

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
349-1200, Town Hall Room
TUESDAY, DECEMBER 16, 2003, **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting, Trustees Brixie, Stier, Woiwode
ABSENT: Trustee Such
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development Mark Kieselbach, Director of Engineering & Public Works Ray Severy, EMS/Fire Chief Fred Cowper, Fire Marshall Steve Schlachter, 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

A. Board/Commission Service/Acknowledgement

Supervisor McGillicuddy, on behalf of the Board, acknowledged the following citizens for service on various Boards and commissions: Planning Commissioner Juan Arellano; Planning Commission Chair Richard Foster; Judith Hurst, member of Land Preservation Advisory Board and Marthy Sawdy, member of the Elected Officials Compensation Commission.

B. LINC Recognition

Supervisor McGillicuddy recognized LINC for the celebration of its 30th Birthday this year.

Supervisor McGillicuddy opened Public Remarks.

Eleanor Luecke, President, LINC, PO Box 40, Okemos, expressed appreciation for the Board's recognition of LINC.

Amy Baur, 1113 Tihart, Okemos, spoke in opposition to Rezoning #02080 (Eyde).

Charles Willems, PO Box 184, Haslett, spoke concerning his homestead parcel assessed as lakefront property.

John Anderson, 215 W. Newman, Okemos, spoke concerning rezoning application requirements relative to Rezoning #02080 (Eyde).

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

Trustee Stier attended the annual meeting of the Michigan Council for Arts and Cultural Affairs held in conjunction with the Department of History, Arts and Libraries and the Department of Labor. The theme of the meeting was Creating Cool: Linking Culture, Community and the Economy. It was attended by a number of diverse groups, with Richard Florida as the featured speaker. His research has indicated the new paradigm is that companies will move where the people are, as opposed to moving people where companies are located.

Supervisor McGillicuddy noted the City Pulse mentioned Meridian Township in the section on Preserving Open Space in an article entitled, *Lessons for Lansing: Overcoming Urban Sprawl*

6. APPROVAL OF AGENDA — OR CHANGES

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

VOICE VOTE: Motion carried 6-0.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda.

Trustee Brixie moved to adopt the Consent Agenda. Seconded by Treasurer Hunting.

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

NAYS: None

Motion carried 6-0.

The adopted Consent Agenda items are as follow:

A. Communications

(1). Board Deliberation (BD)

11-B Kevin Van Ermen, President, Van Ermen Commercial Development Construction, 1661
Ramblewood Drive, Suite 100, East Lansing; RE: Rezoning of Meridian Pointe
Shopping Center

(2). Board Information (BI)

BI-1 Steven York, 2320 Kewanee Way, Okemos; RE: Road conditions in Okemos

BI-2 Charles Louis Willems, Attorney at Law, PO Box 184, Haslett; RE: Errors in Assessing
Statements and Records

BI-3 Eleanor V. Luecke, President, LINC, PO Box 40, Okemos; RE: Copy of letter to
Planning Commission Chair Richard Foster relative to Zoning Amendment #03090
(Township Board)

BI-4 The Michigan Townships Association, 512 Westshire Drive, Lansing; RE: *Capitol
Currents* December, 2003 Issue

BI-5 James McCurtis, Jr., Lansing State Journal, 120 E. Lenawee, Lansing; RE: Holiday
Greetings to the Board

(3). Commission Linkage (CL)

CL-1 Rick Foster, Chairman, Planning Commission; RE: Chairman's Report to the Meridian
Township Board

(4) Regional Linkage (RL)

RL-1 Patrick Lindemann, Ingham County Drain Commissioner, 707 Buhl Avenue, Mason; RE:
Board of Determination notification of at-large apportionment for Towar Gardens and
Branches Drain

RL-2 Patrick Lindemann, Ingham County Drain Commissioner, 707 Buhl Avenue, Mason; RE:
Board of Determination notification of at-large apportionment for consolidation into the
Towar Gardens and Branches Drainage District

RL-3 Patrick Lindemann, Ingham County Drain Commissioner, 707 Buhl Avenue, Mason; RE:
Board of Determination notification of at-large apportionment for Towar Snell Drain

(5). Staff Communication/Referral (SC)

SC-1 Memorandum from Human Services Specialist Leah Wysong; RE: Community
Resources Commission Reappointment Recommendations

- SC-2 LuAnn Maisner, Parks and Recreation Director and Finance Director Diana Hasse; RE: Press Release on Parks and Recreation and Utility Billing Relocations
- SC-3 Michigan Townships Association Legislative Fax December 5, 2003 Edition
- SC-4 Correspondence from Cindy Cummings, Police Records Supervisor, RE: Current List of licensed vendors and non-licensed persons or nonprofit organizations engaged in soliciting or canvassing

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 Treasurer Hunting.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 6-0.

B. Minutes

Trustee Brixie moved to approve and ratify the minutes of the December 2, 2003 Regular Meeting as amended:

- **Amend Page 9, Agenda Item #10A motion to correct the spelling of “on site distances” to “on sight distances”**

Seconded by Treasurer Hunting.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 6-0.

C. Amendment to the 2004 Board Meeting Schedule

Trustee Brixie moved to amend the 2004 Board Meeting schedule to include Policy Governance Meeting on January 24, 2004 at 8:00 A.M. in the Town Hall Room. Seconded by Treasurer Hunting.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 6-0.

D. Bills

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

Common Cash	\$ 505,541.41
Public Works	\$ 221,023.07
Total Checks	\$ 726,564.48
Credit Card Transactions	\$ 15,835.33
Total Purchases	<u>\$ 742,399.81</u>
ACH Payments	<u>\$ 290,693.92</u>

Seconded by Treasurer Hunting.

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried 6-0.

[Bill list in Official Minute Book]

E. Fourth Quarter Budget Amendments

Trustee Brixie moved that the 2003 Amended Budget as reflected on Page 2 of the memorandum to the Township Board from the Finance Director, dated December 15, 2003, be approved. Seconded by Treasurer Hunting.

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

NAYS: None

Motion carried 6-0.

8. QUESTIONS FOR THE ATTORNEY (See Agenda Item # 10B, #10D)

9. HEARINGS (None)

10. ACTION ITEMS/ENDS

Public Comment

Supervisor McGillicuddy opened public comment

Carl Harmon, 1924 Birchwood, Okemos, spoke in opposition to Rezoning #02080 (Eyde).

Melissa Goodnoe, 4714 Powell Road, Okemos, spoke in opposition to Rezoning #02080 (Eyde).

Daria Schlega, 2446 Burcham, East Lansing, spoke in opposition to Rezoning #02080 (Eyde).

Eleanor Luecke, President, LINC, PO Box 40, Okemos, spoke in opposition to Rezoning #02080 (Eyde).

Richard Foster, Planning Commission Chair, 4990 Country Drive, Okemos, outlined Planning Commission action on Rezoning #02080 (Eyde) and urged the Board to deny the rezoning request.

Dorothy Kunisada, 2149 Quarry, Okemos, spoke in opposition to Rezoning #02080 (Eyde).

John Anderson, 215 N. Newman, Okemos, spoke in opposition to Rezoning #02080 (Eyde).

Joan Guy, 1083 Woodside, Haslett, expressed concern over the lack of public awareness on the new application for Rezoning #02080 (Eyde) and the phrasing of the provided motion.

Mark Clouse, Chief Financial Officer and General Counsel, Eyde Co., 4660 S. Hagadorn, Suite 660, East Lansing, gave a timeline of Rezoning #02080 and refuted statements by previous speakers. He also expressed a willingness to work with the Board for a solution to this rezoning request.

Doug Federau, 5370 Okemos Road, East Lansing, spoke in support of Appeal of Special Use Permit #03-87251 (Federau), citing willingness to work with the Planning Commission to agree upon an alternate plan.

Tom Voice, 5160 Cornell Road, Okemos, spoke in opposition to Rezoning #02080 (Eyde).

Supervisor McGillicuddy closed public comment.

A. Appointments

Trustee Brixie moved that the Township Board approve the attached list of appointees to various Boards/Commissions.

<u>Public Body</u>	<u>Last Name</u>	<u>First Name</u>	<u>MI</u>	<u>Expires</u>
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CHARTER TOWNSHIP OF MERIDIAN, REGULAR MEETING, DECEMBER 16, 2003 *Approved*

Cable Communications Commission	Cassin	Jeffrey		12/31/06
Cable Communications Commission	Homan	Robert		12/31/06
Cable Communications Commission	Pennoni	Martin		12/31/05
Capital Area Rail Council	Francoeur	Robert		12/31/05
Community Resources Commission	Cryderman	June		12/31/05
Community Resources Commission	Gilles	Jerome	F.	12/31/05
Community Resources Commission	Munshaw	Patricia		12/31/05
Elected Officials Compensation Commission	Kissling	Thomas		12/31/08
Elected Officials Compensation Commission	Doyle	James		12/31/08
Environmental Commission Youth	VACANCY			
Environmental Commission	Clos	Carla	F.	12/31/06
Environmental Commission	Thomas	Michael	R.	12/31/06
Housing Advisory & Bldg. Board of Appeals	Lefevre	John		12/31/06
Housing Advisory & Bldg. Board of Appeals	Potterpin	Peter		12/31/06
Housing Advisory & Bldg. Board of Appeals	Wallin	Charles		12/31/06
Land Preservation Advisory Board	Caszatt	David	W.	12/31/07
Land Preservation Advisory Board	Haines	Robert		12/31/07
Land Preservation Advisory Board	Woiwode	Thomas	M.	12/31/07
Planning Commission	Deits	Thomas	L.	12/31/06
Planning Commission	Jackson	Patricia	H.	12/31/06
Planning Commission	Krupiarz	Nancy		12/31/06
Zoning Board of Appeals	Shoup	Gary		12/31/06

Seconded by Clerk Helmbrecht.

VOICE VOTE: Motion carried 6-0.

- B. Rezoning #02080 (Eyde), request to rezone approximately 110 acres located east of Powell Road, west of Cornell Road and south of Tihart Road from RR to RAAA, RA and RB

Director Kieselbach summarized the rezoning request as outlined in staff memorandum dated December 12, 2003.

Treasurer Hunting moved to refer Rezoning #02080 (Eyde) to the Planning Commission to consider rezoning the land east of Powell Road, west of the Foster Drain and south of Tihart Road from RR (Rural Residential) to RA (Single Family-Medium Density) or other zoning category and to submit to the Township Board a recommendation thereon within 60 days. Seconded by Trustee Brixie.

Board Members discussed the following:

- Lack of Board support for original rezoning request due to density and inappropriateness of the location
- Phrase “or other zoning category” in motion for new proposal allows Planning Commission latitude in its action
- Preservation of rural nature of land can be accomplished through clustered housing on far western portion
- Requirement by law for Board to act on Planning Commission recommendation
- Current rezoning request as too high
- Board as a representative of all citizens’ interest(s)
- Raising density of this property not a solution to the schools’ problems
- Applicant would not pay all the infrastructure costs
- Passage of this rezoning request as a compromise to citizens’ quality of life
- Zoning for clustered housing would allow for open space
- Need for proposal’s consistency with the Master Plan
- Concern of road and sewer crossing in the wetland
- Delay in process due to sewer study to ascertain capacity
- Protection of residents’ quality of life in the Township through the greenspace plan
- Acreage involved in the rezoning request
- Site development process after the rezoning
- Zoning and development tie only in PRD
- Potential Planning Commission inclusion of utilization of a PRD or PUD as a condition
- Applicant inclusion of development using clustered housing as part of the application
- Preservation of open space on this site while allowing development only on western portion
- Tie of site plan to change in zoning through the PRD

Parcel parameters: (Agenda Item #8 (Questions for the Attorney))

Q. Do you think the way the motion is worded includes the entire parcel?

- A. At this point, the motion would be to refer it back to the Planning Commission. They would look at the entire site that was reviewed before, not requesting the RR to the RB, but the RR to the RA or any other type of zoning they think is appropriate. When the recommendation comes back, it should again address the entire property.

That is my understanding of what this motion is doing; referring the entire area that was reviewed before back to the Planning Commission to look at it again.

- Q. Everything on the east side of the drain remains RR in the request we are sending back. Is everything on the right hand side of the map that is blue and pink being suggested to remain RR?

One of the nice things about this particular plan was the 100 foot buffer along Powell Road. Are we still including this strip as being left alone?

A. The strip was never included in the rezoning in the first place.

Zoning and Development Tie: (Agenda Item #8 (Questions for the Attorney))

Q. Is the rezoning freestanding and the PUD secondary?

A. The rezoning is freestanding, then the PUD is secondary if that is requested from the applicant.

Q. Can the rezoning and the PUD be made dependent upon each other?

A. No.

Q. Can the Planning Commission, in concert, with the applicant, include as a condition of the approval the utilization of a PUD or a PRD?

A. Based on the law, there is no authority for the Board to tie the applicant's decision to go with a PUD or not go with a PUD to a rezoning. Such a decision would set up the Board for litigation.

Planning Commission Recommendation Time Frame: (Agenda Item #8 (Questions for the Attorney))

Q. Does the sixty (60) day time frame start tonight or when the Planning Commission takes the issue up?

A. I would say it is sixty (60) days from tonight.

Treasurer Hunting called the question.

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

NAYS: Trustees Stier, Woiwode

Motion carried 4-2.

C. Appeal of Special Use Permit #03-87251 (Federau), work in the 100-year floodplain of the Smith Drain at 4151 Okemos Road

Director Kieselbach summarized as outlined in staff memorandum dated December 12, 2003.

Trustee Brixie 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 denial of Special Use Permit #03-87251.

The motion died for lack of support.

Clerk Helmbrecht moved [and read into the record] NOW, THEREFORE, BE IT RESOLVED THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, hereby reverses the Planning Commission's denial of Special Use Permit #03-87251 and approves the special use permit with the following conditions:

- 1. No parking spaces shall be constructed in the 100-year floodplain. The special use permit shall be for the construction of stormwater detention/retention and if necessary, filling may occur through compensating excavation and shaping of the floodplain in such a way as to maintain or improve the flow or natural impoundment capacity of the floodplain.**
- 2. The final site plan and landscape plan shall be subject to the approval of the Director of Community Planning and Development.**
- 3. The applicant shall apply for and receive all necessary variances from the Zoning Board of Appeals, or modify the plans to comply with the Code of Ordinances.**

4. **The applicant shall obtain the necessary permits, licenses, and approvals from the 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 prior to issuance of a building permit.**
5. **Prior to any work starting on the site, including grading, the applicant shall apply for and receive a Conditional Letter of Map Revision (CLOMR) from the Federal Emergency Management Agency (FEMA) and upon completion a Letter of Map Revision (LOMR) from FEMA. A copy of each shall be provided to the Department of Community Planning and Development.**
6. **The Michigan Department of Environmental Quality permit, if necessary, shall be amended to reflect the changed condition.**

Supported by Trustee Woiwode.

Board Members discussed the following:

- Parking to be built outside of the floodplain
- Need for Letter of Map Revision (LOMR) if no parking spaces in the floodplain due to the construction of the retention area in the floodplain
- Pervious type of parking
- Applicant's willingness to increase the compensating cut ratio
- Increase compensating cut ratio to improve holding capacity to avoid damage on other property during times of flooding
- Main purpose of increasing the floodplain is to assure the capacity to hold water
- Addition of seven (7) spaces without action by the Board except for the retention area in the floodplain

Treasurer Hunting offered the following amendment:

- **Insert in the eighth WHEREAS clause after "2:1 ratio;" "and 3:1 ratio if approved by the Drain Commissioner"**

The maker accepted the amendment. The seconder rejected the amendment.

ROLL CALL VOTE: YEAS: Trustees Stier, Woiwode, Supervisor McGillicuddy, Clerk
Helmbrecht, Treasurer Hunting
NAYS: Trustee Brixie
Motion carried 5-1.

[Signed and sealed resolution in Official Minute Book]

D. Greenspace Plan

Board Members discussed the following:

- Concern over future use of the plan
- Accompanying guide to the use of the Greenspace Plan
- Visionary guide for the Township
- Article from City Pulse featuring Meridian Township with reference to the Greenspace Plan
- Greenspace Plan to be a policy piece as a guide to the Master Plan

Definition of "accept" vs. "adopt": (Agenda Item #8 (Questions for the Attorney))

- Q. Can you clarify the difference for the Board between "accept" or "adopt" as it relates to the Greenspace Plan?
- A. As far as "accept" or "adopt", they really do mean the same thing. The Board needs to be clear about the fact it is adopting or accepting this Plan as a guideline, not as a zoning district, not requiring that all land within this greenspace remains greenspace forevermore, not as part of Master Plan; it is being adopted as a guideline. It is being adopted as a separate standalone Greenspace Plan pursuant to this motion.

Formal suggestion vs. legal merit of the Greenspace Plan: (Agenda Item #8 (Questions for the Attorney))

Q. This is merely a formal suggestion on policy as opposed to anything with legal merit, is that correct?

A. No. The Board is adopting this Plan the way it is written and currently before you. It doesn't have the legal authority as a zoning district would. It is a plan; a guideline.

Trustee Brixie moved [and read into the record] NOW, THEREFORE, BE IT RESOLVED THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN ADOPTS the "Meridian Township Greenspace Plan", subject to the staff completing any final corrections that need to be made prior to its printing.

Seconded by Treasurer Hunting.

Clerk Helmbrecht offered the following amendment:

- **Insert in the fourth WHEREAS clause "guide" after "help"**

The maker and seconder accepted the amendment.

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

NAYS: None

Motion carried 6-0.

[Signed and sealed resolution in Official Minute Book]

E. 2004 Salary Schedule for Non-Union Employees

Trustee Brixie moved approval of the 2004 non-union wage scale as proposed by the Township Manager. Seconded by Trustee Stier.

Board members discussed the following:

- Proposed increases lower than all bargaining unit negotiated agreements
- Fair and equitable treatment of all employees regardless of budget crisis

ROLL CALL VOTE: YEAS: Trustees Brixie, Stier, Woiwode, Supervisor McGillicuddy,
Treasurer Hunting

NAYS: Clerk Helmbrecht

Motion carried 5-1.

[Supervisor McGillicuddy recessed the meeting at 8:22 PM]

[Supervisor McGillicuddy reconvened the meeting at 8:32 PM]

11. DISCUSSION ITEMS/ENDS

Public Comment

Supervisor McGillicuddy opened public comment.

Eleanor Luecke, President, LINC, PO Box 40, Okemos, spoke in opposition to Rezoning #03060 (Fedewa).

Carl Harmon, 1924 Birchwood, Okemos, felt earlier sentiments expressed by many citizens regarding Rezoning #02080 (Eyde) could have been avoided if the public had been informed of the revised request.

Supervisor McGillicuddy closed public comment.

A. Rezoning #03060 (Fedewa), request to rezone approximately 5.2 acres on the south side of BL-69 from RR (Rural Residential) to PO (Professional Office)

Director Kieselbach summarized the rezoning request as outlined in staff memorandum dated December 12, 2003.

Mr. Fedewa, 5570 Okemos Road, East Lansing, offered several reasons in support of his rezoning request, urging Board members to visit the site.

Board members and staff discussed the following:

- Submission of application for land division
- December 29th hearing to be held by Planning Staff for minor amendment to the Special Use Permit
- Identified as a minor amendment to a Special Use Permit according to ordinance
- SUP as a condition for the entire piece of property
- Consideration of a change in the ordinance if the reduction of open space in a SUP is not considered a major amendment
- Church as a small building on a large amount of land
- All of the site not consistent with the Master Plan
- Necessity of amendment to the Master Plan to reflect land split change from semi-public
- Interest in full Planning Commission recommendation following land split and amended SUP decision
- Questionable configuration of the land division
- Consideration of the Master Plan prior to the Annexation and Act 425 Agreement with East Lansing on property south of Lake Lansing
- Potential for “spot zoning” with office among multiple residences
- Future Land Use Map indication for mixed use as office and residential

Attorney Distchman offered that Section 86-129 gives the director of community planning and development the authority to make a determination as to whether a proposed amendment constitutes a major or minor amendment to the original special use permit. It is a major amendment to add space to a site. Something can be considered a major amendment which is not listed in the section, but since there is no mention of a reduction in the ordinance, it could be considered a minor amendment.

The other issue is how this procedurally came before the Board. It could have come to the Board after the SUP and the land division had been decided. The land division would be approved as long as it meets the requirements of the Land Division Act. As far as the Board hearing this tonight; it does not affect the decision; the land division and amendment to the SUP should be resolved before a Board decision needs to be made.

The consensus of the Board was to place this on as an action item at the January 20th Board meeting and have three (3) alternative motions available for consideration.

- B. Talon Development request for rezoning from C-2 to C-3
Director Kieselbach summarized the rezoning request as outlined in staff memorandum dated December 12, 2003.

Steve Vanden Bossche, Talon Development, 550 Hulet, Suite 103, Bloomfield Hills, has a potential user with a complimentary use for retail. A copy center would be in the front of the building and a self-storage facility in the rear, with one set of doors for loading and unloading inside the building.

Attorney Ditschman clarified that there are two (2) issues before the Board. One is a request for the Board to initiate a rezoning of the property from C-2 to C-3. The reasonings could include mistakes made in the original zoning designation or that circumstances have dramatically changed. The second issue is if the Board should consider storage in the C-2 district or a different category for the type of mini-storage in the C-3 district.

Board members discussed the following:

- Issue of whether the request should be Board or owner initiated
- Recent Board consideration of storage allowance in the C-2 district
- Not consistent with Board decision to designate C-3 as commercial core
- C-2 district designation limits retail establishment to 10,000 square feet

- Review of criteria for C-1, C-2 and C-3 districts
- Approved as a single user in a 53,000 square foot building

The consensus of the Board was to take no action on this request for Board initiated rezoning to C-3.

12. VISION SESSION/ENDS: Lake Lansing Zoning District discussion with Fire Department Staff
Fire Department staff offered the following comments and identified problem areas:

Fire Chief Fred Cowper

- Life safety for residents and firefighters as a priority
- Eighty-two percent (82%) of people who die in fires die in residential buildings
- Fourth amendment protection for right of privacy precludes fire inspection of homes
- Meridian Township Fire Prevention Bureau only five (5) years in existence
- Meridian Township Fire Code does not allow for residential sprinkler mandate
- Fifteen percent (15%) reductions annually on homeowners insurance for installation of sprinkler system
- National Fire Protection Agency (NFPA) documentation that no more than two (2) people have died in a building with a sprinkler system
- Installation of sprinkler system in buildings on small lots as a fire safety measure

Fire Marshall Steve Schlachter

- Residential setback definition designed to protect public health and safety by providing fire protection
- Largest fire loss of this year occurred at an apartment complex where fire started in a detached garage twenty-five (25) feet from the building
- Lake Lansing setbacks so small that tradeoffs are needed when variances are granted or build-up occurs in the form of sprinkling systems and exterior fire protection on side where variance is granted
- National Fire Protection Agency quote in its standards that “when the exposing building or structure is protected throughout by an approved properly maintained automatic sprinkler system, no exposure should be considered to exist”

Board members discussed the following:

- Requirement of fireproof building materials and sprinkler systems greatly diminishes setback issue for personal and property safety
- Property lines as placement of firewalls with zero lot lines
- How a fire burns between small and taller buildings
- How a fire burns between two tall buildings
- Canyon effect on fire absorption
- Side yard storage and fences limit accessibility of fire personnel to get around building
- Some variances on the side of the building which faces the roadway precludes parking the fire truck in front of the building on fire as the truck is too close
- Ideal of accessibility on three sides of the building on the lake
- Consideration of projection footage (i.e., eaves and balconies) when determining distance between houses
- Residential sprinkler system taps into existing water line
- NFPA code for a single family residential sprinkler system
- Sprinkler inspections as a condition of granting a variance
- Potential for zoning overlay which requires specific building materials
- Lack of accountability process for voluntary compliance
- Board request for research information on overlay district option, list of fire retardant building materials

Donald Kaufman, President of Lake Lansing Property Owners Association, 6310 Lake Drive, Haslett, spoke concerning preliminary guidelines from a committee dealing with safety issue for fire personnel access to homes on Lake Lansing.

13. PUBLIC REMARKS

Supervisor McGillicuddy opened Public Remarks.

Dorothy Kunisada, 2149 Quarry Road, Okemos, spoke in opposition to Rezoning #02080 (Eyde).

Carl Harmon, 1924 Birchwood, Okemos, expressed a desire for Board and Fire staff consideration of firewalls between adjoining garages as a fire protection on Lake Lansing.

John Anderson, 215 W. Newman, Okemos, expressed concern regarding Rezoning #02080 (Eyde).

Supervisor McGillicuddy closed Public Remarks.

14. CLOSED SESSION

Treasurer Hunting moved that the Township Board go into a closed session for the following two (2) purposes:

1. **to discuss ongoing litigation; and**
2. **to discuss the personnel evaluation of the Township Manager as requested by the Manager.**

Seconded by Trustee Woiwode.

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

NAYS: None

Motion carried 6-0.

Supervisor McGillicuddy recessed the meeting at 10:16 PM.

The Board adjourned to the Upstairs Conference Room for a closed session.

Treasurer Hunting moved to return to open session. Seconded by Trustee Brixie.

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

NAYS: None

Motion carried 6-0.

Trustee Brixie moved that the employment agreement between the Charter Township of Meridian and Gerald J. Richards be amended to extend until December 31, 2005, and the salary for the Manager for 2004 be increased by 2.5% over the 2003 salary.

Seconded by Trustee Woiwode.

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

NAYS: None

Motion carried 6-0.

Treasurer Hunting moved to request the Manager talk to staff and the Township Attorney and to go forward as discussed in closed session.

Seconded by Trustee Brixie.

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

NAYS: None

Motion carried 6-0.

15. ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 10:53 P.M.

SUSAN MCGILlicUDDY
TOWNSHIP SUPERVISOR

MARY M. G. HELMBRECHT
TOWNSHIP CLERK

Sandra K. Otto, Secretary