

MINUTES
BEDFORD TOWNSHIP PLANNING COMMISSION
8100 JACKMAN ROAD, TEMPERANCE, MICHIGAN
December 13, 2017

PRESENT:

JAKE LAKE
LAMAR FREDERICK
TOM ZDYBEK
DENNIS JENKINS
JOE GARVERICK
DAN STEFFEN

EXCUSED:

MATTHEW ANGERER

ABSENT:

NONE

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

Lake 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 Frederick, to approve the agenda. Motion carried.

APPROVAL OF THE MINUTES

Motion by Frederick, supported by Zdybek, to approve the minutes of November 15, 2017. Motion carried.

SET THE DATES AND TIMES FOR THE 2018 PLANNING COMMISSION MEETINGS

Motion by Steffen, supported by Jenkins, to approve the dates and times for the 2018 Planning Commission Meetings. The first Wednesday of the month shall be utilized on an as needed basis, with the second and fourth Wednesdays of the month being dedicated as Regular Meetings. All meetings shall begin at 7:00 p.m. and end no later than 10:00 p.m. at the Bedford Township Government Center. However, there shall be flexibility allowed to reschedule any meeting to a different date if so needed.

**Roll call as follows: Voting Aye: Steffen, Jenkins, Frederick, Garverick, Zdybek, and Lake
Voting Nay: None.**

Excused: Angerer

Absent: None

Motion carried.

PUBLIC COMMENT (LIMIT 3 MINUTES)

None

NEW BUSINESS

- A) OPEN THE PUBLIC HEARING REGARDING THE REQUEST FOR SPECIAL APPROVAL AND FINAL SITE PLAN APPROVAL FOR A POND, ON PARCEL NUMBER 5802-006-008-21, OTHERWISE KNOWN AS, 3699 W. RAUCH ROAD, PETERSBURG, MI 49270**

Motion by Jenkins, supported by Frederick, to open the public hearing at 7:05 p.m. Motion carried.

Kincaid reviewed the analysis stating the applicant is requesting special approval and final site plan approval to install an approximate .84-acre pond located on a 12.671-acre parcel on West Rauch Road between Secor Road and Wells Road. Kincaid noted the parcel has 327.99 feet of frontage on W. Rauch Road and is irregular in shape with a depth of approximately 2383.90'. The submitted site plan shows the proposed location of the pond to be installed within the front 5.9 acres of the subject site in front of the new home which is currently under construction.

Kincaid said the proposed pond meets the setback requirements of fifty feet from the property lines and the dwelling. Kincaid referred to the plan saying the proposed 4:1 slope is in compliance with the Pond Ordinance, with the high-water elevation of 667.00'. A test dig indicates ground water is located at an elevation of 666.00' with a low water level at 665.00'.

Kincaid advised the pond will be utilized for the land owners' personal recreational purposes and all spoils from the excavation will be redistributed on site as fill surrounding a home currently under construction (Building Permit Number PB170581). Two safety stations are being proposed, one located on the north end and one to the south of the proposed pond however, the applicant should verify each safety station will have 100 feet of rope to meet the requirements of the ordinance.

Kincaid informed that all disturbed areas are to be final graded, planted with grass seed and mulched cover, and maintained as necessary until vegetation has been established. As well, the pond will be kept healthy by natural convection and the addition of aquatic life. The applicant has also indicated on the plan, should it be necessary, the owner will install a point well to ensure the maintenance of the average and low water elevations with floats set at 665.00' (low) and 666.00' (average).

Kincaid said the Bedford Township Fire Chief has reviewed and approved the access drive to the pond area in the case of an emergency. Kincaid noted that approvals have been received from the Mannik & Smith Group with comments and conditions (12/1/2017) and the Fire Department (12/7/2017). A pond permit must be obtained through the Building Department prior to beginning the pond construction; however, because the pond construction is in conjunction with a new home construction, no escrow for the pond construction is required. A Soil Erosion Control Permit must be obtained from the MCDC prior to construction.

Lake 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. Rodriguez opted to move forward as scheduled.

Dave Rodriguez-3699 W. Rauch Road- Mr. Rodriguez, Battalion Chief for Toledo Fire Department, explained the two important reasons for the pond are accessibility for the Fire Department to draft from should there be a need for quick access and for fill for his foundation as the pond is in conjunction with construction of his new home.

Kincaid noted that the state mandated Public Hearing notices were mailed to everyone within 300' of the perimeter of the property and the Planning Department has received no calls or letters of objection. Garverick asked Kincaid the location of the parcel due to the Petersburg address. Kincaid advised the parcel is within Bedford Township and in the Bedford Public School system. Discussion continued with the access for the Fire Department and to allow for the neighboring property access use for the pond also.

Motion by Jenkins, supported by Steffen, to close the public hearing at 7:11 p.m. Motion carried.

Frederick inquired on the information in the MSG letter regarding the implied consent easement to the neighboring property and if there were any documents in place to supply that information. Mr. Rodriguez stated that he is permitting the use of the pond should there be a need. Frederick also inquired on supplying a sufficient base for the driveway to support a fire apparatus. Mr. Rodriguez stated it will supply sufficient access.

Motion by Frederick, supported by Steffen, to approve the request for Special Approval and Final Site Plan Approval for a pond, on parcel number 5802-006-008-21, otherwise known as, 3699 W. Rauch Road, Petersburg, MI 49270, subject to compliance with the deficiencies noted in the letter from MSG dated December 1, 2017 and the comments in the letter from Bedford Township Fire Department dated December 7, 2017, securing the necessary pond construction permit, a soil erosion permit from the MCDC and be in compliance with all other requirements of the Township Pond Ordinance.

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

B) REQUEST FOR A FINAL SITE PLAN APPROVAL FOR GIANT OAK GOLF CLUB ON PARCEL NUMBER 5802-015-001-10, OTHERWISE KNOWN AS 1024 VALETTA DRIVE, TEMPERANCE, MI 48182

Kincaid reviewed the analysis stating the applicant is seeking to construct a 1920 (40' x 48') square foot maintenance building immediately west of the existing shop building on a parcel consisting of 142.5 +/- acres. Kincaid stated due to the square footage of the proposed

maintenance building relative to the size of the parcel, the plan was not forwarded to the Township Engineer for review. Kincaid stated the MCDC has reviewed and approved the site regarding drainage, and the Fire Department is requesting the existing propane tank located to the west of the existing structure, which is not identified on the site plan, be relocated as the proposed structure will encroach on the tank setback from the building. Kincaid noted the tank relocation site should be reviewed by the Fire Department to ensure compliance with any required setback.

Lake 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. Simone opted to move forward as scheduled.

Frank Simone-4613 Dovewood Ln, Sylvania, Ohio-Mr. Simone advised the building had caught fire and a temporary repair has been done. Mr. Simone explained the proposed building is to be used as a shop, break area and will include restroom facilities.

Discussion on the drainage, Kincaid stated the MCDC required the swale to maintain the drainage onsite.

MOTION BY JENKINS, SUPPORTED BY STEFFEN, TO APPROVE FINAL SITE PLAN APPROVAL FOR GIANT OAK GOLF CLUB ON PARCEL NUMBER 5802-015-001-10, OTHERWISE KNOWN AS 1024 VALETTA DRIVE, TEMPERANCE, MI 48182 AS IT WILL NOT HAVE A NEGATIVE IMPACT ON THE SURROUNDING PARCELS DUE TO THE LARGE AREA OF THE PARCEL IN COMPARISON TO THE PROPOSED BUILDING SIZE.

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

PUBLIC COMMENT –
None.

INFORMATION –
Kincaid advised the meeting for Dec. 27 will more than likely be cancelled, as of this time there are no requests. Kincaid advised this will be Mr. Lake's last meeting due to term limitation; however, he will be serving on the Board of Zoning Appeals.

COMMISSION / STAFF COMMENT –
*Rector welcomed Lake to the BZA and wished everyone a Merry Christmas and a Happy New Year.
Garverick wished everyone a Merry Christmas and has enjoyed being on the Planning Commission and working with Jake. Garverick also added he was glad to hear Lake was going to serve on the BZA.*

Jenkins also wished everyone a Merry Christmas and a Happy New Year and thanked Lake for his service and enjoyed working with him.

Frederick spoke on remembering the folks whom are defending us and giving us the opportunity to celebrate the holiday. Frederick also spoke on thinking of those dealing with human trafficking, domestic abuse, etc. during this holiday season.

Lake stated is has been a pleasure serving on the Planning Commission and working with everyone and how six years have flown by. Lake thanked the Commission.

Steffen also thanked Lake as he has helped him in understanding the process. Steffen also wished everyone a happy holiday.

Zdybek also thanked Lake for his service and happy holidays to everyone.

ADJOURNMENT –

The meeting was duly adjourned at 7:20 p.m.

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