

**CHARTER TOWNSHIP OF MERIDIAN  
PLANNING COMMISSION  
REGULAR MEETING MINUTES  
August 12, 2013**

**APPROVED**

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

PRESENT: Commissioners Cordill, Deits, Hildebrandt, Ianni, Salehi, Scott-Craig  
ABSENT: Chair Jackson, Commissioners Honicky, Norkin  
STAFF: Principal Planner Gail Oranchak

**1. Call meeting to order**

Vice-Chair Deits called the regular meeting to order at 7:00 P.M.

**2. Approval of agenda**

Commissioner Scott-Craig moved to approve the agenda amended as follows:

- **Add Agenda Item #8A: Amendment to the 2013 Planning Commission Meeting Schedule**  
**Seconded by Commissioner Hildebrandt.**

VOICE VOTE: Motion carried 6-0.

Commissioner Cordill offered the following amendment to the agenda as these two items are a continuation of public hearings left open at the July 22, 2013 Planning Commission meeting:

- **Add Agenda Item #6B: Special Use Permit #13091 (ICDTR), work in the floodplain of the Jeffries Drain associated with improvements to Cornell Road**
  
- **Add Agenda Item #6C: Wetland Use Permit #13-01 (ICDTR), impacts to regulated wetlands associated with improvements to Cornell Road**

**Seconded by Commissioner Scott-Craig.**

VOICE VOTE: Motion carried 6-0.

**3. Approval of Minutes**

Commissioner Ianni moved to approve the Regular Meeting Minutes of July 22, 2013.  
**Seconded by Commissioner Scott-Craig.**

VOICE VOTE: Motion carried 6-0.

**4. Public Remarks**

Vice-Chair Deits opened the floor for public remarks.

Neil Bowlby, 6020 Beechwood Drive, Haslett, offered suggestions on changes to the definition language for aged and mentally handicapped relative to adult day care centers contained in Zoning Amendment #13040.

John Kaufmann, 5140 Cornell Road, Okemos, read a letter on behalf of Thomas Voice, who requested restoration of certain wetland upland areas during the Cornell Road Improvements Project.

Leonard Provencher, 5824 Buena Parkway, Haslett, concurred with comments made by Mr. Bowlby. He spoke in support of Special Use Permit #13111, a pedestrian-bicycle pathway across the Red Cedar River.

Vice-Chair Deits closed public remarks.

## 5. Communications

A. Todd Wilson, Park Commissioner Chair; RE: Recommended Changes to the Proposed Master Plan Goals and Objectives

## 6. Public hearings

A. Zoning Amendment #13040 (Planning Commission), amend zoning ordinance Section 86-2 Definitions to add a definition of Adult Day Care Center; amend the conditions for adult day care centers in Section 86-403(d)(1), Section 86-404(d)(2), and Section 86-405(d)(2); and consider alternative types and locations for adult day care facilities.

Vice-Chair Deits opened the public hearing at 7:09 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 August 9, 2013.
- Planning Commission discussion:  
Commissioner Salehi suggested amending the three (3) proposed definitions by adding the words “such as those” after “eighteen (18) years of age or older.”

Vice-Chair Deits expressed concern that an individual with early onset Alzheimer’s would not meet any of the categories listed. He asked fellow Commissioners for their thoughts on how particular they should be or whether any specific conditions should be covered.

Commissioner Cordill concurred with not limiting the conditions “too much” and believed the use of the term mentally ill could cause concern with neighboring residents.

Commissioner Ianni agreed that language should be changed to make it more inclusive but did not believe there should be a limitation as to who can use the facilities or a determination made as to whether a resident is “safe” or not. He offered that individuals living in residential neighborhoods may be mentally ill.

Commissioner Salehi was supportive of removal of the entire specification clause as suggested by earlier public comment.

Commissioner Scott-Craig also questioned inclusion of the phrase mentally ill. He noted that the child care center paradigm is being followed although adult day care facilities are not regulated by the state like child care centers. Since there are no licensing regulations, Commissioner Scott-Craig requested careful thought be given that the type of facilities and its users mentioned are compatible with residential neighborhoods.

Commissioner Hildebrandt believed the language should be made more inclusive and suggested placing the prohibitive clause “those who are a danger to themselves” in lieu of naming each type of individual allowed. She requested changing the word “less” to “fewer” in all applicable clauses within the proposed zoning amendment.

Vice-Chair Deits inquired if alcohol or substance abuse rehabilitation centers or residential centers for persons released from or assigned to a correctional facility are subject to licensure by the state.

Principal Planner Oranchak responded in the affirmative.

Vice-Chair Deits asked if these types of facilities are prohibited in the districts mentioned, is the Township prohibiting these legal uses of property throughout the Township.

Principal Planner Oranchak responded by noting the language would indicate they can't be incorporated into this specific use.

Vice-Chair Deits noted state law specifically permits child day care in residential districts and asked if state law allows alcohol or substance abuse rehab centers in certain zoning categories as well.

Principal Planner Oranchak responded there is no similar language in the Zoning Enabling Act.

Commissioner Scott-Craig addressed the condition contained in state law regarding a minimum distance from similar facilities for child family day care homes or the family group day care homes. He inquired if language to mimic that condition should be included for adult day care facilities.

Principal Planner Oranchak clarified that family child day care for up to six (6) children is a use permitted by right.

Commissioner Salehi added rationale for the state choosing not to license these facilities may be that it does not feel a need for licensure, so the Planning Commission can take a more relaxed approach to this zoning amendment.

Vice-Chair Deits noted individuals who are deemed a danger to themselves are assigned to a mental care facility and is an involuntary act. He suggested changing the language from “that require supervision” to “those who choose to enter supervision on an ongoing basis.” This would allow the “laundry list” to be eliminated.

Commissioner Ianni pointed out there are other provisions in state law which govern individuals who are a danger to themselves and others. He was in agreement with removal of all descriptors, making the language more broad. He voiced concern with restricting a public facility to individuals with a certain type of disability.

Commissioner Salehi suggested changing the word “require” to “who benefit from”.

Commissioner Scott-Craig expressed appreciation that the definitions of adult family day care home and adult group day care home operated in a single family dwelling require the

owner to reside in the dwelling. He believed the standards in the ordinance for placement should be less rigorously enforced for the adult day care center.

Vice-Chair Deits responded by indicating such criteria would be included as part of the special use permit review.

Principal Planner Oranchak added that requirements outlined in Section 86-654 (non-residential use in residential districts ), apply to both child care centers and adult day care centers such as a minimum of two (2) acres of land and a 50 foot building setback. She indicated this zoning amendment would add adult group day care homes, requiring them to also have a special use permit, but not two acres of land area or a 50 foot building setback as they would be located in a single family residence. Principal Planner Oranchak indicated the Planning Commission could specify conditions similar to those for child care facilities.

Vice-Chair Deits suggested making them as parallel as possible for consistency and enforcement.

Vice-Chair Deits closed the public hearing at 7:39 P.M.

- B. Special Use Permit #13091 (ICDTR), work in the floodplain of the Jeffries Drain associated with improvements to Cornell Road and
- C. Wetland Use Permit #13-01 (ICDTR), impacts to regulated wetlands associated with improvements to Cornell Road

Principal Planner Oranchak updated Planning Commissioners on Board action for the Special Use Permit #13091 and Wetland Use Permit #13-01 as outlined in staff memoranda dated August 8, 2013.

Planning Commission discussion:

Commissioner Scott-Craig inquired as to the culvert mentioned during earlier public comment.

Principal Planner Oranchak believed the speaker was addressing a culvert under a private driveway which has an effect on his and his neighbor's property.

Vice-Chair Deits added that at least two of the driveways on the hill where the grade is going to be changed will need to be reconfigured.

Vice-Chair Deits expressed concern at the last meeting that a mitigation plan had not been provided and one is still not available; however, he noted that almost no wetland work is to be done compared to the previous plan.

Principal Planner Oranchak noted the Township will handle what little mitigation is necessary at the Township mitigation bank site.

Commissioner Deits expressed appreciation with the Board's choice of the more conservative option.

Vice-Chair Deits closed the public hearings at 7:50 P.M.

**7. Unfinished Business**

**Commissioner Ianni moved to suspend Planning Commission Bylaw 6.4a to consider Special Use Permit #13091 the same night as the continued public hearing. Seconded by Commissioner Cordill.**

VOICE VOTE: Motion carried 6-0.

- A. Special Use Permit #13091 (ICDTR), work in the floodplain of the Jeffries Drain associated with improvements to Cornell Road

**Commissioner Scott-Craig 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 #13091 subject to the following conditions:**

- 1. Approval is subject to the plans prepared by Bergmann Associates, Inc. submitted to the Township on July 9, 2013, and the related materials submitted as part of Special Use Permit #13091, subject to revisions as required.**
- 2. The applicant shall obtain any applicable permits, licenses, and approvals from the Michigan Department of Environmental Quality, Ingham County Drain Commissioners' office, and the Township prior to any work taking place on the site. Copies of all permits, licenses, and approvals shall be submitted to the Department of Community Planning & Development.**
- 3. Prior to any work taking place related to the project, the applicant shall submit a plan depicting the location and extent of the required minimum 81 cubic yards of compensating cut for review and approval by the Director of Community Planning & Development.**
- 4. In no case shall the impoundment capacity of the floodplain be reduced.**
- 5. Fill placed in the floodplain as part of the project shall be protected against erosion.**
- 6. The applicant shall properly dispose of all excess materials from the compensating cut areas to an off-site location subject to the approval of the Director of Community Planning & Development.**
- 7. The disposed materials at the off-site location shall be protected from erosion and re-seeded subject to the approval of the Director of Community Planning & Development.**

**Seconded by Commissioner Ianni.**

Planning Commission discussion:

- 81 cubic yards are not a hold over from the larger project
- Impact to the floodplain of 81 cubic yards has not changed based on the engineering plans

ROLL CALL VOTE: YEAS: Commissioners Cordill, Hildebrandt, Ianni, Salehi, Scott-Craig, Vice-Chair Deits

NAYS: None

Motion carried 6-0.

- B. Wetland Use Permit #13-01 (ICDTR), impacts to regulated wetlands associated with improvements to Cornell Road

**Commissioner Scott-Craig 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 #13-01 with the following conditions:**

- 1. Approval is subject to the plans prepared by Bergmann Associates, Inc. submitted to the Township on July 9, 2013, and the related materials submitted as part of Wetland Use Permit #13-01, subject to revisions as required by the Township Board's decision to implement Option #2 and by this permit.**
- 2. The applicant shall obtain all necessary permits, licenses and approvals from the Michigan Department of Environmental Quality (MDEQ), the Ingham County Drain Commissioners 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 #13-01 shall be subject to the applicant receiving approval of Special Use Permit #13091 for work in the 100-year floodplain related to the project.**
- 4. Prior to any work taking place, a soil erosion and sedimentation control plan and a wetland mitigation monitoring plan shall be submitted to the Director of Community Planning & Development for review and approval.**
- 5. No work shall be permitted within regulated wetlands beyond the work proposed at the Jeffries and Foster Drains.**
- 6. Erosion control measures shall be installed to ensure soil resulting from construction activities does not enter existing wetlands.**
- 7. No straw bales shall be used for erosion control, unless in conjunction with sediment erosion control fencing.**
- 8. Prior to construction, erosion control fencing shall be installed to prevent sedimentation from infiltrating into the 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.**
- 9. Spoils shall be hauled and disposed of at an offsite location acceptable to the Director of Community Planning & Development.**
- 10. Wetlands impacted at the Jeffries and Foster Drains shall be compensated for at a minimum ratio of 1.5 to 1 on the Township's Land Preservation mitigation site.**

11. The applicant shall periodically inspect the subject sites during the first year after construction to identify and correct side slope erosion issues adjacent to wetlands.
12. Mitigation shall be provided at the Township's Wetland Mitigation Bank location off Okemos Road. If not, the applicant shall submit a wetland mitigation plan for review and approval by the Director of Community Planning & Development.
13. The wetland mitigation shall be monitored as part of the required annual report for the mitigation area with a written status report and photographic documentation provided to the Department of Community Planning & Development.
14. 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.
15. 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 Hildebrandt.**

ROLL CALL VOTE: YEAS: Commissioners Cordill, Hildebrandt, Ianni, Salehi, Scott-Craig, Vice-Chair Deits

NAYS: None

Motion carried 6-0.

## **8. Other Business**

### **A. Amended 2013 Planning Commission Meeting Schedule**

Principal Planner Oranchak summarized proposed amendment options due to scheduling conflicts in the Town Hall Room.

Planning Commission discussion:

- Preference to change the October 28<sup>th</sup> regularly scheduled meeting to October 21<sup>st</sup> to allow use of the Town Hall Room for a Grand River Corridor charette

**Commissioner Ianni moved [and read into the record] NOW THEREFORE BE IT RESOLVED THAT THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby revises the 2013 meeting schedule by moving the regular meeting scheduled for October 28, 2013 to October 21, 2013. Seconded by Commissioner Hildebrandt.**

ROLL CALL VOTE: YEAS: Commissioners Cordill, Hildebrandt, Ianni, Salehi, Scott-Craig, Vice-Chair Deits

NAYS: None

Motion carried 6-0.

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

**reports**

Commissioner Ianni reported a resident approached him regarding an ordinance amendment to address non-conforming structures in the event of a natural disaster. He inquired if there was interest in such an ordinance change.

Principal Planner Oranchak responded this issue is not being addressed by staff at this time.

Commissioner Scott-Craig expressed appreciation for the tours given at the water plant by its staff last Saturday.

Commissioner Cordill thanked Park Commission Chair Wilson for his memo suggesting amendments to the Master Plan Goals and Objectives.

**10. New applications**

- A. Special Use Permit #13101 (St. Paul's Lutheran), request to use the building at 3407 Lake Lansing Road for philanthropic, educational and social programs
- B. Special Use Permit #13111 (Meridian Township), request to construct a pedestrian-bicycle pathway across the Red Cedar River on the west side of Okemos Road
- C. Special Use Permit #13121 (Meridian Township), request to construct an approximate 15,000 square foot fire station on the south side of Central Park Drive, east of Okemos Road and west of the Okemos Post Office

**11. Site plans received**

- A. Site Plan Review #13-78-22 (Zahra Institute), locate a religious institution at 4133 Okemos Road
- B. Site Plan Review #13-02 (Capstone), review of Hannah Lofts, third phase of Hannah Farms MUPUD located on Esoteric Way, south of Hannah Blvd and north of Eyde Parkway.

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

**13. Public remarks**

Vice-Chair Deits opened public remarks.

Leonard Provencher, 5824 Buena Parkway, Haslett, inquired if passage of the zoning amendment to allow adult day care facilities obligated the applicant to offer a full range of care, or if the applicant be allowed to provide only specific services. He inquired if there should be some type of Township format to regularly review ordinances to see if changes need to be made based on circumstances.

Vice-Chair Deits closed public remarks.



**15. Adjournment**

Vice-Chair Deits adjourned the regular meeting at 8:18 P.M.

Respectfully Submitted,

Sandra K. Otto  
Recording Secretary