

MINUTES- REGULAR MEETING  
BEDFORD TOWNSHIP PLANNING COMMISSION  
8100 JACKMAN ROAD, TEMPERANCE, MICHIGAN  
SEPTEMBER 13, 2017

**PRESENT:**

JAKE LAKE  
JOE GARVERICK  
DAN STEFFEN  
TOM ZDYBEK  
MATTHEW ANGERER  
LAMAR FREDERICK

**EXCUSED:**

ROBYNE BUSH

**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

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

***APPROVAL OF THE AGENDA***

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

***APPROVAL OF THE MINUTES***

Motion by Steffen, supported by Angerer, to approve the minutes of August 23, 2017. Motion carried. Garverick abstained.

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

*None*

***NEW BUSINESS***

- A) OPEN THE PUBLIC HEARING REGARDING TELEGRAPH PARTNERS, LLC REQUEST FOR A SITE PLAN AND SPECIAL APPROVAL TO ALLOW A COMMERCIAL COMPOSTING FACILITY, PER SECTION 400.1502, I-2, LIGHT INDUSTRIAL, ON PARCEL NUMBER 5802-035-075-00, OTHERWISE KNOWN AS 110 W. SMITH ROAD, TEMPERANCE, MI 48182

Kincaid reviewed the memo stating this project went before the Board of Zoning Appeals on Tuesday, September 12, 2017 for several variance requests. A site plan has been submitted; however, at this time reviews cannot be conducted to take into consideration what variances were granted. Kincaid advised the final site plan reviews are currently being conducted with the applied variances. Kincaid said the Planning Department was provided a copy of a tentative site plan that will be used during the public hearing for site reference only, with no decision being

made on the Site Plan Approval with Special Approval until the site plan can be reviewed and approved by the reviewing agencies. Kincaid said the site plan approval is tentatively scheduled for the September 27, 2017 meeting. Kincaid stated at this time no letters or calls of objection have been received; however, there has been one visit from a resident seeking clarification on the submittal.

***Motion by Frederick, supported by Zdybek, to open the public hearing at 7:03 p.m. Motion Carried.***

**Jim Jacobs-Architect and Representative for the applicant-** Mr. Jacobs gave an overview of the requested 11 variances, saying 9 of them were granted and some with contingencies from the Board of Zoning Appeals on September 12, 2017. Mr. Jacobs advised he was making the revisions to the plan, waiting on approvals, and looking to be on the next scheduled Planning Commission meeting agenda. Frederick asked on the ownership of the property. Mr. Jacobs explained the closing date was conditional upon the variance request outcome and Mr. Nycz is scheduled to close in approximately a week. Kincaid confirmed Mr. Jacobs received authorization from the property owner and the applicant to speak on their behalf. Mr. Jacobs said the licensing with the MDEQ is on track as the applicant already has a facility in Michigan.

**Jane Morrin-6790 Crabb Road-** Ms. Morrin lives on the north side of the subject location. Ms. Morrin voiced concern with the variances that were granted and concerned with monitoring water quality.

**Margo Manor-415 Smith Road-** Ms. Manor stated she lives across the street from the proposed use. Ms. Manor voiced concern on how the location was going to be monitored and what was going to be piled on the site.

***Motion by Angerer, supported by Steffen, to close the public hearing at 7:11 p.m. Motion Carried.***

Lake requested Mr. Jacobs come back to the podium to give clarification for the concerned residents. Mr. Jacobs spoke on the many different types of composting operations and advised this is, as per Township Ordinance recently adopted, only for yard clippings and leaves. Mr. Jacobs offered his business card and for any residents to visit the applicant's existing site in Perrysburg, Ohio to help answer any questions regarding the operation. Mr. Jacobs spoke on the proposed layout, buffering/screening, ingress/egress and other site specifics. Garverick said as this is just yard clippings and leaves, it should not become an odor issue. Frederick replied to the concerns of the operation noting the property is zoned industrial and could become a more intense use, such as manufacturing. Frederick stated the site plan will be reviewed very closely to make sure it complies with the ordinance.

Steffen asked if the ordinance was available for residents to review to help resolve some questions and concerns. Kincaid noted all ordinances are available online, however the Planning Department will review if this specific ordinance has been updated as it was recently adopted and an outside entity handles that updating. Kincaid did state anyone can come to the Planning Department and obtain a copy of the ordinance, or a copy can be emailed to them.

Mr. Jacobs advised the product to be dropped at the site will be inspected to make sure it complies with the ordinance and consist of only yard waste. Mr. Jacobs also added the applicant intends to allow free drop off service for Bedford residents.

MOTION BY ANGERER, SUPPORTED BY ZDYBEK, TO CONTINUE THE DISCUSSION ON THE REQUEST REGARDING TELEGRAPH PARTNERS, LLC REQUEST FOR A SITE PLAN AND SPECIAL APPROVAL TO ALLOW A COMMERCIAL COMPOSTING FACILITY, PER SECTION 400.1502, I-2, LIGHT INDUSTRIAL, ON PARCEL NUMBER 5802-035-075-00, OTHERWISE KNOWN AS 110 W. SMITH ROAD, TEMPERANCE, MI 48182 TO THE NEXT SCHEDULED MEETING ON SEPTEMBER 27, 2017 TO ALLOW FURTHER REVIEW TIME AND TO OBTAIN REVIEW APPROVAL LETTERS.

Roll call as follows: Voting Aye: Angerer, Zdybek, Steffen, Garverick, Frederick and Lake.

Voting Nay: None

Excused: Bush

Motion carried.

- B) OPEN THE PUBLIC HEARING REGARDING GREYSTONE HOLDINGS, LLC REQUEST TO REVOKE THE GREYSTONE MANOR PLANNED UNIT DEVELOPMENT PLAN AND AGREEMENT AND TO REZONE PARCEL NUMBER 5802-021-036-00 FROM PUD, PLANNED UNIT DEVELOPMENT TO R-1, SINGLE FAMILY RESIDENTIAL, LOCATED ON THE EAST SIDE OF DOUGLAS ROAD, NORTH OF THE INTERSECTION OF CONSEAR ROAD, LAMBERTVILLE, MI 48144

Kincaid reviewed the memo stating Greystone Manor PUD was approved on April 18, 2006 for 16 units, located off Douglas Road, north of Enfield Village. On June 28, 2006, the developer was granted a minor PUD amendment to address a sewage system issue as a result of the bedrock and the depth required to have a forced main. The private road has been installed and the owner has indicated while not all utilities have been installed, the trench for the utilities has been ground out (bedrock), was filled for safety purposes, but can be easily reopened to install the remaining required utilities. On April 12, 2017, the property owner sought and was granted a minor amendment to decrease the number of lots from 16 to 4, and no changes have been made to the site for a number of years.

Kincaid advised after further consideration, the property owner is seeking to revoke the PUD Plan and Agreement and have the parcel rezoned to R-1, Single Family Residential, which is the existing underlying zoning. The Master Plan identifies this area as Suburban Residential, which is for single family homes in R-1, R-2 and R-3 Single Family Residential zoning districts.

Kincaid stated revocation of the PUD plan and agreement would result in a single parcel consisting of approximately 35.78 acres with 453.35 feet of frontage on Douglas Road and should the submitted requests be recommended and approved by the Township Board, the applicant plans to move through the land division process to create four parcels.

Kincaid referred to the ordinance stating Per Section 400.1800 "Schedule of Regulations" an R-1, Single Family Residential zoning requires a minimum of 90' of frontage. The applicant has submitted a proposed layout for a land division where each proposed parcel will meet the minimum 90'

frontage requirement. However, per Section 301.009 “Standards for approval of land divisions, splits and combinations and subdivision lot, outlot or parcel divisions, splits and combinations” and Section 400.1914 “Private Roads, Public Roads, Driveways and Frontage” the applicant sought a variance, which was heard on September 12, 2017, from the Board of Zoning Appeals. The variance request was granted for a 75’ maintained width variance on proposed parcels 2 & 4 and was granted a variance to allow one private driveway to serve four homes.

Kincaid advised it should be noted that if the applicant receives the requested variances, revocations, rezoning, and land divisions, it will be the responsibility of the property owner(s) to ensure all easements, site assessments, utility accesses, etc. are in place or have been conducted. Kincaid noted at this time no letters or calls of objection have been received.

Kincaid reviewed the information that was discussed at the Board of Zoning Appeals.

Lake advised the applicant’s representative she would need a majority vote to approve if wanting to move forward or reschedule with full commission. The applicant’s representative, Donna Hall, waived the right to defer and requested to move forward.

***Motion by Steffen, supported by Zdybek, to open the public hearing at 7:29 p.m. Motion Carried.***

**Donna Hall-1489 Stonegate Court-** Ms. Hall stated they have been owners of the property for many years with no movement of development with the PUD. Ms. Hall stated with the down turn in the economy they decided to revamp the thought process for this site. Ms. Hall stated they now have decided if they were to be able to develop the land the best options is with the proposed layout of four individual residential lots and to do so they would need to request to revoke the PUD to be able to move forward. Frederick asked if there were any liens on the property. Ms. Hall stated no, there are not.

**Jennifer Wherry-8651 Douglas Road-** Ms. Wherry voiced concern on making sure the proposed layout is for only four lots as this has been an eyesore and a nuisance for her for years as she lives across the street. Ms. Wherry stated she had no problems with the proposed layout or the previous layout. Ms. Wherry stated she would like to see the process move forward as she has been maintaining the frontage, during the winter (snow removal) to avoid issues with her mail delivery. Ms. Wherry said she is in support of the request.

***Motion by Steffen, supported by Zdybek, to close the public hearing at 7:29 p.m. Motion Carried.***

Angerer said the proposed layout was well presented. Frederick inquired on the process after tonight’s decision. Kincaid stated tonight is a recommendation to the Township Board, then submitted to Monroe County Planning for a recommendation to the Township Board, and back to the Township Board for a decision. Kincaid noted after a decision is made on both requests, the applicant will then go through the land division process to create individual parcels. Lake inquired if it would cause any issues if it was to be determined to be all one parcel again. Kincaid reiterated that was why the applicant sought the variance to allow one “driveway” to serve four homes and if the PUD is revoked and the property is rezoned to R-1, the existing “private road” would become a “private driveway” for four homes.

MOTION BY STEFFEN, SUPPORTED BY GARVERICK, TO RECOMMEND APPROVAL OF GREYSTONE HOLDINGS, LLC REQUEST TO REVOKE THE GREYSTONE MANOR PLANNED UNIT DEVELOPMENT PLAN AND AGREEMENT ON PARCEL NUMBER 5802-021-036-00 LOCATED ON THE EAST SIDE OF DOUGLAS ROAD, NORTH OF THE INTERSECTION OF CONSEAR ROAD, LAMBERTVILLE, MI 48144 AS IT WILL DECREASE THE DENSITY AND CONDITIONED UPON THE REZONING REQUEST TO R-1, SINGLE FAMILY RESIDENTIAL BEING APPROVED BY THE BEDFORD TOWNSHIP BOARD.

Roll call as follows: Voting Aye: Steffen, Garverick, Angerer, Zdybek, Frederick and Lake.

Voting Nay: None

Excused: Bush

Motion carried.

MOTION BY FREDERICK, SUPPORTED BY ANGERER, TO RECOMMEND APPROVAL OF GREYSTONE HOLDINGS, LLC REQUEST TO REZONE PARCEL NUMBER 5802-021-036-00 FROM PUD, PLANNED UNIT DEVELOPMENT TO R-1, SINGLE FAMILY RESIDENTIAL, LOCATED ON THE EAST SIDE OF DOUGLAS ROAD, NORTH OF THE INTERSECTION OF CONSEAR ROAD, LAMBERTVILLE, MI 48144 AS THE PUD PLAN AND AGREEMENT HAS BEEN REVOKED, LEAVING THE UNDERLYING ZONING TO BE PUD. AN R-1, SINGLE FAMILY RESIDENTIAL ZONING COMPLIES WITH THE MASTER PLAN AND R-1, SINGLE FAMILY RESIDENTIAL IS LESS DENSE THAN THE ORIGINAL PUD ZONING DISTRICT.

Roll call as follows: Voting Aye: Frederick, Angerer, Garverick, Steffen, Zdybek and Lake.

Voting Nay: None

Excused: Bush

Motion carried.

Kincaid added this is a recommendation to the Township Board; it will be reviewed with a recommendation from the Monroe County Planning Commission and then presented to the Township Board for a final decision.

***PUBLIC COMMENT –***

None

***INFORMATION –***

Kincaid advised the next meeting will be on September 27, 2017.

***COMMISSION / STAFF COMMENT –***

Zdybek spoke in favor of the Greystone Manor request and was glad to see the development moving forward as he was on the Planning Commission as it was originally submitted.

***ADJOURNMENT –***

The meeting was duly adjourned at 8:44 p.m.

*Respectfully submitted,*  
*Jodie L. Rector, Recording Secretary*