

MINUTES- REGULAR MEETING  
BEDFORD TOWNSHIP PLANNING COMMISSION  
8100 JACKMAN ROAD, TEMPERANCE, MICHIGAN  
APRIL 27, 2016

**PRESENT:**

KORLEEN BIALECKI  
TOM ZDYBEK  
MARYANNE BOURQUE  
MATT ANGERER

**EXCUSED:**

PAUL PIRRONE  
ROBYNE BUSH  
JAKE LAKE

**ALSO PRESENT:**

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

Bourque, called the Bedford Township Planning Commission meeting to order at 7:05 p.m. The Pledge of Allegiance was said. Kincaid called the roll. Quorum present.

***APPROVAL OF THE AGENDA***

***Motion by Bialecki, supported by Angerer, to amend agenda item 5 approval of the minutes of April 13, 2016 to be remove as the minutes were not provided for review and amend item 7D to a request for a recommendation for Final Preliminary Plat Approval for Brookwood Plat 2. Motion carried.***

***PUBLIC COMMENT (LIMIT 3 MINUTES)-***

***Thomas Randall 8580 Jackman Road***-Mr. Randall requested to move his comment to the Public Hearing Request (C below).

***NEW BUSINESS***

- A) REQUEST FOR A RECOMMENDATION TO THE BOARD OF ZONING APPEALS ON A SITE LAYOUT AND A TEMPORARY OUTDOOR RECREATIONAL USE FOR FOREST VIEW LANES ON PARCEL NUMBER 5802-028-023-00, OTHERWISE KNOWN AS 2345 W. DEAN ROAD***

Kincaid reviewed the request stating the site consists of approximately 9.22 acres and is the current site of Forest View Lanes and Sandy Courts Volleyball, with several temporary uses that were approved by the Zoning Board of Appeals on June 1, 2015. Kincaid stated at that time the applicant was also seeking approval to construct two additional volleyball courts north of the main structure and those courts have been installed and are up and operational. Kincaid stated the Zoning Ordinance requires that the Board of Zoning Appeals seek the review and recommendation of the Planning Commission prior to the taking of any action on the temporary use request. On May 13, 2015, the Planning Commission made a recommendation to approve the site plan and temporary use. Kincaid said per Section 400.2204, Board of Appeals, it also states that approval of the temporary use shall not exceed 12 months with the granting of 12 month extensions being permissible. The applicant is seeking to extend the temporary use that was granted in June 2015 and is scheduled to go before the Board of Zoning Appeals in June. No changes are proposed in the use that was granted in 2015. While a public hearing is not required at the Planning

Commission level, a public hearing is required at the BZA level and all property owners and occupants within 300' of the perimeter of the subject site will be notified of the request for an extension of the temporary use. Kincaid added, in speaking with the Ordinance Enforcement Department, no complaints have been received regarding the activities that have taken place on the site. Kincaid continued saying at this time the Planning Commission is asked to make a recommendation to the BZA on the layout and use. It shall be verified with the applicant that there are no proposed changes in the request that was submitted in 2015, as no changes have been presented to the Planning Department. Kincaid said discussions have ensued regarding the need to further review the zoning ordinance for possible amendments to include uses that have become popular, including further reviewing the procedures required when considering temporary uses.

**Rich Kenny-Owner Forest View Lanes-**Mr. Kenny stated he feels he has done a good job at the location for the community and would appreciate the approval to continue the use. Bialecki asked if there had been any changes to the use or the site layout and Mr. Kenny advised there have been no additional recreational activities other than what was previously approved.

Bourque and Angerer complimented the applicant on the location and the activities for the community.

Bourque advised the applicant he would need a majority vote to approve if wanting to move forward, or reschedule with full commission. The applicant waived the right to defer and requested to move forward.

***Motion by Zdybek, supported by Angerer, recommendation to the Bedford Township Zoning Board of Appeals to approve the site layout and a temporary outdoor recreational use for Forest View Lanes on parcel number 5802-028-023-00, otherwise known as 2345 W. Dean Road as per the ordinance it requires an annual approval and there are no changes from the previous year.***

***Roll call as follows: Voting Aye: Zdybek, Angerer, Bialecki, and Bourque. Voting Nay: None. Excused: Bush, Lake and Pirrone. Motion carried.***

***B) REQUEST FOR A RECOMMENDATION FOR TENTATIVE PRELIMINARY PLAT APPROVAL FOR PRAIRIE WOODS PLAT 5 ON PARCEL NUMBER 5802-026-065-16, LOCATED ON STERNS ROAD EAST OF LEWIS AVENUE.***

Kincaid stated the R-3 zoned plat is proposed for development in six plats. Plats I-IV have been developed and consists of 123 lots, and this submittal is for Tentative Preliminary Plat approval for Plat V, which consists of 18 lots. Kincaid advised the plat has two existing ingress/egress locations off of Sterns Road with three stub streets for possible future development. Kincaid noted review letters of approval were received from the MCRC issued on April 7, 2016, MCDC approval letter April 7, 2016 with contingencies, MSG letter of approval on March 29, 2016 with contingencies and Kathleen David of the MDEQ was in the vicinity on Wednesday, April 20, 2016 and stopped in the Planning Department with the developer and engineer to review the subject plat, and although Prairie Woods was reviewed and permits were issued a number of year ago, Ms. David indicated the MDEQ is further reviewing the plat due the number of years that have lapsed. Ms. David indicated a letter will be prepared and issued once the review has been completed. Kincaid went on to say the Bedford Township Fire Department approved the Tentative Preliminary Plat on April 18, 2016. Kincaid stated a recommendation to approve the TPP shall be contingent on addressing all requirements of the MCDC, MCRC, the Bedford Township Fire Department, MSG and the MDEQ.

**Brian Retar- FWB-**Mr. Retar stated this is an extension of the next plat of Prairie Wood Subdivision. The only change from the original submitted is a reduced the number of lots. Mr. Retar stated in speaking

with the MCDC there were changes in the drainage requirements. Mr. Retar referenced the meeting with MDEQ working with MCDC on drainage and wetlands.

Bourque advised the applicant he would need a majority vote to recommend approval if wanting to move forward or they can reschedule with full commission. The applicant waived the right to defer and requested to move forward.

Kincaid stated everything is in order to move forward with the TPP Approval, and any contingencies within the review letters will need to be addressed prior to Final Preliminary Plat Approval.

***Motion by Bialecki, supported by Zdybek, recommend to approve the Tentative Preliminary Plat approval for Prairie Woods Plat 5 on Parcel Number 5802-026-065-16, located on Sterns Road east of Lewis Avenue as submitted contingent on addressing all the requirements of MDEQ, MCRC, MCDC, MSG and the Bedford Township Fire Department prior to Final Preliminary Plat Approval.***

***Voting Aye: Bialecki, Zdybek, Angerer and Bourque. Voting Nay: None. Excused: Bush, Lake and Pirrone. Motion carried.***

***C) OPEN THE PUBLIC HEARING REGARDING THE OAK CREEK HOLDINGS REQUEST TO REZONE A PORTION OF PARCEL NUMBER 5802-022-065-11 & PARCEL NUMBER 5802-022-052-00 FROM R-2A, SINGLE FAMILY RESIDENTIAL TO R-3, SINGLE FAMILY RESIDENTIA ON A VACANT PARCEL LOCATED ON THE NORTH SIDE OF DEAN ROAD EAST OF JACKMAN ROAD NORTH OF DEAN.***

***Motion by Bialecki, supported by Zdybek, to open the public hearing at 7:25 p.m. Motion carried.***

Kincaid reviewed the analysis stating the request is to rezone approximately 43.5 acres from R-2A, Single Family Residential, to R-3, Single Family Residential. To the south of the subject site is Brookwood Subdivision which is R-3, Single Family Residential zone and Village at Oak Creek which is R-2A, Single Family Residential. Kincaid advised the difference between and R-2A and an R-3 zoning district is frontage, area, and setback requirements. The approximate 3.5 acre parcel located on Jackman Road appears to be planned as an ingress/egress to the approximate 40 acre parcel to the east, with a second connection being made through the existing subdivisions to the south. Kincaid added on April 1, 2014, the Township Board rezoned the property now being developed as Brookwood from R-2A to R-3 and the Master Plan designates this area as Suburban Residential. Kincaid stated at this time no plan is submitted, with that coming at a later date.

Thomas Randall-8580 Jackman Road-Mr. Randall stated his opposition to the proposed rezoning due to the amount of existing homes and additional homes already proposed causing an increase in traffic flow being an ingress/egress close to the school and library. Mr. Randall also voiced opinion if the parcel is approved to be rezoned the frontage requirement will allow more homes to be developed.

Kurt Wilt- 8310 Jackman Road- Mr. Wilt said he lives across from the high school and currently has construction behind his home. Mr. Wilt referenced the new egress discussed in the plans and the traffic issues currently on Jackman Road. Mr. Wilt referenced the change in zoning would allow more homes and increase traffic. Mr. Wilt complimented on the homes being developed but felt they were in close proximity to one another and referenced the frontage. Kincaid gave clarification that the homes currently being developed are R-3, Single Family Residential with a 60' frontage requirement and is what is being requested. Mr. Wilt made reference to a previous rezoning request where Brookwood Plats I & II are currently located.

Craig Adams- 1521 W. Temperance Road- Mr. Adams stated the rear of his property abuts the proposed rezoning. Mr. Adams stated his concerns were the rear of his property becoming a dumping area. Mr. Adams advised of the pipeline running through that area to make sure that is taken into consideration.

**David Schmitt-Oak Creek Holdings**-Mr. Schmitt stated they are proposing an extension of Brookwood which has been very successful. Mr. Schmitt stated there is a closer side yard setback requirement but referenced a 20' setback between the homes. Mr. Schmitt commented on the difference between an R-3 and R-2A zoning district. Mr. Schmitt stated the market they are selling to are retired and he does not feel that type of community would cause an increase of traffic. Mr. Schmitt made clarification on the current issue of children walking through the yards on Jackman Road and he felt the proposed ingress/egress would give an outlet to Jackman Road with a sidewalk. Mr. Schmitt noted on the drainage and the development resolving some of those issues with them working with the MCDC. Mr. Schmitt stated they will work with the home owners on screening and requirements.

***Motion by Zdybek, supported by Angerer, to close the public hearing at 7:35 p.m. Motion carried.***

Mr. Kamprath asked the applicant if there is a necessity to rezone the parcel leading to Jackman Road to rezone to R-3, inquiring even though there is no plan submitted and this is only a rezoning, Mr. Kamprath suggested clarification if that needed to be rezoned for the development. Mr. Schmitt stated at this time they are looking at developing on at least one side of the street.

Bourque advised the applicant he would need a unanimous vote to recommend approval if wanting to move forward or reschedule with full commission. The applicant waived the right to defer and requested to move forward.

Angerer clarified the difference in the amount of homes with the acreage and the R-3 frontage requirement of 60' on the parcel off Jackman Road.

Bourque said it was a very nice development. Bialecki voiced her concern with traffic during school hours, but does not know how to address the issue for those whom voiced that concerned. Bourque agreed.

Angerer inquired on the Master Plan and the difference between Suburban Residential and High Density Residential Zoning. Kincaid stated the request falls within the Suburban Residential of the Master Plan but this request is on the higher end of the allowed density. Kincaid gave examples of current R-3 Zoned developments within the Township. Bialecki added there are rarely vacancies within those developments.

***Motion by Zdybek , supported by Bialecki , recommend to approve the Oak Creek Holdings request to rezone a portion of parcel number 5802-022-065-11 & parcel number 5802-022-052-00 from R-2A, Single Family Residential to R-3, Single Family Residential on a vacant parcel located on the north side of Dean Road as it meets the intent of the Master Plan.***

***Voting Aye: Zdybek, Bialecki, Angerer, and Bourque. Voting Nay: None Excused: Bush, Lake and Pirrone. Motion carried.***

Kincaid advised the rezoning will go before the Monroe County Planning on the second Wednesday of the month, then before the Township Board and there will be no other Public Hearing.

***D) REQUEST FOR A RECOMMENDATION FOR FINAL PRELIMINARY PLAT APPROVAL FOR BROOKWOOD PLAT 2 ON PARCEL NUMBER 5802-022-065-11, LOCATED ON DEAN ROAD EAST OF JACKMAN ROAD***

Kincaid reviewed the analysis stating Plat II consists of 30 R-3 zoned Single Family Residential lots and will complete the Brookwood Subdivision Development. The subject plat will connect existing Plat I with Village at Oak Creek which is a separate subdivision but will provide an uninterrupted connection to a second access to Dean Road. On August 12, 2014, a waiver was granted by the Township Board on lots 54 & 55 regarding a depth-to-width ratio of more than 4:1. Kincaid noted approval letters from MCRC dated April 6, 2016 with comments, MCDC on April 12, 2016, MSG on April 19, 2016 with the applicant providing revised drawings for further review to address the items outlined in the review letter, MDEQ permit # 14-58-0036-P issued on October 28, 2014 to Oak Creek Holdings, LLC and the Bedford Township Fire Department letter on April 19, 2016, noting if there are any changes in the plat design prior to Final Plat Approval, the Bedford Township Fire Department reserves the right to further review the construction drawings. Kincaid said in summary, if Final Preliminary Plat II is recommended the following contingencies should be considered: that any and all issues outlined in the MCRC, MCDC, MSG and the Bedford Township Fire Department review letters shall be addressed prior to Final Plat Approval.

***Dave Schmitt-Oak Creek Holdings-*** Ms. Bourque requested clarification on the review letter from MSG dated April 19, 2016 and Mr. Schmitt reviewed the review letter stating he had not yet received that information but all those issues will be addressed.

Bourque advised the applicant he would need a majority vote to recommend approval if wanting to move forward or reschedule with full commission. The applicant waived the right to defer and requested to move forward.

***Motion by Angerer, supported by Zdybek, recommend to approve the request for Final Preliminary Plat Approval for Brookwood Plat 2 on parcel number 5802-022-065-11, located on Dean Road east of Jackman Road contingent upon meeting the issues in the MCRC, MCDC, MDEQ, MSG and Bedford Township Fire Department letters, and it will connect to Village Oak Creek supplying a means of a second ingress/egress.***

***Roll call as follows: Voting Aye: Angerer, Zdybek, Bialecki and Bourque. Voting Nay: None. Excused: Bush, Lake and Pirrone. Motion carried.***

***PUBLIC COMMENT –None***

***INFORMATION – None***

***COMMISSION / STAFF COMMENT –***

Kincaid advised the Planning Department is working on language on the ordinances brought before the Planning Commission two weeks ago. Bourque inquired on ordinance requirements for Forest View Lanes and Zdybek inquired on the Farmers' Market use. Kincaid stated both are amendments to the zoning ordinance and in both cases the portion of the BZA would need amended also. Kincaid added she has discussed the issue with the attorneys.

***ADJOURNMENT –***

**The meeting was duly adjourned at 8:00 p.m.**

*Respectfully submitted,*

*Jodie L. Rector Recording Secretary*