

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING – **APPROVED & AMENDED** -
5151 Marsh Road, Okemos, MI 48864-1198
349-1200, Town Hall Room
TUESDAY, APRIL 20, 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, EMS/Fire Chief Fred Cowper, Attorney Mike Woodworth

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.

Billie Jo O'Berry, 1195 Clayton Court, Mason, candidate for the 55th District Court, encouraged residents to vote their choice during the August 3, 2004 Primary Election.

Dennis Forsberg, President, T. A. Forsberg, Inc., 2422 Jolly Road, Suite 200, Okemos, read a previously submitted prepared statement in opposition to a proposed change in the Draft Future Land Use Map for his property on M-78 and Newton Road.

Richard Foster, 4990 Country Drive, Okemos, read from a prepared statement concerning Township procedures for rezoning.

[Prepared statement in Official Minute Book]

Charles Willems, PO Box 184, Haslett, expressed appreciation for the handicapper doors in the Municipal Building and requested the Township maintain its property between his homestead and the water of Lake Lansing.

John Anderson, 215 W. Newman, Okemos, candidate for Township Supervisor, offered alleged reasons why some residents may be concerned over traffic and development in Meridian Township.

Will Tyler White, 4695 Okemos Road, Okemos, invited citizens to a May 25, 2004 meeting with Michigan State University in the Township Hall on the topic of Small Town Design Initiative. He also expressed concern over the height restriction for Agenda Item #11C (Mixed Use Ordinance).

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

A. Treasurer's Report

Treasurer Hunting summarized current fixed maturity investments by fund, non-fixed investments, delinquent personal property tax collections and 2003 distributions.

Trustee Brixie, Board liaison to the East Lansing Planning Commission, attended an East Lansing Planning Commission meeting concerning Mark Rysberg's proposal for site plan approval of an

office development along Lake Lansing Road. With the Board's permission, she would like to send the East Lansing Planning Commission a written request from the Board to postpone or defer the site plan approval because Meridian Township's interpretation of the 425 Agreement states that the conservation easement on the wetland must be obtained first.

Clerk Helmbrecht reminded citizens of the Okemos and Haslett School Elections on Monday, June 14, 2004. Absentee voter ballot applications will be mailed the first week of May. Absentee voter applications will be accepted through June 12, 2004.

Treasurer Hunting, Board liaison to the Cable Commission, reported that negotiations with Comcast for a proposed new cable franchise agreement are ongoing and encouraged residents to contact the Township with any information concerning the franchise.

6. APPROVAL OF AGENDA — OR CHANGES

Trustee Woiwode moved to approve the agenda amended as follows:

- **Add Agenda Item #10E – Sumbal Natural Area Purchase**
- **Include letter from John E. Ambrose in Communication BD #10-D**
- **Add Communication BD #11-E from Dennis Forsberg**

Seconded by Trustee Brixie.

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 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)

- 10-D Scott R. Knapp, Dickinson Wright, 215 S. Washington Square, Suite 200, Lansing; RE: Commission Review #04023 (Convenience Depot and Okemos J/2), Water/Sewer Extension along Grand River Avenue
- 11-C Eleanor V. Luecke, President, LINC, PO Box 40, Okemos; RE: Mixed Use Ordinance

(2). Board Information (BI)

- BI-1 Douglas L. Federau, 5370 Okemos Road, East Lansing; RE: Petition to construct a sidewalk on the east side of Okemos Road from Gaylord Smith Drive south to Central Park Drive
- BI-2 Eleanor V. Luecke, President, LINC, PO Box 40, Okemos; RE: Newton Area Study Committee
- BI-3 Charles Louis Willems, PO Box 184, Haslett; RE: Maintenance of property between the west side of his homestead and Lake Lansing
- BI-4 The Michigan Townships Association, 512 Westshire Drive, Lansing; RE: Articles from *Capitol Currents* April, 2004 issue, entitled, "Legislation to Reimburse Locals Sails through House," "Revenue Sharing Still Unclear in 2005 State Budget," "Postmarks for Property Taxes and "House Bills Designed to Help Local Bridge

Funding”

(3) Regional Linkage (RL)

RL-1 Kazuya Fujita, Chair, Greater Lansing Passenger Rail Council, 4615 Tranter Avenue, Lansing; RE: “Blue Water” Kick-off Event on April 24, 2004

(4). Staff Communication/Referral (SC)

SC-1 Michigan Townships Association Legislative Fax April 2, 2004 Edition

SC-2 Michigan Townships Association Legislative Fax April 9, 2004 Edition

SC-3 Memorandum from Gail Oranchak, Township Senior Planner; RE: Master Plan Community Values, Goals and Objectives Chapter

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

ROLL CALL VOTE: YEAS: Trustees Brixie, 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 April 6, 2004 Regular Meeting amended as follows:

- **Change the address for Agenda Item #7A, Communication BI-6 to 3912 Hazy Lane, Okemos**

Seconded by Clerk Helmbrecht.

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:

| | |
|-----------------------------------|----------------------|
| Common Cash | \$ 319,429.29 |
| Public Works | \$ 138,973.90 |
| Central Park Dr. Improvement Debt | |
| Check #1061-JP Morgan Trust Co. | \$ 262.50 |
| Total Checks | \$ 458,665.69 |
| Credit Card Transactions | \$ 10,021.72 |
| Total Purchases | <u>\$ 468,687.41</u> |
| ACH Payments | <u>\$ 263,585.58</u> |

Seconded by Clerk Helmbrecht.

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. Resolution to Amend Financial Institution List
Trustee Brixie moved to adopt a resolution entitled “Authority to Open Account” for the above listed institutions. Seconded by Clerk Helmbrecht.

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

[Signed and Sealed Resolutions in Official Minute Book]

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

Meetings between staff and developers:

- Q. I have a couple of questions, actually, and they refer to Mr. Foster’s comments. Is it appropriate for our staff, in your estimation, to meet with developers?
- A. It is absolutely essential for our staff to meet with developers in order to have lines of communication open between the developer and the Township. Issues arise with regard to interpretations of our ordinance; how our ordinances are applied. This is something that is reasonable, customary and not illegal.

Hearing on Request to Amend Eyde Co. Stipulated Agreement:

- Q. I have a second question and that is regarding the hearing this evening. By having our hearing this evening, we are fulfilling any requirement, are we not, that when we alter a court stipulated agreement we have a hearing to gather public input?
- A. Yes, the hearing that is being conducted; the question is whether or not, as far as any statutory obligation, you would even have to conduct a hearing. But certainly conducting the hearing would give the public an opportunity for input. This is not a typical zoning case. This is an amendment of a court ordered settlement agreement. You are fulfilling all of the requirements when you conduct your hearing tonight. As a matter of fact, some would say maybe you are going even further than what the law requires.

Ex parte communications:

- Q. One of the comments raised was about ex parte communications. Is there, in fact, any room to talk about ex parte communications in the administrative or Township level legislative activities?
- A. I think it is very important to remember that it is this Board that makes determinations on behalf of the Township. This Board is the governing body of the Township. Staff does not make those decisions; there is nothing staff could communicate by way of an ex parte determination to commit this Board. I am having difficulty understanding what the problem is with that. But if the question is that we have staff out there talking and isn’t that an ex parte communication between the governing body and the developer; it is not. This Board, obviously, is independent and autonomous from any individual on the staff or anything that might be said by that individual.

Now there may be a situation where this Board, by resolution, gives advance authority to a staff member to make representations to bind the Board, but I have not seen that done in my tenure as legal counsel, nor would I recommend it in a typical case.

9. HEARINGS

- A. Request to Amend Eyde Company Stipulated Agreement

Supervisor McGillicuddy opened the public hearing at 6:35 P.M.

Director Kieselbach introduced the request from the Eyde Company to amend the stipulated court agreement for property east of Central Park Drive as outlined in staff memorandum dated April 13, 2004.

APPLICANT

Mark Clouse, Chief Financial Officer and General Counsel, Eyde Co., 4660 S. Hagadorn Road, Suite 660, East Lansing., believed any necessary presentation to the Board has already been made in

previous Board meetings. Staff has outlined the discussion and the request which was made in December of last year. The change from PO to RD is in compliance with the overall plan of the area and acts as a buffer between the commercial and the proposed single-family residential in the area. If the Circuit Court Judge and the Board agrees with the Eyde Co., it would proceed to the final plat in the development of Central Park Estates prior to any development on the RD area. The Planning Commission voted 8-1 in support of this request.

Trustee Brixie asked Director Kieselbach if the commencement of Central Park Estates was a condition of the approval or to be verbiage in the court agreement.

Director Kieselbach responded that staff thought this was going to be on the agenda as an action item, so a draft resolution was prepared. Language in the resolution states the understanding that Central Park Estates would be developed prior to any development of the RD property. If an agreement is entered into, it would also be a stipulation of the agreement.

Trustee Brixie questioned whether the Central Park Estates development had to be completed before commencing the RD development.

Director Kieselbach clarified the understanding was at the time of final plat approval when granted through the state, property as individual lots can be sold. The idea was to have the infrastructure, including the utilities and road, through the process so that lot sales can begin prior to development of the RD.

Trustee Brixie further commented it was her concern that it would have been unreasonable to expect the homes to be built. She felt it would be good for the citizens purchasing homes in the area to understand and maybe see there is an RD development going in the front of the subdivision.

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

10. ACTION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Scott Knapp, Dickinson Wright, 505 Ardson, East Lansing, spoke in support of Commission Review #04023 (Convenience Depot and Okemos J/2), Water/Sewer Extension along Grand River Avenue, citing the last two (2) years of work with Township staff in an effort to make this project work.

John Anderson, 215 W. Newman Road, Okemos, spoke concerning the Eyde Company application for Rezoning #02080.

Mark Clouse, Chief Financial Officer and General Counsel, Eyde Co., 4660 S. Hagadorn Road, Suite 660, East Lansing., presented a map of the PRD overlay for Rezoning #02080 and encouraged the Board to send it back to the Planning Commission to consider the PRD with an underlying zoning of RA..

Supervisor McGillicuddy closed public comment.

B. Acceptance of Newman Equities Land Donation

Director Kieselbach summarized the proposed land donation as outlined in staff memorandum dated April 16, 2004.

Clerk Helmbrecht moved [and read into the record] NOW THEREFORE, BE IT RESOLVED that the Township Board of the Charter Township of Meridian, Ingham County, Michigan, does hereby accept by gift the above referenced property.

BE IT FURTHER RESOLVED that the Township Board authorizes the Township Supervisor, Township Clerk and Township Manager to ratify an agreement entered into with Newman Equities and take all further actions deemed necessary to close such transaction for acceptance of "Parcel B" as defined by the attached legal description, and;

BE IT FURTHER RESOLVED that the Township Board thanks Newman Equities for their contribution to the Township. Seconded by Trustee Woiwode.

Board members discussed the following:

- Property within the commercial core
- Property with mature trees along a major commercial core road
- Offer by land owners to donate property to the Township to prevent additional development on this land in the future

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

NAYS: None

Motion carried 6-0.

[Signed and Sealed Resolution in Official Minute Book]

- C. Rezoning #02080 (Eyde), 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
Director Kieselbach summarized the proposed rezoning as outlined in staff memorandum dated April 14, 2004.

PRD process: (Questions for the Attorney (See Agenda Item #8))

Q. How is this different from a Commission Review?

A. First of all, they arise under two (2) wholly different statutes. Commission Review is under Section 9 of the Planning Act. This process arises under the Township Zoning Act, which calls for the Planning Commission to make recommendations with respect to proposed or contemplated rezonings. And they are only recommendations. There has recently been a number of cases reported to make sure the governing boards understand that distinction. In other words, it ultimately would be this body's responsibility to make a decision whether it was in keeping with the Planning Commission's recommendation or contrary to the Planning Commission's recommendation to grant rezoning, and, in this case, subject to the PRD overlay. So, the only issue before you tonight is whether you are going to refer this to the Planning Commission for its recommendation and input. And, as Mr. Kieselbach has said, it will come back before you for the rezoning decision.

Q. Does the Planning Commission have the opportunity to talk about density and other items on this when it is in front of them?

A. The Planning Commission would have the opportunity to take under consideration anything it would deem appropriate to go into its recommendation back to the Board. Of course, it is to apply the statutory rezoning criteria. There are some things that would be irrelevant clearly. But the Planning Commission knows what those criteria are for rezoning, knows what our PRD ordinance says and will have that in front of them.

Q. Then, if it is sent back to the Board, and, for instance, it was approved like this or maybe some other density level, would it still need to go back for Commission Review for the sewer and water extension because it hadn't been planned on in the past?

A. The question of rezoning does not impact the Section 9 issue, if there's a Section 9 issue here.

Treasurer Hunting moved to refer Rezoning #02080 to the Planning Commission to consider a planned residential development overlay (PRD) with an underlying zoning of RA (Single Family-Medium Density) for the subject site. The Planning Commission shall review the PRD proposal in accordance with Section 86-378 of the Code of Ordinances and after holding a public hearing shall provide a recommendation to the Township Board. Seconded by Trustee Brixie.

Board members discussed the following:

- Length of time to bring the matter to this point
- Considerable discussion, concession and negotiations which have taken place

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- Prudent and reasonable plan compared to the original suggestions and proposal
- Willingness of developer to work with the Township's Environmental Consultant to bring about preservation of significant trees, wildlife and greenspace corridors and the reduction in density
- Consistency with number of lots in the Master Plan
- Planning Commission consideration of environmental impact
- Having a complete environmental report due to winter season
- PRD application allows the Board and the Planning Commission to examine the concept plan along with the rezoning request
- Concern over road going through the wetland and floodplain to connect to Cornell Road
- Concern over encroachment on the wetlands by several properties
- Enhanced alignment of wildlife and greenspace corridors

Amendment(s) to the resolution: (Questions for the Attorney (See Agenda Item #8))

- Q. Can those concerns that Anne just raised be added as an amendment or do you think just raising the concerns is enough for the Planning Commission to be able to address?
- A. Those concerns will be reflected in the minutes. I see no reason to put them into the resolution. It is clear that the charge to the Planning Commission is to consider the rezoning proposal as contained in the resolution.

Influence of rezoning on adjacent/surrounding properties: (Questions for the Attorney (See Agenda Item #8))

- Q. The Future Land Use Map shows everything east, as well as this property, in the RR category. How is this going to influence it if it ends up with a category of RA on that? Is it going to be harder for us to maintain those other properties as RR?
- A. Again, I think the issue is going to be the character of the particular development. As Trustee Brixie has indicated, part of the unique nature of what is in front of you is this PRD. What we are doing, essentially, is arriving or considering at arriving at an underlying zoning to arrive at this particular format in the PRD that will include open space. It will include, as it is proposed, some environmental protection measures. It wouldn't be simply a question of it now being zoned RA, and we are going to have to convert all the surrounding areas into like zoning. You have to consider the fact that this is RA with a specific PRD and the futures of that PRD.

One of the things you always look at , and the Planning Commission will look at here, is impact on adjacent or surrounding properties. Assuming this is approved, that will be done now, and in the future, when they look at this and ask how does this development impact these other adjacent properties or a new proposal to rezone another piece. These two are really intertwined. They are intertwined for purposes of consideration now by Planning Commission, ultimately when it comes back before you, and hereafter when people are considering subsequent rezoning requests.

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

NAYS: None

Motion carried 6-0.

- D. Commission Review #04023 (Convenience Depot and Okemos J/2), Water/Sewer Extension along Grand River Avenue
Director Kieselbach summarized the proposed extension of utilities as outlined in staff memorandum dated April 16, 2004.

Trustee Woiwode moved [and read into the record] NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, that official submission of the character, location and extent of those utility extensions requested by Convenience Depot, Inc., and Okemos J/2, LLC, to the Township's Planning Commission for further proceedings pursuant to Section 9 of the Municipal Planning Act is hereby denied. Seconded by Trustee Brixie.

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Board members and staff discussed the following:

- Water and sewer extension would only serve the interest of the applicant
- Applicant's need to embrace the state law in its entirety regarding the applicant's statement that the Township is required to provide water and sewer
- Lack of intent by the Township to take water and sewer down Grand River Avenue
- Letter from Mr. Ambrose referencing septic system problems with Spagnuolo's Restaurant and Winslow Trailer Park not relevant to this request
- Misperception that the Township is required to provide water and sewer to anyone within the Township
- More costly to maintain pump system vs. gravity fed

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

NAYS: None

Motion carried 6-0.

E. Sumbal Natural Area Purchase

Clerk Helmbrecht summarized the proposed land purchase as outlined in staff memorandum dated April 20, 2004.

Clerk Helmbrecht moved to purchase the Sumbal property as defined in the buy/sell agreement and forward to the Planning Commission for Section 9 Review and approval as to its location, character and extent as a public ground or open space effective this date, April 20, 2004. Seconded by Trustee Brixie.

Board members discussed the following:

- Riverfront property will house many trails
- Large portion of this land is floodplain
- Land Preservation purchase as a tie-in to Board goals and Greenspace Plan
- Excellent value which will bring dividends to Township residents for many years
- Presence of oxbow which usually contain unique habitat

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

NAYS: None

Motion carried 6-0.

11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Jerry Fedewa, 5570 Okemos Road, Okemos, spoke in opposition of a potential change in the Future Land Use Map of the Master Plan back to mostly residential along the BL-69 corridor, between Gillette Trailer Sales and Park Lake Road.

John Anderson, 215 W. Newman Road, Okemos, urged caution with language regarding the Mixed Use Ordinance.

Mark Clouse, Chief Financial Officer and General Counsel, Eyde Co., 4660 S. Hagadorn Road, Suite 660, East Lansing, requested the Board place the Request to Amend the Eyde Company Stipulated Agreement on the next Board agenda as an action item.

Supervisor McGillicuddy closed public comment.

A. Request to Amend Eyde Company Stipulated Agreement

Board members discussed the following:

- Court settlement mandated by a judge altered into a winning situation for both parties
- Possible suspension of the rules to place the request as an action item tonight

- Review of the process to date on this request
- Road Commission meeting on April 22nd to look at plat acceptance again which affects the amendment to the stipulated agreement
- Action by the Board tonight would show the ICRC that both parties are in agreement
- Need to take the time to move forward properly
- Rezoning back to residential to help achieve one of the Board goals of a walkable community

Ingham County Road Commission procedure: (Questions for the Attorney (See Agenda Item #8))

Q. Is there a procedural stepping stone for the Road Commission?

A. This is, ultimately, a stipulated amendment to an agreement. As I understand it, from the developer's perspective, what the Road Commission has to say this coming week will assist it and, in fact, may be determinative of the Eyde Company making up its mind to enter into this stipulation. If this resolution is passed tonight, or at the next meeting, you are going to be giving me the authority; you are going to be saying that from your perspective, the Township is ready to enter into this agreement. But the Eyde Company must make its determination on its side. And in saying that, I have to tell you I have been in communication with Mr. Clouse. I have no reason to believe that they won't enter into this agreement. I'm optimistic that the Road Commission won't present any obstacles. Nevertheless, that would be their decision, maybe Mr. Clouse can address that as well. It will be their decision made after hearing from the Road Commission.

Mr. Clouse added the Ingham County Road Commission (ICRC) had been notified each time the preliminary plat was before the Township Board. The ICRC has suggested they have the right to deny the preliminary plat even though they had previously approved it. The Road Commission will hold a meeting on April 22, 2004 and Mr. Clouse will attempt to persuade the Road Commission to approve the preliminary plat once again. He felt Board action tonight would encourage the Road Commission to move forward.

Treasurer Hunting moved to ~~suspend the rules~~ and move this item from discussion and take action this evening. Seconded by Julie Brixie.

Suspension of the Rules: (Questions for the Attorney (See Agenda Item #8))

Q. Just a clarification. I want to make sure that somebody has checked whether the procedures are appropriate so that if action does occur, it is consistent with the rules and our requirements. We are past the action items on our agenda. Is there any problem with that?

A. Action can be taken on the same day as the hearing, so I see no difficulty with moving it to action, if that is the desire of the Board.

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

Trustee Brixie moved [and read into the record] NOW, THEREFORE, BE IT RESOLVED, THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN authorizes the amendment of those Court orders governing the zoning, permitted uses and development of the parcel that is the subject of this Resolution to replace the current professional and office (PO) zoning assigned that parcel to multiple family residential (RD) not to exceed eight dwelling units per acre.

BE IT FURTHER RESOLVED, that the foregoing amendment shall provide that no development of the parcel which is the subject of this Resolution shall occur until after final plat approval is obtained for the single family medium density residential development designated as Central Park Estates and completion of said single family medium density residential development is commenced.

BE IT FURTHER RESOLVED, that except for the amendment expressly provided for

herein all provisions of those court orders referred to in this Resolution shall remain in full force and effect.

BE IT FURTHER RESOLVED, that the Township Supervisor, Clerk and Attorney are hereby authorized to execute those documents and undertake those measures necessary to effectuate this Resolution.

Seconded by Trustee Woiwode.

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

[Signed and Sealed Resolution in Official Minute Book].

B. Preliminary Plat #04012 (DDSG, LLC)

Director Kieselbach summarized the request for approval of a preliminary plat for the Blueberry Hills subdivision as outlined in staff memorandum dated April 15, 2004.

Mr. Dennis Stepanovich, partner in DDSG Development, 1640 Sunnyside Ave., Lansing, concurs with the resolution passed by the Planning Commission at its April 12, 2004 meeting.

Board members and staff discussed the following:

- Alternative(s) to address the lack of water extension
- Wells and septic are approved through the Health Department
- Pond not a good option to use in the event of fire as pipe becomes plugged and not useable
- Pathway for the park not a condition as adjacent land was not part of the plat
- Contiguous parcels already have houses built
- Land use consistent with zoning

The consensus of the Board was to have this on as an action item at the next Board meeting.

C. Mixed Use Ordinance

Board members discussed the following:

- Suggestions/comments by Supervisor McGillicuddy as included in staff memorandum labeled #11 C dated April 20, 2004.
- Exclude mixed use from the PO district
- Commence with C-2, C-3 and CS districts only
- Multi-level parking as an excellent use of space
- Office use allowed in commercial district
- Reduction of density to 10 units per acre
- Items which are a barrier to redevelopment are optimal in a new development
- Ordinance as a redevelopment tool
- Increase of density at the expense of greenspace
- Flexibility from current ordinance(s)
- Each Board member list top ten most important issues and then debate priorities
- Inclusion of as many Planning Commission subcommittee suggestions as possible
- Inclusion of appeal procedure
- Delicate balance to ensure location and density attract participants
- Smart growth concept supports higher density in areas where redevelopment is encouraged
- Density bonus for an amenity which increases perviousness on the site
- Bonuses worth more in redeveloped area than the newly developed area
- Direction to staff to incorporate suggestions for next meeting
- Consultation with the Planning Commission subcommittee regarding changes

Manager Richards suggested staff prepare a draft for the next Board meeting with highlighted areas where Board consensus is needed.

It was the consensus of the Board to follow Manager Richard's suggestion.

D. Master Plan, Economic Chapter

Board members discussed the following:

- Question of tie to 2002 US Census Bureau information
- Change table X-2 heading to Private Business Employment by Sector if government or public school employee information is unavailable

The consensus of the Board was to make the changes as noted and forward the Economic Chapter to the Planning Commission.

E. Master Plan, Future Land Use Chapter and Map

Board members discussed the following:

- Correction of typographical errors
- Highlight of areas Planning Commission proposes to change from the current plan to the Draft Future Land Use Map
- Concern over inclusion of Land Preservation land with institutional
- Concern over inclusion of schools with open space
- Concern over inclusion of agricultural with residential
- Build out based on land classification, not what is buildable
- Delineation of floodplains on map for evaluation of changes taking place
- Highlight of unbuildable lands (e.g., floodplains and wetlands)
- Address the range of different needs for the future
- Not necessary to study residential properties in northwest corner of the Okemos Future Study Area as they are currently part of a well established housing neighborhood
- Questionable need for Towar Gardens as a Future Study Area
- Need for future study area(s) designation to be listed on the FLUM as Board is already addressing the problems
- Change text throughout to reflect greenways as greenspace
- Appropriateness of language on page 6, line 23: "promote alternate forms of transportation"
- Question whether greenspaces promote economic and community as contained on page 6, line 24
- Page 7, line 27 – delete "The area is unique because" and begin sentence with "The quality..."
- Rename agricultural properties community farms or farmland
- Page 15, line 19 – include other road
- Page 15, lines 23 and – bring text into conformance with the map
- Page 17, line 16 – industrial buildings no longer exist on Jolly Road; remove phrase
- Rationale why mixed use was changed and left off BL-69

The consensus of the Board was for staff to work on the map, showing the differences discussed. Discussion will continue at the next Board meeting.

[Supervisor McGillicuddy recessed the meeting at 9:05 P.M.]

[Supervisor McGillicuddy reconvened the meeting at 9:17 P.M.]

12. VISION SESSION/ENDS: Lake Lansing discussion with guests from Ingham County Parks
Supervisor McGillicuddy introduced Pat Witte, Manager of Lake Lansing Parks and Mike McDonald, Vice-Chair of Ingham County Parks Commission

Mike McDonald offered the following comments and identified problem areas:

- In the late 1970's, Lake Lansing Amusement Park was saved by Ingham County from purchase and probable commercial or residential development
- Lake Lansing Park South developed with the assistance of matching funds from the Federal Land and Water Conservation Fund

- Lake Lansing North was developed with federal acquisition dollars, along with federal and state development monies
- Properties purchased through the Land and Water Program remain in perpetuity for outdoor public recreation
- 2004 marks the 40th anniversary of passage of the Federal Land and Water Conservation Fund Act
- Statement by DNR Director Rebecca Humphries that the DNR needs to do a better job to form better and more long lasting partnerships with local Parks and Recreation Departments
- Ingham County and Lake Lansing Parks as good stewards of the land, providing high quality recreation for Township residents
- High staffing level at Lake Lansing Parks
- Lake Lansing as an impoundment lake subject to more sedimentation
- Change around the lake more evolutionary than revolutionary

Pat Witte offered the following comments and identified problem areas:

- Special Assessment District group looking over quality of Lake Lansing
- Need for use of non-phosphorous fertilizer in and near Lake Lansing
- Keeping the greenspace comfortable for visitors accomplished with the voluntary participation of lake association members
- 40th anniversary and rededication of Lake Lansing on July 16th
- Vision of a non motorized pathway from Lake Lansing area to MSU, into the City of Lansing and on to Hawk Island
- Importance of preserving greenspace for the benefit of the watershed surrounding the lake
- Handicap accessibility for park areas

Board members discussed the following:

- Spraying and inspection of boats before and after being launched to prevent the spread of zebra mussels
- Park control only over public access boat launch
- Residential boat owners launch through public access
- Mooring rights on the lake for non land-owners
- Limitation of county authority on the water
- Control of Township access points around the lake
- Challenges of dealing with the lake as a community in transition
- Challenges with changing nature of the lake area

The consensus of the Board was to compile information garnered from the Lake Lansing Zoning District Vision Sessions and discuss at the next Board meeting.

13. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Will White, 4695 Okemos Road, read a prepared statement concerning the need for a mixed use ordinance, using the old areas as the main areas for the mixed use PUD. He stressed the need for flexibility in the creation of the mixed use ordinance.

[Prepared statement in Official Minute Book].

Supervisor McGillicuddy closed Public Remarks.

14. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 10:03 P.M.

SUSAN MCGILlicUDDY
TOWNSHIP SUPERVISOR

MARY M. G. HELMBRECHT
TOWNSHIP CLERK

Sandra K. Otto, Secretary