

CHARTER TOWNSHIP OF MERIDIAN  
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -  
5151 Marsh Road, Okemos, MI 48864-1198  
349-1200, Town Hall Room  
TUESDAY, JUNE 1, 2004, **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting, Trustees Brixie, Stier, Woiwode  
ABSENT: Trustee Such  
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development Mark Kieselbach, Director of Engineering & Public Works Ray Severy, Asst. Fire Chief Dale Monnier, Attorney Andria Ditschman

1. CALL MEETING TO ORDER

Supervisor McGillicuddy called the meeting to order at 6:02 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.

Michael Reilly, 1651 Pontchartrain, Okemos, introduced himself and announced his candidacy for 55<sup>th</sup> District Court Judge.

Scott Schultz, 4642 Sequoia Trail, Okemos, spoke to the inability of the infrastructure to accommodate the water during the heavy rains and the resulting inconvenience for residents who were shutoff from services the Township provides.

Douglas Crown, 5454 Jessalee Circle, East Lansing, spoke concerning PUD #04014 (Fairmont) and the lack of deed restrictions on Keystone Woods which were required for Keystone Subdivision.

John Anderson, 215 W. Newman, Okemos, expressed concern with the recent flooding in Meridian Township, specifically in Ottawa Hills and Sunwind Subdivisions.

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

Supervisor McGillicuddy voiced appreciation to Township staff for the Memorial Day Service. She also attended the tribute at the American Legion and suggested the possibility of combining the two events.

Supervisor McGillicuddy stated the Tri County Regional Planning Commission approved an expansion to the Phase II Nonpoint Source Pollution Prevention agreement so that it will now cover the Grand River, the Looking Glass River and the Red Cedar.

Supervisor McGillicuddy asked Director Severy to address the effects of the ten inches (10") of rainfall during the month of May on the Township's sewer system.

Director Severy responded by stating that the flooding in Ottawa Hills and other low areas of the Township was caused by the excessive rainfall and the fact the Grand River cannot carry it off quickly enough to prevent back up. Much of Ottawa Hills was built in the floodplain. Concerns in the system are being addressed, with a fall/winter lining and repair project being slated for Ottawa Hills to reduce the inflow and infiltration.

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Director Severy added the Drain Commissioner is currently in the conceptual design phase for a storm drain system in the Towar area. In the older areas of the Township, the footing drains drain into the sanitary sewer system. During long periods of rain, the ground becomes saturated and the footing drains carry more water. This necessitates operation of the sump pumps which in many areas of the Township are connected to the sanitary sewers. Many of the sewer problems were due to the age of the sewer system and the need for corresponding repairs. Some of the inflow into sanitary sewers would not be eliminated unless the footing drains were disconnected. This is a very expensive process for the residents.

Further, Director Severy presented a report as of May 28<sup>th</sup> detailing all complaints received, most of which were flooded yards and a few with backup in basements.

Supervisor McGillicuddy asked if the sewer which services Indian Lakes had been lined as one resident had spoken earlier to a problem he was experiencing.

Director Severy explained three (3) or four (4) homes in Indian Lakes, as well as a few others within the Township, have had shut-off valves installed in the sanitary sewer because of past problems. During heavy storms such as we have experienced in May, they either automatically or manually shut-off the valve to prevent sewer back-up in the basement. As was mentioned, the result is there are no facilities available in the home when the shut-off valve is activated.

Clerk Helmbrecht reminded citizens of the June 14<sup>th</sup> School Election for Okemos and Haslett Public Schools. Okemos has three (3) candidates running for two (2) Board positions; Haslett has four (4) candidates running for two (2) School Board positions and a Headlee override ballot proposal. All requested absentee ballots to date have been mailed. Immediately following the June 14<sup>th</sup> Election, absentee voter ballot applications will be sent out on a dual form for the August 3<sup>rd</sup> Primary and November 2<sup>nd</sup> General Elections.

Clerk Helmbrecht mentioned that the speaker for the Memorial Day Service was a resident of Meridian Township, Major General Jim Pocock. The Boy Scout Troops placed a flag by every grave site in Glendale Cemetery and other cemeteries throughout the community where a veteran was buried.

6. APPROVAL OF AGENDA — OR CHANGES

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

VOICE VOTE: Motion carried 6-0.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda.

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

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

NAYS: None

Motion carried 6-0.

The adopted Consent Agenda items are as follow:

A. Communications

(1). Board Information (BI)

BI-1 John Russell Builders, Inc., 4131 Okemos Road, Suite 12, Okemos; RE: Mixed Use Ordinance

BI-2 Ruby Ghosh, 2174 Butternut Drive, Okemos; RE: Support for Rezoning #04020 (Okemos Public Schools)

BI-3 Eleanor Luecke, President, LINC, PO Box 40, Okemos; RE: Rezoning #04020 (Okemos Public Schools)

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- BI-4 Marge Clay, Principal, Cornell Elementary School, 4371 Cornell Road, Okemos; RE: Completion of the Hatch Road pedestrian/bicycle pathway on the north side of Hatch Road west of Goldenwood
- BI-5 Michael L. Netzloff, 4432 Greenwood Drive, Okemos; RE: Removal of dead trees west of 4432 Greenwood Drive
- BI-6 Dan C. Wertz, Superintendent of Schools, Okemos Public Schools, 4406 North Okemos Road, Okemos; RE: Request for postponement of further action on Rezoning #04020 (Okemos Public Schools) until the June 15<sup>th</sup> Board meeting

(2) Regional Linkage (RL)

- RL-1 Deborah L. Bellows, Secretary to the Board, Ingham County Road Commission, 301 Bush Street, Mason; RE: Abandonment of Liverance Street in Meridian Township
- RL-2 John W. Midgley, P.E., Managing Director, Ingham County Road Commission, 301 Bush Street, Mason; RE: Meridian Township Traffic Concerns
- RL-3 Daniel J. Troia, P.E., Design Engineer, Ingham County Road Commission, 301 Bush Street, Mason;  
Okemos Road Pavement Replacement Notice

(3). Staff Communication/Referral (SC)

- SC-1 Michigan Townships Association Legislative Fax May 14, 2004 Edition
- SC-2 Michigan Townships Association Legislative Fax May 21, 2004 Edition
- SC-3 Memorandum from Mark Kieselbach, Director of Community Planning and Development; RE: Commission Review #04033 (Township Board), Newman Equities, Central Park Drive Land Donation

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

Materials received at the May 18, 2004 Board Meeting:

- Richard B. Foster, 4990 Country Drive, Okemos; RE: Request for Board to table Rezoning #04020 (Okemos Public Schools)
- Ronald J. Styka, Okemos School Board Trustee, 2176 Belding Court, Okemos; RE: Statement in support of Rezoning #04020 (Okemos Public Schools)
- Vance L. Kincaid, 4530 Nakoma Drive, Okemos; RE: Hulett Road Property School Aid Alternative Funding Proposal to Okemos Public Schools

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

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Woiwode, Supervisor McGillicuddy,  
Clerk Helmbrecht, Treasurer Hunting  
NAYS: None  
Motion carried 6-0.

B. Minutes

**Trustee Brixie moved to approve and ratify the minutes of the May 18, 2004 Regular Meeting as submitted. Seconded by Trustee Woiwode.**

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Woiwode, Supervisor McGillicuddy,  
Clerk Helmbrecht, Treasurer Hunting  
NAYS: None  
Motion carried 6-0.

C. Bills

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

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Common Cash	\$ 541,656.17
Public Works	\$ 182,071.59
Total Checks	\$ 723,727.76
Credit Card Transactions	\$ 15,433.87
Total Purchases	<u>\$ 739,161.63</u>
ACH Payments	<u>\$ 460,838.29</u>

**Seconded by Trustee Woiwode.**

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Woiwode, Supervisor McGillicuddy,  
Clerk Helmbrecht, Treasurer Hunting  
NAYS: None  
Motion carried 6-0.

[Bill list in Official Minute Book]

8. QUESTIONS FOR THE ATTORNEY

9. HEARINGS

Supervisor McGillicuddy opened the public hearing at 6:29 P.M.

A. Planned Unit Development #04014 (Fairmont), request to develop a 12-lot PUD north of the Keystone Subdivision

Director Kieselbach summarized the applicant's request for the proposed PUD as outlined in staff memorandum dated May 27, 2004.

APPLICANT

Mr. Fairmont, 4429 Apache Drive, Okemos, offered the following comments:

- A preliminary sketch plan was in front of the Planning Commission in October, 2003 before final PUD submission
- Road configuration would be the same regardless of number of homes built on the site
- Development costs of the road and land cost would be the same regardless of number of homes
- In order to maximize use of the land, twelve (12) single family homes were decided upon
- Only one access point to access Keystone Commons (off Burcham)
- Applicant agreed to creation of easement where land abuts the PUD to allow access to Keystone Commons
- Applicant agreed to dedicate a ten foot public easement for a common public access at eastern end of the cul-de-sac
- PUD process requires approval of submitted detailed landscape plans for existing and proposed landscape
- The subdivision will be consistent with the look of Keystone Subdivision

Trustee Woiwode stated it was unclear where the power line is and how far it is from the back of the area around Lot 7.

Director Kieselbach explained that part of the commons area for Keystone and the easement for Consumers is north of the proposed site.

Mr. Fairmont added that the main overhead Consumers line runs east-west along the Burcham easement and would easily be 100 feet beyond the back of lots in the proposed development. It crosses into the Keystone subdivision through Banyon Park running north to south.

Supervisor McGillicuddy closed the public hearing at 6:44 P.M.

10. ACTION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

John Anderson, 215 W. Newman Road, Okemos, spoke in opposition to Amendment to the C-2 Zoning District to allow a Hotel or Motel.

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Scott Knapp, 505 Ardson, East Lansing, asked that the Board allow the Planning Commission to consider whether hotel/motel use should be allowed via special use permit in C-2, citing examples of establishments which could currently be constructed by right.

Supervisor McGillicuddy closed public comment.

A. Amendment to the C-2 Zoning District to Allow a Hotel or Motel

Director Kieselbach summarized the proposed amendment as outlined in staff memorandum dated May 28, 2004.

**Treasurer Hunting moved to initiate a zoning amendment to the Charter Township of Meridian Zoning Ordinance to allow hotels and motels in the C-2 zoning district by special use permit. Staff is instructed to prepare a draft amendment and refer it to the Planning Commission for a public hearing and recommendation. Seconded by Trustee Stier.**

Board members discussed the following:

- When CS and NS property was rezoned to C-1, C-2 and C-3, a decision was made to designate only C-3 to areas which were already used as C-3
- Discussion at that time included rezoning of C-2 property by making application for a C-3 use on a case-by-case basis
- Lack of discussion during CS rezoning to include or exclude hotel/motel use
- Amendment would provide less traffic to the commercial core area where land could be used to build a hotel/motel
- Planning Commission consideration as the appropriate avenue
- SUP process and criteria makes it difficult to adequately address this particular project
- Research Park zoning district was amended to allow for hotel/motel use
- Future use of a hotel/motel as it relates to conversion into apartments
- Concern over change affecting all C-2 areas

ROLL CALL VOTE: YEAS: Trustees Stier, Woiwode, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting  
NAYS: Trustee Brixie  
Motion carried 5-1.

11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Dr. Stanley Smith, 1848 Mirabeau, Okemos, spoke in support of Rezoning #04040 (Freeborough/Saturn) for the Grand River portion of the property. He spoke against the rezoning for the property located to the north of the Freeborough property line due to existing wetlands and his feelings it would be detrimental to the adjacent property he owns (Countryway Apartments).

John Anderson, 215 W. Newman, Okemos, spoke in opposition to Rezoning #04030 (Hovey).

Supervisor McGillicuddy closed public comment.

A. Master Plan, Future Land Use Chapter and Map

Director Kieselbach summarized additional issues sent from the Planning Commission as outlined in staff memorandum dated May 26, 2004.

Board members discussed the following:

- Various entities included in the definition of “institutional”
- Existing land which is not the typical residential or office designation
- Symbols included in the legend to designate cemeteries, schools, churches
- Planning Commission condensed categories for density range which places two (2) zoning districts for each designation
- Greater density ranges give more options
- Legal history of Township regarding interaction between land use maps and zoning
- Requested the attorney provide background on Township case law relative to land use plan limitations over the last 30 years

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- Current Future Land Use Map along BL-69 was amended (based on the Newton Study) from largely residential to a number of mixed use categories while the current draft has gone back to a majority of the frontage as residential
- BL-69 frontage designation should be a transitional category
- Question of intent for Board review of each parcel
- Request for Planning Commission notes on sectional review of the Future Land Use Map
- Procedural process of Master Plan review
- Designation for southern part of BL-69 as “mixed use in the area could be achieved through zoning”
- Current use issues where 3.5-5 residential range is surrounded by 1.25-3.5 assumes correlation to the Master Plan
- Master Plan shows density lower than zoning would provide for in some subdivisions, but when actually figured, it is closer to the Future Land Use Map
- Institutional use as a special category instead of the semi-public category
- Commercial core and Research Park not the most appropriate place for hotel/motel
- Planning Commission discussion on dwelling units for residential categories to get close to potential build out based on zoning
- Use of whole numbers for dwelling units per acre on the Draft 2004 FLUM
- Relate density to zoning in table format for next meeting
- Need for future study areas on the FLUM
- Separation of Township owned property from others labeled “institutional”
- Planning Commission took current categories and combined them to make fewer land use designations on the FLUM
- Create a land use designation for areas where there has not yet been full annexation
- Planning Commission recommendation that Township owned land be separated from other institutional designations
- Merit of designation of Township owned land in the public portion
- Separation of Township parks from other land
- Indication of wetlands as Township owned in the public portion
- Governor Land Use Council recommendation of farm land listed as agricultural production areas
- Electronic copy of map will be available on disk
- Staff to look at the ability of providing each GIS layer of the map

**It was the consensus of the Board to have this on the agenda for discussion at the next Board meeting.**

B. Wetland Use Permit #04-02 (Terra Prima, LLC)

Director Kieselbach summarized the wetland use permit application as outlined in staff memorandum dated May 27, 2004.

Board members discussed the following:

- Detention pond location chosen as it was a natural low area next to a wetland ideal for storm discharge
- Other sites considered for the detention pond
- Drain Commissioner recommendation for detention pond location
- Preservation of 450,000 square feet as opposed to 1,300 square feet of wetland
- Creation of a mitigation site at a 9:1 ratio
- Removal of need for Wetland A retention wall through road redesign

**It was the consensus of the Board to have this item on for action at the next Board meeting.**

C. Preliminary Plat #04022 (Meridian Meadows), request to develop a 118-lot single-family subdivision on 66.43 acres from RA (Single Family-Medium Density) zoned land located on the northeast corner of Jolly and Hulett Roads

Director Kieselbach summarized the proposed preliminary plat as outlined in staff memorandum dated May 27, 2004.

Louis Beaudet, member of Terra Prima, LLC, 17117 West Nine Mile Road, Suite 1100, Southfield, expressed that the applicant worked with several regulatory agencies to build a development the community would embrace. The design work attempted to preserve as much of the wetland area as possible.

In response to a question asked by Supervisor McGillicuddy, Mr. Beaudet explained that the location of entrances for the proposed plat were a result of concerns expressed by the Ingham County Road Commission (ICRC) during discussions.

Board members and staff discussed the following:

- Concern with hydrology of Wetlands A & B by subdividing them with a road
- Larger wetland complex on the Smith property
- Road which would connect to the Smith property would avoid wetland on that property
- Ability to have gravity flow to create single wetland system
- Road location between the wetlands dictated by Road Commission desire for connection in the middle of the subdivision
- Proposed roadway as the avenue for sanitary and storm sewer infrastructure into the Smith property and on to the connection
- Road Commission rationale for road location between the wetlands as the only connection to an existing road for the Smith property
- Possible relocation of proposed road between lots 3 and 4 or lots 4 and 5
- Potential relocation of road to the west would make cul-de-sac on the Smith property too long for Road Commission approval
- Consideration of an east-west path for students to walk to school with connection to Coreopsis Court and subsequent connection to seven (7)-foot pathway along Jolly Road
- Possible easement for pathway along lots 1 through 8
- Homeowners association likely to be responsible for maintenance of wetland and open space
- Long term plans for Myrtle Drive as a proposed dead-end street
- Applicant review of Park Commission comments contained in staff memorandum dated April 23, 2004
- Existing pathway on west side of Hulett Road
- Pathway on the east side of Hulett Road not part of the Pathway Master Plan
- Extension of pathway to run entire length of property along Hulett Road
- Proposed relocation of entrance on high school property to align with Lupine Drive in an effort to avoid interlocking left hand turns onto Hulett Road
- Coreopsis Boulevard contains two lanes out and one lane in
- Ten mature trees on the site were flagged and will be protected by the Land Clearing Ordinance if they are significant and not in the middle of a road

**It was the consensus of the Board to have this item on for action at the next Board meeting.**

- D. Planned Unit Development #04014 (Fairmont), request to develop a 12-lot PUD north of the Keystone Subdivision  
Director Kieselbach outlined the proposed PUD as summarized in the staff memorandum dated May 27, 2004.

Board members discussed the following:

- Approval to include adherence to our land clearing ordinance for tree protection
- Consistency of development design with the Keystone Subdivision
- Appreciation for developer's desire to use the PUD ordinance

**It was the consensus of the Board to have this item on for action at the next Board meeting.**

- E. Rezoning #04030 (Hovey), request to rezone approximately 6.9 acres at 5177 and 5241 Marsh Road from RR (Rural Residential) and RA (Single Family-Medium Density) to RC (Multiple Family-Medium Density)  
Director Kieselbach outlined the proposed rezoning as outlined in staff memorandum dated May 28, 2004.

Tim Hovey, Hovey Companies, LLC., 124 E. Washington, DeWitt, gave an overview of the review criteria for the rezoning application.

Board members and staff discussed the following:

- Future Land Use Map designation as 3.5-5.5 units per acre
- Cost of land dictates higher density for profitability
- RR property previously zoned RA
- Allowance of ten (10) units as zoned
- Acreage and number of units of Marsh Pointe
- Marsh Pointe zoned as RD
- Stratford Place rezoned RC with deed restriction for senior housing
- Planning Commission denial as appropriate
- High density not warranted
- Density of Alterra and surrounding facilities
- Senior housing has least impact on traffic

**It was the consensus of the Board to have this item on for action at the next Board meeting.**

- F. Rezoning #04040 (Freeborough/Saturn), request to rezone 2.49 acres at 1696 Grand River Avenue from C-2 (Commercial) and RC (Multiple Family-High Density) to C-3 (Commercial) Director Kieselbach summarized the rezoning request as outlined in staff memorandum dated May 27, 2004.

Ms. Freeborough, Owner, Saturn of Okemos, 1728 W. Grand River, Okemos, agreed with the Planning Commission decision. It is her intent to square off the back of the building and develop the area for additional parking for display and customers. She also spoke to road expansion of the service drive to help with traffic from Rite Aid onto Marsh Road.

Board members and staff discussed the following:

- Unanimous Planning Commission decision and applicant and neighbor agreement
- Planning Commission change consistent with the Future Land Use Map
- Intention to connect to the service drive with Rite-Aid
- Current non-regulated wetland east of the RC zoned property, between RC and RD
- Concern over intrusion into residential property to the northwest
- Development would be limited due to setback requirement of 250 feet and would require a variance
- Proposed FLUM incorrect for Countryway apartments
- Creation of a buffer between subject property and Countryway Apartments for future use
- Inability for use of property as an auto dealership as it is not an allowed use in C-2
- 1993 Master Plan and the current map called for this land and Countryway Apartments as the commercial core
- Need to rezone the entire piece in order for owner to be able to utilize all of the land
- Rezoning of southern portion to C-3 is consistent with the Master Plan as recommended by the Planning Commission
- Extension of the service drive from Rite Aid west to and including the Rio Bravo site and then turns north, excluding interruption at Danford Cleaners
- Small strip of land between Rite-Aid and the subject property not zoned C-3
- Commercial core intended to be a mixed use category
- Staff to prepare a motion to send it back to the Planning Commission to move the rezoning further south to the eastern extension of the property line
- Staff to prepare a motion to affirm the PC recommendation to clean up the lines and make it C-3 and contiguous with the commercial core

**It was the consensus of the Board to have this item on for action at the next Board meeting.**

- G. Compilation of Lake Lansing Vision Sessions  
Supervisor McGillicuddy requested the Board earmark the items the Board feels should be addressed in an overlay district.

Board members discussed the following:

- Include sprinklers to enable closer sideyard setbacks
- Use of the high water mark from the lake
- Fire department recommendation there be nothing in the sideyards
- No extrusions from the building into sideyards
- Use of fire retardant material
- Drain Commissioner recommendation of running water into the wetlands across the street for natural filtration
- Performance standards
- Reduction in front yard setbacks to allow construction of front porches
- Sliding scale for sideyard setbacks with option of zero lot lines on one side if fire retardant materials are on both sides of the property line and the roof as well as the use of sprinkler systems
- Reduction in sideyard setbacks
- Incorporation of continued enforcement of impervious/pervious ratio
- No phosphorous fertilizer requirement on the overlay district
- Attempt to maintain view for non lakeside property owners
- Timeline of homeowners' proposal
- Concern that zero sideyard will increase "canyon" effect
- Define performance standards and any "tradeoffs" for smaller setbacks, sprinklers or fire retardant materials within the ordinance so it does not need to go to the ZBA
- Consistency of the ordinance with case law on keyhole or funnel development
- Explore use of permeable concrete as an amenity

Director Kieselbach will take the Board's comment to the June 8<sup>th</sup> meeting with the Lake Lansing Advisory Committee and report back to the Board on progress made. It is the Committee's goal to have the proposal completed by late summer.

12. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Vance Kincaid, 4530 Nakoma Drive, spoke to the new intersection being created on Hulett Road with Preliminary Plat #04022 (Meridian Meadows).

Charles Louis Willems, PO Box 184, Haslett, expressed concern over sideyard setback reduction on Lake Lansing and consistency with the Court set level on Lake Lansing.

Dr. Stanley Smith, 1848 Mirabeau, Okemos, commented on the integrity of the Countryway Apartment project if the wetland is drained.

John Veenstra, 320 Piper Road, Haslett, offered his views on the merits of the Township purchasing the subject property in Rezoning #04020 (Okemos Public Schools).

Supervisor McGillicuddy closed Public Remarks.

13. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 9:47 P.M.

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SUSAN MCGILLICUDDY  
TOWNSHIP SUPERVISOR

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MARY M. G. HELMBRECHT  
TOWNSHIP CLERK

Sandra K. Otto, Secretary