

MINUTES  
BEDFORD TOWNSHIP PLANNING COMMISSION  
8100 JACKMAN ROAD, TEMPERANCE, MICHIGAN  
AUGUST 28, 2019

PRESENT:

MATTHEW ANGERER, CHAIR  
DENNIS JENKINS, VICE-CHAIR  
NANCY TIENVIERI, TOWNSHIP BOARD LIAISON  
DAN STEFFEN, SECRETARY  
TOM ZDYBEK  
RON FRITZ  
JOE GARVERICK

EXCUSED:

NONE

ABSENT:

NONE

ALSO PRESENT:

TOM GRAHAM, LENNARD, GRAHAM & GOLDSMITH, LEGAL COUNSEL  
KAREN 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 7:03 p.m. The Pledge of Allegiance was said. Steffen called the roll. Quorum present.

*APPROVAL OF THE AGENDA*

Motion by Steffen, supported by Tienvieri, to approve the agenda. Motion carried.

*APPROVAL OF THE MINUTES OF JULY 24, 2019*

Motion by Tienvieri, supported by Jenkins, to approve the minutes of July 24, 2019. Motion carried. Garverick abstained due to absence.

*PUBLIC COMMENT (LIMIT 3 MINUTES)*

None

*NEW BUSINESS*

- A) REQUEST FOR FINAL SITE PLAN APPROVAL FOR HAMPTON MANOR ASSISTED LIVING CENTER FOR HAMPTON MANOR PREMIER ASSISTED LIVING, 1320 RICKETT ROAD, BRIGHTON, MI 48116, LOCATED ON PARCEL NUMBER 5802-032-055-63, ON THE SOUTH SIDE OF STERNS ROAD, EAST OF SECOR ROAD, LAMBERTVILLE, MI 48144**

Kincaid reviewed the request stating, on March 19, 2019, the Township Board approved to rezone a seven-acre portion of parcel 5802-032-055-60 from R-2A, Single Family Residential to RME, Elderly Housing, and on May 24, 2019 the parcel was approved for a land division.

Kincaid stated the applicant is proposing a 61,784 square foot building for an elderly housing care facility. Proposed are a total of 76 units, five 2-bedroom units and 71 1-bedroom units. The site layout indicates four proposed courtyard areas having access only from the interior of the building. The site plan shows sidewalks being installed along Sterns Road and an interior sidewalk around a portion of the building.

The landscaping plan (LP-1 and LP-2) per Section 400.1907, provides a variety of street scape plantings to buffer the parking lot from the street, and meets the requirement of a minimum of one ornamental tree for every 50 lineal feet of frontage, plus one shrub for every ten lineal feet, or portion thereof, of frontage. No interior parking lot landscaping is required. The landscaping plan also shows a variety of plantings to be installed within the courtyard area.

Kincaid said in addition to the proposed landscaping, while an offsite shared detention pond is proposed and will be submitted separately from this site plan for review and approval to ensure compliance with the MCDC and Township requirements, the landscaping requirements shall include landscaping of one deciduous/evergreen and ten shrubs to be planted for every 100 lineal feet of pond perimeter as measured along the top of the bank elevation. Once the review letters are received from the MCDC and the Mannik & Smith Group, the plan will be forwarded to the Planning Commission for Site Plan Approval.

Kincaid noted in reviewing the illumination plan, per Section 400.1908, light poles within a site that requires less than 100 parking spaces shall not exceed 20 feet in height. There are fourteen light poles shown within the parking area 20 feet in height and the building-mounted lighting on all sides of the structure are at 8 feet in height. All exterior lighting shall be fully shielded and directed downward to prevent off-site glare, including building-mounted lighting with more than 60-watt bulbs. As required by ordinance, the intensity of light within the site shall not exceed 10 foot-candles at ground level at the property line when adjacent to other commercial property and within the site shall not exceed 0.5 foot-candles at ground level and at the property line when adjacent to residential property. The submitted lighting plan (Sheet 12) complies with the foot candle requirements; however, it should be verified all wall lighting is directed so to prevent off-site glare.

Kincaid stated Section 400.1904 regulates parking space requirements. The site plan states parking calculations are one space for each 2 units and one space for each employee which requires 48 parking spaces. There are 51 spaces including 5 barrier free spaces shown on the site plan, which exceeds the requirements by ordinance.

Kincaid advised as shown on the site plan, the dumpster location is to the southeast corner of the parcel and is being screened by a masonry wall with a lockable gate. It is stated the brick facade will match the main building (Sheet 05).

Per Section 400.1906 E: Multiple-family and Elderly housing requires a 10-foot by 30-foot loading/unloading space for each building over 20,000 square feet. It should be verified as the Planning Department was advised there are only small box truck deliveries and no need for a loading/unloading area.

Kincaid said there is no proposed signage at this time. Approvals have been received from the Mannik and Smith Group dated 7/16/2019 with comments/conditions, Monroe County Road Commission dated 7/30/2019 with comments/conditions, Monroe County Drain Commission dated 8/15/2019 with comments/conditions, and the Monroe County Drain Commission is continuing to work with the applicant regarding soil erosion. Should Final Site Plan approval be granted it should be conditioned upon obtaining a Soil Erosion/Sedimentation Control permit from the MCDC, and the Bedford Township Fire Department approved the plan on 7/14/2019 with comments and conditions.

Kincaid advised should Final Site Plan Approval be granted, the Planning Commission may want to include the following, Final Site Plan Approval shall be contingent upon addressing all comments/conditions of the MSG, MCDC, MCRC and BTFD review letters, conditioned upon obtaining a Soil Erosion/Sedimentation Control permit from the MCDC and any proposed signage shall be submitted and approved by the Planning Department before being installed.

**Sam Martin-Owner & Evan Priest-Architect**-Mr. Martin and Mr. Priest were available to answer any questions.

Tienvieri requested that the application be filled out completely. Mr. Martin apologized and stated it will be completed. Commission members discussed in great length lighting, signage and parking. Mr. Martin expressed the building and lighting will have a residential appearance and the lighting will be shielded downward to prevent off site glare. Mr. Martin added the sign rendering will be submitted separately and will comply with the ordinance requirements.

**MOTION BY JENKINS, SUPPORTED BY TIENVIERI, TO GRANT FINAL SITE PLAN APPROVAL FOR HAMPTON MANOR ASSISTED LIVING CENTER FOR HAMPTON MANOR PREMIER ASSISTED LIVING, 1320 RICKETT ROAD, BRIGHTON, MI 48116, LOCATED ON PARCEL NUMBER 5802-032-055-63, ON THE SOUTH SIDE OF STERNS ROAD, EAST OF SECOR ROAD, LAMBERTVILLE, MI 48144 CONTINGENT UPON ADDRESSING ALL COMMENTS/CONDITIONS OF THE MSG, MCDC, MCRC AND BTFD REVIEW LETTERS, CONDITIONED UPON OBTAINING A SOIL EROSION/SEDIMENTATION CONTROL PERMIT FROM THE MCDC AND ANY PROPOSED SIGNAGE SHALL BE SUBMITTED AND APPROVED BY THE PLANNING DEPARTMENT BEFORE BEING INSTALLED.**

**Roll call as follows: Voting Aye: Jenkins, Tienvieri, Zdybek, Fritz, Garverick, Steffen and Angerer**

**Nay: None**

**Excused: None**

**Absent: None**

**Motion carried.**

- B) REQUEST FOR A SIGN WAIVER FOR BEDFORD PUBLIC LIBRARY, ON PARCEL NUMBER 5802-021-053-10, 8575 JACKMAN ROAD, TEMPERANCE, MI 48182**

Rector reviewed the analysis, saying, the applicant is seeking to replace the existing sign with a monument sign to include an LED Message Board at the Bedford Public Library located at 8575 Jackman Road. Per Section 400.1922.1) O: states no flashing, moving, oscillating or intermittent type of illuminated sign or display shall be permitted in any zoning district except for time and temperature signs that are designed to serve the public rather than advertise, and which must first be approved by the Planning Commission. While the sign design meets the requirements by ordinance, a variance is required to allow an LED message board. Rector said on August 20, 2019, the Township Board granted the fee waiver for the application for this request. Rector noted should the request be considered to allow an LED message board, the following shall be considered for inclusion in any motion to approve, all required permits shall be obtained from Bedford Township, the applicant shall continue to maintain the entire perimeter landscaped area of the base, no less than two feet wide, growing, and in healthy condition, and the sign shall be located outside of the road right-of-way and the corner clearance area.

**Jacalyn McMahon- 7957 George Street-Representative for Friends of the Library & Jodi Russ-Representative for the Library-**Ms. McMahon was available to answer any questions.

Garverick inquired on the ability to dim the lighting. Kincaid added a five second interval has been included with other requests for LED message boards. Tienvieri added the Township Board also waived any and all building/permit fees. Tienvieri clarified that the responsibility of maintaining the perimeter of the signage, as the property is owned by the Township, would be the responsibility of the Township. Attorney Graham agreed.

**MOTION BY STEFFEN, SUPPORTED BY TIENVIERI, TO APPROVE THE SIGN WAIVER FOR BEDFORD PUBLIC LIBRARY, ON PARCEL NUMBER 5802-021-053-10, 8575 JACKMAN ROAD, TEMPERANCE, MI 48182 CONDITIONED UPON ALL REQUIRED PERMITS SHALL BE OBTAINED FROM BEDFORD TOWNSHIP, THE APPLICANT SHALL CONTINUE TO MAINTAIN THE ENTIRE PERIMETER LANDSCAPED AREA OF THE BASE, NO LESS THAN TWO FEET WIDE, GROWING, AND IN HEALTHY CONDITION, AND THE SIGN SHALL BE LOCATED OUTSIDE OF THE ROAD RIGHT-OF-WAY AND THE CORNER CLEARANCE AREA AND NO MORE THAN A FIVE SECOND INTERVAL.**

**Roll call as follows: Voting Aye: Steffen, Tienvieri, Fritz, Jenkins, Zdybek, Garverick and Angerer**

**Nay: None**

**Excused: None**

**Absent: None**

**Motion carried.**

- c) REQUEST FOR A RECOMMENDATION FOR A RE-APPROVAL FOR TENTATIVE PRELIMINARY PLAT APPROVAL FOR HICKORY CREEK PLAT 5 ON PARCEL NUMBERS 5802-035-014-00, 5802-035-015-00, AND A PORTION OF 5802-035-011-00, LOCATED ON STERNS ROAD, EAST OF LEWIS AVENUE**

Kincaid reviewed the memo, saying on June 5, 2018 the Bedford Township Board approved the Tentative Preliminary Plat for Plat V subject to conditions. As Tentative Preliminary Plat approval is only good for one year, a reapproval is required to move forward and item 7D shall also be discussed with this request however two separate motions are required.

**D) REQUEST FOR A RECOMMENDATION FOR APPROVAL FOR FINAL PRELIMINARY PLAT APPROVAL FOR HICKORY CREEK PLAT 5 ON PARCEL NUMBERS 5802-035-014-00, 5802-035-015-00, AND A PORTION OF 5802-035-011-00, LOCATED ON STERNS ROAD, EAST OF LEWIS AVENUE**

Kincaid reviewed the analysis, saying this request is for Final Preliminary Plat Approval for Plat 5 of Hickory Creek, consists of 22 lots, one of which contains an existing home, and is on approximately 9.667 acres. The existing home will have access from Red Hawk Drive, which is the project's ingress/egress from Sterns Road, with Falcon Ridge Court, a cul de sac, east off of Red Hawk Drive. The submitted plan shows the intent is to connect to the existing Hickory Creek Subdivision, which will subsequently provide a second means of ingress/egress off Sterns Road via Red Hawk Drive through future development to the south.

Kincaid stated Tentative Preliminary Plat Approval was granted by the Township Board on June 5, 2018, which expired on June 5, 2019, as TPP approvals are valid for one year. The zoning ordinance allows for the Township Board to grant an extension of the TPP approval; however, due to the expiration of the TTP approval, the applicant is seeking TPP approval and FPP approval. It should be noted, TPP approval requires less information for consideration than what is required for FPP approval. The TPP approval is being requested, as the State of Michigan requires all approvals be obtained in sequential order.

Kincaid stated the MCRC has approved the Final Preliminary Plat with comments and conditions on July 10, 2019, the MCDC has approved the Final Preliminary Plat with comments and conditions on June 12, 2019, MSG has approved the Final Preliminary Plat with comments and conditions on August 14, 2019 and the applicant is continuing to work with EGLE on the site to obtain the necessary permits, and the Bedford Township Fire Department has approved the Final Preliminary Plat with comments and conditions on April 11, 2019.

Kincaid advised the following should be considered if Final Preliminary Plat approval is recommended: that any and all issues outlined in the MCRC, MCDC, The Mannik & Smith Group, and the Bedford Township Fire Department letters shall be addressed, and necessary permits be secured from EGLE prior to Final Plat approval.

**Joe Wehrle- 14677 Albain Road, Petersburg-** Mr. Wehrle was available to answer any questions.

Tienvieri inquired on what was being considered as a second access. Kincaid explained when approval was granted by the Township Board for Plat 4, it was conditioned upon a second means of ingress/egress to the development. Tienvieri asked where is the access. Kincaid advised one existing off Lewis Avenue and the second to be installed with Plat 5 off Sterns Road. Kincaid noted while with Plat 5 there is no direct connection to the existing development, once the

subsequent plats are developed, Sterns Road will provide a second access. Tienvieri asked in regards to the EGLE process. Kincaid stated it is what was formerly MDEQ, and the applicant is continuing to work on that process to obtain a permit. Mr. Graham spoke on the project and glad to see development moving forward.

**MOTION BY STEFFEN, SUPPORTED BY TIENVIERI, TO RECOMMEND RE-APPROVAL FOR TENTATIVE PRELIMINARY PLAT APPROVAL FOR HICKORY CREEK PLAT 5 ON PARCEL NUMBERS 5802-035-014-00, 5802-035-015-00, AND A PORTION OF 5802-035-011-00, LOCATED ON STERNS ROAD, EAST OF LEWIS AVENUE.**

**Roll call as follows: Voting Aye: Steffen, Tienvieri, Jenkins, Fritz, Garverick, Zdybek and Angerer  
Nay: None  
Excused: None  
Absent: None  
Motion carried.**

**MOTION BY JENKINS, SUPPORTED BY TIENVIERI, TO RECOMMEND APPROVAL FOR FINAL PRELIMINARY PLAT APPROVAL FOR HICKORY CREEK PLAT 5 ON PARCEL NUMBERS 5802-035-014-00, 5802-035-015-00, AND A PORTION OF 5802-035-011-00, LOCATED ON STERNS ROAD, EAST OF LEWIS AVENUE CONTINGENT UPON ALL ISSUES OUTLINED IN THE MCRC, MCDC, THE MANNIK & SMITH GROUP, AND THE BEDFORD TOWNSHIP FIRE DEPARTMENT LETTERS SHALL BE ADDRESSED, AND NECESSARY PERMITS BE SECURED FROM EGLE PRIOR TO FINAL PLAT APPROVAL.**

**Roll call as follows: Voting Aye: Jenkins, Tienvieri, Zdybek, Garverick, Fritz, Steffen and Angerer  
Nay: None  
Excused: None  
Absent: None  
Motion carried.**

**E) DISCUSSION ON PROPOSED LANGUAGE FOR A ZONING TEXT AMENDMENT CHANGE REGARDING THE AGRICULTURAL ZONING DISTRICT, FROM AG TO AN AG-1 DISTRICT AND AN AG-2 DISTRICT TO BRING THE ZONING ORDINANCE INTO COMPLIANCE WITH THE 2015 ADOPTED MASTER PLAN ZONING DESIGNATION.**

Lucie Fortin, MSG, Township Planner, spoke on the proposed language amendment. Ms. Fortin spoke on the adopted Master Plan and bringing the zoning districts into compliance. Ms. Fortin displayed several different types of development layouts for the Commission members to view on what could be a potential development in an Agricultural District with the proposed new language. Ms. Fortin spoke on how many parcels could be developed with the existing requirements of 330 feet of frontage and 5 acres in comparison to what is being proposed of 165 feet of frontage and

2.5 acres. Ms. Fortin expressed the intent is preserve larger portions of farm land and create smaller lots. Ms. Fortin said there is a lack of want or need for five acre lots within the community, further stating any proposed development would still have to comply with the requirements of the Land Division Act. Ms. Fortin spoke on the proposed areas, saying the areas are up for discussion within the Township. Ms. Fortin opened the floor up for discussion, comments and or questions from the Commission members.

Commission members discussed the remaining preserved farmland for future development, types of “farm” animals, as the proposed language would be creating smaller, more residential type parcels, and/or would there be any restrictions on the newly created parcels.

Attorney Graham inquired on the existing AG Estates Zoning District and the issues within the Township. Jenkins expressed concern that the developments created with that ordinance were not developed by the intent of the ordinance. Graham stated the proposed language amendment is an attempt to provide a district with more density or a residential estate type development within an agricultural district. Ms. Fortin stated the district is described as secondary agricultural/rural residential within the adopted Master Plan. Mr. Graham agreed there is a need for this type of district. Mr. Graham spoke on a concern Mr. Kamprath expressed to him regarding the State’s requirements on the number of land divisions and allowing additional land splits after a number of years, and the process of creating condominiums with this district. Jenkins stated it would be restricted by the Land Division Act and other than through the platting process, a PUD would be the only other option at this time. Kincaid added the development would have to maintain the required density. Tienvieri asked why the need for this type of district. Ms. Fortin said during the Master Plan there was discussion with a strong desire to not only reduce the required size of the lots but to preserve farm land. Discussion continued on what benefits this type of district will provide to the farmers of the community. Garverick said this option would allow for additional lots with a development for a farmer or more desirable to a developer. Garverick added it would make the farmland more valuable. Ms. Fortin explained these proposed districts are being looked at to provide ways for development to continue to occur in a way that would be acceptable and to allow a more restrictive development in other areas. Steffen spoke in favor of the proposed district and being in compliance with the goals of the Master Plan. Steffen added our community is unique in the diversity of the land uses and these districts would be appropriate in preserving that farmland. Jenkins said part of the discussion was during the community forums during the Master Plan process, and this was a suggestion of requirements that was supported by the farming community.

Discussion took place on the existing zoning map and the areas that are prior legal non-conforming with the 330 feet of frontage and 5-acre requirement. Kincaid noted these proposed districts will bring many of the existing non-conforming parcels either into compliance or closer to complying.

Commission members continued with a lengthy discussion on what, if any, are the benefits to the farmers, restrictions on existing AG uses such as animals, ponds and horses, preservation intent and compliance with the Land Division Act, Right to Farm Act, septic and well requirements subject to the 2.5 acres parcels, wetland areas, and size requirements. Commission members agreed on legal counsel to review the proposed language to verify the concerns on compliance.

Tienvieri asked what would be the next step with this proposed language change. Kincaid said the Planning Commission will need to provide direction on moving forward.

Garverick, Angerer and Steffen all spoke in favor of the proposed language.

Ms. Fortin advised the Commission members that all zoning ordinances and zoning districts are subject to possible changes.

*Direction from the Planning Commission to move forward with further review from the Township attorneys with comments, then after a second review by the Planning Commission, move forward with scheduling the public hearing.*

*PUBLIC COMMENT* – None.

*INFORMATION* – None

*COMMISSION / STAFF COMMENT* – Tienvieri spoke on working on creating a Capital Improvement Plan and a committee to move forward.

*ADJOURNMENT* – The meeting was duly adjourned at 8:22 p.m.

*Respectfully submitted,*

*Jodie L. Rector, Recording Secretary*