



**AGENDA**  
CHARTER TOWNSHIP OF MERIDIAN  
ENVIRONMENTAL COMMISSION  
January 3, 2018 7:00 pm



1. CALL MEETING TO ORDER AT 7:00 PM
2. GREEN THEMES PRESENTATION – None
3. APPROVAL OF THE AGENDA
4. APPROVAL OF THE MINUTES
5. PUBLIC REMARKS
6. NEW BUSINESS
  - A. Township Wetland Ordinance Review
  
7. OLD BUSINESS
  - A. 2018 Strategic Plan
  
8. CHAIR'S REPORT
9. STAFF REPORT
10. COMMISSION/LIASON/WORKGROUP REPORTS
  - A. Planning
  - B. Land Preservation
  - C. Energy
  - D. Parks and Recreation
  - E. Transportation
  - F. Student Report
  
11. PUBLIC REMARKS
12. ADJOURNMENT

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Individuals with disabilities requiring auxiliary aids or services should contact the Meridian Township Board by contacting:  
Township Manager Frank L. Walsh, 5151 Marsh Road, Okemos, MI 48864 or 517.853.4258 - Ten Day Notice is Required.  
Meeting Location: 5151 Marsh Road, Okemos, Town Hall Room

**CHARTER TOWNSHIP OF MERIDIAN  
ENVIRONMENTAL COMMISSION  
REGULAR MEETING MINUTES**

**DRAFT**

**December 6, 2017**

**5151 Marsh Road, Okemos, MI 48864-1198**

**517-853-4560, Town Hall Room, 7:00 P.M.**

**PRESENT:** Chair Bill McConnell, Commissioners Ned Jackson, Susan Masten, John Sarver, Kirk Lapham, Marina Ionescu, Ben Holland  
**ABSENT:** Commissioner Jim Kielbaso  
**STAFF:** Principal Planner Peter Menser  
**OTHERS:** Planning Commissioner David Premoe, Paul Dykema

**1. Call meeting to order**

Chair Bill McConnell called the meeting to order at 7:00 p.m.

**2. Green Themes Presentation**

Paul Dykema, The Visiting Arborists – Street Trees

Mr. Dykema, of The Visiting Arborists, introduced himself and provided a summary of his forestry experience. Currently Mr. Dykema is a consultant with municipalities with a focus on tree preservation. Mr. Dykema presented to the Environmental Commission on a variety of street tree related topics, including factors to consider when choosing types of street trees and showed examples of conflicts between tree type and installation locations. At the end of the presentation Mr. Dykema answered questions from the Commission regarding tree injections, the pros and cons of mulching around trees, methods for directing root growth, pruning techniques, and evidence of and impacts to trees as a result of climate change.

**3. Approval of Agenda**

Commissioner Masten moved to approve the agenda as written.

Seconded by Commissioner Jackson.

VOICE VOTE: Motion approved unanimously.

**4. Approval of Minutes**

A. November 1, 2017 Work Session Minutes

B. November 1, 2017 Regular Meeting Minutes

Commissioner Jackson moved to approve the minutes as drafted.

Seconded by Commissioner Sarver.

VOICE VOTE: Motion approved unanimously.

**5. Public Remarks – NONE**

**6. New Business – NONE**

**7. Old Business**

A. 2018 Strategic Plan

The Environmental Commission discussed items they want to include in the 2018 Strategic Plan, which included the following:

- Desire to initiate dialogue with the Park and Transportation Commissions regarding wayfinding in parks
- Collaboration with the Land Preservation Advisory Board
- Communication with the community
- Review of ordinances related to climate
- Review existing ordinances for wetland protection
- Transmit suggestions of ordinance revisions to the Township Board
- Wetland Use permit requirements
- Develop study group on wetland ordinance
- Membership composition and number of the Environmental Commission

**8. Chair's Report – NONE**

**9. Staff Report – NONE**

**10. Commissioner/Liaison/Workgroup Reports**

**Planning:** Chair McConnell spoke on the Planning Commission's current focus of writing and implementing form-based code. He stated the Township Board is reviewing the Mixed Use Planned Unit Development (MUPUD) ordinance, and spoke to greenspace as an amenity in a MUPUD. He also stated the 2017 Master Plan was approved, and one of the Planning Commission's 2018 goals is implementation of the Plan.

**Land Preservation:** NONE

**Energy:** Commissioner Sarver discussed looking at photovoltaic systems for the Meridian Municipal Building. He stated requests for proposals (RFPs) will be accepted in the near future.

**Parks and Recreation:** NONE

**Transportation:** NONE

**Student Report:** Student Commissioner Holland reported the Earth Club has been very active, and has been reviewing lighting fixtures to save money. He also stated the solar car team at Okemos High School has been successful with fundraising efforts.

Planning Commissioner Premoe stated the Planning Commission conducted Section 61 reviews for location, character, and extent of five properties being considered for purchase by the Land Preservation Advisory Board and one property offered as a donation to the park system.

**11. Public Remarks – NONE**

**12. Adjournment**

Chair McConnell adjourned the regular meeting at 8:25 p.m.



September 25, 2017  
Project No. 170164

Mr. Mark Kieselbach  
Director of Community Planning and Development  
Charter Township of Meridian  
5151 Marsh Road  
Okemos, MI 48864-1198

Re: Township Wetland Ordinance and NREPA Part 303 Regulatory Review

Dear Mark:

As requested, we have reviewed Part 303 of the State of Michigan's Natural Resources and Environmental Protection Act (NREPA), Act 451 of 1994 (Wetlands Protection) and compared it to Meridian Township's wetland ordinance (Chapter 22, Article IV). The intent of this evaluation was to identify inconsistencies between the two statutes and recommend potential updates to the Township's ordinance. Table 1 summarizes the results of my review.

Within recent years, the Michigan Department of Environmental Quality has refined and updated Section 324.30305 of Part 303, which discusses activities not requiring a permit under Part 303. Updated sections pertain to farming in wetlands and incidental creation of wetlands. Table 1 compares relevant portions of Section 324.30305 to the Township's wetland ordinance and presents recommendations for updating the Township's ordinance. Key words are bolded and italicized to highlight differences between the statutes. In general, the state's statute provides stronger definition and clarity that would be beneficial for the Township to adopt into their wetland ordinance. In addition, several other statute differences not pertaining to Section 324.30305 of Part 303 are highlighted in the table.

Please review and let me know if you have any questions and comments. As always, you may contact me at 616.464.3738 or ehtripp@ftch.com.

Sincerely,

FISHBECK, THOMPSON, CARR & HUBER, INC.

Elise Hansen Tripp, PWS

pmb  
Attachment  
By email

Table 1. Comparison of NREPA Part 303 and Chapter 22, Article IV (Wetland Protection) of the Meridian Township Code of Ordinances

NREPA Part 303 Citation	Corresponding Part 303 Statute	Township Ordinance Citation	Corresponding Township Statute	Comments and Recommendations
Pertaining to Activities not Requiring a Permit under Part 303 and the Township Wetland Ordinance:				
324.30305(1)e(i)	Beginning October 1, 2013, to be allowed in a wetland without a permit, these activities shall be part of an <b>established ongoing</b> farming, ranching, horticultural, or silvicultural operation. <i>Farming and silvicultural activities on areas lying fallow as part of a conventional rotational cycle are part of an established ongoing operation, unless modifications to the hydrological regime or mechanized land clearing are necessary to resume operation. Activities that bring into farming, ranching, horticultural, or silvicultural use an area not in any of these uses, or that convert an area from a forested or silvicultural use to a farming, ranching, or horticultural use, are not part of an established ongoing operation.</i>	22-152(a)(5) and (6)	The following uses shall be allowed in a wetland without a permit subject to other laws of this state and the owner's regulation: (5) Farming, horticulture, silviculture, lumbering, and ranching activities, including plowing, irrigation, irrigation ditching, seeding, cultivating, minor drainage, harvesting for the production of food, fiber, and forest products, or upland soil and water conservation practices. A wetland altered under this article shall not be used for a purpose other than a purpose described in this subsection without a permit from the Township. (6) An activity in a wetland that was effectively drained for farming before October 1, 1980, and that on and after October 1, 1980, has continued to be effectively drained as part of an ongoing farming operation.	Part 303 provides a stronger definition of established, ongoing farming operations. Add the following to 22-152(a)(5): " <b>Established, on-going</b> farming, horticulture, silviculture, lumbering, and ranching activities, including plowing, irrigation, ...." The Township may also wish to incorporate the additional bolded, italicised language to strengthen the definition of established ongoing farming operations.
324.30305(1)o	Placement of biological residuals from activities, including the cutting of woody vegetation or the in-place grinding of tree stumps, performed under this section within a wetland, if all the biological residuals originate within that wetland.	No corresponding statute.		Include this exemption in Section 22-152
324.30305(4)	A wetland that is incidentally created as a result of 1 or more of the following activities is not subject to regulation under this part: (b) Construction and operation of a water treatment pond, lagoon, <b>or storm water facility</b> in compliance with the requirements of state or federal water pollution control laws.	22-152(a)(17)b	A wetland that is incidentally created as a result of one or more of the following activities: b. Construction and operation of a water treatment pond or lagoon in compliance with the requirements of state or federal water pollution control regulations.	Add <b>or storm water facility</b> to Section 22-152(a)(17)b
324.30305(4)	A wetland that is incidentally created as a result of 1 or more of the following activities is not subject to regulation under this part: (d) Construction of drains in upland for the sole purpose of removing excess soil moisture from upland areas that are primarily in agricultural use. (e) Construction of roadside ditches in upland for the sole purpose of removing excess soil moisture from upland. (f) An agricultural soil and water conservation practice designed, constructed, and maintained for the purpose of enhancing water quality.	No corresponding statute.		Include these exemptions to Section 22-152(a)(17)

NREPA Part 303 Citation	Corresponding Part 303 Statute	Township Ordinance Citation	Corresponding Township Statute	Comments and Recommendations
324.30305(5)	An area that <i>becomes contiguous</i> to a water body created as a result of commercial excavation for sand, gravel, or mineral mining is not subject to regulation under this part solely because it is contiguous to the created water body. This exemption from regulation applies until the property on which the wetland is located meets both of the following requirements: (a) is no longer used for excavation as part of commercial sand, gravel, or mineral mining. (b) is being used for another purpose unrelated to excavation as part of commercial sand, gravel, or mineral mining.	22-152(a)(17)	A wetland that is incidentally created as a result of one or more of the following activities: a. Excavation for mineral or sand mining, if the area was not a wetland before excavation. This exemption does not include a wetland on or adjacent to a water body of one acre or more in size.	Part 303 clarifies the regulatory status of wetlands in the vicinity of sand and gravel mining operations as these operations expand. The Township should decide if it would accept this exemption. It may wish to require a Wetland Use Permit for mining within 300 feet of regulated wetlands, but outside a 40 foot or 20 foot buffer.
No corresponding statute.		22-152(a)(16)	Construction of iron and copper mining tailings basins and water storage areas.	Delete Section 22-152(a)(16). It is not relevant to the Township.
Pertaining to other aspects of the state and local statutes:				
324.30305(1)e(ii)	Minor drainage does not include drainage associated with the immediate or gradual conversion of a wetland to a nonwetland, or conversion from 1 wetland use to another. Minor drainage does not include the construction of a canal, ditch, dike, or other waterway or structure that drains or otherwise significantly modifies a stream, lake, or wetland.	This clarification of the definition of minor drainage is not present in the Township statute.		Expand the definition of minor drainage in 22-116 (Definitions) to include the Part 303 clarification.
		22-122(2)a.2.ii	Presence of or lack of accepted wetland hydrology <i>layers</i> .	Change to: Presence of or lack of accepted wetland hydrology <i>indicators</i> .