

**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
REGULAR MEETING MINUTES
May 11, 2009**

APPROVED

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

PRESENT: Chair Wilcox, Secretary Jorkasky, Commissioners Beyea, Deits, Domas, Honicky,
Jackson, Klemans, Reicosky
ABSENT: None
STAFF: Director of Community Planning & Development Mark Kieselbach

1. Call meeting to order

Chair Wilcox called the regular meeting to order at 7:00 P.M.

2. Approval of agenda

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

VOICE VOTE: Motion carried unanimously.

3. Public Remarks

Chair Wilcox opened and closed the floor for public remarks.

4. Communications

- A. Richard Harrington, 820 Piper Road, Haslett; RE: Pond
- B. Mark Campbell, 4812 Nakoma, Okemos; RE: SUP #09031 (Nakoma Drive Sidewalk Connection)

5. Public hearings

- A. Special Use Permit #09031 (Charter Township of Meridian), request to work and place fill in the 100-year floodplain to construct a sidewalk along the east side of Nakoma Drive.

Chair Wilcox opened the public hearing at 7:03 P.M.

- Introduction by the Chair (announcement of procedures, time limits and protocols for public participation and applicants)
- Summary of subject matter
Director Kieselbach summarized the special use permit request as outlined in staff memorandum dated May 7, 2009.
- Applicant
Ray Severy, Director of Public Works and Engineering, noted the project was initiated by the residents of Indian Hills. He stated moving the road to the west in front of the pump station for the golf course to accommodate the sidewalk will lessen the curvature of the road in that area. Mr. Severy added he has received permission from the owner of the golf course to move back the posts currently along the side of the golf course. He felt it would be difficult to build a boardwalk for this project as there isn't sufficient room and it would be directly behind to the curb, necessitating excavating down approximately three (3) feet for placement of the wood structure. Mr. Severy voiced concern the excavation would make the edge of the road somewhat unstable and some of the lateral stability of the road would be removed. He indicated no trees would need to be removed, and a wooden rail fence would be placed close to the river for pedestrian and bicyclists' safety.

- Public

Marsha Leister, 2525 Small Acres Lane, Okemos, spoke in opposition because she believed Okemos is losing its river property. She stated that “adding” to the floodplain raises water in other areas of the Township. Ms. Leister stated the golf course on Nakoma Drive flooded approximately five (5) times over the past year. She suggested if a sidewalk is necessary, it should be placed on the other side.

Philip Dwyer, 2327 Hamilton Road, Okemos, urged the Planning Commission to plan for this sidewalk correctly in order to preserve the view, obtain specific information about the fence and keep the sidewalk width at four (4) feet for continuity along Nakoma Drive. He expressed concern where the soil from the compensating cut will be placed.

George Kass, 4512 Nakoma Drive, Okemos, spoke to the danger for pedestrians and bicyclists in not having this sidewalk. He urged the sidewalk to remain at a width of four (4) feet and requested the trees remain intact.

Bonnie Dysinger, 2345 Hamilton Road, Okemos, stated her home is located in the floodway and expressed concern as to how the compensating cut would affect the flow of water. She voiced opposition to removal of any trees as they also provide a buffer for stray golf balls from the nearby golf course.

- Applicant’s Response

Mr. Severy responded it is the intent to keep the fence as short as possible and still meet the safety requirements. He added that while the standard for all sidewalks in the Township is now five (5) feet, it could be reduced to four (4) feet for continuity with the rest of the sidewalk on Nakoma Drive down to Mt. Hope Road. Mr. Severy clarified the compensating cut will be taken off-site by the contractor and disposed of at an approved location. He added it will be necessary for the contractor to remove some shrubs, but it will be kept to a minimum as they help stabilize the bank. He assured the Planning Commission staff will closely monitor the project to insure the contractor does not remove anything that is not absolutely necessary.

Chair Wilcox closed the public hearing at 7:27P.M.

B. Discussion of Special Use Permit #09031 (Charter Township of Meridian)

Planning Commission and applicant discussion:

- Need for removal of debris at the bridge
- Bank erosion has created the narrowest portion between the road and river
- Possible guardrail protecting pedestrian from the roadway
- Concern that posted speed limit on Nakoma Drive is not being observed
- Average cut is eleven (11) inches
- Fence starts south of the retaining wall
- Lower elevation behind berm
- Parks Department Master Plan for Wonch Park shows removal of “berm”
- Placement of silt fence to prevent soil erosion going into the river
- Requirement of 40-42 inch fence height for bicyclist safety
- Possible 3 foot fence for pedestrians
- Project will not change profile of the banks on the river
- Road elevation will not change

- Moving the sidewalk to the other side of the road will impact a green on the golf course and require residents to cross the road twice
- Concern that cement walkway will be viewed as a widening of the road
- Discussion with the Ingham County Road Commission (ICRC) regarding possible placement of poles with chains to separate concrete sidewalk from the road as it relates to plowing ability in the winter
- Curb height of six (6) inches will be exposed and provide some barrier between residents and traffic
- Concern that raising the curb height more than six (6) inches could impact the flow of the river when it floods
- Cross section of the retaining wall will contain tiebacks and provide a more secure wall than the current soil
- Granule fill allows for proper drainage
- Concern with ability for residents to maintain their river view with installation of the fence
- Reducing the height of the fence as a safety concern
- Concern with resident's safety if vertical barrier rail is used
- Possible placement of reflectors on the fence
- Either ICRC or the Ingham County Drain Commissioner's responsibility to keep the drain clean
- Corps of Engineers responsible for removal of debris on rivers
- Reducing the sidewalk to four (4) feet can make two-way pedestrian/bicycle traffic problematic
- Reducing the sidewalk to four (4) feet at this location does not allow any "shy" distance for pedestrian/bicycle traffic by the curb

C. Zoning Amendment #09030 (Township Board), Request to amend sections 86-2, 86-403, 86-404, 86-405, and 86-432 of the Code of Ordinances to allow massage therapy and physical therapy as permitted uses in the C-1, C-2, C-3 (Commercial) and PO (Professional and Office) zoning districts.

Chair Wilcox opened the public hearing at 8:00 P.M.

- Summary of subject matter
Director Kieselbach summarized the proposed zoning amendment as outlined in staff memorandum dated May 7, 2009.

Chair Wilcox closed the public hearing at 8:03 P.M.

D. Discussion of Zoning Amendment #09030 (Township Board)

Planning Commission and applicant discussion:

- Parking requirements for commercial zoning is based on gross square footage of the facility
- Staff to investigate the possibility of including occupational therapists as a permitted use
- C-3 commercial district language currently states any use allowed by right in C-2 is allowed in C-3
- Any building or group of buildings over 25,000 square feet requires a special use permit regardless of the use
- Group office type uses together within Section 86-403(c) for organizational purposes
- Change massage and physical therapist to massage and physical therapy establishments or facilities as a use permitted by right
- Occupational therapy not currently listed as a use in the Township's ordinances
- Create language allowing state licensed medical professionals who treat human patients as a use permitted by right instead of listing all types of therapists within the ordinance

6. Unfinished Business

A. Public Remarks

Chair Wilcox opened the floor for public remarks.

Marsha Leister, 2525 Small Acres Lane, spoke in opposition to Special Use Permit #09031.

Chair Wilcox closed public remarks

- B. Special Use Permit 09-08041 (Delta Dental), a request to work in the 100-year floodplain to expand and reshape the existing pond; add wetlands; construct a bridge, boardwalk/dock/observation deck; and, provide compensating cut for the proposed fill.

Commissioner Honicky 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 #09-08041 (Delta Dental) with the following conditions:

- 1. Approval is based on the plans prepared by Spicer Group, received by the Township on March 6, 2009, and the accompanying materials submitted as part of Special Use Permit #09-08041, subject to revisions as required.**
- 2. The applicant shall obtain any necessary and applicable permits, licenses, and approvals from the Ingham County Drain Commissioner's office and the Township. Copies of all permits, licenses, and approval letters shall be submitted to the Department of Community Planning and Development.**
- 3. The applicant shall apply for and receive the applicable letter of map revision (LOMR) or other necessary approvals from the Federal Emergency Management Agency (FEMA). Copies shall be provided to the Department of Community Planning and Development.**
- 4. The applicant shall apply for and receive all necessary variances from the Zoning Board of Appeals or revise the plans to comply with all sections of the zoning ordinance.**
- 5. The applicant's stormwater management plan and calculations shall be approved by the Department of Public Works and Engineering prior to work starting in the floodplain.**
- 6. The replaced sanitary sewer line shall be located below the elevation of the intermediate regional floodplain, be constructed to be watertight, resist hydrostatic and hydrodynamic loads, and be resistant to the effects of buoyancy. Review of the proposed sanitary sewer line shall be subject to the approval of the Director of Public Works and Engineering.**
- 7. No grading, fill, or construction shall begin until a building permit has been issued by the Department of Community Planning and Development.**
- 8. All fill or other materials utilized in the floodplain as part of the project shall be protected against erosion by riprap, vegetative cover, or bulkheading.**
- 9. All conditions of Special Use Permits #08041 and #08-08041 shall remain in effect.**

Seconded by Commissioner Jackson.

Planning Commission discussion:

- Concern with constriction of flow under the railroad tracks

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

NAYS: None

Motion carried unanimously.

7. Other Business (None)

8. Announcements

Commissioner Deits attended a Green Jobs conference today where it was discussed that land use policy and zoning have an impact on green jobs. He added that strict standards for energy conservation change the economy in the area. He suggested that portions of the Township's building codes could be looked at as part of the process to improve energy efficiency while creating jobs.

Commissioner Beyea attended the American Planning Association Conference two weeks ago in the Minneapolis-St. Paul area where a major theme was green jobs. He stated communities around the country are putting green development into their Master Plans, placing incentives for energy efficiency in planned unit developments. Commissioner Beyea indicated a second theme centered on redevelopment, and many communities around the country are retrofitting vacancies in strip malls for the new type of market demand. He stated a third theme dealt with the level of cooperation in the Minneapolis metropolitan area, through the use of tax base sharing, light rail system and an integrated green parkway system in an effort to coexist.

9. New applications (None)

10. Site plans received (None)

11. Site plans approved (None)

12. Public remarks

Chair Wilcox opened and closed public remarks.

13. Adjournment

Chair Wilcox adjourned the regular meeting at 8:44 P.M.

Respectfully Submitted,

Sandra K. Otto
Recording Secretary