

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
349-1200, Town Hall Room
TUESDAY, JULY 1, 2003, **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting, Trustees Brixie, Woiwode
ABSENT: Trustees Stier, Such
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development Mark Kieselbach, Director of Engineering & Public Works Ray Severy, Police Chief Gary Gibbons, Assistant EMS/Fire Chief Dale Monnier, Director of Finance Diana Hasse, Attorney Andria Ditschman

1. CALL MEETING TO ORDER

Supervisor McGillicuddy called the meeting to order at 6:03 P.M.

2. PLEDGE OF ALLEGIANCE

Supervisor McGillicuddy led the Pledge of Allegiance.

3. ROLL CALL

Supervisor McGillicuddy called the roll of the Board.

4. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Jean Nicholas, 6232 Brookline, East Lansing, spoke in support of Board adoption of a resolution against the USA Patriot Act.

Juan Arellano, Meridian Township Planning Commissioner, said he attended an Advanced Citizen Planner Academy Workshop presentation by representatives of the Governor's Land Use Leadership Council on forthcoming land use law changes. Commissioner Arellano brought back materials handed out at the workshop entitled *Better Design for Development in Michigan, Minimum Elements of an Effective Conservation Design Ordinance* and a survey designed with alternatives laid out in graphic form.

Commissioner Arellano stated an invitation was offered at the workshop to observe Northville Township's demonstration project on impervious/pervious assessments using geographical information systems (GIS). The Center for Remote Sensing has software available which can be integrated into our current GIS system for a nominal fee.

Ted Black, 4714 Van Atta Road, Okemos, spoke in support of Township progress towards greenspace, especially as a means to preserve wildlife, and birdlife in particular. He pointed to a publication he co-authored entitled *The Birds of Michigan* and has donated a copy to the Harris Nature Center.

John Anderson, 215 W. Newman Road, Okemos, spoke in support of the referendum on Rezoning #03020 (Newman Equities).

Richard Harrington, 820 Piper Road, Haslett, spoke in support of a Board resolution in opposition to the Patriot Act.

Charles Willems, 1387 Hickory Island, Haslett, requested Board follow through with its request to the Township attorney for definitions of vacate v. abandoned as it relates to Hickory Island Drive.

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

CHARTER TOWNSHIP OF MERIDIAN, REGULAR MEETING, JULY 1, 2003 *Approved*

Supervisor McGillicuddy commented on the need to conduct a traffic study mentioned during public remarks at several Board meetings. She summarized the Board's previous discussions at four meetings in 2002 and the reasons by the Board decided against spending money on an in-depth traffic study.

Treasurer Hunting spoke regarding the shift in the State Education Tax (SET). By statute, there is now an increase of two (2) mills in the summer bill with a reduction in the winter bill of three (3) mills. Beginning in 2004, all of the SET will be collected in the summer. Information is available in the Meridian Monitor, aired on Channel 21 and in an article in the July 2nd publication of the Lansing State Journal.

Treasurer Hunting gave an update on collection efforts for delinquent personal property taxes from 2000 and prior. The treasurer and his office have collected \$210,000, and have regularly been filing small claims in Court to collect money due the Township.

Treasurer Hunting addressed the issue of rezoning to C-3 the Newman Equities property located on the corner of Central Park Drive and Newman Road. This parcel has been zoned commercial and part of the commercial core for many years. Board action last year reclassified undeveloped commercial land from CS to C-2. This classification was only used for land in the commercial core which had not yet been developed and was to be looked at when a request was made to the Board for rezoning. The Township attorney advised the Board that not reclassifying this property as C-3 zoning would have been a legally indefensible position.

Trustee Woiwode voiced appreciation to Ted Black for writing a book about the birds of Michigan. She also appreciated the community interest on the issue of the Patriot Act and suggested a community discussion regarding Township policies and procedures. Trustee Woiwode encouraged the Supervisor to arrange for the Chief to address the Board on how Township policies interact, expressing the Board's need to continually examine if it is defending the rights of Township citizens.

Trustee Woiwode pointed out the critical element in conducting a traffic study is to pinpoint what the Board needs to know. The Board struggled with this information during its discussion last year, since most traffic studies are site specific and the Board's focus was to look at the overall issue of traffic. She encouraged anyone with useable information on this topic to bring it to the Board.

Trustee Brixie had a call today from a resident who received a flyer in the Towne Courier regarding the Kohl's referendum. The resident inquired about traffic generation that would result from the Newman Equities rezoning. Trustee Brixie explained that even if the rezoning was to be overturned, the traffic under the C-2 zoning would essentially be the same.

Clerk Helmbrecht reminded citizens of the August 5th Election for the Capital Area District Library (CADL) millage and bonding for a new Okemos library with an addition to the Haslett branch. Absentee ballot applications for all voters on the permanent list have been mailed. If anyone would like to vote on August 5th but will not be in town, please call the Clerk's office for an application. The first mailing of ballots is expected to be on or near July 18th.

Clerk Helmbrecht also reminded residents of Sunsets with Shakespeare being held in Nancy Moore Park. The last performance for Hamlet will be on July 4th. The first performance of the Merry Wives of Windsor will begin the first week of August at 6:30 p.m.

Chief Gary Gibbons gave an update regarding the three (3) fires since June 7th in Carriage Hills. Each incident was individually investigated as it occurred. The Police & Fire Departments have formed a Task Force and invited the State Fire Marshall to assist in an effort to have all the expertise available to investigate this situation. Patrols have been increased in the area. Police and Fire officials will meet with residents on July 2nd at 7:00 p.m. in the Carriage Hills North Clubhouse. A press conference was held yesterday to alert residents to take precautions.

Assistant Fire Chief Monnier added that the Fire Department investigator and Fire Marshall are taking these incidents very seriously and continue going through the debris to find the cause of the fires.

6. APPROVAL OF AGENDA — OR CHANGES

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

VOICE VOTE: Motion carried 5-0.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda.

Trustee Brixie moved to adopt the Consent Agenda. Seconded by Clerk Helmbrecht.

The adopted Consent Agenda items are as follow:

A. Communications

(1). Board Deliberation (##)

7-F Gary Shoup, 2449 Graystone Drive, Okemos; RE: Definition of “interested person”

(2). Board Information (BI)

BI-1 Renee Lozier, 4330 Cornell, Okemos; RE: Objection to language contained in Kohl’s Up-Zoning Referendum Notice

BI-2 Charles Louis Willems, PO Box 184, Haslett; RE: Research material for definition of “abandon” v. “vacate”

BI-3 Michigan Townships Association, 512 Westshire Drive, Lansing; RE: *Capitol Currents* May, 2003 Article on Annexation Reform Package

(3). Staff Communication/Referral (SC)

SC-1 Michigan Townships Association Legislative Fax June 13, 2003 Edition

SC-2 Michigan Townships Association Legislative Fax June 20, 2003 Edition

SC-3 *Lansing State Journal* Article: Surgeon General planning to whip state into shape

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

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

NAYS: None

Motion carried 5-0.

B. Minutes

Trustee Brixie moved to approve and ratify the minutes of the June 17, 2003 Regular Meeting amended as follows:

- **Remove the bullet on page 6 under Agenda Item #11B with language beginning “Concern over walkout basements...”**
- **Add the following language to the “Floodplain reference in conditions 18 & 20” bullet on the bottom of page 6 under Agenda Item #11B: “...to insure homes with walkout basements are: #1) adequately checked and protected from hydrostatic pressure concerns and #2) insure the grade adjacent to walkouts is not lowered below the floodplain level**

Seconded by Clerk Helmbrecht.

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

NAYS: None

Motion carried 5-0.

C. Bills

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

| | |
|--------------------------|----------------------|
| Common Cash | \$ 272,771.78 |
| Public Works | \$ 28,903.00 |
| Total Checks | \$ 301,674.78 |
| Credit Card Transactions | \$ 12,427.05 |
| Total Purchases | <u>\$ 314,101.83</u> |
| ACH Payments | <u>\$ 282,313.26</u> |

Seconded by Clerk Helmbrecht.

ROLL CALL VOTE: YEAS: Trustees Brixie, Woiwode, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 5-0.

[Bill list in Official Minute Book]

D. Second Quarter Budget Amendments

Trustee Brixie moved that the 2003 Amended Budget as reflected on Page 2 of the memorandum to the Township Board from the Finance Director, dated June 27, 2003 be approved. Seconded by Clerk Helmbrecht.

ROLL CALL VOTE: YEAS: Trustees Brixie, Woiwode, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 5-0.

E. Traffic Pre-emption Equipment Grant for Fire Department

Trustee Brixie moved to authorize \$44,000 from the Fund Balance for Meridian Township's twenty percent (20%) local costs to participate in the Regional Traffic Signal Priority Project and equip all the township's signal intersections. Seconded by Clerk Helmbrecht.

ROLL CALL VOTE: YEAS: Trustees Brixie, Woiwode, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 5-0.

F. Amendment to the Charter Township of Meridian Wetland Protection Code, **Final Adoption**
Trustee Brixie moved NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, the Township Board hereby Finally Adopts Ordinance No. 2003-11, entitled "Ordinance Amending the Code of the Charter Township of Meridian, Michigan, by Amending Chapter 22 Environment, Article IV Wetland Protection, Divisions 1 and 2, Section 22-116, Section 22-155(e)(1) and Section 22-155(e)(2).

Seconded by Clerk Helmbrecht.

ROLL CALL VOTE: YEAS: Trustees Brixie, Woiwode, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 5-0.

[Signed and Sealed Resolution in Official Resolution Book]

G. Burcham Drive Sanitary Sewer District #47, **Resolution #1 and #2**

Trustee Brixie moved to approve Burcham Drive Sanitary Sewer Special Assessment District #47 Resolution #1 and Resolution #2 tentatively declaring the Township Board's intention to construct 120 L.F. of 8" sanitary sewer along and within Burcham Drive, east of Wild Oak Drive to the west' and to defray the cost by special assessment, tentatively designates the district; and sets a public hearing for July 15, 2003. Seconded by Clerk Helmbrecht.

ROLL CALL VOTE: YEAS: Trustees Brixie, Woiwode, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 5-0.

[Signed and Sealed Resolutions in Official Resolution Book]

8. QUESTIONS FOR THE ATTORNEY

9. HEARINGS

A. PUD #03014 (Wells), request for preliminary planned unit development approval for a 24-unit single-family detached condominium development in Section 9 of the Township.

Supervisor McGillicuddy opened the public hearing at 6:40 P.M.

Director Kieselbach introduced the matter as outlined in staff memorandum.

Bob Homan, 2176 Hamilton Road, Okemos, representing the applicant, offered the following:

- During rezoning of this property, he thought the parcel would not be applicable for a PUD and felt he would be back before the Board with a subdivision, but is pleased to present a PUD.
- The Director of Community Planning & Development worked with him for resolution
- Ingham County Drain Commissioner will visit the property next week

Ted Black, 4714 Van Atta Road, Okemos, Park Commissioner, offered the following:

- The PUD lies adjacent to Brattin Woods Park.
- In the event of torrential downpour, the stormwater retention basin could potentially reach a level where it would move overland into and across part of the park.
- There should be a provision for a run-off area, utilizing a tube discharging into the wetland
- Concern over elevated level of water in the wetland after a heavy rain as it proceeds to the Eberly Drain
- Possible fence along the back of the PUD to set it off from the Park

Trustee Woiwode asked Mr. Black if a fence is placed on the northern boundary of this PUD, would it have a negative impact on the wildlife.

Mr. Black stated it would make it difficult for rabbits and foxes to cross back and forth between back yards and the park. One possible solution could be to have this provision written into the property deeds. It would be difficult to enforce and is not a part of most subdivision developments adjacent to parks.

Supervisor McGillicuddy asked Mr. Black to explain the specific concern surrounding the issue of the fence.

Mr. Black stated a few of the concerns are free entry and backyard pets that are not under control.

Trustee Woiwode pointed to a suggestion in the Board packet documentation regarding a pathway to the park from within the subdivision. Would the Park Commission recommend this pathway?

Mr. Black responded that even a ten (10) to fifteen (15) foot pathway at the central point in the line of lots on the side facing the park would offer an opportunity of residents of the PUD to enter the park from within. One foot off each existing lot probably would provide this pathway.

Supervisor McGillicuddy closed the public hearing at 6:56 P.M.

10. ACTION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

John Anderson, 215 W. Newman Road, Okemos, voiced his belief that the Township is running into limits of buildable land, moving into the wildlife area and wetlands. He believes the Township is also running into limits on its roads. Mr. Anderson doesn't believe mitigation works. He urged the Board to protect our community's environment, quality of life and roads.

Supervisor McGillicuddy closed public comment.

A. Recommendation to Pursue Property Purchase at 4675 Okemos Road

Treasurer Hunting moved approval of the resolution authorizing the Township Manager to enter into an installment purchase agreement and authorizing execution and delivery of installment purchase agreement. Seconded by Trustee Brixie.

Board Members and staff discussed the following:

- Contiguous with the Central Fire Station and old library facility
- Long-needed upgrade to the Central Fire Station
- Installment Purchase Agreement as a three (3) party arrangement between the financial institution, the owner and the Township; tax free
- Payments received by the third party are considered tax free; hence a favorable interest rate for the Township up to a fifteen (15) year maximum
- Projected payments of \$45,000-\$50,000 per year
- Use of building and parking area
- 3,000 square feet of usable space on first floor
- Purchase of land for Central Fire Station as a high priority of the Public Improvements Program for several years

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

NAYS: None

Motion carried 5-0.

[Signed and Sealed Resolution in Official Resolution Book]

B. Wetland Use Permit #03-01 (G.S. Fedewa Builders, Inc.), request to fill approximately .30 acre of wetland

Treasurer Hunting moved [and read into the record] NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, pursuant to Article 4 of Section 22 of the Township Code of Ordinances, the Township Board hereby approves Wetland Use Permit #03-01 with the following conditions:

1. **Approval is based upon the plans, documents, and materials prepared by Lapham & Associates, Inc., submitted in conjunction with the wetland use permit, subject to fill being placed in Wetland #4-27 only for the purpose and to the minimum extent required for street, utility, and sidewalk construction.**
2. **The wetland use permit shall be subject to the applicant receiving preliminary plat approval for the proposed Sierra Ridge Estates subdivision.**
3. **Mitigation shall be provided contiguous to Wetland #4-27 at a ratio no less than 1.5 to 1.0. The final design and location of the mitigation area shall be subject to the review and approval of the Director of Community Planning and Development.**

4. **The mitigation area shall be constructed prior to the completion of Phase 1 of the subdivision.**
5. **Prior to construction, the wetland boundary shall be re-flagged. The flagging shall be clearly evident throughout construction.**
6. **Erosion control fencing shall be installed prior to construction. The location of the erosion control fencing shall be determined as part of the review and approval of the mitigation plan.**
7. **Straw bales shall not be used for erosion control, unless in conjunction with sediment erosion control fencing.**
8. **Construction of the mitigation area shall be overseen by the applicant's wetland consultant. Deviations from the approved mitigation plan shall be first reviewed and approved by the Director of Community Planning and Development.**
9. **The applicant shall notify the Township in writing when construction of the mitigation area has been completed.**
10. **Should the mitigation area fail to establish wetland vegetation after one (1) growing season, or fails to progress satisfactorily to a self-sustaining wetland as designed, the applicant shall conduct corrective measures as directed by the Township's Wetland Consultant to ensure successful wetland establishment.**
11. **The wetland mitigation shall be monitored annually by the applicant's wetland consultant for five (5) years with a status report provided to the Township each year.**
12. **A performance guarantee in the amount of \$10,000 shall be provided in an acceptable form to the Township to ensure completion of the wetland mitigation.**
13. **Tree protection measures as identified in the Land Clearing Ordinance shall be employed to avoid damaging or suffocating the root system of the two (2) eastern cottonwood trees in and adjacent to Wetland #4-27.**
14. **A copy of the approved wetland use permit containing the conditions of issuance shall be posted on the site in a conspicuous manner such that the wording of the permit is available for public inspection. Posting of the site shall be done prior to commencement of work on the site and continue throughout the duration of the project.**

Seconded by Trustee Brixie.

Board Members and staff discussed the following:

- Alternative of only filling road and road right-of-way portion of wetland
- Possible increase to two (2) to one (1) mitigation ratio as assurance of wetland mitigation success
- Sidewalks & pathways in conjunction with granting of wetland use permit
- Maintenance during the first five (5) years as key to preventing the loss of mitigated wetland
- Identification of soil type as a wetland characteristic
- Wetland consultants' opposing viewpoints on viability
- Hydrology of the wetland as part of the mitigation plan
- Identification of cottonwood trees as male/female
- Adherence to the Planning Commission recommendation
- Potential for vegetation and soil removal as part of the mitigation process

- Approval of the mitigation plan by the Director of Community Planning & Development
- Deference to the wetland consultant on the mitigation plan ratio
- Tip of the Mitt memorandum addressing the mitigation ratio recommendation
- Alternative proposal for filling a small portion of the wetland v. the entire wetland in the original proposal and an increase in the mitigation ratio
- Area of the wetland to be filled is approximately 3,000 square feet
- Mitigation area contiguous to wetland already in place

The seconder offered the following friendly amendment:

- **Amend line 1 of condition #3 by deleting “1.5” and inserting “2.0”**

Amendment accepted by the maker.

ROLL CALL VOTE: YEAS: Trustees Brixie, Woiwode, Supervisor McGillicuddy, Clerk
Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 5-0.

[Signed and Sealed Resolution in Official Resolution Book]

- C. Preliminary Plat Review #03012 (Fedewa), request for preliminary plat approval for 99 lots in Sierra Ridge Estates subdivision located north of Lake Lansing Road and east of Newton Road in Haslett

Trustee Woiwode moved [and read the resolution into the record] NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, the Township Board hereby grants approval of the preliminary plat for a single-family subdivision of 99 lots commonly known as Sierra Ridge Estates, located north of Lake Lansing Road and east of Newton Road with the following conditions:

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

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

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

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

11. The Planning Commission hereby grants a variance from Section 101-4.62 of the Township's Subdivision Regulations for lot lines not at right angles to straight streets or not radial to curved streets along the common lot line between Lot 14 and Lot 15, and Lot 71 and Lot 72 in order to comply with the approved road layout requiring street intersections to be perpendicular on the narrow upland portion of the site.
12. The Planning Commission hereby grants a variance from Section 101-4.63 of the Township's Subdivision Regulations to exceed the maximum lot depth to width ratio for Lot 27 based on the narrow shape of upland portions of the site affecting the configuration of the subdivision and the approved road layout.
13. The variance to exceed the maximum lot depth to width ratio for Lot 94 is hereby denied based on the ability to comply with Section 101-4.63 by transferring area to the adjacent open space. Prior to final plat approval, the plat shall be adjusted to bring Lot 94 into compliance with the Subdivision Regulations by adjusting the rear lot line of Lot 92, Lot 93, Lot 94, and Lot 95 in a manner that complies with the Code of Ordinances and the Township's Subdivision Regulations and which also creates a uniform rear lot line for Lots 92 through 95.
14. The variance to exceed the maximum depth to width ratio for Lot 5 is hereby denied based on the ability to comply with Section 101-4.63 by transferring approximately ten (10) feet of lot width from Lot 4 to Lot 5. Prior to final plat approval the applicant shall adjust the common lot line between Lot 4 and Lot 5 to bring Lot 5 into compliance with the Township Subdivision Regulations.
15. The applicant shall obtain all necessary permits and approvals from the Ingham

- County Drain Commissioner, Ingham County Road Commission, Michigan Department of Environmental Quality (MDEQ), and the Township. Copies of all permits and approval letters shall be submitted to the Department of Community Planning and Development. Should a permit be required from the Michigan Department of Environmental Quality, no grading or construction work shall be conducted until the permit is final and un-appealable at the MDEQ.
16. Prior to construction activities, including grading, erosion control fencing shall be installed along the perimeter at the upland edge of the required water features setback, subject to the review approval of the Ingham County Drain Commissioner's office and the Department of Community Planning and Development.
 17. Prior to issuance of a grading permit for Lot 65, Lot 67, Lot 68, Lot 69, Lot 70, Lot 71, Lot 72, Lot 73, Lot 74, Lot 75, Lot 76, Lot 77, Lot 78 and Lot 79, a professional engineer or registered land surveyor shall provide written certification to the Township that no lots have been platted in the 100-year floodplain and that no grading or construction work will take place in the 100-year floodplain. Upon completion of the dwellings on Lot 65, Lot 67, Lot 68, Lot 69, Lot 70, Lot 71, Lot 72, Lot 73, Lot 74, Lot 75, Lot 76, Lot 77, Lot 78 and Lot 79, a similar as-built certification for the lot and dwelling shall be provided to the Township.
 18. Due to the proximity of the 100-year floodplain to the basements/foundations for Lot 66, Lot 67, Lot 68, Lot 69, Lot 70, Lot 71, Lot 72, Lot 73 and Lot 74, a licensed professional engineer shall certify the basement/foundation is designed to withstand hydrostatic pressure or shall certify such a design is unnecessary.
 19. The applicant shall apply for and receive any necessary variance(s) from the Zoning Board of Appeals or revise the plat's design to comply with the Code of Ordinances. Should it be necessary to revise the layout of the plat to comply, it shall be brought back to the Planning Commission and Township Board for re-approval.
 20. The applicant shall clearly define the applicable natural vegetation strip, water features setback, regulated wetlands and 100-year floodplain in all submitted drawing and plans, including plot plans for each lot when the house is built. The covenants and restrictions for the subdivision shall also clearly identify which lots contain these features and refer to the appropriate Township and/or State regulations.
 21. Any wellhead(s) located on the site shall be properly closed and abandoned per the requirements of the Ingham County Health Department and the Township, prior to the issuance of any permit for construction activity, including grading permits.
 22. The existing house located at 2150 Lake Lansing Road shall be removed prior to grading or construction of Phase 1.
 23. A copy of the information that exists on computer for the plat and construction plans shall be provided to the Township Engineering staff in an Auto Cad compatible format.
 24. In furtherance of subsection 101-4.3 of the Township's Subdivision Regulation, tree protection measures as identified in the Land Clearing Ordinance shall be employed to avoid damaging and to ensure preservation of all healthy Burr Oak trees greater than three (3) feet in diameter and two Cottonwood trees greater than five (5) feet in diameter.

Seconded by Trustee Brixie.

Treasurer Hunting offered the following friendly amendment:

- **Amend condition #22 by adding an additional sentence to read “This building would only be used as a field office for road and utility construction.” (thus amending Phase 1 of condition #22 to Phase 4).**

The maker and seconder accepted the amendment.

The seconder offered the following friendly amendment:

- **Amend line 4 of condition #24, by striking the word “male”**

The maker accepted the amendment.

The maker offered the following amendments to the original motion:

- **Eliminate condition #14 and renumber the remaining conditions**
- **Amend line one of the newly numbered condition #20 by deleting the word “closed” and insert the word “plugged”**

The amendments were accepted by the seconder.

Supervisor McGillicuddy offered the following friendly amendments:

- **Add condition #24 which states “The applicant shall post Wetland #4-27 as a Township regulated wetland and dumping is prohibited.”**
- **Add condition #25 which states “The applicant shall provide a greenways connection for property on Towner Road if the property is acquired by the township park system.”**

Both amendments were accepted by the maker and seconder.

Board Members discussed the following:

- Prohibition of residential dumping of lawn and tree clippings into the wetland
- Developer amenable to on-site old barn being moved to another site
- Continued cooperation between Board and developer to bring this project to fruition

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

NAYS: None

Motion carried 5-0.

[Signed and Sealed Resolution in Official Resolution Book]

11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

No one spoke.

Supervisor McGillicuddy closed public comment.

A. Land Preservation Presentation by Tom Woiwode

Tom Woiwode, 5088 Powell Road, Okemos, Chairman of the Land Preservation Advisory Board, presented the first request for purchase of property from the Land Preservation Fund. Mr. Woiwode gave a brief overview of the conservation acquisition process. He publicly thanked Clerk Helmbrecht for her tireless efforts in working with the property owner to purchase this piece of property.

Board Members discussed the following:

CHARTER TOWNSHIP OF MERIDIAN, REGULAR MEETING, JULY 1, 2003 *Approved*

- Explanation of requested closing costs noted in the staff memorandum attachment
- Cost of the total obligation less than \$55,000
- Concern over Pine Lake drain on length of the property

B. PUD #03014 (Wells), request for preliminary planned unit development approval to a 24-unit single-family detached condominium development in Section 9 of the Township

Board Members and applicant's representative discussed the following:

- Possible connection to the YMCA
- Possible connection to Brattin Woods Park
- Preservation of large walnut tree
- Provisions in the master deed to take care of yard waste
- Reference to buffers at 2202 Haslett Road
- Private v. public road determination from the Ingham County Road Commission
- Potential of parking lot for the park to be deeded to the park
- Possible overflow of stormwater retention area
- Fencing the park to prevent homeowner encroachment
- Prospective for pathway easement
- Ease of site plan readability

Supervisor McGillicuddy will place this planned unit development request as an action item for the next Board meeting.

C. Request for Zoning Amendment in C-2 Districts to include "mini-storage" by Special Use Permit (Desai)

Director Kieselbach introduced the zoning amendment request as summarized in staff memorandum.

The applicant spoke to his belief for the need to have a mini-storage facility within the Township and felt this amendment was the vehicle necessary to allow the facility to be built.

Board Members and staff discussed the following:

- An unintended consequence of changing from one (1) zoning classification to two (2)
- The specific usage inappropriate for entire C-2 district
- Options through the amendment process to determine if use is by right; conditional use or a special use permit
- No storage facility currently within Meridian Township
- Setback from residential in the C-2 district as sixty (60) feet which can be lowered to thirty-five (35) with specific buffer requirements
- If a conditional or special use permit, can have conditions written into the ordinance for a specific use
- Mini-storage allowed only in CS classification with a special use permit prior to designation change
- Mini-storage impact on neighboring land less in a C-3 area
- Undesirable neighbor with residential areas
- Reclassification of all undeveloped CS property rezoned C-2 for properties around commercial core
- Lack of vacant C-3 zoned property
- Concern over need to create more of a particular zoning classification because all parcels within that category are built on
- Lack of opportunity for a specific type of development due to reclassification from CS
- Older sites along Grand River left at C-2 designation
- Staff to discuss if issue is a valid concern

D. Citizen Awards

Manager Richards summarized the Citizen Awards Program proposal as outlined in his memorandum.

CHARTER TOWNSHIP OF MERIDIAN, REGULAR MEETING, JULY 1, 2003 *Approved*

Board Members discussed the following:

- Board parameters for program development by another group
- Existence of Senior Awards through Human Resources Commission
- Environmental Commission Stewardship Award
- Park Commission "Friends of the Parks" Award
- Existing programs' acknowledgment of citizen contributions
- Incorporate various recognition groups under one Township umbrella
- Desire of Land Preservation Advisory Board to implement awards program
- Task Force consisting of the Supervisor, the Clerk and the Treasurer to explore options
- Cost effective measures if award program is implemented

12. VISION SESSION/ENDS: (None)

13. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Richard Kerbawy, 1398 Hickory Island Drive, spoke to the comment during public comment on seeking the Township attorney's opinion on the issue of vacation v. abandonment of a road end and alleys on Hickory Island Drive and Hickory Island. Mr. Kerbawy gave a detailed history of this issue since 1990.

Vance Kincaid, 4530 Nakoma Drive, Okemos, spoke in opposition to the wetland ordinance change which added the definition of interested person using residential and geographical restrictions. He urged the Board to continue to refine the ordinance by removing these restrictions to comply with state law.

John Anderson, 215 W. Newman, Okemos, spoke in support of the referendum of Rezoning #03020 (Newman Equities).

Supervisor McGillicuddy closed Public Remarks.

14. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 9:04 P.M.

SUSAN McGILLICUDDY
TOWNSHIP SUPERVISOR

MARY M. G. HELMBRECHT
TOWNSHIP CLERK

Sandra K. Otto, Acting Secretary