

MINUTES
BEDFORD TOWNSHIP PLANNING COMMISSION
8100 JACKMAN ROAD, TEMPERANCE, MICHIGAN
APRIL 10, 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:

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

Angerer 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 Tienvieri, supported by Jenkins, to approve the agenda. Motion carried.

APPROVAL OF THE MINUTES OF FEBRUARY 27, 2019

Motion by Tienvieri, supported by Jenkins, to approve the minutes of February 27, 2019. Motion carried. Steffen abstained.

PUBLIC COMMENT (LIMIT 3 MINUTES)

None

NEW BUSINESS

Motion by Jenkins, supported by Zdybek, to open the public hearing at 7:03 p.m. Motion carried.

- A) OPEN THE PUBLIC HEARING REGARDING THE REQUEST FOR SPECIAL APPROVAL AND FINAL SITE PLAN APPROVAL FOR A POND ON PARCEL NUMBER 5802-005-022-00, OTHERWISE KNOWN AS 2833 W. RAUCH ROAD TEMPERANCE, MI 48182

Rector reviewed the request stating the applicant is requesting special approval and final site plan approval for a .34-acre (at low water level) pond located on a 10-acre parcel on Rauch Road. The parcel has 159.57 feet of frontage and is approximately 2,730 feet in depth.

As designed, the proposed pond meets the minimum setback requirements of fifty feet from the side yard property lines and is approximately 180 feet from the dwelling. The proposed side slope of 3:1 at the bank is in compliance with the Pond Ordinance, with the high-water elevation of 664.45' and a low water elevation of 664.00'. Rector stated the water level is to be maintained by normal / average precipitation

levels, ground water, and run off from the yard; however, it is noted if necessary, the owner will install a point well to ensure the maintenance of the average and low water elevations with floats set at 665' (low) and 666' (average).

Rector noted the pond will be utilized for the land owners' personal recreational purposes and all spoils from the excavation shall remain onsite and used as fill around the home that is now under construction.

Rector said two safety stations are proposed with 100 feet of rope, and the Planning Department has reviewed and approved the proposed locations, as the entire pond surface can be covered with two stations.

Rector advised all disturbed areas are to be final graded, planted with grass seed with straw mulch 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.

Rector said the Bedford Township Fire Inspector has reviewed and approved the submitted site plan however, requests the driveway be maintained at all times to ensure open access to the pond in case of an emergency.

Rector informed that approvals have been received from the Mannik & Smith Group (February 18, 2019) with comments and conditions, and the Fire Department (March 19, 2019). A pond permit must be obtained through the Building Department prior to beginning the pond construction, and a Soil Erosion Control Permit must be obtained from the MCDC (March 13, 2019) prior to construction.

Brad Helm-Representative for the applicant—Mr. Helm advised the request is for a small pond and the spoils are to be utilized for fill and to accent the appearance of the property.

There was no further discussion.

Motion by Jenkins, supported by Tienvieri, to close the public hearing at 7:08 p.m. Motion carried.

MOTION BY JENKINS, SUPPORTED BY STEFFEN, TO APPROVE THE REQUEST FOR SPECIAL APPROVAL AND FINAL SITE PLAN APPROVAL FOR A POND ON PARCEL NUMBER 5802-005-022-00, OTHERWISE KNOWN AS 2833 W. RAUCH ROAD TEMPERANCE, MI 48182 AS THE PLANNING COMMISSION FINDS THE USE IS NOT INJURIOUS TO THE DISTRICT AND ENVIRONS, IS NOT CONTRARY TO THE SPIRIT AND PURPOSE OF THIS ORDINANCE, IS NOT INCOMPATIBLE WITH ALREADY EXISTING USES IN THE AREA, WILL NOT INTERFERE WITH THE ORDERLY DEVELOPMENT OF THE AREA, WOULD NOT BE DETRIMENTAL TO THE SAFETY OR CONVENIENCE OF VEHICULAR OR PEDESTRIAN TRAFFIC, WILL BE SERVED ADEQUATELY BY ESSENTIAL PUBLIC FACILITIES AND SERVICES, WILL BE CONSISTENT IN ASSURING THAT THE GENERAL PUBLIC HEALTH, SAFETY AND WELFARE WILL NOT BE INFRINGED UPON, AND WILL BE IN COMPLIANCE WITH ALL TOWNSHIP, COUNTY, STATE AND FEDERAL LAWS AND REGULATIONS; AND WHICH, ONCE APPROVED, SHALL BE DEEMED TO AUTHORIZE ONLY ONE SPECIFIC USE, AND SHALL EXPIRE AND BECOME NULL AND VOID WITHOUT FURTHER NOTICE OR ACTION BY THE PLANNING COMMISSION IN ANY CASE WHERE THE SPECIAL APPROVAL USE HAS NOT BEEN ESTABLISHED WITHIN SIX MONTHS AFTER THE PLANNING COMMISSION'S GRANT OF APPROVAL THEREOF OR WHERE THE SPECIAL APPROVAL USE IS DISCONTINUED OR CEASES TO EXIST FOR SIX CONSECUTIVE MONTHS OR FOR 18 MONTHS DURING ANY THREE YEAR PERIOD; AND WHICH MAY BE REVOKED BY THE PLANNING COMMISSION AFTER IT FINDS THAT ANY OF THE REQUIREMENTS OF THIS ORDINANCE OR CONDITIONS OF APPROVAL ARE NOT BEING MAINTAINED,

CONDITIONED UPON MEETING ALL THE COMMENTS IN THE MANNIK & SMITH GROUP, THE BEDFORD TOWNSHIP FIRE DEPARTMENT, A POND PERMIT MUST BE OBTAINED THROUGH THE BUILDING DEPARTMENT PRIOR TO BEGINNING THE POND CONSTRUCTION, AND A SOIL EROSION CONTROL PERMIT MUST BE OBTAINED FROM THE MCDC PRIOR TO CONSTRUCTION.

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

- B) REQUEST FOR FINAL SITE PLAN APPROVAL ON A PARKING LOT EXPANSION FOR SUNRISE WINDOWS, LOCATED ON PARCEL NUMBERS 5802-035-010-30 & 5802-035-010-00, OTHERWISE KNOWN AS 200 ENTERPRISE, TEMPERANCE, MI 48182

Rector reviewed the analysis saying the owner is proposing a 41,206 square foot truck parking lot expansion on a vacant parcel to be utilized for overflow tractor parking by Sunrise Windows. This expansion will provide an additional 22-trailer parking spaces to the east of the existing building having an additional curb cut onto Enterprise Drive.

Rector stated it should be verified if parking lot lighting is proposed for the parking lot, as Section 400.1908, Exterior Lighting Standards, states all exterior lighting shall be fully shielded and directed downward to prevent off-site glare. As well, if lighting is proposed, the applicant shall provide a lighting plan, including fixture detail such as type, design, height and location on the site. Parking lot landscaping is not required within Industrial zoning districts.

Rector informed that letters of approval with conditions or comments have been received from the Bedford Township Fire Department (March 7, 2019), the Mannik & Smith Group (March 29, 2019), the MCRC (March 4, 2019), and the MCDC (March 13, 2019).

Rector advised should site plan approval be granted, a motion shall include the approval shall be contingent upon addressing all conditions of the MCDC, the Bedford Township Fire Department, MSG and the MCRC letters of approval, a lighting plan be submitted and approved, and a land division/combination shall take place to combine the existing parcel number 5802-035-010-30 and the proposed parcel for the additional truck parking lot parcel number 5802-035-010-00. Rector noted that the applicant and the representative were both aware of the combination requirement.

Kevin Romanko-Representative for the applicant- Mr. Romanko was available to answer any questions.

Jenkins asked if installation of lighting is proposed. Mr. Romanko advised the location has sufficient lighting at this time, however if there is a change or a request from the owner for additional lighting, a plan will be submitted for review and approval.

MOTION BY STEFFEN, SUPPORTED BY ZDYBEK, TO APPROVE FINAL SITE PLAN APPROVAL ON A PARKING LOT EXPANSION FOR SUNRISE WINDOWS, LOCATED ON PARCEL NUMBERS 5802-035-010-30 & 5802-035-010-00, OTHERWISE KNOWN AS 200 ENTERPRISE, TEMPERANCE, MI CONDITIONED UPON ADDRESSING ALL COMMENTS IN THE MCDC, THE BEDFORD TOWNSHIP FIRE DEPARTMENT, MSG AND THE MCRC LETTERS OF APPROVAL, AND SHOULD THERE BE A NEED FOR ADDITONAL LIGHTING, A LIGHTING PLAN SHALL BE SUBMITTED AND APPROVED. AS WELL, A LAND DIVISION/COMBINATION SHALL TAKE

PLACE TO COMBINE THE EXISTING PARCEL (5802-035-010-30) AND THE PROPOSED PARCEL FOR THE ADDITIONAL TRUCK PARKING LOT (5802-035-010-00).

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

- C) REQUEST FOR A SIGN WAIVER FOR WILLIAM A DECKER JR, ON PARCEL NUMBER 5802-023-043-10, 8744 LEWIS AVENUE, TEMPERANCE, MI 48182

Rector said the applicant is seeking to replace the existing pole sign with a monument sign located at 8744 Lewis Avenue, Temperance MI. Per Section 400.1701B, within the Temperance Village Overlay District, one monument sign of up to 40 square feet in area and four feet in height is permitted. The applicant is seeking to install a 20 square foot 5'8" tall monument sign to include an LED message board. Rector said while the proposed signage meets the permitted square footage, a 1'8" height waiver is required. Rector stated, 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. Therefore, the Planning Commission shall determine how often the message can change so not to create a safety issue by distracting passing traffic. The applicant has indicated the proposed sign location will be located outside the road-right-of-way and will not be within the corner clearance.

Rector advised should the request be considered; the following waivers are required: a 1'8" height variance and an approval to allow an LED Message Board

Rector said the following shall be considered for inclusion in any motion to approve. All required permits shall be obtained from Bedford Township, and 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

William Decker Jr-2798 Dean Road—Mr. Decker was available to answer any questions.

Garverick inquired on being able to remotely control the lighting. Mr. Decker stated yes. Tienvieri voiced opposition on all LED message boards and did not see any positive attraction to bring customers. Mr. Decker spoke on the cost of the sign and if there was not a positive response of customers, business owners would not incur the cost of the signage. Fritz agreed with Mr. Decker's comment. Steffen asked on the proposed area for the message board and having the ability to control illumination. Mr. Decker stated the area stating Lily Ann Cabinets is the area proposed for the LED message board and the sign is ready to install and contains the capability to control remotely. Zdybek appreciated the applicant cleaning up the location and moving forward with his business.

MOTION BY STEFFEN, SUPPORTED BY TIENVIERI , TO APPROVE A SIGN WAIVER FOR WILLIAM A DECKER JR, ON PARCEL NUMBER 5802-023-043-10, 8744 LEWIS AVENUE, TEMPERANCE, MI GRANTING A 1'8" HEIGHT VARIANCE AND TO APPROVE AN LED MESSAGE BOARD TO NOT CHANGE MORE THAN AT FIVE SECOND INTERVALS, CONDITIONED UPON ALL REQUIRED PERMITS SHALL BE OBTAINED FROM BEDFORD TOWNSHIP, SIGN MUST BE LOCATED OUTSIDE THE ROAD-RIGHT-OF-WAY AND THE CORNER CLEARANCE, AND 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.

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

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Excused: None
Absent: None
Motion carried.

PUBLIC COMMENT – None.

INFORMATION – None

COMMISSION / STAFF COMMENT – None.

ADJOURNMENT – The meeting was duly adjourned at 7:24 p.m.

Respectfully submitted,

Jodie L. Rector, Recording Secretary