

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room
TUESDAY, APRIL 4, 2006, **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting, Such, Veenstra
ABSENT: Trustees Brixie, Woiwode
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development
Mark Kieselbach, Police Chief Dave Hall, EMS/Fire Chief Fred Cowper, Personnel
Director/Assistant Manager Paul Brake, Attorney Michael Woodworth

1. CALL MEETING TO ORDER

Supervisor McGillicuddy called the meeting to order at 6:00 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 and closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

A. CADL Annual Report – Ann Chapman (Haslett Library) and Joan Smith (Hope Borbas Okemos Library)

Haslett Librarian Ann Chapman gave an overview of programs and services offered at the Haslett Public Library. She also offered statistics on increased use of library facilities as well as upgrades to the building.

Okemos Librarian Joan Smith gave an overview of programs and services offered at the Okemos Hope Borbas Library. She noted the library is open 74 hours per week, more than any CADL branch and believes it a reflection of increased use of the library.

B. CATA Annual Report – Patricia Munshaw

Ms. Munshaw provided an update on Meridian Redi-Ride which provides transportation within Meridian Township for its residents. She noted the program uses small lift equipped buses, three of which were added to the fleet as new vehicles in 2005. Service is provided Monday through Saturday, 9:00 a.m. until 5:00 p.m. Ms. Munshaw stated the cost is \$1.00 each way; seniors, students, and the handicapped are charged \$.50 per trip. Ridership has increased 28% from 2001 to 2005.

Ms. Munshaw added that if a resident needed transportation outside of the Township, the program provides transportation from the individual's residence to an area bus stop which would connect to a rider's destination.

6. APPROVAL OF AGENDA — OR CHANGES

Trustee Such moved to approve the agenda as submitted. Seconded by Treasurer Hunting.

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

NAYS: None

Motion carried 5-0.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda.

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

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

NAYS: None

Motion carried 5-0.

The adopted Consent Agenda items are as follow:

A. Communications

(1). Board Information (BI)

- BI-1 Jim Rundquist, Jones Property Development, 3800 Hagadorn Road, Okemos; RE: Road closings for final construction of the College Fields Golf Course
- BI-2 Tricia Keith, 2333 Indian Hills Drive, Okemos; Memorandum of resignation from the Economic Development Corporation
- BI-3 Marilyn J. Lee, 3926 E. Sunwind Drive, Okemos; RE: Okemos Preserve
- BI-4 Luigi Gino Baldino, 1812 N. College Road, Mason; RE: Request to waive fees in ZBA Case #06-0412-1
- BI-5 Jeanne Hundry, 4674 Nakoma Drive, Okemos; RE: Opposition to expansion of WalMart at 5110 Times Square, Okemos
- BI-6 Treasurer Bruce Hunting; Article from December, 2005 Edition of *American City and County*, entitled, "Bikeway ensures safe travel"
- BI-7 Michelle Lewis, 4618 Ottawa Drive, Okemos; RE: Okemos Flea Market

(2). Staff Communications (SC)

- SC-1 Michigan Townships Association Legislative E-Report, March 17, 2006 Edition
- SC-2 Michigan Townships Association Legislative E-Report, March 24, 2006 Edition

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

Materials received at the March 21, 2006 Meeting

Jean Nicholas, 6232 Brookline Court, East Lansing; RE: Opposition to expansion of WalMart at 5110 Times Square, Okemos

Patrick E. Lindemann, Ingham County Drain Commissioner, 707 Buhl Avenue, Mason; RE: Okemos Pointe Rezoning Request

Trustee Such 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 Treasurer Hunting.

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

NAYS: None

Motion carried 5-0.

B. Minutes

Trustee Such moved to approve and ratify the minutes of the March 21, 2006 Regular Meeting as **submitted. Seconded by Treasurer Hunting.**

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

NAYS: None

Motion carried 5-0.

C. Bills

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

Common Cash	\$ 121,479.33
Public Works	\$ 40,135.16
Total Checks	\$ 161,614.49
Credit Card Transactions	\$ 15,033.83
Total Purchases	<u>\$ 176,648.32</u>
 ACH Payments	 <u>\$ 329,105.37</u>

Seconded by Treasurer Hunting.

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

[Bill list in Official Minute Book]

D. 1st Quarter Budget Amendments

Trustee Such moved that the Township Board approve the 2006 amended budget as reflected on page 2 of the memorandum to the Township Board from the Finance Director, dated March 30, 2006. Seconded by Treasurer Hunting.

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

E. Assessing Stipulation

Trustee Such moved that the Township Assessor be authorized to sign a stipulation with Suburban Properties, East Lansing, LLC, on the following property:

YEAR	DOCKET NO.	ADDRESS OF PROPERTY
2005	0317801	2810 Hannah, East Lansing
<u>Assessment</u>	2005	<u>AV/TV</u> \$1,300,000/1,300,000
<u>Proposed Assessment</u>	2005	<u>AV/TV</u> \$1,150,000/1,150,000

Seconded by Treasurer Hunting.

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

F. Initial Liquor License Allocation, Aladdin's Delight

Trustee Such moved that the request for the Class C licensed business for Aladdin's Delight (Farahnaz Zarifan), 4930 Marsh Road, Okemos, MI Ingham County be approved as "above all others" and the Township Clerk be authorized to execute the authorized resolution. Seconded by Treasurer Hunting.

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

- G. Liquor License Transfer - Mason Street Eat Rite Cafe, LLC
Trustee Such moved to approve the transfer of a 2005 Class C on premises liquor license for Mason Street Eat Rite Café LLC, located at 2900 Hannah Boulevard, East Lansing, Meridian Township, Ingham County, Michigan, from AMSP Enterprises, Inc. to Mason Street Eat Rite Café LLC and further, authorize the Township Clerk to execute the resolution for local approval as stated in a memorandum to the Board dated March 30, 2006. Seconded by Treasurer Hunting.

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

- H. 2006 Order to Maintain Sidewalk SAD #8, **Resolutions #1 and #2**, Set Public Hearing Date (May 4, 2006)
Trustee Such moved to approve 2006 Order to Maintain Sidewalk Special Assessment District #8, Resolutions #1 and #2, which tentatively approves the improvements and cost estimates of proposed improvements, and sets the date for a public hearing on May 4, 2006. Seconded by Treasurer Hunting.

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

8. QUESTIONS FOR THE ATTORNEY (See Agenda Item # 10B, #11B)

Property Maintenance Code:

- Q. This relates to the Property Maintenance Code, specifically paragraph 302.9 which is entitled Defacement of Property. I ask this because I am very concerned that I don't want any of our ordinances to suggest that they, in any way, impinge upon the constitutionally protected right of free speech which is in the First Amendment of the U.S. Constitution. This sentence seems to say that there can be no marking or graffiti on any external surface, but the first part says "No person shall willfully or wantonly deface any exterior surface." I just want to make sure that certain kinds of free speech would be protected. All of my questions apply to putting a mark on property that you own or control. A cross on the side of a church would be a mark on an exterior service. Is it prohibited to paint a cross on some external surface?
- A. It is important to get to the "placing the mark" language under this provision. It has to constitute willful and wanton defacement or damage to the structure. That language, the damage or destruction to the structure, would have to be read consistent with the right of free speech in the first amendment. It would have to be read consistent with the opportunity of fair notice under our constitutional due process clause, so you don't get to the language about placing the mark until you get past the first language regarding defacement.
- Q. So, for that reason this language then would not prohibit, for example, putting a cross on a building, putting an American flag on a building, putting a family coat of arms on your garage door or printing your name on your house someplace, or, if you were a fanatic MSU supporter, writing "Go Green" or some other such slogan on your house or roof or writing God Bless America on your house someplace? Are all those protected?
- A. As you have posited it, yes. Obviously, because you just couch by putting a Michigan State symbol...if you do that, and then further damage or deface the building, just because you put the Michigan State symbol on doesn't mean that somehow you've excused yourself from the damage. But, as you asked the question, yes, those activities would be protected.

- Q. Some people might put on a political slogan that other people found objectionable. Let's say someone chose to paint on their garage door "Peace" or "No war" or some such political slogan. Is that constitutionally protected free speech?
- A. The first amendment would protect a "Peace" or "No war" statement. Again, if you did that, but used that as a guise or artifice to destroy the building, that's not going to protect you. However, that speech that you've described, Trustee Veenstra, would be protected under the First Amendment, notwithstanding the provisions of this code. In saying that, I don't see this code as violating the First Amendment. Don't get me wrong.
- Q. That's what I want to make sure. Obviously, if you do this to somebody else's property, that would be vandalism if you don't have permission. If you are doing it on your own property, I think there is a fairly broad range of what you would be able to do that would be constitutionally protected. I take it, you are saying that also?
- A. Correct. On those close questions, we have never had a problem where staff wouldn't call our office first to ask for our input and legal advice.

9. HEARINGS

- A. Wetland Use Permit #06-04-04 (Smith), amendment to the Wetland Use Permit for The Sanctuary subdivision

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

Director Kieselbach summarized the proposed amendment to the wetland use permit as outlined in staff memorandum dated March 30, 2006.

Supervisor McGillicuddy asked if the changes have already been made.

Director Kieselbach responded that the Board approved the final plat last month with the condition that the applicant obtains approval of this wetland use permit. Staff did not realize this change had taken place since it happened during the design and construction phase.

Supervisor McGillicuddy inquired if the Drain Commissioner has looked at this.

Director Kieselbach answered that construction could not take place without Drain Commissioner approval.

Supervisor McGillicuddy asked about maintenance.

Director Kieselbach stated that he assumed it would be taken over by the Drain Commissioner.

Clerk Helmbrecht inquired if the Drain Commissioner requested this change.

Director Kieselbach stated he was unsure where the request came from. He did note that in the original design stormwater could not drain off the road by gravity into the other treatment pond so the alternative to a complete redesign was to change and add another pipe into this wetland.

Trustee Such asked if this change was basically moving the polishing pond.

Director Kieselbach responded that it is moving the pond and has no effect on the wetland itself, as there is not mitigation or variances needed.

Supervisor McGillicuddy inquired if it goes across and feeds the wetlands in Hartrick Park.

Director Kieselbach responded that Hartrick Park is west of the site. He noted this amendment does not change where the water goes, simply how it goes into the wetland.

Trustee Veenstra inquired if the water from The Sanctuary drained under Hulett Road and travels west across Hulett Road to feed the wetlands in Hartrick Park.

CHARTER TOWNSHIP OF MERIDIAN, REGULAR MEETING, APRIL 4, 2006 *APPROVED*

Director Kieselbach stated The Sanctuary subdivision to the north had a drainage flow easement to go to the school property.

PUBLIC

Cathy Baird, 3720 Hulett Road, Okemos, asked where the water from the pond drains.

Jamerson M. Ries, Project Manager, Kebs, Inc., 2116 Haslett Road, Haslett responded that it drains through the Hooker Haynes property into the Smith Drain. He added that all of the wetlands are now interconnected such that a significant rain event overflow would go through the development to the far western wetland and drain through the drainage system which exists on school property.

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

10. ACTION ITEMS/ENDS

Supervisor McGillicuddy opened and closed public comment.

A. Dangerous Building, 6045 Hardy Drive, East Lansing

Trustee Such moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby approves the order of the Building Board of Appeals that the building at 6045 Hardy Avenue is a dangerous building as defined in Section 14-176 of the Code of Ordinances and the building shall be demolished or made safe on or before May 20, 2006. Seconded by Treasurer Hunting.

William Peloquin, 11533 Monroe, Portland, owner of the property, alleged he was not properly noticed for the hearing on the dangerous building at 6045 Hardy Drive, East Lansing.

Proper Notice for the Public Hearing: (Questions for the Attorney (See Agenda Item #8))

Q. Counsel, could you shed some light on this for us?

A. First of all, I have a question for Mr. Kieselbach. Was this notice posted on the property?

DIRECTOR KIESELBACH'S RESPONSE: I am not sure if it was or not.

ATTORNEY QUESTION TO MR. PELOQUIN: Mr. Peloquin, you were here for the public hearing. How did you get noticed for the public hearing that was conducted at the last regular Board meeting?

RESPONSE FROM MR. PELOQUIN: I received notice seven (7) days before the hearing.

ATTORNEY QUESTION TO MR. PELOQUIN: Was there anything that you wanted to say at that public hearing which was conducted that you did not have an opportunity to say?

RESPONSE FROM MR. PEOQUIN: Yes, there were quite a few things.

ATTORNEY QUESTION TO THE BOARD: Does the Board want to entertain those additional comments today?

RESPONSE FROM SUPERVISOR MCGILLICUDDY: I have no objection, but we did have an official hearing.

ATTORNEY QUESTION TO MR. PELOQUIN: Mr. Peloquin, do you have something new to present to the Board?

RESPONSE FROM MR. PELOQUIN: One of the things was that in preparation for this hearing, I requested a copy of the dangerous building ordinance and reviewed it after the building inspection. It was there that I found out about the ten (10) day notice requirement.

We had a full packet of things; didn't even understand that. Additionally, there were a couple of letters. There is nothing in this order here that describes what it is that was in error. We have to go back further to find out that it was two (2) items; damaged studs, sheathing and siding. Those are the only three (3) items that were referenced in letters prior to that.

Chief Building Inspector Heckaman did come out and reviewed the repairs I made. You have a picture in one showing the sheathing that they showed. That was repaired. I asked him if he wanted to go inside and he said no; he was just making a status check. There were some comments here it hadn't been inspected. He was out Tuesday and inspected the work and approved it. Your Director was with him; I am sure he will verify that. There was no water damage inside; in fact, I replaced one (1) stud. That was all I had to do. It took a lot of work to get to it, but I replaced one (1) stud.

So what are we left with now to comply with this? Siding. That is the only issue left. Now they found a few other things since, but that is not part of this order. That is what I said when I first came; the only real issue is siding. Does that really make it a dangerous building that should be demolished in sixty (60) days? I don't think so.

ATTORNEY COMMENT TO THE BOARD: I have reviewed the file. I see no issue with regard to notice. I would also reiterate something that I said at the last meeting. Upon the entry of the order by the Board, if it adopts this resolution, there will be sixty (60) days to come into compliance. That will give ample time to Mr. Peloquin to respond to the order before enforcement activity would be taken beyond that.

RESPONSE FROM MR. PELOQUIN: The problem is that the underlying June 21st order was illegal. It was not properly noticed.

Board members discussed the following:

- Ongoing problem for six (6) years
- Urge the owner to bring the structure into compliance and in a livable state
- Owner has sixty (60) days from the date of the hearing to bring the structure into compliance
- If the applicant chooses to repair the structure, it is strongly requested that it be tested for black mold before it is placed on the market or sold
- House has been vacant for fifteen (15) years; most of that time it has not been heated, had no water or electricity

Treasurer Hunting offered the following friendly amendment:

- **Change date for "demolished or made safe on or before" from May 20, 2006 to June 3, 2006**

The amendment was accepted by the maker and seconder.

ROLL CALL VOTE: YEAS: Trustees Such, Supervisor McGillicuddy, Clerk Helmbrecht,
Treasurer Hunting
NAYS: Trustee Veenstra
Motion carried 4-1.

B. Property Maintenance Code, Introduction

Treasurer Hunting moved [and read into the record] NOW, THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, hereby INTRODUCES FOR PUBLICATION AND SUBSEQUENT ADOPTION Ordinance No. _____, entitled "Ordinance Amending the Code of the Charter Township of Meridian, Michigan, by Amending Chapter 14 Buildings and Building Regulations, Article III Housing Code; Division 1, Section 14-56, Section 14-57, Section 14-58; and Division 2 Section 14-81."

BE IT FURTHER RESOLVED that the Clerk of the Charter Township of Meridian is directed to publish the Ordinance in the form in which it is introduced at least once prior to the next regular meeting of the Township Board.

Seconded by Trustee Such.

Board members discussed the following:

- Discussion of the code by the Board over several months
- Proposed Meridian Township amendments show sensitivity to the Township's environment and its needs
- Alleged need for staff to compile text of the entire International Property Maintenance Code with incorporated Township amendments for the public
- Possibility for placing the code and the Township amendments on the Township's website subject to copyright restrictions
- Desire for Clerk to place notation at bottom of notification that copy of the code and amendments are available at the Municipal Building and at the libraries

Publication of the International Property Maintenance Code with inclusion of Meridian Amendments:
(Questions for the Attorney (See Agenda Item #8))

Q. Will that all be written out as one text? Will the Meridian amendments be put into the code version?

A. The process that you are undertaking here, to adopt by reference, is certainly permissible; as a matter of fact, it is contemplated rather than republishing the entire code. There would also be some difficulties in taking copyrighted materials and republishing that, but doing some alterations within it. The safest course would be to refer people to other resources as Trustee Such has indicated would be done.

ROLL CALL VOTE: YEAS: Trustees Such, Supervisor McGillicuddy, Clerk Helmbrecht,
Treasurer Hunting
NAYS: Trustee Veenstra
Motion carried 4-1.

- C. Resolution for Supporting Ingham County Farmland and Open Space Preservation Program
Trustee Such moved [and read into the record] NOW, THEREFORE, BE IT RESOLVED that the governing body of the Meridian Township Board of the Charter Township of Meridian, Ingham County, Michigan, authorizes participation in the Ingham County Farmland and Open Space Preservation Program. Meridian Township supports the efforts of the Ingham County Board of Commissioners to establish and fund an active Farmland Preservation program in Ingham County and encourages landowners who own land that should be preserved to apply to this program. Seconded by Supervisor McGillicuddy.

Board members discussed the following:

- Open Space Preservation Program consistent with Township goals

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

- D. Fire Act Grant Application

Trustee Such moved to authorize the Fire Department to apply for and accept a Fire Investment and Response Enhancement (F.I.R.E.) Act Grant through the Department of Homeland Security in the amount of \$186,000.00. Seconded by Trustee Veenstra.

Board members discussed the following:

- Good program on its merits
- Township match of only ten percent (10%) of the total
- Concern that the Township's share will come out of and further decline the fund balance

CHARTER TOWNSHIP OF MERIDIAN, REGULAR MEETING, APRIL 4, 2006 *APPROVED*

- Competitive grant program which would significantly expand the Township's ability to respond to heart emergencies
- Furthers the Board goal to provide for the health, safety and welfare of Township residents
- Grant is based on population, not amount of match

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

NAYS: None

Motion carried 5-0.

11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened and closed public comment.

- A. Wetland Use Permit #06-04-04 (Smith), amendment to the wetland use permit for The Sanctuary subdivision

The consensus of the Board was to place this item on for action at the April 18, 2006 meeting.

- B. Mixed Use PUD #05024/Site Plan Review #06-03 (Russell), Village Square Phase 2
Director Kieselbach summarized the revised Mixed Use PUD as outlined in staff memorandum dated March 30, 2006.

John Russell clarified a few comments made at the last Board meeting and reiterated that the footprint of the two (2) buildings have not changed. He stated he took all Board comments into consideration and incorporated them into the revised site plan he submitted on March 29, 2006.

Board members and the applicant discussed the following:

- Staff recommended revisions shall be incorporated into the PUD
- Barrier free access needs to be made available
- Consideration of an elevator in place of the second story handicap accessible ramp
- Width of an elevator and adjacent up and down stairways would be approximately the same as the handicap accessible ramp on the east side of the building
- Handicap ramp is the only access to the second floor
- Access to the third floor from the second floor is a stairway
- Railed handicap ramp is five (5) feet in width
- Concern with snow and ice removal on the ramp in the winter could be addressed through heated pavement
- Grade level to the second floor is a 5-1/2 foot rise
- Requirement of only a one inch rise for each lineal foot mandates 60-66 foot ramp
- Appreciation for the applicant's willingness to make modifications based on previous Board concerns
- Potential for the outdoor grill to emit offensive odors to upper floor residents
- Current plans shows two (2) benches in the north gathering space closest to Hamilton Road
- Potential for moving one bench from the north gathering space to the south gathering space if two (2) are not needed next to each other
- Example of a one loop bike rack near the Farmer's Market pavilion
- Concern with current access plan to the third floor
- Stairs in conjunction with the handicap accessible ramp
- Earlier vision with the original plan of a somewhat secluded outdoor eating space for the residents
- Building detail is not included in the original site plan
- Second floor walkway/balcony
- Decorative window grids
- Casement window which opened would allow room for plants
- Board input to staff prior to staff approval
- Project as a showpiece in the center of the Township
- Possibility of reduced parking to increase outdoor gathering space in another area
- Possible creative use of the "hill"
- Follow-up on possible agreement with adjacent property owner to use bank lot for parking

- during non-business hours would allow for additional gathering space
- Flexibility of moving the building to the west to more easily accommodate a handicap accessible ramp to be explored by staff

Flexibility for staff to alter Board approved site plan: (Questions for the Attorney (See Agenda Item #8))

Q. If we allowed that flexibility, would that cause us any problems in the future that you can see?

A. You would have to go back to the initial resolution on this. I know that we gave staff the authority to approve the site plan amenities, but I am not so sure that encompassed actual change(s) beyond that.

I noted on the resolution that a forward thinking Board put in a provision that the site plan would be subject to revisions as required. This may trigger that exact language to allow us to do that.

It was the consensus of the Board to allow the applicant to work with staff, taking all Board comments into consideration.

- C. SUP #06031 (Tendercare, MI, Inc.), a request to locate a 120 bed nursing home at 5177 and 5241 Marsh Road
Director Kieselbach summarized the special use permit request as outlined in staff memorandum dated March 30, 2006.

Rick Postema, Richard Postema Associates, 1580 44th St. SW, Grand Rapids, provided a floor plan which showed a new nursing home design, predicated upon Governor Granholm's initiative program of a social model which requires 80% of the rooms to be single occupancy. This model allows the nursing facility to be "home." Part of the design concept is to make distinct residential communities clustered around nurses' stations at each corner of the building.

Board members, the applicant and the applicant's representative discussed the following:

- No variances required for this plan
- Applicant preference not to have a gated entrance as there are competing requirements
- Township need to work in conjunction with the Road Commission for the best solution(s) on the second entrance
- Change in surface material for the second entrance would differentiate between the two entrances
- Corridors throughout the facility are eight (8) feet wide
- Certificate of Need licensure from the state for this facility is 120 beds
- Alterra/Claire Bridge and Alterra/Wynwood approved under the Township's ordinance as assisted living facilities
- Process for obtaining a Certificate of Need
- Need for second entrance as an emergency entrance because fire trucks could not travel under the canopy at the main entrance
- Underground storage facility to handle the stormwater on this site
- Nursing staff on site 24 hours per day at the facility
- Odors within the building handled through heat exchanger technology which provides a 100% exchange in the air twice each hour and through sheet vinyl flooring which looks like wood
- Radiant tube system within the floors of the facility

The consensus of the Board was to place this item on the consent agenda for the April 18, 2006 Board meeting.

12. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Carl Harmon, 1924 Birchwood, Okemos voiced appreciation for Board comments on Mixed Use PUD #05024/Site Plan Review #06-03 (Russell), Village Square Phase 2 and spoke in support of Board

CHARTER TOWNSHIP OF MERIDIAN, REGULAR MEETING, APRIL 4, 2006 *APPROVED*

action on the Dangerous Building, 6045 Hardy Avenue. He suggested footnoting the table of contents to reference Meridian Township amendments to the Property Maintenance Code.

Supervisor McGillicuddy closed Public Remarks.

14. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 8:30 P.M.

SUSAN MCGILLICUDDY
TOWNSHIP SUPERVISOR

MARY M. G. HELMBRECHT
TOWNSHIP CLERK

Sandra K. Otto, Secretary