

**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
REGULAR MEETING MINUTES
May 10, 2010**

APPROVED

**5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room, 7:00 P.M.**

PRESENT: Chair Reicosky, Vice-Chair Deits, Commissioners Beyea, Goodale, Honicky, Jackson,
Jorkasky, Wilcox
ABSENT: Secretary Domas
STAFF: Principal Planner Gail Oranchak

1. Call meeting to order

Chair Reicosky called the regular meeting to order at 7:02 P.M.

2. Approval of agenda

Commissioner Honicky moved to approve the agenda. Seconded by Commissioner Jorkasky.

VOICE VOTE: Motion carried 8-0.

3. Approval of Minutes

**Commissioner Deits moved to approve the Regular Meeting Minutes of April 26, 2010.
Seconded by Commissioner Honicky.**

VOICE VOTE: Motion carried 8-0.

4. Public Remarks

Chair Reicosky opened and closed the floor for public remarks.

5. Communications (None)

6. Public hearings

A. *Special Use Permit #10061 (Ingham County Road Commission), request to work in the 100-year floodplain to replace a culvert under Mt. Hope Road associated with the Herron Creek Drain and

B. *Wetland Use Permit #10-04 (Ingham County Road Commission), request to work in regulated wetlands associated with the replacement of a culvert under Mt. Hope Road associated with the Herron Creek Drain.

Chair Reicosky opened the public hearings at 7:04 P.M.

- Introduction by the Chair (announcement of procedures, time limits and protocols for public participation and applicants)
- Summary of subject matter
Principal Planner Oranchak summarized the special use permit and wetland use permit requests as outlined in staff memoranda dated May 6, 2010.
- Public
Bill McConnell, 4376 Manitou Drive, Okemos, voiced support for moving this project forward. He expressed appreciation that the applicant had provided information on alternative culvert designs.

Joel Lowry, 2872 Mount Hope, Okemos, spoke in support of this project.

Anita Krumins, 4553 Hawthorne Lane, Okemos, inquired if the sewer system work will compete with equipment used to repave Mt. Hope.

Principal Planner Oranchak responded the County is coordinating its efforts relative to culvert replacement with the repaving of Mt. Hope Road.

- Planning Commission discussion:
Commissioner Honicky inquired if the increased culvert expansion, with its accompanying wider opening, would be part of the calculation for mitigation of wetland use.

Principal Planner Oranchak responded wetland impact is along the sides of the end of the culvert. She noted mitigation is based on the area which will be affected by the project.

Chair Reicosky added the increase in culvert diameter will alleviate creation of a dam when the level of the roadbed is raised.

Commissioner Honicky inquired how deep the base pipe will be laid and what if anything will cover it.

Principal Planner Oranchak believed the pipe will sit on the bottom of the drain and may have some material placed underneath.

Commissioner Deits commented the pipe will actually lay slightly lower in the stream bed based on the road elevation and culvert elevation.

Commissioner Honicky recalled during the presentation to the Township Board by the ICRC representative that the pipe archway was substantially cheaper than any other culvert. He added it would cost the Township an additional \$265,000 to start the project this year as opposed to 2011.

Commissioner Deits inquired how the sidewalk on neighboring properties would be mitigated when it is being raised 2-½ feet.

Principal Planner Oranchak responded the increase is directly over the drain and the impact will not affect adjacent properties since the majority of the rise is where the drain is located and the rise gradually decreases.

Commissioner Deits noted there is approximately 200 feet of roadway which changes elevation.

Principal Planner Oranchak stated the ICRC will feather the grade change to reduce impacts to neighbors.

Commissioner Deits inquired as to the rationale for repaving this portion of Mt. Hope Road this year.

Principal Planner Oranchak responded it made sense to repave both portions at the same time to keep equipment/construction costs down and to detour traffic only once.

Chair Reicosky inquired if the start time would be in July.

Principal Planner Oranchak responded it was her understanding the culvert work would commence sometime in August and take approximately two weeks to complete. While unsure of the particular logistics, she noted the entire project should end in November.

Chair Reicosky expressed concern with the road work dynamics for the residents who travel Mt. Hope Road on a regular basis.

Chair Reicosky inquired who will be in charge of the soil erosion control plan for this project.

Principal Planner Oranchak noted the staff memorandum mentioned ICRC is self-regulating and will control soil erosion for this project.

Commissioner Beyea asked staff to elaborate on the reference in a letter from Bill Conklin, Managing Director of the ICRC, relative to the Township's wetland bank for public projects.

Principal Planner Oranchak recalled a recent similar case for the pathway on the west side of Okemos Road south of the railroad tracks. She noted this site will be used to mitigate the Dobie Road Bridge and the Mt. Hope culvert projects as well.

Commissioner Beyea inquired as to that area's capacity for future mitigation.

Principal Planner Oranchak indicated the aforementioned area has not been designated as a mitigation bank; however, the Township is working in an interagency cooperative effort on a case-by case basis.

Commissioner Beyea inquired if the entrance to the two subdivisions, one on the east and one on the west end of Mt. Hope Road, would be closed.

Principal Planner Oranchak responded these entrances can't be closed as they are the only means of access for those two subdivisions. She indicated residents should expect substantial detours.

Commissioner Beyea inquired if there would be at least one lane open at all times during the duration of this project.

Principal Planner Oranchak stated she believed the most expedient way to complete culvert replacement would necessitate road closure.

Commissioner Deits inquired if the wetland bank meant the mitigation for this project will, at some future date, be done at another site or does it mean that another site has already been mitigated and the Township is crediting itself against this project.

Principal Planner Oranchak responded the other site has not yet been established.

Chair Reicosky closed the public hearings at 7:40 P.M.

- C. Zoning Amendment #10030 (Township Board), request to amend various sections of Chapter 86 Zoning to bring them into consistency with Chapter 22, Article VI, Soil Erosion and Sedimentation Control.

Chair Reicosky opened the public hearing at 7:40 P.M.

- Summary of subject matter
Principal Planner Oranchak summarized the proposed zoning amendment as outlined in staff memorandum dated May 6, 2010.
- Planning Commission discussion:
Commissioner Honicky inquired if there were any variances between the county and township standards.

Principal Planner Oranchak responded staff used county standards to craft the Township ordinance.

Chair Reicosky asked where the Township's standards are defined.

Principal Planner Oranchak responded the standards are contained in the attachment to the staff report.

Chair Reicosky stated he believed the attached document contained requirements for soil erosion control, not specific standards.

Principal Planner Oranchak noted applications will be reviewed by the Department of Public Works and Engineering. She stated if conditions are required for a specific project, they will be applied to the permit similar to the process for special use permits.

Commissioner Beyea asked for a comparison of the county and Township standards as background information.

Principal Planner Oranchak noted the Soil Erosion and Sedimentation Control Ordinance has already been approved. She stated the only issue before the Planning Commission is proposed language to eliminate inconsistencies between existing sections of the Township's zoning ordinance and the new ordinance.

Chair Reicosky offered the following amendments to:

- Section 86-376(g)(11)a: Insert "or exceeds" after "meets"
- Section 22.215 (2): Delete "grading and erosion" and insert "earth changes"

Principal Planner Oranchak indicated she would relay these two recommended changes to the Department of Public Works and Engineering

Chair Reicosky closed the public hearing at 7:50 P.M.

7. Unfinished Business

- A. *Special Use Permit #10061 (Ingham County Road Commission), request to work in the 100-year floodplain to replace a culvert under Mt. Hope Road associated with the Herron Creek Drain. **Commissioner Deits moved to suspend Planning Commission Bylaw 6.4 to consider Special Use Permit #10061 the same night as the public hearing. Seconded by Commissioner Honicky.**

VOICE VOTE: Motion carried 8-0.

Commissioner Jorkasky moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby approves Special Use Permit #10061 subject to the following conditions:

1. **Approval is subject to the preliminary plans prepared by the Ingham County Road Commission, dated March 1, 2010 and received by the Township on March 22, 2010; and the associated materials submitted as part of Special Use Permit #10061, subject to revisions as required.**
2. **No work shall take place in the regulated wetlands without first obtaining approval of Wetland Use Permit #10-04 from the Township.**
3. **Fill placed in the floodplain as part of the project shall be protected against erosion.**
4. **The applicant shall dispose of all materials from the compensating cut to an upland location approved by the Director of Community Planning and Development.**
5. **A Letter of Map Revision (LOMR) shall be obtained from the Federal Emergency Management Agency (FEMA) and a copy provided to the Department of Community Planning and Development.**
6. **The compensating cut to fill ratio shall be no less than 1:1.**

Seconded by Commissioner Jackson.

Planning Commission discussion:

- MDEQ renamed the MDNRE in January, 2010

ROLL CALL VOTE: YEAS: Commissioners Beyea, Deits, Goodale, Honicky, Jackson, Jorkasky, Wilcox, Chair Reicosky

NAYS: None

Motion carried 8-0.

- B. *Wetland Use Permit #10-04 (Ingham County Road Commission), request to work in regulated wetlands associated with the replacement of a culvert under Mt. Hope Road associated with the Herron Creek Drain.

Commissioner Deits moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN, pursuant to Article 4 of Section 22 of the Township Code of Ordinances, hereby approves Wetland Use Permit #10-04 with the following conditions:

1. **Approval is based upon the plans prepared by the Ingham County Road Commission, dated March 1, 2010 and received by the Township on March 22, 2010, as well as the documents and materials submitted by the applicant in conjunction with Wetland Use Permit #10-04, subject to revisions as required.**
2. **No work is approved within wetlands (temporary or permanent) beyond the 0.016 acre area identified on the submitted plans and application materials.**
3. **Wetland areas outside the impact area shall be posted or marked to ensure equipment does not enter the wetlands during construction.**
4. **All work areas that border impacted wetlands shall be contained using properly installed and maintained silt fencing and all disturbed areas shall be immediately stabilized with blankets seeded with annual rye.**

5. All excess soil from the project shall be placed at an upland location approved by the Director of Community Planning and Development and shall be stabilized to prevent erosion to adjacent areas.
6. Wetland Use Permit #10-04 shall be subject to the applicant receiving approval of Special Use Permit #10061 for work in the 100-year floodplain related to the project.
7. No wetland areas shall be used for staging or storing of equipment and materials being used for the culvert replacement.
8. All appropriate soil erosion and sedimentation control best management practices shall be installed and maintained until natural stabilizing vegetation has been established.
9. Prior to construction, erosion control fencing shall be installed along the edge of the disturbance area to prevent sedimentation from infiltrating into the wetlands. The erosion control fencing shall be maintained throughout the duration of the project and shall be removed after construction is completed and the area is stabilized.
10. No straw bales shall be used for erosion control, unless in conjunction with sediment erosion control fencing.
11. A detailed mitigation, seeding, and planting plan (species to be planted, species proposed in the seed mix, and numbers of plants and/or pounds of seed per species) shall be submitted for review and approval to the Director of Community Planning and Development prior to commencing any work on the project.
12. The mitigation plan shall be subject to the approval of the Director of Community Planning and Development showing the mitigation area. The loss of wetland shall be compensated for at a minimum ratio of 1 to 1.
13. The wetland mitigation area shall be monitored annually for five years with a written status report and photographic documentation provided to the Township each year.
14. Should the mitigation area fail to establish wetland vegetation after one growing season or fail to progress satisfactorily to a self-sustaining wetland as designed, the applicant shall conduct corrective measures as directed by the Township' Environmental Consultant.
15. Prior to work starting on the project, the applicant shall provide to the Department of Community Planning and Development written notice of commencement.
16. A copy of the approved wetland use permit containing the conditions of issuance shall be posted in a conspicuous manner such that the wording of the permit is available for public inspection and continue throughout the duration of the project.
17. Upon completion of construction, the applicant shall contact the Department of Community Planning and Development for an inspection of the site to ensure compliance with the permit.

Seconded by Commissioner Honicky.

Planning Commission discussion:

- Best management practices are not published standards, but best management in the industry at the time

ROLL CALL VOTE: YEAS: Commissioners Beyea, Deits, Goodale, Honicky, Jackson, Jorkasky, Wilcox, Chair Reicosky

NAYS: None

Motion carried 8-0.

- C. Zoning Amendment #10010 (Township Board), a request to amend Section 86-368 (b)(2) Home occupations to update the allowed uses and standards for home occupations.

Principal Planner Oranchak summarized the proposed zoning amendment as outlined in staff memorandum dated May 6, 2010.

Planning Commission discussion:

- Mixed use planned unit development as the “high end” home business environment
- Proposed revised language would allow home occupations in a detached garage or accessory structure
- Use in a detached facility should come under review and be appropriate for its environment
- Planning Commission consideration of this zoning amendment as a policy making change
- Concern with noise is addressed in the proposed language
- Limit on the size of a detached building is 500 feet
- Elimination of the commercial look for a detached structure
- Character of an out building is regulated
- Product distribution could be by appointment only
- Adverse enjoyment clause gives considerable protection
- Level of regulation based on the number of outside employees a good strategy for managing impacts and the size of occupations
- No definition of employee
- Concern of some commissioners the tiered system has too much regulation, is complicated, and boundaries must be delineated in order to properly legislate
- Regular traffic pattern for a home business which sees clients could create problems for the neighborhood
- Crafting of this ordinance should minimize code enforcement issues
- Home based business traffic is currently handled on a complaint basis
- Section 86-368(2)a. allows for a certain level of discretion on the part of the Director of Community Planning and Development to determine whether an occupation is or is not acceptable (e.g., lemonade stand)
- Complaints are currently investigated by staff for validity
- Complaints regarding excess traffic are currently handled by staff through a process of various visits to the site
- Inclusion of language which outlines the appeal process
- All of the activity of a home occupation must take place indoors
- Staff to explore language regarding the selling of fruits and vegetables at a roadside stand
- Need to use standards which are based upon impacts, not those which state a specific number of employees
- Language contained in Section 86-368(2)a.3.2. (allowed square footage for the home occupation based on dwelling unit size) should not be based on a dwelling
- Not tied to use of no more than 25% of the floor area of the dwelling
- Concern the 25 percent limitation is not enforceable

- Use of 100% of the floor area of the dwelling would make the structure not a residence
- Detached garages in older subdivisions should be considered as a place where a home based business could be located
- The only area in the Township where detached garages are a regular part of the community and roads serve only the detached garages is around Lake Lansing

The consensus of the Planning Commission was for staff to take recommended changes and incorporate them into the draft ordinance amendment.

- D. Zoning Amendment #10020 (Township Board), a request to amend various sections of Chapter 86 Zoning, Article VII Signs and Advertising Structures to update standards for signs above the roofline, community-sponsored street light banners, A-frame signs in commercial districts, and the size of development entry signs in residential districts.

Principal Planner Oranchak summarized staff changes which reflected comments made by the Planning Commission at its last meeting.

Planning Commission discussion:

- Section 86-687 (13)c – rationale for keeping A-frame signs five feet or closer to the primary entrance as these signs are for pedestrian oriented locations
- Limitation on lighting of A-frame signs
- Change language in Section 86-687 (13) f. to address minimal illumination of A-frame signs for safety purposes, upon approval by the Director of Community Planning and Development.
- Add 13(g) The A-frame sign and structure shall be harmonious and appropriate in appearance with the existing and intended character of the general vicinity.
- Limiting the height of parapet walls would require initiation of a different zoning amendment

Commissioner Deits moved to initiate an amendment to the zoning ordinance to limit the height of parapet walls. Seconded by Commissioner Jackson.

VOICE VOTE: Motion carried 8-0.

Commissioner Goodale moved [and read into the record] NOW THEREFORE BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends approval of Zoning Amendment #10020, to allow A-frame signs in commercial zoning districts, add streetlight banners to the list of permitted types of township-sponsored signage, amend the standards regarding the appropriate location of wall signs in relation to a roofline, and establish 32 square feet as the maximum size for development entry signs. Seconded by Commissioner Jackson.

Commissioner Beyea offered the following friendly amendments to the ordinance:

- **Change 13f. to read: A-frame signs shall have limited illumination for safety purposes upon approval by the Director of Community Planning and Development**
- **Add 13g. The sign and structure shall be harmonious and appropriate in appearance with the existing and intended character of the general vicinity**

The maker accepted the friendly amendments.

ROLL CALL VOTE: YEAS: Commissioners Beyea, Deits, Goodale, Honicky, Jackson, Jorkasky, Wilcox, Chair Reicosky

NAYS: None

Motion carried 8-0.

8. Other Business (None)

- 9. Township Board, Planning Commission officer, committee chair, and staff comment or reports**
Commissioners Goodale and Honicky reported on Planning Commission representation at the May 6, 2010 Board meeting relative to the appeal of the Planning Commission's denial of Special Use Permit #09101 (Design Services Co).

Commissioner Deits reported during the last Okemos Downtown Development Authority (DDA) meeting Michigan State University students reported on and led a discussion regarding LED outdoor lighting.

Commissioner Beyea suggested the Commercial Planned Unit Development subcommittee reconvene to seek input from the development community as discussed during the joint meeting with the Township Board.

10. New applications (None)

11. Site plans received (None)

12. Site plans approved (None)

13. Public remarks

Chair Reicosky opened and closed public remarks.

14. Adjournment

Chair Reicosky adjourned the regular meeting at 9:35 P.M.

Respectfully Submitted,

Sandra K. Otto
Recording Secretary