#3379	\$72.58	DANIEL OPSOMMER
2023/06/12	SOLDAN S PET SUPPLIES	\$145.44	ALLISON GOODMAN
2023/06/13	FERGUSON ENT, INC 934	\$217.24	LAWRENCE BOBB
2023/06/13	WWW.MICHIGANCLERKS.ORG	\$875.00	DEBORAH GUTHRIE
2023/06/13	AMZN MKTP US*CV9GO5IU3	\$17.36	MICHELLE PRINZ
2023/06/13	LANSING COMMUNITY COLL	\$114.00	CATHERINE ADAMS
2023/06/14	THE HOME DEPOT #2723	\$61.84	LAWRENCE BOBB
2023/06/14	THE HOME DEPOT #2723	\$53.82	TYLER KENNEL
2023/06/14	THE RAPID GROUP	\$40.00	DEBORAH GUTHRIE
2023/06/14	THE HOME DEPOT #2723	\$43.60	THOMAS BAKER
2023/06/14	ELKAY SALES INC	\$183.00	ROBERT MACKENZIE
2023/06/14	DETROITNEWS.COM	\$11.99	MICHELLE PRINZ
2023/06/14	CITY OF LANSING, MI	\$0.75	ED BESONEN

Total	\$9,976.49
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ACH Transactions

Date	Payee	Amount	Purpose
5/31/2023	Blue Care Network	\$ 26,980.06	Employee Health Insurance
6/1/2023	Blue Care Network	\$ 65,061.14	Employee Health Insurance
6/1/2023	First American	\$ 1,731.60	Employee Vision Insurance
6/2/2023	ICMA	\$ 47,388.17	Payroll Deductions 05/19/2023
6/2/2023	Various Financial Institutions	\$ 313,064.11	Direct Deposit 06/02/2023
6/2/2023	IRS	\$ 110,010.62	Payroll Taxes 06/02/2023
6/2/2023	Nationwide	\$ 7,430.20	Payroll Deductions 06/02/2023
6/7/2023	MCT Utilities	\$ 2,076.15	Water/Sewer
6/7/2023	Health Equity	\$ 24.60	Employee Health Savings
6/7/2023	Blue Care Network	\$ 8,444.90	Payroll Deductions 05/19/2023
6/12/2023	MCT Utilities	\$ 1,460.00	Water/Sewer
6/12/2023	Consumers Energy	\$ 53,204.28	Utilities
6/12/2023	Delta Dental	\$ 14,341.56	Employee Dental Insurance
6/13/2023	Health Equity	\$ 3,004.68	Employee Health Savings
6/14/2023	Blue Care Network	\$ 38,510.96	Employee Health Insurance
Total ACH Payments		<u>\$ 692,733.03</u>	



To: Board Members
From: Michael Hamel, Fire Chief
Date: June 15, 2023
Re: Ratification of New EMT/Firefighter Appointment

Justin Jones, from Athens, Michigan, is currently enrolled in the Paramedic Program at Kellogg Community College. He completed the EMT Basic Program at Kellogg Community College in 2021. He has worked as an EMT for Veterans Affairs Fire Department and as a Firefighter & Medical First Responder for Newton Township Fire Department and Burlington Township Fire Department. He holds Firefighter I & II and Hazmat Operations certifications.

Move to authorize the Fire Department to appoint Justin Jones to Full-Time EMT/Firefighter.



To: Board Members
From: Abby Tithof, Human Resources Director
Date: June 16, 2023
Re: Ratification of New Police Officer Appointments

The Township has presented a conditional offer of employment to two qualified police officer candidates. The prospective hiring will bring the staffing level of the police department to 35 sworn personnel.

Larry Vandermolen is a veteran of the U.S. Army where he reached the rank of staff sergeant. Larry is currently finishing his Bachelor's Degree at the University of Arizona Global Campus. He worked for five years as a police officer in South Carolina and is currently working part time as a police officer for the city of Durand.

Hayden Kling earned a Bachelor's Degree and a Master's Degree from the University of Clearly. He graduated second overall in academics in his academy class at the Law Enforcement Regional Training Academy in Flint.

A motion is prepared for Board consideration:

MOVE TO RATIFY THE APPOINTMENTS OF LARRY VANDERMOLEN AND HAYDEN KLING TO THE POSITION OF POLICE OFFICERS CONTINGENT UPON SUCCESSFUL COMPLETION OF THOSE ITEMS STIPULATED IN THE CONDITIONAL OFFER OF EMPLOYMENT.



11.A/12.A

To: Township Board

From: Timothy R. Schmitt, AICP, Director of Community Planning and Development

Date: June 14, 2023

Re: Sierra Ridge Preliminary Plat Extension

Gerald Fedewa submitted a letter dated June 1, 2023 requesting a two year extension of the preliminary plat approval for Sierra Ridge Estates. The Township's Land Division ordinance requires the proprietor of the plat to request an extension in writing prior to the expiration date.

The Sierra Ridge Estates subdivision consists of 99 single family homes located on approximately 73 acres north of Lake Lansing Road and east of Newton Road. The preliminary plat for Sierra Ridge Estates (PP #03012) was approved by the Township Board on July 1, 2003 for a period of two years. Final plat approval was granted by the Township Board for Phase I (34 lots) on August 4, 2005, Phase II (16 lots) on April 2, 2013, Phase III (22 lots) on April 4, 2017, and Phase IV (14 lots) on May 16, 2023. The Final Plat for Phase IV has not been fully approved by the other agencies involved at this time.

The Township Board previously granted preliminary plat extensions in 2005, 2007, 2009, 2011, 2015, 2017, 2019, and 2021, each for two-year periods. The current preliminary plat approval would have expired on July 1, 2021 if the applicant had not applied for an extension. The applicant is requesting a two-year extension of the preliminary plat. If approved the new expiration date will be July 1, 2025.

There is one outstanding issue that Staff and the Township Attorneys are recommending be resolved with this extension. During the 2007 approval of the extension request, there was substantial discussion about a potential connection to the property to the east. An excerpt from those minutes, regarding this discussion, is attached. The Board at that time, added a condition of approval that states:

“Prior to the construction of the proposed Modesto Drive, the eastern cul-de-sac, the Township Board shall determine if a street connection should be provided to the property east of the plat.”

Now that the western cul-de-sac has been constructed and home construction has begun along the road, the next step for the developer, potentially before 2025 when the plat would be up for extension again, would be to build the eastern cul-de-sac on the proposed Modesto Drive. Therefore, a decision needs to be made by the Board on the connection.

Although a specific location has yet to be worked out, Staff and the Township Attorney would recommend that this connection point be provided. This follows the State law and local ordinances and would resolve the issues that were raised in litigation by the property owner to the east. Staff has provided the following recommended motion and attached resolution to extend preliminary plat approval. The resolution includes the connection point to the east.

Move to adopt the resolution extending preliminary plat approval for Sierra Ridge Estates to July 1, 2025, subject to a connection point meeting local ordinance and Land Division Act requirements being provided to the property to the east.

Attachments

1. Resolution to approve plat extension
2. Letter from Gerald Fedewa requesting plat extension dated June 1, 2023
3. Sierra Ridge Estates Preliminary Plat approval letter dated July 10, 2003
4. Preliminary Plat
5. August 21, 2007 Township Board Meeting EXCERPT
6. Land Division Act EXCERPT
7. Meridian Township Subdivision Ordinance EXCERPT

**RESOLUTION TO APPROVE
Plat Extension**

**Preliminary Plat #03012
Sierra Ridge Estates**

RESOLUTION

At a regular meeting of the Township Board of the Charter Township of Meridian, Ingham County, Michigan, held at the Meridian Municipal Building, in said Township on the 20th day of June, 2023, at 6:00 p.m., Local Time.

PRESENT: _____

ABSENT: _____

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

WHEREAS, Gerald Fedewa, on behalf of G.S. Fedewa Builders, Inc., in a letter dated June 1, 2023 requested an extension of Preliminary Plat #03012, Sierra Ridge Estates, a single family subdivision of 99 lots located north of Lake Lansing Road and east of Newton Lake Road; and

WHEREAS, the Township Board has reviewed the material forwarded by staff under a cover memorandum dated July 14, 2023; and

WHEREAS, the preliminary plat remains consistent with the design approved by the Township Board on July 1, 2003; and

WHEREAS, the Township's Land Division Ordinance and the State Land Division Act allow for the extension of a preliminary plat; and

WHEREAS, the plan has previously been extended eight times; and

WHEREAS, during the 2005 discussion for the plat extension, a condition was included in the approval that required the Township Board to determine if access to the property to the east of the plat was required, prior to the construction of Modesto Drive, the easternmost cul-de-sac in the subdivision; and

WHEREAS, all other roads in the subdivision have been constructed, except for the cul-de-sac portion of Modesto Drive, and construction could begin on Modesto Drive at any time; and

WHEREAS, the Land Division Act requires plats to be designed in such a way so as not to isolate other lands from existing public streets, unless suitable access is provided; and

WHEREAS, the Meridian Township Subdivision Ordinance requires streets to be extended to the boundary line of a tract to make provision for future street connections.

NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby grants the extension of Preliminary Plat #03012, Sierra Ridge Estates, for a period of two years, from July 1, 2023 to July 1, 2025, with the following conditions:

G.S. FEDEWA BUILDERS

June 1st, 2023

Mr. Tim Schmidt.
Meridian Township
5151 Marsh Road
Okemos, MI 48864

RE: Preliminary Plat #03012 Sierra Ridge Estates

Dear Mark,

I understand the preliminary plat approval of Sierra Ridge Estates is set to expire July 1, 2023. I'm hereby requesting a two-year extension so the approval will remain in effect until July 1, 2025.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in black ink that reads "Gerald S. Fedewa". The signature is written in a cursive style with a large, sweeping initial "G".

Gerald S. Fedewa
G.S. Fedewa Builders

5570 Okemos Road • East Lansing, Michigan 48823 •
Phone (517) 339-0020 gsfedewa@gmail.com

CHARTER TOWNSHIP OF MERIDIAN

Susan McGillicuddy Supervisor
Mary M.G. Helmbrecht Clerk
Bruce D. Hunting Treasurer
Gerald J. Richards Manager



Julie Brixie Trustee
Steve Stier Trustee
Andrew J. Such Trustee
Anne M. Woiwode Trustee

July 10, 2003

Mr. Gerald Fedewa
G.S. Fedewa Builders, Inc.
5570 Okemos Road
East Lansing, MI 48823

RE: Preliminary Plat #03012 Sierra Ridge Estates

Dear Mr. Fedewa:

The Township Board at its regular meeting held on July 1, 2003 voted to approve the preliminary plat of Sierra Ridge Estates, a single-family subdivision of 99 lots located north of Lake Lansing Road and east of Newton Road. Approval of the preliminary plat was granted with the following conditions:

1. Approval is granted in accordance with the revised Preliminary Plat received April 25, 2003, prepared by Gove Associates, Inc., indicating ninety-nine (99) single-family lots, subject to revisions as required.
2. Final utility plans shall be subject to the approval of the Director of Public Works and Engineering and shall be completed in accordance with Township Engineering Design and Construction Standards.
3. An overall grading plan for the subdivision shall be required with detailed construction plans prior to issuance of any building permits. The elevation of each lot corner shall be indicated on the plan.
4. Storm sewer leads shall be provided to each lot in the subdivision where appropriate as determined by the Director of Public Works and Engineering. The final location of the lead shall be subject to the approval of the Director of Public Works and Engineering.
5. Street trees shall be required throughout the subdivision. Species and location of the trees shall be subject to the approval of the Director of Community Planning and Development and the Ingham County Road Commission.
6. Final street names shall be subject to the review and approval of the Ingham County Road Commission and the Township. The street name East Sleepy Hollow Drive shall be used as a continuation of the existing East Sleepy Hollow Drive located south of Lake Lansing Road.

5151 MARSH ROAD, OKEMOS, MICHIGAN 48864-1198 (517) 349-1200 FAX (517) 349-0506

<http://www.twp.meridian.mi.us>

An Equal Opportunity Employer

Mr. Gerald Fedewa

July 10, 2003

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7. If determined necessary by the Director of Public Works and Engineering and the Ingham County Road Commission, edge drains shall be installed along streets within the subdivision.
8. A five (5) foot wide concrete sidewalk shall be constructed along both sides of all streets within the subdivision, including Modesto Drive.
9. A seven (7) foot wide pedestrian/bicycle pathway shall be constructed along the frontage of Lake Lansing Road as part of Phase 1. A seven (7) foot wide pedestrian/bicycle pathway shall be constructed along Newton Road as Newton Road is paved pursuant to Ingham County Road Commission's requirements. The applicant shall be responsible for obtaining all required permits and approvals for pathway construction and shall construct them in accordance with the standards of the Department of the Public Works and Engineering.
10. The Planning Commission hereby grants a variance from Section 101-4.52 of the Township's Subdivision Regulations for the minimum block length to be less than 500 feet for the following road segments.

East Sleepy Hollow Drive from Lake Lansing Road to Isaac Lane
Pasadena Boulevard from Newton Road to East Sleepy Hollow Drive
Pasadena Boulevard from East Sleepy Hollow Drive to Modesto Drive
Fresno Drive from Newton to East Sleepy Hollow Drive
Fresno Drive from East Sleepy Hollow Drive to Pasadena Boulevard
Fresno Drive from Pasadena Boulevard to Modesto Drive
Isaac Lane from East Sleepy Hollow Drive to Marietta Way

The variance is based on the long and narrow shape of the upland portions of the site and to comply with the maximum lot depth to width ratio for proposed lots located within the block(s). The proposed block lengths will also reduce traffic speeds within the subdivision due to shorter distances between intersections.

11. The Planning Commission hereby grants a variance from Section 101-4.62 of the Township's Subdivision Regulations for lot lines not at right angles to straight streets or not radial to curved streets along the common lot line between Lot 14 and Lot 15, and Lot 71 and Lot 72 in order to comply with the approved road layout requiring street intersections to be perpendicular on the narrow upland portion of the site.
12. The Planning Commission hereby grants a variance from Section 101-4.63 of the Township's Subdivision Regulations to exceed the maximum lot depth to width ratio for Lot 27 based on the narrow shape of upland portions of the site affecting the configuration of the subdivision and the approved road layout.
13. The variance to exceed the maximum lot depth to width ratio for Lot 94 is hereby denied based on the ability to comply with Section 101-4.63 by transferring area to the adjacent open space. Prior to final plat approval, the plat shall be adjusted to bring Lot 94 into

Mr. Gerald Fedewa

July 10, 2003

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compliance with the Subdivision Regulations by adjusting the rear lot line of Lot 92, Lot 93, Lot 94, and Lot 95 in a manner that complies with the Code of Ordinances and the Township's Subdivision Regulations and which also creates a uniform rear lot line for Lots 92 through 95.

14. The applicant shall obtain all necessary permits and approvals from the Ingham County Drain Commissioner, Ingham County Road Commission, Michigan Department of Environmental Quality (MDEQ), and the Township. Copies of all permits and approval letters shall be submitted to the Department of Community Planning and Development. Should a permit be required from the Michigan Department of Environmental Quality, no grading or construction work shall be conducted until the permit is final and unappealable at the MDEQ.
15. Prior to construction activities, including grading, erosion control fencing shall be installed along the perimeter at the upland edge of the required water features setback, subject to the review approval of the Ingham County Drain Commissioner's office and the Department of Community Planning and Development.
16. Prior to issuance of a grading permit for Lot 65, Lot 67, Lot 68, Lot 69, Lot 70, Lot 71, Lot 72, Lot 73, Lot 74, Lot 75, Lot 76, Lot 77, Lot 78 and Lot 79, a professional engineer or registered land surveyor shall provide written certification to the Township that no lots have been platted in the 100-year floodplain and that no grading or construction work will take place in the 100-year floodplain. Upon completion of the dwellings on Lot 65, Lot 67, Lot 68, Lot 69, Lot 70, Lot 71, Lot 72, Lot 73, Lot 74, Lot 75, Lot 76, Lot 77, Lot 78 and Lot 79, a similar as-built certification for the lot and dwelling shall be provided to the Township.
17. Due to the proximity of the 100-year floodplain to the basements/foundations for Lot 66, Lot 67, Lot 68, Lot 69, Lot 70, Lot 71, Lot 72, Lot 73 and Lot 74, a licensed professional engineer shall certify the basement/foundation is designed to withstand hydrostatic pressure or shall certify such a design is unnecessary.
18. The applicant shall apply for and receive any necessary variance(s) from the Zoning Board of Appeals or revise the plat's design to comply with the Code of Ordinances. Should it be necessary to revise the layout of the plat to comply, it shall be brought back to the Planning Commission and Township Board for re-approval.
19. The applicant shall clearly define the applicable natural vegetation strip, water features setback, regulated wetlands and 100-year floodplain in all submitted drawing and plans, including plot plans for each lot when the house is built. The covenants and restrictions for the subdivision shall also clearly identify which lots contain these features and refer to the appropriate Township and/or State regulations.
20. Any wellhead(s) located on the site shall be properly plugged and abandoned per the requirements of the Ingham County Health Department and the Township, prior to the

Mr. Gerald Fedewa

July 10, 2003

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issuance of any permit for construction activity, including grading permits.

21. The existing house located at 2150 Lake Lansing Road shall be removed prior to grading or construction of Phase 4. This building would only be used as a field office for road and utility construction.
22. A copy of the information that exists on computer for the plat and construction plans shall be provided to the Township Engineering staff in an Auto Cad compatible format.
23. In furtherance of subsection 101-4.3 of the Township's Subdivision Regulation, tree protection measures as identified in the Land Clearing Ordinance shall be employed to avoid damaging and to ensure preservation of all healthy Burr Oak trees greater than three (3) feet in diameter and two Cottonwood trees greater than five (5) feet in diameter.
24. The applicant shall post Wetland #4-27 as a Township regulated wetland and dumping is prohibited.
25. The applicant shall provide a greenways connection for property on Towner Road if the property is acquired by the township park system.

All lots contained in the plat shall be developed in accordance with applicable Township ordinances, regulations and permitting requirements including, but not limited to, building permits that may include conditions for the protection and preservation of trees, soils and other natural resources.

Preliminary plat approval is valid for a period of two (2) years. Consequently the preliminary plat for Sierra Ridge Estates is valid until July 1, 2005. A preliminary plat may be extended if a request for an extension is submitted to the Township prior to the expiration of the two (2) year period.

If you have any questions regarding this matter, please contact me.

Sincerely,



Mark Kieselbach
Director of Community Planning and Development

cc: Ray Severy
John Heckaman
Ingham County Road Commission
Ingham County Drain Commission

- Assertion that two-thirds of all nonpoint source pollution comes from soil erosion on construction sites
- Belief this is a policy issue, not an administrative one

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Supervisor McGillicuddy, Treasurer Hunting
NAYS: Trustee Veenstra, Woiwode, Clerk Helmbrecht
Motion carried 4-3.

C. Sierra Ridge Preliminary Plat Extension Request

Landlocked property: (See Agenda Item #8 (Questions for the Attorney))

- Q. Andria, what would you advise in this? We have several, I would call them almost threatening or posturing, letters from the Eyde Development Company regarding their property that is adjacent to this property. I know there is one street already connecting to their property and I believe the Road Commission did not give them a permit to cross the drain, if I recall in reading the Road Commission's minutes, to access the rest of their property. Would this be an appropriate action for us to put something, as Trustee Brixie suggested, in here? Do we need to be concerned about these letters on a road access that the Ingham County Road Commission did not require? I feel like it is putting us in an odd position.
- A. I have read the letters from the Eyde Company and also talked to staff about how these subdivisions or proposed subdivisions are set up. The concern here is that under the Land Division Act the Board is precluded from approving a plat that either does not have suitable access for the plat itself or somehow does not allow suitable access for property in the vicinity of the plat. If approving the plat somehow means that you are "landlocking" a piece of property, that may be a problem, and the Board is not supposed to move forward with that.

I first want to say that those requirements do not come into play until final plat approval; this is not final plat approval. So, I think what Trustee Brixie is talking about is perhaps putting something in place so that you don't get to final plat approval and then have that issue arise. Perhaps no other access becomes available through other routes around this property, you get to final plat approval; there's no other access allowed to this property (not Sierra Ridge, but the other property in question), and then you are left with all of this activity that has gone on for Sierra Ridge and now we can't do final approval. I think, at this point, asking to have it come back to assess it again is a good idea. You can decide, further down the road, if access is going to be an issue.

There isn't a way to answer the question of access right now. Case law and the state act require suitable access and you can't answer that right now. You don't have to answer that right now; you answer that at final plat approval. If you want to have another chance at looking at that before you get into a position of not being able to control the situation, this may be a good way to go about that.

- Q. Does all of this not matter? How much should it matter whether or not Mr. Fedewa is in agreement? It is his plat and his property, and he has a cul-de-sac on the northern end of his property. As I recall when we walked the property a long while ago, those are probably the most highly valued lots in his subdivision because of the amount of trees. They are very beautiful treed lots which I can understand why he would want to keep. Should that come into consideration for us? Or, does it make a difference?
- A. The Board's responsibility in the end at the final level is to not approve a plat that will limit off suitable access. If those are the best places for him to put his lots, but it doesn't allow suitable access and you landlock, you have a problem. I think you need to take everything into consideration, but the fact that there may be some prime lots there cannot override the Board's obligation to follow state law.

Trustee Brixie moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby grants the extension of Preliminary Plat #03012, Sierra Ridge Estates, for a period of two years, from July 1, 2007 to July 1, 2009, with the following conditions:

1. **Prior to the construction of the proposed Modesto Drive, the eastern cul-de-sac, the Township Board shall determine if a street connection should be provided to the property east of the plat.**
2. **All previous conditions placed on the preliminary plat approval shall remain in effect.**

Seconded by Trustee Such.

Suitable road access: (See Agenda Item #8 (Questions for the Attorney))

Q. Has something changed in the statute since this was approved? Has there been a change in the statute?

A. I can't answer that question. I know that requirement has been there for some time. I don't think it's changed recently. That requirement was in a case that was looked at in 1992 involving Meridian Township, so that requirement has been there for some time.

Board members and staff discussed the following:

- Discussion of a definition of "suitable access"
- Need to look at bigger issue of this property's surroundings as there are wetlands nearby
- Urge the two parties to resolve this issue as the logical place for the connection to occur have important ecological attributes

Timeline for construction within the approval process: (See Agenda Item #8 (Questions for the Attorney))

Q. In the first condition, should it say "prior to the approval of the final plat and the construction of"? Can we have approval of the plat without....?

A. I believe construction begins before final approval.

Continued Board discussion:

- Granting preliminary plat allows the developer to construct the subdivision prior to final plat approval
- Inconsistencies within the resolution
- Developer is using phased approach and may request an amendment to change the design

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

NAYS: None

Motion carried unanimously.

11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Joe Sheahan, Chair, Lake Lansing Property Owners Association Special Assessment District Advisory Committee, 6150 Columbia, Haslett; spoke in support of the Lake Lansing Watershed Management SAD.

Pam Tying, Progressing AE, 1811 4 Mile Road, NE, Grand Rapids, stated her firm has been collecting water quality samples from Lake Lansing since the late 1990's. The samples allow the firm to collect information on the physical, chemical and biological characteristics of the lake. Ms. Tying indicated the current phosphorus levels of the lake (approx. 20 parts/billion) indicate rooted plant and algae growth and continued input of phosphorus into the lake would exacerbate nuisance plant growth. She also indicated water clarity of Lake Lansing is at a borderline level.

Robert Hollenshead, President, Lake Lansing Property Owners Association, 6068 Columbia Street, Haslett, spoke in support of the Lake Lansing Access Ordinance. He also stated many lots on Lake Lansing are narrower than the allowed zoning and the overlay district would greatly simplify the process for improvements. Mr. Hollenshead noted his reservation with the maximum lot coverage component of the proposal. He believed the real concern was stormwater runoff.

Sec. 181. All streets, alleys, roads and highways shown, or required to be shown on a plat shall comply with the requirements of sections 181 to 185 as a condition of approval of the final plat.

History: 1967, Act 288, Eff. Jan. 1, 1968.

Popular name: Plat Act

Popular name: Subdivision Control

560.182 Final plat; streets, alleys, and roads; municipal requirements; deposit; rebate; rejection of plat; circumstances.

Sec. 182. (1) The governing body of a municipality in which the subdivision is situated may require the following as a condition of approval of a final plat, for all public and private streets, alleys, and roads in its jurisdiction:

(a) Conformance to the general plan, conformance to width and location requirements that it may have adopted and published, or greater width than shown on a county or state plan. However, the governing body shall not require conformance to a municipal plan that conflicts with a general plan adopted by the county or state for the location and width of certain streets, roads, and highways.

(b) Proper drainage, grading, and construction of approved materials of a thickness and width provided in its current published construction standards.

(c) Installation of bridges and culverts where it considers necessary.

(d) Submission of complete plans for grading, drainage, and construction to be prepared and sealed by a civil engineer registered in the state.

(e) Completion of all required improvements relative to streets, alleys, and roads or a deposit by the proprietor with the clerk of the municipality in the form of cash, a certified check, or irrevocable bank letter of credit, whichever the proprietor selects, or a surety bond acceptable to the governing body, in an amount sufficient to insure completion within the time specified.

(2) As a condition of approval of the plat, the governing body may require a deposit to be made in the same manner as provided in subsection (1)(e), to insure performance of any of the obligations of the proprietor to make required improvements.

(3) The governing body shall rebate to the proprietor, as the work progresses, amounts of any cash deposits equal to the ratio of the work completed to the entire project.

(4) The governing body shall reject a plat in any of the following circumstances:

(a) The plat is isolated from or isolates other lands from existing public streets, unless suitable access is provided.

(b) The plat shows a street or road name duplicating one already in use in the municipality, except in continuing a street or road.

(c) The plat shows the name of a new street, alley, or road that is so similar to the one already in existence in the municipality that permitting that use in the subdivision may be confusing for purposes of assessing, mail delivery, and locating by the public.

(d) The plat isolates a cemetery so that it does not meet the requirements of either section 102(j)(i) or (ii).

History: 1967, Act 288, Eff. Jan. 1, 1968;—Am. 2012, Act 525, Imd. Eff. Dec. 28, 2012.

Popular name: Plat Act

Popular name: Subdivision Control

560.183 Final plat; highways, streets, and alleys; private roads; county road commission requirements; “county road commission” defined.

Sec. 183. (1) The county road commission may require the following as a condition of approval of final plat for all highways, streets, and alleys in its jurisdiction or to come under its jurisdiction and also for all private roads in unincorporated areas:

(a) Conformance to the general plan, width, and location requirements that the board may have adopted and published.

(b) Adequate provision for traffic safety in laying out drives which enter county roads and streets, as provided in the board's current published construction standards.

(c) Proper drainage, grading, and construction of approved materials of a thickness and width provided in its current published construction standards.

(d) Submission of complete plans for grading, drainage, and construction, to be prepared and sealed by a civil engineer registered in this state.

(e) Installation of bridges, culverts, and drainage structures where the board considers necessary.

The board may regulate cul-de-sacs and may approve or deny cul-de-sacs on an individual basis, but shall

Chapter 62. Land Division

Article III. Design Standards

§ 62-62. Streets.

[Ord. No. 2006-03, 8-1-2006]

The provisions of this chapter shall be the minimum requirements for streets and intersections. If any other public agency having jurisdiction shall adopt any statute, ordinance, rule or regulation imposing additional, or more rigorous requirements, then the provisions of such statute, ordinance, rule or regulations shall govern.

- (1) Compliance with Ingham County Road Commission (ICRC) and Michigan Department of Transportation (MDOT) standards. The standards of this section are intended to comply with the public street or road standards of the Ingham County Road Commission and the Michigan Department of Transportation.
- (2) Relationship to natural features and grades. Streets shall be aligned to minimize impacts on natural features and existing grades.
- (3) **Continuity of street system.** The arrangement of streets shall provide for the continuation of existing streets from adjacent areas into new subdivisions, unless otherwise approved by the Township Board due to documented environmental constraints or where the abutting street system is not deemed capable of safely handling additional traffic volumes. **Where adjacent vacant areas are zoned or planned for development similar to the proposed subdivision, streets shall be extended to the boundary line of the tract to make provision for the future street connections.** The proprietor shall demonstrate the proposed stub street is the most reasonable location for extension into the adjacent lands, in consideration of factors including, but not limited to grades, water bodies, wetlands and lot configuration.
- (4) Street connections. The proposed subdivision street layout shall discourage use by through traffic, except where a continuation of streets to adjacent properties is deemed desirable by the Township and the Ingham County Road Commission. In determining the need for such connections, the following issues shall be considered:
 - (a) The need for adequate access for service and response time for emergency vehicles.
 - (b) Adequate and convenient access for garbage pick-up, snow removal, and postal delivery services.
 - (c) School bus safety, schedules, and routing needs.
 - (d) The impacts such connections may have on reducing congestion along collector streets and arterials.
 - (e) The projected traffic volumes and the compatibility with adjacent developments.
- (5) Existing streets or roads. Where a subdivision incorporates existing public streets or roads which are not in conformance with current standards, such facilities shall be reconstructed as necessary to improve the street or road to the extent required by the Ingham County Road Commission.

- (6) Maximum block length. The maximum block length of any street or road constructed for any phase of a subdivision shall not be longer than 1,320 feet measured from centerline to centerline of the intersections at each end of the block, except the Township Board may approve a plat which varies from these dimensions upon consideration of the following:
 - (a) Recommendations from the Township police and Fire Departments.
 - (b) Recommendations from the Ingham County Road Commission.
 - (c) Evidence the longer block length will not create a threat to public safety.
 - (d) Documented evidence that significant natural features will be preserved.
 - (e) To address design considerations for nonresidential subdivisions.
- (7) Cul-de-sac streets, stub streets, and loop streets. The length of cul-de-sac streets, stub streets, and loop streets with a single point of access and egress shall not exceed 660 feet, unless a longer street is necessary and appropriate because of topography or other natural features, existing conditions or other circumstances as may be approved by the Township Board and the Ingham County Road Commission.
- (8) Maximum lots on a single access. In no case shall more than 35 single-family lots be permitted within a platted subdivision unless two means of street access are provided. The maximum number of nonresidential lots permitted within a platted subdivision without two means of street access shall be determined by the Township Board based on the following:
 - (a) The number of lots proposed in the nonresidential plat.
 - (b) The total acreage of the proposed nonresidential plat.
 - (c) The estimated peak hour trip generation of the nonresidential plat at build-out.
 - (d) The estimated square footage of all structures planned within the nonresidential plat.
- (9) Minimum right-of-way widths. The minimum right-of-way width for interior subdivision streets shall be based on applicable Ingham County Road Commission standards. A greater right-of-way may be required due to the intensity of development, the need for additional area for utilities, grading to accommodate planned or expected street cross sections, and the expected traffic volumes and characteristics associated with the types of uses which may access the street based on the zoning.
- (10) Location of entrances along principal and minor arterials or collector streets or roads. The intersection of subdivision streets with principal and minor arterial streets or collector streets shall be subject to the review and approval of the Ingham County Road Commission or the Michigan Department of Transportation, whichever is applicable. For Grand River Avenue, the entrance locations shall be consistent with the requirements of § **86-441** of the Code of Ordinances.
- (11) Entrance design. Boulevard entrances to subdivisions may be permitted by the Township, subject to the Ingham County Road Commission or Michigan Department of Transportation approval, as applicable and the requirements of § **86-441** of the Code of Ordinances.
- (12) Internal street intersections. Three-way intersections are encouraged within the plat, rather than four-way intersections. No more than two streets shall cross at any intersection. Street intersections within a plat shall comply with the standards of the Ingham County Road Commission.
- (13) Intersection angles. Streets shall be laid out to intersect as nearly as possible to 90°, in no case shall the intersection be less than 80°.
- (14) Horizontal curves. Horizontal curves shall be in compliance with the standards of the Ingham County Road Commission.
- (15) Sight distance. The minimum sight distance at intersections shall be in accordance with the clear vision standards of the Ingham County Road Commission or Michigan Department of

Transportation, as applicable.

- (16) Street grade. The maximum street grade shall be 5% and the minimum street grade shall be 0.5% in accordance with the standards of the Ingham County Road Commission.
- (17) Vertical alignment at intersections. The vertical alignment at intersections shall be designed and constructed in a manner consistent with the standards of the Ingham County Road Commission or Michigan Department of Transportation, as applicable.
- (18) Curb and gutter. Curb and gutter six inches high straight faced shall be required on all streets and roads in the subdivision and shall be constructed in accordance with the standards and specifications of the Ingham County Road Commission.
- (19) Street names. Street names shall be sufficiently distinct from other street names in the Township to avoid confusion. A review of the master list of existing street names retained by the Tri-County Regional Planning Commission is required to avoid duplicate names. Proposed street names shall be reviewed by the Tri-County Regional Planning Commission and approved by the Township and the Ingham County Road Commission.
- (20) Signs. The proprietor shall be responsible for placement of street name signs at all street intersections in accordance with the requirements of the Ingham County Road Commission, Michigan Department of Transportation, or Township, whichever is applicable. The proprietor shall also be responsible for placement of pavement markings and regulatory street signs (such as stop, yield, or speed limit signs) as required by the Ingham County Road Commission. All regulatory signs shall be in conformance with the Michigan Manual of Uniform Traffic Control Devices. Development entrance signs shall be designed and installed consistent with the requirements of Chapter **86**, Article **VII** of the Code of Ordinances.
- (21) Stormwater drainage. Stormwater drainage for subdivision streets and roads shall be designed and constructed in accordance with the standards of the Ingham County Road Commission, the Michigan Department of Transportation, or Department of Public Works and Engineering, as applicable.
- (22) Street construction. All streets and roads shall be designed and constructed in accordance with the standards of the Ingham County Road Commission.



To: Township Board

From: Timothy R. Schmitt, *AICP*
Director of Community Planning and Development

Date: June 15, 2023

Re: Ordinance 2022-19 - Marijuana Zoning Ordinance Updates

Over the past 8 months, the Township Board, Planning Commission, Township Attorneys, and Staff, having been reviewing our ordinances to allow for recreational marijuana establishments to be permitted in the Township. The attached Ordinance 2022-19 is the first part of that effort. It would amend the Zoning Ordinance in the following ways:

- Allow for both recreational and medical marijuana
- Prohibit all forms of marijuana businesses except for retail sales facilities
- Allow for drive through and contactless delivery services
- Remove Dawn Avenue and Towner Road as permitted locations for marijuana businesses

The Planning Commission and the Township Board raised numerous questions and issues during their reviews of the ordinance and the final draft captures that commentary as best as possible. Staff **recommends approval** of the proposed ordinance at this time based on the Township Board's direction in this matter. Staff has provided the following recommended motion and attached resolution to introduce the ordinance.

Move to adopt the resolution approving for introduction Zoning Amendment 2022-19, an ordinance to amend the Zoning Ordinance of the Charter Township of Meridian to update the standards for marijuana related businesses in the Township and reduce the areas in which they are permitted.

Attachments

1. Resolution to approve Ordinance 2022-19 for introduction
2. Ordinance 2022-19 – Final Version

RESOLUTION TO APPROVE - INTRODUCTION

**Text Amendment 2022-19
Marijuana Zoning Ordinance Updates**

RESOLUTION

At a regular meeting of the Township Board of the Charter Township of Meridian, Ingham County, Michigan, held at the Meridian Municipal Building, in said Township on the 20th day of June 2023, at 6:00 p.m., Local Time.

PRESENT: _____

ABSENT: _____

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

WHEREAS, the Township’s zoning ordinance currently allows only medical marijuana facilities in the Township; and

WHEREAS, these facilities are limited to specific areas of the Township, based on the overlay map that has been previously approved; and

WHEREAS, the Township Board directed the Planning Commission to review and amend the ordinance to allow for recreational marijuana alongside medical marijuana; and

WHEREAS, the Planning Commission reviewed draft ordinances from Staff on multiple occasions and recommended changes to the draft and the overlay map of permitted locations; and

WHEREAS, the Planning Commission held a public hearing on the ordinance on December 15, 2022 and recommended approval of the ordinance to the Township Board on January 9, 2023; and

WHEREAS, the Township Board has reviewed the ordinance on multiple occasions and recommended that contactless and drive through services be permitted.

NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby INTRODUCES FOR PUBLICATION AND SUBSEQUENT ADOPTION Ordinance No. 2022-19, entitled “Ordinance to Amend the Zoning Ordinance of the Charter Township of Meridian to update marijuana standards.”; and

BE IT FURTHER RESOLVED that the Clerk of the Charter Township of Meridian is directed to publish the Ordinance in the form in which it was adopted.

ADOPTED: YEAS: _____

NAYS: _____

STATE OF MICHIGAN)

) ss

COUNTY OF INGHAM)

I, the undersigned, the duly qualified and acting Clerk of the Township Board of the Charter Township of Meridian, Ingham County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the Township Board on the 20th day of June, 2023.

Deborah Guthrie
Township Clerk

ORDINANCE NO. 2022-19

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CHARTER TOWNSHIP OF
MERIDIAN TO UPDATE MARIJUANA STANDARDS

THE CHARTER TOWNSHIP OF MERIDIAN ORDAINS:

Section 1. Section 86-2, Definitions, is hereby amended to add the following definitions:

Marijuana Business

One of the following:

- (1) A Marijuana Retailer, as defined by Initiated Law 1 of 2018;
- (2) A Provisioning Center, as defined Act 281 of 2016.

Marijuana Retailer

A location at which a licensee is licensed under the Michigan Regulation and Taxation of Marihuana Act (Initiated Law 1 of 2018) to obtain marijuana from marijuana establishments and to sell or otherwise transfer marijuana to marijuana establishments and to individuals who are 21 years or age or older.

Provisioning Center

A location at which a licensee that is a commercial entity is licensed under the Medical Marihuana Facilities Act (Act 281 of 2016), to purchase marijuana from a grower or processor and sell at retail, supply, or provide marijuana to a registered qualifying medical marijuana patient or registered primary caregiver.

Section 2. Section 86-445 is hereby renamed Marijuana Business Overlay District and is hereby amended to read as follows:

- (a) Applicability. The Marijuana Business Overlay District shall apply to all lots within the areas shown on Maps 1, 2, 3, 4, and 5 (the "overlay areas"). All lots included in the overlay district shall be subject to the terms and conditions imposed in this section, in addition to the terms and conditions imposed by the zoning district where such lots may be located, any other applicable ordinance and the requirements of all Ordinances authorizing and permitting Marijuana Businesses.
- (b) [UNCHANGED]
- (c) Uses permitted by special use permit: all uses permitted by special use permit in the underlying zoning district and all types of marijuana businesses subject to the number of available permits allowed per all Ordinances authorizing and permitting Marijuana Businesses.
- (d) Uses not permitted. Any use not permitted in the underlying zoning district is not permitted in the Marijuana Business Overlay District.
- (e) Permitted locations.
 - (1) Provisioning Centers or Marijuana Retailers are permitted in any Overlay Area on property zoned C-1, C-2, or C-3 (Commercial) and RP (Research and Office Park).
 - (2) No marijuana business shall be located within 500 feet from any church, place or worship, religious facility, library, preschool, or childcare center, measured horizontally between the nearest property lines.

1 (3) No marijuana business shall be located within 1,000 feet from any public or private K-12
2 school, measured horizontally between the nearest property lines.

3 (4) All activities related to marijuana businesses must occur indoors.

4 (f) Additional Regulations.

5 (1) The business' operation and design shall minimize any impact to adjacent uses,
6 including the control of any odor, by maintaining and operating an air filtration system
7 so that no odor is detectable outside the permitted promises.

8 (g) Application and departmental reviews.

9 (1) [UNCHANGED]

10 (2) Departmental reviews. The applicant's plan shall be reviewed by the Township
11 Department of Community Planning and Development, the Township EMS/Fire
12 Department, the Township Police Department, and the Township Public
13 Works/Engineering Department, in order to ensure that public utilities, road, and other
14 infrastructure systems are or will be adequate to support the proposed development.

15 (h) Review Process. [UNCHANGED]

16 (1) [UNCHANGED]

17 (2) [UNCHANGED]

18 (i) Amendments. [UNCHANGED]

19
20 **Section 3.** Validity and Severability. The provisions of this Ordinance are severable and the
21 invalidity of any phrase, clause or part of this Ordinance shall not affect the validity
22 or effectiveness of the remainder of the Ordinance.

23
24 **Section 4.** Repealer Clause. All ordinances or parts of ordinances in conflict therewith are
25 hereby repealed only to the extent necessary to give this Ordinance full force and
26 effect.

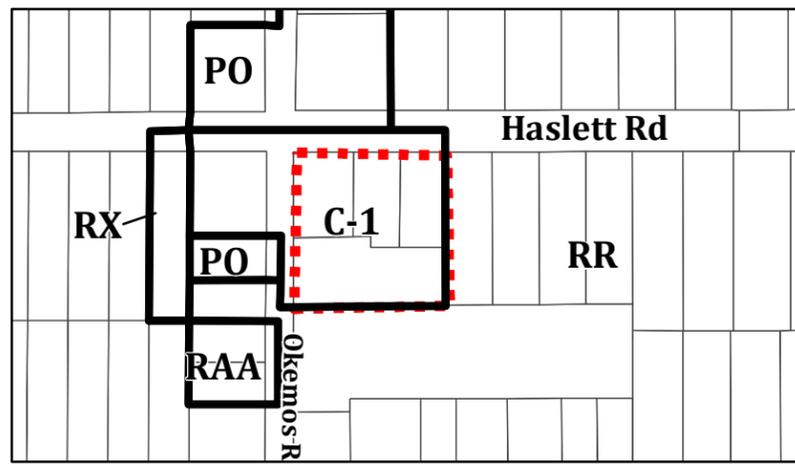
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28 **Section 5.** Savings Clause. This Ordinance does not affect rights and duties matured, penalties
29 that were incurred, and proceedings that were begun, before its effective date.

30
31 **Section 6.** Effective Date. This Ordinance shall be effective seven (7) days after its publication
32 or upon such later date as may be required under Section 402 of the Michigan Zoning
33 Enabling Act (MCL 125.3402) after filing of a notice of intent to file a petition for a
34 referendum.

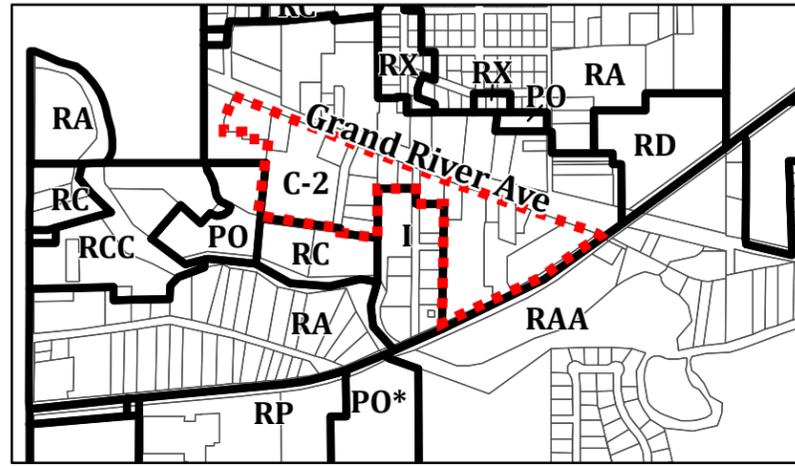
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36 ADOPTED by the Charter Township of Meridian Board at its regular meeting this **XX**th day of
37 **XXXXXXX**, 2023.

38
39
40
41 _____
42 Patricia Herring Jackson, Township Supervisor

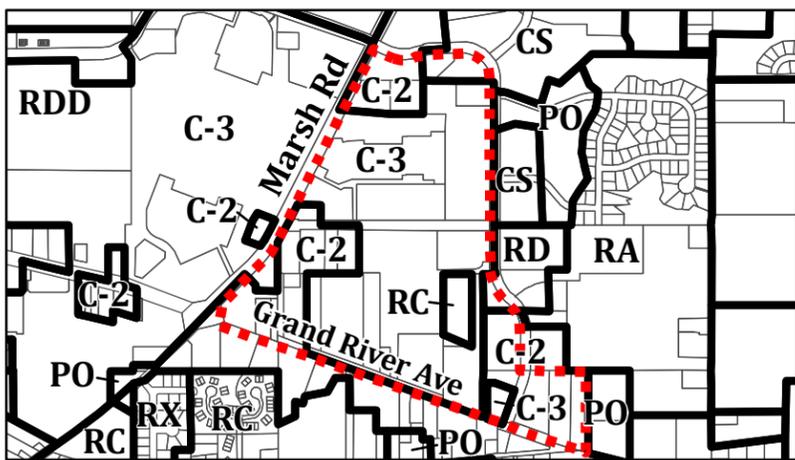
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46 Deborah Guthrie, Township Clerk



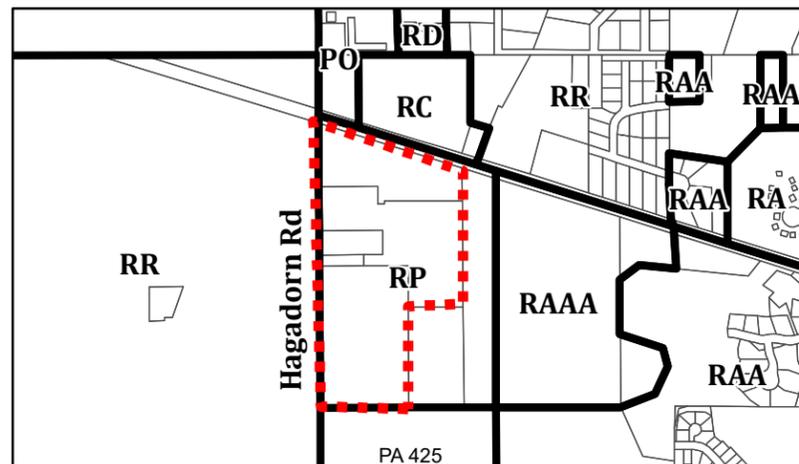
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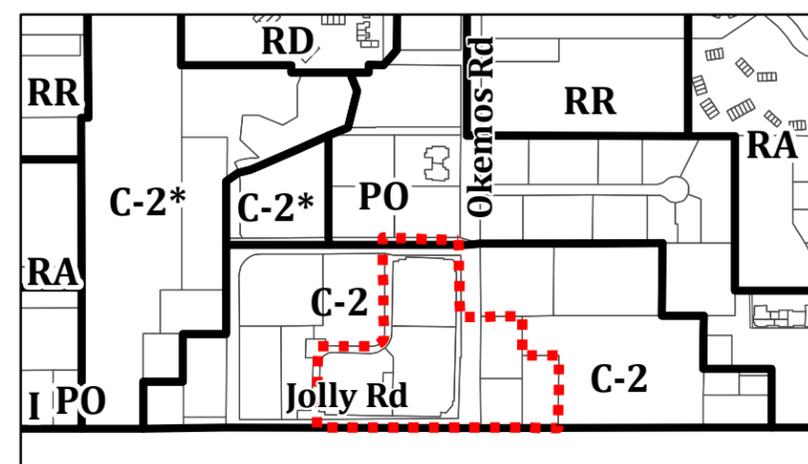
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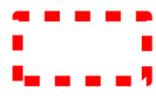
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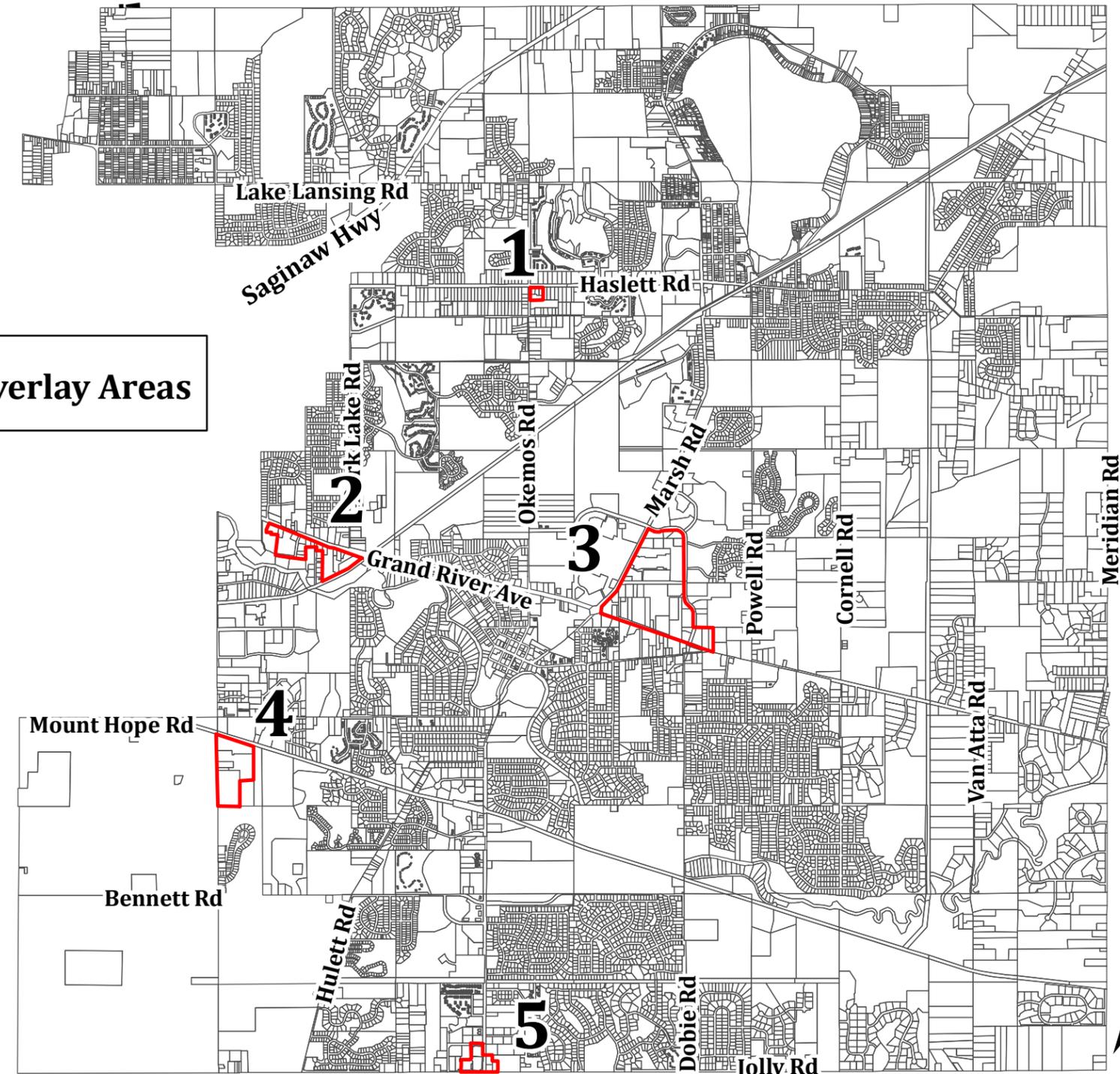


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5

 **Proposed Overlay Areas**



**Updated:
11/9/22**



To: Township Board

**From: Timothy R. Schmitt, AICP
Director of Community Planning and Development**

Date: June 15, 2023

Re: Ordinance 2023-02 – Recreational Marijuana Licensing

The second piece of the marijuana ordinances package is the licensing for recreational marijuana. Currently for medical marijuana licensing, the Township chooses their applicants through a random lottery. Under the Michigan Regulation and Taxation of Marijuana Act, which regulates recreational marijuana, a random lottery is not permitted. So an entirely new licensing ordinance needed to be created.

Over the past 8 months, the Township Board, Township Attorneys, and Staff, having been reviewing this ordinance in depth and modifying as necessary to create a very detailed licensing process which will allow for competitive review of potential recreational marijuana applicants. After the last discussion on the ordinances, a few changes were made:

- The Township Attorney did include a detailed definition for ‘undue hardship’ which is included in this final draft for introduction. Additional criteria are expected to be included in the procedures and standards that will be developed after this ordinance.
- Some minor typographical and language clarifications were made to be consistent throughout the ordinance.
- The language concerning limited contact/drive through/delivery allowances was clarified, based on the conversation from the meeting.

The Township Board has had robust discussion on this ordinance and Staff and the Township Attorney have done our best to meet the intent of the entirety of that discussion in the attached final draft. Staff **recommends approval** of the proposed ordinance at this time based on the Township Board’s direction in this matter. Staff has provided the following recommended motion and attached resolution to introduce the ordinance.

Move to adopt the resolution approving for introduction Text Amendment 2023-02, an Ordinance amending the code of the charter Township of Meridian, Ingham County to rename Chapter 40, repeal Article III or Chapter 40, and adding Article IV to Chapter 40 which authorizes and permits recreational marijuana establishments.

Attachments

1. Resolution to approve Ordinance 2023-02 for introduction
2. Ordinance 2023-02 – Final Version

RESOLUTION TO APPROVE - INTRODUCTION

**Text Amendment 2023-02
Recreational Marijuana Licensing**

RESOLUTION

At a regular meeting of the Township Board of the Charter Township of Meridian, Ingham County, Michigan, held at the Meridian Municipal Building, in said Township on the 20th day of June 2023, at 6:00 p.m., Local Time.

PRESENT: _____

ABSENT: _____

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

WHEREAS, the Township’s code of ordinances currently allows only medical marijuana facilities in the Township; and

WHEREAS, the Township Board directed the Staff and the Township Attorney to draft regulations to license recreational marijuana facilities within the Township, consistent with the standards found in the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018; and

WHEREAS, the Township Board has reviewed the draft ordinance on multiple occasions, recommending a series of changes that have been incorporated by the Township Attorney; and

WHEREAS, the Township Board desires to limit marijuana facilities in the Township to Provisioning Centers only; and

WHEREAS, the Township Board has determined that the best approach to determining how to award licenses to prospective businesses is through a competitive review process, the standards of which will be established separately from the ordinance amendment.

NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby INTRODUCES FOR PUBLICATION AND SUBSEQUENT ADOPTION Ordinance No. 2023-02, entitled “Ordinance amending the code of the charter Township of Meridian, Ingham County to rename Chapter 40, repeal Article III or Chapter 40, and adding Article IV to Chapter 40 which authorizes and permits recreational marijuana establishments.”; and

BE IT FURTHER RESOLVED that the Clerk of the Charter Township of Meridian is directed to publish the Ordinance in the form in which it was adopted.

ADOPTED: YEAS: _____

NAYS: _____

STATE OF MICHIGAN)

) ss

COUNTY OF INGHAM)

I, the undersigned, the duly qualified and acting Clerk of the Township Board of the Charter Township of Meridian, Ingham County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the Township Board on the 20th day of June, 2023.

Deborah Guthrie
Township Clerk

**ORDINANCE AMENDING THE CODE OF THE CHARTER TOWNSHIP OF
MERIDIAN, INGHAM COUNTY TO RENAME CHAPTER 40, REPEAL ARTICLE III
OF CHAPTER 40, AND ADDING ARTICLE IV TO CHAPTER 40 WHICH
AUTHORIZES AND PERMITS RECREATIONAL MARIHUANA ESTABLISHMENTS**

ORDINANCE NO. 2023-02

At a regular meeting of the Township Board of the Charter Township of Meridian, Ingham County, Michigan, held at the Meridian Municipal Building on _____, 2023, at 6:00 p.m., Township Board Member _____ moved to introduce the following Ordinance for a first reading prior to posting, publication, and subsequent final adoption, which motion was seconded by Township Board Member _____:

An Ordinance to implement the provisions of the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, which authorizes the licensing and regulation of Marihuana Establishments and affords the Township the option whether or not to allow Marihuana Establishments; to regulate Marihuana Establishments by requiring a Permit and compliance with requirements as provided in this Ordinance, and make other amendments consistent with the authorization of Marihuana Establishments in order to maintain the public health, safety, and welfare of the residents and visitors to the Township.

THE CHARTER TOWNSHIP OF MERIDIAN ORDAINS:

SECTION 1. AMENDMENT TO RETITLE CHAPTER 40. Chapter 40 of the Charter Township of Meridian Code of Ordinances is hereby amended to read and be entitled “Marihuana Regulations.”

SECTION 2. AMENDMENT TO ARTICLE I, TO ADD SECTION 40-2 DEFINITIONS. Chapter 40 of the Charter Township of Meridian Code of Ordinances is hereby amended to add Section 40-2 entitled Definitions to read as follows:

Section 40-2. Definitions. The following words and phrases shall have the following definitions when used in this Chapter:

1. “*Application*” means an Application for a Permit under this Chapter and includes all supplemental documentation attached or required to be attached thereto; the Person filing the Application shall be the proposed Permit Holder, who may also be referred to as the Applicant.
2. “*Commercial Medical Marihuana Facility*” or “*Facility*” means
 - a. *Provisioning center*, as that term is defined in the Medical Marihuana Facilities Licensing Act, Public Act 281 of 2016 (“MMFLA”);
 - b. *Processor*, as that term is defined in the MMFLA;
 - c. *Secure transporter*, as that term is defined in the MMFLA;

- d. *Grower*, including Class A, Class B and Class C, as those terms are defined in the MMFLA;
 - e. *Safety compliance facility*, as that term is defined in the MMFLA.
3. “*Conditional Permit Holder*” means an Applicant who has received conditional approval for a Permit.
 4. “*Cultivate*” means as that term is defined in Initiated Act 1 of 2018, MCL 333.27951, *et seq*, Michigan Regulation and Taxation of Marihuana Act (“MRTMA”).
 5. “*Department*” means the Michigan State Department of Licensing and Regulatory Affairs or any authorized designated Michigan agency authorized to regulate, issue or administer a Michigan License for an Marihuana Establishment under MRTMA or a Commercial Medical Marihuana Facility under the MMFLA.
 6. “*Director of Community Planning and Development*” means the Charter Township of Meridian Director of Community Planning and Development or their designee
 7. “*License*” means a current and valid License for an Establishment or Facility issued by the Department. Prequalification, provisional licenses, or temporary licenses are not Licenses under this Chapter.
 8. “*Licensee*” means a Person holding a current and valid Michigan License for an Establishment or Facility.
 9. “*Marihuana*” means that term as defined in the MRTMA.
 10. “*Marihuana Establishment*” or “*Establishment*” means a marihuana grower, marihuana safety compliance facility, marihuana processor, marihuana microbusiness, marihuana retailer, marihuana secure transporter, designated consumption establishment, excess marihuana grower, marihuana event organizer, temporary marihuana event license, or any other type of recreational marihuana-related business Licensed by the department.
 - a. “*Marihuana grower*,” as that term is defined in the MRTMA; and
 - b. “*Marihuana microbusiness*,” as that term is defined in the MRTMA; and
 - c. “*Marihuana processor*,” as that term is defined in the MRTMA; and
 - d. “*Marihuana retailer*,” as that term is defined in the MRTMA; and
 - e. “*Marihuana secure transporter*,” as that term is defined in the MRTMA; and
 - f. “*Marihuana safety compliance facility*,” as that term is defined in the MRTMA; and
 - g. “*Class A marihuana microbusiness license*,” as that term is defined by the Department or as may be defined in the MRTMA; and

- h. "*Designated consumption establishment*," as that term is defined by the Department or as may be defined in the MRTMA; and
 - i. "*Excess marihuana grower*," as that term is defined by the Department or as may be defined in the MRTMA; and
 - j. "*Marihuana event organizer*," as that term is defined by the Department or as may be defined in the MRTMA; and
 - k. "*Temporary marihuana event*" as that term is defined by the Department or as may be defined in the MRTMA.
11. "*Paraphernalia*" means as that term is defined in the MMFLA.
12. "*Patient*" A "registered qualifying patient" or a "visiting qualifying patient" as those terms are defined by the MMFLA.
13. "*Permit*" in Article II means a current and valid Permit for a Commercial Medical Marihuana Facility issued under that Article and in Article IV means a current and valid Permit for a Marihuana Establishment issued under that Article, which each shall be granted to a Permit Holder only for and limited to a specific Permitted Premises and a specific Permitted Property. Both Permits in this Chapter shall be in addition to the special use permit required to be obtained under the Township Zoning Ordinance.
14. "*Permit Holder*" means the Person that holds a current and valid Permit issued under this Chapter.
15. "*Permitted Premises*" means the particular building, area within a building, or buildings within which the Permit Holder will be authorized to conduct the Facility's or Establishment's activities pursuant to the Permit.
16. "*Permitted Property*" means the real property comprised of a lot, parcel or other designated unit of real property upon which the Permitted Premises is situated.
17. "*Person*" means a natural person, company, partnership, profit or non-profit corporation, limited liability company, or any joint venture for a common purpose.
18. "*Process*" or "*Processing*" means to separate or otherwise prepare parts of the marihuana plant and to compound, blend, extract, infuse, or otherwise make or prepare marihuana concentrate or marihuana-infused products.
19. "*Public Place*" means any area in which the public is invited or generally permitted in the usual course of business.

20. “*Registry Identification Card*” means a “registered qualifying patient” or a “visiting qualifying patient” as those terms are defined in the MMFLA.
21. “*Township*” means the Charter Township of Meridian, a charter township located in Ingham County, Michigan.
22. “*Unusual hardship*” means a severe, specific, and material difficulty that is unique to the Conditional Permit Holder or Permit Holder and evaluated in light of, but not limited to, the following factors:
- a. Whether other Conditional Permit Holders, Permit Holders, or Licensees face similar trouble or privation;
 - b. The ongoing or persistent characteristics of the adversity or obstacle;
 - c. The seldom and distinctive characteristics of the adversity or obstacle;
 - d. Whether the general nature of the impediment or condition is confronted by other new businesses, start-ups, regulated businesses, or the marihuana industry;
 - e. Good faith efforts taken by the Conditional Permit Holder or Permit Holder to avoid or mitigate the difficulty;
 - f. The obstacle or adversity did not occur as a result of a Conditional Permit Holder or Permit Holder’s actions;
 - g. The severity and number of unforeseeable events or acts of God;
 - h. Whether the transfer, sale, or conveyance has been ordered by a court of competent jurisdiction or an administrative body;
23. Other words or phrases in this Chapter shall have the meanings ascribed to them in the MMFLA or MRTMA, except where context clearly indicates a different meaning.

SECTION 3. ADDITION OF ARTICLE IV, RECREATIONAL MARIHUANA ESTABLISHMENTS. Chapter 40 of the Charter Township of Meridian Code of Ordinances is hereby amended to add Article IV entitled Recreational Marihuana Establishments to read as follows:

Section 40-65. Title. This Article shall be known and cited as the “Recreational Marihuana Establishments Ordinance of the Charter Township of Meridian.”

Section 40-66. Permit Required; Number of Permits Available; Eligibility; General Provisions.

1. The Township hereby authorizes the operation of the following types of Marihuana Establishments, subject to the number of available Permits issued in this Section:

- a. Marihuana Retailer
2. The number of Marihuana Establishment Permits in effect at any time shall not exceed the following maximums within the Township:
 - a. Marihuana Retailer Permits: 5
3. It shall be unlawful for any person to engage in, or be issued a Permit for, the operation of the following Marihuana Establishments which shall have zero available Permits:
 - a. Marihuana Processor Permits
 - b. Marihuana Safety Compliance Facility Permits
 - c. Marihuana Secure Transporter Permits
 - d. Marihuana Microbusiness
 - e. Marihuana Microbusiness, Class A
 - f. Marihuana Grower, Classes A, B, and C
 - g. Excess Marihuana Grower Permits
 - h. Designated Consumption Establishment
 - i. Marihuana Event Organizer
 - j. Temporary Marihuana Event
4. No Person shall operate a Marihuana Establishment at any time and at any location within the Township unless an effective Permit for a Marihuana Establishment for that Person at that location has been issued under this Article.
5. Marihuana Establishments shall operate only as expressly allowed under this Article.
6. Marihuana Establishments shall only operate in the designated zoning overlay areas as provided in this Article and the zoning provisions of this Code. No more than one (1) Marihuana Establishment Permit or conditional approval shall be approved or issued in any single overlay area.
7. The requirements set forth in this Article shall be in addition to, and not in lieu of, any other licensing or permitting requirements imposed by applicable federal, state or local laws, regulations, codes or ordinances. All permit approvals under this Article are contingent upon the issuance of a Special Use Permit under the township zoning ordinance.
8. At the time of Application, each Applicant shall pay applicable fees, including Application fees, annual fees, renewal fees, and inspection fees for Permits to the Township to defray the

costs incurred by the Township for inspection, administration, review, oversight, and enforcement of the local regulations regarding Marihuana Establishments. The application fee shall be \$5,000.00. The Township Board may by resolution set all remaining fees in an amount not to exceed any limitations imposed by Michigan law.

9. A conditional approval, Permit, or Renewal Permit shall not confer any vested rights, entitlements, or reasonable expectation of subsequent renewal on the Applicant or Permit Holder, and shall remain valid only until December 31 immediately following its approval.
10. Each year, any pending Applications for renewal or amendment of existing Permits shall be reviewed and granted or denied before Applications for new Permits are considered.
11. It is always the exclusive responsibility of each Permit Holder, Applicant, owner, partner, director, officer, or manager at all times during the Application period and during its operation to immediately provide the Township with all material changes in any information submitted on an Application and any other changes that may materially affect any state License or Township Permit. They shall provide all formal complaints, final determinations, orders or consent orders from or with any State agency, including, but not limited to, the Cannabis Regulatory Agency (CRA), the Bureau of Fire Services (BFS), and the Department of Licensing and Regulatory Affairs (LARA).
12. From the time issued to an Applicant to three years from the date of the Conditional Permit Holder or Permit Holder's receipt of a certificate of occupancy, no Permit or conditional approval issued under this Article may be assigned or transferred to any Person, unless the Conditional Permit Holder or Permit Holder clearly and convincingly demonstrates that unusual hardship will result if the transfer does not receive the consent of the Township Board.
13. No Permit or conditional approval issued under this Article is transferrable to any other location.
14. The Permit issued under this Article shall at all times be prominently displayed at the Permitted Premises in a location where it can be easily viewed by the public, law enforcement and administrative authorities.
15. Acceptance by the Permit Holder of a Permit constitutes consent by the Permit Holder and its owners, officers, managers, agents and, employees, for any state, federal or local fire, emergency, or law enforcement agency to perform background investigations and conduct random and unannounced examinations of the Establishment and all records, materials, and property in that Establishment at any time to ensure compliance with this Article, state law, any other local regulations, and the Permit.
16. A Permit Holder may not engage in any other Marihuana Establishment in the Permitted Premises or on the Permitted Property, or in its name at any other location within the Township, without first obtaining a separate Permit.

Section 40-67. Other Laws and Ordinances. In addition to the terms of this Article, any Marihuana Establishment shall comply with all state and local laws, regulations, and Ordinances, including without limitation the Township Zoning Ordinance and the MRTMA to the extent such ordinances do not create obligations in conflict with this Article.

Section 40-68. Application for Permits.

1. Application Process.

- a. Applications shall be submitted to the Director of Community Planning and Development.
- b. No Applications shall be accepted unless the Township Board has issued procedures and standards for the receipt and review of Applications as set forth in this Article.
- c. The dates and times to accept Applications shall be determined by the Township Board, which shall be posted on the Township's website, if any. The Director shall only accept initial Applications as designated by the Township Board.
- d. Applications shall be sorted and scored based on zoning overlay district, with only one Permit available per zoning overlay district.
- e. If the Director of Community Planning and Development identifies or is informed of a deficiency in an Application, the Applicant shall correct the deficiency after notification by the Director of Community Planning and Development as provided in the procedures and standards.

2. Application Contents. An Applicant must submit a separate Application for each Establishment type which may be operated within the Township. An Applicant shall submit physical, paper copies of the Application in the number requested by the Director and shall include a complete electronic copy of the Application. An Application shall contain the following information:

- a. The name, address, phone number and e-mail address of the Applicant or Permit Holder and the proposed Marihuana Establishment;
- b. The names, home addresses and personal phone numbers for all owners, partners, directors, officers and managers of the Permit Holder and the Marihuana Establishment;
- c. One (1) copy of all the following:
 - i. Non-refundable Application fee.
 - ii. All documentation showing the Applicant's valid tenancy, ownership or other legal interest in the proposed Permitted Property and Permitted Premises. If the Applicant is not the owner of the proposed Permitted Property and Permitted Premises, a

notarized statement from the owner of such property authorizing the use of the property for a Marihuana Establishment.

- iii. If the Applicant is a corporation, non-profit organization, limited liability company or any other entity other than a natural person, it shall indicate its legal status, attach a copy of all company formation documents (including bylaws and amendments), identify all owners and their percentage of ownership in the entity accounting for 100% of the ownership interest in the Applicant, proof of registration with the State of Michigan, and a certificate of good standing.
- iv. A valid, unexpired driver's license or state issued ID for all owners, directors, officers and managers of the proposed Establishment.
- v. Evidence of a valid sales tax license for the Applicant if such a license is required by state law or local regulations.
- vi. Business and Operations Plan, showing in detail the Marihuana Establishment's proposed plan of operation, including without limitation, the following:
 - a) A description of the type of Establishment(s) proposed and the anticipated or actual number of employees.
 - b) A security plan meeting the requirements of this Chapter, which shall include a general description of the security systems(s), a centrally alarmed and monitored security system for the proposed Permitted Premises, and confirmation that those systems will meet State requirements and be approved by the State prior to commencing operations.
 - c) A description by category of all products proposed to be sold.
 - d) All Material Safety Data Sheets for any nutrients, pesticides, and other chemicals proposed for use in the Marihuana Establishment.
 - e) A description and plan of all equipment and methods that will be employed to stop any impact to adjacent uses, including enforceable assurances that no nuisance odor will be detectable beyond the Permitted Premises or at the property line of the Permitted Property.
 - f) A plan for the disposal of Marihuana and related byproducts that will be used at the Establishment.
- vii. Site plan and interior floor plan of the Permitted Premises and the Permitted Property lawfully signed and sealed by a Michigan registered architect, surveyor or professional engineer.

- viii. Identify any business that is directly or indirectly involved in the growing, processing, testing, transporting or sale of Marihuana for the Establishment.
 - ix. Whether any Applicant, owner, partner, director, officer, or manager of the Applicant or any entity owned or controlled by any owner, partner, director, officer, or manager of the Applicant has ever been denied, restricted, suspended, revoked, or not renewed any commercial license, permit, or certificate issued by a licensing authority in Michigan or any other jurisdiction, and a statement describing the facts and circumstances concerning the denial, restriction, suspension, revocation, or nonrenewal, including the licensing authority, the date each action was taken, and the reason for each action.
 - x. A complete list of and operational history regarding any and all other Marihuana Establishments, Commercial Medical Marihuana Facilities, similar Permits or Licenses, or any other marihuana business or venture that the Applicant, or any owner, partner, director, officer, or manager of the Applicant or any entity owned or controlled in whole or part by any owner, partner, director, officer, or manager of the Applicant in any other jurisdiction within the State, or another State, and their involvement in each.
- d. Any other information reasonably requested by the Township to be relevant to the processing or consideration of the Application. A determination of a complete Application shall not prohibit the Township from requiring supplemental information.
 - e. Information obtained from the Applicant or Permit Holder is exempt from public disclosure under state law.
 - f. Applicant and all related persons acknowledge and consent to a background check and investigation by the Township as a condition of the Township processing and reviewing the application for approval or denial of a Permit, including providing their Social Security numbers or other personal identifying information to the Township or their agents for a background check or any other purpose permitted under this Article. Such information is confidential and shall not be disclosed except as permitted or required under this Article.
 - g. By submitting an Application pursuant to this Article, Applicant and all related Persons agree that the Applicant and all related Persons have had the opportunity to review the Article and the competitive process utilized by the Township and agree that it conforms to the requirements of MRTMA and all other statutes. Applicant and all related Persons will abide by the procedures and standards.
 - h. A co-located Permit Application may expressly incorporate by reference information or documentation contained in the original Permit Application.

3. Timeframe for Application Evaluation.

- a. All inspections, review, competitive review, and processing of the Application shall be completed within ninety (90) days of receipt of a complete Application and all required fees. The Township shall approve or deny the Application within one hundred twenty (120) days of receipt of the completed Application and fees. If the Application is approved, then the Applicant shall receive a conditional approval, the conditions of which must be met for the Applicant to receive a Permit as the Permit Holder, as set forth in this Ordinance.
- b. The processing time may be extended upon written notice by the Township for good cause, and any failure to meet the required processing time shall not result in the automatic grant of the Permit.
- c. The Township has no obligation to process or approve any incomplete Application, and any times provided under this Article shall not begin to run until the Township receives a complete Application.

Section 40-69. Approval and Competitive Review of Applications; Appeal.

1. Approval, Issuance, and Denial

- a. Permit Approval. The Township Board shall make a determination based upon satisfactory compliance with this Article, Application requirements, and all other permits, certificates, rules or regulations and do one of the following:
 - i. Grant conditional approval of the Application, with issuance of a Permit subject to the Conditional Permit Holder's compliance with the requirements of this Ordinance and any rules or procedures set forth by the Township Board or a local administrative body delegated with such task.
 - ii. Deny the Application stating the reasons for such denial.
- b. Conditional Approval. If the Township Board makes a determination and grants conditional approval of its Application, the Conditional Permit Holder must obtain all required and applicable land use approvals, all necessary building permits and state inspection, and undergo an inspection before receiving a Permit.
 - i. Only one conditional approval will be issued per zoning overlay district, as identified in the Township's Zoning Ordinance. Applicants will be scored and ranked per zoning overlay district. An Applicant cannot obtain conditional approval to operate in a zoning overlay district to which it did not apply.
 - ii. An Applicant shall only apply for special use permit approval under the Township Zoning Ordinance if it has received a conditional approval by the Township Board.

- iii. Once granted conditional approval, a Conditional Permit Holder must submit their special use permit application to the Planning Commission within sixty (60) days. If the Conditional Permit Holder does not submit a special use permit application or a special use permit is denied and all appeals are exhausted, then the conditional approval is revoked.
 - iv. All building and other permits must be obtained within twelve months of issuance of conditional approval or the conditional approval shall be revoked. The Director of Community Planning and Development may extend this timeframe for an additional six months on good cause shown by the Applicant to the Director.
 - v. An inspection of the proposed Marihuana Establishment by the Township shall be required prior to issuance of the Permit. The inspection is to verify that the business facilities are constructed and can be operated in accordance with the Application submitted and applicable requirements of this Article, the Special Use Permit, and any other applicable law, rule, or regulation.
 - vi. After verification that the facilities are constructed and can be operated in accordance with the Application submitted and the applicable requirements of this Chapter, the Special Use Permit, and any other applicable law, rule, or regulation, and the issuance of a permanent certificate of occupancy for the Establishment, the Director of Community Planning and Development shall issue the Permit.
 - vii. Maintaining a valid License is a condition for the issuance and maintenance of the Permit issued under this Ordinance and the continued operation of any Marihuana Establishment.
- c. Denial. A decision of the Township Board to issue or deny an Application for Conditional Approval or Permit pursuant to this Article, is subject to this Article's appeal process. After the appeal process has been exhausted, a Township Board decision may be appealed to a court of competent jurisdiction, provided that: (1) with respect to a denial of an Application for Conditional Approval or initial Permit, an appeal shall not grant any rights to an Applicant, subject to an order of the court; and (2) with respect to denial of a Renewal Application, if the Applicant has paid all required fees (and any additional fees due during the pendency of the appeal), the pre-existing Permit or conditional approval shall be extended during the pendency of the appeal, unless otherwise ordered by a court.
- d. Commence Operation. The Conditional Permit Holder shall commence operation within 18 months of issuance of the conditional approval or the conditional approval shall be revoked and no Permit issued. The Board may extend this timeframe for additional six month periods where the Applicant has commenced construction of the building and on other good cause shown to the Board.

e. Special Use Permit Required.

- i. All permit approvals under this Article are contingent upon the issuance of a Special Use Permit under the Township Zoning Ordinance.
- ii. A Conditional Permit Holder will be permitted to apply for a Special Use Permit in the overlay district where their Permitted Premises is located.

2. Evaluation of Multiple Applications

- a. Competitive Review. If more Applications for new Establishments are received than there are available Permits (more than zero) under this Article, and the available Permit limits in this Article would prevent the Department from issuing a state license to all Applicants who meet the requirements of MCL 333.27959(3), then the Township will decide among the competing initial Applications with a competitive process established by the Township Board intended to select the Applicants who are best suited to operate in compliance with the Act, this Article, and within the Township.
- b. Procedures and Standards. The Township Board is authorized to issue procedures and standards establishing the application and competitive process under this Article. The Township Board may establish or appoint a committee to assist review of applications. Each initial Application shall be considered, reviewed, and evaluated according to the procedures and standards. The review will evaluate the contents of the Application(s), other materials submitted by the Applicant, legal opinions or other reports drafted to help facilitate review, and any other material deemed relevant by the Director or Township to select the Applicant, if any, that will provide the best outcome for the community as determined by the Township.
- c. Review at Public Hearing. After the Application window is closed, the Township shall hold a public hearing to review the Application(s) under the standards provided within this Article. To determine whether the Application(s) will be approved, the Township will apply the procedures and standards determined by the Township Board.
- d. Appeal and Automatic Stay. An Applicant has the right to appeal the Township's competitive review of its Application, as set forth in sub-section 3 below. In the event an initial Application that was subject to competitive review appeals the Township's decision, then the Township shall automatically stay all approvals issued to other Applicant(s) who participated in the same competitive review as the Applicant(s) appealing. When an approval is stayed, the Applicant(s) granted approval may apply for zoning approval of a Marihuana Establishment. This stay shall be lifted when the appealing Applicant(s) abandon or exhaust the appeal process.

- e. Available Permits. Permits subject to appeal or renewal shall not be considered available for the purposes of this subsection.

3. Appeal

- a. Right to Counsel. The Township and Applicant(s) may be represented by legal counsel during an appeal under this Article.
- b. Timeline for Appeal. Within ten (10) calendar days of a decision of the Township, any Applicant under this Article may file a written appeal to the Director of Community Planning and Development stating the grounds upon which the Township's decision was not authorized under the Ordinance, law, or not based on competent, material, and substantial evidence.
- c. Hearing Officer. After receipt of an appeal, the Township shall schedule the matter for a hearing before a hearing officer. The hearing officer cannot be a member of the Township Board or committee who evaluated the Application. The Township will appoint a hearing officer for each matter.
- d. Review by Hearing Officer. The hearing officer shall review the decision of the Township on the record presented to the Township at the time of its decision and determine the merit of the grounds raised by the Applicant in their written appeal.
- e. Recommendation of Hearing Officer. Following the appeal hearing, the hearing officer shall prepare written recommended findings of fact and conclusions of law for transmittal to the Township Board. The hearing officer will recommend whether the Township Board should affirm, affirm with modification, or reverse the original decision.
- f. Decision by Township Board. The Township Board, in its final order, may adopt, modify, or reject, in whole or in part, the hearing officer's written recommendation. If the Township Board modifies or rejects the hearing officer's written recommendation, the reasons for that action shall be stated in the Township Board's final order.

Section 40-70. Renewal Applications

1. Renewal Application.

- a. Annual Renewal Required. A completed Renewal Application must be received by the Township no later than November 1 of each year in order to grant or renew the conditional approval or Permit effective on the coming January 1.
- b. Initial Requirements. Renewal Applications must include the same contents as those of initial Applications under this Article.

- c. Conditional Approval. A Renewal Application is required from any Conditional Permit Holder, even if a Permit has not yet been issued.
- d. Incorporate Prior Application by Reference. A Renewal Application may expressly incorporate by reference information or documentation contained in the original Permit Application or prior Permit Renewal Application, making it clear where such information or documentation can be found, provided that the information or documentation has not changed.
- d. Supplemental Information. All material changes in any information submitted on an Application or Renewal Application shall be included with the Renewal Application.
- e. Additional Information. Any final reports, inspections, investigations, or summaries from the Department, the Cannabis Regulatory Agency (“CRA”), the Bureau of Fire Services (“BFS”), or the Department of Licensing and Regulatory Affairs (“LARA”) arising from or in connection with the Permit shall be submitted with Renewal Application.

2. **Renewal Procedure.**

- a. No Competitive Review. Renewal Applications are not subject to competitive review and Applicants may submit Applications as required or allowed in this Article whether or not the Township is accepting Applications.
- b. Past Conduct. The Township shall consider a Renewal Applicant’s past history of compliance with this Article and other laws in deciding whether to issue renewal approval. A Renewal Applicant’s failure to comply with this Article or other laws may result in a Renewal Application being denied.
- c. Renewal Prior to Operation. A Renewal Application is required from any Applicant even if the Establishment does not have a Permit, Special Use Permit, or is not open to the public.
- d. Non-Renewal. The Township has no obligation to notify Applicants or Permit Holders of the renewal period. A Permit Holder whose Permit or conditional approval expires and for which a Renewal Application has not been received by the expiration date shall be presumed to have determined not to seek renewal.
- e. Issuance of Renewal Permit. Renewal Applications shall be received and processed by the Director of Community Planning and Development.
 - i. The Director shall make a determination as to whether a Renewal Application includes a major or minor amendment to the most recent initial or Renewal Application.
 - a) A major amendment shall be evidenced as having a significant impact on the Permit and the conditions of its approval, including but not limited to those factors identified in the procedures and standards.

- b) All amendments or supplemental information not defined as major amendments shall be considered minor amendments.
 - ii. The Director may grant final approval to the Renewal Applications with minor amendments and issue the Permit or extend conditional approval, with or without conditions.
 - iii. The Director may make recommendations to the Township Board regarding approval or denial of a Renewal Application with major amendments. The Township Board shall make the final decision on whether to approve or deny a Renewal Application with major amendments.
 - iv. Alternatively, the Director may recommend denial of the Renewal Application, stating the reasons for such denial. The final decision to deny a Renewal Application shall be made by the Township Board.
 - v. An application denied renewal shall have the right to appeal such a determination as provided for initial Applications in this Article.
3. **Transfers and Transfer Applications.** Any unauthorized transfer or attempted transfer of a Permit or ownership interest in a Permit Holder constitutes a violation of this Ordinance. No Permit under this Article shall be transferred, sold, or otherwise conveyed. The transfer of an ownership interest in a Conditional Permit Holder or Permit Holder under this Article requires Township approval and will be governed by the following:
- a. No Permit or conditional approval issued under this Article is transferrable to any other location or Permitted Property.
 - b. No Conditional Permit Holder or Permit Holder shall transfer, sell, or otherwise convey more than 1% of the ownership interest in the entity owning the Permit, whether in a single transaction or the sum of multiple transactions, without the express approval of the Township Board.
 - c. The Applicant and Conditional Permit Holder or Permit Holder must submit a transfer Application to the Director of Community Planning and Development prior to any sale or transfer of stock or membership interest. Transfer Applications shall follow the renewal procedure above as a renewal with a major amendment.
 - d. The Application shall include all of the following:
 - i. Any documentation or information required in a renewal application;
 - ii. The individuals to which an ownership interest is conveyed shall provide all documentation, information, statements, or affirmations required in a new application;

- iii. If the Conditional Permit Holder or Permit Holder is a corporation, non-profit organization, limited liability company or any other entity other than a natural person, attach a copy of all company formation documents (including amendments), purchase agreement for stock or membership interest, and a certified copy of the meeting minutes of the board of directors or members authorizing the sale of stock or membership interest;
 - iv. A non-refundable Application fee;
 - v. Any documents requested to reflect that the Marihuana Establishment will be operated and managed consistent with the current filings provided to the Township;
 - vi. Any other information reasonably requested by the Township to be relevant to the processing or consideration of the Application.
- e. No Permit Holder or Conditional Permit Holder shall transfer, sell, or otherwise convey more than 10% of the ownership interest in the entity holding the Permit or conditional approval, whether in a single transaction or the sum of multiple transactions, during conditional approval and extending to three (3) years after the date the Permit was issued (the “Prohibitionary Period”) except under circumstances and the process provided for in the procedures and standards where the Permit Holder or Conditional Permit Holder clearly and convincingly demonstrates that unusual hardship will result if the transfer does not receive the consent of the Township Board.
- i. Notwithstanding a showing of unusual hardship, the Township Board will not approve a hardship transfer during Prohibitionary Period on transfers if the hardship shown by the Permit Holder or Conditional Permit Holder existed when the Permit was issued, except upon a showing of good cause.
 - ii. A Permit Holder or Conditional Permit Holder who has been granted approval for a hardship transfer shall be prohibited from holding a Permit under this Article for a period of five years thereafter, as either an individual, partner, member, or stockholder, except upon a showing of good cause.
- f. The following actions constitute transfer of ownership and require a transfer application, application fee, and Township Board approval:
- i. *Persons*. Any transfer of more than 1% of an ownership interest in an Applicant or creation of a partnership or any entity between Persons constitutes a transfer of ownership.
 - ii. *Corporations*. Any transfer of more than 1% of stock or any change in principal officers or directors of any corporation holding a Permit constitutes a transfer of ownership.

- iii. *Limited Liability Companies.* Any transfer of more than 1% of membership interest or any change in managing members or change in the interest held by any managing members(s) of any limited liability company holding a Permit constitutes a transfer of ownership.
- iv. *Partnerships.* Any transfer of more than 1% of a partnership interest or any change in general or managing partners of any partnership holding a Permit constitutes a transfer of ownership.
- v. *Assets.* Any transfer of more than 1% of the assets held by a Permit Holder constitutes a transfer of ownership.

4. Duty to Supplement.

- a. If, at any time before or after conditional approval or a Permit is issued pursuant to this Article, any information required in the Permit Application, the MRTMA, or any rule or regulation promulgated thereunder, changes in any way from what is stated in the Application, the Applicant or Permit Holder shall supplement such information in writing within ten (10) days from the date upon which such change occurs.
- b. An Applicant, Conditional Permit Holder, or Permit Holder has a duty to notify the Township in writing of formal complaints, stipulations, or any enforcement actions from the Department.
- c. An Applicant, Conditional Permit Holder, or Permit Holder has a duty to notify the Township in writing of any pending criminal charge or indictment, and any criminal conviction of a felony or other offense involving a crime of moral turpitude by the Applicant, the Conditional Permit Holder, the Permit Holder, or any owner, officer, partner, director, manager, or employee within ten (10) days of the date when the Applicant, Conditional Permit Holder, Permit Holder, owner, officer, partner, director, or manager has notice of the event.
- d. An Applicant, Conditional Permit Holder, or Permit Holder has a duty to notify the Township in writing of any pending criminal charge or indictment, and any criminal conviction, whether a felony, misdemeanor, or any violation of a local law or ordinance related to the cultivation, processing, manufacture, storage, sale, distribution, testing or consumption of any form of marihuana, the Michigan Medical Marihuana Act, the MMFLA, the MRTMA, any building, fire, health, or zoning statute, code or ordinance related to the cultivation, processing, manufacture, storage, sale, distribution, testing, or consumption of any form of marihuana by the Applicant, Permit Holder, any owner, officer, partner, director, manager, or employee within (10) ten days of the date when the Applicant, Permit Holder, any owner, principal officer, director, or manager has notice of the event.

Section 40-71. Operational Requirements–Marihuana Establishment. A Marihuana Establishment issued a Permit under this Chapter and operating in the Township shall at all times comply with the following operational requirements.

1. *Scope of Operation.* Marihuana Establishments shall comply with all respective applicable codes of the local zoning, building, fire, and health departments. The Establishment must hold a valid unexpired Permit and License for the type of Marihuana Establishment intended to be carried out within the Permitted Premises on the Permitted Property. The Establishment operator, owner, Permit Holder, or Licensee must have documentation available that local and State sales tax requirements, including holding any licenses, if applicable, are satisfied.
2. *Required Documentation.* Each Marihuana Establishment shall be operated from the Permitted Premises on the Permitted Property. No Adult-Use Marihuana Establishment shall be permitted to operate from a moveable, mobile or transitory location, except for a Permitted and Licensed Secure Transporter when engaged in the lawful transport of Marihuana. No Person under the age of twenty-one (21) shall be allowed to enter into the Permitted Premises without a parent or legal guardian.
3. *Security.* Permit Holders shall at all times maintain a security system that meets state law requirements, and shall also include the following:
 - a. Security surveillance cameras installed to monitor all entrances, along with the interior and exterior of the Permitted Premises.
 - b. Robbery and burglary alarm systems which are professionally monitored and operated 24 hours a day, 7 days a week.
 - c. A locking safe permanently affixed to the Permitted Premises that shall store all Marihuana and cash remaining in the Establishment overnight.
 - d. All Marihuana in whatever form stored at the Permitted Premises shall be kept in a secure manner and shall not be visible from outside the Permitted Premises, nor shall it be grown, processed, exchanged, displayed or dispensed outside the Permitted Premises.
 - e. All security recordings and documentation shall be preserved for at least 30 days by the Permit Holder and made available to any law enforcement upon request for inspection.
4. *Operating Hours.* No Retailer shall operate between the hours of 8:00 p.m. and 8:00 a.m.
5. *Required Spacing.* No Marihuana Establishment shall be located within one-thousand (1,000) feet from any public or private K-12 school, five hundred (500) feet from any church, place of worship or other religious facility, and five hundred (500) feet from any library, preschool, or nearest child care center, with the minimum distance between uses measured horizontally between the nearest property lines.
6. *Amount of Marihuana.* The amount of Marihuana on the Permitted Property and under the control of the Permit Holder, owner or operator of the Establishment shall not exceed that amount permitted by the state License or the Township's Permit.

7. *Sale of Marihuana.*

- a. The Marihuana offered for sale and distribution must be packaged and labeled in accordance with state law.
- b. Marihuana Retailers may accept online orders for marihuana and marihuana products for limited contact or contactless pickup at the Permitted Property or delivery to the physical residential address of individuals at least 21 years of age, authorized to possess marihuana, and consistent with this Ordinance and all applicable state laws and rules, as amended.

8. *Sign Restrictions.* No pictures, photographs, drawings or other depictions of Marihuana or Marihuana Paraphernalia shall appear on the outside of any Permitted Premises nor be visible outside of the Permitted Premises on the Permitted Property. The words “Marihuana,” “cannabis” and any other words used or intended to convey the presence or availability of Marihuana shall not appear on the outside of the Permitted Premises nor be visible outside of the Permitted Premises on the Permitted Property.

9. *Use of Marihuana.* The sale, consumption, vaping, or use of alcohol or tobacco products on the Permitted Premises is prohibited. Smoking, vaping, or consumption of controlled substances, including Marihuana, on the Permitted Premises is prohibited.

10. *Indoor Operation.* Except for contactless or limited contact transactions, all activities of a Marihuana Establishment, including without limitation, distribution, growth, cultivation, or the sale of Marihuana, and all other related activity permitted under the Permit Holder’s License or Permit must occur indoors. The Establishment’s operation and design shall minimize any impact to adjacent uses, including the control of any odor by maintaining and operating an air filtration system so that no odor is detectable outside the Permitted Premises.

11. *Limited Contact Transactions.*

- a. A Marihuana retailer may designate an area for contactless or limited contact transactions, which includes curbside service and drive through window service. Limited contact or contactless transactions must at all times comply with all applicable state laws and rules, as amended.
- b. A Marihuana retailer may accept online or telephonic orders for marihuana product.
- c. The designated area for contactless or limited contact transactions, including curbside and drive through window service, must be identified in the marihuana business location plan.
- d. A Marihuana retailer operating a contactless or limited contact transaction must have a written standard operating procedure in place which must include an anti-theft policy and procedure and which must be provided to the Township before commencing or offering any limited contact or contactless service.

- e. The video surveillance system must clearly record the designated area for curbside delivery, drive through window service, traffic lanes before and after the drive through window, or any other contactless or limited contact transaction area. The video surveillance system must comply with this Ordinance and applicable state laws and rules, as amended.
- f. Marihuana being transferred under this subsection must be in an opaque bag and the contents must not be visible to the general public upon pick up.
- g. Authorization for contactless, limited contact transactions, curbside service, or drive through window service may be revoked if a Permit Holder violates this subsection, applicable state laws, or rules, as amended.

12. *Home Delivery*

- a. All deliveries must at all times comply with all applicable state laws and rules, as amended.
- b. The individual making the home delivery shall be an employee of the Marihuana Retailer.
- c. Any Marihuana retailer that performs home deliveries shall submit its home delivery procedure to the Township no later than seven days prior to commencement of delivery services.
- d. The Marihuana retailer shall require any purchaser to provide his or her valid driver license or government-issued identification card that bears a photographic image of the purchaser and shall permit the Marihuana retailer to keep a record of the same.
- e. All order and delivery methods, including procedures, records, tracking records, logs, and other documents, are subject to inspection and examination by the state and the Township.
- f. Any Marihuana retailer engaged in delivery of marihuana shall notify the Township of any theft or loss of marihuana product in connection with a delivery.
- g. Authorization for home delivery may be revoked if a Permit Holder violates this subsection, applicable state laws, or rules, as amended

13. *Unpermitted Growing.* A Patient may not grow his or her own Marihuana at an Adult-Use Marihuana Establishment.

14. *Distribution.* No person operating a Marihuana Establishment shall provide or otherwise make available Marihuana to any person who is not legally authorized to receive Marihuana under state law.

15. *Permits.* All necessary building, electrical, plumbing, and mechanical permits must be obtained for any part of the Permitted Premises as determined by the relevant code official, with a special emphasis on those areas in which electrical, wiring, lighting or watering devices that support the cultivation, growing, harvesting or testing of Marihuana are located.
16. *Waste Disposal.* The Permit Holder, owner, and operator of the Establishment shall use lawful methods in controlling waste or by-products from any activities allowed under the License or Permit.
17. *Transportation.* Marihuana may be transported by a Secure Transporter within the Township under this Chapter, and to effectuate its purpose, only:
 - a. By Persons who are otherwise authorized by state law to possess Marihuana;
 - b. In a manner consistent with all applicable state laws and rules, as amended;
 - c. In a secure manner designed to prevent the loss of the Marihuana;
 - d. No vehicle used for the transportation or delivery of Marihuana under this Chapter shall have for markings the words “Marihuana,” “cannabis” or any similar words; pictures or other renderings of the Marihuana plant; advertisements for Marihuana or for its sale, transfer, cultivation, delivery, transportation or manufacture, or any other word, phrase or symbol indicating or tending to indicate that the vehicle is transporting Marihuana.
 - e. No vehicle may be used for the ongoing or continuous storage of Marihuana, but may only be used incidental to, and in furtherance of, the transportation of Marihuana.
18. *Additional Conditions.* The Director of Community Planning and Development may impose such reasonable terms and conditions on a Marihuana Establishment as may be necessary to protect the public health, safety and welfare, and to obtain compliance with the requirements of this Chapter and Article and applicable law.

Section 40-72. Penalties and Consequences for Violation. In addition to any other penalties or legal consequences provided under applicable federal, state and local law, regulations, codes and ordinances:

1. **Civil Infraction.** Violations of the provisions of this Article or failure to comply with any of the requirements of this Article shall be subject to and found responsible for a municipal civil infraction. The fine for any municipal civil infraction shall be five hundred dollars (\$500.00) plus court costs, attorney fees and abatement costs of each violation, together with all other remedies pursuant to MCL 600.8701, *et seq.* Each day a violation continues shall be deemed a separate municipal civil infraction.
2. **Denial, Restriction, or Revocation.** A conditional approval or Permit issued under this Article may be denied, limited, revoked, or restricted by the Township under any of the following conditions:

- a. Any fraudulent, false, misleading, or material misrepresentation contained in the Application.
 - b. Repeat violations of any requirements of this Chapter or other applicable law, rule, or regulation. As used in this subsection, the term “repeat offense” means a second (or any subsequent) misdemeanor violation or civil infraction of the same requirement or provision committed within any six-month period and upon conviction or responsibility thereof.
 - c. A valid License is not maintained as required by this Article.
 - d. The Permit Holder, its officer, agent, manager, or employee failed to timely submit any document or failed to timely make any material disclosure as required by this Article.
 - e. The Applicant failed to commence operation within 18 months of the conditional approval or other such time as provided by the Township Board.
3. **Notice.** If a Permit is revoked or limited under this Article, the Township or its designee shall issue a notice stating the revocation, limitation, or restriction including the reason for the action and providing a date and time for an evidentiary hearing before the Township Board.
4. **Liability of Participating Persons.** The owner of record or tenant of any building, structure or premises, or part thereof, and any architect, builder, contractor, agent or person who commits, participates in, assists in or maintains such violation may each be found guilty or responsible of a separate offense and suffer the penalties and forfeitures provided in this section, except as excluded from responsibility by state law.
5. **Other Remedies.** In addition to any other remedies, the Township may institute proceedings for injunction, mandamus, abatement or other appropriate remedies to prevent, enjoin, abate or remove any violations of this Article. The rights and remedies provided herein are both civil and criminal in nature. The imposition of any fine, jail sentence or forfeiture shall not exempt the violator from compliance with the provisions of this Article.

SECTION 4. SEVERABILITY. The provisions of this Ordinance are hereby declared severable. If any part of this Ordinance is declared invalid for any reason by a court of competent jurisdiction, that declaration does not affect or impair the validity of all other provisions that are not subject to that declaration.

SECTION 5. SAVINGS CLAUSE. This Ordinance does not affect rights and duties matured, penalties that were incurred, and proceedings that were begun, before its effective date.

SECTION 6. REPEAL. Article III of Chapter 40 of the Charter Township of Meridian Code of Ordinances entitled Recreational Marihuana Establishments is hereby repealed.

SECTION 7. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its publication after final adoption.

YEAS: _____

NAYS: _____

ABSENT: _____

ORDINANCE DECLARED ADOPTED.

Township Supervisor

Township Clerk



To: Township Board

**From: Timothy R. Schmitt, AICP
Director of Community Planning and Development**

Date: June 15, 2023

Re: Ordinance 2023-03 – Medical Marijuana Licensing Update

The final piece of the marijuana ordinances package is updates to the licensing for medical marijuana. Staff and the Township Attorney have taken this opportunity to update the ordinance to be more in line with the recreational standards that the Township Board has reviewed. Most notably, it removes the annual ‘window’ for new applications, opting to go to the same process as recreational marijuana, where the Township Board will open windows at the times they decide.

The Township Board has had robust discussion on this package of ordinances and Staff and the Township Attorney have done our best to meet the intent of the entirety of that discussion in the attached final draft. Staff **recommends approval** of the proposed ordinance at this time based on the Township Board’s direction in this matter. Staff has provided the following recommended motion and attached resolution to introduce the ordinance.

Move to adopt the resolution approving for introduction Text Amendment 2023-03, an Ordinance amending the code of the charter Township of Meridian, Ingham County to amend Chapter 40, Article II, Commercial Medical Marijuana Facilities.

Attachments

1. Resolution to approve Ordinance 2023-03 for introduction
2. Ordinance 2023-03 – Final Version

RESOLUTION TO APPROVE - INTRODUCTION

**Text Amendment 2023-03
Medical Marijuana Licensing**

RESOLUTION

At a regular meeting of the Township Board of the Charter Township of Meridian, Ingham County, Michigan, held at the Meridian Municipal Building, in said Township on the 20th day of June 2023, at 6:00 p.m., Local Time.

PRESENT: _____

ABSENT: _____

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

WHEREAS, the Township’s code of ordinances currently allows medical marijuana facilities in the Township; and

WHEREAS, in the three years since the first applicants were approved, no medical marijuana facilities are open; and

WHEREAS, the Township Board directed Staff and the Township Attorney to update the ordinances to allow recreational marijuana; and

WHEREAS, there are several ordinance updates and changes that would make the medical marijuana permitting more efficient and more similar to the recreational marijuana processes.

NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby INTRODUCES FOR PUBLICATION AND SUBSEQUENT ADOPTION Ordinance No. 2023-02, entitled “Ordinance amending the code of the charter Township of Meridian, Ingham County to amend Chapter 40, Article II, Commercial Medical Marijuana Facilities.”; and

BE IT FURTHER RESOLVED that the Clerk of the Charter Township of Meridian is directed to publish the Ordinance in the form in which it was adopted.

ADOPTED: YEAS: _____

NAYS: _____

STATE OF MICHIGAN)

) ss

COUNTY OF INGHAM)

I, the undersigned, the duly qualified and acting Clerk of the Township Board of the Charter Township of Meridian, Ingham County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the Township Board on the 20th day of June, 2023.

Deborah Guthrie
Township Clerk

**ORDINANCE AMENDING THE CODE OF THE CHARTER TOWNSHIP OF
MERIDIAN, INGHAM COUNTY TO AMEND CHAPTER 40, ARTICLE II
COMMERCIAL MEDICAL MARIHUANA FACILITIES**

ORDINANCE NO. 2023-03

At a regular meeting of the Township Board of the Charter Township of Meridian, Ingham County, Michigan, held at the Meridian Municipal Building on _____, 2023, at 6:00 p.m., Township Board Member _____ moved to introduce the following Ordinance for a first reading prior to posting, publication, and subsequent final adoption, which motion was seconded by Township Board Member _____:

An Ordinance to amend the Code of Ordinances for Commercial Medical Marihuana Facilities to revise application procedures and consideration standards, revise approval and issuance of permits, revise renewal dates, and make other amendments consistent with the authorization of Recreational Marihuana Establishments in order to maintain the public health, safety, and welfare of the residents and visitors to the Township.

THE CHARTER TOWNSHIP OF MERIDIAN ORDAINS:

SECTION 1. AMENDMENT TO ARTICLE II, SECTION 40-27. Chapter 40 of the Charter Township of Meridian Code of Ordinances, Section 40-27 entitled Definitions is amended to read as follows:

Section 40-27. Definitions. The words, terms, and phrases, when used in this Article, shall have the meanings ascribed to them in Section 40-2 except where context clearly indicates a different meaning.

SECTION 2. AMENDMENT TO ARTICLE II, SECTION 40-30. Chapter 40 of the Charter Township of Meridian Code of Ordinances Section 40-30 entitled Application for and renewal of permits is amended to read as follows:

Section 40-30. Application for and Renewal of Permits.

(a) Application. [UNCHANGED]

(b) Receipt of Applications

1. Applications shall be submitted to the Director of Community Planning and Development.
2. No Applications shall be accepted unless the Township Board has issued procedures and standards for the receipt and review of Applications as set forth in this Article.

3. The dates and times to accept Applications shall be determined by the Township Board, which shall be posted on the Township's website, if any. The Director shall only accept initial Applications as designated by the Township Board.
4. Applications shall be sorted and scored based on zoning overlay district, with only one Permit available per zoning overlay district.
5. If the Director of Community Planning and Development identifies or is informed of a deficiency in an Application, the Applicant shall correct the deficiency after notification by the Director of Community Planning and Development as provided in the procedures and standards.

(c) Timeframe for Application Evaluation.

1. All inspections, review, competitive review, and processing of the Application shall be completed within ninety (90) days of receipt of a complete Application and all required fees. The Township shall approve or deny the Permit within one hundred twenty (120) days of receipt of the completed Application and fees. If the Application is approved, then the Applicant shall receive a conditional approval, the conditions of which must be met for the Applicant to receive a Permit as the Permit Holder, as set forth in this Ordinance.
2. The processing time may be extended upon written notice by the Township for good cause, and any failure to meet the required processing time shall not result in the automatic grant of the Permit.
3. The Township has no obligation to process or approve any incomplete Application, and any times provided under this Article shall not begin to run until the Township receives a complete Application.

(d) Approval, Issuance, and Denial

1. Permit Approval. The Township Board shall make a determination based upon satisfactory compliance with this Article, Application requirements, and all other permits, certificates, rules or regulations and do one of the following:
 - i. Grant final approval to the Application and issue the Permit, with or without conditions. If the Application is approved, then the Permit shall be issued to the Applicant as the Permit Holder for a specific Permitted Premises.
 - ii. Deny the Application stating the reasons for such denial.
2. Denial. A decision of the Township Board to issue or deny a Permit pursuant to this Article, are subject to this Chapter's appeal process. After the appeal process has been exhausted, a Township Board decision may be appealed to a court of competent jurisdiction, provided that: (1) with respect to a denial of an initial Permit, an appeal

shall not grant any rights to an Applicant, subject to an order of the court; and (2) with respect to denial of a Renewal Application, if the Applicant has paid all required fees (and any additional fees due during the pendency of the appeal), the pre-existing Permit shall be extended during the pendency of the appeal, unless otherwise ordered by a court.

3. Commence Operation. The Applicant shall commence operation within 18 months of the Permit approval or the Permit approval shall be revoked. The Board may extend this timeframe for additional six month periods where the Applicant has commenced construction of the building and on other good cause shown to the Board.
4. Special Use Permit Required. All permit approvals under this Article are contingent upon the issuance of a Special Use Permit under the Township Zoning Ordinance.

(e) Evaluation of Multiple Applications

1. Competitive Review. If more Applications for new Facilities are received than there are available Permits (more than zero) under this Article, and the available Permit limits in this Article would prevent the Department from issuing a state license to all Applicants who meet the requirements of MCL 333.27959(3), then the Township will decide among the competing initial Applications with a competitive process established by the Township Board intended to select the Applicants who are best suited to operate in compliance with the Act, this Article, and within the Township.
2. Procedures and Standards. The Township Board is authorized to issue procedures and standards establishing the application and competitive process under this Article. The Township Board may establish or appoint a committee to assist review of applications. Each initial Application shall be considered, reviewed, and evaluated according to the procedures and standards. The review will evaluate the contents of the Application(s), other materials submitted by the Applicant, legal opinions or other reports drafted to help facilitate review, and any other material deemed relevant by the Director or Township to select the Applicant, if any, that will provide the best outcome for the community as determined by the Township.
3. Review at Public Hearing. After the Application window is closed, the Township shall hold a public hearing to review the Application(s) under the standards provided within this Article. To determine whether the Application(s) will be approved, the Township will apply the procedures and standards determined by the Township Board.
4. Appeal and Automatic Stay. An Applicant has the right to appeal the Township's competitive review of its Application, as set forth in this Chapter. In the event an initial Application that was subject to competitive review appeals the Township's decision, then the Township shall automatically stay all approvals issued to other Applicant(s) who participated in the same competitive review as the Applicant(s) appealing. When

an approval is stayed, the Applicant(s) granted approval may apply for zoning approval of a Marihuana Facility. This stay shall be lifted when the appealing Applicant(s) abandon or exhaust the appeal process.

5. Available Permits. Permits subject to appeal or renewal shall not be considered available for the purposes of this subsection.

(f) Renewal Application.

1. A completed Renewal Application must be received by the Township no later than November 1st of each year in order to grant or renew the conditional approval, lottery selection, or Permit.
2. The same requirements that apply to all new applications for a permit, except for special use permit requirements, shall apply to all renewal applications.
3. A renewal application may expressly incorporate by reference information or documentation contained in the original application or prior renewal application, making it clear where such information or documentation can be found, provided that the permit holder certifies that the information or documentation has not changed.
4. All material changes in any information submitted on an Application or Renewal Application shall be included with the Renewal Application.
5. Any final reports, inspections, investigations, or summaries from the Department, the Cannabis Regulatory Agency (“CRA”), the Bureau of Fire Services (“BFS”), or the Department of Licensing and Regulatory Affairs (“LARA”) arising from or in connection with the Permit shall be submitted with Renewal Application.

(g) Issuance of commercial medical marihuana facilities permit. [UNCHANGED]

(h) Applications for new permits where no building is as yet in existence. [UNCHANGED]

(i) Duty to supplement. [UNCHANGED]

(j) Permit forfeiture. [UNCHANGED]

SECTION 3. SEVERABILITY. The provisions of this Ordinance are hereby declared severable. If any part of this Ordinance is declared invalid for any reason by a court of competent jurisdiction, that declaration does not affect or impair the validity of all other provisions that are not subject to that declaration.

SECTION 4. SAVINGS CLAUSE. This Ordinance does not affect rights and duties matured, penalties that were incurred, and proceedings that were begun, before its effective date.

SECTION 5. REPEAL. All ordinances or parts of ordinances in conflict therewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

SECTION 6. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its publication after final adoption.

YEAS: _____

NAYS: _____

ABSENT: _____

ORDINANCE DECLARED ADOPTED.

Township Supervisor

Township Clerk



To: Board Members
From: Patricia Herring Jackson, Township Supervisor
Date: June 16, 2023
Re: ZBA Appointment

Under the statutes, the Supervisor appoints, subject to the Board’s approval, the members of the Zoning Board of Appeals (ZBA). There are currently two vacancies for alternates on the ZBA. Mr. Bennett is interested in serving his community as he is entering his career path of civil engineering.

The following motions have been prepared for Board consideration:

MOVE TO APPROVE THE APPOINTMENT MADE BY SUPERVISOR JACKSON OF ANTHONY BENNETT, AS AN ALTERNATE, TO THE ZONING BOARD OF APPEALS FOR A TERM ENDING 12/31/2024.

Attachment:

1. Public Service Application

* 1. I am interested in service on one or more of the following public bodies as checked below:
Zoning Board of Appeals

*** 2. Summarize your reasons for applying to do this type of service**

I have an interest in getting involved in my local community and I am currently entering the work field for my career path of civil engineering so I feel that this can be greatly valuable experience for me personally.

*** 3. Describe education, experience or training which will assist you if appointed.**

I have had many public service jobs where I have had to interact with a lot of people so public speaking and interaction are no problem for me. I have in depth problem solving and critical thinking skills from the attainment of my bachelors in science. I am not afraid to ask questions if I recognize that a certain topic is out of my field of expertise.

(Attach resume if available)

SKIPPED

* Full Name
Anthony Bennett

* **Occupation**
Barista

* **Place of Employment**
Biggby Coffee

* Home Address
1457 E Pond Dr.
36
Okemos 48864

* Phone (Day)
517.392.3619

* Phone (Evening)
517.392.3619

* **Email**
anthonycbennett2468@gmail.com

* **Please type your name in the box below as a digital signature**
Anthony Bennett

* **Date and Time**
05/09/2023

Other than the Downtown Development Authority Board and the Economic Development Corporation, persons appointed to Meridian Township boards and commissions must be a resident and elector (if of voting age) of the Township during the term of office. Excessive absences may be cause for review of appointment. The policy for appointment of candidates to the various public service positions is based on the following criteria: desire to serve, experience, expertise, availability of time to serve, and maintenance of equitable geographic representation. In most instances it will be desirable to develop further information through a personal interview. This application will be retained in township files for two years.



To: Board Members
From: LuAnn Maisner, CPRP
Director of Parks and Recreation
Date: June 9, 2023
Re: Grant Application for Nancy Moore Park through the Federal SPARK Grant Program

The Michigan Department of Natural Resources is administering the Federal American Rescue Plan funds designated for parks with \$65,000,000 in grants for allocation to local communities. Requests for funds will be accepted in amounts from \$100,000 to \$1,000,000 per application with no local match required. We submitted an application for this project in the first round in December 2022. The Park Commission supports resubmitting this request again for the June 29, 2023, deadline.

- **Nancy Moore Park Playground Replacement and Accessible Loop Trail** – Nancy Moore Park hosts more children than any other park in our system who participate in soccer, lacrosse, baseball, softball and flag football. The playground has outlived its life expectancy and is in serious need of replacement. The second part of this request adds a paved loop trail leading from the parking lot to and around the soccer fields. Currently, a person with mobility challenges including the elderly, are unable to reach the soccer fields to spectate. This loop trail would not only improve accessibility but provide additional fitness opportunities in the park as well. Estimated Cost: \$800,000.

A motion is prepared for Board consideration:

MOVE TO SUPPORT THE ATTACHED RESOLUTION OF SUPPORT TO SUBMIT AN APPLICATION TO THE FEDERAL SPARK GRANT PROGRAM, ADMINISTERED BY THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES, FOR PLAYGROUND REPLACEMENT AND CONSTRUCTION OF AN ACCESSIBLE PAVED LOOP TRAIL IN NANCY MOORE PARK IN THE AMOUNT OF \$ 800,000. THERE IS NO LOCAL MATCH REQUIRED FOR THIS PROGRAM.

**RESOLUTION TO AUTHORIZE A GRANT APPLICATION FOR ACCESSIBILITY
IMPROVEMENTS IN NANCY MOORE PARK
MICHIGAN NATURAL RESOURCES FEDERAL SPARK GRANT PROGRAM**

At a regular meeting of the Township Board of the Charter Township of Meridian, Ingham County, Michigan, held at the Meridian Municipal Building, in said Township on the 20th day of June 2023 at 6:00 p.m., Local Time.

PRESENT:

ABSENT:

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

WHEREAS the Park Commission and Township Board are interested in the continued improvement of Meridian Township’s Park system; and

WHEREAS Nancy Moore Park located at 2100 Gaylord Smith Court in Haslett consists of two ball diamonds, two soccer and lacrosse fields, two sand volleyball courts, one basketball court, a dog park, natural trails, pavilion and restrooms and serves as Meridian Township’s most highly visited and utilized park for organized sports; and

WHEREAS this park has not received any accessibility upgrades since its construction in 1996; and

WHEREAS Nancy Moore Park is located in the centermost portion of the community; and

WHEREAS the Charter Township of Meridian is interested in applying to the Michigan Department of Natural Resources for Federal SPARK Grant assistance for accessibility improvements consisting of a paved, accessible loop walkway to access the soccer and lacrosse fields; and to replace an obsolete play structure in Nancy Moore Park located at 2100 Gaylord Smith Court,

WHEREAS this project is outlined and justified in the 2021-2027 Parks and Recreation Master Plan adopted by the Meridian Township Board and Park Commission, and is on file with the Michigan Department of Natural Resources; and

WHEREAS, the Park Commission unanimously supported this application request of \$800,000 for accessibility improvements in Nancy Moore Park consisting of an internal paved walkway to and around the soccer/lacrosse fields; and replacement of an obsolete

playscape including accessible poured-in-place safety surfacing, with no required local match.

NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, INGHAM COUNTY, MICHIGAN DOES HEREBY APPROVE SUBMISSION OF AN APPLICATION TO THE FEDERAL SPARK GRANT PROGRAM FOR ACCESSIBILITY IMPROVEMENTS TO NANCY MOORE PARK INCLUDING A PAVED LOOP WALKWAY AND NEW PLAYScape WITH ACCESSIBLE SAFETY SURFACING FOR CHILDREN OF ALL AGES AND ABILITIES WITH NO REQUIRED LOCAL MATCH.

ADOPTED: YEAS:

NAYS:

STATE OF MICHIGAN)

) ss

COUNTY OF INGHAM)

I, the undersigned, the duly qualified and acting Clerk of the Township Board, Charter Township of Meridian, Ingham County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and a complete copy of a resolution relative to the Agreement with the Michigan Department of Natural Resources, which Resolution was adopted at a regular meeting of the Township Board on the 20th of June, 2023.

Deborah Guthrie
Meridian Township Clerk



To: Board Members
From: Amanda Garber, CPA
Finance Director
Date: June 20, 2023
Re: Deficit Elimination Plan Resolution

The Charter Township of Meridian reported a deficit of \$41,184 in its American Rescue Plan Act Fund in its December 31, 2022 financial statements. The Township currently reports activity for this fund to the State of Michigan as a Nonmajor Governmental Fund. This deficit is the result of prepaid expenditures that require fund balance to be classified as non-spendable.

The resolution of this deficit will occur once the prepaid expenditures are recorded as expenditures within the American Rescue Plan Act Fund.

The approved Deficit Elimination Plan resolution must be submitted to the Michigan Department of Treasury by July 3, 2023.

The following motion is prepared for Board consideration:

MOVE TO APPROVE THE DEFICIT ELIMINATION PLAN RESOLUTION.

Attachment:

1. Township Resolution Deficit Elimination Plan



**MERIDIAN TOWNSHIP
RESOLUTION TO APPROVE
DEFICIT ELIMINATION PLAN**

RESOLUTION

At a regular meeting of the Township Board of the Charter Township of Meridian, Ingham County, Michigan, held at the Meridian Municipal Building, in said Township on the 20th day of June, 2023, at 6:00 p.m. local time.

PRESENT: _____

ABSENT: _____

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

WHEREAS, the Charter Township of Meridian’s American Rescue Plan Act (ARPA) Fund has a \$41,184 deficit unassigned fund balance on December 31, 2022; and,

WHEREAS, 1971 PA 140 requires that a Deficit Elimination Plan be formulated by the local unit of government and filed with the Michigan Department of Treasury;

NOW THEREFORE BE IT RESOLVED, THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, INGHAM COUNTY, MICHIGAN, HEREBY ADOPTS THE FOLLOWING AS THE CHARTER TOWNSHIP OF MERIDIAN’S AMERICAN RESCUE PLAN ACT FUND DEFICIT ELIMINATION PLAN:

	2023
Unassigned Fund Balance (Deficit) Jan. 1	\$ (41,184)
Revenue	
Federal Grants	2,149,952
Investment Income	45,000
Total Revenue	2,194,952
Expenditures	
Capital Outlay	1,849,952
Excess of Revenue Over Expenditures	345,000
Other Financing (Uses)	
Transfer Out	(300,000)
Net Change in Fund Balance	45,000
Unassigned Fund Balance (Deficit) Dec. 31	\$ 3,816



To: Board Members
From: Patricia Herring Jackson, Township Supervisor
Date: June 20, 2023
Re: BWL Board of Commissioners Appointment

The Board of Water and Light (BWL) has notified us that Meridian Township’s seat on their Board takes effect on July 1, 2023. The seat is rotated amongst Meridian Township, Delhi Township, Dewitt Township and Lansing Township. Meridian held the one year seat on the BLW Board in 2015 and 2019.

The specific Charter provision is below:

The Board of Water and Light Board Members shall include three non-voting advisory members representing utility customer communities outside the City of Lansing. Each non-voting advisory member shall be a Board of Water and Light customer, shall reside in and be appointed by the governing body of the municipality. One member shall represent the City of East Lansing and shall serve a term of four (4) years commencing July 1. One member shall represent Delta Township and shall serve a term of four (4) years commencing July 1. One member shall be at-large and shall represent the remaining municipalities and shall serve a term of one (1) year commencing July 1. The at-large representative shall serve on a rotating annual basis and be appointed by the governing body of the following municipalities in succession: Meridian Township, Delhi Township, DeWitt Township and Lansing Township. Except as provided herein, Section 2-103, Section 5-105, or State law, the provisions of this Charter shall not apply to the non-voting advisory members of the Board of Water and Light.

Mike Froh, who resides in Wardcliff, has served as our representative in both 2015 and 2019. The issue of representation on the BWL Board of Directors resulted from the massive ice storm that gripped our community on December 21, 2013. You may recall hundreds of Meridian BWL customers were without power for up to 11 days.

I am recommending appointment of Brian Pillar, Wardcliff Neighborhood Association President, for Meridian’s seat on the BWL Board of Commissioners.

A motion is prepared for Board consideration:

MOVE TO APPOINT BRIAN PILLAR TO THE BOARD OF WATER & LIGHT BOARD OF COMMISSIONERS FOR THE TERM OF JULY 1, 2023 TO JUNE 30, 2024.



To: Township Board

**From: Amber Clark
Neighborhoods & Economic Development Director
&
Timothy R. Schmitt, AICP
Director of Community Planning and Development**

Date: June 15, 2023

Re: Redevelopment Ready Communities (RRC) Recertification Status

Redevelopment Ready Communities (RRC) is a development program offered by the MEDC to align communities in Michigan with modern and efficient development processes. The efficiency of the development process helps market our communities competitively for quality developers and projects across the nation. Staff has previously discussed recertification in the RRC program with the Township Board and have subsequently been working with the Michigan Economic Development Corporation's (MEDC) Capital Assistance Team regarding the status of recertification of our Redevelopment Ready Communities designation.

Economic Development and Community Planning Staff have been working diligently on the recertification and our current status is listed at the end of this report. At this time, there are two areas where we will need Township Board action at upcoming meetings and we wanted to brief the Board on those items.

#2 Housing Diversity

A. To maintain CERTIFIED Level the Township should permit three (3) diverse housing typologies by right in every zoning district. Residential, Commercial, Industrial, Agricultural etc. To exceed expectations the Township could permit these diverse housing types near their areas of concentrated development to support vibrant and walkable neighborhoods.

There was a great deal of discussion around this item at the last RRC update and Staff has clarified with the MEDC that this doesn't require that 'everything be allowed everywhere.' The MEDC is very clear that we can implement local policies that are best for our community. Staff has reviewed our ordinances and would offer the following changes, which we will be presenting formally at a future meeting:

- The public hearing requirement for site plans should be removed from the ordinance. This is a unique requirement in Meridian Township and in the past two years, Staff can count on one hand the number of people that come to these meetings. We are much better served by effectively utilizing our website to disseminate information to the broader public. Public hearings required by State law will not be affected by this change.
- Minimum house and unit size can be eliminated. Staff consistently gets questions about tiny/small houses and whether or not they are permitted. There is clearly a market for this



and by eliminating the minimum size requirement, this could lead to more affordable housing.

- Multiple family uses should be permitted uses in multiple family districts. This is fairly straightforward, if the Township has zoned the property for a use, it should be allowed by right. This puts the onus back on the zoning decision as the most important decision and provides some consistency for the development community.
- In the Corridor Improvement Authority (CIA) area, second floor residential must be added as a permitted, by right use. This is a requirement of the CIA enabling legislation and this will help encourage redevelopment in the area.
- Accessory Dwelling Units should be added to the ordinance as a permitted use in residential areas. This has become one of the most common questions Staff receives, as it has become an important part of both affordable and multi-generational housing. The Planning Commission has discussed this in years past and there is already a very limited allowance for 'domestic employees' of the owner of the main house. Now would be an excellent time to make this a provision throughout the Township, subject to some guardrails.

#4 Boards and Commissions

A. Orientation

Documentation of orientation materials (accessible to all committee members). It is recommended for Township Board, Planning Commission, Zoning Board of Appeals, Downtown Development Authority, Corridor Improvement Authority, Brownfield Redevelopment Authority and Economic Development Corporation. Internal teams are working to compile current orientation practices. It is suggested that annual trainings are scheduled for all Boards and Commissions as members will resign or be added to the Boards in staggering rates.

B. Bylaws

Best practice recommendation to have Township Board bylaws accessible on website. This includes the updated Ethics Statement that new Commission members will sign. Included in this statement is an agreement to a general attendance policy which will grant each commissioner an understanding that consecutive unexcused absences may require the Board to remove that member from service.

C. Training Strategy

Best practice is to create a training strategy documenting all development-related board and commissions in the Township. This includes addressing the Township's view on regular training for elected and nominated officials, suggested training opportunities, how the training will be funded, and how participants will share their training experiences. The training strategy and trainings, should be documented.

MEDC would like to see our best practices aligned with their online program by November 2023. We are 90% aligned with the "essential" practices. These would administrative responsibilities of staff like Incentives Policy, Economic Development Strategy, Access to Information, Annual Reports, Goals, etc. These are annual updates that are required to be posted to MEDC for verification that we



are aligned with the RRC program. An advantage for the Economic Development Director is the hands-on approach to the development boards and commissions for executing these reports.

We are 75% aligned with CERTIFIED Level practice which includes items the Township Board must adopt. One of those major items is the adoption of the Masterplan which is on track for 2023. Orientation and organization of onboarding documents for all boards and committees on the website are crucial for CERTIFIED level status. MEDC hopes to ensure members of the community and stakeholders are aware of development projects and where to find key information. Housing Diversity by right is also a major sticking point to the CERTIFIED level for MEDC. The meetings our department held with our RRC Specialist indicate Meridian should not have originally received RRC status without this condition. It remains a condition for maintaining our active status in RRC.

Current status Brief for RRC Recertification Board

Best Practice 1: Plans and Engagement

Best Practice 1.1 | Master Plan

STATUS: IN PROGRESS WITH PLANNING DEPT. PLANNING COMMISSION, ECONOMIC DEVELOPMENT DEPARTMENT, CORRIDOR IMPROVEMENT AUTHORITY, & DOWNTOWN DEVELOPMENT AUTHORITY.

“The governing body has adopted a master plan in the past five years”.

The Township is approaching a five (5) year review and potential update of their Master Plan (2017), as mandated by the Michigan Planning Enabling Act (PA 33 of 2008). It is recommended that the Township evaluate the goals, objectives, and strategies established in the Master Plan for ones that are more actionable and implementable. The restructuring of the goals, objectives, and strategies will then lend themselves to an updated Implementation Plan that should include responsible parties and projected timelines for each strategy, an aspect that is currently missing from the Master Plan.

STATUS: CURRENT TO 2022

Further, Best Practice 1.1 includes an expectation of annual review. To maintain Certification, the Township will need to demonstrate progress on the implementation of the Master Plan annually. As of 2021, the Township is not currently meeting this expectation.

Best Practice 1.3 | Capital Improvement Plan

“The governing body has adopted a capital improvements plan”.

STATUS: CURRENT AND UPDATED 2022 ON WEBSITE FOR GENERAL PUBLIC

While the current Annual Budget (2020) prepared by the Township includes a small section dedicated to annual capital investments, the Township needs to prepare a separate and comprehensive Capital Improvement Plan (CIP). Standard CIPs span six years of planning and are conducted annually with the municipal budgeting process.

Best Practice 1.4 | Public Participation Plan

“The community has a public participation plan for engaging a diverse set of community stakeholders”.



STATUS: (PENDING) UNDER REVIEW WITH ECONOMIC DEVELOPMENT DEPT. TO BE ADOPTED WITH MASTERPLAN 2023

The Township established their Community Engagement Plan in 2018 to meet their initial Certification. To meet recertification expectations, it is recommended the next iteration of the Community Engagement Plan include more details regarding which populations in the Township are not typically at the visioning table and how the Township plans to engage those populations.

STATUS: CURRENT 2023 ANNUAL REVIEW & JOINT MEETING

Further, Best Practice 1.4 includes an expectation of annual review. To maintain Certification, the Township will need to demonstrate that the results of the community engagement efforts are reported to the Township Board annually. As of 2021, the Township is not currently meeting this expectation.

Best Practice 2: Zoning

Best Practice 2.1 | Alignment with Master Plan

"The governing body has adopted a zoning ordinance that aligns with the goals of the current master plan".

STATUS: CURRENT (PENDING) ANNUAL IMPLEMENTATION REPORTS ARE TO BE SUBMITTED WITH COMMENTS OR MINUTES FROM PLANNING DEPT. PLANNING COMMISSION, ECONOMIC DEVELOPMENT DEPARTMENT, CORRIDOR IMPROVEMENT AUTHORITY, & DOWNTOWN DEVELOPMENT AUTHORITY.

It is recommended that the Township progress in making changes to the Zoning Ordinance as recommended by the current and any future Master Plans. Specifically, it is recommended that the Township provide an update on their ability to realize the revisions in the 'Recommendations for Revisions to the Zoning Ordinance and Map', Master Plan section.

Best Practice 2.3 | Concentrated Development

"The zoning ordinance provides for areas of concentrated development in appropriate locations and encourages the type and form of development desired".

STATUS: COMPLETE WITH REVISED MUPUD ORDINANCE 2022- PICA DESIGNATIONS FALL IN OUR HIGHEST DENSITY AREAS. MIXED USE IS ALLOWED BY RIGHT IN A POTENTIAL INTENSITY CHANGE AREA.

Mixed-use development is permitted within Sec. 86-440 (MUPUD) of the Zoning Ordinance, but to be deemed Redevelopment Ready, it is expected to allow mixed-use development permitted by-right, in areas of concentrated development.

STATUS: COMPLETE WITH REVISED MUPUD ORDINANCE 2022- PICA DESIGNATIONS FALL IN OUR HIGHEST DENSITY AREAS. MIXED USE IS ALLOWED BY RIGHT IN A POTENTIAL INTENSITY CHANGE AREA.



Additionally, it is clear that the ‘Architectural Standards’ outlined in the Master Plan only apply to the MUPUD District (Sec. 86.440(C)(2)(e)(1)). It is recommended that the Township incorporate similar placemaking elements to zoning districts in the Township’s concentrated areas of development. Specifically, grade-level transparency and build-to lines could help the Township in meeting certified expectations.

Best Practice 2.4 | Housing Diversity

“The zoning ordinance allows for a variety of housing options”.

STATUS: UNDER DISCUSSION AT TOWNSHIP BOARD

Unfortunately, the Township does not currently permit applicable diverse housing typologies in any zoning district. To maintain Certification, the Township should permit three (3) diverse housing typologies, by-right. To exceed expectations, the Township could permit these diverse housing types near their areas of concentrated development, to support vibrant and walkable neighborhoods.

Best Practice 3: Development Review

Best Practice 3.6 | Fee Schedule

“The community maintains a fee schedule”.

STATUS: CURRENT AND UPDATED 2023 ON WEBSITE FOR GENERAL PUBLIC.

It is recommended that the Township post the updated Building Permit, Commercial Fire, and Planning fee schedules onto the Township website. Additionally, it is recommended that development-related fee schedules be updated and included in the Township’s Guide to Development (Best Practice 3.8).

STATUS: CURRENT AND UPDATED 2023 ON WEBSITE FOR GENERAL PUBLIC.

Further, Best Practice 3.6 includes an expectation of annual review. To maintain Certification, the Township will need to review and update the development-related fee schedules annually. As of 2021, the Township is not currently meeting this expectation.

Best Practice 3.7 | Payment Methods

“The community offers clear methods of payment”.

STATUS: (PENDING) ARP FUNDING SUPPORT PROJECT OF DIGITAL PERMITTING BUILDING, FIRE PLAN REVIEW. APPROVED BY TOWNSHIP BOARD NOV 2022.

It is recommended that the Township identify what methods of payments an applicant can use to pay for development-related fees on the Township’s website. Additionally, it is recommended that the Township accept credit card payments, either solely in-person or also online.

Best Practice 3.8 | Access to Information

“The community maintains a guide to development that explains policies, procedures, and steps to obtain approvals”.

STATUS: CURRENT -COMMUNICAITONS DEPARTMENT WILL ENSURE BRANDING



COMPOSITION

Best Practice 3.9 | Project Tracking

"The community has a method to track development projects".

STATUS: CURRENT AND UPDATED 2023 ON WEBSITE FOR GENERAL PUBLIC REGULARLY UPDATED

It is recommended the Township provide documentation of the community's tracking system for development applications, from submissions to permitting.

Best Practice 3.10 | Continued Improvement

"The community solicits feedback and regularly reviews the development review experience".

The Township provides an excellent Development Process Feedback Survey on the Township's website to solicit details about applicants' experience with the Township's development processes.

STATUS: CURRENT AND UPDATED 2023 ON WEBSITE FOR DEVELOPERS

Best Practice 3.10 includes an expectation of annual review. To maintain Certification, the Township will need to provide details on how the Township assess their development review process annually, based on the responses garnered from the survey. As of 2021, the Township is not currently meeting this expectation.

Best Practice 4: Boards and Commissions

Best Practice 4.1 | Recruitment Process

"The community has a clear recruitment and appointment process".

STATUS: CURRENT AND UPDATED WITH APPROVAL OF TOWNSHIP BOARD

The Township provides a Public Service Application Form online for residents interested in applying to a board or commission. To meet Certified expectations, it is recommended that the Township post either a document, statement, or quick blurb on what the typical process of appointment is.

Best Practice 4.2 | Expectations & Interests

"The community sets expectations for board and commission positions".

STATUS: CURRENT AND UPDATED ON WEBSITE FOR ALL BOARDS AND COMMISSIONS

The Township provides a very helpful Appointed Officials Ethics Statement on the Township's website, that outlines ethical expectations of board and commission members (e.g. no taking of gifts, no financial gain, serve with integrity). To meet this Best Practice, it is recommended that the Township incorporate additional expectations around attendance records, typical meeting schedule, duties to be performed, and term limits. Additionally, newer to RRC 2.0, to make the application process easier to understand for residents, highlighting associated interests and/or background experience that would best suit each type of board and commission position is an expectation.



Best Practice 4.3 | Orientation

"The community provides orientation material to all appointed and elected members of development-related boards and commissions".

STATUS: UNDER DISCUSSION AT TOWNSHIP BOARD

Documentation of the orientation materials the Township provides to newly appointment officials is needed. It is recommended the Township provide this information for all development-related boards and commission, including the Township Board, Planning Commission, Zoning Board of Appeals, Downtown Development Authority, Corridor Improvement Authority, Brownfield Redevelopment Authority, and Economic Development Corporation.

Best Practice 4.4 | Bylaws

"The community has bylaws for boards and commissions".

STATUS: UNDER DISCUSSION AT TOWNSHIP BOARD

It is recommended the Township make the bylaws for each development-related board and commission, easily accessible on their respective webpages.

Best Practice 4.5 | Planning Commission Annual Report

"The community issues a planning commission annual report".

**STATUS: CURRENT AND UPDATED 2022 ON WEBSITE FOR GENERAL PUBLIC
REGULARLY UPDATED- 2023 TO BE POSTED JANUARY 2024**

Best Practice 4.5 includes an expectation of annual review. To maintain Certification, the Township will need to prepare the annual Meridian Township Report. As of 2021, the Township is not currently meeting this expectation.

Best Practice 4.6 | Training Strategy

"The community has a documented training strategy".

STATUS: UNDER DISCUSSION AT TOWNSHIP BOARD

Best Practice 4.6 is a new expectation under RRC 2.0. Communities need to create a training strategy document for all development-related boards and commissions in the Township. This includes addressing the Township's view on regular training for its elected/nominated officials, suggested training opportunities, how these training opportunities will be funded, and how participants will share out their training experiences.

Best Practice 4.7 | Joint Meetings

"The community shares information between elected and appointed officials and staff".

**STATUS: CURRENT AND UPDATED 2022 ON WEBSITE FOR GENERAL PUBLIC REGULARLY
UPDATED- 2023 TO BE POSTED NOVEMBER**

Best Practice 4.7 includes an expectation of annual review. To maintain Certification, the Township will need to provide documentation that a joint meeting among development-related



boards was held at least once a year.

Best Practice 5: Economic Development and Marketing

Best Practice 5.1 | Economic Development Strategy

"The community has approved an economic development strategy".

STATUS: (PENDING) UNDER DESIGN WITH ECONOMIC DEVELOPMENT DEPARTMENT. PUBLIC PARTICIPATION PLAN, MARKETING PLAN, MASTERPLAN, DEVELOPMENT GUIDE AND INCENTIVES POLICY ARE ALL UNDER DESIGN REVIEW. FINAL PRODUCTION WILL ALIGN WITH MASTERPLAN TO HAVE ALL DOCUMENTS SUPPORT THE SAME COMMUNITY VISION. FINAL TO BE SUBMITTED TO COMMUNICATIONS FOR BRANDING.

The Township provides an excellent Economic Development Strategy (2018) on its website. Best Practice 5.1 includes an expectation of annual review. To maintain Certification, the Township will need to provide documentation that the implementation of the Economic Development Strategy is accessed annually. As of 2021, the Township is not currently meeting this expectation.

Best Practice 5.2 | Incentives Policies

"The community has adopted policies to guide economic development incentives".

STATUS: (PENDING) UNDER DESIGN WITH ECONOMIC DEVELOPMENT DEPARTMENT. PUBLIC PARTICIPATION PLAN, MARKETING PLAN, MASTERPLAN, DEVELOPMENT GUIDE AND INCENTIVES POLICY ARE ALL UNDER DESIGN REVIEW. FINAL PRODUCTION WILL ALIGN WITH MASTERPLAN TO HAVE ALL DOCUMENTS SUPPORT THE SAME COMMUNITY VISION. FINAL TO BE SUBMITTED TO COMMUNICATIONS FOR BRANDING.

Best Practice 5.2 is a new expectation under RRC 2.0, aimed at equipping communities with the tools to be attractive to developers. The Township will need to clearly outline the incentives available to developers and in what situations they will be considered. This can live in a stand-alone document or within the comprehensive Guide to Development (Best Practice 3.8).

Best Practice 5.3 | Marketing Plan

"The community has a documented marketing plan".

STATUS: (PENDING) UNDER DESIGN WITH ECONOMIC DEVELOPMENT DEPARTMENT. PUBLIC PARTICIPATION PLAN, MARKETING PLAN, MASTERPLAN, DEVELOPMENT GUIDE AND INCENTIVES POLICY ARE ALL UNDER DESIGN REVIEW. FINAL PRODUCTION WILL ALIGN WITH MASTERPLAN TO HAVE ALL DOCUMENTS SUPPORT THE SAME COMMUNITY VISION. FINAL TO BE SUBMITTED TO COMMUNICATIONS FOR BRANDING.

The Township has an established Marketing and Promotion Strategy (2018) and a separate Brand Standards Quick Reference Guide. To ensure Township staff, applicants, and residents have access to a comprehensive resource regarding the Township's marketing efforts, it is recommended the Township incorporate the branding standards document into the Marketing and Promotion Strategy.



Conclusion and Next Steps

Meridian Charter Township's current Certification status remains in effect until November 16, 2023. The preceding Redevelopment Ready Communities® Recertification Brief was prepared two (2) years in advance of Meridian Charter Township's recertification date. RRC understands that the Township is at the precipice of updating several planning and development documents and desires to use this Recertification Brief as a tool to ensure continued alignment with the RRC Best Practices. As the Township works to align with all the Best Practice expectations, RRC is open to Township staff offering alternative ways the Township can meet the intent of the Best Practice criteria. Additionally, as a Certified RRC community in good standing, the Township has continued access to a range of RRC technical assistance tools. These tools—which include a network of RRC community contacts, Best Practice examples, and guidance documents—can help Meridian Charter Township adapt to the updated RRC Best Practice expectations. It is expected that Meridian Township will continue to see exciting redevelopment opportunities in the years to come and Redevelopment Ready Communities® looks forward to formally recertifying the Township in 2023.



To: Board Members
From: Marna Wilson, Township Trustee
Date: June 20, 2023
Re: Community/Senior Center Task Force Report

The Meridian Township Board set three major goals for 2023 related to a Senior & Community Center, the MSU-Lake Lansing Pathway and Citizen Outreach and Communication.

The specific goal regarding a Meridian Township Senior & Community Center was:

- “Work with community stakeholders to evaluate the need to develop plans for a new Meridian Senior & Community Center. The committee shall consider location, amenities and funding options. The expectation is to bring a recommendation to the Township Board by December 1, 2023.”

At the December 6, 2022, Township Board meeting, an allocation of \$500,000 (later reduced to \$200,000) of ARP funds was designated to work with community stakeholders to evaluate the need for a Center. At the end, we only utilized approximately \$3,500 for a wetlands delineation of a parcel on south side of Central Park Drive.

The future of the current Senior Center, housed in Chippewa Middle School, is unknown. With the passage of the Okemos Public School Bond in November 2022, Chippewa Middle School will be demolished, and a new school will be built that does not include the Senior Center, although not likely to happen for more than 7 years. Because the operation of the Senior Center is joint between the Okemos Public Schools and the Township, it has caused the Board to look at the current condition of the Senior Center and the vision the Board has for fulfilling our commitment to seniors in the community.

To facilitate the exploration of a new Center, on January 10, 2023, a resolution was adopted to create a Senior & Community Center Task Force and report back on their findings by December 1, 2023 (later changed to July 1, 2023).

Members assigned to the Task Force:

Chair: Trustee Marna Wilson
Vice Chair: Supervisor Patricia Herring Jackson
Treasurer Phil Deschaine
Manager Frank Walsh

Planning Director Tim Schmitt
Parks and Recreation Director Luann Maisner
Meridian Senior Center Director Cherie Wisdom

Attachments:

1. Report from the Meridian Township Senior & Community Center Task Force
2. Osceola Township Community Center Pictures

Report from the Meridian Township Senior & Community Center Task Force

Mission:

- Create a concept of a Senior & Community Center that adds value to the community
- Use economy of scale; build the best; connected to other community assets
- Central location; adjacent parking; on a bus line

Process:

The Task Force commenced its work on February 14, 2023, and met bi-weekly through May 23, 2023. The team conducted several site visits to other Centers.

The Task Force initially established these goals:

- Define the mission and vision and set goals
- Potential site selection
- Potential site visits to other communities' facilities
- Potential building design
- Interim improvements to existing senior center
- Timetable

History: Meridian Township has been exploring the concept of a Community Center since 1997. Interestingly, conceptual drawings from 1998 do not include a senior center.

The current Meridian Senior Center, a non-profit entity, is located within the Okemos Public Schools and was initially funded through a community-wide millage in May 2001. Meridian Senior Center has a set of bylaws enacted in May 2002 and revised multiple times since. The Senior Center is governed by an Advisory Board.

The millage has been renewed several times since, as recently as 2020. The current millage incorporates three different objectives of supporting the Senior Center, Meridian Cares and recreation programs. Currently, the Senior Center is located at Chippewa Middle School. It is open Monday through Friday. There are 279 currently paid members as of 12/31/22. As part of our exercise, we looked at what minor improvements could be made the current Senior Center to make it continue to be viable in the short term.

Site Visits to other communities' Centers: The Task Force agreed it was imperative to visit other communities' Senior & Community Centers to identify what works. The three centers the team visited were:

- Portage Senior Center
- East Lansing Community Center
- Osceola Community Center in Howell

Each one of these visits led to insights into what Meridian Township could do. The Portage Center was state of the art, recently built, incorporated many amenities, but was expensive and catered only to seniors. The East Lansing Community Center was housed in a retrofitted former school. Although a lively, active center, the physical awkwardness of the layout highlighted the challenges of using an existing building.

The final visit to the Osceola Community Center in Howell coalesced the team's concept of what Meridian Township could build. Incorporating senior activity, with some segregated quiet space for seniors, was a model that worked. Opened in 2021, the cost was about \$8 million. Osceola saved substantial costs by engaging a design and build firm, rather than an architect and a construction company to follow the architect's vision. This utilitarian yet attractive space is truly multi-purpose; the center is not only an activity and meeting center, but also functions as a polling place for 6 precincts, a cooling and warming center and an emergency center. It also hosts paid private parties, as a source of revenue. When we visited, a lively group of about 70 seniors were waiting for a chair yoga class to begin, the gym had four pickleball games in action, several people were on the walking trail above the gym, and the fitness room was fully occupied.

Process: The Task Force identified three key components to the concept of a new Senior & Community Center:

- Location
- Funding
- Amenities

Location: In order to be inclusive of the entire Meridian Township community, the team believed it was important to locate a Community Center close to the geographic center of the Township. We initially engaged with representatives of the Meridian Mall to identify any potential sites within the Mall. The available Younkers site was too large at 93,000 square feet. The Bed, Bath and Beyond site was proposed, but again, too large. There were challenges to a Mall site; the representatives stated that the Township could not purchase but would engage in a long-term lease and they insisted that direct Mall access must be provided, creating a security issue. We could not agree on a site that would work.

Because the Municipal Complex is in a central location, the team first focused on properties that are owned by the Township around this location. Alternate locations were suggested, including the Nokomis Cultural Heritage Center, which is seeking additional space and has a large parcel adjacent to Marsh Road. The idea that Nokomis and a community center could share space appealed to the goal of an economy of scale. But there are challenges. Nokomis has a lease in perpetuity. The deal-breaker for this site was a lack of adequate parking, an on-going issue at the Municipal Center.

Ultimately, the team decided that a Township-owned parcel on the south side of Central Park Drive, between the Central Fire Station and the Okemos Post Office, of approximately 4 acres, outside of wetlands, would be an ideal location. There would be space to construct a 40,000 square foot building with sufficient surrounding parking and the option to build a road access to the ring road of Meridian Mall for overflow parking. A bus stop could be easily created for better access for those unable to drive. Proximity to the 200-acre Central Park and the Marketplace on the Green is a bonus. Construction would take approximately 18 months with a design and build concept.

Funding: Based on the Osceola Community Center's experience and factoring in inflation, the team estimated that a modest but fully functioning Center of 40,000 square feet would cost \$11 to \$12 million. We looked at potential funding from the legislature, a major donor with naming rights, and a millage. Sensitive to larger property tax increases of 5% in 2023, we looked to expiring millages. Meridian Township has two millages, for the Central Fire Station and CATA, potentially ending within the next two years, totally .4 mils.

We note that there will be not only capital investment, but on-going operation costs, particularly for staff, in order to provide adequate hours of operation. Knowing it was unlikely that millage money alone would be adequate, we reached out to a potential major donor that declined to act at this time. We also reached out to our State Representative and were assured that \$1 million would be available for this purpose in this fiscal year, should we decide to proceed.

Funding proved to be the biggest challenge to a recommendation to move forward at this time.

Amenities: Based on research and site visits, the team identified key components of a Senior & Community Center:

- Two story with elevator
- Abundant light, bright colors and style
- Multi-sport gym, particularly basketball, pickleball and volleyball use (can also be used as a polling, warming, cooling, and emergency area with floor protection)
- Large auditorium-like space, preferably with a stage, and an adjacent warming kitchen
- Fitness room, not competitive with local fitness non-profits and businesses
- An indoor walking trail (Osceola's walking trail is located on the second story overlooking the gym and is 1/10 of a mile long)
- Meeting rooms of various sizes
- Outdoor patio
- Flexible congregate space
- Lockers and cubbies

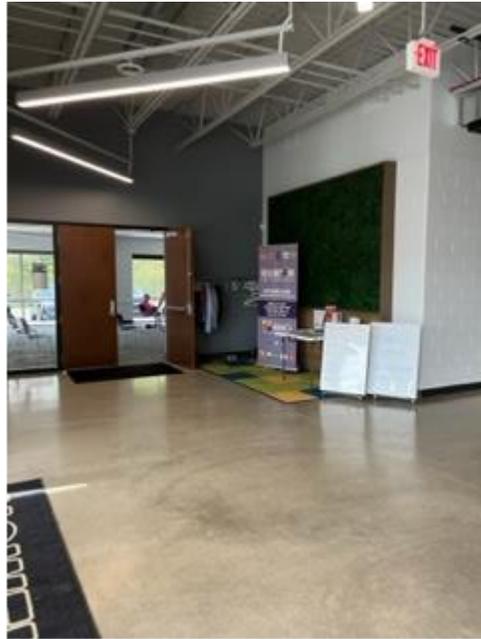
Conclusions: The Task Force completed the assigned work to bring a concept to the Township Board and we thank the Board for this opportunity.

The team identified a location, wetlands survey, amenities, and funding challenges. The team is favorable towards creating this resource in the community, but not at this time, primarily due to lack of funding. The concept is sound and the feasibility of a Senior & Community Center is not too far in the future.

At this time, the Task Force would recommend two things to move forward:

- Conduct a community-wide survey to assess interest and attitudes toward funding such a project
- Determine what funding sources are available

Osceola Community Center









To: Board Members
From: Frank L. Walsh, Township Manager
Date: June 16, 2023
Re: 2017 & 2019 Millage Audits

You may recall, back in August 2017, Meridian Township voters approved a 10 year, 1.483 millage to support police and fire operations. The necessity for additional public safety funding was conveyed to our residents through multiple neighborhood meetings held during the summer of 2017. In total, the township team attended 27 neighborhood gatherings in June-July 2017. It's important to note that our current police and fire budget exceeds \$15,000,000.

During the 2017 election discussion, the township promised several things. We fully committed to add two additional police officers, two additional firefighter/paramedics, replace a 20 year old ladder truck and reduce our police and fire pension liabilities. Interestingly enough, we also pledged to reduce the anticipated rate of return used by the Michigan Employees' Retirement System (MERS) from 7.0% to 5.35%. Thus, significantly increasing the Township's Annual Required Contribution (ARC). Further, since our MERS funded position was so poor, we promised to commit \$1,500,000 per year over the annual ARC for the duration of the millage. We also pledged to pay cash for our anticipated \$1,000,000 new ladder truck in 2021-22.

Additionally, in August 2019, Meridian Township voters approved a 10 year, 1.995 millage for the sole purpose of improving local roads. During the months leading up to the election, the township made several commitments regarding the use of the funds. Township officials pledged to use every dollar for local roads and to not reduce, or eliminate, our current local road allocation from Ingham County and our general fund. To date, over \$15,000,000 has been expended on roads through the millage. Currently, we are in year four of a 10 year program.

No question, a lot of trust has been placed in the hands of the Township Board and Administration. Now that we are six years into the police-fire millage, and four years into the local road millage, the thought occurred to me that we owe our taxpayers and update on what we said we were going to do and what has taken place since 2017. I believe we should hire an accounting firm to audit our millage appropriations. In sum, in just the first six years, we have managed over \$30,000,000 in appropriations from the two millage approvals.

The question for the Township Board is, "should we request a certified audit regarding the allocations of tax dollars from both the 2017 police-fire and 2019 local road millage increases."