

Bridgewater Township Planning Commission Minutes - Approved

I. 14-Mar-11 meeting called to order 7:04 P.M. by Dave Horney

II. Roll Call

Gary Baetens	Chris Brown	Laurie Fromhart	Jeff Simkiss
Dave Horney	Mark Iwanicki	Tom Wharam	

III. Citizen Participation

- None

IV. Approval of Agenda

- Motion to accept agenda as amended – Gary Baetens
- Second to motion – Mark Iwanicki
- Vote - unanimous

V. Approval of Minutes

- Motion to approve minutes from 14-Feb-11 as amended – Mark Iwanicki
- Second to motion – Chris Brown
- Vote – unanimous

VI. Public Hearings

A. WCPARC Application to Rezone Parcels Q-17-29-400-026 & Q-17-32-100-022 from Agricultural to Conservation Preservation

1. Presentation

- Laurie Fromhart announced the public hearing notifications, including the publication in the Manchester Enterprise, Saline Reporter and Clinton Local (24-Feb-11), letters of notification sent to 25 property owners (26-Feb-11) and posting of the public hearing at the Bridgewater Township Hall (26-Feb-11). The public hearing notifications record is on file.
- Richard Kent, Park Planner with WCPARC; gave a brief description of the land purchase program, asking to rezone property; showed a preliminary plan

2. Planning Commission/Consultant Comments

- Bill DeGroot described the submitted a zoning and planning report to the planning commission on 28-Feb-11 review for Special Land Use (SLU); the report is on record;
- There are large parcels available for ag use, which the county plans to continue
- From a zoning perspective, these parcels fit in, from a master plan perspective
- Site plans are not needed for rezoning
- Concerns about pathways
- From a planning perspective, the conservation and preservation of the area is consistent with the master plan and zoning ordinance
- Laurie Fromhart ask about the ownership of the railroad bed on the lower parcel
- Richard Kent said that if they owned the railroad bed it would be easier to connect the two parcels
- Laurie Fromhart asked about boardwalks, Richard showed where the crossing bridges are needed, these would be for pedestrian use only, the rest of the paths would be natural trails, will need DEQ permits for boardwalks through wet areas

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- Laurie Fromhart asked about the site improvements, Richard described that they would not build any more than what is on the site plan, Laurie described what had happened in the past
3. Public Comment
- Public hearing opened at 7:27 PM
 - Francis Cousinio of 9700 Clinton Rd;
 - a. Commented that we have to be real careful because the Ervin-Stucki preserve is not yet fenced even though they were promised
 - b. The two observation decks are too close to the property line
 - c. Wetland fences without permits
 - d. People will not stop at observation platform
 - Dan Kofahl of 12836 Allen Rd; commented
 - a. Already have people walking up to the drive; need to protect the public property from private property.
 - b. Stop the public from coming to the site
 - c. His house is the only house on Allen Road close to this parcel;
 - d. Have found alcohol and drug paraphernalia
 - e. Homeless guy from bridge from this are – have to make signs – no trespassing areas
 - f. Have confronted people – because of the parks they have a right to be there
 - g. Entering property from bridge – can you place a fence along the road from the bridge
 - h. Richard said that if neighbors ask for a fence, they will get it; normally farm fence is used but will work with the neighbor if neighbor is willing to pay the difference
 - i. Assistance for a gate for neighboring drive – to eliminate the entry to the property
 - j. Signage – is only a kiosk with a map
 - k. Need to place signs along the areas for reasonable
 - Rick Greiwahn of 3254 Oakland Dr, Clare, MI; commented
 - a. Has kicked people off of the property because they were taking stuff off the property not gotten fencing or signs
 - b. Someone started the barn on fire picking need to have something up on signs and fences for all neighboring property
 - c. By the time the sheriff's department arrives and the people are gone
 - d. The state said that if the fence is through wetlands, must move the fence up on the property
 - Don Hinman of 12483 Hogan Rd;
 - a. What the kiosk is going to look like and where is it going to be; Is there a covered area where people can sit? Richard replied that it is the small and covered; hours are dawn to dusk, it will be similar to the one at Ervin-Stucki
 - b. What is going to happen for enforcement once site plan is reviewed – development enforcement – how is that going to work; Dave explained that this is a two part process, first the rezoning, second the development approval which includes a site plan; Laurie Fromhart stated that the planning commission only has power make a recommendation to the township board who has final authority to decide
 - c. The applicant would be held to the application submitted and enforced by the Township
 - d. What you see is not what you get – question is enforcement – fences and observation decks that need to be moved

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- Jim Fish of 11691 Hogan Rd; commented
 - a. Where is the fence shown on the plan? Richard Kent showed the one fence that was requested
 - b. Only one entry sign and parking lot
 - c. Will only improve trails enough to ease walking
 - d. Should consider a sign at the railroad crossing
 - e. Parks department should keep on open mind about future parking and fencing concerns
 - f. The parks department was retaining sheriffs department for enforcement and do you have enforcement; Richard replied that the parks no longer have a deputy for just for parks; must now use county sheriff

- Grant Howard of 13214 Wallace Rd; commented
 - a. In 2003 we were told very similar things
 - b. The last preserve issues got resolved by pressure from WCPAC and with lawyers
 - c. The parks department mislead the township
 - d. In 2007 WCPARC said that the use can not be changed easily
 - e. Easier to ask for forgiveness that permission
 - f. Something wrong with the path and the record
 - g. There is crime in all preserves
 - h. Leonard preserve has become a dog walk
 - i. There is vandalization and suicide attempt
 - j. There is \$9M in the fund and do not have a sheriffs
 - k. The actions do not line up with words
 - l. Something needs to be done to rectify the problems without going forward

- Richard Kent replied
 - a. WCPARC made mistakes in the past and going forward in a new way
 - b. More up front communication that needs to be helpful this time based on the plans
 - c. There are 17 preserves; none have more development than Ervin-Stucki
 - d. After ten years we have a better idea of what they want
 - e. Grant asked what is being done about crime and security issues, what is actually being done that is getting results? Richard said he had not been asked personally to do anything about crime in the preserves. Grant said that there should not be any expansion until what is broken is fixed
 - f. What the township was told ten years ago is still not fixed today

- John Russell of 3260 Textile Rd;
 - a. Lodi properties and on Natac (technical advisory committee to county) help to decide which properties to buy based upon quality, decided that the parcels in question are high quality
 - b. The purchase of the property is to continue the property's high quality of usage
 - c. The parking lots are designed for sheriff's drive by's
 - d. On the board walk and fencing issues, based on MDEQ requires the permitting process, cannot fence to or across a river because have a right to travel stream, or in high water zone
 - e. Lodi does not have preserve and they still have many of the issues mentioned here
 - f. Cannot do things until the zoning gets changed

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- Lance Fromhart of 12831 Hogan Rd;
 - a. Have had numerous trespassers already, need a fence all the way to the river but obviously will not be able to get this
 - b. The field has been cut all the way to wetlands which eliminates the cover that the animals need so they are gone
 - c. Should apply for a fence from Hogan Road to the river with the DEQ
- Rick Greiwahn commented
 - a. In reply to John Russell's statement about having litter, had that before but now have torn down 'No Trespassing' signs, going in barns, starting fires and taking property and the people say they are on county property.
 - b. There was no definition before put up rezoning signs
 - c. For the parks but the system is broken
 - d. Was promised many things from Tom Freeman when the property was purchased and they still have not been done
 - e. Never got a letter from WCPARC about the fences
- Dan Kofahl commented
 - a. In reply to John Russell's statement about the parking lots are designed so police can see the parking lot but this does not include the bend or the other drives
 - b. People come up the river onto the property and were fishing from property, they informed him it was private property to which he said that he has the right to be on the river bank 3 feet of either side of the river whether it is private property or not
 - c. John Russell asked if this was because of the park or not, the trespasser said that this was a park, all the park rules are no fishing
- Patty Swaney of 11475 Hogan Rd commented
 - a. Have more of a police problem than a parks preservation problem, the crime is on going, it is a police problem that maybe the township board should look into this
 - b. Wilbur Road bridge has had numerous problems and it is not a preserved, there was a body was dumped, these things happen everywhere, not only in a park area.
 - c. Beautiful preservation areas creates natural goodness in people not causing the committing of a crime
 - d. Should look into other ways to control the trash and the park is a good alternative to what else could be there
- Grant Howard commented
 - a. Why can't the property be fenced before the property until rezoned to CP, it is not because the investment since most people would not purchase the property until it was rezoned
 - b. Isn't part of the millage reserved for crime prevention? Richard said that a certain percentage was for administration and maintenance
 - c. The Ervin-Stucki property has a deer blinds on the property for a year
 - d. How are the preserves kept secure without people walking through them? Richard said that maintenance staff visit them once a year or more for trail maintenance, if find a deer blind, put a notice on it to remove it and the maintenance staff would remove by the staff

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- e. What is the county doing with these preserves? Part of the ordinance is to take inventory of plant native species, removal of invasive species. Richard explained that are working to restore and preserve the native species with native materials, landscape restoration
- f. Great concepts but it has to work better than this, WCPARC has lost most of its supporters

- Bill Swaney of 11475 Hogan Rd commented
 - a. How many people come to the Ervin-Stucki property, is there a census, how many police complaints from that preserve, are there crime statistics?

- Francis Cousinio commented
 - a. Crime is not so much a problem as people not knowing where the boundaries are
 - b. Should have a gate on it if it is indeed opened from dawn to dusk and the gate should be closed
 - c. Should be able to get statistics on police reports dealing with the preserves

- Lance Fromhart commented
 - a. Had very few trespassers before the county put the property on the website
 - b. People trespass more because they posted it on the website

- Jim Fish commented
 - a. Should not have the property ready or prep why did is published this as open on the website
 - b. This is why the system is broke
 - c. Purchased for the purpose of creating a preservation but why did you advertise it before it was usable?
 - d. Believes that WCPARC now understands that any changes need to be brought before the Planning Commission as a site plan before anything is put in the ground
 - e. Need to be vigilant until it is a preserve
 - f. Take it off the website now

- Jim Tice of 13073 Clinton Rd commented
 - a. Is the person who works the AG part of the parcel
 - b. What will happen to the crop in the corner will not plant any corn because of people hiding in the corn and the concern of what will happen to his crops

- Rick Greiwahn commented
 - a. Would like WCPARC to put up a permanent sign on Hogan Road between his property and Cousinio's property to show where the property lines are as well as the preserve and would like the fence

- Public hearing closed at 8:31

4. PC Discussion/Action

- Mark Iwanicki commented
 - a. Wasn't aware that Francis Cousinio's fence was never put up
 - b. Have learn a whole lot since the Ervin-Stucki preserve went in
 - c. Doesn't like the idea that it is on the WCPARC web site

- d. Crime and drinking is a problem with policing
- e. Should not make a decision tonight
- Laurie Fromhart commented
 - a. The preserve should be taken off of the WCPARC website, not a preserve until rezoned and go through entire process and it is approved; Mark added until it is a preserve, the fences and signage are up, until we decide what belongs there
 - b. Fences are a major issue, these issue have to be address, sounds that WCPARC has not followed up as they should have
 - c. As far as Ervin-Stucki preserve, WCPARC and township both made mistakes but most were made by WCPARC; filled in a wetland to add the parking lot (has been corrected), understand that cannot fence to the river, but WCPARC built an observation deck in a flood plain without a permit, only to get permit after the fact
 - d. Read what Bridgewater Township defines as a nature preserve is supposed to be
 - e. Had a discussion with Richard about the mowing, Richard said this was to get rid of the invasive species, this will not work, they must be dug up
 - f. Do not have a full commission tonight so should table
- Motion to have the township board formally write a letter to notify the county to remove the property from the WCPARC website as a preserve – Mark Iwanicki
- Second to motion – Laurie Fromhart
- Vote – unanimous
- Motion to table the approval of the rezoning of parcels Q-17-29-400-026 & Q-17-32-100-022 from Agricultural to Conservation Preservation until 11-Apr-11– Laurie Fromhart
- Second to motion – Mark Iwanicki
- Vote – unanimous
- Motion to extend the meeting ending time of the from 9:00PM until 9:30PM – Laurie Fromhart
- Second to motion – Mark Iwanicki
- Vote – unanimous

VII. Old Business

A. Review and approve additional amendments to By-Laws

- Laurie Fromhart went through the changes to the By-Laws
- Motion to amend the PC By-Laws in their entirety as presented – Laurie Fromhart
- Second to motion – Mark Iwanicki
- Roll Call Vote –
Gary Baetens - yes ~~Chris Brown~~ Laurie Fromhart - yes Jeff Simkiss
Dave Horney - yes Mark Iwanicki - yes ~~Tom Wharam~~
- Changes to the By-Laws need to be signed by the Planning Commission chair and the secretary

B. Review & Sign ACE-LLC Home Based Business Special Land Use Permit

- Must be signed by Aaron Enzer and township clerk or township designee to serve as a zoning compliance permit, followed by inspection to insure there is zoning compliance
- Filed with the special land use permit and the SLU application
- Currently must be signed by PC chair, PC secretary and Aaron Enzer

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- Usually the conditional use number is a chronological by date of approval for easy tracking
- Motion to approve the special land use permit for Aaron Enzer – Laurie Fromhart
- Second to motion – Gary Baetens
- Vote – unanimous

VIII. New Business

- None

IX. Communications

A. Report on 3-Mar-11 Board of Trustees meeting – Laurie Fromhart

- Laurie reported on the highlights of the board of Trustees meeting
- The minutes are on record

B. Report on 9-Mar-11 SWWCOG Meeting – Gary Baetens

- Gary reported on the highlights of the SWWCOG meetings
- There was discussion of single stream garbage removal
- The minutes are on record

C. Report from Zoning Administrator – Carl Macomber

- There was no report

X. Informational Items

A. Complete Streets Workshop, March 31, 2001 Ann Arbor

B. Special PC Meeting, Monday, March 28, 2011 at 7:00 p.m.

- Will focus on section one of the Zoning Ordinance and then move Master Plan

XI. Public Comment

- Dave Faust asked if everyone has a copy of the Master Plan

XII. Adjournment

- Next meeting: 28-Mar-11 at 7:00 P.M.
- Motion to adjourn – Laurie Fromhart
- Second to motion – Gary Baetens
- Vote – unanimous

Meeting adjourned at 9:36 P.M.