

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

PRESENT:

KORLEEN BIALECKI
PAUL PIRRONE
TOM ZDYBEK
ROBYNE BUSH
MARYANNE BOURQUE
MATT ANGERER

EXCUSED:

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

Bourque called the Bedford Township Planning Commission meeting to order at 7:04 p.m. The Pledge of Allegiance was said. Kincaid called the roll. Quorum present.

APPROVAL OF THE AGENDA

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

APPROVAL OF THE MINUTES

Motion by Angerer, supported by Bush, to approve the minutes of June 22, 2016.

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

Motion by Bush, supported by Angerer, to approve the minutes of July 13, 2016.

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

PUBLIC COMMENT (LIMIT 3 MINUTES)-None

NEW BUSINESS

A) REQUEST FOR SIGN WAIVER FOR SECOR STERNS INVESTMENT, DOLLAR TREE, ON PARCEL NUMBER 5802-031-006-10, 7375 SECOR ROAD, LAMBERTVILLE, MI 48144.

Kincaid reviewed the analysis stating the applicant is seeking a variance request for the placement of the proposed sign due to the building and roof design. Per Section 400.1922.1 V, permanent non-freestanding signs shall be wall signs, attached to a wall of a building such that no part of the sign shall be located higher than the lowest point of the roof attached to the wall of the building where the sign is located. Kincaid went on to add the applicant is proposing an approximate 70 square foot sign, 2 feet 7 ½

inches in height attached to a permanent parapet wall that was installed as part of the recent renovations to match the existing parapet wall on the former Food Town location. The parcel is zoned C-3, General Commercial, and per Section 400.1922 7b) 2 1/2 feet in height and either 50 square feet in area or 80% of the width of the unit, whichever is less, thus requiring the requested waiver of 20 square feet in area and 1 1/2 inch overall height waiver. If the request is considered, the following waiver is required:

- A 1 ½ inch height waiver
- 20 square feet in area waiver
- Permit the placement of the sign above the lowest point of the roofline due to the roof design

Kincaid also said the following shall be considered for inclusion in any motion to approve:

- A sign and electrical permit shall be obtained from Bedford Township
- The applicant shall continue to work with the Township to ensure placement of the sign meets all the requirements of this waiver.

Tracey Diehl- 6529 Hummingbird Drive, Canal Winchester OH 43110-Representative for Dollar Tree- Ms. Diehl stated the building is intended to have multiple tenants, Dollar Tree being one. The proposed sign design is to stay consistent with the current façade at the location, which was the former Food Town location. Ms. Diehl visited the location as she was not familiar with the area, and observed the proposed sign rendering is similar to the existing signs within the shopping center. Ms. Diehl referenced the location of the building and visibility to locate the Dollar Tree, adding the proposed sign is the smallest of the sign designs the Dollar Tree offers, and if this is not approved, a custom made sign would have to be designed. Ms. Diehl expressed her opinion in regards to safety for the requested increased proposed signage for visibility for the community.

Angerer inquired if the intent was to increase the parapet wall, Ms. Diehl stated her understanding was the parapet wall was to remain the same. Ms. Diehl approached the Members and had a rendering of the sign and location. Angerer stated the majority of the sign would be on the existing parapet wall. Ms. Diehl stated about 90% of the signage. Bialecki stated that rendering was not provided. Ms. Diehl stated she did not prepare the request, only was asked to attend the meeting and provide the rendering that had been supplied to her the afternoon of the meeting date. Bialecki requested clarification on the parapet wall. Ms. Diehl stated it will remain the same. Rector stated she had spoken to the sign company for clarification on the submitted rendering to the Planning Department and was advised the parapet wall was to be increased with the current renovations. Rector advised the Planning Department had not yet received the rendering Ms. Diehl was supplying to the Commission Members and that the parapet wall had already been increased. Kincaid agreed. Kincaid added there had already been a permit pulled to extend the parapet wall. Bush understood adding for aesthetic purposes. Ms. Diehl agreed that it would make sense to extend the sign to be located in front of the portion of the Dollar Tree. Bialecki stated she understood it was for an aesthetic reason; however, further saying she was uncomfortable with the size of the waiver. Kincaid stated each size waiver is based on a case by case basis, size of building, setback from the road, speed of traffic, etc. Further discussion continued regarding other signs in the area, visibility and safety of location. Bialecki reiterated concern on the amount of the waiver request of 20 square feet and if Food Town had received a waiver. Kincaid explained the formula used to calculate the square footage as required by ordinance.

Bourque informed the applicant that the commission was one member short, offering the option to defer to a later date when all members could be present. Ms. Diehl opted to move forward as scheduled.

Motion by Bush, supported by Zdybek, to approve the request for a sign waiver for Secor Sterns Investment, Dollar Tree, on parcel number 5802-031-006-10, 7375 Secor Road, Lambertville, MI 48144 to allow a 1 ½ inch height waiver, a 20 square feet in area waiver, and to allow the placement of

the sign above the lowest point of the roofline due to the roof design, with the conditions being a sign and electrical permit be obtained from Bedford Township Building Department and the applicant shall continue to work with Bedford Township to ensure placement of the sign meets all the requirements of this waiver.

Roll call as follows: Voting Aye: Bush, Zdybek, Pirrone, Angerer, and Bourque. Voting Nay: Bialecki. Excused: Lake. Motion carried.

A) OPEN THE PUBLIC HEARING REGARDING ARTICLE IV, R-1 THROUGH R-3, ONE FAMILY RESIDENTIAL ZONING DISTRICTS, SECTION 400.403, TO ALLOW PONDS WITHIN A RESIDENTIAL ZONING DISTRICT WITH SPECIAL APPROVAL.

Motion by Bialecki, supported by Bush, to open the public hearing at 7:29 p.m. Motion carried.

Kincaid advised this topic has been presented and discussed with the Planning Commission and at the Meeting of a Whole with the Township Board and the Planning Commission where there was positive feedback. Kincaid added the proposed language is in red and the pond ordinance will require amending as well, saying the Pond Ordinance is a General Code Ordinance that will go only before the Township Board for approval. Kincaid went on to explain further review was conducted prior to the meeting and additional language is being proposed that includes *"or as an accessory use incident to a single family dwelling on a parcel of land not less than ten acres in size"* with the remaining language staying the same.

Motion by Angerer, supported by Bush, to close the public hearing at 7:30 p.m. Motion carried.

Bush questioned how the standing water and issues regarding mosquitos is addressed. Kincaid advised the Pond Ordinance regulates setback requirements from septic systems, wells, homes etc. and maintenance of the pond. Kincaid stated a pond submittal requires an engineered site plan.

Mr. Kamprath explained this is a recommendation to the Township Board; it will be presented to the Monroe County Planning for a recommendation, where the Township Board will make a decision to approve, deny or amend the proposed ordinance. Mr. Kamprath advised the option to defer should be offered and Karen Kincaid could make that decision on behalf of the township.

Bourque informed the applicant that the commission was one member short, offering the option to defer to a later date when all members could be present. Kincaid opted to move forward as scheduled.

Motion by Bialecki, supported by Bush, to recommend approval of Article IV, R-1 through R-3, One-Family Residential Zoning District, Section 400.403, to allow ponds within a Residential Zoning District with Special Approval with the additional language or as an accessory use incident to a single family dwelling on a parcel of land not less than ten acres in size.

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

A) OPEN THE PUBLIC HEARING REGARDING ARTICLE IX, AG, AGRICULTURAL ZONING DISTRICT, SECTION 400.901, TO ALLOW POOLS WITHIN AN AGRICULTURAL ZONING DISTRICT

Motion by Bialecki, supported by Bush, to open the public hearing at 7:31 p.m. Motion carried.

Kincaid added again this ordinance has previously been before the Planning Commission and the Meeting of the Whole. Dennis Kolar, Building Official, is proposing the ordinance amendment as currently the ordinance does not permit pools in an agricultural zoning district and this amendment would allow pools in AG while meeting requirements such as barriers, setbacks etc. Kincaid added she had spoken with Mr. Kamprath and after reviewing the proposed language Mr. Kamprath advised in #14 to add *an accessory use incident to a single family dwelling (added) within the rear yard or side yard, provided they meet the following requirements*, to avoid a pool being located on vacant property. Kincaid stated adding this language will allow the use in an Agricultural Zoning District. Angerer inquired if the language for the ordinance is the same as current language for pools in a Residential Zoning District. Kincaid stated yes, with adding the language suggested by Mr. Kamprath. Mr. Kamprath added without adding the language “accessory use incident to a single family dwelling”, it would allow a pool as an accessory to any use permitted in an Agricultural District, such as farms, private stables, kennels, cemeteries, etc.

Motion by Bialecki, supported by Bush, to close the public hearing at 7:39 p.m. Motion carried.

Bourque informed the applicant that the commission was one member short, offering the option to defer to a later date when all members could be present. Kincaid opted to move forward as scheduled.

Motion by Bialecki, supported by Bush, to recommend approval regarding Article IX, AG, Agricultural Zoning District, Section 400.901, to allow pools within an Agricultural Zoning District as presented, also to include the added language of private pools shall be permitted as an accessory use incident to a single family dwelling within the rear yard or side yard, provided they meet the following requirements, with no other changes to the language presented.

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

A) OPEN THE PUBLIC HEARING REGARDING ARTICLE XIX, GENERAL PROVISIONS, SECTION 400.1920, STORAGE OF RECREATIONAL VEHICLES, TO INSERT NEW LANGUAGE TO ADDRESS THE PARKING AND STORAGE OF TRAILERS ON RESIDENTIAL LOTS

Motion by Bialecki, supported by Bush, to open the public hearing at 7:41 p.m. Motion carried.

Kincaid said this ordinance also has been presented to the Planning Commission and at the Meeting of the Whole. Kincaid added this proposed language amendment is being presented by the Ordinance Enforcement Department. Kincaid reviewed the ordinance stating currently the ordinance addresses Storage of Recreational Vehicles; with proposed additional language to include *non-commercial trailers and equipment*. Kincaid continued stating a conversation with Mr. Kamprath in line #3, in reference to entire recreational vehicle, trailer and/or equipment; we would like to propose the additional language to include *non-commercial trailer and/or equipment*. Kincaid added the proposed language will increase the hours to be parked within a front yard on a temporary basis from 24 hours to 48 hours. Kincaid also stated there has been a limit provided of “with an accumulative total not to exceed 14 days (two weeks) in any one calendar year (January 1 through December 31)”. Bush referred back to the meeting of a whole stating she could not recall any discussion on the added language of a 14 day requirement. Pirrone and Bialecki added they did not recall that information either. Kincaid reminded the Commission Members this is a recommendation and changes can be made. Discussion continued regarding the amount of time frame of 7 weekends a year and the amount of permitted time of 48 hours to be located in the front yard and if that amount of time was too restrictive for a resident to park in the front yard and still be able to pack and unpack. Example was given by Kincaid of the language supporting the Ordinance Enforcement Department to eliminate parking in the front yard and then moving daily to avoid the 48 hour time frame. Kincaid also added previously only a 24 hour time frame and the proposed language would increase to 48

hours and applies only if parked in the front yard. Bush voiced her opinion on proposed language being restrictive. Pirrone added proposed language has been increased to 48 hours and the parking in a subdivision is where the safety concerns are, further saying the increase to two days should be ample amount of time. Bourque agreed. Pirrone asked for clarification on the time frame of 14 days and Kincaid explained it was from further research on other ordinances. Mr. Kamprath said the Planning Commission has had a good discussion regarding time frame, further saying the Commission cannot to lose sight that this is a case of competing property interests. Mr. Kamprath said it is not only the property owner who want to park their trailer that must be kept in mind, neighboring property owners must also be kept in mind as neighbors' properties are affected by the use of another neighbor's property. Mr. Kamprath advised to look at all residents, the one that is adversely affected, and the one that wants to park their trailer for a reasonable amount of time. Pirrone added when moving into a neighborhood you must be courteous with your dogs, trailer and garbage, as it is the community and you must think of everybody. Bush disagreed with the 14 day requirement language.

Motion by Bialecki, supported by Bush, to close the public hearing at 7:59 p.m. Motion carried.

Bourque informed the applicant that the commission was one member short, offering the option to defer to a later date when all members could be present. Kincaid opted to move forward as scheduled.

Motion by Zdybek, supported by Bialecki, to recommend approval regarding Article XIX, General Provisions, Section 400.1920, Storage of Recreational Vehicles, to insert the proposed new language to address the parking and storage of trailers on residential lots adding the language of non-commercial trailers and equipment. All types of non-commercial trailers and equipment and entire recreational and non-commercial vehicle, trailer and/or equipment shall be parked to the rear of the front building line of the main building.

Roll call as follows: Voting Aye: Zdybek, Bialecki, Pirrone, Angerer, and Bourque. Voting Nay: Bush. Excused: Lake. Motion carried.

PUBLIC COMMENT –NONE

INFORMATION –

Kincaid advised we are not certain at this time if there will be a meeting on August 10th, however there is an item tentatively ready to be presented.

COMMISSION / STAFF COMMENT – NONE

ADJOURNMENT –

The meeting was duly adjourned at 8:02 p.m.

*Respectfully submitted,
Jodie L. Rector
Recording Secretary*