

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
349-1200, Town Hall Room
TUESDAY, JUNE 3, 2003, **6:00 P.M.**

PRESENT: Supervisor McGillicuddy, Clerk Helmbrecht, Treasurer Hunting, Trustees Brixie, Stier
(6:28 P.M.) Such, Woiwode
ABSENT: None
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development
Mark Kieselbach, Director of Engineering & Public Works Ray Severy, EMS/Fire Chief
Fred Cowper, Attorney Mike Woodworth

1. CALL MEETING TO ORDER

Supervisor McGillicuddy called the meeting to order at 6:02 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.

Richard Foster, 4990 Country Drive, Okemos and Chair of the Planning Commission, read from a prepared statement in support of cluster development and greenspace, suggesting developer submission of a sketch plan to a Planning Commission subcommittee at the beginning of the platting process.

[Prepared statement in Official Minute Book]

Alan Wolfe, 2298 Bennett Road, Okemos and member of the Planning Commission, spoke regarding the logistics of changing the subdivision platting process.

Eldon Clark, 2415 Sapphire Lane, East Lansing and member of the Planning Commission spoke in support of the goals of Policy Governance being used as a guide in development of land within the Township.

Bob Regan, 5550 Starflower, Haslett, and School Superintendent of Haslett, spoke in support of Preliminary Plat Review #03012 (Fedewa).

John Anderson, 215 W. Newman Road, Okemos, spoke against Rezoning #03020 (Newman Equities), citing traffic congestion in several areas of the Township.

Cecilia Kramer, 4560 Oakwood, Okemos and President of Friends of the Okemos Library, spoke in support of the Ballot Proposal for Library Facilities.

Supervisor McGillicuddy closed Public Remarks.

5. REPORTS/BOARD COMMENT/NEW WORRIES

Supervisor McGillicuddy that Meridian Township has been paired with Ypsilanti Charter Township in Washtenaw County for the Exchange Program discussed a few months ago. Selection of possible dates for the exchange should be submitted to the Township Manager.

Supervisor McGillicuddy reported The Lake Lansing Community Band Shell Grand Opening will be held on Friday, June 6, 2003 at 7:00 P.M. at Lake Lansing Park South.

CHARTER TOWNSHIP OF MERIDIAN, REGULAR MEETING, JUNE 3, 2003 *APPROVED*

Supervisor McGillicuddy announced the flag pole dedication by The Kiwanis Club at the Harris Nature Center on June 13, 2003 at 12:30 P.M. at the Harris Nature Center.

Supervisor McGillicuddy also mentioned she had gone over the first four (4) chapters of the Comprehensive Development Plan and found it to be well written, commending the Planning Commission for a job well done.

Trustee Brixie passed along a comment from a Briarwood resident who thanked the Board for support of Rezoning #03020 (Newman Equities).

Clerk Helmbrecht reminded residents of the Haslett School, Okemos School and Lansing Community College elections on Monday, June 9, 2003. The polls will be open from 7:00 A.M. until 8:00 P.M. Absentee ballots have been sent out to those who have requested one. The Clerk's office will be open on Saturday, June 7, 2003 from 8:00 A.M. until 2:00 P.M. for anyone wishing to pick up a ballot. For those who live in the Okemos School District, the precincts were consolidated last year into three (3) precincts. These locations are now the Meridian Senior Center, Wardcliff School and the Town Hall Room. For those who are unsure of where to vote in school elections, the school district polling location is positioned on the right-hand side of an individual's voter registration card.

Trustee Such publicly thanked the Members of the Library Task Force for all the hard work over the past two (2) years. He also expressed appreciation to the Okemos and Haslett librarians, Friends of the Okemos Library, Friends of the Haslett Library as well as the people from the Capital Area District Library.

6. APPROVAL OF AGENDA — OR CHANGES

Trustee Woiwode moved to approve the agenda amended as follows:

- **Move Agenda Item #10E to #10A**
- **Move Agenda Item #10F to #10B**
- **Reletter the remaining Agenda items sequentially**

Seconded by Trustee Such.

VOICE VOTE: Motion carried unanimously.

7. CONSENT AGENDA

Supervisor McGillicuddy reviewed the consent agenda.

Trustee Brixie moved to adopt the Consent Agenda amended as follows:

- **Remove Agenda Item #7H**

Seconded by Trustee Such.

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

NAYS: None

Motion carried unanimously.

The adopted Consent Agenda items are as follow:

A. Communications

(1). Board Deliberation (##)

10A-1 Patty L. Moyer, 1941 Danbury W., Okemos; RE: Support of Rezoning #03020 (Newman Equities).

CHARTER TOWNSHIP OF MERIDIAN, REGULAR MEETING, JUNE 3, 2003 *APPROVED*

- 10A-2 Amy Smith, 4800 Countyway East., Apartment 105, Okemos; RE: Support of Rezoning #03020 (Newman Equities).
- 10A-3 Gene F. Turnwald, Attorneys At Law, 2160 Hamilton Road, Okemos; RE: Support of Rezoning #03020 (Newman Equities).
- 10A-4 Patricia Killam, 2411 Burcham Drive, East Lansing; RE: Support of Rezoning #03020 (Newman Equities).
- 10A-5 Nancy Jean, 2001 Valley Brook Drive, Okemos; RE: Support of Rezoning #03020 (Newman Equities).
- 10A-6 James J. Jean, 2001 Valley Brook Drive, Okemos; RE: Support of Rezoning #03020 (Newman Equities).
- 10A-7 Chia-Lin Ho, 16381 Spartan Village, East Lansing; RE: Support of Rezoning #03020 (Newman Equities).
- 10A-8 Mei-Yu Tsai, 1645 C. Spartan Village, East Lansing; RE: Support of Rezoning #03020 (Newman Equities).
- 10A-9 Helen F. Oliver, 5180 Shaftsbury Road, Williamston; RE: Support of Rezoning #03020 (Newman Equities).
- 10A-10 P. Supasiri, 5033 Campus Hill Drive, Apartment H303, Okemos; RE: Support of Rezoning #03020 (Newman Equities).
- 10A-11 Devon Davidoski, 4551 Seneca, Okemos; RE: Support of Rezoning #03020 (Newman Equities).
- 10A-12 Bobbie Jo Davidoski, 4551 Seneca, Okemos; RE: Support of Rezoning #03020 (Newman Equities).
- 10A-13 Plearnpit S. Richards, 1716 Coolidge Road, East Lansing; RE: Support of Rezoning #03020 (Newman Equities).
- 10A-14 Jerry Gilles, 6173 Oakpark Trail, Haslett; RE: Support of Rezoning #03020 (Newman Equities).
- 10A-15 Anita G. Fox, Government Liaison, Briarwood Home Owners Association, PO Box 210, Okemos; RE: Opposition to Rezoning #03020 (Newman Equities).
- 10A-16 Lawrence H. and Mark W. Robbins, 1568 Sylvan Glen Road, Okemos; RE: Opposition to Rezoning #03020 (Newman Equities).
- 10A-17 Eleanor V. Luecke, President, LINC, PO Box 40, Okemos; RE: Opposition to Rezoning #03020 (Newman Equities).
- 10B William K. Fahey, Foster, Swift, Collins & Smith, P.C., 313 S. Washington Square, Lansing; RE: Applicant Gordon Hunsaker's Memorandum to the Meridian Township Board for Appeal of Special Use Permit #01021
- 10EPatricia A. Killam, 2411 Burcham Drive, East Lansing; RE: Opposition to building a new library
- 11C Carol Ann Dunn, 2785 Buglers Way, East Lansing; RE: Opposition to rezoning of 4705 Ardmore Avenue, Okemos
- 11D John R. Fifarek, 5867 Wood Valley Drive, Haslett; RE: Support of Preliminary Plat Review #03012 (Fedewa).

(2). Board Information (BI)

- BI-1 Ryan McGuire, 2406 Forest Oak Trail, Williamston; RE: Fifth grade school project entitled "A Kid's Guide: Understanding Your Community and Your Role in it"
- BI-2 Neal Galehouse, 5218 Madison Avenue, A10, Okemos; RE: Traffic signal synchronization on Marsh Road between Grand River Avenue and Central Park Drive

(3). Staff Communication/Referral (SC)

- SC-1 Michigan Townships Association Legislative Fax May 16, 2003 Edition
- SC-2 Michigan Townships Association Legislative Fax May 23, 2003 Edition

(4). On File in the Clerk's Office (OF)

OF-1 Ingham County Road Commission, 301 Bush Street, PO Box 38, Mason; RE: Copy of its 2002 Annual Report

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, Stier, Such, Woiwode, Supervisor McGillicuddy,
Clerk Helmbrecht, Treasurer Hunting
NAYS: None
Motion carried unanimously.

B. Minutes

Trustee Brixie moved to approve and ratify the minutes of the May 20, 2003 Regular Meeting as submitted. Seconded by Trustee Such.

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

C. Bills

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

Common Cash	\$ 275,140.79
Public Works	\$ 164,061.37
Total Checks	\$ 439,202.16
Credit Card Transactions	\$ 11,460.65
Total Purchases	<u>\$ 450,662.81</u>
ACH Payments	<u>\$ 248,708.64</u>

Seconded by Trustee Such.

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

[Bill list in Official Minute Book]

D. Resolution to Approve Mutual Aid Agreements with Delhi Charter Township and DeWitt Charter Township

Trustee Brixie moved that the Township Board approve the Resolution to Approve Mutual Aid Agreements. Seconded by Trustee Such.

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

[Signed and Sealed Resolution in Official Resolution Book]

E. Resolution to Approve Community Resources Commission Ordinance for Final Adoption

Trustee Brixie moved that the Township Board approve the Resolution for Final Adoption of Ordinance Amending the Charter Township of Meridian Code, Chapter 2 Administration, Article VI, Division 2 Community Resources Commission, Sections 2-196-2-200. Seconded by Trustee Such.

CHARTER TOWNSHIP OF MERIDIAN, REGULAR MEETING, JUNE 3, 2003 *APPROVED*

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

[Signed and Sealed Resolution in Official Resolution Book]

- F. Outdoor Gathering and Fire Works Display Permits, 4th of July Celebration
Trustee Brixie moved approval of 1) The Outdoor Assembly License as requested by the Meridian Township Parks and Recreation Department and the Meridian Area Business Association and 2) The Fireworks Display Permit for Night Magic, Inc., for the 4th of July Fireworks Celebration. Seconded by Trustee Such.

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

- G. Assessing Stipulations

Trustee Brixie moved that the Township Assessor or Township Attorney be authorized to sign a stipulation with Michigan National Bank on the proposed stipulated values for Parcel Number 33-02-02-20-202-001:

2003 Assessed Value: \$442,600 to \$302,800
2003 Taxable Value: \$318,145 to \$302,800

Seconded by Trustee Such.

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

8. QUESTIONS FOR THE ATTORNEY (See Agenda Item #10C, #11B)

9. HEARINGS

- A. Wetland Use Permit #03-01 (Fedewa), request to fill approximately .30 acre of wetland
Director Kieselbach introduced the proposed wetland use permit as outlined in staff memorandum.

Supervisor McGillicuddy opened the public hearing at 6:40 P.M.

Daria Schlega, on behalf of LINC, P. O. Box 40, Okemos, read a prepared statement in opposition to the wetland use permit for the following reasons:

- Wetlands are too valuable to be destroyed. Filling would destroy wetland functions
- Wetlands are more prone to flooding than floodplains.
- Ingham County Drain Commissioner quote that it is never a good idea to build in the floodplain or floodplain fill.
- No need to fill this wetland as the proposed development is not water dependent
- Existence of prudent and feasible alternatives

[Prepared statement in Official Minute Book]

John Anderson, 215 W. Newman, objected to the wetland use permit for the following reasons:

- Township Ordinance which protects wetlands
- Mitigation as a failed practice
- Need to leave wetland in its natural state

APPLICANT

Jerry Fedewa, G. S. Fedewa Builders, Inc., 5570 Okemos Road, East Lansing stated the reasons for

the wetland use permit request as follows:

- Preservation of natural features
- Long narrow site
- Development of roads in such a way as to stay out of the majority of the wetland
- Roadway approved by the Ingham County Road Commission skirts small wetland to the south
- Review of road configurations revealed application as best for parcel development
- Mitigation is requested for 3,000 square feet in the southern corner on a one (1) to one (1) ratio
- Mitigation area will be sustained by the open ditch which runs through a culvert in Sleepy Hollow Subdivision to the south in exact location of proposed mitigation area, thus expanding the wetland
- Creation of one-half (1/2) acre polishing pond and a 45,000 square foot detention pond to sustain wetland wildlife and plant life
- Lack of consideration by township wetland consultant of schools, economics, etc.

Supervisor McGillicuddy opened the floor to Board questions.

Clerk Helmbrecht asked if there were spots on which to build in lots 12, 13 and 56 without being filled in.

The applicant responded that there is probably something that could be built which would meet the footprint requirements, but it would severely hamper the type of home that could be built on those three (3) lots.

Trustee Woiwode requested the status of what appeared to be a second wetland under a road on the parcel.

The applicant pointed to an area on the overhead projector and indicated it was a small wetland not regulated by the Township.

Director Kieselbach added the Township regulates down to .25 acre and the area in question was approximately .2 acre, less than the standard.

Trustee Stier requested Mr. Fedewa elaborate on a statement made during his presentation that the roadway was approved by the Ingham County Road Commission, indicating what that approval consisted of.

The applicant stated a preliminary meeting was held with the Road Commission, Township engineers and planners who worked through a planned road which met the criteria of the roads coming in at right angles to each other for traffic control and speed. The applicant's engineer, Gove Associates, developed the layout to meet the Ingham County Road Commission criteria.

Trustee Stier asked the applicant to delineate the criteria for the internal streets.

Mr. Fedewa responded the criteria was to slow traffic naturally, have the roads intersect at 90 degree angles and cul-de-sacs be a certain length.

Trustee Stier inquired if there was any relationship between Ingham County Road Commission approval of this roadway and a wetland use permit.

The applicant stated it was not within the Road Commission's jurisdiction; it was within the Board's jurisdiction. He believed the road layout and the wetland were interrelated.

Trustee Brixie asked the applicant if the 45,000 square foot detention pond is a requirement of the Ingham County Drain Commissioner for handling on-site run-off in the subdivision development. Mr. Fedewa responded that was correct.

Clerk Helmbrecht asked for a definition of polishing pond and where it was located on the drawing.

Mr. Fedewa responded that the polishing pond was located on an approximate .57 acre site which

backs up to the proposed Meridian Township Park. The polishing pond takes inlet water from the west and cleans it before letting its flow continue to the east. The Ingham County Drain Commission has easements throughout this site and they requested the water be polished. This is accomplished by a pond area being built which contains wetland plants. There are pipes at each end of the pond. Water flows in from the west, is "polished" by the plants, slowing the flow and then picks back up through the outlet pipe and flows down the drainage system underneath the streets.

Trustee Woiwode noted the proposal contains a discussion of three alternatives: 1) utilization of the entire subject site irrespective of the wetlands; 2) fill of all wetland sites and 3) proposal before the Board. She inquired if there was an alternative discussed that looked at not filling this particular wetland as one of the components.

Mr. Fedewa indicated the roads were laid out in different configurations to attempt to utilize the land and stay out of the wetlands. Two years have been spent on careful review to minimize the impact of this project. The creation of additional wetlands through mitigation, detention ponds and polishing ponds would have an overall positive economic, school and environmental benefit which made this a reasonable proposal. A Planned Residential Development (PRD) was not a consideration as it was not a viable sales alternative for this land.

Trustee Woiwode stated it would be helpful to know what the impact of potential denial of the special use permit would be on this development. She requested information on the number of lots that would be lost before Board action is taken on this item.

The applicant indicated there would be substantial loss. The initial economic analysis was based on a potential number of one hundred seven (107) lots. As the development moved through the Road and Drain Commissions' process, that number was reduced to the now ninety-nine (99) lots. Each time lots are lost, the cost of each lot increases.

Treasurer Hunting asked Director Kieselbach to give an explanation for the different analysis in the Tip of the Mitt 1997 consultant report which stated the consultant did not believe Area Seven was a wetland and The Tip of the Mitt consultant report in 2003 which classified and characterized that area as a wetland.

Director Kieselbach responded that Section 4-27 was much larger and included a bigger area. He believed the wetland consultant meant it either wasn't that size or a wetland area as depicted on the original Township wetland map. As the process progressed, verification was given that a wetland did exist. The agreement now among the applicant, the state and our Township consultant is that this is a wetland, that the size is .30 acre, and large enough to be regulated.

Treasurer Hunting noted the numbering system of the lots had changed and the affected lots were now 14, 15 and 63. On the map by Lapham and Associates, it appeared the wetland substantially affected lots 14, had little affect on lot 63 and almost no affect on lot 15. He inquired of Mr. Fedewa if consideration had been given to the elimination of lot 14 and leaving the wetland untouched.

The applicant indicated he would not rule out that option. If the wetland use permit was granted and roadways were built as designated on the application, there would be no water source for Wetland #7 and it would dry up within three (3) years. The only water available would be run-off from other lots.

Treasurer Hunting asked if all of Lot #14 was turned into a natural area, would it be possible to have an underground connector for the lots along Lake Lansing Road to prevent lack of water source and eventual drying of this wetland. Coming into the subdivision off Lake Lansing Road, the first lot you see would be Lot #14.

Clerk Helmbrecht stated that it appeared the applicant gave up a great deal to agree to the development of a polishing pond and asked if the pond replaced one (1) or two (2) lots.

CHARTER TOWNSHIP OF MERIDIAN, REGULAR MEETING, JUNE 3, 2003 *APPROVED*

Mr. Fedewa indicated the pond replaced two (2) lots which carried an economic value of \$120,000 plus an additional \$20,000 to create the pond. For the wetland under discussion, the lot at the entrance would be sacrificed to bring mitigation from the roadway.

Clerk Helmbrecht further inquired as to the entity which suggested the polishing pond and mitigation would outweigh leaving the other wetlands intact.

The applicant responded he had dealt with the Ingham County Drain Commission for six (6) months on this project. Drain Commissioner Pat Lindemann had stated to him he was concerned with the wetlands in the county and it was his idea to create a polishing pond. Mr. Fedewa felt if a wetland use permit was to be issued, there would need to be mitigation. The wetland experts determined this as the best location for the mitigation to effectively work.

Trustee Brixie asked why the road could not be moved into the consolidation of Lots #13 and #64, making it one north-south lot which fronts on Isaac Lane and avoid the mitigation with no net loss.

The applicant stated this alternative was considered. If the road was moved to the east, all four lots would be lost because the road has to come in at right angles.

Trustee Woiwode inquired of Director Kieselbach if comment had been given by the Drain Commission.

Director Kieselbach indicated there was nothing specific on the wetland use permit but there was in the preliminary plat.

Mr. Fedewa requested that his wetland consultant, Mark Hopewell, be allowed to make a few comments.

Mark Hopewell, Lapham Associates, 116 South Third, West Branch, pointed out the Township's wetland consultant agreed that with the necessary storm water management procedures, over time the wetland will not get the water it needs to sustain itself.

Trustee Woiwode pointed to the one-to-one mitigation. She asked Director Kieselbach if he had any comment as she believed the Township normally asked for more.

Director Kieselbach responded that the Township ordinance says "no net loss." There is no specific ratio as indicated in the floodplain section of the ordinance.

Trustee Woiwode asked staff to follow-up with the Township's wetland consultant regarding his comments on "starving" the natural wetland as there is a drain coming from the southwest where a culvert crosses the road. Nothing was stated in the report.

Supervisor McGillicuddy closed the public hearing at 8:24 P.M.

10. ACTION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

Joan C. Smith, Librarian of Hope Borbas Okemos Library, 4321 Okemos Road, Okemos, stated the library has experienced tremendous growth since its move to the present location two years ago. Circulation has grown in the past year alone over sixty-one percent (61%), having 100,000 more items checked out than the previous year. Computer use has increased eight-one percent (81%). It has become necessary to "weed" materials on a frequent basis due to lack of space. Ms. Smith outlined the various needs which the proposed library would meet.

Frank Hatfield, 1578 Sylvan Glen, Okemos, spoke in support of Special Use Permit #03-77191 (Presbyterian Church of Okemos).

Daria Schlega, on behalf of LINC, P. O. Box 40, Okemos, read a prepared statement in opposition to Rezoning #03020 (Newman Equities). [Prepared statement in Official Minute Book]

Daria Schlega, 2446 Burcham, East Lansing, spoke against inclusion of communications to the Board from residents outside the Township.

John Anderson, 215 W. Newman Road, Okemos, spoke in opposition to Rezoning #03020 (Newman Equities), stating a referendum will be initiated if the rezoning is approved.

William Fahey, counsel for the applicant, 313 S. Washington, Lansing, spoke in support of Appeal of Special Use Permit #01021 (Hunsaker), and in opposition to adoption of the motion to Deny.

Carla Clos, member of the Library Committee, 2669 Linden Avenue, East Lansing, thanked Trustee Such for his skill, tact, and leadership in guiding the Committee. She also wanted to let people know that Supervisor McGillicuddy cares about what is being built in the Township, having witnessed the supervisor walking building sites on the weekend.

Richard Harrington, 820 Piper Road, Haslett, spoke in support of the ballot proposal for library facilities, citing natural charm and beauty of the site as an attraction.

John Veenstra, 320 Piper Road, Haslett, spoke in support of the ballot proposal for a new and larger Okemos library, while keeping the Haslett branch open.

Supervisor McGillicuddy closed public comment.

A. Ballot Proposal for Library Facilities

David Milling, David Milling & Associates, gave a slide presentation on background information for the proposed central library facility site, also showing diverse examples of libraries in Ypsilanti, Oxford, Dexter and Kalamazoo.

Board Members and presenter discussed the following:

- Square foot library recommendation based on one (1) square foot per person within a service population as a floor
- Opportunity to build what is needed twenty years out and then slowly occupy
- The price of money is less expensive than it has been in many years
- Last millage election asked for a \$12 million bond approval with a .8 millage rate
- Proposed millage is \$17 million with a millage rate of .58 over twenty-five (25) year period
- Election to be held Tuesday, August 5, 2003
- Property contains exact geographic center of the Township
- Resolution wording similar to previous millage election
- Previous election was \$75 per year for average residential home; current proposal is \$51 per year
- Includes addition to Haslett branch library
- State of economy for millage passage
- Site as exemplification of Township character
- Location within one and one-half (1-½) blocks of the major bus line servicing Grand River

- Library as a community center to fill needs of children, adults and seniors
- New library facilities will increase property values in Township
- Library accessibility from the interior "block" of township core without crossing a major street
- Appreciation to all Committee members for patience in lengthy process of specific choice of site
- Location will add to community walkability

Manager Richards offered a point of clarification that the one difference was last millage election projected a twenty (20) year bond payback v the current twenty-five (25). Comparing both proposals at the twenty (20) year payback would translate into .67 mills now as opposed to .8 mills previously.

Trustee Such moved that the resolution calling special election and submitting bond proposal

be approved. Seconded by Treasurer Hunting.

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

[Signed and Sealed Resolution in Official Resolution Book]

- B. Engagement of Professional Service Providers for Library Project
Trustee Such moved to authorize the Township Manager to engage Miller, Canfield, Paddock and Stone as bond counsel, Robert W. Baird & Co., as bond underwriter and David Milling and Associates as architect for the proposed Meridian Township Library Facilities project. Seconded by Treasurer Hunting.

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

- C. Rezoning #03020 (Newman Equities), request to rezone 13.4 acres located on the northwest corner of Newman Road and Central Park Drive from C-2 to C-3
Trustee Brixie moved [and read the resolution into the record] NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, the Township Board hereby Finally Adopts Ordinance No. 2003-08, entitled "Ordinance Amending the Zoning District Map of Meridian Township Pursuant to Rezoning Petition #03020 from C-2 (Commercial District) to C-3 (Commercial District)." Seconded by Trustee Such.

Board Members discussed the following:

- When CS designations were originally changed to C-2 and C-3, Planning Commission proposed C-3 zoning
- Reversal of Planning Commission decision by the Board at that time on the basis of individual parcel determination
- Basis of rezoning decision on the land, not the developer
- Master plan adopted in 1993 anticipated this use

Rezoning Justification Language: (Agenda Item #8 (Questions for the Attorney))

- Q. I question one of the clauses which states these changes would justify the rezoning. That language doesn't necessarily mean those are the reasons the Board is using to justify this rezoning. Is that correct?
- A. The language simply reflects the Board's recognition of what has occurred over the passage of time in this area. It would certainly support, in part, the determination. The various Board members will vote on the resolution in accordance with their reasons for it; that is certainly one item that could be considered.

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

[Signed and Sealed Resolution in Official Resolution Book]

- D. Appeal of Special Use Permit #01021 (Hunsaker)

Board Members and staff discussed the following:

- Early notification to developer if public sewer is required
- Environmental concerns re: wetland, groundwater recharge
- Entire site surrounded by floodplain and wetland

- On-site septic failure
- Septic field failure on this site in the past
- Ramifications of septic failure
- Health Department desire for soil work prior to approval(s)
- Location of homes and septic
- Township sewer surrounds this site
- Drinking water from groundwater wells
- Groundwater recharge process
- Focus of Board on the road v entire development
- Additional information for Board consideration of allowing septic on this site
- Township sewer connection tie-in availability from nearby interceptor
- Water and sewer permit requirement for each house prior to building permit
- Multiple options to provide public sewers to this site
- Final design not yet determined
- Error on the side of health and safety to support water and sewer requirement
- Board Communication BD-10B statement of no effect to the floodplain
- Building within a Township floodplain
- Lack of clear and dominant public good to fill in the floodplain
- Substantial and lasting adverse impact on Township natural resources
- State regulation of wetlands
- Fill of driveways within floodplain
- Department of Environmental Quality (DEQ) project approval process
- Regulations of residential homes within floodway fringe

Treasurer Hunting moved [and read the resolution into the record] NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, the Township of Meridian hereby approves Special Use Permit # 01021 with the following conditions:

- 1. Approval is granted in accordance with the revised site plan prepared by KEBS, Inc., dated May 22, 2002, subject to revisions, as required.**
- 2. Public water and sewer shall be extended as necessary to serve all parcels accessed by the proposed Cameron Oaks Drive.**
- 3. Final utility plans shall be subject to the approval of the Director of Public Works and Engineering and shall be completed in accordance with Township Engineering Design and Construction Standards.**
- 4. The final site plan shall be subject to the approval of the Director of Community Planning and Development.**
- 5. The final grading and storm drainage plans shall be subject to the approval of the Director of Public Works and Engineering and the Ingham County Drain Commissioner.**
- 6. Prior to any grading or construction, all permits and approvals from the Ingham County Drain Commissioner's Office, Ingham County Road Commission, Michigan Department Environmental Quality (MDEQ), and the Township shall be secured. A copy of the approvals shall be submitted to the Department of Community Planning and Development.**
- 7. Should a new or revised permit be required from the MDEQ, no grading or construction shall take place until that permit is final and not subject to appeal as a matter of right.**

8. **The applicant shall provide certification by a licensed surveyor or professional engineer verifying the amount of on-site fill, compensating cut, and actual elevations of the site, after all improvements are completed.**
9. **Fill or other materials shall be protected against erosion by installing rip-rap, vegetative cover, or bulkheading subject to the Ingham County Drain Commissioner's approval.**
10. **The applicant shall obtain either a Letter of Map Revision (LOMR) or Letter of Map Amendment (LOMA) from the Federal Emergency Management Agency (FEMA) indicating the change to the 100 year floodplain boundary, and file a copy with the Director of Community Planning and Development.**
11. **Any future building construction on the filled portion of the floodplain shall either have the lowest floor elevation flood-proofed to one (1) foot above the floodplain elevation or the lowest floor, and lowest adjacent grade shall be elevated to at least one (1) foot above the floodplain elevation.**
12. **No filling, dumping or storage of any material shall occur in any groundwater recharge areas as determined by the Director of Public Works and Engineering without first obtaining a permit pursuant to Township Ordinance Section 86-436(r).**
13. **As agreed to by the applicant's representative at the hearing, the remaining buildings on the subject site and the existing north entrance from Okemos Road shall be removed or demolished prior to grading.**
14. **All existing water supply wells and cisterns shall be identified and properly closed by a licensed well-driller pursuant to Ingham County Health Department and Meridian Township standards.**
15. **Prior to any construction, including grading activities, the applicant shall schedule and conduct meetings with the necessary agencies to establish a construction program.**

Seconded by Trustee Such.

ROLL CALL VOTE: YEAS: Trustees Brixie, Such, Supervisor McGillicuddy, Clerk
Helmbrecht, Treasurer Hunting
NAYS: Stier, Woiwode
Motion carried 5-2.

[Signed and Sealed Resolution in Official Resolution Book]

Supervisor McGillicuddy recessed the meeting at 9:02 P.M.

Supervisor reconvened the meeting at 9:10 P.M.

- E. Rezoning #03040 (Planning Commission), request to rezone 1330 Hickory Island Drive from RR (Rural Residential) to RAA
Trustee Such moved [and read the resolution into the record] NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, the Township Board hereby Introduces for Publication and Subsequent Adoption Ordinance No. _____, entitled "Ordinance Amending the Zoning District Map of Meridian Township Pursuant to Rezoning Petition #03040" rezoning from RR (Rural Residential) to RAA (Single Family-Low Density). Seconded by Trustee Brixie.

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

[Signed and Sealed Resolution in Official Resolution Book]

Supervisor McGillicuddy will place this rezoning request on the consent agenda for final adoption at the next Board meeting.

- F. Special Use Permit #03-77191 (Presbyterian Church), request to construct an approximate 12,400 square foot addition to the existing church located at 2258 Bennett Road, Okemos
Trustee Brixie moved [and read the resolution into the record] NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, the Township Board hereby approves Special Use Permit #03-77191 with the following conditions:

1. **Approval is granted in accordance with the revised preliminary site plans prepared by Ledy Design Group and building elevations prepared by Swanson Design studios, dated March 19, 2003.**
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. **Approval is subject to conformance with the conditions placed on Special Use Permit #03-77191 (Presbyterian Church of Okemos) by the Planning Commission for the church addition.**

Seconded by Treasurer Hunting.

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

[Signed and Sealed Resolution in Official Resolution Book]

11. DISCUSSION ITEMS/ENDS

Supervisor McGillicuddy opened public comment.

John Veenstra, 320 Piper Road, Haslett, spoke in support of a broad definition of “aggrieved person.”

Supervisor McGillicuddy closed public comment.

- A. Wetland Use Permit #03-01 (Fedewa), request to fill approximately .30 acre of wetland
Board Members and staff discussed the following:
- Environmentally beneficial alternative for filling area in road right-of-way, not on lot sites and compensating cuts to keep southern wetland viable
 - Previous Board determination of Wetland #7 as “essential” so it requires a wetland use permit
 - Fill only portion of wetland in road right-of-way
 - Wetland use permit and preliminary plat approval run concurrently on a ninety (90) day time-frame which lapses July 5, 2003.
 - Staff and applicant work together for resolution of wetland fill
 - Prevention of drain removal as source of wetland
 - Mitigation that comes with the permit as an attempt to maintain the wetland
 - Information from wetland consultant regarding starvation of existing wetland

- Leave wetland and floodplain intact
 - Approval from Road Commission based on layout subject to construction drawings
 - Reapproval from Road Commission for changes in road placement
 - Wetland #7 a result of trench being dug and culvert placed
 - Potential removal of culvert during construction
 - Hydrology history and workability
 - Staff meeting with Mr. Fedewa, Mr. Wamhaff, hydrology consultant, wetland consultant, and Drain Commissioner
 - Definition of vacant Township owned lot as a “park”
- Wetland Use Permit #03-01 (G. S. Fedewa Builders, Inc.) (Agenda Item #9A)
Jake Wamhaff, 2186 Lake Lansing Road, East Lansing, expressed concern regarding water flow on his land, citing drain across Lake Lansing Road goes across his property and floods the top of his driveway.
- B. Administrative Permitting Process and Definition of “Aggrieved” Person
Supervisor McGillicuddy summarized previous Board discussion on the alternate definition, centering on the removal of the phrase “not shared in common with other members of the general public.”

Potential removal of “not shared in common” phrase: (Agenda Item #8 (Questions for the Attorney))

Q. Mike, can you help us with this?

A. I know there were a number of questions in my absence about the language. By way of an overall approach to this, each one of these terms or phrases makes the screen a bit finer. For example, in the term “identifiable injury,” identifiable requires an individual to have more than just a vague notion that he/she is going to be injured. A person must articulate what will be suffered as a result.

“Not shared in common with other members of the general public” requires some degree of uniqueness to an individual. I know there was a question as to what is a potential loss. In our discussions today, we talked about wetland loss in three (3) years. The idea of potential loss is not something you are going to experience as a direct result of the permitting decision, but, in the future, there is a likelihood that you will experience a loss. In the area where we expect to see a degradation in habitat for wildlife, it is not going to happen right away, and yet, there is a sixty (60) to seventy (70) percent chance that in the next five (5) years, you are going to have a complete loss of that habitat.

Each one of those terms was put in there to make the threshold of standing smaller. As a general overview, if you take these out, you are going to broaden the base of those people who can come forward. Having said all that, does the Board have a question?

Q. My position is that I would like to Error on the side of pollution control and environmental protection, so I am willing, in the trade off, to open up opportunities for an aggrieved or interested person. By crossing off “not shared in common with other members of the general public,” is there any legal reason why we should not eliminate that phrase other than the fact that it broadens the number of persons who have standing or who may be classified as an interested person?

A. There is no legal prohibition against elimination of that phrase. If the intent is to broaden the base of potentially aggrieved people who can appeal, you are giving these people standing to do that. There is nothing that would prohibit the Board from striking the phrase.

Board Members discussed the following:

- Broadest possible definition
- Lack of measurable gain by narrowing the scope
- Appeal as an allowance for Board opportunity to have issues and concerns aired before it
- Number of wetland permit appeals

- Addition of “resident of the Township” as a screen

The consensus of the Board was to define interested person as:

Sec. 22-116 *Interested person* means either: (a) a resident of the Township who will suffer an identifiable injury, loss or potential loss as a result of a wetland use permit decision, or: (b) an owner of property within 500 feet of the wetland that is the subject of a wetland use permit decision.

Supervisor McGillicuddy stated this item will be on as an action item at the next Board meeting.

C. Mixed Uses

Trustee Brixie offered clarification that the two (2) properties within the proposed study area she mentioned at the May 20, 2003 Board meeting potentially being rezoned back to residential were located between Methodist and Kent Street and would have Methodist addresses.

D. Preliminary Plat Review #03012 (Fedewa), request for preliminary plat approval for 99 lots in Sierra Ridge Estates subdivision, located north of Lake Lansing Road and east of Newton Road in Haslett

Director Kieselbach introduced the proposed preliminary plat as outlined in staff memorandum.

Board Members and staff discussed the following:

- When the Planning Commission granted a variance from the subdivision regulations, it waived its own adopted regulations
- Wetland #7 would need setback variance as shown
- Elevation of ground on which the Burr Oak grows (located between lots #65 and #66) has sufficient slope to prevent rot
- Prevention of property owner cutting down trees through deed restriction as a condition of final plat approval
- Water flow into detention pond
- Board request and developer permission for site access

Mr. Fedewa believes this site to be perfect for development as it is serviced by water, sewer, gas and electric and located one-quarter (¼) mile from Murphy Elementary School. The applicant is pleased the Board has requested to walk this property; looking at Wetland #7 and the proposed mitigated area. A ninety-nine (99) lot subdivision also builds the tax base for the Township and will aid in providing new programs for Meridian residents while bringing additional revenue into the Township.

Mark Hopewell addressed the proposed mitigation area. The developer anticipates a two (2) foot cut, which will allow for the needed water and not cause flooding on the adjacent property. The water which comes across road should be sufficient for a scrub shrub forested wetland. The developer anticipates no more than six (6) inches of water in the spring which will normally dry down in the summer. Water will then be routed into the storm management system, holding water in the detention pond area. This will provide emergent type wetland habitat.

Supervisor McGillicuddy stated this item will be on as a discussion item at the next Board meeting.

12. VISION SESSION/ENDS: (None)

13. PUBLIC REMARKS

Supervisor McGillicuddy opened and closed Public Remarks.

14 ADJOURNMENT

Supervisor McGillicuddy adjourned the meeting at 10:21P.M.

SUSAN MCGILlicUDDY
TOWNSHIP SUPERVISOR

MARY M. G. HELMBRECHT
TOWNSHIP CLERK

Sandra K. Otto, Acting Secretary