

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room
TUESDAY, MAY 1, 2007, **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting, Trustees Brixie, Such, Veenstra, Woiwode
ABSENT: None
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development Mark Kieselbach, Director of Engineering & Public Works Ray Severy, Police Chief Dave Hall, EMS/Fire Chief Fred Cowper, Personnel Director/Assistant Manager Paul Brake, Attorney Andria Ditschman

1. CALL MEETING TO ORDER

Supervisor McGillicuddy called the meeting to order at 6:00 P.M.

2. PLEDGE OF ALLEGIANCE

Supervisor McGillicuddy led the Pledge of Allegiance.

3. ROLL CALL

Supervisor McGillicuddy called the roll of the Board.

4. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Charles Willems, PO Box 184, Haslett; spoke to correction of the Township's assessing records regarding the lakefront classification of the Willems' property, Parcel #33-02-02-11-176-002, and that this piece of property is landlocked.

Will Tyler White, 2142-½ Hamilton, Okemos, spoke in support of Rezoning #06080 (Campbell).

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

Trustee Veenstra requested the alleged assessing errors for Mrs. Willems' property be corrected by staff.

Manager Richards clarified that another governmental entity took action which created the situation which landlocked Mrs. Willems' property.

Township Manager Richards noted the ISO organization will be in Meridian Township tomorrow rating the township for insurance purposes regarding the fire department, personnel, equipment and the water system.

Manager Richards stated the Township received a communication from the Ingham County Drain Commissioner regarding the Towar Rain Garden Project. The letter indicated full construction will resume in a few weeks and a majority of the construction will be completed by mid-summer with clean-up finished by the end of the year.

Manager Richards noted the recycling event held on Saturday, April 28, 2007 was very successful, selling and/or giving away 1,000-2,000 books and recycling approximately 3,000 pounds of books.

Clerk Helmbrecht announced the annual May School Election will be held Tuesday, May 8, 2007. There are two candidates running for two positions in the East Lansing School District; one candidate for one position in the Haslett School District and four candidates running for two positions plus two ballot issues in the Okemos School District. She added the Clerk's office will be open from 8:00 A.M. until 2:00 P.M. on Saturday, May 5th to accommodate citizens who come in and request an absentee ballot. The deadline for mailing absentee voter ballots will be 2:00 P.M. on that Saturday.

6. APPROVAL OF AGENDA — OR CHANGES

Trustee Brixie moved to approve the agenda as submitted. Seconded by Trustee Woiwode.

VOICE VOTE: Motion carried unanimously.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda.

Trustee Brixie moved to adopt the Consent Agenda as amended. Seconded by Trustee Such.

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting

NAYS: None

Motion carried unanimously.

The adopted Consent Agenda items are as follow:

A. Communications

(1). Board Determination (BD)

- BD 10A-1 Joe Hundt, 5672 North Woodside Drive, Haslett; RE: SUP #07-88131
(Bharatiya Temple)
- BD 10A-2 Joe Hundt, 5672 North Woodside Drive, Haslett; RE: SUP #07-88131
(Bharatiya Temple)
- BD 10A-3 Joe Hundt, 5672 North Woodside Drive, Haslett; RE: SUP #07-88131
(Bharatiya Temple)
- BD 10A-4 Paul J. and Jane A. Carl, 960 Haslett Road, Haslett; RE: SUP #07-88131
(Bharatiya Temple)
- BD 10A-5 Chris Collier, 1010 Cliffdale, Haslett Road, Haslett; RE: SUP #07-88131
(Bharatiya Temple)
- BD 10A-6 Alan and Mary Coscarelli, 956 Haslett Road, Haslett; RE: SUP #07-88131
(Bharatiya Temple)
- BD 10A-7 Kevin and Becky Harris, 979 Cliffdale, Haslett; RE: SUP #07-88131 (Bharatiya
Temple)
- BD 10A-8 Len and Nancy Hoinski. 982 Cliffdale, Haslett; RE: SUP #07-88131 (Bharatiya
Temple)
- BD 10A-9 Jeanette Hughes, 832 Haslett Road, Haslett; RE: SUP #07-88131 (Bharatiya
Temple)
- BD 10A-10 Kriste Hundt, 5672 N. Woodside, Haslett; RE: SUP #07-88131 (Bharatiya
Temple)
- BD 10A-11 Michael & Katrina Joseph, 5651 Woodside, Haslett; RE: SUP #07-88131
(Bharatiya Temple)
- BD 10A-12 Fred and Marjorie Kane, 1036 Haslett Road, Haslett; RE: SUP #07-88131
(Bharatiya Temple)
- BD 10A-13 Rich and Connie Krezo, 953 Cliffdale, Haslett; RE: SUP #07-88131 (Bharatiya
Temple)
- BD 10A-14 Cathy and Calvin Lynch, 1028 Haslett Road, Haslett; RE: SUP #07-88131
(Bharatiya Temple)

- BD 10A-15 Mary Meierfrankenfeld, 968 Cliffdale, Haslett; RE: SUP #07-88131 (Bharatiya Temple)
- BD 10A-16 Dean and Sheryl Matsudo, 939 Cliffdale, Haslett; RE: SUP #07-88131 (Bharatiya Temple)
- BD 10A-17 Alfred Rockstad, 1020 Haslett Road, Haslett; RE: SUP #07-88131 (Bharatiya Temple)
- BD 10A-18 Garrett & Stacy Turke, 954 Cliffdale, Haslett; RE: SUP #07-88131 (Bharatiya Temple)
- BD 10A-19 Keith and Cindy Vogl, 5652 N. Woodside, Haslett; RE: SUP #07-88131 (Bharatiya Temple)
- BD 10A-20 John Williams, 5662 N. Woodside, Haslett; RE: SUP #07-88131 (Bharatiya Temple)
- BD 10A-21 Gerard and Carla Wills, 993 Cliffdale Drive, Haslett; RE: SUP #07-88131 (Bharatiya Temple)
- BD 10A-22 Jon Wiseman, 5684 Woodside, Haslett; RE: SUP #07-88131 (Bharatiya Temple)
- BD 10B-1 Township Manager Richards; RE: Response to Dr. and Mrs. Ed Bartolo, 2374 Wild Blossom. East Lansing; RE: Response letter regarding Special Use Permit #07021
- (2). Board Information (BI)
- BI-1 Carl Harmon, Acting Vice-President, LINC, PO Box 40, Okemos; RE: Tree Protection Ordinance
- BI-2 Nancy Elsworth, 5231 Madison Avenue C-2, Okemos; RE: Wal-Mart expansion to a SuperCenter
- Charles Willems, PO Box 184, Haslett; RE: Resubmission of identical communication previously submitted at the April 3, 2007 Board meeting on the lakefront classification of Willems Property, Parcel #33-02-02-11-176-002
- Charles Willems, PO Box 184, Haslett; RE: Resubmission of identical communication previously submitted at the April 3, 2007 Board meeting on the request for definition of assessing term "complete view of the lake"
- (3). Regional Linkage (RL)
- RL-1 John Midgley, Managing Director, Ingham County Road Commission, 301 Bush Street, Mason; RE: 2007 Local Road Improvement Program
- (4). Staff Communication/Referral (SC)
- SC-1 Memorandum from Cindy Cummings, Police Records Supervisor; RE: Current list of licensed vendors and non-licensed persons or nonprofit organizations engaged in soliciting or canvassing dated April 20, 2007
- SC-2 Memorandum from Cindy Cummings, Police Records Supervisor; RE: Current list of licensed vendors and non-licensed persons or nonprofit organizations engaged in soliciting or canvassing dated April 25, 2007
- SC-3 Michigan Townships Association Legislative E-Report, April 13, 2007 Edition
- SC-4 Michigan Townships Association Legislative E-Report, April 20, 2007 Edition
- (5). On File in the Clerk's Office (OF)
- Materials received at the April 17, 2007 Board Meeting
- Board of Trustees, Bharatiya Temple of Lansing, 955 Haslett Road, Haslett; RE: SUP #07-88131 (Bharatiya Temple)
- Michael Duda, Superintendent of Haslett Public Schools, 5593 Franklin Street, Haslett; RE: Support for Rezoning #06020

Annette Barton, 2380 N. Wild Blossom Court, East Lansing; RE: Appeal of SUP #07021 (Meridian Township)

Lori and Edward DeBartolo, 2374 N. Wild Blossom Court, East Lansing; RE: SUP ##07021 (Meridian Township)

Vincent Lyon-Callo, 4112 Hulett Road, Okemos; RE: SUP #07021 (Meridian Township) and Rezoning #06090 (Meridian Four Seasons)

Trustee Brixie moved that the communications be received and placed on file, and any communications not already assigned for disposition be referred to the Township Manager or Supervisor for follow-up. Seconded by Trustee Such.

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting

NAYS: None

Motion carried unanimously.

B. Minutes

(1) Trustee Brixie moved to approve and ratify the minutes of the April 12, 2007 Special Meeting as submitted. Seconded by Trustee Such.

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting

NAYS: None

Motion carried unanimously.

(2) Trustee Brixie moved to approve and ratify the minutes of the April 17, 2007 Regular Meeting as submitted. Seconded by Trustee Such.

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting

NAYS: None

Motion carried unanimously.

C. Land Preservation Purchase, East Lansing School Property

Trustee Brixie moved to approve the attached resolution approving the Charter Township of Meridian acquiring a 24 ± acre parcel currently belonging to the East Lansing Schools for a purchase price of \$118,000. Seconded by Trustee Such.

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting

NAYS: None

Motion carried unanimously.

[Resolution in Official Minute Book]

D. Bills

Trustee Brixie moved that the Township Board approve the Manager's Bills as follows:

Common Cash	\$ 296,189.24
Public Works	\$ 20,126.49
Total Checks	\$ 316,315.73
Credit Card Transactions	\$ 15,355.30
Total Purchases	<u>\$ 331,671.03</u>
ACH Payments	<u>\$ 525,537.17</u>

Seconded by Trustee Such.

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor
 McGillicuddy, Clerk Helmbrecht, Treasurer Hunting
 NAYS: None
 Motion carried unanimously.

[Bill list in Official Minute Book]

E. Budget Amendment, Fourth of July Celebration

Trustee Brixie moved to approve a budget amendment in an amount not to exceed \$10,000 from the General Fund to support the 2007 Meridian Community Fireworks Celebration. Seconded by Trustee Such.

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor
 McGillicuddy, Clerk Helmbrecht, Treasurer Hunting
 NAYS: None
 Motion carried unanimously.

F. Gaming License, Haslett Youth Baseball Club

Trustee Brixie moved approval of a request from the Haslett Youth Baseball Club, Inc. of Meridian Township, Ingham County, asking that they be recognized as a non-profit organization operating in the community for purposes of obtaining a gaming license or registration and be considered for approval; and, further, that the Township Clerk be authorized to execute the resolution from the State of Michigan. Seconded by Trustee Such.

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor
 McGillicuddy, Clerk Helmbrecht, Treasurer Hunting
 NAYS: None
 Motion carried unanimously.

G. Fire Grants

(1) 2007 F.I.R.E. Act Grant

Trustee Brixie moved to authorize the Fire Department to apply for and accept a Fire Investment and Response Enhancement (F.I.R.E.) Act Grant through the Department of Homeland Security in the amount of \$85,000.00. Seconded by Trustee Such.

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor
 McGillicuddy, Clerk Helmbrecht, Treasurer Hunting
 NAYS: None
 Motion carried unanimously.

(2) 2007 Lansing Area Regional F.I.R.E. Act Grant

Trustee Brixie moved to authorize the Fire Department to participate and accept a Regional Fire Investment and Response Enhancement (F.I.R.E.) Act Grant through the Department of Homeland Security in the amount of \$37,327.00. Seconded by Trustee Such.

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor
 McGillicuddy, Clerk Helmbrecht, Treasurer Hunting
 NAYS: None
 Motion carried unanimously.

- 8. QUESTIONS FOR THE ATTORNEY (See Agenda Item #10A, #10C, #11A)
- 9. HEARINGS (None)
- 10. ACTION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Joe Hundt, 5672 N. Woodside Drive, Haslett, read from a prepared statement in opposition to SUP #07-88131 (Bharatiya Temple).

[Prepared statement in Official Minute Book]

Ed Prybys, 5600 Creekwood Lane, Haslett, spoke against connecting the proposed development of Mayberry Homes to Creekwood Lane in the Wood Ridge subdivision.

Teri Banas, 5606 Creekwood Lane, Haslett, spoke in opposition to the use of Wood Knoll Drive as a traffic egress between the proposed development and the Wood Ridge subdivision. She believed a pedestrian egress on Wood Knoll would be a better alternative.

Mike Casby, 5624 Creekwood Lane, Haslett, spoke in opposition to Rezoning #06020 (Mayberry Homes) due to the proposed traffic egress which would lead into Creekwood Lane through Wood Knoll Drive.

Betty Casby, 5624 Creekwood Lane, Haslett, spoke in opposition to Rezoning #06020 (Mayberry Homes), expressing safety concerns for the small children by connecting through Wood Knoll Drive into the Wood Ridge subdivision from the proposed development.

Daria Schlega, 2446 Burcham Drive, East Lansing, spoke in support of the Appeal of SUP #07021 (Meridian Township).

Bob Schroeder, 670 Aquilla Drive, East Lansing, spoke in support of Rezoning #06020 (Mayberry Homes), citing overall benefits to the Haslett school district.

Len Hoinski, 982 Cliffdale, Haslett, expressed several concerns with SUP #07-88131 (Bharatiya Temple).

Suzette Phillips, 5630 Creekwood Lane, Haslett, expressed concern for safety of the small children who live in the Wood Ridge subdivision if a traffic egress is placed between the Mayberry Homes development and the Wood Ridge subdivision at Wood Knoll.

Manohar Naga, Vice-Chair of Bharatiya Temple, stated the Temple has altered the dome lighting by shutting lighting off after 10:00 P.M. He indicated he wanted to be a good neighbor and if residents have issues on an on-going basis, he would welcome their attendance at the Temple's Board meetings where they can present their concerns regarding the Temple.

Catherine Morris, 5627 Creekwood Lane, Haslett, expressed concern with traffic if an egress is placed between the Mayberry Homes development and the Wood Ridge subdivision at Wood Knoll.

Supervisor McGillicuddy closed public comment.

- A. SUP #07-88131 (Bharatiya Temple), request to construct an addition to the existing facility at 955 Haslett Road

Trustee Brixie moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby approves Special Use Permit #07-88131 with the following conditions:

- 1. **Approval is granted in accordance with the revised site plans prepared by Boss Engineering, dated March 9, 2007, and the submitted revised building elevations prepared by Wright Associates Architects, dated June 5, 2006, subject to revisions as required.**

2. **The final site plan, landscaping plan, and building elevations shall be subject to the approval of the Director of Community Planning and Development.**
3. **Occupancy in the main worship room of the facility shall not exceed 450 people.**
4. **Prior to construction, the applicant shall verify with the Michigan Department of Environmental Quality that a wetland use permit is not required for the associated storm drainage due to the construction of the addition.**
5. **All landscaped areas shall be brought into compliance per Section 86-758 of the Code of Ordinances. If additional landscaping is necessary, it shall be installed subject to the approval of the Director of Community Planning and Development.**
6. **The existing outdoor lighting shall be brought into compliance with current lighting standards per Chapter 38, Article VII of the Code of Ordinances, subject to the approval of the Director of Community Planning and Development. Existing dome lighting shall be removed. Timers shall be placed on parking lot and dome lights, and those lights shall be turned off at 9:00 P.M.**
7. **The entire parking lot shall be brought into compliance with regards to surface conditions and appropriate striping per Section 86-756 of the Code of Ordinances, subject to the approval of the Director of Community Planning and Development.**
8. **All applicable conditions of Special Use Permits #88131, #96-88131, and #98-88131 shall remain in effect.**

Seconded by Treasurer Hunting.

Board members, staff and the applicant discussed the following:

- Current dome lighting not appropriate for the neighborhood
- Lights, including dome lighting, the number one complaint from Mr. Hundt's survey of the neighbors
- Existence of special festivals which run until 10:00 or 10:30 PM
- Parking lots only illuminated for special functions
- Possible reengineering to address storm drainage relative to the structure of the berm
- Temple members parking and alleged trespassing on the neighbors' property
- Existence of additional conditions in previously approved SUP's addressed in condition #8
- Previous waiving of curb and gutter for the parking lot on the western side of the property by the ZBA will carry over to this SUP
- Number of parking spaces based on number of "seats" in the sanctuary as stated in the zoning ordinance
- Possible discussion during site plan review between Temple officials and nearby residents with a meeting facilitator
- Festivities which exceed a capacity of 450 persons are held off site
- Possibility of overflow parking at St. Luke Lutheran Church
- Trespassing and use of nearby residential property not part of the Indian culture

Trustee Such offered the following friendly amendment:

- **Amend condition #5 by inserting the words "and/or drainage" after "landscaping"**

The amendment was accepted by the maker and seconder.

The maker offered the following amendment:

- **Amend condition #6 by adding: “, except for festivals occurring periodically throughout the year.” after “9:00 P.M.”**

The amendment was accepted by the seconder.

Intpretation of lighting amendment: (See Agenda Item #8 (Questions for the Attorney))

Q. I am concerned about the #6 addition to what we were already provided for in the motion, in that, if I have the numbering in the motion right, it says, “The existing outdoor lighting shall be brought into compliance with current lighting standards.... Then it goes on and says, “Existing dome lighting shall be removed. Timers shall be placed on parking lot and dome lights and those lights shall be turned off at 9:00 P.M., except for festivals occurring periodically throughout the year.”

In one instance we are saying the existing outdoor lighting shall be brought into compliance, and then in the next we are saying existing dome lighting shall be removed. Isn't it, by bringing it into compliance, doing the same thing? I don't want to be redundant in our motions. Then the other question I have with that is does that not treat this religious institution different than others? I don't want to be guilty of treating the temple differently than St. Luke's, which is nearby. I'm sure they are going to light their cross in front of their building and I want to make sure that we're being consistent in evenly handling the dilemma about lighting and how to handle it. We do have our dark skies ordinance and I would think that that would handle this and that it would shield it so it is down lit instead of upward lit.

Is this being redundant in the motion and are we treating them differently?

A. I guess I would ask Trustee Brixie if she meant outdoor lighting all over be brought into compliance and is it only the existing dome lighting which shall be removed? The first part of that condition means all lighting, not just dome lighting shall be brought into compliance.

So, in answer to your question, the way I read condition #6 is that with the new ordinance, all the lighting on the site will be brought into compliance and, in addition to that, the dome lighting shall be removed. I agree with Trustee Brixie, this is a SUP; you can put additional conditions on to make sure this use and the additional request for more space is consistent with the area surrounding it; that it is harmonious.

Your other question about being consistent with other religious uses...each one is different. I can't compare with the other one you are talking about, but if the other one had a light that was shining into the neighboring properties and made the use not harmonious, then you could put an additional requirement on it.

What the Board needs to keep in mind is that you need to use the least restrictive means to meet the goal you are trying to achieve, which is the community interest. So you don't want to put more requirements on here than are needed.

My guess is that I'm thinking that the current outdoor lighting wouldn't require you to remove the dome lighting entirely. So that's an additional condition above the first part of that provision.

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor
McGillicuddy, Clerk Helmbrecht, Treasurer Hunting

NAYS: None

Motion carried unanimously.

B. Appeal of SUP #07021 (Meridian Township), request to work in the floodplain to build a pathway between Burcham Drive and Okemos Road along the Consumers Energy right-of-way

Trustee Veenstra moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby denies the appeal and affirms the Planning Commission’s approval of Special Use Permit #07021 to place 374 cubic yards of fill in the 100 year floodplain of the Eberly Drain with the following conditions:

- 1. Approval is granted in accordance with the revised pathway plans prepared by the Department of Public Works and Engineering, dated March 2, 2007, and subject to revisions as required.**
- 2. The applicant shall obtain any necessary permits, licenses, and approvals from the Federal Emergency Management Agency (FEMA), Ingham County Drain Commissioner's office, and the Township. Copies of all permits, licenses, and approval letters shall be submitted to the Department of Community Planning and Development.**
- 3. Prior to any grading and/or construction of the pathway, the applicant shall provide to the Department of Community Planning and Development a copy of the license agreement with Consumers Energy.**
- 4. Any additional work or extensions proposed to take place in the floodway and/or floodway fringe shall be subject to the review and approval of the Planning Commission.**
- 5. No grading, fill or construction shall begin until the final plans have been reviewed and approved by the Director of Community Planning and Development.**
- 6. Erosion control fencing shall be installed prior to construction and shall be removed after construction once the area is stabilized.**
- 7. Prior to any construction or grading on the site, the applicant shall install silt fencing at the upland edge of the water features setback, as applicable. The silt fencing shall be removed after construction once the area is stabilized and vegetation has been established.**

Seconded by Treasurer Hunting.

Board members discussed the following:

- Project originally approved in 2004
- Delay due to federal requirement for longer lease time than one year with Consumers Energy
- Important link in pathway concept for a walkable community
- Government grant to pursue this pathway to provide residents with an alternative mode of transportation
- Clarification that this pathway will not fill in a wetland

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Veenstra, Woiwode, Supervisor
 McGillicuddy, Clerk Helmbrecht, Treasurer Hunting

NAYS: None

Motion carried unanimously.

- C. Rezoning #06020 (Mayberry Homes, Inc.), a request to rezone approximately 141 acres located at 580 Haslett Road and east of 350 Haslett Road from RR (Rural Residential) to RA (Single Family-Medium Density) conditioned on the site being developed as a PUD

Supervisor McGillicuddy summarized the rezoning criteria and Board policies for discussion.

Trustee Woiwode moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby INTRODUCES FOR PUBLICATION AND SUBSEQUENT ADOPTION Ordinance No. _____, entitled “Ordinance Amending the Zoning District Map of Meridian Township Pursuant to Rezoning Petition #06020” [81.27 acres] from RR (Rural Residential) to RA (Single Family-Medium Density) conditioned on the site being developed as a planned unit development.

Seconded by Supervisor McGillicuddy.

Board members discussed the following:

- Work by the Board to develop the area near Okemos High School with the explicit intent that location would have the higher density development
- Incremental changes which occur over time take away from the vision laid out in the Future Land Use Map
- Good plan but not a good location
- No connection to Wood Ridge subdivision as part of this resolution
- Track record of the applicant in selling homes in clustered development(s)
- Years of work by the Board towards developments which look like this one
- Desire for connectivity of PUD’s with Land Preservation property
- Importance of clustered development in this area which fits with the regional map
- No need for a buffer to the land east of this property
- Rezoning inconsistent with the Master Plan
- Goal to create a sustainable community through development
- Requested rezoning addresses a proven community need
- Changes which have occurred since adoption of the Master Plan
- Conservative approach to balance population, businesses, offices, etc. for sustainability
- Proximity of this development to a major Township Park
- Proposed concept plan meets the prosperity, environment and cultural heritage ends contained in the Township’s Board Policy Manual
- Region in economic decline
- Longer term perspective of the community as a whole instead of just Meridian Township
- Proposed project fits in with the adopted regional land use policy map
- Sufficient capacity in the sanitary sewer system

Trustee Veenstra offered the following motion:

- **Amend the NOW THEREFORE CLAUSE by adding “and the approval of a planned unit development application within two years from the effective date of the rezoning” after the word “development”**

Seconded by Treasurer Hunting.

Reversion to original rezoning: (See Agenda Item #8 (Questions for the Attorney))

- Q. What about the reversion back to the original rezoning? Is that an acceptable condition based upon the time limit?
- A. What the Board can do, if it is agreeable to the maker and seconder, is to put on a time condition and, if that time condition isn’t met, (it hasn’t been clearly determined yet by case law) there is a reversion back. It’s not clear if it’s an automatic reversion back or another decision by the Board to revert it back. My recommendation is that it come back to the Board and you don’t do an automatic reversion because circumstances could have changed since the time limit was put on, and you may not want it to automatically revert back at that time.
- Q. What is the effect of the amended motion, if two years passes without a PUD being approved? What is undone?

- A. The intent behind the legislation was to say that if something didn't occur pursuant to the condition, it could revert back to its original zoned category because, in some cases, you may be rezoning because you are limiting the use. Therefore, it is more acceptable to rezone, so you don't want something else to go into that parcel that has been rezoned, except only what you've limited it to based on that condition. If there's not a PUD sold and someone else wants to bring something else in, the answer is no, it has to be a PUD; that was the condition placed on the rezoning. The idea is it would revert back and that is what the statute says. It is not clear right now as to whether you need to vote to revert it back or it automatically happens.

ROLL CALL VOTE: YEAS: Trustees Veenstra, Woiwode, Supervisor McGillicuddy,
 Treasurer Hunting
 NAYS: Trustees Brixie, Such, Clerk Helmbrecht
 Motion carried 4-3.

ROLL CALL VOTE ON THE MAIN MOTION:

YEAS: Trustee Woiwode, Supervisor McGillicuddy
 NAYS: Trustees Brixie, Such, Veenstra, Clerk Helmbrecht, Treasurer
 Hunting
 Motion failed 2-5.

Trustee Such moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby INTRODUCES FOR PUBLICATION AND SUBSEQUENT ADOPTION Ordinance No. _____, entitled "Ordinance Amending the Zoning District Map of Meridian Township Pursuant to Rezoning Petition #06020" [141.35 acres] from RR (Rural Residential) to RA (Single Family-Medium Density) conditioned on the site being developed as a planned unit development.

Seconded by Clerk Helmbrecht.

Trustee Veenstra offered the following motion:

- **Amend the NOW THEREFORE CLAUSE by adding "and the approval of a planned unit development application within two years from the effective date of the rezoning."**

Seconded by Trustee Woiwode.

ROLL CALL VOTE: YEAS: Trustees Brixie, Veenstra, Woiwode, Supervisor McGillicuddy,
 Clerk Helmbrecht, Treasurer Hunting
 NAYS: Trustee Such
 Motion carried 6-1.

ROLL CALL VOTE ON THE MAIN MOTION:

YEAS: Trustees Brixie, Such, Veenstra, Clerk Helmbrecht, Treasurer
 Hunting
 NAYS: Trustee Woiwode, Supervisor McGillicuddy
 Motion carried 5-2.

Trustee Woiwode moved the Planning Commission be directed to revisit the Future Land Use Map of the Township for this area. Seconded by Trustee Such.

Amendment of the Master Plan through a separate motion: (See Agenda Item #8 (Questions for the Attorney))

- Q. It was referenced in the reading materials here that that would be something staff recommended to the Planning Commission that they look at...amending the Master Plan. Is that something

- we can add and make a second motion to request that the Planning Commission look into?
- A. As far as procedure, I don't see why you can't do that. They'll be a public hearing at the Planning Commission level, and the public will be able to come in at that point and speak to the issue. Make sure it's clear what you are sending to them in the motion.

Continued Board discussion:

- Importance of the Master Plan reflecting actual zoning in the Township
- Motion to amend the map each time zoning is changed
- Conditional rezoning will not exist if the PUD is not developed

Trustee Woiwode withdrew her motion.

[Supervisor McGillicuddy recessed the meeting at 8:40 P.M.]

[Supervisor McGillicuddy reconvened the meeting at 8:50 P.M.]

11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened and closed public comment.

- A. Rezoning #06080 (Campbell), request to rezone 2095 Hamilton Road from RC (Single Family-Medium Density) to C-2 (Commercial) with an offer to have the rezoning conditioned on development as a MUPUD

Director Kieselbach summarized the rezoning request as outlined in staff memorandum dated April 27, 2007.

Scott Knapp, Dickinson Wright PLLC, 215 S. Washington Square, Suite 200, Lansing, and the applicant's representative, noted the Planning Commission recommended the applicant table his rezoning request until such time as the MUPUD was permitted in the C-1 district. The applicant followed the Planning Commission's recommendation, only to have the Planning Commission deny the applicant's C-2 request once the Township effectuated the amendment to the Ordinance to permit MUPUD in C-1. He explained the applicant continues to request a rezoning of his parcel to C-2, but would accept, in the alternative, a C-1 zoning designation so that a MUPUD can be placed on this parcel for redevelopment.

Board members and staff discussed the following:

- Concern with the resulting effect of access and egress on the roundabout
- Trip generation based on both parcels being included in the MUPUD
- MUPUD to include parcel already zoned C-2 and the requested parcel
- Possible Board request for a recommendation from the Planning Commission regarding C-1 zoning
- New application for a MUPUD application in C-1 on only the two properties which Mr. Campbell owns
- Access of two properties out onto Moore Street for safety reasons
- Planning Commission denial of original request to C-2, but did not vote on C-1 rezoning

Need for referral back to the Planning Commission: (See Agenda Item #8 (Questions for the Attorney))

- Q. I'm not opposed to the Planning Commission taking a look at C-1 with a MUPUD, but it is my understanding that we could move forward anyway, or is it required to go back to the Planning Commission?
- A. The state law right now does not require it to go back. The ordinance currently states (it hasn't been changed yet to be consistent with state law so it is more strict than state law) that if there's a change, that you'll refer it back; however, in practice, if the Planning Commission has considered that change in any way, you have the option to send it back, keep it here and make a decision on it, have another public hearing or you could go forward. In my interpretation of this, based on the fact that they waited so they clearly could have changed it to C-1 and make that recommendation, but didn't, you can send it back or you can keep it here.

Continued Board discussion:

- Flexibility of development if RC was changed to C-1 and the lot next to it was C-2
- Number of units on site as zoned would be 7-8 units
- Concern with sufficient parking if built as zoned
- Look into access possibilities other than the roundabout
- Approval of rezoning contingent upon the MUPUD being approved within 2 years or zoning would revert back
- Reduce speed on Ingham County Road Commission through a speed limit sign which mandates 15 or 25 miles per hour on Marsh Road
- Master Plan designation as commercial
- Access through Moore Street consistent with the Township's access management principles

The consensus of the Board was to keep this item on for discussion at the May 15, 2007 Board Meeting to allow staff time to provide requested information.

- B. Rezoning #07020 (Planning Commission), request to rezone the south 34.2 feet and west 14.2 feet of Lot 7 Supervisor's Plat of Haslett, located north of 5686 School Street from C-2 (Commercial) to RB (Single Family-High Density)
Director Kiselbach summarized the rezoning request as outlined in staff memorandum dated April 27, 2007.

Board members and staff discussed the following:

- Change will be consistent with the Master Plan

The consensus of the Board was to place this item on for action at the May 15, 2007 Board Meeting.

- C. Road Maintenance

Manager Richards announced the Ingham County Road Commission sent a letter to the Township announcing the county will be allocating match money for road maintenance.

Manager Richards suggested the Township take a different approach to its road program this year through the principles of pavement preservation and asset management to come up with a plan to not only resurface, but use other preventive maintenance measures, commonly known as a "mix of fixes." He again suggested a study which would assess the condition of all Township roads to assemble a long-range plan for road maintenance.

Manager Richards noted the National Center for Pavement Preservation is available to assist the Township with fashioning a program of preservation for its roads. He also recommended review of the specifications of the work to be proposed to ensure the work being done is of the highest quality. It is his intent to accomplish this through coordination with the Ingham County Road Commission and the National Center for Pavement Preservation.

Board members discussed the following:

- Use of a survey to examine the condition of the Township's road system
- Possible funding of a larger road maintenance program through special assessment or millage
- Future sustainable maintenance program
- Concern with inclusion of paving Tihart Road on the Ingham County Road Commission (ICRC)'s list of local road improvements
- ICRC allows Township staff input on road priorities
- Postponement of June Meridian Monitor so that results from the survey can be used to form a questionnaire eliciting public input
- Preventive maintenance doubles the life of the road

It was the consensus of the Board to allow staff to examine the possibility of a study, taking into consideration where funds would come from to implement the program and inquire of the Ingham County Road Commission as to the feasibility of splitting the cost of the assessment of the Township's road system.

D. Cityhood

Supervisor McGillicuddy noted Board members were given a handout with responses from the Michigan Municipal League to questions posed by the Board in regard to becoming a city.

Board members discussed the following:

- Need to ascertain who will organize and head up the campaign
- Need to ascertain how the cityhood campaign will be financed

12. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Len Hoinski, 982 Cliffdale, Haslett, expressed interest in attending the meeting to be facilitated by Trustee Such regarding SUP #07-88131 (Bharatiya Temple). He also expressed concern with the drainage and requested the berm be curved around to the end of the Temple's property.

Joe Hundt, 5672 N. Woodside Drive, Haslett, expressed appreciation for the Board's work on SUP #07-88131 (Bharatiya Temple).

Supervisor McGillicuddy closed Public Remarks.

13. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 9:47 P.M.

SUSAN McGILLICUDDY
TOWNSHIP SUPERVISOR

MARY M. G. HELMBRECHT, CMC
TOWNSHIP CLERK

Sandra K. Otto, Secretary