

MINUTES- REGULAR MEETING
BEDFORD TOWNSHIP PLANNING COMMISSION
8100 JACKMAN ROAD, TEMPERANCE, MICHIGAN
OCTOBER 23, 2024

PRESENT:

PATRICK MAHONEY, CHAIR
JAKE LAKE, VICE-CHAIR
RICK STEINER, TOWNSHIP BOARD LIASION
GRANT ANDREWS, SECRETARY
BRAD HELM
AARON WEINS
JACOB TREMBLAY

EXCUSED:

NONE

ABSENT:

NONE

ALSO PRESENT:

PHIL GOLDSMITH, LENNARD GRAHAM & GOLDSMITH, LEGAL COUNSEL
JODIE RECTOR, PLANNING AND ZONING ADMINISTRATOR
KATRINA INGRAM, PLANNING AND ZONING, RECORDING SECRETARY

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

APPROVAL OF THE AGENDA

Motion by Steiner, supported by Helm, to approve the agenda. Motion carried.

APPROVAL OF THE MINUTES

Motion by Tremblay, supported by Andrews, to approve the minutes of August 14, 2024. Steiner and Weins abstained. Motion carried.

PUBLIC COMMENT (LIMIT 3 MINUTES)

None

NEW BUSINESS

- A) REQUEST FOR FINAL SITE PLAN APPROVAL FOR NORTH RIVER VILLAS PHASE 2 ON PARCEL NUMBER 5802-022-052-21, LOCATED ON THE NORTH SIDE OF EXISTING BROOKWOOD VILLAS AND ON THE EAST SIDE OF JACKMAN ROAD, NORTH OF DEAN ROAD

Rector read the analysis stating North River Villas is approved for a 136-unit condominium project located off Jackman Road, north of Dean Road. The remaining +/- 34.912-acre parcel has a total of approximately 438 feet of frontage on Jackman Road, which provides one means of ingress/egress, however; connection is being made to Phase I of the subject development through Foxmore Drive within the Brookwood Villas Subdivision off of Dean Road.

Rector informed the Commission the public hearing for preliminary/concept approval for the request was held where the Planning Commission recommended approval on 9/26/2018, and the preliminary/concept PUD plan was approved by the Township Board on 10/16/2018. Due to the time frame and to avoid a lapse in the one-year approval, a re-approval for preliminary/concept PUD plan was granted by the Township Board on 10/1/2019.

Rector further noted on 6/15/2021 the Township Board granted a waiver for the stormwater detention pond design requirement.

Rector stated this request is for Final Site Plan approval for Phase II. On November 10, 2021 the applicant requested to amend the number of units and change from four phases to three. At that time the Planning Commission approved the request, however; due to the lapse in time frame to amend all the requirements of the approval, the applicant resubmitted on 1/24/2024 for a reapproval with no change to Phase I consisting of 31-units, Phase II consisting of 48-units and Phase III consisting of 56-units, which decreased the overall number to 135-units. (minutes included).

Rector noted the construction route was approved and provided off Jackman Road and shall continue to be utilized and maintained during construction of the site, as **all** construction/development access for the site shall be from Jackman Road and **not** through Brookwood Villas or Village at Oak Creek subdivisions off of Dean Road.

Non-Vehicular Circulation:

Sidewalks are proposed around the exterior units.

Street Lighting Plan:

Phase I streetlight special assessment district was approved by the Township Board on 4/5/202, the Developer will work continue to work with Consumers Energy and the Clerk's Department on street lighting for phase II.

Utilities:

Municipal water and sanitary service is available. The storm water system and roads are private.

Approval letters with conditions/comments have been received from the MCDC on 10/17/2024, the Mannik & Smith Group on 7/17/2024, the Bedford Township Fire Department on 7/1/2024, and the MCRC on 10/10/2024. The applicant shall continue to work with the MCDC on soil erosion and sedimentation control approval.

Rector concluded by stating the following conditions shall be included in motions for approval:

- Final Site Plan Approval for Phase II of North River Villas - shall be conditioned upon addressing all issues and concerns prior to any development as stated in the MCDC, MSG, MCRC and the Bedford Township Fire Department review letters. The applicant shall continue to work with the MCDC on soil erosion and sedimentation control approval. The special assessment district for street lighting within Phase II shall be set up through the Clerk's Department, and the amended Master Deed shall be amended and submitted to the Township Attorney and Mannik and Smith Group for review and approval.
- The construction route approved with Final PUD approval and provided off Jackman Road, shall continue to be utilized and maintained during construction of the site, as **all** construction/development access for the site shall be from Jackman Road and **not** through Brookwood Villas or Village at Oak Creek subdivisions off of Dean Road.

Rector stated the applicant is present.

David Schmitt- Applicant- Mr. Schmitt stated the phase has 48 units and eager to move forward with the access off Jackman Road in this phase.

Steiner questioned any amendments to the plan from the previous PUD approval. Mr. Schmitt stated there are no other changes to the plan. There was no further discussion by the Commission.

MOTION BY STEINER, SUPPORTED BY TREMBLAY, TO APPROVE THE REQUEST FOR FINAL SITE PLAN APPROVAL FOR NORTH RIVER VILLAS PHASE 2 ON PARCEL NUMBER 5802-022-052-21, LOCATED ON THE NORTH SIDE OF EXISTING BROOKWOOD VILLAS AND ON THE EAST SIDE OF JACKMAN ROAD, NORTH OF DEAN ROAD CONDITIONED UPON ADDRESSING ALL ISSUES AND CONCERNS PRIOR TO ANY DEVELOPMENT AS STATED IN THE MCDC, MSG, MCRC AND THE BEDFORD TOWNSHIP FIRE DEPARTMENT REVIEW LETTERS, THE APPLICANT SHALL CONTINUE TO WORK WITH THE MCDC ON SOIL EROSION AND SEDIMENTATION CONTROL APPROVAL, SPECIAL ASSESSMENT DISTRICT FOR STREET LIGHTING WITHIN PHASE II SHALL BE SET UP THROUGH THE CLERKS DEPARTMENT AND THE AMENDED MASTER DEED SHALL BE AMENDED AND SUBMITTED TO THE TOWNSHIP ATTORNEY AND MANNIK AND SMITH GROUP FOR REVIEW AND APPROVAL AND THE CONSTRUCTION ROUTE APPROVED WITH FINAL PUD APPROVAL, PROVIDED OFF JACKMAN ROAD, SHALL CONTINUE TO BE UTILIZED AND MAINTAINED DURING CONSTRUCTION OF THE SITE, AS ALL CONSTRUCTION AND DEVELOPMENT ACCESS FOR THE SITE SHALL BE FROM JACKMAN ROAD AND NOT THROUGH BROOKWOOD VILLAS OR VILLAGE AT OAK CREEK SUBDIVISIONS OFF OF DEAN ROAD.

Roll call as follows: Voting Aye: Steiner, Tremblay, Weins, Lake, Helm, Andrews and Mahoney

Voting Nay: None

Excused: None

Motion carried.

- B) OPEN THE PUBLIC HEARING REGARDING THE REQUEST TO AMEND BEDFORD TOWNSHIP ORDINANCE NO. 44, KNOWN AS THE "TOWNSHIP OF BEDFORD ZONING ORDINANCE" SO AS TO AMEND ARTICLE XI, C-1, LOCAL BUSINESS DISTRICT, BY ADDING ARTICLE XIA, PRINCIPAL USES PERMITTED SUBJECT TO SPECIAL

APPROVAL TO PROVIDE FOR MARIHUANA ESTABLISHMENTS SECTION 400.1102A, MARIHUANA FACILITIES TO INSERT REGULATION LANGUAGE TO ALLOW ADULT USE MARIHUANA FACILITIES AS A SPECIAL LAND USE WITH STANDARDS FOR A SPECIFIC LAND USE AND TO CREATE A MARIHUANA FACILITIES OVERLAY (MFO) DISTRICT

Mahoney advised the objective is to hear public input and Commission members comments on the ordinance language should Bedford residents vote to allow for marijuana establishments within the Township. Mahoney requested Attorney Goldsmith to explain how the language was drafted.

Attorney Goldsmith spoke on the history of the Michigan Regulation and Taxation of Marijuana Act (MRTMA Law) and the petition that was circulated earlier this year to gather signatures to propose a ballot initiative to allow for marihuana establishments within Bedford Township. Attorney Goldsmith stated the signatures gathered were verified by the Township Clerk and the ballot initiative is moving forward on the ballot for the election on November 5, 2024. Attorney Goldsmith further clarified the ballot initiative proposes to allow up to 5 marihuana retail sales establishments within Bedford Township. Attorney Goldsmith stated the Township is proposing ordinance language for discussion and consideration should the ballot initiative be voted in the affirmative after the general election.

Attorney Goldsmith stated the ballot initiative is a zoning amendment and the Township must decide where those establishments would be located. The Township has proposed a Marihuana Overlay District which would provide for a specific area of the Township where the establishments could be located subject to the other requirements of the ordinance. Attorney Goldsmith stated the Planning Department with the help of legal counsel drafted this language for consideration by the Planning Commission, as the Planning Commission serves as an advisory commission for the Township Board.

Attorney Goldsmith stated the Planning Commission may not move forward with recommendation tonight, however; ultimately will make a motion whether to recommend or not recommend the language for adoption to the Township Board. The Township Board then makes a final determination. Attorney Goldsmith stated the Police Power ordinance is separate and would refer to the application process and other elements and would not be discussed tonight as those are separate from the zoning ordinance language within the General Code Ordinance.

Motion by Lake, seconded by Weins, to open the public hearing at 7:22 p.m. Motion carried.

Gail Keane- 1056 W Temperance- Ms. Keane stated she is opposed to the request and stated the regulations on marihuana are inconsistent and spoke on the proposed ordinance language and the applicant selection process. Ms. Keane further stated the proposed area is too large, provides limited revenue for the Township and requested the Planning Commission to reject the request and the public to vote no in the upcoming election.

Ermond Mandia (inaudible/did not sign name)- 2000 Town Center Suite 1750 Southfield MI - Mr. Mandia stated he is an attorney and should the ballot pass the Township needs to have language proposed for the location of the marihuana establishments and encouraged the public to vote and questioned the location of the overlay district as proposed only is including only the east side of Telegraph and excluding the west side of Telegraph.

Rosemary Wall- 2155 Stirrup Dr- Ms. Wall referred to the data from the Monroe County Sheriff's Department and advised the commission to review the data as well as the proposed ordinance and regulations for marihuana establishments. Ms. Wall encouraged the Township to connect with adjacent municipalities that already have establishments. Ms. Wall referred to data on the concentration levels of marihuana products and the frequency of use and requested the commission to consider a potency cap within the language of the ordinance.

Chris Jindo-6534 Pembridge Hill West Bloomfield, MI- Mr. Jindo stated he is in favor of the ballot initiative and stated the proposed ballot initiative is seeking to revitalize the Telegraph corridor. Mr. Jindo stated Monroe, MI has been able to generate \$1 million in revenue and has used that revenue within their community. Mr. Jindo further stated additional deputies were hired in Monroe and therefore; keeps the community safer. Mr. Jindo stated in his opinion the dispensaries will benefit all of Bedford Township and create jobs for the community. Mr. Jindo encouraged the public to vote yes.

Jason Jindo- 7698 Watford Dr West Bloomfield, MI- Mr. Jindo stated he has been a business owner and member of the community for 14 years and stated he is in favor of the ballot initiative. Mr. Jindo referred to the various policing calls that have occurred with the motels on Telegraph Road. Mr. Jindo stated the licensed dispensaries would operate under strict security protocols and the desire is to locate the businesses away from schools and parks. Mr. Jindo further spoke on the revenue these establishments would generate for the community as well as transform the Telegraph corridor for the positive. Mr. Jindo encouraged the public to vote yes.

Mary Jo Hammill-2174 Stirrup- Ms. Hammill stated the proponents for the initiative sound positive about allowing for the establishments, however; the data provided by Sheriff Goodnough states to the opposite. Ms. Hammill stated she is opposed to the ballot initiative and requested the commission to speak with the Sheriff on collective data.

John McLeod- 313 Park Avenue Detroit, MI- Mr. McLeod spoke on his own history of marijuana consumption and referred to the data provided by the Sheriff regarding marijuana establishments. Mr. McLeod stated these establishments are highly regulated and very secure in comparison to other adult uses. Mr. McLeod stated the cannabis industry provides jobs as well as tax revenue. Mr. McLeod clarified consumption while driving is illegal and encouraged voters to vote yes.

John Mackewich- 822 Elm Perrysburg, OH- Mr. Mackewich stated he is an attorney who represents a property on the west side of Telegraph. Mr. Mackewich stated he is not here to tell others how to vote; however; stated the goal is to create regulations should the ballot pass on November 5th. Mr. Mackewich stated there is frustrated property owners on the west side of Telegraph that are excluded from the proposed Overlay, these property owners would encourage the Commission to amend the district and be included. Mr. Mackewich stated the ordinance language should not be arbitrary and should include both sides of Telegraph.

Jim Sayed- 7853 Quail Creek Maumee, OH- Mr. Sayed stated he owns property that is excluded from the district located on the west side of Telegraph Road. Mr. Sayed stated an email outlining his concerns was circulated to the Commission members and additional staff and Trustees. Mr. Sayed disagreed with the proposed overlay extending beyond Smith Road on Telegraph, due to concerns including number of lanes, speed limits and industrial traffic. Mr. Sayed spoke on reducing the overlay to south of Smith Road and to include the west and east side of Telegraph Road. Mr. Sayed spoke on the benefits of reducing the overlay to that area.

Gail Keane – 1056 W Temperance- Ms. Keane spoke on the names and addresses provided by the public speaking and stated home addresses should be provided as in her opinion that has been required.

Mahoney requested the public provide their full name and address for the record.

Marvin Kiezi- 3664 Piccadilly Dr Rochester Hills, MI- Mr. Kiezi stated he is an operator and has been very successful and holds various events for the community of Utica, MI. Mr. Kiezi stated Utica sought to remove blighted properties, however; overlooked traffic patterns and stated traffic should be considered. Mr. Kiezi stated if both sides of Telegraph are added, the traffic patterns should be analyzed and conditions, especially for traffic for the establishments should be thoroughly considered. Mr. Kiezi stated his establishment removed two blighted properties. Mr. Kiezi noted the community of Utica is supportive of his establishment and the positives it has provided. Mr. Kiezi also referred to the regulations required through the state and regular reviews of the establishments conducted as required by the state.

Ronald Raymond- 13090 Strasburg Rd Lasalle, MI- Mr. Raymond stated he owns the property at 6401 Telegraph Road located on the west side of Telegraph and encouraged the commission to consider both sides of Telegraph for the overlay district.

Ken Gonyea- 8311 Lambert St- Mr. Gonyea questioned where the employment of these establishments would come from as currently the existing commercial establishments are struggling to hire enough staff within the Township.

Comer Pete Carey-1024 Burg Ave- Mr. Carey spoke in opposition of the establishments coming to Bedford Township. Mr. Carey stated the revenue being promised by these establishments will be generated for the state and not at the Township level.

Motion by Lake, supported by Tremblay, to close the public hearing at 8:01 p.m. Motion carried.

Steiner requested clarification from Attorney Goldsmith should the proposal fail, what if any action does the Township need to take. Attorney Goldsmith stated no further action would be taken by the Township. Steiner stated the discussion tonight is in the event the ballot initiative does pass; the Township is prepared for the establishments to move forward. Steiner asked Attorney Goldsmith if the Planning Commission does not support the ordinance language and does not recommend any language to the Township Board, how would the Township proceed. Attorney Goldsmith encouraged the Planning Commission to make a recommendation to the Township Board. Attorney Goldsmith clarified a recommendation will not be made tonight, however; eventually. Attorney Goldsmith further stated the Township Board can determine to adopt an ordinance even if the Planning Commission determines to not recommend the ordinance language.

Attorney Goldsmith stated discussion came up on the boundary of the proposed overlay district and the exclusion of the west side of Telegraph Road which is due to the proximity of the Mobile Home Park on the west side of Telegraph and the setback requirements from residential districts proposed within the language. Attorney Goldsmith stated should the result of the election allow for marijuana establishments; the Commission needs to consider the language and the conditions for the establishments so there is some regulation moving forward. Andrews questioned tabling the discussion of the ordinance to another meeting and if there is a potential timeframe post-election to finalize and adopt ordinance. Attorney Goldsmith stated the language needs to be completed as close to after November 5th, 2024 as possible, however; the Planning Commission has a meeting scheduled for November 13, 2024

and would encourage a recommendation to be made at that meeting. Rector encouraged the commission to have discussion to amend the language tonight to present the language at the November 13, 2024 meeting to make a recommendation. Attorney Goldsmith encouraged potentially a special meeting prior to November 13, 2024 to make a recommendation. Rector stated a special meeting could be held on October 30, 2024.

Lake questioned the creation of the ordinance language and where the language was drafted from. Rector stated various communities in Michigan where marihuana establishments are permitted were reviewed when drafting the proposed language as well as the state requirements under MRTMA. Rector referred to some of the conditions proposed within the language stating the use is viewed as retail sales and the special use approval is required which would require a public hearing notifying everyone within 300 feet of the perimeter of the property and the adult use retail sales would be the only use permitted in the structure.

Attorney Goldsmith stated the industry is highly regulated through the language of MRTMA and therefore; the language of MRTMA is implemented within the proposed language. Mahoney questioned the 1,000-foot setback from certain uses. Attorney Goldsmith stated the 1,000-foot setback was provided by the ballot initiative and upon looking at the proposed overlay district the 1,000 setback was too restrictive and therefore; was reduced to 300-feet. Attorney Goldsmith stated the west side of Telegraph was excluded to comply with the 300-foot setback from residential zoning as proposed within the ordinance. Weins questioned, if the Commission or the Board has ongoing questions or discussions and the ordinance is not adopted after November 5, 2024, would the establishments be permitted in any C-1, local Business District, zoning district. Attorney Goldsmith stated should the ordinance not be adopted after the election within a reasonable time frame and a property is zoned for commercial retail sales; the establishments would be permitted to move forward. Rector also clarified C-2 and C-3 also allow for C-1 uses, therefore; establishments could potentially be located on any commercial property. Attorney Goldsmith stated C-1 ordinance requirements are being proposed due to the setback requirements and building aesthetics required as well, and as special approval being required would require Planning Commission review and approval. Lake questioned special use and site plan approval are being proposed and questioned removing special approval. Rector referred to other uses that require special approval and is usually required for intense uses and in this case the properties within the overlay would not have to be rezoned to allow for marihuana retail sale establishments. Attorney Goldsmith stated special approval in conjunction with site plan would require the site to be thoroughly planned out in regards to traffic flow and other factors.

Attorney Goldsmith stated the proposed overlay area is exempt from any parks and schools currently; however; there is one property utilized by a church organization and setback requirements are proposed from residential zoning districts and as well as other public uses such as parks, churches, playgrounds etc. Attorney Goldsmith stated the ballot initiative is requesting five retail establishments only and therefore; all other types of establishments are prohibited within the ordinance language. Mahoney questioned food trucks potentially being located on the property. Rector stated no other use would be permitted on the property where a marihuana establishment is located.

Andrews questioned the revocation of a license and if the location would be permitted to maintain as a marihuana establishment under new ownership. Attorney Goldsmith stated another licensee could establish within the property subject to meeting the requirements of the ordinance. Andrews questioned another commercial use establishing on the property should the marihuana establishment vacate for any reason. Rector stated any other use would have to meet the requirements of the underlying zoning district of the property. Attorney Goldsmith stated should a subsequent permitted use meet the requirements of the ordinance they would be permitted to move forward.

Andrews referred to Monroe, MI ordinance and stated the signage requirements are more restrictive on imagery and language permitted on the signage. Andrews encouraged the commission to further restrict the signage as the five establishments will be in competition with each other and creativity may be detrimental. Lake stated the sign ordinance is very restrictive on the size and design requirements. Andrews stated he is referring more to the imagery and content on the sign. Rector stated the sign ordinance has been amended recently. Attorney Goldsmith agreed with including the language of restricting sign design elements for further discussion by the Commission. Tremblay stated limiting the brightness of LED boards on Telegraph Road. Rector referred to the LED sign ordinance language that was adopted. Lake stated to propose the language as what is permitted instead of what is not as things change and evolve over time. Attorney Goldsmith stated including the proposed language for further discussion. Rector stated signage could also be required to be submitted with site plan to allow for the Planning Commission to review. Steiner stated the ordinance is permissive and therefore; if it is not stated it is not permitted. The Commission further discussed amended the signage requirements within the ordinance.

Attorney Goldsmith circled back to scheduling a special meeting and questioned the Commission if October 30th would work for the Commission members. Discussion continued on scheduling a special meeting on Thursday November 7th, 2024. The Commission members stated availability for November 7th, 2024. Attorney Goldsmith stated the Commission should review all documentation and be prepared to make a recommendation at the November 7, 2024 special meeting.

Mahoney questioned if including the west side of Telegraph is a main factor for consideration. Attorney Goldsmith stated should the west side of Telegraph be included the setbacks would have to be reviewed, discussed and amended as it would-be a near zero

setback from the manufactured home community and other residential zoning districts within the proposed overlay district. Rector stated the mobile home community is commercially zoned in the front off Telegraph and the remaining is zoned manufactured home community. Rector stated the proposed setback would be measured from property line to property line. Attorney Goldsmith stated should the boundary of the overlay be amended to include the west side of Telegraph, measuring setbacks and any buffering needs to be considered as well. Rector referred to the west side of Telegraph and stated the commercially zoned properties with frontage on Telegraph on the west side of Telegraph all abut the manufactured home community. Rector referred to the construction of language and definitions of "dwellings". Lake questioned the zoning of the properties within the proposed overlay to review at the next meeting. Rector stated a map could be provided at the next meeting and referred to the zoning districts included within the overlay district. Mahoney questioned the speed limit along Telegraph. Rector stated it increases from 45 mph to 55 mph. Rector referred to a visual providing the zoning within the overlay district and outlined the parcels that likely may not meet the setback of 300 feet roughly measured as well as front yard setback requirements.

Rector stated the properties included within the Overlay would not require a rezoning for a marihuana retail establishment and although there are smaller parcels there is potential for properties to complete a land combination and potentially create a viable parcel. Andrews questioned if residential uses on nonresidential zoned parcels are not included within the setback requirements. Rector stated those properties are prior legal nonconforming and should the use of the residential dwelling ever go away the property would have to be brought into compliance. Rector stated a condition of special approval requires the public hearing and should an adjacent home owner state opposition, considerations could be made by the Planning Commission.

Lake questioned the requirements proposed in the ordinance language in regards to security and monitoring of the property and questioned if the proposed language exceeds what is required by MRTMA. Attorney Goldsmith stated the requirements are in line with the language of MRTMA. Lake referred to the language of monitored alarm system and security presence. Attorney Goldsmith stated the language is similar to what is outlined within the MRTMA. Tremblay questioned requiring both monitored alarm system as well as security staffing. Lake stated requiring both may be punitive. Tremblay stated requiring security staff during business hours.

Mahoney questioned the business owner of the establishment in Utica, MI and the security practices implemented. Mr. Kiezi spoke on the security he implements at his facility including an analytic system which monitors the store from offsite. Mahoney questioned if this scale of security is standard at facilities. Mr. Kiezi stated due to the cost of armed security on site the analytic system is being implemented more often. Mr. Kiezi stated armed security personnel is available for the arrival and departure of staff to secure safe entry and when exiting the facility. Steiner stated monitoring should be considered as simply recording the property and would not be beneficial should an incident occur on the property after hours. Weins questioned should an establishment have excessive police calls would that fall under the category of excessive nuisance to revoke a license. Attorney Goldsmith confirmed that would fall under the general code requirements and stated excessive should be defined as to what that is and clearly define what would require the revocation of the license.

Rector referred to the language of retailer centers and the standards to be subject to outlined in the proposed ordinance. Lake questioned the hours of 9 am-9 pm being required by the state. Rector stated most ordinance language restricted the hours and stated deliveries conducted during business hours would require deliveries to be done while staff is present on the property. Attorney Goldsmith stated having a guard available for the arrival and departure of staff from the facility may be beneficial to reduce criminal instances. Tremblay questioned if a private security would be able to have police power on the property. Attorney Goldsmith stated generally speaking they would not.

Rector referred to the restrictions of indoor activities and prohibiting mobile and online orders at the facilities. Mahoney questioned Mr. Kiezi if mobile ordering is utilized at his establishment. Mr. Kiezi stated there is a software program that is used for online ordering, inventory and deliveries and there are restrictions on how many deliveries can be made. Mr. Kiezi stated the delivery orders are for those who are unable to enter the facility due to having children with them or mobility issues and offers a convenience for customers. Mr. Kiezi stated the ID is confirmed prior to processing the sale. Andrews stated he is in favor of including the language restricting mobile ordering or curb side pick-up. Lake stated allowing for those types of sales as there is no difference from other commercial uses utilizing those type of sales. Mr. Kiezi stated there can be lighting requirements, designate parking spots for pick up orders, distance from the establishment, etc. to better secure for those transactions. Mr. Kiezi stated most jurisdictions do not prohibit online ordering and instead there are restrictions for drive thru ordering. Mahoney stated most of the business would be Toledo for these establishments and would not be allowed to delivery to Ohio. Andrews stated the overlay district was selected to restrict the location of the establishments and allowing for delivery would counteract that overlay district. Lake stated if we do not allow for certain transaction types and other jurisdictions do, the Township is only setting up the establishments for failure. Weins questioned if the retail establishments would become obsolete with online sales and delivery. Mr. Kiezi stated he felt the retail center would not become obsolete and a physical location is required for sales and allows for eliminating the sale of black-market items.

Rector referred to the proposed language for facade requirements as well as odor control and filtration system requirements. Lake questioned the definition of odor and the subjectiveness of that section and enforcing the language of odor. Attorney Goldsmith stated odor may be difficult to enforce, however; the language should be maintained within the ordinance.

Rector referred to additional escrow being required should a different filtration system be utilized by an establishment and the Township needs to certify the system used. Andrews questioned the General Code requiring an annual permit to be renewed and including the language of the additional cost of odor control system to be included in those fees required. Rector referred to the parking requirements language and noted that multiple employees are required at these facilities. Weins stated providing language to clarify how the square footage is measured as he has encountered discrepancies with other commercial uses in the past. Rector stated an additional number of parking spaces can be required for curbside or pick up orders located closer to the structure in addition to the parking requirements. Tremblay spoke on the number of individuals waiting outside the facilities in Monroe and other areas and providing sufficient parking as the facility is restricted on the number they allow inside. Mahoney questioned a variance being sought for parking. Attorney Goldsmith stated as the use is permitted subject to special land use approval, therefore; the conditions cannot be varied from by the Board of Zoning Appeals.

Rector encouraged the Commission to review the ordinance language and provide further feedback at the special meeting on November 7, 2024.

MOTION BY WEINS, SUPPORTED BY STEINER, TO TABLE THE REQUEST TO AMEND BEDFORD TOWNSHIP ORDINANCE NO. 44, KNOWN AS THE "TOWNSHIP OF BEDFORD ZONING ORDINANCE" SO AS TO AMEND ARTICLE XI, C-1, LOCAL BUSINESS DISTRICT, BY ADDING ARTICLE XIA, PRINCIPAL USES PERMITTED SUBJECT TO SPECIAL APPROVAL TO PROVIDE FOR MARIHUANA ESTABLISHMENTS SECTION 400.1102A, MARIHUANA FACILITIES TO INSERT REGULATION LANGUAGE TO ALLOW ADULT USE MARIHUANA FACILITIES AS A SPECIAL LAND USE WITH STANDARDS FOR A SPECIFIC LAND USE AND TO CREATE A MARIHUANA FACILITIES OVERLAY (MFO) DISTRICT TO THE THURSDAY NOVEMBER 7, 2024 PLANNING COMMISSION SPECIAL MEETING SOLELY FOR DISCUSSION AND RECOMMENDATION TO THE TOWNSHIP BOARD AS THE PUBLIC HEARING HAS BEEN HELD AND CLOSED.

Motion by Weins, supported by Steiner. All Planning Commission Members were in favor. Motion carried.

Motion by Steiner, supported by Tremblay, to extend the meeting to 10:15 pm. Motion carried.

PUBLIC COMMENT –

Gail Keane- 1056 W Temperance- Ms. Keane questioned if public comment will be available at the next meeting and questioned where the MRTMA requirements can be obtained. Ms. Keane also spoke on the east side of Telegraph and further questions the proposed location and requirements of the facilities.

Chuck Hammill- 2174 Stirrup- Mr. Hammill stated concern of the congestion with traffic and potential parking on the road.

John Mackewich-822 Elm Perrysburg, OH- Mr. Mackewich referred to excluding the west side of Telegraph due to the manufactured home community and noted as the request would be a special land use those residents could advise if they are in support or object to the establishment. Mr. Mackewich advised if the residential voiced opposition the Township could exclude that property or require further requirements such as buffering. Mr. Mackewich also spoke to addressing renewals or sale/transfer of license.

Attorney Goldsmith advised if a property meets the standards of the ordinance, the Planning Commission would have to approve the use, however; could impose additional requirements, but would provide the request to move forward regardless of the public input.

Jim Sayed- 7853 Quail Creek Maumee, OH- Mr. Sayed voiced opposition to the setback requirements and stated the requirements are not consistent. Mr. Sayed stated condensing the proposed area and encouraging buffers would be more provide more benefit to the overlay.

John McLeod- 313 Park Avenue Detroit, MI – Mr. McLeod spoke on curbside sales and delivery orders and stated delivery is happening within the Township currently from outside the community from other facilities. Mr. McLeod spoke on delivery protocol and the requirements by state law.

Rosemary Wall- 2155 Stirrup- Ms. Wall stated residents are acquiring product from outside the Township and obtain delivery and therefore the products are available regardless of the availability of providing establishments within Bedford Township. Ms. Wall also spoke on the financial cost of the establishments on law enforcement and maintaining that cost outside of the Township while

allowing residents to obtain the products. Ms. Wall again referred to the statistical data of Sheriff Goodnough and the financial cost to the Township.

Marvin Kiezi- 3664 Piccadilly Dr Rochester Hills, MI- Mr. Kiezi spoke to the Township Attorney and his knowledge on the subject and encouraged the public to vote, however; the Township should have a say on the location and conditions of the establishments. Mr. Kiezi voiced appreciation to the Planning Commission asking him questions and allowing him to give comments and spoke on the signage restrictions in Utica, MI.

INFORMATION –

Attorney Goldsmith referred to the ordinance adopted in 2018 by the Township Board and stated the Commission cannot advise to vote one way or another, however; can encourage the public to vote.

Rector stated the next meeting will be scheduled for Thursday November 7, 2024 upon confirmation with the Clerk's office.

COMMISSION / STAFF COMMENT –

Steiner stated the importance of voting and stated the Commission is doing its due diligence for the Township.

Weins thanked the attorney for clarification.

Lake appreciated the civility and discussion and stated legalization is moving forward throughout the country and the Township should be prepared.

Mahoney wished the public a Happy Halloween.

Andrews thanked the public for attending and encouraged the public to vote on November 5th, 2024 as there are multiple important issues on the ballot.

Helm thanked the commission for their discussion.

Ingram encouraged those who spoke during public comment to please write down their full name and address for the record to avoid any misspellings.

ADJOURNMENT –

The meeting was duly adjourned at 10:11 p.m.

Respectfully submitted,
Katrina Ingram, Recording Secretary