

**CHARTER TOWNSHIP OF MERIDIAN  
PLANNING COMMISSION  
REGULAR MEETING MINUTES  
July 14, 2014**

**APPROVED**

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

PRESENT: Commissioners Cordill, Deits, Hildebrandt, Ianni, Jackson, Salehi, Scott-Craig, Van Coevering  
ABSENT: Commissioner Honicky  
STAFF: Principal Planner Oranchak

**1. Call meeting to order**

Chair Jackson called the regular meeting to order at 7:01 P.M.

**2. Approval of agenda**

**Commissioner Ianni moved to approve the agenda. Seconded by Commissioner Scott-Craig.**

VOICE VOTE: Motion carried 8-0.

**3. Approval of Minutes**

**Commissioner Scott-Craig moved to approve the Regular Meeting Minutes of June 23, 2014. Seconded by Commissioner Ianni.**

VOICE VOTE: Motion carried 8-0.

**4. Public Remarks**

Chair Jackson opened the floor for public remarks.

Michael Anderson, 2020 Central Park Drive, Okemos, spoke to a recent ruling that the residents of Autumn Park do not have standing under court challenge relative to construction of the new central fire station, questioning the premise that any Meridian Township taxpayer does not have standing. He also questioned how any voting taxpayer of Meridian Township does not have the right to question how tax money is spent, alleging he knew residents have that right, both in court and at the ballot box. Mr. Anderson addressed the bids received for construction of the fire station, indicating the project was delayed and costs increased due to Township error. He added trees have been cut, even though there is not a finalized site plan. Mr. Anderson stated it is time to replace the central fire station with a fire station which the Township can afford.

David Strobl, 1320 Cove Court, Okemos, displayed pictures on the overhead of the current condition of the parcel of land upon which the new central fire station is to be located. He spoke to the massive clear cutting which has already taken place, despite the timeline of events surrounding the process and the ultimate need for reduction in the footprint of the new station.

Susan Simkin, 2034 Central Park Drive, Okemos, addressed the increased cost of the proposed central fire station, alleging the additional cost was a result of administrative "greed." She expressed concern with the precedent set by the Township when it "violates" its own laws.

Vance Kincaid, 4530 Nakoma Drive, Okemos, stated several of the trees “assured” by the Township to remain on the property to house the new central fire station were clear cut. He spoke to what he alleged was slander, deception and administrative incompetence surrounding the issue of construction of the new central fire station. Mr. Kincaid stated there was no soil analysis performed, no landscape plan created prior to tree cutting or engineering traffic study conducted for the fire station. He cautioned the Planning Commission to “do the right thing” when the project comes before the Planning Commission again as required by Section 86-155 of the Township ordinances.

Chair Jackson closed public remarks.

**5. Communications (None)**

**6. Public hearings**

- A. Zoning Amendment #14040 (Planning Commission), amend Section 86-368 to allow more than one residence on an RR (Rural Residential) zoned site 50 acres or more in size

Chair Jackson opened the public hearing at 7:20 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 proposed zoning amendment as outlined in staff memorandum dated July 10, 2014.
- Public  
David and Joan Johnson, 6503 Park Lake Road, East Lansing, owners of the subject property which initiated this request, spoke in support of the simplified amendment proposed by the Township Attorney as contained in the staff memorandum.

Leonard Provencher, 5824 Buena Parkway, Haslett, expressed concern with changing the Township long-standing zoning requirement of one residence per parcel for a single applicant. He also voiced concern with the two other parcels in the Township to which this zoning amendment would apply and their commensurate possible need for utilities.

- Planning Commission discussion:  
Commissioner Ianni believed this zoning change serves a public purpose by preserving the rural residential and potential farming properties within the Township.

Commissioner Cordill noted only three (3) parcels in the Township would fit this situation. She expressed concern with how road access would be addressed if ownership of this parcel changed hands.

Principal Planner Oranchak replied there would be two options available; requirement for a land division or a planned unit development (PUD). This zoning amendment simply allows for two (2) residences on one (1) lot of 50 acres or more in size

Commissioner Cordill noted approval would allow this as a use permitted by right and inquired what mechanism the Township would use to address a change in ownership.

Principal Planner Oranchak responded the language assumes there is one (1) owner for the subject parcel of land.

Commissioner Deits noted this amendment would allow the owner to live in one home and possibly rent out the other home, adding he did not believe the Township could enforce a family occupied restriction on the second home. He asked if the 50 acre parcel is all within Meridian Township.

Principal Planner Oranchak replied this parcel is solely located in Meridian Township.

Commissioner Deits requested staff offer a short summary as to why a rezoning, PUD or land division would be “off the table.”

Principal Planner Oranchak responded a rezoning, PUD or land division were not being considered as it seemed with the original request there may be an assumption they were already permitted whereas going through a separate process because it was a special use permit (SUP) v. a use permitted by right. She noted the process for a PUD is similar to a SUP process and the applicant would have already been through a process to allow a second residence on the parcel.

Commissioner Deits stated he believed one of the issues which precluded that scenario was the road access question.

Principal Planner Oranchak responded the road access is still an issue and will require a variance from the lot width as the subject parcel does not meet that ordinance standard.

Commissioner Deits echoed a previous comment that the Planning Commission would be “kicking the can down the road” to the Zoning Board of Appeals (ZBA).

Principal Planner Oranchak replied in this case, Mr. and Mrs. Johnson would need to request a variance from the ZBA.

Commissioner Scott-Craig noted that in general, definitions are contained in the rural residential district and they apply to all other residential zoning districts, but this language would preclude that. He also believed the issue with 15 feet of frontage is the crux of this request. Commissioner Scott-Craig indicated the property on one side has a different owner in another county and the other side is the golf course and ditches.

Principal Planner Oranchak added it is something like a shared driveway and does not have the appropriate amount of lot width, adding they would need to obtain a variance to allow for a shared driveway.

Commissioner Scott-Craig noted the other two (2) properties covered by this amendment have ample frontage and access would not be a problem for those properties, adding that the other two properties could undergo a land division.

Commissioner Salehi inquired why the size of fifty (50) acres was selected. He did not want the Township to change its ordinance for one homeowner, but supported the concept of multiple residences on large parcels. He questioned where the boundary should be located (10 acres, 20 acres, 25 acres, etc.?)

Commissioner Scott-Craig inquired if language should be included in the ordinance which states that if sufficient frontage is available, land division should be required.

Commissioner Ianni believed the selection of 50 acres provides limited applicability to the Township and is more amenable for farming and other similar uses.

Commissioner Cordill stated she preferred not to include language about the frontage as there is a small pool of applicable parcels (i.e., three), which should be handled on an individual basis.

Commissioner Scott-Craig believed the selection of 50 acres is arbitrary, and preferred to use the mechanism regarding frontage for sufficient access.

Commissioner Hildebrandt inquired as to what happens if ownership of the property changed.

Principal Planner Oranchak replied if an applicant wanted to sell the second home, they would utilize a method which creates the ability to have separate residences on an existing lot (e.g., land division, PUD, condominium, etc.) She noted that the road issue for the subject parcel will have to be addressed, adding that the ZBA will be handling that particular situation.

Commissioner Deits requested staff provide data which breaks down the number of parcels which fall into specific categories (e.g., parcels in five-acre blocks beginning with 30 acres and ending at 50 acres). He believed the data may reveal why 50 acres was selected.

Commissioner Cordill expressed interest in obtaining information at what specific acreage the land is more suitable for farming and would find the distribution data helpful.

Commissioner Ianni presented a legal perspective that what the Planning Commission needs to look at in these types of cases is a rational basis for its decision. He cited the selection of 50 acres provides limited applicability to the Township, minimal disruption to the zoning ordinance, more suitable for farming and preservation of rural residential neighborhoods in areas of the Township. He recalled the applicant mentioning at the last meeting on this issue that it was possible to construct a road at some point in the future which would negate the need for a variance. Commissioner Ianni asked if the applicant was pursuing that avenue.

Mr. Johnson responded if the property was sold as mentioned earlier by Ms. Oranchak, a county road to access that property would need to be constructed. However, as long as he owned the property, Mr. Johnson believed the road unnecessary. He pointed out that the road is actually 66 feet in width, but the other portion of it is in Bath Township.

Mrs. Johnson added the 50 acre parcel is attached to another 1,450 acre farm in Clinton County and their home services that farm.

Commissioner Deits posed a hypothetical if it was within the purview of the ZBA to grant a variance to place the second home on their property. He stated that would obviate the need for an ordinance and could be considered as a first step prior to going through the zoning amendment process.

Commissioner Van Coevering listed one of the criteria for the ZBA to grant a variance is that it cannot be a self-created hardship.

Principal Planner Oranchak added one reason to grant a variance can be related to circumstances of the lot in this case, as the applicant is caught between a county boundary and another piece of privately owned property. She reminded the Planning Commission that the issue before it is whether to allow a second residence on a single lot that is 50 acres in size.

Commissioner Van Coevering expressed support for the Township attorney amendment language included in the July 10, 2014 staff memorandum.

Commissioner Deits summarized the process which will take place over the next few months once the Planning Commission proposes the zoning amendment to the Township Board. He pointed out there is no reason, in parallel, the owners could not pursue a ZBA action and if that action comes to fruition more quickly than the zoning amendment process, there would be no need to continue to pursue the amendment.

Principal Planner Oranchak stated the applicant has no reason to go before the ZBA unless a second residence can be built on the property because they are “grandfathered in.”

Commissioner Salehi asked why land division is preferable when it is possible to have an ordinance change which allows multiple homes on a single parcel.

Principal Planner Oranchak responded it is a solution to a problem which came up because of the subject parcel, and the criteria were proposed by the applicant’s attorney. She indicated this would provide a new option which would otherwise have to be accomplished through a land division, rezoning to a multiple category, etc.

Commissioner Salehi inquired as to the applicant’s cost for the land division process.

Principal Planner Oranchak explained the steps to the process which included an application fee.

At the prompting of Commissioner Salehi, Commissioner Scott-Craig explained that in a residential district, the ordinance permits one residence on a parcel and the most direct way to acquire two residences is to divide the property under land division.

Commissioner Deits added if a land division was pursued at the ZBA, the issue of frontage precludes “the whole story.”

Principal Planner Oranchak responded in the affirmative, noting the land division is a separate issue from the subject of this hearing. She was hesitant to speak to that process should it go before the ZBA, as there is additional frontage in Bath Township.

Chair Jackson summarized the issue before the Planning Commission for the purpose of the public hearing, stating the frontage issue is peripheral to the zoning amendment.

Commissioner Scott-Craig restated an earlier inquiry as to the rationale basis for one parcel, one house.

Principal Planner Oranchak responded the one parcel one house is a long-standing Township policy.

Commissioner Ianni believed that part of the reason for land division historically is because it creates property law issues, ingress/egress issues, easement issues, etc. In this case, he believed the reason was to preserve some of the larger rural residential parcels in the Township.

Commissioner Cordill expressed support for the Township Attorney's language amendment for the reasons cited by Commissioner Ianni.

Commissioner Salehi voiced support for the ordinance change if there was Planning Commission consensus to do so, including language which addressed the inability of parcels which exceeded ten (10) acres to go through the land division process.

Commissioner Deits expressed concern with having an ordinance which is based on the inability to carry out an administrative task.

Principal Planner Oranchak added that was one reason the Township Attorney recommended not obtaining a special use permit because it had a statement regarding the land division, a completely separate ordinance of the Township based on a state act. She voiced concern with overriding the state land division act.

Commissioner Deits expressed his viewpoint that building a second home on a single parcel is extremely restrictive and, as such, the ordinance will not have a large impact in the Township.

Principal Planner Oranchak added the concept of one home per lot is a position the residents of Meridian Township have stood behind for many years.

Commission Deits explored the premise that two homes on a single lot could be built closer together than would otherwise be the case if they were on two (2) rural residential lots.

Chair Jackson voiced concern with the language "and other applicable zoning district requirements..." and inquired which requirement would be involved.

Principal Planner Oranchak gave one example as setbacks from the front, side or rear, lot coverage, building height and whatever else was contained in that section of the ordinance.

Commissioner Scott-Craig stated inter-county cooperation to place the 66 foot wide road onto the subject parcel would solve the problem for the applicant as there would be sufficient frontage, acknowledging such action would be an expensive process.

Commissioner Salehi preferred to include language which allows a second residence on large parcels in which road frontage prohibits land division.

Commissioner Van Coevering inquired if the suggested language proposed by Commissioner Salehi would tread on the state land division act.

Principal Planner Oranchak replied it is treading on the ZBA as well if it is placed in the ordinance as a use permitted by right without proper road frontage, as the ZBA would have to hear the case.

Chair Jackson conducted a straw poll and there was consensus to support the proposed language.

Chair Jackson closed the public hearing at 8:20 P.M.

**7. Unfinished Business (None)**

**8. Other Business (None)**

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

Commissioner Deits reported the Van Atta Road bridge is now open and summarized the circumstances surrounding the walkway to access the bridge.

Commissioner Hildebrandt expressed appreciation to the Ingham County Road Department (ICRD) for maintaining a low profile and building a beautiful bridge.

Commissioner Scott-Craig reported that at the last Township Board meeting, Harmony Gmazel, Land Use Planner with Tri-County Regional Planning Commission (TCRPC), indicated TCRPC will host a farmland bus tour in September and gave a brief overview of the Health Impact Assessment (HIA) toolkit and available training.

Commissioner Van Coevering announced several public events hosted by the Greater Lansing Area Clean Cities Coalition in the near future and offered information to interested Planning Commissioners.

Chair Jackson suggested Commissioner Van Coevering share the information from the Greater Lansing Area Clean Cities Coalition with staff who will then disseminate the same to other Planning Commissioners.

Chair Jackson suggested the Planning Commission set up a work session to commence work on the 2015 Master Plan in mid-to-late August, possibly August 18<sup>th</sup>. She stated Commissioner Scott-Craig obtained information he believed would be helpful to all Commissioners titled "Planning and Zoning Essentials" published by the Michigan Association of Planning. Commissioners also suggested the possibility of a work session after a regular meeting where the agenda is light.

Commissioner Scott-Craig inquired as to the publishing requirements for a work session on August 18<sup>th</sup>. Staff outlined the options available for adequate notice to the public.

**10. New applications**

- A. Special Use Permit #14-86301 (Courtesy Ford), request for a minor amendment to construct a 3,000 square foot addition at 1830 Grand River Avenue

**11. Site plans received**

- A. Site Plan Review #14-87-02 (Courtesy Ford), request to amend an approved site plan to construct a 3,000 square foot addition at 1830 Grand River Avenue

**12. Site plans approved**

- A. Site Plan Review #14-09 (Meridian Township), request to construct a new fire station on Okemos Road south of Central Park Drive.

**13. Public remarks**

Chair Jackson opened public remarks.

Mr. Provencher, 5824 Buena Parkway, Haslett, voiced appreciation for the technical knowledge, analytical ability, and the experience of Planning Commissioners. He spoke to the congenial manner in which Planning Commission business is conducted. Mr. Provencher also articulated his appreciation for the professional presentations by staff at Planning Commission meetings.

Chair Jackson closed public remarks.

**14. Adjournment**

Chair Jackson adjourned the regular meeting at 8:34 P.M.

Respectfully Submitted,

Sandra K. Otto  
Recording Secretary