

CHARTER TOWNSHIP OF CHARTER TOWNSHIP OF MERIDIAN  
TOWNSHIP BOARD REGULAR MEETING – **APPROVED & AMENDED**  
5151 Marsh Road, Okemos, MI 48864-1198  
349-1200, TOWN HALL ROOM  
TUESDAY, JULY 16, 2002, **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, Police Chief Gary Gibbons, EMS/Fire Chief Fred Cowper, Personnel Director/Assistant Manager Paul Brake, Attorney Mike Woodworth

1. CALL MEETING TO ORDER  
Supervisor McGillicuddy called the meeting to order at 6:05 P.M.
2. PLEDGE OF ALLEGIANCE  
Lt. Lori Schafer led the pledge of allegiance.
3. ROLL CALL  
EMS/Fire Chief Cowper recognized Lt. Lori Schafer, Fire Fighters Mark Vroman, and Bill Priese for their outstanding contributions to the department.
4. PUBLIC REMARKS  
Supervisor McGillicuddy opened Public Remarks.

State Legislator Paul DeWeese provided a brief State of Michigan financial update for the Board.

Geri Snell, 6181 Rutherford, East Lansing, spoke in opposition to the 425 Agreement with the City of East Lansing.

Joe Moyer, 1941 Danbury West, Okemos, spoke in opposition to the proposed Rental Housing Code ordinance.

Heather Hurst, 3418 Lake Lansing, East Lansing, spoke in opposition to the 425 Agreement with the City of East Lansing.

Harry Hurst, 3418 Lake Lansing, East Lansing, spoke in opposition to the 425 Agreement with the City of East Lansing.

Judith Hurst, 3418 Lake Lansing, East Lansing, spoke in opposition to the 425 Agreement with the City of East Lansing.

Mark K. Clouse, Financial & Legal Counsel, Eyde Company, 4660 S. Hagadorn Rd, Ste 660, East Lansing, representing the Eyde Company, spoke in support of Rezoning #02010 (Township Board).

Charles Louis Willems, 1387 Hickory Island, Haslett, objected to the Lake Lansing Watershed Special Assessment District tier designations.

John Veenstra, 320 Piper, Haslett; announced he is a member of the Ingham County Park Board, provided an update on the issue of user fees at Ingham County Parks; spoke in opposition of proposed Rental Housing Code ordinance.

William T. White, 2142 1/2 Hamilton Road, Okemos; spoke in opposition to the proposed Rental Housing Code ordinance.

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

Clerk Helmbrecht reported that the bulk of the absentee voter ballots were sent July 5<sup>th</sup>, the Clerk's office will be open Saturday, August 3 from 8:00 A.M. - 2:00 P.M. for people to pick up absentee voter ballots; she encouraged voters to review their new voter card for any changes since the last election and to call her office if they did not receive their card/have questions.

Treasurer Hunting announced that summer tax bills have been mailed; the due date is 5:00 P.M., September 16, 2002.

Supervisor McGillicuddy reported that some visitors suggested the Township consider giving an award to people for their contribution to the community.

6. APPROVAL OF AGENDA

**Trustee Woiwode moved to approve the agenda amended as follows, with items #7G. and H. being moved to action items. Seconded by Trustee Brixie.**

VOICE VOTE: Motion carried 6-0.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the proposed consent agenda.

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

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 Deliberation (BD)

7D-1 Eunice Yu, 4591 Dunmorrow, Okemos, RE: Application for Public Service for Environmental Commission - Junior Commissioner

7G-1 Ruth Pecic, 5099 Wardcliff Dr., East Lansing, RE: Objection to proposed amendments to Rental House Code, Section 92-6

10C-1 Tassi A. Miller, 2326 Hulett Road, Okemos, RE: Objection to Rezoning #02010, Smith Property

10E-1 Michael Harvey, 6216 Columbia, Haslett, RE: Objection to Lake Lansing Watershed Management Special Assessment District

10E-2 Dave Card, 6045 E Lake Dr., Haslett, RE: Objection to Lake Lansing Watershed Management Special Assessment District

(2) Board Information (BI)

BI-1 Kathy Baker, 3596 E. Hiawatha, Okemos, RE: Traffic problems on Okemos and Jolly Roads.

- BI-2(a & b) Henry Smith, 2343 Hulett Road, Okemos, RE: Barricades installed at the CSX tracks on Hulett Road.
- BI-3 Michigan Department of Consumer & Industry Services, Liquor Control Commission, RE: New SDM license located at 5015 Marsh Road, Okemos, MI
- BI-4 Ingham County Chapter, Michigan Townships Associations, RE: July 24 meeting at Wheatfield Township Hall

(3) Commission Linkage (RL)

- CL-1 Janet Thomas, 3225 Holiday Lane #1, Lansing, RE: Resignation from the Cable Communications Commission.

(4) Staff Communication/Referral (SC)

- SC-1 Michigan Townships Association Legislative Fax June 28, 2002 Edition
- SC-2 Michigan Townships Association Legislative Fax July 3, 2002 Edition
- SC-3 Gail Oranchak, Senior Planner, RE: Transmittal of Draft Comprehensive Plan Goals and Objectives
- SC-4 Mark Kieselbach, Director of Community Planning & Development and Dorothy Luckie, AICP, Assistant Planner, RE: Commission Review #02023, 2003-2008 Public Improvements Program (PIP)

**Trustee Brixie moved that the communications be received and placed on file; that the Board accept the resignation of Janet A. Thomas from the cable Communications Commission (term expires December 31, 2002); 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 - June 18, 2002

**Trustee Brixie moved to approve and ratify the minutes of the June 18, 2002 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 approved the Manager's Bills as follows:**

General Funding/Special Revenue	\$373,890.19
Public Works	<u>\$ 50,622.87</u>
Total Checks	\$424,513.06
Credit Card Transactions	<u>\$ 11,825.44</u>
Total Purchases	<u>\$451,760.64</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.]

- D. Appointment to the Environmental Commission of a Student Representative  
**Trustee Brixie moved that Eunice Yu be appointed to fill the vacant youth member position on the Environmental Commission for a term to expire July 16, 2003. Seconded by Trustee Woiwode.**

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

- E. Letter Supporting Appointment to the Central Area District Library (CADL) Board  
**Trustee Brixie moved to approve the letter dated July 16, 2002, by the Township Supervisor Recommending appointment of Quenda Story to the Capital Area District Library Board for a term to expire on April 15, 2005. Seconded by Trustee Woiwode.**

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

- F. Zoning Amendment #02050 (Township Board), Amendment to the C-1 Zoning District to Allow Gasoline Stations by Special Use Permit (Excluding Repair Service and Car Washes) - **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. 2002-08, entitled "Ordinance Amending the Code of Meridian Township, Michigan," by Adding Section 82-11.3E.5. Seconded by Trustee Woiwode.**

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

- G. Proposed Amendments to Rental Housing Code, Section 92-6 of the Code of Ordinances - **Final Adoption** - Moved to Agenda Item 10.I. - Action Items

- H. Farmer Jack's Request for Temporary Hours - Moved to Agenda Item 10.J. - Action Items.

8. QUESTIONS FOR THE ATTORNEY

Supervisor McGillicuddy referred to several questions brought up in Public Remarks regarding the Rental Housing Code ordinance, specifically questions about larger units (7 or more) and non-collection of fees from certain apartments.

Attorney Mike Woodworth noted that there are several areas requiring clarification (**NOTE: COMPLETE ANSWER NOT AVAILABLE AS DID NOT PICK UP OVER THE**

**MICROPHONE**). He encouraged people to read the proposed ordinance in its entirety, and not to take items out of context.

9. HEARINGS (None)

10. ACTION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Eleanor V. Luecke, President, L.I.N.C., spoke in opposition to 425 Agreement with the City of East Lansing; and in support of Rezoning #02010 (Township Board).

Tom Page, 6178 Columbia, Haslett; spoke in support of the Lake Lansing Watershed Management Special Assessment District.

John Veenstra, 320 Piper Road, Haslett, spoke in opposition to the Rental Housing Code ordinance.

Supervisor McGillicuddy closed public comment.

A. 425 Agreement with the City of East Lansing - Resolution of Support for the Negotiated 425 Agreement with the City of East Lansing.

**Treasurer Hunting moved [and read the resolution into the record] THEREFORE, BE IT RESOLVED, that the Meridian Township Board finds that the City of East Lansing has failed to negotiate in good faith during the seven (7) months of discussion involving the political leaders, the managers, attorneys, and Planning Departments of both communities, and hereby urge the City of East Lansing to put the best interests of community residents before special interests by adopting the 425 Agreement as negotiated by our respective officials. Seconded by Trustee Brixie.**

Board Members discussed the following items:

- East Lansing changed major agreed-upon provisions at the 11<sup>th</sup> hour
- Highest officials from both sides participated in negotiations, however rest of elected officials appear to not be in support of negotiated agreement
- The best remedy for this situation is for the voters of East Lansing to realize this is a bad annexation and to vote no on the annexation
- Need to continue to negotiate with East Lansing to get a favorable agreement, rather than to stop negotiations all together
- Not to townships benefit to not continue to negotiate
- Issues important to the Township need to be preserved by coming to this agreement
- Important to keep Zone 5 in agreement
- Nothing in resolution indicates Township will not continue to negotiate
- Leaders in both communities did negotiate in good faith
- Special meeting of the board would be required if any further changes other than those noted in the resolution are made
- After passage of this resolution would need an indication from East Lansing that they would be interested in further negotiations

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

NAYS: Clerk Helmbrecht

Motion carried 5-1.

B. Adoption of Meridian Greenspace Work Plan

**Trustee Woiwode moved that the Township Manager be authorized to proceed with the development of a Meridian Greenspace Plan as defined in the Work Plan developed by Planning and Zoning Center. Seconded by Clerk Helmbrecht.**

Board Members discussed the following items:

- Encouraged by the direction both the planning and zoning center are taking
- Did not specifically say also to establish plans for future greenspace plans, but would like to see option included for older areas that do not currently have greenspace be part of the overall plan.

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

NAYS: None

Motion carried 6-0.

C. Rezoning #02010 (Township Board) [Smith Properties], Request to rezone approximately 52 acres from RR (Rural Residential) to RA (Single Family - Medium Density) or RAA (Single Family - Low/Medium Density) - **Introduction**

**Trustee Brixie moved [and read the resolution for the record] THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, the Township Board hereby Introduces for Publication and Subsequent Adoption Ordinance No. \_-\_, entitled "Ordinance Amending the Zoning District Map of Meridian Township Pursuant to Rezoning Petition #02010" rezoning from RR (Rural Residential) to RA (Single Family-Medium Density). Seconded by Treasurer Hunting.**

Director Kieselbach introduced the proposed rezoning.

Board Members discussed the following:

- Consistent with comprehensive plan
- Compromise that accommodates both Board and resident concerns
- Planning Commission made unanimous recommendation
- Board can go with what was originally recommended (RA or RAA) or what Commission sent back

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

NAYS: Trustees Stier, Woiwode

Motion carried 4-2.

D. Rezoning #02020 (Township Board), Proposed Rezoning of Approximately 115 acres north of Bennett Road and South of the CSX Railroad Tracks from I (Industrial) to RAAA (Single-Family - Low Density) - **Introduction**

Director Kieselbach introduced the proposed rezoning.

Board Members discussed the following:

- Concern about leaving 2-acre parcel as Industrial in lower corner of RAAA; could be potential for land-use problems

- If entire parcel rezoned RAAA, certain criteria could revert 2-acre Industrial parcel to RAAA
- Send 2-acre parcel back to Planning Commission for further consideration
- Need to avoid spot-zoning
- Property owner can continue to operate business as is, under new RAAA zoning could create conflict with future development of property
- Current zoning of 2-acre parcel inappropriate use of property today
- Turning down would make township vulnerable to a number of possible industrial uses for area
- Make sense to leave property as is or rezone it as same throughout entire area

**Trustee Brixie moved to refer the approximately two (2) remaining acres located in the southeast corner of the site to the Planning Commission to reconsider RAAA (Single Family-Low Density). Seconded by Treasurer Hunting.**

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

Following further discussion as to the necessity to refer the matter, the following motion was made:

**Trustee Brixie moved to rescind the previously adopted motion to refer approximately two (2) acres remaining under Rezoning #02020 (Township Board) to the Planning Commission. Seconded by Clerk Helmbrecht.**

VOICE VOTE: Motion carried 6-0.

- E. Lake Lansing Watershed Management Special Assessment District (2003-2007) - Resolution #3  
**Trustee Stier moved to approve the Lake Lansing Watershed Management Special Assessment District (2003-2007) Resolution #3; approving the proposed improvements to Lake Lansing, and directing staff to proceed with improvements; defray the cost by special assessment, and directing staff to prepare the assessment roll for hearing and final approval. Seconded by Trustee Woiwode.**

Board Members discussed the following:

- Lake Lansing Advisory Group thanked for all the work they do and the work they put into this resolution.
- Concern whether Tier I and II questions were adequately addressed

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

- F. Pedestrian/Bicycle Pathway Master Plan Proposed Amendments

(1) New Pathway Designation

**Trustee Woiwode moved to designate "alternate surface pathway" as a five foot (5') minimum width unpaved pathway in the Pedestrian/Bicycle Master Plan and on the Pedestrian/Bicycle System Map." Seconded by Trustee Brixie.**

Board Members discussed the following:

- Significantly general and broad enough to give impression that not only concrete/asphalt
- Concern with definition "unpaved"

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

(2) Proposed Amendments

**Trustee Brixie moved to amend the Pedestrian/Bicycle Master Plan by adding an alternative alternate surface pathway along the west side of Van Atta Road, from Jolly Road to Grand River Avenue from Grand River Avenue to the railroad tracks (Option 2 of the recommendation), then crossing to the east side of Van Atta Road and continuing south to Jolly Road. Seconded by Trustee Woiwode.**

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

**Trustee Woiwode moved to receive and place on record the recommendation of the Briarwood Bicycle Pedestrian Pathway Task Force and to sincerely thank the members Task Force for their dedication and hard work on developing recommendations for the Briarwood Cross country Pathway. Seconded by Trustee Brixie.**

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

**Trustee Woiwode moved to amend the Pedestrian/Bicycle Master Plan by adding a private alternate surface pathway along the Consumer Energy right-of-way from Okemos Road to Dobie Road. Seconded by Clerk Helmbrecht.**

Board Members discussed the following:

- Burden on Task Force to proceed with forming a non-profit organization

**Trustee Woiwode moved to postpone action on the above motion.**

**Motion died for lack of support.**

**Trustee Brixie moved to strike the word private from the motion.**

**Motion died for lack of support.**

**The maker and seconder of the motion withdrew their support from the motion.**

**Trustee Brixie moved to receive and place on file the recommendation of the Van Atta Bicycle Pedestrian Pathway Task Force and to sincerely thank the members Task Force for their dedication and hard work on developing recommendations for the Van Atta Road Pathway. Seconded by Clerk Helmbrecht.**

VOICE VOTE: Motion carried 6-0.

**Trustee Brixie moved to remove the paved shoulder designation from the Pathway Master Plan on Van Atta Road from Jolly Road to Grand River. Seconded by Trustee Woiwode.**

VOICE VOTE: Motion carried 6-0.

- G. Montrose Avenue Public Road Improvements Special Assessment District #34, Resolution #1 **Trustee Stier moved to approve Montrose Avenue Public Road Improvements Special Assessment District No. 34 Resolution No. 1 accepting the petition, tentatively declaring the Township Board's intention to make the public road improvement by reconstructing the road and adding curb and gutter from Grand River Avenue to Hamilton Road, and ordering the Township Engineer to prepare plans showing the improvements and estimates of the cost. Seconded by Trustee Woiwode.**

Board Members discussed the following:

- Rather see funds go into a project that would benefit more residents and address more important maintenance needs.

ROLL CALL VOTE: YEAS: Trustee Stier, Treasurer Hunting  
NAYS: Trustees Brixie, Woiwode, Supervisor McGillicuddy,  
Clerk Helmbrecht  
Motion failed 4-2.

- H. Powell Road Public Road Improvements Special Assessment District #35, Resolution 1 **Trustee Brixie moved to recuse Trustee Woiwode. Seconded by Trustee Stier.**

VOICE VOTE: Motion carried 6-0.

[Trustee Woiwode left the room at 9:03 P.M.]

**Trustee Stier moved [and read the resolution into the record] NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, that the petitioned grading, graveling and paving of Powell Road shall not be undertaken as said improvements are not in furtherance of the coordinated, adjusted and harmonious development of the Township, would not result in the wise and efficient expenditure of public funds, and would require a disproportionate share of those funds when compared to needed improvements of other roads within the Township. Seconded by Treasurer Hunting.**

Board Members discussed the following:

- Questioned whether there were any alternatives to property owners
- Resolution does not say who is going to pay for project
- Strictly based on planning, Powell Road does not seem to qualify for paving; not many houses on it; paving causes changes in traffic

- Improvement meets the needs of the Township

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

I. Rental Housing Code Amendments - **Final Adoption**

**Trustee Brixie moved [and read the resolution into the record] THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, the Township Board hereby Finally Adopts Ordinance No. 2002-07, entitled “Ordinance Amending the Code of Meridian Township, Michigan, by Amending Section 92-6 Registration and Inspection of Rental Property.” Seconded by Supervisor McGillicuddy.**

Board Members discussed the following:

- Supports concept, but not this particular resolution; amendments will be made at a future meeting if resolution fails
- Important a rental housing code passed, but resolution needs improvement
- More needs to be done to resolution to ensure safety and to protect neighborhoods from being over-run by rental units
- Need a viable, balanced mix

**Clerk Helmbrecht moved to table the resolution. It was seconded.**

VOICE VOTE: Motion carried 5-0.

[Trustee Woiwode reentered the room at 9:16 P.M.]

J. Temporary hours of operation

**Clerk Helmbrecht moved to grant a temporary waiver of the hours of operation for Farmer Jack and allow the store to be open until 2:30 A.M. on Thursday, August 22, and Friday, August 23, 2002. Seconded by Treasurer Hunting.**

Board Members discussed the following:

- Just for two-day, welcome back MSU student event
- Has not been open yet and proven it will be a "good business owner and operator"
- Gives student wrong impression about hours

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

11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened public comments.

Eleanor Luecke, PO Box 40, Okemos, representing LINK, spoke regarding clustered housing and the need for amendments to the PUD and PRD ordinances.

Supervisor McGillicuddy closed public comments.

A. Clustered Housing Ordinances (PUD & PRD), and Statutory Compliance  
Director Kieselbach introduced the proposed amendments.

Attorney Woodworth recommended language be included to clarify as to what is required to be demonstrated in the application, either adequate capacity of public water and sewer or in the alternative there is sufficient suitability of soils for onsite sanitary systems and onsite wells. The statute provides for regulations pertaining to suitability of soils to be placed in our statute. He also made the following recommendation for changes in addition to that outlined in the memo: Clustered unit option available under the statute is not limited to any particular size, however, if action taken is done simply to eliminate reference to the 15 acres, then the question will still remain with regard to commercial uses of the 3 percent. One possible solution would be that for any PUD on less than 15 contiguous acres, there would be no commercial activity of any kind. For PUD located on more acreage the 3 percent could kick in, or any percentage selected by the Board. At some point if Township is going to allow a clustered housing option, and the statute says you must, regardless of the size, you might want to say that under that circumstance or with a lot this small, the Township simply will not allow any commercial activity. Recommended changes he would make in addition to those suggested by the memo.

Q: Does that state statute mandate a percentage of commercial?

A: No, it does not; the Township could determine any number of size of contiguous acres; amount of commercial is up to Township's discretion.

Board Members discussed the following:

- Minimum size recommendation is appropriate
- Commercial may not be appropriate bonus or incentive in a PUD, especially as we move down into the less dense areas.
- May make sense for us to get creative about what we actually want in the Township.
- An alternative to a commercial bonus is a bonus for providing more affordable housing for new homeowners and retirees.
- Township has until December to make amendments to comply with the state statute. As long as the ordinances need to be amended anyway, now might be time to consider incentives in the PUD/PRD to get developers to look at providing more of a mixture of housing, rather than commercial incentives.
- Density bonus for providing affordable housing solves several different issues township currently faces. Affordable housing for new homeowners.
- How would the Township define "affordable?"
- Could provide some limits on square footage in type of housing.
- May require doing study of housing costs within the Township; if housing was kept within a particular range, would then be deemed affordable housing
- Difficulty in defining affordable home without comprehensive market study, inappropriate to make determinations without a study.
- Size alone may not actually serve to define "affordable."
- Open door to make it clear that this is one of the intentions of amendments.
- Find ways to offer diversity in housing options and choices for people. Set as a goal and we could get there by December.
- Do not throw up barriers to diversifying housing, i.e. not just one definition. Goal is to get developers to work with incentive.
- Following discussion, Director Kieselbach's department was directed to review these various options/ideas and incorporate into proposed changes before the December deadline.

- B. Rezoning #98010 (Hodney), Request to Rezone Approximately Five Acres located on Okemos Road from RA (Single Family-Medium Density) to PO (Professional Office)

Director Kieselbach provided an introduction of the rezoning.

Don Hodney, developer of Briarwood, Spring Lake, Woodland Trials spoke in support of rezoning.

Board Members discussed the following:

- If 11 single-family homes put on property, only access would be Okemos Road.
  - Other options available besides developing 11 rental properties
  - Daycare center on Okemos Road is evidencing that alternative uses/non-residential are allowed in residential areas being used on busy roads.
  - Concern about deviating from Comprehensive Development Plan when considering rezoning.
  - Traffic: residential use would result in 115 trips, and the proposed rezoning change would result in over three times that amount. Change would add to traffic on Okemos Road, is not consistent with Comprehensive Plan, other uses that are available seem to be more appropriate.
  - Residential community surrounding area could be degraded.
  - Letters of opposition on file for this proposed rezoning.
  - How much office development does the community need?
  - Keep in mind Township goal of preserving historic homesteads, older homes.
- C. Rezoning #02060 (Eyde), request to rezone approximately 5.4 acres at 5155 Marsh Road from RAAA (Single Family-Low Density) to PO (Professional Office)

Director Kieselbach introduced the rezoning for discussion.

Board Members discussed the following:

- Have citation/criteria Planning Committee Criteria uses included with rezoning information
  - Appears not to be a sound proposal: Backs up to public land that is going to be park space, historic village, whole range of amenities, this area offers a potential to be a very attractive spot.
  - Area is all residential, school; change would open up area to possibly becoming more office than residential
  - Board must protect the integrity of area.
  - Other options that property owner can use with zoning the currently exist.
- D. Setbacks from Railroad Crossings

Director Kieselbach provided additional information Board had requested, including what other communities are doing about these situations.

Board Members discussed the following:

- Increase setbacks at intersections for railroad and highway rights-of-way. Increasing setbacks would mitigate danger and noise.
- Consider increasing setback and creating a triangle at each intersection to further enhance safety and reduce noise.
- Setbacks are a linear stretch not specific to a particular property, no requirement to notify individual property owners, simply publish notice in paper of general circulation

- Error on the side of notice as opposed to following the minimum requirement.
- Issues requires as much discussion and airing as possible.
- Directly affected property owners should be notified.
- Only going to affect structures, not pathways.
- Designed to affect positively health, safety, and welfare of residents of the township, a proactive step to protect in the future.

Attorney Woodworth urged caution in drafting additional restrictions, avoid “taking” claims brought against the township due to setbacks potentially making property “undevelopable.” Reasons for setback restrictions need to be well documented and able to defend.

E. Limitations on Rezoning Requests

Director Kieselbach reviewed the report background information requested by the Board at its last meeting on limitations of rezoning requested provided background information requested by the Board at the last meeting.

Q. Could the Township refuse to rehear a rezoning?

A. Township can put a limitation on requests, cannot be resubmitted in no changes circumstances, if changes have been made, Board would be obligated to honor additional request.

Board Members discussed the following:

- By limiting requests, staff time and Board time on repetitive rezonings could be reduced.
- Process of returning with requests generates additional information valuable in making a decision, developing a more beneficial plan
- Would eliminate repetitive resubmission of same proposal, without changes.
- No history of repetitive resubmission of requests.
- Initial intent was to require reasonable expectation of success, eliminate requests that don’t fit with direction of township,
- Unintended consequence could result in applicants spending considerable time with staff in generating first request.
- Does not get at issue that initiated concept of limiting rezoning requests, however could reinforce need to come to Board with legitimate, “good” proposal.
- Overall concerns with limits, Township could benefit from more defensible language regarding limiting requests.

Staff was directed to continue to define this concert based on the additional input from the Board.

F. Draft Lighting Ordinance – discussion moved to August 20, 2002 meeting

G. Subdivision Control Ordinance – discussion moved to August 20, 2002 meeting

Attorney Woodworth requested to do an analysis of this prior to discussion at the next meeting with staff to provide him with areas of concern.

H. Administrative Policy for Review of Pedestrian/Bicycle Pathway Master Plan Amendments – discussion moved to August 20, 2002 meeting

I. Township-Wide Traffic Impact Analysis – discussion moved to August 20, 2002 meeting

12. VISION SESSION/ENDS (None)

13. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Don Hodney, 3621 Breezy Point Drive, Okemos, spoke about affordable housing issues.

Eleanor V. Luecke, President, L.I.N.C. spoke about waiting until other reports in process are available in determining issues about “highest/best use and “reasonable” use of land.

Supervisor McGillicuddy closed Public Remarks.

14. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 10:45 P.M.

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SUSAN MCGILLICUDDY  
TOWNSHIP SUPERVISOR

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MARY M. G. HELMBRECHT  
TOWNSHIP CLERK

Janis L. Haskell, Acting Secretary