

**CHARTER TOWNSHIP OF BANGOR
PLANNING COMMISSION
MINUTES OF OCTOBER 23, 2019 MEETING**

A regular meeting of the Charter Township of Bangor Planning Commission was held on the 23rd day of October, 2019 in the Township Administration Building of Bangor Township, 180 State Park Drive, Bay City, Michigan, pursuant to notice of said meeting.

MEMBERS PRESENT: Dave Engelhardt, Ed LaPlant, Mike Nielsen, Mark Norton, Bill Schubert

MEMBERS ABSENT: Sandy Covaleski, Bob Thomas

At 6:00 p.m., Mr. Schubert called the meeting to order. The Pledge of Allegiance was recited.

The first item on the agenda was approval of the September 25, 2019 regular meeting minutes. *Mr. LaPlant moved to approve the minutes as presented. Mr. Norton supported the motion. Five (5) ayes, no (0) nays. The motion passed.*

The next item on the agenda was a request for approval of Special Use Permit/Site Plan from Troy & Maria Peters specifically for a home occupation at 288 Revilo Road (6.03Q).

Mr. Peters explained his wife would like to cut hair out of their house. They would put in salon furniture. There will be no sign. They would like to do things legally. Mr. Peters stated there would be one chair. Customers would come in one at a time. There is a lot of room in driveway for parking.

The public hearing was opened. There was no one in the audience for or against the request. The public hearing portion was closed.

Jim Lillo from the Bay County Road Commission wrote they have the following comments on the request. Based on the information submitted, this appears to be a request to add a salon to an existing residence. Although they have no objection or jurisdiction as to the Special Use Permit, they have a concern regarding the proposed parking. Parking in the driveway and on the adjacent property does pose a potential for vehicular conflict, as more vehicles will be backing into the street than would if this were strictly a residential property. Further, the request mentions parking on the street, which is legal, but can create additional issues for maintenance activities (primarily snow plowing). Therefore, if approved, we reserve the right to monitor the situation and install parking restrictions if street parking becomes an issue. Otherwise, we have no objection to the request.

Mr. Nielsen asked if the Peters' accepted the conditions from the Road Commission. They did.

Mr. Nielsen then asked what the zoning was of the property. The property is zoned R-2.

Mr. LaPlant asked what the hours would be for the business. Mr. Peters stated they would be in the daytime and by appointment only.

Mr. Schubert had concerns with the site plan and its application. He stated the items listed on the application are there for a reason. The site plan should reflect those items. Mr. Peters stated Mr. McFarland was the one who put n/a next to the items on the application. Mr. Peters stated he would add whatever the Planning Commission needed. Mr. Nielsen agreed.

Mr. Schubert stated the Planning Commission's main concern is the exterior of the building and how it will affect the neighborhood. This proposed use will not adversely affect the area.

A discussion took place on if a site plan is required for a Special Exception Use. It is required by Section 18.02 of the Zoning Ordinance.

APPROVED

Mr. Norton commented the driveway was 75' long and could hold at least 6 cars. There is plenty of room. Mr. Peters stated they own two acres to the north of their home.

Mr. Schubert stated if the interior plan is followed, the volume of customers is limited.

Mr. LaPlant reiterated that the items listed on the site plan application should have been shown.

Mr. LaPlant moved to approve the request for approval of Special Use Permit/Site Plan from Troy & Maria Peters specifically for a home occupation at 288 Revilo Road. The Bay County Road Commission reserves the right to monitor the situation and install parking restrictions if street parking becomes an issue. Mr. Schubert added that a sign will not be put on the property. Mr. Nielsen seconded the motion. The amendment was accepted. Five (5) ayes, no (0) nays. The motion passed.

The next item on the agenda was a request for site plan approval by Norm & Heather Rosenbrock for property at 3620 S. Huron Road (0901000720020000). Scott Bell from Lapham Associates represented the request.

Mr. Bell stated the discrepancies from the previous site plan were addressed. There will be a handicap accessible sidewalk. There are six parking spaces. The striping will be removed and the spaces will be recreated. Mr. Bell added they are closing the drive entrance as requested by MDOT. Drainage and catch basins are shown.

Mr. Bell added approval for one building is requested. The dumpster will be moved to the rear of the property. There is asphalt under the berms and concrete around the dumpster. The dumpster will be enclosed by a wooded privacy fence. Utilities, hydrants, storm sewer are shown on the site plan. There will be wall pack site lighting. No changes are being made to the building. Setbacks are shown and they meet the ordinance.

Mr. Nielsen commented that screening is not required. Parking spaces should be 10'x20'. There is ample room to change the sizes. The notation needs to be changed.

Discussion took place on the existence and location of municipal sewer.

The Fire Department stated a Knox box is required.

The Bay County Drain Commissioner had no issues with the site plan.

Don Hundley from MDOT wrote they are in favor of the North drive and removal of the South drive as shown on the plans. They are trying to get some answers from them in regards to existing and proposed drainage.

Mr. Nielsen stated a loading zone needs to be shown. Mr. Bell advised he would designate an area for loading and unloading.

Mr. Nielsen added landscaping needed to be addressed. Mr. Bell stated there were trees in the rear of the property and lawn in the front. They can put shrubs around the sign. The sign is going to be refaced.

Mr. Norton stated five deciduous or evergreen trees, four ornamental trees and 40 shrubs are required. After discussion, it was agreed that 15 shrubs would be required instead of 40.

No sidewalks along the road are required due to the wide shoulder.

Mr. Engelhardt asked if the asphalt would be replaced. Mr. Rosenbrock stated it would be at some point. For now they will maintain what they have.

Mr. Norton moved to approve the request for site plan approval by Norm & Heather Rosenbrock for property at 3620 S. Huron Road (0901000720020000) with the stipulations that the parking space sizes of 10'x20' be shown and noted; the loading zone be shown; four ornamental trees, 5 deciduous or evergreens and 15 shrubs are required on

APPROVED

site; the area to the dumpster shall be hard surfaced and the future buildings shown are not approved. Mr. LaPlant seconded the motion. Five (5) ayes, no (0) nays. The motion passed.

The next item on the agenda was a request for recommendation of approval to Township Board for the rezoning of property on Debra Lane (09010S0500000900) from Residential-3, Single Family Residential District to C-2, General Commercial District.

Brad Shaw represented the request. He explained the property is owned by Cynthia and Robert Wiegand who also own Bonnie's Sewing Center. The property is 1/3 acre and in a residential area. They would like to mitigate the parking problem at the business. There is a safety concern. Mr. Shaw added he submitted and paid for site plan application for the site.

The public hearing was opened.

Henry Johnson stated he owns 12 acres to the north of the property. The Township's Future Land Use Map shows the property as commercial. Mr. Johnson believes the property should all be redeveloped. It is closely connected to highways and major roadways.

Floyd Taylor of 3560 Debra Lane stated the area is 100% residential. He commented the Planning Commission stated they were concerned with the impact a commercial use would have on an area. There are no sidewalks and children play in the road in the subdivision. Mr. Taylor stated Bonnie's should not have made the building so large if parking was an issue.

The public hearing portion was closed.

Danuta S. Spaven of 3559 Debra Lane (next door) wrote she does not want the change from Single Family district to C-2 General Commercial.

Jim Lillo from the Bay County Road Commission wrote they have no comment on the request. Zoning related requests fall under the jurisdiction of the township, the BCRC having no jurisdiction in the matter.

Mr. Nielsen stated the Future Land Use map calls for the property to be commercial. However, if the property is rezoned, it would be in violation of the Zoning Ordinance regarding minimum size and frontage. Why would they approve a request that does not conform to the existing minimum standards?

Mr. Schubert read Section 16.01 of the Zoning Ordinance regarding the requirements for a Commercial-2 zoned property. He had concerns because the Future Land Use directs one way. If approved, variances will be needed. If the property was not shown as commercial on the Future Land Use map, it would be spot zoning.

When following the Future Land Use map, you need to start somewhere and it is spot zoning. Mr. Norton stated he wasn't concerned about it being spot zoning. His concern is that property does not conform for that zoning. A larger piece of property is needed.

Mr. Shaw stated he thought this was going to be rubber stamped.

Mr. Nielsen stated the property would need variances or more property. Mr. Shaw stated the Township gave him bad information. He was told since the property was commercial on the Future Land Use map, it would be approved. The owner needs more parking for his business.

Mr. LaPlant stated nothing is ever a rubber stamp. Everything is considered when items are reviewed.

Mr. Nielsen stated maybe a Special Exception Use could be requested. He didn't know if a parking lot would be allowed or not in residential zoning.

APPROVED

Mr. Schubert stated the Planning Commission makes a recommendation to the Township Board on whether or not the property should be rezoned.

Mr. Schubert moved to recommend to Township Board to not rezone property on Debra Lane (09010S0500000900) from Residential-3, Single Family Residential District to C-2, General Commercial District. Mr. Norton seconded the motion. Five (5) ayes, no (0) nays. The motion passed.

Parking requirements for marihuana provisioning centers was brought up. After much discussion, the Commission agreed that for a provisioning center, one (1) parking space for each one hundred fifty (150) square feet of gross floor area. This would be placed in Section 23.01 of the Zoning Ordinance in the Business/Commercial table section.

Another change discussed was in Section 19.02 regarding Type A and B screening. The requirement should be to require one of the options.

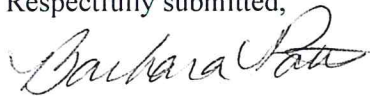
In Section 23.01D8, the last sentence needs to be completed.

All the marihuana uses need to be looked at for parking requirements. Also parking requirements for mini storage facilities.

The last item on the agenda was a request for Site Plan approval by Robert & Cynthia Wiegand for property on Debra Lane (09010S0500000900). *Mr. Norton moved to deny the request based on the property not being zoning property. Mr. LaPlant seconded the motion. Five (5) ayes, no (0) nays. The motion passed.*

Having no other business before the Commission, Mr. Nielsen moved to adjourn. Mr. Norton seconded the motion. Five (5) ayes, no (0) nays. The motion passed and the meeting was adjourned at 8:00 p.m.

Respectfully submitted,



Barbara A. Potts
Planning Commission Coordinator

APPROVED