

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room
TUESDAY, OCTOBER 4, 2011 **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie, Trustees Dreyfus,
LeGoff, Ochberg, Veenstra
ABSENT: None
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development
Mark Kieselbach, Director of Engineering & Public Works Ray Severy, Police Chief
Dave Hall, EMS/Fire Chief Fred Cowper, Director of Finance Diana Hasse

1. CALL MEETING TO ORDER

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

2. PLEDGE OF ALLEGIANCE/INTRODUCTIONS

Supervisor McGillicuddy led the Pledge of Allegiance.

3. ROLL CALL

The secretary called the roll of the Board.

4. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Leonard Provencher, 5824 Buena Parkway, Haslett, expressed continued concern over the lack of maintenance on Phase 2 of the interurban pathway.

Lynn Hildebrandt, 4890 Chipping Camden Lane, Okemos, introduced herself as an applicant for the vacant Planning Commission position. She availed herself for Board questions.

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

Supervisor McGillicuddy announced one vacant position and three (3) positions for a new panel for appointment to the Board of Review. She also announced one vacancy for an alternate on the Zoning Board of Appeals. Supervisor McGillicuddy reported that at the Downtown Development Authority's (DDA) meeting yesterday, the Art Walk date was changed to May 19, 2012 to coincide with the East Lansing Art Festival. She reported that two pieces of state legislation were discussed at Michigan Municipal League's Economic Development and Land Use Committee; i.e., House Bill 4561 (to modify the State Construction Code to a six year cycle) and House Bill 4682 (amendment to the Highway Advertising Act by providing a waiver to the prohibition of cutting trees obstructing view of billboards located in commercial and industrial zones). She added the Committee was in support of House Bill 4561 and in opposition to House Bill 4682.

Supervisor McGillicuddy reported her attendance at the Ingham County Board of Commissioners meeting on September 27, 2011 in support of Bill Conklin, Managing Director of the Ingham County Road Commission (ICRC) and at a meeting earlier today with Michigan Township Associations regarding large townships. She also attended the Heritage Day Festival on Saturday, October 1, 2011 held in the Meridian Municipal Complex area.

Treasurer Brixie attended the Michigan Municipal Treasurers Association meeting on Mackinac Island. She reported information was received on numerous legislative changes which have been implemented and proposed changes currently undergoing legislative committee review. Treasurer Brixie noted federal changes included fees for debit cards, which means the Township may accept debit cards at the counter in the future. She mentioned the FYI she included in the Board packet on Tri-County Regional Planning Commission's annual report for the Groundwater Management Board, noting its work on reviewing and updating the potential contaminant source inventory.

Trustee Ochberg reported her attendance at the annual Hope Borbas Library tea held this year at the new Haslett Library.

Trustee Dreyfus received several inquiries from residents regarding the controlled deer hunt. He suggested the Communications Department place a Frequently Asked Question (FAQ) on the Township's home page and issue a press release to the local newspapers.

Trustee Veenstra clarified that deer hunting will only be from specific blinds placed on certain properties. He suggested and supports amending the approved list of properties to add the Land Preservation property in the north end of the Township. Trustee Veenstra requested information on the cost of Township dues to TCRPC's Groundwater Management Board. He inquired when the encroaching vegetation in Phase 2 of the old interurban pathway will be mowed. Trustee Veenstra reported his attendance at the September 28, 2011 meeting of the TCRPC where approval was given to move its offices to 3135 Pine Tree Road and the 2012 budget was adopted. He noted contributions from local governments for TCRPC will remain the same as the last several years.

Manager Richards reported a successful recycling event held at the Meridian Service Center on Saturday, October 1, 2011, with over 1,500 cars dropping off items to be recycled.

Supervisor McGillicuddy passed along for Board member signature certificates of appreciation for service by Wayne Beyea (Planning Commission) and Patricia Munshaw (CATA Board).

6. APPROVAL OF AGENDA

Treasurer Brixie moved to approve the agenda amended as follows:

- **Remove Agenda Item #10A: Appointment to Planning Commission – Lynn Hildebrandt**
- **Add Agenda Item #14. Closed Session**

Seconded by Trustee Veenstra.

Board members discussed the following:

- Reminder by the Supervisor that the Planning Commission is her appointment
- Request at the last meeting to create a system to handle appointments and place this appointment on the November 1, 2011 Board meeting
- Requested system for handling appointments was not a Board position
- Concern this motion takes away the prerogatives of the Supervisor for setting the agenda
- Concern this discussion is a waste of Board time
- Appointment is not subject to Board discussion, unless there is a grievous problem

Trustee Ochberg moved to amend the motion to retain Agenda Item #10A: Appointment to Planning Commission – Lynn Hildebrandt. Seconded by Trustee Dreyfus.

VOICE VOTE: Motion failed 3-4. (Trustees LeGoff, Veenstra, Clerk Helmbrecht, Treasurer Brixie)

VOICE VOTE ON THE MAIN MOTION: Motion carried 4-3. (Trustees Dreyfus, Ochberg, Supervisor McGillicuddy)

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda.

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

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie

NAYS: None

Motion carried unanimously.

The adopted Consent Agenda items are as follows:

A. Communications

- (1) Budget Deliberations (BD)
 - 9A/11A-1 Joseph P. Maguire, President, Wolverine Development Corporation, 1350 East Lake Lansing Road, East Lansing; RE: Support for Appeal of Special Use Permit #11031 (Omega Architects)

- (2) Board Information (BI)
 - BI-1 Jim Clark, 3519 Apple Valley, Okemos; RE: Pathway at 1998 Jolly Road
 - BI-2 James and Marilyn Kenyon, 3586 Van Atta Road, Okemos; RE: Dog Park at Legg Park
 - BI-3 Chris Stephon, 5065 Green Road, Haslett; RE: Sewer Service to the Greenwood Subdivision

- (3) On File in the Clerk's Office (OF)
 - Material received at the September 20, 2011 Board Meeting
 - Mike Duda, Superintendent, Haslett Public Schools, 5593 Franklin Street, Haslett; RE: Concern with the urban service boundary as proposed
 - Daria Schlega, 2446 Burcham Drive, East Lansing; Article from the 2010 Michigan Hunting and Trapping Digest titled "Firearm, Crossbow and Bow and Arrow Rules" outlining the safety zone distances around buildings

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

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
NAYS: None
Motion carried unanimously.

B. Minutes

(1) Treasurer Brixie moved to approve and ratify the minutes of the September 13, 2011 Budget Deliberations Meeting as amended. Seconded by Trustee LeGoff.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
NAYS: None
Motion carried unanimously.

(2) Treasurer Brixie moved to approve and ratify the minutes of the September 20, 2011 Regular Meeting as amended. Seconded by Trustee LeGoff.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
NAYS: None
Motion carried unanimously.

C. Bills

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

Common Cash	\$ 106,172.70
Public Works	\$ 141,927.82
Total Checks	\$ 248,100.52
Credit Card Transactions	\$ 6,450.90
Total Purchases	<u>\$ 254,551.42</u>
ACH Payments	<u>\$ 352,393.54</u>

Seconded by Trustee LeGoff.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
 McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
 NAYS: None
 Motion carried unanimously.

[Bill list in Official Minute Book]

D. Assessing Stipulations

Treasurer Brixie moved that the Township Assessor be authorized to sign a stipulation with Yvonne S. Brown in accordance with the revised PRE percentages stated as follows:

**MICHIGAN TAX TRIBUNAL DOCKET NUMBER 385337
 YVONNE S. BROWN
 PROPOSED STIPULATION PERCENTAGES**

Original Principal Residence Exemption (PRE) Percentages

Parcel Number	Address	Year	Original PRE Percentage
33-02-02-03-204-029	West Lake Drive	2009	0
33-02-02-03-204-030	West Lake Drive	2009	0

Proposed Revised PRE Percentages

Parcel Number	Address	Year	Revised PRE Percentage
33-02-02-03-204-029	West Lake Drive	2009	100
33-02-02-03-204-030	West Lake Drive	2009	100

Seconded by Trustee LeGoff.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
 McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
 NAYS: None
 Motion carried unanimously.

Treasurer Brixie moved that the Township Assessor be authorized to sign a stipulation with Ronald C. and Janet M. Tamborini in accordance with the revised assessed and taxable values stated as follows:

**MICHIGAN TAX TRIBUNAL DOCKET NUMBER 410875
 RONALD C. AND JANET M. TAMBORINI
 PROPOSED STIPULATION FIGURES**

Original Values

Parcel Number	Address	Year	Original Assessed Value	Original Taxable Value
33-02-02-34-381-008	3534 Fairhills Drive	2010	\$220,800	\$220,800

33-02-02-34-381-008	3534 Fairhills Drive	2011	\$220,000	\$220,000
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Proposed Revised Values

Parcel Number	Address	Year	Revised Assessed Value	Revised Taxable Value
33-02-02-34-381-008	3534 Fairhills Drive	2010	\$200,000	\$200,000
33-02-02-34-381-008	3534 Fairhills Drive	2011	\$200,000	\$200,000

Seconded by Trustee LeGoff.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
 NAYS: None
 Motion carried unanimously.

Treasurer Brixie moved that the Township Assessor be authorized to sign a stipulation with Timothy M. and Christine B. Heilman in accordance with the revised assessed and taxable values stated as follows:

**MICHIGAN TAX TRIBUNAL APPEAL
 TIMOTHY M. AND CHRISTINE B. HEILMAN
 PROPOSED STIPULATION FIGURES**

Original Values

Parcel Number	Address	Year	Original Assessed Value	Original Taxable Value
33-02-02-36-201-010	3985 Turnberry	2011	\$881,400	\$881,400

Proposed Revised Values

Parcel Number	Address	Year	Revised Assessed Value	Revised Taxable Value
33-02-02-36-201-010	3985 Turnberry	2011	\$600,000	\$600,000

Seconded by Trustee LeGoff.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
 NAYS: None
 Motion carried unanimously.

Treasurer Brixie moved that the Township Attorney be authorized to sign stipulations with Swan Cove Condos, LLC in accordance with the revised assessed and taxable values stated as follows:

MICHIGAN TAX TRIBUNAL APPEALS

**SWAN COVE CONDOS, LLC
PROPOSED STIPULATION FIGURES**

Original Values

MTT Docket Number	Parcel Number	Address	Year	Original Assessed Value	Original Taxable Value
373295	33-02-02-10-285-001	5856 Shaw #1	2009	\$57,900	\$54,370
373293	33-02-02-10-285-002	5856 Shaw #2	2009	\$57,900	\$54,370
373292	33-02-02-10-285-003	5856 Shaw #3	2009	\$60,900	\$57,370
373291	33-02-02-10-285-004	5856 Shaw #4	2009	\$60,900	\$57,370
373290	33-02-02-10-285-005	5852 Shaw #5	2009	\$42,500	\$42,500
373289	33-02-02-10-285-006	5852 Shaw #6	2009	\$42,500	\$42,500
373288	33-02-02-10-285-007	5852 Shaw #7	2009	\$42,500	\$42,500
373287	33-02-02-10-285-008	5852 Shaw #8	2009	\$42,500	\$42,500
373286	33-02-02-10-285-009	5860 Shaw #9	2009	\$43,000	\$43,000
373302	33-02-02-10-285-010	5860 Shaw #10	2009	\$40,400	\$40,400
375824	33-02-02-10-285-011	5860 Shaw #11	2009	\$44,000	\$44,000
373301	33-02-02-10-285-012	5860 Shaw #12	2009	\$41,400	\$41,400
373299	33-02-02-10-285-013	5864 Shaw #13	2009	\$43,000	\$43,000
373298	33-02-02-10-285-014	5864 Shaw #14	2009	\$40,400	\$40,400
373297	33-02-02-10-285-015	5864 Shaw #15	2009	\$43,000	\$43,000
373296	33-02-02-10-285-016	5864 Shaw #16	2009	\$40,400	\$40,400

Proposed Revised Values

MTT Docket Number	Parcel Number	Address	Year	Revised Assessed Value	Revised Taxable Value
373295	33-02-02-10-285-001	5856 Shaw #1	2009	\$27,500	\$27,500
373293	33-02-02-10-285-002	5856 Shaw #2	2009	\$27,500	\$27,500
373292	33-02-02-10-285-003	5856 Shaw #3	2009	\$27,500	\$27,500
373291	33-02-02-10-285-004	5856 Shaw #4	2009	\$27,500	\$27,500
373290	33-02-02-10-285-005	5852 Shaw #5	2009	\$27,500	\$27,500
373289	33-02-02-10-285-006	5852 Shaw #6	2009	\$27,500	\$27,500
373288	33-02-02-10-285-007	5852 Shaw #7	2009	\$27,500	\$27,500
373287	33-02-02-10-285-008	5852 Shaw #8	2009	\$27,500	\$27,500
373286	33-02-02-10-285-009	5860 Shaw #9	2009	\$27,500	\$27,500
373302	33-02-02-10-285-010	5860 Shaw #10	2009	\$27,500	\$27,500
375824	33-02-02-10-285-011	5860 Shaw #11	2009	\$27,500	\$27,500
373301	33-02-02-10-285-012	5860 Shaw #12	2009	\$27,500	\$27,500
373299	33-02-02-10-285-013	5864 Shaw #13	2009	\$27,500	\$27,500
373298	33-02-02-10-285-014	5864 Shaw #14	2009	\$27,500	\$27,500
373297	33-02-02-10-285-015	5864 Shaw #15	2009	\$27,500	\$27,500
373296	33-02-02-10-285-016	5864 Shaw #16	2009	\$27,500	\$27,500

Seconded by Trustee LeGoff.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie

NAYS: None
Motion carried unanimously.

- E. South Water Tower Work on Sunday
Treasurer Brixie moved to waive the requirements of Section 50-84(4) of the Code of Ordinances to allow construction activities on Sundays in October and the first Sunday in November, 2011 for painting the interior of the south water tower. Seconded by Trustee LeGoff.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
NAYS: None
Motion carried unanimously.

8. QUESTIONS FOR THE ATTORNEY (None)

9. HEARINGS

- A. Appeal of Special Use Permit # 11031 (Omega Architects), redevelopment of 3010 E. Lake Lansing Road for use as a gas station, drive through restaurant and convenience store.

Supervisor McGillicuddy opened the public hearing at 6:30 P.M.

Director Kieselbach summarized the appeal to the special use permit and applicant changes as outlined in staff memorandum dated September 29, 2011.

APPLICANT

Joseph Grochowalski, Omega Architects, 4301 Canal Avenue, SW, Grandville, noted the prevailing theme during the special use permit (SUP) public hearing was Planning Commission concern there be a drive-through (stacking) lane and a by-pass lane at the rear of the building. It became apparent at a subsequent meeting that the Planning Commission also wanted to eliminate the diesel pump island on the east side to alleviate congestion on that side of the site. He added that given the state of the economy, Tim Horton's was added to this project in order to make it financially viable.

Mr. Grochowalski addressed several conditions placed in the Planning Commission's resolution to approve dated August 8, 2011 as follows:

- Condition #1: *"Approval is based on the submitted application materials and the revised plans prepared by Feenstra & Associates, dated July 28, 2011, subject to revisions as required."*
The applicant will be providing revised drawings which show the applicant's preferred layout on the east side of the site
- Condition #3: *"No more than eight fueling stations under one canopy shall be located on the site. The single gas pump and canopy nearest Hagadorn Road shall be removed to improve site circulation and access to the three proposed uses on the site-gas station, drive-through restaurant and convenience store."*
The applicant noted the parking spaces have been removed from the east side of the site to allow for more "comfortable" stacking of cars through the drive-through and retention of the diesel pump island. He noted retention of the diesel pump island would allow vehicles with trailers, panel trucks, etc. the ability to traverse the site and not block two pumps at the other island.
- Condition #6: *"During site plan review, staff shall evaluate the potential for consolidating the two driveways on Hagadorn Road and rotating the parking spaces along the east side of the building. If a single driveway design is not feasible, the southernmost driveway shall be redesigned and signed as an "exit only" driveway; the northern driveway shall be rebuilt to coordinate with the location of the median in Hagadorn Road. The feasibility of narrowing all driveways on the site to increase the amount of pervious surfaces shall also be evaluated."*

Mr. Grochowalski stated his traffic consultant's report, along with the Ingham County Road Commission, recommended elimination of the driveway located on Lake Lansing Road nearest the intersection and that driveway was closed. He added the two driveways on Hagadorn Road were kept for a number of reasons; i.e., how fuel transports need to move through the site, how the fuel transports "drop" the fuel, etc. He expressed concern that a sketch from the Township's consultant which showed a single driveway on the east side was the basis upon which to close the diesel pump island.

- Condition #7: *"The two parking spaces in the northeast corner of the site shall be signed for 'employees only.'"*

Mr. Grochowalski indicated the previous plan of two parking spaces in the northeast corner to be signed for "employees only" has been increased to three spaces as a result of the August 16, 2011 redesign of the site.

Mr. Grochowalski expounded on the eight issues contained in his August 17, 2011 letter of appeal regarding the draft site plan submitted by the Township's traffic consultant and presented at the Planning Commission's August 8, 2011 meeting. He expressed concern that the applicant did not have an opportunity to provide an alternative prior to the August 8th meeting when the Township traffic consultant's draft site plan was presented.

Craig Hoppen, President, J & H Oil, 2696 Chicago Dr., SW, Wyoming, indicated the plan now before the Board is a better plan than the one presented to the Planning Commission. He noted the diesel island on the east was placed on the site by design for safety reasons. Mr. Hoppen also stressed the necessity of keeping the diesel pump island in order to make this site viable. He added the dual driveways on Hagadorn Road are in the correct spots and had no objection to limiting the one to the south to an exit-only right turn driveway.

PLANNING COMMISSION REPRESENTATIVE

Planning Commission Chair Tom Deits, 4045 Van Atta Road, Okemos, expounded on the two largest concerns when this project was presented to the Planning Commission; i.e., Tim Horton's drive-through stacking lane/by-pass lane and corresponding traffic and the diesel island which would now bring commercial vehicles on the site. He noted the Township traffic consultant's letter of September 27, 2011 wherein the recommendation to remove the diesel pump island still stands and there is continued concern over parking.

Trustee LeGoff inquired as to when the project will be completed.

Mr. Hoppen indicated asphalt cannot be laid after November, so if the project is not approved quickly, it will be Spring of 2012. He added this is a "touch and go" site, noting that Marathon has a deed restriction on this location. Mr. Hoppen reiterated the diesel pump island is to service diesel fueled vehicles which had been serviced at this location prior to its closing. The prior owner had indicated to the applicant that he did a "significant amount" of diesel fuel business.

Supervisor McGillicuddy inquired if the underground storage tanks and the gas pumps have been removed as noted in the staff report.

Mr. Hoppen replied the tanks were 25 years old and outdated. He indicated regardless of whether the project is constructed, they needed to be removed.

Supervisor McGillicuddy inquired if removal included the diesel underground storage tanks.

Mr. Hoppen replied in the affirmative.

Supervisor McGillicuddy inquired if the canopies were included in the removal.

Mr. Hoppen replied the canopies will remain as is.

Trustee Veenstra proposed referring the submitted revised site plan back to the Planning Commission for its opinion. He expressed appreciation at the applicant's willingness to redevelop this site.

Trustee Ochberg believed the appeal out of order as the Board does not have jurisdiction to rule on a new site plan; the Board can only rule on the Planning Commission decision. She asked staff to give an overview of the main categories of variances which will need to be requested from the Zoning Board of Appeals.

Director Kieselbach responded lot coverage, perimeter landscaping, the parking lot on the west side is right up to the property line, building does not meet the setback requirements on the north side, not sufficient parking spaces provided.

Trustee Ochberg inquired as to the requirement for many developments that prohibits a driveway within 300 feet of an intersection.

Director Kieselbach indicated staff will look into that issue. He added staff would need to work with the Ingham County Road Commission (ICRC) regarding the curb cuts being closed.

Trustee Ochberg reiterated the applicant wants the Board to approve a new site plan, and that is not within the Board's jurisdiction. She added the Board could rule the conditions placed by the Planning Commission are reasonable or unreasonable. Trustee Ochberg believed the safety issues raised by the Township's traffic consultant are critical and the requested diesel pump island is a "real" problem. While acknowledging it is the applicant's desire to place three businesses on this .68 acre lot, she indicated it is not the Board's business to "drop" all of the Township's ordinances to make the proposal successful. Trustee Ochberg agreed with Trustee Veenstra the proper procedure is to send this special use permit request back to the Planning Commission for its analysis of the new site plan.

Supervisor McGillicuddy reminded Board members that it has the following options:

- Affirm the decision of the Planning Commission with or without modification
- Reverse the decision of the Planning Commission and state the reason(s) therefore
- Refer the matter back to the Planning Commission for further hearings or other action prior to final determination of the appeal by the Township Board
- Refer the matter to the Zoning Board of Appeals if the issue appears to be a matter of interpretation of the provisions of the Ordinance

Trustee Dreyfus inquired of Commissioner Tom Deits if Planning Commission approval was given with the understanding that several variances would have to be granted by the Zoning Board of Appeals.

Commissioner Deits responded yes, noting that situation is a perennial problem. He added the Planning Commission does not make a judgment, nor does it feel weighing in on one side or the other of a particular site plan should be a factor in a decision made by the Zoning Board of Appeals. He expressed concern with "using" the two bodies against one another, and believed the Township needed a better process for redevelopment projects.

Trustee Dreyfus inquired if the Planning Commission addressed the dramatic increase in the impervious surface during its public hearing process.

Commissioner Deits responded that this issue was brought up during the Planning Commission process. He added it is a difficult situation to promote infill redevelopment in the Township while addressing challenges dealing with the variances that are needed.

Trustee Dreyfus asked if it was fair to categorize the Planning Commission's conflict as the intensity and scope of the project.

Commissioner Deits responded in the affirmative. He also stated the site plan is not new, as the conditions are issues which the Planning Commission indicated would be addressed during the site plan review process. Commissioner Deits believed the salient question is the diesel pump island.

Trustee Dreyfus inquired if the Planning Commission asked the applicant if the size or scope of the project could be reduced.

Commissioner Deits responded in the affirmative. He noted it may well have been the case that this site worked well 15-20 years ago for the two uses proposed at that time. He reminded Board members a third use is being added which considerably changes the equation.

Trustee Dreyfus noted the project is in a very small location and is a “tricky” area with the intersection. He believed the proposed site plan would drastically change the dynamic of the intersection. Trustee Dreyfus expressed concern with potential accidents on Hagadorn Road with its two (2) driveways and attempts by traffic to traverse the site to gain entrance to the drive-through. He expressed concern with the numerous variances needed and voiced his opinion that there is too much development proposed for too small a space.

Mr. Hoppen clarified earlier Board comment by stating there is not a plan by the applicant for a sit down restaurant and the diesel pump island has a car nozzle diesel pump for pick-up trucks. He added there is a smaller site currently being built on South Harrison and Trowbridge Roads in East Lansing with diesel pumps, an E-85, a Tim Horton’s drive-through and a convenience store. Mr. Hoppen stated there is a reason why the site is closed today, and it is necessary to have all the proposed entities in order for the site to be viable. He expressed concern the Planning Commission approved a plan the applicant had not submitted.

Trustee LeGoff expressed appreciation to the applicant for his desire to redevelop this site.

Treasurer Brixie expressed her desire for the applicant and Township Board to come to a mutually satisfactory agreement. She voiced her biggest concern is for safety and traffic flow on the site, especially with the nearby school. Treasurer Brixie asked Police Chief Hall if there was a crossing guard at the intersection of Lake Lansing and Hagadorn Roads.

Police Chief Hall responded in the affirmative, indicating the guard crosses children who walk on the north side of Lake Lansing Road across Hagadorn Road and then across Lake Lansing Road.

Treasurer Brixie referred to a letter from a Township resident who expressed concern individuals will be purchasing coffee in the morning at this location at the same time children will be walking to school.

Treasurer Brixie inquired if the applicant had taken a green roof into consideration when developing the site.

Trustee Veenstra expressed his willingness to be flexible on the needed variances to achieve the overall goal of redevelopment on the site. He voiced support for a green roof as it will help the impervious surface ratio on site.

Trustee Ochberg requested Mr. Savage’s reports be included in the packet if the project comes before the Zoning Board of Appeals.

Supervisor McGillicuddy closed the public hearing at 7:30 P.M.

B. 2012 Budget

Supervisor McGillicuddy opened the public hearing at 7:30 P.M.

Township Manager Richards clarified his budget message, dated August 31, 2011, suggested closing the Central Fire Station during late night hours. Subsequent to his budget message, collective bargaining resulted in part-time EMS/firefighters and would preclude the necessity for closing the Central Fire Station during late night hours. He added the original 2012 recommended budget includes the ability to construct a heated garage to house a third ambulance functioning from the public safety building but did not include part-time firefighters.

Trustee LeGoff noted only half of the Central Fire Station has been reroofed and suggested the possibility of reroofing the remaining half.

PUBLIC

Leonard Provencher, 5824 Buena Parkway, Haslett, once again requested information on what operational changes may be needed with respect to negatively impacting essential services. He stated he does not want the Central Fire Station closed. Mr. Provencher noted there is only a ½ time utility worker position to mow along 80 miles of pathway system. He suggested expenditure budget for the pathway millage be readjusted to provide adequate maintenance for the existing pathway infrastructure.

Lynne Page, 3912 Raleigh Drive, Okemos, expressed opposition to closing the Central Fire Station. She inquired if there were other alternatives to be considered other than a \$500,000 renovation or a new \$5 million building. Ms. Page stated she would like to see full staffing of police and fire personnel. She spoke in opposition to placing EMS personnel at the Public Safety Building as they need to be housed in their own dedicated building where they can properly respond to those medical and fire emergencies. Ms. Page agreed with the previous speaker regarding the importance of maintaining the existing pathways and considered it a priority before adding additional pathways to the system.

Ken Phinney, President, International Association of Firefighters (IAFF) Local 1600, expressed concern the suggested options for the Central Fire Station are short-term solutions and advocated either building a new Central Fire Station or renovating the existing Central Fire Station. He further requested the Board place this issue on the November, 2012 ballot so voters make the decision.

Supervisor McGillicuddy closed the public hearing at 7:41 P.M.

10. ACTIONS ITEMS/ENDS (None)

11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened Public Remarks.

Judy Linn, 5435 Van Atta Road, Okemos, offered several reasons why she believed there is no need for an urban service district boundary. She noted there is currently no supporting text which should accompany the goals and objectives for infrastructure and future land use.

Leonard Provencher, 5824 Buena Parkway, Haslett, spoke in opposition to the MUPUD Concept Plan Review for the Lodges of East Lansing Phase II.

Joseph Grochowalski, President, J & H Oil, 2696 Chicago Dr., SW, Wyoming, indicated his company has not been before the Planning Commission for any issue other than the special use permit request. He indicated he did not receive the September 27, 2011 letter from the Township's traffic consultant nor did he receive the Township's recommendation to approve the project without the diesel pump island prior to the meeting.

Supervisor McGillicuddy closed Public Remarks.

- A. Appeal of Special Use Permit # 11031 (Omega Architects), redevelopment of 3010 E. Lake Lansing Road for use as a gas station, drive through restaurant and convenience store.

Board members, staff and the applicant discussed the following:

- Diesel pump island remains problematic for traffic on the site
- Board member preference to deny the appeal

- Board member preference to hear a response from the applicant's traffic consultant to the Township traffic consultant's letter of September 27th
- Regardless of whether the Board upholds or reverses the Planning Commission's decision, this project must go through site plan review and then to the Zoning Board of Appeals
- No seats drawn on the plan for Tim Horton's
- Township ordinance requires a special use permit for a gas station
- Concern the applicant was not provided a copy of the September 27th letter from the Township's traffic consultant
- No action will be taken on this appeal at tonight's meeting
- Statement by the applicant that removal of the diesel pump island is a "deal killer"
- Applicant owns and operates 35 other locations, and each location was constructed with safety and convenience in mind

Trustee Veenstra moved to refer this item back to the Planning Commission. Supported by Treasurer Brixie.

Supervisor McGillicuddy ruled motions were not valid at this part of the meeting.

Trustee Veenstra appealed the ruling of the Chair.

Board members discussed the following:

- Waiting two weeks to refer this issue back to the Planning Commission is an unnecessary delay
- If there is a majority of Board members who wish to refer it back to the Planning Commission this evening, it is a procedural motion which should be facilitated this evening
- Purpose of the referral is to have the Planning Commission look at the applicant's revised site plan and consider the September 27th letter from the Township's traffic consultant
- Role of the Board and how business is conducted
- Board members change philosophy from one meeting to another
- Meridian Township's reputation for protecting its natural environment
- Preference to follow standard Board procedure for discussion items
- Request to "reconcile" the two traffic studies
- Lack of Board support to uphold the Planning Commission's recommendation or support to reverse the Planning Commission's decision
- Board support, conceptually, for the project
- Desire by a majority of Board member to work out the difficulties on the site
- Level of support for this project lends itself to referral back to the Planning Commission
- Referral back to the Planning Commission delays Board action
- Project will come before the Board again for action
- Statement by Board representative to the Zoning Board of Appeals (ZBA) that the ZBA would be more amenable to grant variances for fewer parking spaces in exchange for more greenspace and increased turning radii

VOICE VOTE: Motion carried 4-3 (Dreyfus, Ochberg, McGillicuddy)

[Supervisor McGillicuddy recessed the meeting at 8:19 P.M.]

[Supervisor McGillicuddy reconvened the meeting at 8:30 P.M.]

B. 2012 Budget

Board members and staff discussed the following:

- Township currently charges 1% interest per month for late tax payments
- By Board resolution, the Board has the ability to charge up to 3% penalty for late tax payments as an additional source of revenue
- Fees are approved when the budget is passed and now is the appropriate time to have discussion on whether to add an additional fee
- Cities of Lansing and East Lansing currently charge the full 3% penalty and the 1% interest for late tax payments

- While placing the issue of building a new Central Fire Station on the ballot is not a financial matter, it will impact the budget in the long-run
- Figures in the budget will be readjusted to reflect part-time firefighters, while the totals will not change
- Supporting documentation to the budget will show part-time firefighters as part of the staffing plan
- Building a heated garage at the Public Safety Building to house an ambulance would be a temporary solution until the Board could decide on replacement of the Central Fire Station
- Highest percentage of runs are for EMS services
- Methods to reassure citizens the proposed reconfiguration does not diminish response times or coverage of emergency events in the Township
- Three (3) ambulances will remain ready for service at any given time
- Fire responses will come from both the north and south stations
- Firefighting rules which require a specific number of firefighters to be on site before they can enter a building to fight a fire from the inside
- If only one station responds, there are not sufficient firefighters on site
- Reassurance that EMS personnel located at the Public Safety Building can be responders
- \$500,000 is a “ballpark figure” to address building deficiencies in an effort to make the Central Fire Station viable
- Preference to solicit bids to make the Central Fire Station habitable for a few years
- Township history on “interim” and “short term” solutions
- Inquiry if passing the budget is passing a specific plan for the Central Fire Station, or allotting funds to address the issue
- Intent in the budget is to build a heated garage at the Public Safety Building and make interior changes to accommodate living space for two EMS personnel
- Not much money is envisioned to be needed to change the interior of the Public Safety Building to accommodate two individuals’ living quarters
- Township received professional opinions that the Central Fire Station building should not be renovated, but rebuilt
- Request for a percentage of ambulance runs from each of the three (3) stations
- Township Manager assumption the Board will ultimately ask the voters to fund a significant renovation project or a station replacement
- If location of the third ambulance at the Public Safety Building is an “interim” solution, why was no consideration given to making the Central Fire Station habitable at a cost much less than the \$500,000
- Building which houses the Central Fire Station was multipurposed, so there is one roof and common walls
- When the component in the budget which “assumed” the Board would place the issue of renovating/replacing the Central Fire Station on the ballot is removed, a “temporary” move to the Public Safety Building becomes questionable
- Belief if the renovation/replacement of the Central Fire Station is not placed on the ballot, money is better spent renovating the existing building
- Concern passing the millage for replacement of the Central Fire Station would be more difficult if the Township has moved the ambulance to another building which was renovated to accommodate the move
- Board should first determine the Township’s service needs and then determine the best location
- Most EMS runs service concentrated areas of senior citizens
- Request for percentages of runs facilitated by each station
- Understanding that over 40% of the runs are handled by the north station, over 40% by the central station and 14% by the south station
- Request for a precise estimate for the cost of renovating the existing Central Fire Station and the length the proposed renovations would last
- Training facilities and offices should not be “mixed in” with constructing a new Central Fire Station
- Inquiry as to the cost of performing test runs from the Public Safety Building to acquire data on ambulance response times
- Board members received data on response times
- Estimated costs on the training facility and offices for the new Central Fire Station

- Assumption in the estimate for a new Central Fire Station that it will be constructed on Township owned property
- Option to change the budget designation of \$50,000 from the heated garage to Central Fire Station solutions
- Concern with closing the Central Fire Station and then placing a millage for a new/replacement Central Fire Station on the ballot
- Preference to spend the \$50,000 earmarked for a heated garage at the Public Safety Building to “patch” the Central Fire Station and then place the issue on the ballot
- Location of a new fire station is not relevant to this budget’s discussion
- With respect to EMS and fire services, the Board should plan for the best way to serve citizens in the long term, deciding on the “best” location for a new fire station
- Improper for the Manager to make a decision to privatize the operation of the Township’s recycling center without Board knowledge
- Income v. cost for privatization of the recycling center
- Contractors for the recycling center are open six (6) days a week, so residents are receiving better service
- More money is needed to cover direct and indirect costs associated with police service to Williamstown Township
- Reminder that although the time of two officers is provided for police service to Williamstown Township, one officer was hired and is available in Meridian Township if there is a need, resulting in expanded service coverage
- Staff will review provisions in the contract to review actual and indirect costs
- Heated garage at the Public Safety Building will reduce response times to the three (3) care facilities located on Marsh Road

C. Mixed Use Planned Unit Development (MUPUD) Concept Plan Review: Lodges of East Lansing, Phase II

Director Kieselbach summarized the MUPUD concept plan review as outlined in staff memorandum dated September 29, 2011.

Mark Clouse, CFO and Legal Counsel, Eyde Co., 4660 S. Hagadorn Road, Suite 660, East Lansing, presented the concept plan review for Board consideration.

John Acken, Capstone Development, 431 Office Park Drive, Birmingham, Alabama, stated the overriding goal of Phase 1 was to create a pedestrian friendly village to serve the needs of students. He noted Phase I is at a leasing level of over 99% in the first year. Mr. Acken demonstrated how the design elements of Phase 1 and 2 relate to one another. He offered detail on the overall site design.

Board members and the applicant discussed the following:

- Appreciation for the larger swimming pool and larger fitness center
- Phase 2 would have a total of 379 beds, including shared bedrooms counting as 2 people per room
- Preference for inclusion of a small grocery store within the project
- Request for data on the number of police and EMS calls to Phase 1
- Cost to the Township for providing this dense student housing
- Request for the applicant to work with the railroad and others to construct a footbridge from Hannah Boulevard to Dawn Avenue
- Importance of keeping Phase 2 as green as possible and reduce vehicle traffic
- Plans by the developer to bring students outside
- Concern with each unit looking onto cars
- “Alleged” greenspace from Phase 1 across the street from the proposed greenspace to the north of Phase 2 is a drainage ditch
- Unintended consequences of some Township ordinances make some housing unaffordable
- Project is in an appropriate area for higher density due to its proximity to restaurants, a computer shop, fitness center, etc.
- Project will assist in meeting additional housing needs created by Michigan State University’s FRIB project

- Various sizes proposed for the apartments meet requests by students for that size
- Need for sufficient bicycle parking
- Inquiry as to how many total phases are planned for the Hannah area and the time frames associated with those phases
- This proposal is the second phase of the Capstone Development
- Overall projects being worked on by the Eyde Company do not have phases as they will transpire as the market allows
- No specific plans for the number of phases for the 22 acres slated to be used for senior housing
- As additional residents join the Hannah area, there will be more demand for retail
- Inquiry as to where the single family home component is now located
- Concern the Board is not receiving an honest perspective from the property owner as to the entire MUPUD when it keeps changing
- Reminder that the original MUPUD presented to the Board was conceptual
- Reminder to the Board that as the market changes, plans must correspondingly change
- Current state of the economy does not allow for the entire 81 acre site to be developed at one time
- Concept of the 81 acre plan is the same as presented two (2) years ago
- Single family homes on the back portion of the site was never part of the plan
- Single family homes would not sell to the alumni and seniors at this time as they are unable to sell their existing homes at a sufficient rate to move to this area
- Senior housing is currently needed, marketable and financially sound
- Board inquiry if there is shared emergency response for Phase 1 with Michigan State University
- Board member belief that MSU police and fire could respond quicker due to their location
- MSU has no fire department
- 911 calls would be dispatched to Meridian Township
- Possibility of shared EMS/Fire services with the City of East Lansing
- Two EMS responses for Phase 1 since its opening
- Staff will look at the response times for those two (2) calls
- Concern with the U turn responders need to make to get back into this part of the Hannah Development
- Continued concern that Phase 2 is another apartment building and is abusing the Township's mixed use ordinance
- Need for pathway connections to the east
- Preference to provide bicycle lockers in addition to bicycle racks
- Intent of the MUPUD ordinance is not being met because of a rezoning
- The first mistake made was granting this MUPUD without a clear vision of what "exactly was going to go in here"
- Phase 2 is a high density student apartment complex, not a village
- Swimming pools, clubhouses, and balconies are marketing features, not amenities
- The only fair, legal and appropriate way to handle this proposal would have been to present this as a rezoning from PO to residential
- Not sufficient space for residents to sit and conduct communal activities to create a village atmosphere
- Amount of density is based on maximum profit projections to ensure return on an investment
- Correlation nationwide between quicker deterioration of properties and lower cost rentals due to the lifestyles of low income people
- Proposed foundation is a step in the right direction, but its location will not build a village
- Gathering spaces need large contiguous spaces not displaced by parking or buildings
- Reminder that the Board requested the applicant provide an overall plan for the entire 81 acres
- MUPUD was approved by the Board for the entire 81 acre parcel
- Original presentation made by the applicant noted that each portion of the site would not be mixed use and some areas would be residential only
- Constructing a grocery store for 600 people is not viable
- This overall site is a vertical mixed use development
- Requested location for a bridge over the Red Cedar River is off-site, but the applicant is willing to work with the various entities in an effort to make that part of the overall trail system
- Property owner's business office is located on the 81 acre site and he has not experienced a difference in traffic

D. Urban Services Boundary

Clerk Helmbrecht moved to postpone this discussion item until the next Board meeting. Seconded by Treasurer Brixie.

Board members discussed the following:

- Board member preference to move forward on this issue
- Board member intention to propose several amendments to the boundary location
- Discussion of the USB should receive thorough consideration
- Preference not to move forward without adequate discussion

VOICE VOTE: Motion carried 5-2 (Dreyfus, McGillicuddy)

12. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Justin Adair, Vice-President, International Association of Firefighters (IAFF) Local 1600, 11162 Bell Oak Road, Fowlerville, noted response time to the area where the Capstone Development is located is one of the Township's lower response times due to the proximity of the Central Fire station to the Mount Hope corridor. He expressed concern that constructing a heated garage at the Public Safety Building would limit the ability of a fire engine to respond in the central district. While acknowledging earlier comment that there were no structure fires for the month of September, Mr. Adair indicated it was shortsighted to base the closing of the Central Fire Station on one month of data. He added a fire engine also responds to motor vehicle accidents to block traffic for a patient in the roadway and first responders, performs extrication duties in the event of entrapment of a victim as well as fluid mitigation. Mr. Adair believed earlier comment which stated service levels would not be impacted by building a heated garage at the Public Safety Building to house an ambulance is inaccurate, as the fire engine at the north and south station could both be out on runs. He indicated that would leave EMS personnel at the Public Safety Building with no ability to respond to a fire.

Ken Phinney, President, International Association of Firefighters (IAFF) Local 1600, expressed concern with taking a fire engine out of the central district. He requested the \$50,000 budgeted for a heated garage at the Public Safety Building be spent to make repairs at the Central Fire Station until the question of a new Central Fire Station can be placed on the ballot. He stated the proposed expenditure for a heated garage at the Public Safety Building is a waste of money. Anecdotally, he noted he had just driven the fire engine from Central Fire Station to a call on M-78, as it was the only available engine. Further, it was necessary to use two East Lansing ambulances to transport patients and wait for a third ambulance to return from the hospital to accommodate a third patient. Mr. Phinney stated it is essential that fire service be available in the center of Meridian Township.

Bill Richardson, 5300 Chantilly Lane, Haslett, indicated it is essential to have a fire engine located in the central part of Meridian Township. He noted the Central Fire Station currently houses two ambulances and explained how staffing of those ambulances is handled. Mr. Richardson spoke in support of using the \$50,000 budgeted for construction of a heated garage at the Public Safety Building into renovation of the existing Central Fire Station until the voters can determine whether the Township needs two or three fire stations. He added many of the oldest homes in Meridian Township are located in the central area.

Penny France, 4928 Grandview, Okemos, noted her opposition to closing the Central Fire Station. She expressed concern there was no Board discussion regarding fire coverage for the central part of Meridian Township. She reminded Board members one reason for building the south fire station was because of the railroad tracks which cut through the Township and the potential of a train blocking access to a fire.

Leonard Provencher, 5824 Buena Parkway, Haslett, took exception with the use of the term "multi family" as it relates to the MUPUD for the Lodges of East Lansing.

Supervisor McGillicuddy closed Public Remarks.

13. FINAL BOARD MEMBER COMMENT

Trustee Veenstra requested the Board packet be placed on the Township website.

Trustee Ochberg expressed disappointment the Planning Commission appointment was not acted upon this evening.

14. CLOSED SESSION

Trustee Ochberg moved that the Township Board go into closed session for the purpose of discussing strategy related to negotiation of collective bargaining agreements. Seconded by Treasurer Brixie.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
NAYS: None
Motion carried unanimously.

Supervisor McGillicuddy recessed the meeting at 10:42 P.M.

The Board adjourned to the Upstairs Conference Room for a closed session.

Trustee Dreyfus moved to return to open session. Seconded by Trustee Ochberg.

ROLL CALL VOTE: YEAS: Trustees Dreyfus, LeGoff, Ochberg, Veenstra, Supervisor
McGillicuddy, Clerk Helmbrecht, Treasurer Brixie
NAYS: None
Motion carried unanimously.

Supervisor McGillicuddy reconvened the meeting at 11:45 P.M.

15. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 11:45 P.M.

SUSAN McGILLICUDDY
TOWNSHIP SUPERVISOR

MARY M. G. HELMBRECHT, CMC
TOWNSHIP CLERK

Sandra K. Otto, Secretary