

**CHARTER TOWNSHIP OF MERIDIAN  
PLANNING COMMISSION  
REGULAR MEETING MINUTES  
November 23, 2015**

**APPROVED**

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

PRESENT: Commissioners DeGroff, Deits, Honicky, Ianni, Jackson, Scott-Craig, Van Coevering  
ABSENT: Commissioners Cordill, Tenaglia  
STAFF: Principal Planner Oranchak, Associate Planner Wyatt

**1. Call meeting to order**

Chair Scott-Craig called the regular meeting to order at 7:00 P.M.

**2. Approval of agenda**

**Commissioner Ianni moved to approve the agenda. Seconded by Commissioner DeGroff.**

VOICE VOTE: Motion carried 7-0.

**3. Approval of Minutes**

**Commissioner DeGroff moved to approve the Regular Meeting Minutes of November 9, 2015. Seconded by Commissioner Honicky.**

VOICE VOTE: Motion carried 7-0.

**4. Public Remarks**

Chair Scott-Craig opened the floor for public remarks.

Tom Gottschalk, 6170 E. Lake Drive, Haslett, representing Dr. Robert Pairolero on Special Use Permit #15131, addressed changes made to the proposed optometry clinic, stating the building was made smaller which eliminated the need for a parking variance. He added the only variance needed for the building itself is the rear yard setback. Mr. Gottschalk noted the 20 foot landscaping buffer from Marsh Road as well as the side is a little peculiar, given the required building setback is only 15 feet. He stated he spoke with the neighbor directly behind this property who voiced concern at the last meeting over the existing drainage problem, indicating he felt they could help correct the drainage situation. Mr. Gottschalk indicated the rear yard variance requirement of 50 feet, along with the required front and side yard setback would only allow for a building 16 feet in depth. He suggested Planning Commissioners may not want to act on this item tonight as a great deal of new information has been provided.

Chair Scott-Craig closed public remarks.

**5. Communications (None)**

**6. Public hearings (None)**

**7. Unfinished Business**

A. Special Use Permit #15141 (Chvala), request to work in the 100-year floodplain to construct at pond at 5384 Van Atta Road

**Commissioner DeGroff 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 #15141 subject to the following conditions:**

- 1. Approval is subject to the plans and application materials submitted as part of Special Use Permit #15141, subject to revisions as required.**
- 2. Prior to work taking place on the site, the applicant shall submit a detailed site plan showing the location where excavated materials will be used to create a berm. The site plan shall show excavated materials will be removed to a location above 863.5 feet above mean sea level; and the proposed length, height, and width of the berm. The Director of Community Planning and Development shall review and approve the berm location.**
- 3. The applicant shall obtain a soil erosion and sedimentation control permit from the Department of Public Works & Engineering prior to any work taking place on the site. A copy of the permit shall be provided to the Department of Community Planning & Development.**

**Seconded by Commissioner Ianni.**

Planning Commission discussion:

- Applicant has enhanced the condition of the land since he purchased it
- Project will not have a negative impact on the floodplain if the materials removed are kept out of the erosion area
- Erosion control measures will be implemented for the proposed project
- Pond will have a deep water area that is .3 acres in size

**ROLL CALL VOTE: YEAS: Commissioners DeGroff, Deits, Honicky, Ianni, Jackson, Van Coevering, Chair Scott-Craig**

**NAYS: None**

**Motion carried 7-0.**

- B. Wetland Use Permit #15-02 (Chvala), request to impact wetlands to construct a pond at 5384 Van Atta Road**

**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 #15-02 with the following conditions:**

- 1. Approval is subject to the application materials and mitigation plan prepared by Mid-Michigan Ponds, dated September 4, 2015, and related materials submitted as part of Wetland Use Permit #15-02, subject to revisions as required.**
- 2. If required, the applicant shall obtain all necessary permits, licenses and approvals from the Ingham County Drain Commissioner's office, and the Township prior to any work taking place. Copies of all permits, licenses and approvals shall be submitted to the Department of Community Planning & Development.**

3. **Wetland Use Permit #15-02 shall be subject to the applicant receiving approval of Special Use Permit #15141 for work in the floodplain.**
4. **Prior to any work taking place on the site, the applicant shall submit a detailed site plan showing the location and dimensions of the berm to be created using materials excavated from Wetland #13-12D and an associated soil erosion plan to the Director of Community Planning and Development for review and approval.**
5. **Prior to any work taking place on the site related to activities in and around wetlands to create the pond, a soil erosion and sedimentation control plan shall be submitted to the Director of Community Planning & Development for review and approval.**
6. **Prior to construction, erosion control fencing shall be installed to prevent sedimentation from infiltrating into the wetlands, the water features setback/natural vegetation strip and mitigated 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.**
7. **Mid-Michigan Ponds shall periodically monitor the site during the first year after construction to identify and correct erosion issues.**
8. **The mitigation wetlands shall be monitored for five years in accordance with Mid-Michigan Ponds' September 24, 2015 Chvala Wetland Mitigation Plan with vegetation monitoring being conducted between July 15 and August 15. Annual reports shall be provided to the Director of Community Planning and Development and include a written status report and photographic documentation.**
9. **No straw bales shall be used for erosion control, unless in conjunction with sediment erosion control fencing.**
10. **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 the posting shall remain in place throughout the duration of site work.**
11. **Upon completion of construction, the applicant shall contact the Department of Community Planning & Development for an inspection of the site to ensure compliance with the permit.**

**Seconded by Commissioner Honicky.**

Planning Commission discussion:

- Net gain for the wildlife in the community
- This private property will be an excellent piece of greenspace in the Township and a nice contribution to the environment on a number of levels
- Time will tell if the water will be maintained free of invasive species
- Planning Commissioner belief the nearby horse farm will have runoff nutrients which flow into this pond

ROLL CALL VOTE: YEAS: Commissioners DeGroff, Deits, Honicky, Ianni, Jackson, Van Coevering, Chair Scott-Craig

NAYS: None

Motion carried 7-0.

- C. Special Use Permit #15131 (Pairolero), request to construct a non-residential use in a residential district (optometry clinic) on two undeveloped platted lots located on the east side of Marsh Road north of Haslett Road

Commissioner Deits suggested this item be removed from the agenda and an additional public hearing be scheduled, due to submission of new information by the applicant.

Associate Planner Wyatt summarized the changes to the special use permit request as outlined in staff memorandum dated November 20, 2015.

Planning Commission, staff and applicant discussion:

- Reduction of 252 square feet in the building which reduced the required number of parking spaces to 18
- Offer of bicycle parking reduced the number of motor vehicle parking spaces to 16
- Rear yard setback was increased from 7.96 feet to 10 feet
- Building elevations remain the same
- Commissioner belief there will not be much opportunity for residential development of this land on Marsh Road, a major commercial area
- Difficulty exists with placing commercial development on this sized property without a variance(s)
- Concern with isolating a small piece of land to the south
- Preference for the applicant to purchase the piece of land to the south (lot 10), reconfigure the parking and move the building forward so variances are unnecessary
- Concern with water management due to the eight (8) foot drop from the front to the rear of the subject property
- Inquiry as to the distance of the buildings on lots 14, 15 and 18 from their rear property line
- Commissioner belief placement of the building as proposed compromises the residential character of the land to the north and south
- Commissioner preference, from a planning point of view, to initiate an investigation whether to rezone this parcel to Professional and Office (PO)
- Zoning amendment to PO would allow the property to be utilized for other uses, if sold, as opposed to the proposed use allowed by SUP
- Testimony from the last meeting that lot 10 is not on the market and the owner has no desire to sell
- Doctor's office is a great community based business for nearby residents
- Subject property does not have sufficient space for most types of development
- Rezoning to PO would not change the setbacks in the front or rear
- PO zoned parcel next to residential requires a 50 foot rear yard setback and the building front requires 100 feet from the center line of March Road
- Depth of lot is 132 feet
- Front and rear yard setback requirements allow 16 feet of building depth
- Tax collection for lot 10 has been turned over to the county for the last three (3) tax cycles
- Commissioner statement there is no way to build a conforming building on the subject property

- Commissioner belief the proposed building does not fit this lot
- Commissioner preference to bring the building forward on the lot with parking in the rear
- Net “gain” in buildable area if the parking was placed in the rear
- Need for a mechanism to get past the difficulties associated with the setback requirements on this parcel while respecting the neighbors
- Zoning Board of Appeals (ZBA) will consider that the front and rear yard setbacks prevent anything being built on the property greater than 16 feet in depth
- Zoning ordinance created the difficulty with development on this property
- Reduction in the required parking will require a variance
- Variance(s) will be required in order for there to be any development on the site
- Turning the building on its side would not alleviate the need for a variance(s)
- Lot 10 would also be unbuildable due to setback requirements
- Commissioner preference to maintain the building’s square footage, but make the building more square shaped to have smaller amounts of needed variances
- Appreciation the applicant has tried to alter plans based on Planning Commission feedback
- Commissioner preference to grant a front variance rather than a rear variance as it would not have an impact on the community
- Suggestion to “split” the parking, with employee parking in the rear with a driveway along one side
- Inquiry by the applicant’s representative about the 2004 variance for the vet clinic to add an addition to a non-conforming building and a non-conforming extension of a parking buffer along the front
- Sixteen (16) parking spaces is not “excessive”, but is more than adequate
- Six employees (doctor included) would be the maximum present on any given shift
- Maximum estimate of patients at any given time is eight (8)
- Planning Commission or the Township Board has the right to initiate a property’s rezoning without the permission of the applicant
- Commissioner request to have the applicant set the reduction in the rear yard setback variance as the highest priority in order to lessen the impact to the community
- Need to rank the importance of the variances
- Commissioner preference to impact the roadway through a front yard variance rather than requesting a large variance for the rear yard setback
- Focus of reducing the requested variances over placement of parking in the rear
- Emphasis of the ZBA that they consider requests on a case-by-case basis
- Comparisons of variances received for other nearby properties would need to be very specific and very similar in order to be relevant to the ZBA
- Commissioner suggestion to focus on reducing certain variances as much as possible, particularly in the rear of the property rather than reducing the amount of required parking
- Commissioner caution to ensure there are sufficient parking spaces to meet the applicant’s needs
- Commissioner suggestion to include this area in the update of the Future Land Use Map
- Planning Commission and the ZBA have a desire for the applicant to have maximum use of the land which now sits vacant
- Planning Commission desire to minimize the extent of the needed variance in the rear, even if it requires a greater number of variances

**It was the consensus of the Planning Commission to have the applicant make changes based on comments by Commissioners and bring back sketch plans to the Planning Commission at its December 14<sup>th</sup> meeting.**

**8. Other Business**

A. 2016 Planning Commission Calendar

**Commissioner Ianni moved [and read into the record] NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN, INGHAM COUNTY, MICHIGAN as follows:**

- 1. The Planning Commission will meet for regular meetings on certain Mondays, January through December in 2016 in the Town Hall Room of the Meridian Municipal Building, 5151 Marsh Road, Okemos, MI 48864, 517-853-4560.**
- 2. The specific dates for meetings are as follows:**

<b>January</b>	<b>11 - regular meeting 25 - regular meeting</b>
<b>February</b>	<b>8 - regular meeting 22 - regular meeting</b>
<b>March</b>	<b>14 - regular meeting 28 - regular meeting</b>
<b>April</b>	<b>11 - regular meeting 25 - regular meeting</b>
<b>May</b>	<b>9 - regular meeting 23 - regular meeting</b>
<b>June</b>	<b>13 - regular meeting 27 - regular meeting</b>
<b>July</b>	<b>11 - regular meeting 25 - regular meeting</b>
<b>August</b>	<b>8 - regular meeting 22 - regular meeting</b>
<b>September</b>	<b>12 - regular meeting 26 - regular meeting</b>
<b>October</b>	<b>10 - regular meeting 24 - regular meeting</b>
<b>November</b>	<b>14 - regular meeting 21 - regular meeting</b>
<b>December</b>	<b>12 - regular meeting 19 - regular meeting</b>

3. **Meetings will begin at approximately 7:00 p.m.**
4. **Special meetings of the Planning Commission may be called pursuant to the applicable statute.**
5. **Regular meetings may be canceled, recessed or postponed by members of the Planning Commission pursuant to the applicable statute.**
6. **A summary of this resolution stating date, place, and time shall be posted in the Meridian Municipal Building within ten (10) days after the first regularly scheduled meeting of the year in accordance with MCL 15.265.**

**Seconded by Commissioner Honicky.**

Planning Commission discussion:

- Requirement for all meetings to be published in compliance with state law

ROLL CALL VOTE: YEAS: Commissioners DeGroff, Deits, Honicky, Ianni, Jackson, Van Coevering, Chair Scott-Craig

NAYS: None

Motion carried 7-0.

**9. Township Board, Planning Commission officer, committee chair, and staff comment or reports**

Commissioner Ianni reported on the success of the Okemos Education Foundation Annual Awards Banquet held on Thursday, November 19, 2015 at the Kellogg Center.

A. Special Use Permit #15161 (Okemos Road LLC), develop an 8-unit townhouse project at 3698 Okemos Road

B. Update of Ongoing Projects

i. Site Plans Received

1. Site Plan Review #15-11 (Meridian Investment Group), review site plan for Red Cedar Flats (MUPUD #15034), 112 residential units

ii. Site Plans Approved

1. Site Plan Review #15-10 (Grange Acres), review site plan for modifications to 38 units in Phase 1, 6101 Marsh Road

**10. Public remarks**

Chair Scott-Craig opened and closed public remarks.

**11. Adjournment**

Chair Scott-Craig adjourned the regular meeting at 8:22 P.M.

Respectfully Submitted,

Sandra K. Otto  
Recording Secretary