

April 6, 2011

Bedford Township Planning Commission
PO Box H
Temperance, Michigan 48182

To Whom It May Concern;

I find it telling in the original notification for this meeting that deliberately the existing C-2 zoning is not mentioned. Your written words say all the land is zoned single family. This is simply a false and fraudulent statement. If the meeting would not have been changed this would be the only document provided any citizen. "Whitman Rules" prevail and will continue to prevail for me alone.

We posted for sale signs on our property in 1998. This property and the potential of some commercial entity coming here has been in the public domain since that time. In December 2001 we met with the adjacent property owners to tell them we had a potential contract with Wal mart. Their reaction to this was the very next day we were boycotted and I was personally threatened with physical harm. Bedfordwatch admits on their web site they have spent over 10 years of their lives protecting the community. In addition to this, the township's master plan map and zoning map showed our property as being completely commercial. Dennis Jenkins and Phil Goldsmith testified they believed the land to be entirely commercial. Because the township has lost maps, it cannot be determined how many years these maps showed this on our property. It is a reasonable estimate that maps showed all commercial for potentially 10 years.

On October 24, 2006 Bedford township attorney David Landry was given the floor at a township meeting at the high school and recommended that the board approve a site plan on this property that provided for C3 commercial uses 121 feet from the existing residential boundary on the west. These documents and drawings were prominently displayed at the township hall for weeks after this recommendation. In 2008 both Wade Trim and Monroe county planning recommended the majority of our land to be commercial. There are no land owners who have been given more notification that commercial zoning could come to an adjacent property from theirs.

Your attorneys have argued in court that there is a legitimate government interest being used to deny zoning on our land that is protecting the land owners in the vicinity. The fact of the matter is these owners have had years of notification, including multiple recommendations it be commercial, including up to 121 feet. No landowner can legitimately say they have not had plenty of notification and time to protect their property with a sale if they felt anything coming on our land would have a negative effect on their value. How many years and how many notifications are reasonable in a community?

I asked for the designation I did because of trial and deposition testimony. I really did not want these designations. Even doing this, I was rejected completely by the township and the citizens. We cannot have anything changed on our land. Judge Costello ruled your actions were arbitrary

and capricious. These are illegal acts by you against me personally. This was the second loss in court which followed the Albring farm decision against you. Two different judges on 7 parcels have ruled against you.

Walt Wilburn says in his deposition of December 23, 2009 and in Judge Costello decision that C3 can meet local commercial designation in master plan and can allow for a big box store. He says he is Chief Executive officer and spokesperson for the entire township. He says in the transcript of the board meeting of December 2, 2008 that there is no big impact between C2 and C3. And he is the spokesman and CEO of the township.

Larry Odell says in the transcript of December 2, 2008 that there are very, very, very few differences between C2 and C3. Wal Mart can come to C2.

Paul Leblanc is the person you have hired to be the expert witness in both our trials. His deposition on December 23, 2010 says he believes, as your expert, that taking existing C-2 and making it C3 is reasonable, the C2 and C3 districts for all practical purposes are the same, you might as well run the C3 district up to the border of the multi family and the C3 uses are not automatically deleterious to the vicinity. This is certainly different than how you treat people who ask for the C3 designation. You even accuse them of wanting to somehow bring adult business to the community. LeBlanc is the two time expert you have hired at \$200 per hour for these trials.

All of these people are on record that C2 and C3 are essentially the same. C3 and C2 exist now on this parcel. So, why would you turn down this request? Simple, Bedfordwatch will oppose any change in whole or in part and they never lose. In addition there are Whitman Rules.

I have included documents from Bedfordwatch that we were given in a court order and some that are public. They privately say you created an indefensible situation by denying the middle parcel while they supported that very action. They also say in private that PBO done right is OK next to residential while they have a referendum overturn that very pattern. Judy Frankowski told court room visitors during our trial they were going to recall Walt Wilburn because he testified they did not tell the truth during the referendum. Their own internal notes prove that. Yet they will win this and every other thing on our land.

After I am turned down, we will have a third trial and the money for your defense will come straight out of your general budget. John Sperry has graciously agreed to represent us to fulfill your rule someone has to be present at the meeting. Please have the integrity to address some of the issues brought forth in this letter. These will be addressed in depositions in the next trial.

Sincerely,



Jon Whitman