

CHARTER TOWNSHIP OF MERIDIAN  
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -  
5151 Marsh Road, Okemos, MI 48864-1198  
349-1200, Town Hall Room  
TUESDAY, FEBRUARY 3, 2004, **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Treasurer Hunting, Trustees Brixie, Stier, Such, Woiwode  
ABSENT: Clerk Helmbrecht  
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development  
Mark Kieselbach, Director of Engineering & Public Works Ray Severy, EMS/Fire Chief  
Fred Cowper, Attorney Mike Woodworth

1. CALL MEETING TO ORDER

Supervisor McGillicuddy called the meeting to order at 6:05 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.

Joe Hundt, 5672 N. Woodside, Haslett, read a prepared statement in opposition to Special Use Permit #04-88131 (Bharatiya).

[Prepared statement in Official Minute Book]

Bob Homan, 2176 Hamilton, Okemos, availed himself for questions when the Board considers Rezoning #03080 (Wells).

Vance Kincaid, 4530 Nakoma Drive, Okemos, wished to address what he believed to be a survey discrepancy at 4530 Nakoma Drive during discussion of the public hearing on 2003 Order to Maintain Sidewalks, SAD #5.

Eleanor Luecke, President, LINC, PO Box 40, read a prepared statement in opposition to Special Use Permit #03021 (Fineout).

[Prepared statement in Official Minute Book]

Will White, 4695 Okemos Road, expressed interest in seeing that walkable livable ideals, sustainable living and specified areas for mixed use are included in the Master Plan.

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

Trustee Stier gave a summary of the Zoning Board of Appeals Meeting of January 28, 2004.

Supervisor McGillicuddy commented on the letter received from Randy and Donna Liliemark regarding railroad crossing noise. Supervisor McGillicuddy addressed this issue with the Michigan Department of Transportation (MDOT) at the MTA meeting last week to see if it would be supportive of noise reduction at train intersections. The MDOT response was that it was a liability for them to do so.

Treasurer Hunting announced that the due date for paying 2003 property taxes without interest charges will be February 16, 2004. There will be a one percent (1%) interest charge for the remainder of February and transferred to the County for collection after February 29<sup>th</sup>.

6. APPROVAL OF AGENDA — OR CHANGES

**Trustee Brixie moved to approve the agenda as amended as follows:**

- **Remove Agenda Item #11C.**

**Seconded by Trustee Such.**

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 Such.**

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

NAYS: None

Motion carried 6-0.

The adopted Consent Agenda items are as follow:

A. Communications

(1). Board Deliberation (BD)

9-B Vance L. Kincaid, II, 4530 Nakoma Drive, Okemos; RE: Protest of sidewalk special assessment at 4530 Nakoma Drive

10-B John Anderson, 215 W. Newman Road, Okemos; RE: Environmental Report for Rezoning #02080 (Eyde)

(2). Board Information (BI)

BI-1 Joanne Kordas, 2024 Hamilton Road, #106, Okemos; RE: Notice of Appeal on Planning Commission decision for SUP #03021 (Fineout) and response to notice from Mark Kieselbach, Director of Community Planning and Development

BI-2 Randy and Donna Liliemark, 2416 Emerald Forest Circle, East Lansing; RE: Support for Federal Railroad Administration's Interim Final Rule for the Use of Horns at Highway-Rail Crossings

(3). Regional Linkage (RL)

RL-1 Samuel V. Boodoian, Supervisor, Lyon Township, P.O. Box 48, Higgins Lake; RE: House Bill 4141 and Senate Bill 481

RL-2 Patrick E. Lindemann, Ingham County Drain Commissioner, 707 Buhl Avenue, Mason; RE: Information on porous paving

(4). Staff Communication/Referral (SC)

SC-1 Michigan Townships Association Legislative Fax January 16, 2004 Edition

SC-2 Michigan Townships Association Legislative Fax January 23, 2004 Edition

**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 Such.**

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

NAYS: None

Motion carried 6-0.

B. Minutes

**Trustee Brixie moved to approve and ratify the minutes of the January 20, 2004 Regular Meeting as submitted. Seconded by Trustee Such.**

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

NAYS: None

Motion carried 6-0.

C. Appointment and Reappointments

**Trustee Brixie moved that the Township Board approve the attached list of an appointee and reappointees to various Boards/Commissions.**

<u>Public Body</u>	<u>Last Name</u>	<u>First NameMI</u>	<u>Expires</u>
Economic Development Corporation	Richards	Gerald	12/31/09
Economic Development Corporation (fill vacancy created by resignation of K. Miller)	Rowlee	Lynda	12/31/06
Pension Trustees (Employee Representative)	Kieselbach	Mark	12/31/09
Zoning Board of Appeals (Board Representative)	Stier	Steve	11/20/04

**Seconded by Trustee Such.**

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

NAYS: None

Motion carried 6-0.

D. Bills

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

Common Cash	\$ 273,992.87
Public Works	\$ 25,415.16
Total Checks	\$ 299,408.03
Credit Card Transactions	\$ 12,170.10
Total Purchases	<u>\$ 311,578.13</u>
ACH Payments	<u>\$ 4,038,439.12</u>

**Seconded by Trustee Such.**

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

NAYS: None

Motion carried 6-0.

[Bill list in Official Minute Book]

E. Policy Governance Manual Amendments

**Trustee Brixie moved that the Township Board adopt the revised changes to the Board Policy Manual discussed and developed at a public meeting of the Board held on January 22, 2004 and in a memorandum from the Township Manager to the Township Board dated January 24, 2004. Seconded by Trustee Such.**

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

NAYS: None

Motion carried 6-0.

F. 2004 Order to Maintain Sidewalk SAD #6, Modifications to Resolutions #1 and #2

**Trustee Brixie moved to approve the attached resolution modifying the 2004 Order to Maintain Sidewalk – Resolutions #1 and #2 and the proposed Notice of Public Hearing by adding The Shoals #6 and moving the date of the public hearing to March 2, 2004. Seconded by Such.**

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

NAYS: None

Motion carried 6-0.

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

9. HEARINGS

- A. Special Use Permit #04-88131 (Bharatiya), request to construct an approximate 4,140 square foot addition at 995 Haslett Road  
Supervisor McGillicuddy opened the public hearing at 6:24 P.M.

Director Kieselbach introduced the proposed special use permit as outlined in staff memorandum dated January 30, 2004.

APPLICANT

Dhiraj Shah, Chair of the Temple Board and members of the Temple Committee, Tirllok Kakar and Shashi Joshi, spoke in support for the following reasons:

- Addition will maintain current architecture
- Higher seating capacity due to ritual of sitting on the floor vs. sitting in chairs
- Need for additional space in order to adhere to rituals and scriptures of their faith
- Willingness to comply with parking lot requirements

Supervisor McGillicuddy closed the public hearing at 6:42 P.M.

- B. 2003 Order to Maintain Sidewalks, SAD #5

Supervisor McGillicuddy opened the public hearing at 6:42 P.M.

Director Severy introduced the proposed final assessment as outlined in staff memorandum dated January 30, 2004.

PUBLIC

Vance Kincaid spoke in opposition to the final assessment for the following reasons:

- Alleged discrepancy in legal description at 4530 Nakoma Drive discovered through preliminary engineering data from Kebs Engineering

Supervisor McGillicuddy asked Mr. Kincaid if the road has changed.

Mr. Kincaid answered that in the reconstruction of Nakoma Drive and the sidewalk, they were rebuilt in their totality from the south end of his property to the north, so that their location has changed. He alleged that legally, his yard is in the middle of Nakoma Drive.

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

- C. Burcham Drive Sanitary Sewer Special Assessment District #47-Final Assessment Public Hearing  
Supervisor McGillicuddy opened the public hearing at 6:44 P.M.

Director Severy introduced the proposed final assessment as outlined in staff memorandum dated January 30, 2004.

Supervisor McGillicuddy closed the public hearing at 6:46 P.M.

10. ACTION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Robert Homan, 2176 Hamilton, Okemos, expressed appreciation to Treasurer Hunting for his performance as Board liaison to the Cable Commission.

Mark Clouse, Chief Financial Officer and General Counsel, Eyde Co., 4660 S. Hagadorn, Suite 660, East Lansing, availed himself for questions during Board discussion of Agenda Item #10B.

Supervisor McGillicuddy closed public comment.

- A. Board Liaison Appointments

**Trustee Brixie moved to approve the Township Supervisor's proposed Board Liaison appointments per Policy 5.2, Board Regional Linkage, Provision #1, as stated in a memorandum to the Township Board dated January 30, 2004. Seconded by Trustee Woiwode.**

Board members discussed the following:

- Need for good regional cooperation in difficult economic times

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

- B. Rezoning #02080 (Eyde), amend request to rezone approximately 110 acres located east of Powell Road west of Cornell Road and south of Tihart Road from RR to RAAA, RA and RB to that of a lesser intensity

Supervisor McGillicuddy inquired if Mr. Clouse would designate a specific zoning category for the request and whether the applicant was interested in a PUD or PRD.

Mr. Clouse responded that the Eyde Company's position is that the original application is appropriate and is proper zoning for the site. The applicant will, however, look at alternatives, but is not in a position at this time to amend the application without guidance by the Board. If the Board determines a specific number of units that would be acceptable, the applicant would develop a plan and bring it back to the Board to send on to the Planning Commission for appropriate action.

Specific Zoning Category: (Questions for the Attorney (See Agenda Item #8))

Q. I don't know that I feel comfortable making a request of the Planning Commission for a specific number of units. How do we deal with this issue, since the applicant doesn't seem to be willing to come up with a category but does want to do a PRD?

- A. What I think I heard the applicant's representative say is that they were willing to work with whatever individual was designated by the Board to develop an approach to development on this property; then come back with that. This would allow for the kind of specific consideration that has been discussed here. Apparently what happened, is that the Planning Commission, the last time I looked at this, didn't have enough direction to get a firm handle on what it was they were to do. It strikes me that what the applicant is proposing would permit us to crystallize the issues whatever they come up with. It may or may not ultimately be acceptable to this Board; nevertheless, it would give a framework for the Planning Commission to look at and make some

specific recommendations. If I'm hearing the applicant's representative correctly, I think the approach is one that is workable.

In answer to your question, I don't think at this point the issue is number of units or specific number of units. That is not what is before the Board at this point. Frankly, that issue needs more input from the applicant's side before you'll ever get to that point.

Treasurer Hunting inquired if the applicant would be willing to present a proposal consistent with the Master Plan density along Powell Road which would apply to entire parcel.

Mr. Clouse responded that the applicant would be willing to present such a proposal.

Procedure for Tabling An Agenda Item: (Questions for the Attorney (See Agenda Item #8))

Q. Would it be in order for me to move to table this item so we can act on it after we have more information?

A. Yes, with the understanding with the applicant that the purpose of the table is to do the kind of exploration necessary to comply with Treasurer Hunting's suggestion.

**Trustee Such moved to table Rezoning #02080 until the applicant is ready to bring back a proposal in which the density of the entire parcel is consistent with the Master Plan density along Powell Road. Seconded by Treasurer Hunting.**

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

C. Rezoning #03080 (Wells)

**Trustee Brixie 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 Zoning District Map of Meridian Township Pursuant to Rezoning Petition #03080" RR (Rural Residential) to RAAA (Single Family-Low Density). Seconded by Trustee Woiwode.**

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

D. Zoning Amendment #03070 (Planning Commission)

**Trustee Stier 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 Meridian Township, Michigan, by Amending Section 86-2 and Section 86-225 of the Code of Ordinances. Seconded by Trustee Brixie.**

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

11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened and closed public comment.

A. Special Use Permit #04-8831 (Bharatiya), request to construct an approximate 4,140 square foot addition at 955 Haslett Road

Board members and staff discussed the following:

- Curb and gutter on the northern part of the site granted a variance by the ZBA in 1998
- Variance needed for setback in the southeast corner because of irregular shape
- No change to the parking surface
- Possible cap on occupancy to address excessive use which could not be accommodated by the existing parking
- Storm drainage concerns from neighbors behind church resolved by installation of a berm

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

B. Master Plan, Community Values Chapter

Board Members discussed the following:

- Page 1, paragraph one, lines 4-9 - insert in introduction of Master Plan
- Page 1, paragraph one –delete first paragraph
- Page 1, line 11 – delete “In” and “the Planning Commission”
- Page 1, line 12 and 13 – delete “Commission developed its” and insert “were developed” after “goals”
- Page 1, line 15 – delete “by the Commission”
- Page 9 – delete Objective E
- Page 12, line 13 – delete “through”
- Page 12, lines 34-44 – remove numerical references to dimensions of sidewalks and pedestrian/bicycle pathway
- Page 12, line 43 – remove the period before “bicycle”
- Inclusion of staff comments 25-27 in memorandum dated January 29, 2004
- Concern over inclusion of Global Ends Statement due to its yearly review
- Page 16 – delete entire page
- Include reference to refer to global ends statement in introduction
- Consistency in representation of numerical references

Specific dimensional reference to sidewalks and pedestrian/bicycle pathway: (Questions for the Attorney (See Agenda Item #8))

Q. Does the exclusion of language defining the width of the pathway system as “seven foot” jeopardize the spending of our present Bicycle Pathway Millage Funds?

A. I don’t think it matters. You are always going to be referring back to the standards which may appear elsewhere in the ordinances or site plan standards. So if those references mentioned are deleted, it will necessarily refer back to the ordinance and standards. In the future, inclusion may cause either this Board or a future Board to have some headaches in terms of “well, it says “five (5) foot, seven (7) foot and since that time we have gone to this or that.” Perhaps it would be wise to eliminate a numerical reference.

Supervisor McGillicuddy recessed the meeting at 7:40 P.M.

[Treasurer Hunting left the room at 7:40 P.M.]

Supervisor reconvened the meeting at 8:10 P.M.

12. **VISION SESSION/ENDS:** Lake Lansing discussion with the Environmental Commission  
Supervisor McGillicuddy stated the Board is seeking input from the Environmental Commission in order that its concerns be addressed when the Board creates standards for the Lake Lansing Zoning District.

Jim Harding offered the following:

- Lake Lansing is an enclosed fresh water system
- Maintain the undeveloped shoreline which presently exists (approximately ¼ of the lake shoreline)
- Encourage undeveloped state for private shoreline
- Maintain undeveloped public shoreline as open space for the aquatic ecosystem
- Limit nutrients from redevelopment to address overgrowth of exotic foliage
- Use of herbicidal chemicals to address overgrowth of vegetation creates overfoliage
- Effects of chemicals on humans and wildlife is a safety issue
- Potential for an inventory of natural resources

- Residents desire to allow amenities nature provides while addressing environmental concerns

Ted Black offered the following:

- Flocks of waterfowl use of the lake
- Local control of Canadian geese southeast of Lake Lansing with DNR supervision
- Large number of gulls use the lake as a resting area
- Limited natural water areas in central Michigan
- Ingham County Drain Commission (ICDC) recommendation to direct waste disposal away from the lake
- Geese nest in cattails at the shoreline
- Previous plant list inaccurate because dredging changed the sub stratus of the lake's plant type

Jim Kielbaso offered the following:

- Homeowner awareness not to use nutrients in lawn treatment
- Wildflowers as a partial solution to shoreline screen
- All wetlands were at one time open water

Shari Gregory offered the following:

- Intermittent use of shrubbery and tall grass along the shoreline as a compromise between obstruction of lake view and prevention of nutrient wash

Board members discussed the following:

- Truth of statement that geese do not like to nest in high grass
- Geese won't stay in high grass or shrubbery for lack of predatory view
- Provision of nesting areas for geese
- Effect of types of native grasses or other landscaping materials used to prevent nutrient wash
- Inventory of natural resources to have historical perspective to begin restoration activities
- Ways to compile information on health and quality of the lake by various aquatic sampling methods
- Challenge of what ecological functions of the lake and lake system need to be looked at in order to develop an appropriate management strategy dependent upon objective for the lake
- Board objective to identify major factors in creating a special zoning overlay district
- Filtration of drainage before it enters the lake
- Nutrient study conducted prior to commencement of herbicidal treatment on Lake Lansing
- Yearly harvest after herbicidal treatment

13. PUBLIC REMARKS

Supervisor McGillicuddy opened and closed Public Remarks.

14. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 8:57 P.M.

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SUSAN MCGILLICUDDY  
TOWNSHIP SUPERVISOR

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MARY M. G. HELMBRECHT  
TOWNSHIP CLERK

Sandra K. Otto, Secretary