

**CHARTER TOWNSHIP OF MERIDIAN  
PLANNING COMMISSION  
REGULAR MEETING MINUTES  
April 13, 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: Principal Planner Gail Oranchak

**1. Call meeting to order**

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

**2. Approval of agenda**

**Commissioner Jackson moved to approve the agenda. Seconded by Commissioner Honicky.**

VOICE VOTE: Motion carried unanimously.

**3. Approval of Minutes**

**Commissioner Honicky moved to approve the Regular Meeting Minutes of March 23, 2009.  
Seconded by Commissioner Klemans.**

VOICE VOTE: Motion carried unanimously.

**4. Public Remarks**

Chair Wilcox opened the floor for public remarks.

A.J. Patrick, KEBS, Inc., 2116 Haslett Road, Haslett availed himself for Commission questions on SUP #09011 (Capstone).

Chair Wilcox closed public remarks.

**5. Communications**

- Township Board Update for the Regular Board meeting of April 7, 2009 was given by Principal Planner Oranchak

**6. Public hearings (None)**

**7. Unfinished Business**

A. Public Remarks

Chair Wilcox opened and closed public remarks.

B. Special Use Permit #09011 (Capstone), a request to place fill in the floodplain of the Red Cedar River and Hannah Farm Drain.

Principal Planner Oranchak summarized the special use permit request as outlined in staff memorandum dated April 8, 2009.

Planning Commission and applicant discussion:

- Elimination of the proposed compensating cut below the 839.1 elevation changes the ratio of compensating cut to fill from 2.13:1 to 1.43:1
- Floodway depiction on the floodplain map is incorrect based on the contours
- Meridian Township does not count cut in the floodway towards the compensating cut ratio

- Michigan Department of Environmental Quality (MDEQ) counts cut in the floodway towards the compensating cut ratio
- Additional study on the Red Cedar River by the MDEQ to provide new floodplain and floodway information in approximately six (6) months
- Cannot compensate for fill in the floodway fringe with a cut in the floodway
- Concern that if depth of the compensating cut is not controlled, “ponding” may occur which could provide a breeding ground for insects and mosquitoes
- Possibility of building an overflow spillway to the railroad ditch that runs along the property line and fill with stones which would maintain the same ground elevation and allow the plant material and ground to absorb water
- Large amount of water would be allowed to “spill out” without overflowing the banks

**Commissioner Deits 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 #09011 (Capstone) with the following conditions:**

- 1. Approval is based on the submitted application materials and the revised plans prepared by KEBS, Inc., dated March 17, 2009, subject to revisions as required.**
- 2. Prior to final approval of MUPUD #09014 by the Township Board, the plans shall be revised to show all compensating cut above the elevation of 839.1 feet above mean sea level and the revision shall be reviewed and approved by the Director of Public Works and Engineering to ensure the compensating cut to fill ratio is at least 1:1.**
- 3. The applicant shall receive the required permit for work in the floodplain from the Michigan Department of Environmental Quality. A copy of the MDEQ approval shall be submitted to the Department of Community Planning and Development.**
- 4. The applicant shall apply for and receive the applicable conditional and final letters of map amendment and/or map revision from the Federal Emergency Management Agency (FEMA).**
- 5. The applicant shall obtain all other necessary permits, licenses, and approvals from the Michigan Department of Environmental Quality, Ingham County Drain Commissioner, Ingham County Road Commission, and the Township prior to any construction on the site. All approval documents shall be submitted to the Department of Community Planning and Development.**
- 6. The applicant’s stormwater management plan and calculations shall be approved by the Department of Public Works and Engineering prior to site plan review.**
- 7. Prior to any placement of fill or excavation of cut in the floodway fringe, the Township Environmental Consultant shall visit the site to confirm the affected areas do not contain regulated wetlands. Should regulated wetlands be found, an alternate location shall be proposed subject to review and approval of the Director of Public Works and Engineering.**
- 8. No grading, fill, or construction shall begin until a building permit has been issued and approved by the Director of Community Planning and Development.**

**9. Special Use Permit #09011 (Capstone) to place fill and work in the floodplains of the Red Cedar River and Hannah Farms Drain to construct six apartment buildings, shall be contingent upon approval and implementation of the MUPUD #09014 (Capstone).**

**Seconded by Commissioner Jackson.**

Continued Planning Commission discussion:

- Public Works and Engineering Director to verify the revised plans which show all compensating cut above the 839.1 elevation and the compensating cut to fill ratio of at least 1:1.

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

NAYS: None

Motion carried unanimously.

- C. Zoning Amendment #09010 (Planning Commission), an amendment to Sections 86-129, 86-187, 86-188, and 86-189 to update appeal procedures and add an appeal procedure for minor amendments to special use permits.

Principal Planner Oranchak summarized the proposed zoning amendment as outlined in staff memorandum dated April 9, 2009.

Planning Commission discussion:

- Same noticing procedure followed for both major and minor amendments
- Township dependent upon the public to appeal the Director's decision
- Word "equity" interpreted as ability of a citizen who may be aggrieved by the Director's decision to appeal his/her decision similar to procedures available for decisions made by the Planning Commission
- Amend the text of Sec. 86-187. after the first "Appeals" by striking the word "of"

**Commissioner Klemans 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 #09010 (Planning Commission) on the following basis:**

- 1. Appeal procedures are in place for aggrieved persons to challenge decisions made by the Planning Commission; the amendment to Section 86-129(f), Section 86-187 and Section 86-188 will result in equity for persons aggrieved by decisions of the Director of Community Planning and Development.**
- 2. The amendments to Section 86-129(f), Section 86-187 and Section 86-188 will result in consistency with similar ordinance procedures within the zoning ordinance and correct an error of omission.**
- 3. The amendment to section 86-189 will result in consistency with current practice.**

**Seconded by Commissioner Jorkasky.**

Continued Planning Commission discussion:

- Amend the date in the sixth WHEREAS clause from "May 23" to "March 23"

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

NAYS: None

Motion carried unanimously.

**8. Other Business (None)**

**9. Announcements**

Commissioner Beyea announced his attendance at the National American Planning Association Conference in two weeks which will preclude his attendance at the April 27, 2009 Planning Commission meeting.

Commissioner Jackson noted she attended the Michigan Township Association's training for Zoning Board of Appeals and Planning Commission members in Battle Creek, Michigan two weeks ago.

**10. New applications**

A. \*Commission Review #09023 (Township Board), a request for Section 61 review of location, character, and extent to construct a river overlook/outdoor classroom project at the Harris Nature Center, 3998 Van Atta Road.

**11. Site plans received (None)**

**12. Site plans approved (None)**

**14. Public remarks**

Chair Wilcox opened and closed public remarks.

Commissioner Honicky expressed concern over the accuracy of the information contained in the *Michigan Land Use Guidelines for Siting Wind Energy Systems* enclosed in the Planning Commission packet.

**15. Adjournment**

Chair Wilcox adjourned the regular meeting at 7:44 P.M.

Respectfully Submitted,

Sandra K. Otto  
Recording Secretary