

CHARTER TOWNSHIP OF MERIDIAN  
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -  
5151 Marsh Road, Okemos, MI 48864-1198  
349-1200, Town Hall Room  
TUESDAY, APRIL 16, 2002, **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting, Trustees Brixie, Stier, Such, Woiwode  
ABSENT: None  
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development Mark Kieselbach, Director of Engineering & Public Works Ray Severy, Police Chief Gary Gibbons, EMS/Fire Chief Fred Cowper, Attorney Mike Woodworth

1. CALL MEETING TO ORDER

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

2. PLEDGE OF ALLEGIANCE

Police Officer PeLong led the pledge of allegiance.

A. Introduction of New Police Officer - John PeLong  
Chief Gibbons introduced Police Officer John PeLong.

3. ROLL CALL

Supervisor McGillicuddy called the roll of the Board.

4. PUBLIC REMARKS\*

Supervisor McGillicuddy opened Public Remarks.

Harold Fitch, 643 Kasey Lane, Haslett, spoke in support of Preliminary Plat #02012 (DDSG) with Piper Road access.

Dave Vietti, 5566 Strawberry Lane, Haslett, spoke in support of Preliminary Plat #02012 (DDSG) with Piper Road access.

Molly Wingrove, 2649 Melville Drive, East Lansing, spoke in support of Zoning Amendment #02030 ((Township Board).

Shelly Donahue, 5563 Strawberry Lane, Haslett, spoke in support of Preliminary Plat #02012 (DDSG) with Piper Road access.

John Blanchard, 646 Canoga Lane, Haslett, spoke in support of Preliminary Plat #02012 (DDSG) with Piper Road access.

Jim Kaczmarczyk, 5563 Earliglow Lane, Haslett, spoke in support of Preliminary Plat #02012 (DDSG) with Piper Road access.

Ray Howd, 5554 Earliglow Lane, Haslett, spoke in support of Preliminary Plat #02012 (DDSG) with Piper Road access.

Pauline Dyda, 5525 Earliglow Lane, Haslett, spoke in support of Preliminary Plat #02012 (DDSG) with Piper Road access.

Mike Bristor, 649 Earliglow Lane, Haslett, spoke in support of Preliminary Plat #02012 (DDSG) with Piper Road access.

Susan Turney, 659 Canoga Lane, Haslett, spoke in support of Preliminary Plat #02012 (DDSG) with Piper Road access.

Lance Carter, 5568 Canoga Lane, Haslett, spoke in support of Preliminary Plat #02012 (DDSG) with Piper Road access.

Bill Goetz, 648 Earliglow Lane, Haslett, spoke in support of Preliminary Plat #02012 (DDSG) with Piper Road access.

Jeff Fineis, 5587 Earliglow Lane, Haslett, spoke in support of Preliminary Plat #02012 (DDSG) with Piper Road access.

Michael Middlewood, 5562 Canoga Lane, Haslett, spoke in support of Preliminary Plat #02012 (DDSG) with Piper Road access.

Joseph Spina, 5524 Strawberry Lane, Haslett, spoke in support of Preliminary Plat #02012 (DDSG) with Piper Road access.

Richard Harrington, 820 Piper Road, Haslett, spoke in opposition to Preliminary Plat #02012 (DDSG).

Aengus McIntosh, 5584 Strawberry Lane, Haslett, spoke in support of Preliminary Plat #02012 (DDSG) with Piper Road access.

Carla Clos, Chair, Environmental Commission, reported on the completion of the Environmental Commission's Report on the site of Preliminary Plat #02012 (DDSG)

Kathleen Murphy, 5532 Earliglow Lane, Haslett, spoke in support of Preliminary Plat #02012 (DDSG) with Piper Road access.

Denis Theroux, 5554 Strawberry Lane, Haslett, spoke in support of Preliminary Plat #02012 (DDSG) with Piper Road access.

William Roeser, 3839 Windy Heights Drive, Okemos, spoke regarding the fiduciary responsibilities of the Township Board.

Win Stebbins, 3875 Roxbury Avenue, Okemos, spoke in support of Zoning Amendment #02030 (Township Board) and ordinance enforcement measures.

Donna Taylor, 6219 Towar Avenue, East Lansing, spoke regarding the potential impact of storm water from a house under construction on Towar Avenue.

Geraldine Snell, 6181 Rutherford, East Lansing, spoke regarding the potential impact of storm water impact from a house under construction on Towar Avenue.

Charles Louis Willems, 1387 Hickory Island, Haslett, requested a review of Treasurer Hunting's comments as recorded in the April 2, 2002 Proposed Minutes (Agenda Item #5 Reports/Board Comment/New Worries, paragraph 6).

Jeff Spitzley, 630 Earliglow Lane, Haslett, spoke in support of Preliminary Plat #02012 (DDSG).

Sam Bird, 630 Piper Road, Haslett, spoke as the applicant in support of Preliminary Plat #02012 (DDSG).

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

Trustee Such reported the Library Task Force is considering when to hold an election to support its recommendation to the Board. He reported the final report should be forwarded to the Board within thirty (30) days.

Trustee Such reported he is a new grandfather as of 8:15 A.M. this morning.

Supervisor McGillicuddy reported her attendance at the April 16, 2002 Groundwater Management Board. She reported the receipt of videos to instruct elementary school children on the importance of groundwater and the availability of four (4) \$500 scholarships for attendance at Groundwater University for children ages 12-15.

Trustee Woiwode announced her intent to recuse herself on two (2) agenda items.

6. APPROVAL OF AGENDA — OR CHANGES

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

VOICE VOTE: Motion carried unanimously.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the proposed consent agenda:

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

**Treasurer Hunting amended the motion to clarify the April 2, 2002 Regular Meeting Minutes through the following amendment:**

**Agenda Item #8 (Questions for the Attorney), page 5, paragraph 3, A. Line 1:**

**"...Meridian Township and city of Lansing residents" should read "...Meridian Township residents and city of Lansing residents"**

**Amendment accepted by seconder.**

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

NAYS: None

Motion carried unanimously.

The adopted Consent Agenda items are as follow:

A. Communications

(1). Board Deliberation (BD)

10D-1 Joan S. Guy, 1083 Woodside Drive, Haslett; RE: Correspondence to Ingham County Road Commission Regarding Haslett Road Improvement Project

10E-1 Brett & Cindy Meteyer, 1147 Cliffdale Drive, Haslett; RE: Written Objections to 2002 Order to Maintain Sidewalk Special Assessment District #4 Filed at April 2, 2002 Public Hearing

10E-2 Roberta Diebolt, 1010 Cliffdale Drive, Haslett; RE: Written Objections to 2002 Order to Maintain Sidewalk Special Assessment District #4 Filed at April 2, 2002 Public Hearing

11A-1 Michael S. & Amy S. Bristor, 649 Earliglow Lane, Haslett; RE: Concerns Regarding Planning Commission Recommendation for PP #02012 (DDSG)

11A-2 Gaylord Chick, 551 Piper Road, Haslett; RE: Comments on Record for PP #02012 ((DDSG)

11A-3 Mike Sciarini, 5549 Earliglow Lane, Haslett; RE: PP #02012 (DDSG) Approval Status

11A-4 Bruce & Cindy Edwards, 5533 Earliglow Lane, Haslett; RE: Support for PP #02012 (DDSG) with Piper Road Access

11A-5 Joyce Van Coevering, 5530 Strawberry Lane, Haslett; RE: Support for PP #02012 (DDSG)

11A-6 Tammy Heilman, 5529 Strawberry Lane, Haslett; RE: Support for PP #02012 (DDSG) with Piper Road Access

- 11A-7 Jeff & Tana Spitzley, 630 Earliglow Lane, Haslett; RE: Support for PP #02012 (DDSG) with Piper Road Access
- 11A-8 Dan, Aaron, Sean & Kyle Medrano, 5536 Strawberry Lane, Haslett; RE: Opposition to Condition #17 of Planning Commission Recommendation for PP #02012 (DDSG)
- 11A-9 Tom & Jean Prichard, 5540 Earliglow Lane, Haslett; RE: Support for PP #02012 (DDSG) with Piper Road Access
- 11A-10 Ray & Karyn Howd, 5554 Earliglow Lane, Haslett; RE: Support for PP #02012 (DDSG) with Piper Road Access

(2). Board Information (BI)

- BI-1 Carla Florence Clos, Chair, Environmental Commission; RE: Commendation for Adoption of Chapter 105 Wetland Protection Ordinance
- BI-2 Peter McPherson, President, Michigan State University & Mark Meadows, Mayor, city of East Lansing; RE: Solicitation for Support for Railroad Underpasses on MSU Campus
- BI-3 Barry Sedgwick, 1840 Lyndhurst Way, Haslett; RE: Proposed MSU Rail Underpass
- BI-4 Chris Hnatiw, Economic Development Planner, Tri-County Regional Planning Commission; RE: Regional Update of Economic Development Projects

(3) Staff Communication/Referral (SC)

- SC-1 Gail Garber, Coordinator, Meridian Senior Center, 4000 N. Okemos Road, Okemos; RE: Possible Millage for Meridian Senior Center
- SC-2 Michigan Townships Association Legislative Fax, March 29, 2002 Edition
- SC-3 Michigan Townships Association Legislative Fax, April 5, 2002 Edition
- SC-4 Douglas J. Cron, 117 Center Street, East Lansing; RE: Appreciation to Township EMS & Fire Personnel
- SC-5 Towne Courier Editorial: "Even Speed Limits are Subject to Politics" by Mike Malott, page 6, Sunday, April 7, 2002 Edition
- SC-6 Director of Assessing Suzanne Decocq Response to Mr. Charles Willems (April 2, 2002 Board Communication BI-9) RE: Notice of Valuation Change for the 2002 Assessment Year

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

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

B. Minutes

(1) March 23, 2002 Policy Governance Review

**Treasurer Hunting moved to approve and ratify the minutes of the [March 23, 2002 Policy Governance Review Meeting](#) as [submitted](#). Seconded by Trustee Brixie.**

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

(2) April 2, 2002, Regular Meeting

**Treasurer Hunting moved to approve and ratify the minutes of the April 2, 2002 Regular Meeting with the following clarifying amendment:**

**Agenda Item #8 (Questions for the Attorney), page 5, paragraph 3, A. Line 1:**  
**"...Meridian Township and city of Lansing residents" should read**  
**"...Meridian Township residents and city of Lansing residents"**  
**Seconded by Trustee Brixie.**

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

C. Bills

**Treasurer Hunting moved that the Township Board approve the Manager's Bills as follows:**

General Fund/Special Revenue	\$ 365,859.03
Manual Checks	\$ 40,675.46
Public Works	\$ 789,901.79
Manual Checks	\$ 1,666.32
<u>Total Checks</u>	<u>\$1,198,102.60</u>
<u>Credit Card Transactions</u>	<u>\$ 10,332.52</u>
Total Purchases	<u>\$1,208,435.12</u>

**Seconded by Trustee Brixie.**

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

[Bill list in Official Minute Book]

D. Amendments to the Board Policy Manual

**Treasurer Hunting moved that the following language be added to Section 3.3.4 of the Board Policy Manual:**

**d. In the case of existing legal proceedings, from the point of suit filed to final disposition or public Board Action, Board Members will direct media questions on the specific lawsuit to the Township Manager.**

**Seconded by Trustee Brixie.**

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

E. Revised Vehicle Purchase Plan

**Treasurer Hunting moved that the Township Manager be authorized to purchase a replacement 10-yard dump truck box at a cost not to exceed \$14,500. Seconded by Trustee Brixie.**

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

F. Appointment of Paramedic/Fire Fighter

**Treasurer Hunting moved the ratification of Jason A. Hillard to the position of Paramedic/Fire Fighter contingent upon successful completion of those items stipulated in the conditional offer of employment. Seconded by Trustee Brixie.**

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

G. Appeal of CR #02013 (Jakovac), request to add extensions of a sanitary sewer line/force main and water line, as well as new sanitary lift station to the Comprehensive Development Plan - Set Public Hearing Date for May 21, 2002

**Treasurer Hunting moved to schedule a public hearing on the Planning Commission's disapproval of Commission Review #02013, the extension of public water and sewer on Grand River Avenue, for the Township Board's regular meeting on May 21, 2002. The hearing will address the appeal filed by William I. Jakovac, William J. Jakovac, Sam Spagnuolo, Duane Russell and Jim and Leslie Genova. Seconded by Trustee Brixie.**

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

H. Amend Township Board Meeting Schedule for May 23, 2002 Joint Meeting with ICRC  
**Treasurer Hunting moved to amend the Township Board 2002 Regular Meeting Schedule by adding a Joint Meeting with the Ingham County Road Commission on May 23, 2002 at 7:00 P.M. at the Board Room of the Ingham County Road Commission's Austin E. Cavanaugh Administration Building. Seconded by Trustee Brixie.**

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

8. QUESTIONS FOR THE ATTORNEY (See Agenda Items #10C., 10F., 11A., 11B & 11C)

9. HEARINGS (None)

10. ACTION ITEMS

Supervisor McGillicuddy opened public comment.

Eleanor V. Luecke, President, L.I.N.C., spoke in support of delaying action on rezoning #02010 (Township Board).

John Scott-Craig, 5244 Wardcliff Drive, East Lansing, spoke in support of Zoning Amendment #02030 (Township Board).

Supervisor McGillicuddy closed public comment.

A. Zoning Amendment #01080 (Township Board) - **Final Adoption**

Director Kieselbach introduced the proposed zoning amendment for special use permits for C1 & C2 Districts for Drive Throughs.

**Trustee Woiwode moved [and read the resolution into the record] THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, the Township Board hereby Finally Adopts Ordinance No. 2002-04, entitled "Ordinance Amending the Code of Meridian Township, Michigan, by Amending Section 82-11.4C.2 and Section 82-11.4C.10; and Deleting Section 82-11.4D.3; and Adding Section 82-**

**11.4E.11, Section 82-11.4E.12, Section 82-11.4E.13, Section 82-11.5E.10, Section 82-11.5E.11, and Section 82-11.5E.12; and Deleting Section 86-8.” Seconded by Trustee Such.**

Board Members discussed the following:

- Resolution of concern related to the development of walkable communities
- Addresses public safety issue through individual review process

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

**B. Rezoning #02010 (Township Board) - Introduction**

Director Kieselbach introduced the proposed request to rezone Approximately 126 Acres from RR (Rural Residential) to RA (Single Family-Medium Density). He noted in addition to the staff materials an estimated number of lots based on wetland acreage and roadway networks.

**Trustee Brixie moved [and read the resolution into the record] THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, the Township Board hereby Introduces for Publication and Subsequent Adoption Ordinance No. \_\_\_, entitled “Ordinance Amending the Zoning District Map of Meridian Township Pursuant to Rezoning Petition #02010” rezoning from RR (Rural Residential) to RA (Single Family-Medium Density). Seconded by Treasurer Hunting.**

Board Members discussed the following:

- Myth that environmental protection and land development objectives are incompatible<sup>1</sup>
- Location of the site near schools makes the higher density residential zoning appropriate
- Site is served by adequate public services and infrastructure for proposed zoning
- Myth that compact development causes more harm to the environment than does low-density development<sup>2</sup>
- Urban character of area
- Myth that developers and environmentalists are always in conflict<sup>3</sup>
- Inevitable development of site
- Significant unanswered questions remaining
- Proactive vs. reactive pressures of rezoning proposals
- Availability of parks and athletic fields
- Inconsequential difference between numbers of housing units for proposed or split zoning
- Maximizing the probability of affordable housing through smaller lots
- Topographic limitations on lot sizes and housing units
- Need for flexibility in design of residential development
- Planning Commission deliberations on proposed rezoning
- Need for buffer to Jolly Road
- Potential for combining a single PUD in split zoning
- Luxury of time for full consideration of appropriate zoning category
- Balancing of density with adjacent properties
- Consideration of postponement
- Consideration of any pending adjacent developments and the cumulative impact
- Consideration of zoning based on appropriate density vs. proposed plat

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<sup>1</sup> Environment and Development: Myth and Fact, Urban Land Institute 2002, Myth #1, pp 6-7.

<sup>2</sup> Ibid, Myth #4, pp 12-13.

<sup>3</sup> Ibid, Myth #8, pp 20-21.

**Trustee Woiwode moved to postpone until the next meeting. Seconded by Trustee Stier.**

VOICE VOTE: Motion carried 4-3 (Brixie, Helmbrecht, Such)

C. Zoning Amendment #02030 (Township Board), Occupancy of One and Two Family Dwelling Units - **Introduction**

Trustee Woiwode asked to recuse herself from consideration of the proposed zoning amendment. (See Agenda Item #11C)

**Without objection, Trustee Woiwode was permitted to abstain from voting on this matter.**

[Trustee Woiwode left the room at 7:55 P.M.]

Director Kieselbach introduced the proposed zoning amendment.

**Trustee Stier moved [and read the resolution into the record] THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, the Township Board hereby Introduces for Publication and Subsequent Adoption Ordinance No. \_\_\_, entitled “Ordinance Amending the Code of Meridian Township, Michigan, by Amending Section 81-1.8 Definitions of Family and Functional Family and Adding Definition of Unrelated Persons and Amending Section 82-2.2a.12, Section 82-6.4i, Section 82-7.2b, Section 82-8A.4 and Section 82-8D, and Deleting Section 82-2.3n. Seconded by Trustee Such.**

Board Members discussed the following:

- Offers protection for established neighborhoods from rental occupants
- Grandfathering of non-conforming rental units

Grandfathering of non-conforming rental units: (Agenda Item #8 (Questions for the Attorney))

Q. Is there any way to eliminate the provision for the grandfathering of rental units that become non-conforming from the new zoning regulations.

A. No. The zoning ordinance must take into account non-conforming uses.

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

NAYS: None

Motion carried 6-0.

[Trustee Woiwode entered the room at 8:02 P.M.]

D. Haslett Road Improvement Project Financial Commitment

Director Severy introduced the proposed project.

**Trustee Brixie moved that the Township Board of the Charter Township of Meridian authorize an expenditure not to exceed \$17,800 for paving parking areas along Haslett Road and construction of pathways along Haslett Road and School Street that are not eligible for federal funding. Seconded by Trustee Such.**

Board Members discussed the following:

- Payment of pathway construction from the Pedestrian/Bicycle Pathway millage
- Affirmation of Township willingness to pay costs under Ingham County Road Commission contract
- Partial payment of sidewalk construction through budgeted street funds
- Need for provision of signatory authorization.
- Motion provides record of Township support for the project
- Need for improvements to area.

**Trustee Brixie amended the motion to add the following language to the end of the motion: "and authorize Township Officials to sign necessary documents." Amendment accepted by the seconder.**

Board Members discussed the following:

- Full payment of authorized expenditure under budgeted line items
- Federal construction standards

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

- E. 2002 Order to Maintain Sidewalk Special Assessment District #4 - **Resolution #3**  
**Trustee Brixie moved to approve 2002 Order to Maintain Sidewalks Special Assessment District #4: approving the public improvement to repair the sidewalks in portions of the following subdivisions: Carriage Hills #1, Carriage Hills #2, Carriage Hills #3, Chippewa Woods #1, Chippewa Woods #2, Brookshire, Wilkshire #1, Wilkshire #2, Wilkshire #3, Woodside Estates #1, Woodside Estates #2, Hidden Meadows #1, Hidden Meadows #2, Okemos Square; defray the cost by special assessment; approving the estimate of cost of \$26,172.91; determining the special assessment district; and authorizing the notices be sent to the property owners giving twenty (20) days notice to replace defective sidewalk. Seconded by Trustee Such.**

Board Members discussed the following:

- Resolution of resident concerns
- Primary concerns related to sufficiency of damage under the replacement criteria
- Ability to address remaining resident concerns

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

- F. Resolution to Authorize an Application to Layout and Designate a Drainage District  
Director Severy introduced the proposed "Snell" drainage district.

Board Members discussed the following:

- Building permit for construction of a home in Towar area
- Involvement of Ingham County Drain Commissioner
- Development of a complete Towar area drainage district
- Assessment and notification process
- Open vs. closed drain
- Time constraints compelling action at first consideration
- Consolidation and development of drainage district
- Elimination of storm water from sanitary sewer system
- Consideration of previous Board
- Estimate of project cost and Township portion

Process for Establishment of Drainage District: (Agenda Item #8 (Questions for the Attorney))

- Q. Does this process involve continuing negotiations between parties or the development and completion following submission of an application?
- A. There never was an established drain in this area. The first step, which is the proposed action currently before the Board; is to authorize the filing of an application to have the Drain Commissioner proceed to lay out a district of lands to be served. Once the drainage district boundary is proposed, a petition to establish the drain would be filed. To the east of the area there are existing drains, which do not require the layout of districts, but are anticipated to require consolidation. The intent of the current action is to bring the proposed "Snell" district

to the same point in the process as the Towar drains.

Board Members discussed the following:

- Need to consider entire Towar area in the management of storm water

**Trustee Such moved [and read the resolution into the record] THEREFORE, BE IT RESOLVED, that the Charter Township of Meridian does find that for reasons of public health that an application to lay out and designate a drainage district and a petition to locate, establish and construct a county drain should be filed with the Ingham County Drain Commissioner. BE IT FURTHER RESOLVED, that as a Township liable to assessment for at least a percentage of the total amount assessed for the cost of the proposed drain, the Supervisor and Clerk are duly authorized and directed to execute and submit to the Ingham County Drain Commissioner an application to lay out and designate a drainage district under the provisions of Chapter 3 of the Michigan Drain Code (MCL 280.51-280.54). Seconded by Trustee Brixie.**

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

Director Severy reported the possible presentation at the next meeting of a petition to request the Drain Commissioner develop the watershed management plan; related to the Phase II Storm Water Management Study.

Supervisor McGillicuddy recessed the meeting at 8:25 P.M.  
Supervisor McGillicuddy reconvened the meeting at 8:36 P.M.

#### 11. DISCUSSION ITEMS

Supervisor McGillicuddy opened public comment.

Gene Turnwald, 4986 Powell Road, spoke in support of the paving of Powell Road.

Eleanor V. Luecke, President, L.I.N.C., commented on the existence of "multi-purpose pathways" in the Township. She spoke in support of amending the ordinance to permit planned unit developments in RAAA (Single Family-Low Density) and RRA (Single Family-Suburban Estate).

Jim Windsand, 5565 Canoga Lane, Haslett, spoke in support of Preliminary Plat #02012 (DDSG) with Piper Road access.

David Martell, Director of Public Finance, Haslett Public Schools, and resident, 5577 Canoga Lane, Haslett, spoke in support of Preliminary Plat #02012 (DDSG) with Piper Road access.

Tom Prichard, 5540 Earliglow Lane, Haslett, spoke in support of Preliminary Plat #02012 (DDSG) with Piper Road access.

John Veenstra, 320 Piper Road, Haslett, spoke in opposition to Preliminary Plat #02012 (DDSG).

Warren Heilman, 5529 Strawberry Lane, Haslett, spoke in support of Preliminary Plat #02012 (DDSG) with Piper Road access.

William Miller, 627 Earliglow Lane, Haslett, spoke in support of Preliminary Plat #02012 (DDSG) with Piper Road access.

Julia Willhite, 652 Canoga Lane, Haslett, spoke in support of Preliminary Plat #02012 (DDSG) with Piper Road access.

Mindy Spina, 5524 Strawberry Lane, Haslett, spoke in support of Preliminary Plat #02012 (DDSG) with Piper Road access.

Dan Medrano, 5536 Strawberry Lane, Haslett, spoke in support of Preliminary Plat #02012 (DDSG) with Piper Road access.

Joyce Van Coevering, 5530 Strawberry Lane, Haslett, spoke in support of Preliminary Plat #02012 (DDSG) with Piper Road access.

Supervisor McGillicuddy closed public comment.

- A. Preliminary Plat #02012 (DDSG, LLC) - Strawberry Farms Phase 3  
Director Kieselbach introduced the proposed plat.

Planning Commission Recommendation Condition 17: (Agenda Item #8 (Questions for the Attorney))

Q. Please comment on condition 17.

- A. As the Township Board considers conditions, it must limit them to three (3) specific areas: the provisions of the 1) Subdivision Control Act, 2) Township Code of Ordinances, and 3) Township Subdivision Regulations. In looking at condition 17 and considering these three areas, condition 17 is not defensible.

Last Sentence for Condition 17: (Agenda Item #8 (Questions for the Attorney))

Q. What is the implication of the last sentence of condition 17.

- A. In considering the three areas previously mentioned, there are language difficulties with condition 17, which would also make it unrecommendable. The provision purports to render the application "null and void." It is uncertain what was the intent of the Planning Commission, but a proper condition would not have rendered an application "null and void."

Board Members discussed the following:

- Plan for and layout of two (2) drains from the irrigation pond
- Piper Road and Strawberry Farm Residents' concerns related to the development of phase III

Addition of Lands to an Assessment District: (Agenda Item #8 (Questions for the Attorney))

Q. Is it possible to spread the special assessment for the Public Road Improvement for Piper Road to the new parcels.

- A. There is a procedure in the statute to permit the Township to do this. Once this is done, and as a condition of that being done, the Township would have to develop a formula to apply the benefit to the particular lots to be included.

Board Members discussed the following:

- Concern about possible speeds on Earliglow Lane
- Consideration of no connection between Strawberry Farms Phase III and the original two (2) phases
- Consideration of one (1) connection between Strawberry Farms Phase III and the original two (2) phases
- Ingham County Road Commission aversion to stub streets

Starting Point in Consideration of Preliminary Plat: (Agenda Item #8 (Questions for the Attorney))

Q. Is the Board starting this discussion with or without condition 17.

- A. The Township Board as the approval authority can do as it wishes. It is recommended that the Board consider the plat in the absence of condition 17.

Board Members discussed the following:

- Opposition to rezoning #97090 (Bird)
- Opposition to removal of the Urban Services Boundary
- Net benefits of Piper Road access
- Neighborhood speeding violations by residents rather than cut-through drivers

- Voluntary resident option of a speed hump special assessment district on Earliglow Lane

Time Limits for Addition of Lands to a Special Assessment District: (Agenda Item #8 (Questions for the Attorney))

Q. Is there a time limit for the addition of Strawberry Farms Phase III or Blueberry Farms to the special assessment district for the Public Road Improvement for Piper Road

A. There are provisions for notice to those impacted, but nothing similar to a sixty- (60) or ninety- (90) day must act provision.

Amendment and Referral of Resolution: (Agenda Item #8 (Questions for the Attorney))

Q. Would approval of the preliminary plat without condition 17 require referral to the Planning Commission.

A. No. The Board can approve the preliminary plat under its authority without the particular condition or with the imposition of additional conditions.

Determination of a Multi-tiered Benefit for Addition of Lands to an Established Special Assessment District: (Agenda Item #8 (Questions for the Attorney))

Q. Could the calculation of benefit for the addition of parcels from the Strawberry Farms Phase III development to the Public Road Improvement Special Assessment District for Piper Road be based on a tier structure similar to the Lake Lansing Watershed special assessment district?

A. The Township needs to arrive at an equitable formula for an assessment for improvements on Piper Road. There is a point at which properties become so far removed from Piper Road that it becomes inequitable to assess those properties. A calculation of benefit would come from a determination of those residents of properties that would be using Piper Road and the resulting benefit formula.

Determination of Amounts to be Repaid: (Agenda Item #8 (Questions for the Attorney))

Q. Is there a payback formula and process for the addition of properties to a special assessment district?

A. A formula for repayment could be produced for those whom overpaid their assessment based on the recalculation and resultant reduction of the benefit charge.

Board Members discussed the following:

- Drafting of procedural outline and cost estimate for the addition of properties to the Piper Road Public Road Improvement Special Assessment District
- Determination of private and public roads and status of subdivision roadways
- Creation of alley or private road through condition 17
- Access issue as a self-created hardship in development of phases I & II
- Significant limitation on Township plat approval authority through roadway approvals
- Potential for cut-through traffic connecting Haslett Road and Grand River Avenue
- Extent of permitted amendments between preliminary and final plat approval
- Road connectivity within the subdivision as the primary consideration
- Failure of the planning process in the development of the Strawberry Farms subdivisions
- Parameters for Ingham County Road Commission road approvals
- The Township is not a party to or impacted by any agreements regarding Piper Road access
- Approval of the plat stating "a maximum of thirty-three (33) lots" rather than "a subdivision of thirty-three (33) lots"
- Consideration of a subdivision master plan rather than individual phases
- Option to adopt Township Subdivision Regulations under Code of Ordinances

Consideration of an Entire Development: (Agenda Item #8 (Questions for the Attorney))

Q. Are there options to avoid the platting of stub-streets

A. There is a potential problem with stub streets as there is a presumption and obligation for eventual connection. It may be possible to adopt provisions requiring a cul-de-sac as the terminus of non-throughways to eliminate the eventual question of road connections.

Board Members discussed the following:

- Board viewing of plat during consideration of rezoning #97090 (Bird)

- Option to amend plat approval process by asserting initial review authority through tentative preliminary plat approval
- Board approval time limit
- Environmental Commission Report regarding the preliminary plat [Dated April 15, 2002]
- Potential for determination of presence of Blanding's Turtles on site
- Consideration of Environmental Commission in determining appropriateness of location, number or sizes of particular lots
- Possible restrictions on use of pesticides and herbicides on lots adjacent to wetlands
- Possible time extension for the preliminary approval process
- Concerns related to encroachment of lot 91 into the wetland
- Home owner association management of unplatted common areas

B. Planned Unit Development (PUD) Ordinance Amendment to Allow a PUD in RAAA Zoning Districts

Director Kieselbach introduced the proposed ordinance amendment.

Board Members discussed the following:

- Density bonus for RAAA (Single Family-Low Density) zoning district

Legality of Approving PUD's in RAAA (Single Family-Low Density) Based on Current Ordinance:  
(Agenda Item #8 (Questions for the Attorney))

- Q. Does the current ordinance permit the approval of a PUD in RAAA (Single Family-Low Density) zoning as the only exclusion is in the RR (Rural Residential) zoning category?
- A. It would be fair to include RAAA (Single Family-Low Density), as this is simply an oversight and nothing prohibits doing so. The new state statute considers clustered housing a favored approach for development. The proposed zoning amendment would be a clarification rather than a change.

Board Members discussed the following:

- Lack of density standards

Interpolation of Standards for RAAA (Single Family-Low Density): (Agenda Item #8 (Questions for the Attorney))

- Q. As PUD standards for the listed zoning categories are not arbitrary, could they be used in the calculation of standards for RAAA (Single Family-Low Density).
- A. Having written standards prevents equivocation or an ad hoc case-by-case approach. The Township can permit a PUD in any residential district other than RR (Rural Residential).

Board Members discussed the following:

- Need for zoning amendment to incorporate new zoning districts in the density chart
- Restriction on Board discretion by "can not exceed density"
- Other amendments to the planned unit development ordinance
- Disincentives for use of a PUD on properties without severe site restrictions
- Attorney guidance on existing ordinance
- Possible adoption of relative densities by policy
- Density chart as a restriction on listed zoning categories
- Density calculations and considerations for zoning categories vs. PUD's
- Ambiguity of intent of statutory provisions for clustered housing on an upland parcel

C. Street Paving Special Assessment Districts

- (1) Michael Street - Public Road Improvement District #33
- (2) Montrose - Public Road Improvement District #34
- (3) Powell Road - Public Road Improvement District #35

Trustee Woiwode recused herself as she has a potential conflict of interest as a Powell Road Resident. She declared a potential conflict of interest in consideration of Agenda Item #10C (Zoning Amendment #02030 (Township Board)) as a landlord for a rental unit.

[Trustee Woiwode left at 10:22 P.M.]

Director Severy summarized the requested public road improvement projects. He corrected the record for petitions based on percent of front footage: 60.5% for Montrose Avenue and 65.4% for Powell Road.

Standards for Consideration of Petitions: (Agenda Item #8 (Questions for the Attorney))

Q. What are the standards for consideration of a petition?

A. No standards are contained in the act itself. Issues related to fiscal concerns, the Municipal Planning Act, and consistency with the Master Plan are valid considerations, which could be grafted into a set of standards. The Township Board has significant discretion in considering whether to proceed with a particular project, but would need to articulate reasons for approval or disapproval and tie those in to budgetary concerns, progression of development, or Master Plan considerations.

Board Members discussed the following:

- Delineation of proposed special assessment district for Montrose Avenue

Determination of Sufficiency of Petition: (Agenda Item #8 (Questions for the Attorney))

Q. The petition for Montrose Avenue provides signatures representing sixty percent (60%) of the frontage while representing only fifty percent (50%) of the property ownership.

A. A petition for a special assessment district for public road improvement is not based on the number of residents or property owners; so in this case, a single property owner is sufficient for the statutory trigger.

Board Members discussed the following:

- Requirement for greater than fifty percent (50%) of front footage
- Verification of valid petition signatories
- Consideration of continuance of Board Policies and twenty-five percent (25%) Township contribution
- Township role as project financial manager

Alternative Procedures: (Agenda Item #8 (Questions for the Attorney))

Q. Are there alternative procedures?

A. There is another way to proceed for a property owner. The property owners could petition the state or Ingham County Road Commission directly and bypass the Township process. Suspect the twenty-five percent (25%) prior practice of the Township came from those statutes giving the Road Commission the ability to assess the Township an amount for general convenience and public health, safety and welfare; not to exceed twenty-five percent (25%). A twenty-five percent (25%) limitation appears in that section pertaining to petitions filed with the Road Commission. The fifty-one percent (51%) of the lineal frontage property owners is the same requirement. The process goes to the Road Commission rather than the Township Board. In fact, the property owner has the ability to proceed regardless of Board action.

Board Members discussed the following:

- Twenty-five percent (25%) Township contribution as an incentive policy rather than reflective of existing statutes
- Status of petitions filed under understanding of a Township contribution
- Rescission of Board Policies through adoption of the Board Policy Manual<sup>4</sup>

Status of Petitions Filed With the Understanding of a Township Contribution: (Agenda Item #8 (Questions for the Attorney))

Q. How should petitions be handled under the understanding of a Township contribution?

A. In the absence of a written policy, there is nothing requiring a Township contribution. It would be a gratuitous undertaking for the Township to contribute funds to the project.

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<sup>4</sup> Adopted July 24, 2001 with effective date of August 22, 2001

Board Members discussed the following:

- Lack of written policy establishing Township paving contribution
- Occasional verification of signatures against voter records
- Procedure for Board consideration of petitions

[Trustee Woiwode reentered at 10:45 P.M.]

12. VISION SESSION: Demonstration of Community Viz  
Supervisor McGillicuddy introduced Dr. Mike Thomas to demonstrate the "Community Viz" GIS project.

Dr. Thomas demonstrated the "Community Viz" GIS decision support system in the analysis of land use impacts and strategies.

13. PUBLIC REMARKS  
Supervisor McGillicuddy opened Public Remarks.

Carla Clos, Chair, Environmental Commission, discussed the Blanding's Turtle as a "Special Concern" designated species.

John Veenstra, 320 Piper Road, Haslett, spoke in support of the addition of Strawberry Farms and Blueberry Farms to the Piper Road Public Road Improvement Special Assessment District. He spoke in support of specific protections for Blanding's Turtles, in opposition to Piper Road Access, and in support of cityhood.

Supervisor McGillicuddy closed Public Remarks.

14. ADJOURNMENT  
Supervisor McGillicuddy adjourned the meeting at 11:17 P.M.

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SUSAN MCGILLICUDDY  
TOWNSHIP SUPERVISOR

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MARY M. G. HELMBRECHT  
TOWNSHIP CLERK

Paul J. Cassidy, Secretary