

MINUTES
BEDFORD TOWNSHIP PLANNING COMMISSION
8100 JACKMAN ROAD, TEMPERANCE, MICHIGAN
February 14, 2018

PRESENT:

MATTHEW ANGERER
LAMAR FREDERICK
TOM ZDYBEK
DENNIS JENKINS
DAN STEFFEN
RON FRITZ

EXCUSED:

NONE

ABSENT:

GARVERICK

ALSO PRESENT:

MARTY KAMPRATH, LENNARD, GRAHAM & GOLDSMITH, LEGAL COUNSEL
KAREN M. KINCAID, PLANNING AND ZONING ADMINISTRATOR
JODIE L. RECTOR, PLANNING AND ZONING, ASSISTANT, RECORDING SECRETARY

Angerer called the Bedford Township Planning Commission meeting to order at 7:00 p.m. The Pledge of Allegiance was said. Steffen called the roll. Quorum present.

APPROVAL OF THE AGENDA

Motion by Jenkins, supported by Zdybek, to approve the agenda. Motion carried.

APPROVAL OF THE MINUTES

Motion by Frederick, supported by Steffen, to approve the minutes of January 24, 2018. Motion carried. Angerer and Fritz abstained

PUBLIC COMMENT (LIMIT 3 MINUTES)

Dan Bauerschmidt-8088 Timber Woods Lane-Mr. Bauerschmidt stated he is a longtime resident of Bedford Township and has recently moved into his new home located on lot 28 within Timber Woods where the existing home is encroaching on the setback requirement. Mr. Bauerschmidt provided a request list signed by neighbors and felt this request would be a major modification to the plan. Mr. Bauerschmidt continued to add there is insufficient information provided from the surveyor and the need for a public hearing due to lack of information provided to other parcel owners within the development regarding this request. Mr. Bauerschmidt voiced concern on this request and the impact it would have on his home. Mr. Bauerschmidt advised the development has several "snow birds" and some have not received the information regarding this request, and to move forward without their input would be wrong of the Commission to determine if the request is a Major PUD Amendment. Mr. Bauerschmidt said the other residents should be allowed time and opportunity to speak on the request with the requirement of a public hearing.

Randy Alcock-7736 Jackman-representing an 89-year-old friend- Mr. Alcock was requesting clarification if there was going to be a connection such as a road, thoroughfare, bike path to Montri Estates open to the public or private at the end of Bernard Road and Charlotte Road.

Ray Jones- FWB, Surveyor- Mr. Jones stated this was the first he has heard of the letter from the resident in attendance with the bullet point concerns supplied to the Commission. Mr. Jones stated he could address some of the concerns tonight, however maybe it would be better to table any action on the issue for Timber Woods

unless the Commission feels they have sufficient information to move forward. Mr. Jones requested guidance from the Commission on moving forward or tabling the request.

Frederick advised this is not a public hearing on this matter and requested clarification from Mr. Kamprath on if the request can be tabled or if the Commission needed to move forward with a determination of the request. Mr. Kamprath stated if the Planning Commission feels there might be more information available to guide them in answering the questions proposed, then certainly the request can be table to another meeting. Mr. Kamprath continued to add, should the Commission feel they have enough information, or with the information provided tonight from the surveyor when the item is opened on the agenda, a decision can be made to move forward or table the request. Frederick voiced concern of the submitted letter from Mr. Bauerschmidt and not having an opportunity to review the concerns, nor has the surveyor. Kincaid advised the Planning Department had not been aware of any letter until Mr. Bauerschmidt provided it to the Commission at the meeting; however, if the Commission feels the surveyor can answer the concerns identified in the letter, they could make a determination whether to move forward or table the item when the agenda item is opened. Angerer stated the Commission will make a determination when the item is on the agenda.

NEW BUSINESS

A) OPEN THE PUBLIC HEARING REGARDING THE REQUEST FOR MONTRI ESTATES FINAL PUD APPROVAL, FINAL SITE PLAN APPROVAL FOR PHASE I, AND A REZONING FROM R-2A, SINGLE FAMILY RESIDENTIAL TO PUD PLANNED UNIT DEVELOPMENT, A 61-UNIT SITE CONDOMINIUM DEVELOPMENT PROJECT ON A PORTION OF PARCEL NUMBERS 5802-028-051-00 AND 5802-028-052-00, LOCATED ON THE NORTH SIDE OF STERNS ROAD BETWEEN DOUGLAS ROAD AND JACKMAN ROAD

Motion by Jenkins, supported by Frederick, to open the public hearing at 7:15 p.m. Motion carried.

Kincaid reviewed the site analysis saying this is from Montri Estates, LLC, for Final PUD approval for a 61-unit condominium project located off Sterns Road between Douglas Road and Jackman Road, and for a rezoning of a portion of parcel numbers 5802-028-051-00 and 5802-028-052-00 from R-2A to PUD. Kincaid noted the +/- 20-acre parcel has a total of approximately 114.89 feet of frontage on Sterns Road, which provides one means of ingress/egress.

Kincaid advised the public hearing for preliminary/concept approval for the request was held on November 16, 2016, where the Planning Commission recommended approval, and on December 6, 2016, the preliminary/concept PUD plan was approved by the Township Board. Kincaid said it should be noted the Planning Department is working with the Developer, Consumers Energy and the Clerk's Department on the street lighting plan. Sidewalks are being proposed around the interior units, and the proposed landscape has been reviewed, approved, and meets the ordinance requirements. Kincaid stated the developer has advised the Planning Department that the color scheme is earth tones and renderings have been submitted to the Planning Department.

Kincaid informed that a letter of approval was received from the MCRC on 1/23/18, from MCDC on 1/24/18, MSG on 1/26/18 and the Bedford Township Fire Department on 2/9/18. Kincaid requested that Final Site Plan Approval for Phase I of Montri Estates be conditioned on addressing all issues and concerns stated in the MCDC, MSG, MCRC and the Bedford Township Fire Department review letters prior to development. The special assessment district for street lighting within Phase I shall be set up through the Clerk's Department, and the PUD Agreement and Master Deed shall be submitted to the Township Attorney for review and approval.

Angerer informed the applicant the Commission was one member short, offering the option to defer to a later

date when all members could be present. Mr. Montri opted to move forward as scheduled.

Richard Montri-Owner/Developer- 7147 Maplewood Drive, Temperance- Mr. Montri was available to answer any questions the Commission might have.

Frederick said one of the issues with the Preliminary Plan Approval referenced the flood plain issues, MDEQ and wetlands. Frederick inquired if those issues have been addressed. Kincaid stated the Planning Department has been in contact with MDEQ while the developer is working on those concerns, further saying MDEQ was made email contact with Dennis Kolar, the Building Official, regarding additional information. Kincaid added in order for the developer to receive their permit, they will have to satisfy MDEQ requirements. Frederick voiced concern on the bridge proposed across the drain and if there had been discussions with the MCDC. Kincaid commented on Mr. Csurgo's, Deputy Drain Commissioner, involvement with this project. Kincaid added, in response to the public comment regarding the connection at Bernard and Charlotte Drive, at the time of conceptual approval the Fire Code required a second means of ingress/egress; however since that time the Township has adopted portions of the Fire Code but relaxed the number of homes to 100 without a second access conditioned on hydrant accessibility. Kincaid noted the Fire Chief has reviewed the plan and a determination was made to not require a second access. Kincaid stated there is no proposed connection to Charlotte and Bernard.

Motion by Steffen, supported by Zdybek, to close the public hearing at 7:23 p.m. Motion carried.

Jenkins asked if the building envelopes are large enough to accommodate the proposed three car layouts. Mr. Montri explained there are a few lots that will support that layout but not all lots are large enough. Frederick asked Kincaid if the Planning Department had approved the landscape and elevation plans. Kincaid said both items have been reviewed and approved, saying the elevations are similar to Summerfield Woods. Frederick stated he thought there was a building on one of the parcels and would have to secure a demolition permit. Kincaid stated yes, that is correct. Kincaid said Consumers Energy has changed the procedure for lighting installation, and the Township is working with Consumers Energy, further saying there will still need to be a required special assessment district set up for lighting usage.

Angerer spoke on this type of development being a need for the community.

Mr. Kamprath advised the Commission this is a two-fold request tonight that requires two motions one for a recommendation to the Township Board to the rezoning from R-2A to PUD and to recommend approval/deny/approval with conditions for Final PUD Approval and Final Site Plan Approval for Phase I.

MOTION BY FREDERICK, SUPPORTED BY JENKINS, TO RECOMMEND APPROVAL FOR MONTRI ESTATES TO REZONING FROM R-2A, SINGLE FAMILY RESIDENTIAL TO PUD PLANNED UNIT DEVELOPMENT, A 61-UNIT SITE CONDOMINIUM DEVELOPMENT PROJECT ON A PORTION OF PARCEL NUMBERS 5802-028-051-00 AND 5802-028-052-00, LOCATED ON THE NORTH SIDE OF STERNS ROAD BETWEEN DOUGLAS ROAD AND JACKMAN ROAD AS THE PROPERTY WILL BE DEVELOPED AS A PUD, THE ZONING IS CONSISTANT WITH THE MASTER PLAN AND PROPOSED DEVELOPMENT IS CONSISTANT WITH USES IN THE AREA OF SINGLE FAMILY RESIDENTIAL.

Roll call as follows: Voting Aye: Frederick, Jenkins, Fritz, Zdybek, Steffen and Angerer

Voting Nay: None.

Excused: None

Absent: Garverick

Motion carried.

MOTION BY JENKINS, SUPPORTED BY STEFFEN, TO RECOMMEND APPROVAL FOR MONTRI ESTATES FINAL PUD APPROVAL, FINAL SITE PLAN APPROVAL FOR PHASE I, ON A PORTION OF PARCEL NUMBERS 5802-028-051-00 AND 5802-028-052-00, LOCATED ON THE NORTH SIDE OF STERNS ROAD BETWEEN DOUGLAS ROAD AND JACKMAN ROAD CONDITIONED UPON ADDRESSING ALL THE ISSUES STATED IN THE MSG, MCRC, MCDC AND THE BEDFORD TOWNSHIP FIRE DEPARTMENT LETTERS, OBTAINING A MDEQ PERMIT, AND PRIOR TO APPROVAL OF THE TOWNSHIP BOARD, REVIEW FROM THE MCDC ON THE FLOOD PLAIN AREA, WETLANDS AND THE ROAD CROSSING (BRIDGE).

Roll call as follows: Voting Aye: Jenkins, Steffen, Frederick, Fritz, Zdybek and Angerer

Voting Nay: None.

Excused: None

Absent: Garverick

Motion carried.

B) REQUEST TO DETERMINE IF THE PROPOSED AMENDMENT TO THE TIMBER WOODS PUD IS A MINOR OR MAJOR CHANGE, LOCATED ON THE EAST END OF SODA DRIVE

FREDERICK STATED IN VIEW OF THE INFORMATION RECEIVED TONIGHT HE WILL MAKE A MOTION, SUPPORTED BY JENKINS, TO TABLE THE REQUEST TO DETERMINE IF THE PROPOSED AMENDMENT TO THE TIMBER WOODS PUD IS A MINOR OR MAJOR CHANGE, LOCATED ON THE EAST END OF SODA DRIVE UNTIL THE NEXT SCHEDULED MEETING.

Roll call as follows: Voting Aye: Frederick, Jenkins, Steffen, Fritz, Zdybek and Angerer

Voting Nay: None.

Excused: None

Absent: Garverick

Motion carried.

Ray Jones-FWB-Surveyor- Mr. Jones asked the Commission if anyone could explain or if they knew what the definition is to determine whether an amendment is a major or minor amendment. Mr. Kamprath advised the Planning Department would be able to supply him with a copy. Mr. Kamprath added it is somewhat subjective to allow the Planning Commission to decide the impact to neighboring properties and or units. Mr. Jones asked if the Commission Members understood the differences. Mr. Kamprath stated yes and so did Frederick. Mr. Jones stated the developer wants to do what is right by the residences and is willing to work with them to move forward with this request within a month or so. Discussion continued on the meeting time frames to accommodate the appliance and other agenda items. Mr. Jones felt two weeks was maybe not enough time.

Frederick withdrew the previous motion, supported by Jenkins.

MOTION BY FREDERICK, SUPPORTED BY JENKINS, TO TABLE THE REQUEST TO DETERMINE IF THE PROPOSED AMENDMENT TO THE TIMBER WOODS PUD IS A MINOR OR MAJOR CHANGE, LOCATED ON THE EAST END OF SODA DRIVE UNTIL THE MARCH 14, 2018 SCHEDULED MEETING.

Roll call as follows: Voting Aye: Frederick, Steffen, Jenkins, Fritz, Zdybek and Angerer

Voting Nay: None.

Excused: None

Absent: Garverick

Motion carried.

PUBLIC COMMENT –

None.

INFORMATION –

None.

COMMISSION / STAFF COMMENT –

Kincaid reiterated on the email sent out on if any members were interested in attending a workshop as there is one in March at Wayne State University in the afternoon. Kincaid added to please respond to the email if anyone is interested.

Angerer wished all the wives “Happy Valentine’s Day”.

ADJOURNMENT –

The meeting was duly adjourned at 7:40 p.m.

Respectfully submitted,

Jodie L. Rector, Recording Secretary