

**CHARTER TOWNSHIP OF BANGOR  
PLANNING COMMISSION  
MINUTES OF JUNE 26, 2019 MEETING**

A regular meeting of the Charter Township of Bangor Planning Commission was held on the 26<sup>th</sup> day of June 2019 in the Township Administration Building of Bangor Township, 180 State Park Drive, Bay City, Michigan, pursuant to notice of said meeting.

MEMBERS PRESENT: Sandy Covaleski, Ed LaPlant, Mike Nielsen, Mark Norton, Bill Schubert, Bob Thomas

MEMBERS ABSENT: Dave Engelhardt

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 May 22, 2019 regular meeting minutes.** *Mr. Nielsen moved to approve the minutes as presented. Mr. LaPlant seconded the motion. Six (6) ayes, no (0) nays. The motion passed.*

**The next item on the agenda was a request for site plan approval by Bay County Department of Water & Sewer for vacant property on Wheeler Road (0901000430018000).**

*Ms. Covaleski recused herself from the item. Mr. Schubert accepted her request. Mr. LaPlant seconded it. Five (5) ayes, no (0) nays. The motion passed and Ms. Covaleski was recused.*

Mr. Engelhardt entered the meeting at 6:03 p.m.

Jim Lillo of the Bay County Road Commission had no comment on the site plan.

The Fire Department had no comment.

The Bay County Drain Commissioner had no comments.

The Bay County Department of Water & Sewer had no comments.

Bill Bohlen and Louie Taylor represented the request.

Mr. Bohlen explained there were no significant changes from the preliminary plan. Phase I assessment has been completed and they are working on Phase II. They learned there is no oil well on the Northwest corner of the property. The farmer who leases a portion of the property drew a sketch of where drain tile is. The planned closing date is August 8<sup>th</sup>.

Mr. Nielsen asked if the church gave an easement for the property on the corner of Bangor and Wheeler. Mr. Bohlen stated they haven't approached them as yet. They are waiting until the site plan is approved.

Mr. Schubert questioned the forced main directional drilling and open cut. Mr. Bohlen explained there would be both. The directional drilling would be done in the right of way and the open cut would be done on the property.

A discussion took place on how the farmer's tiling would tie into the plan.

Mr. Nielsen asked if there was going to be a light pole on the berm. Mr. Taylor stated there would be but they are determining where the power would come from.

The timeline of the project was discussed.

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Mr. Norton stated no barbed wire is allowed on the fencing. There will be a high water alarm on the pond.

*Mr. LaPlant moved to approve the request for site plan approval by Bay County Department of Water & Sewer for vacant property on Wheeler Road (0901000430018000). Mr. Schubert seconded the motion. Mr. Nielsen added an easement shall be secured for the pump station. The amendment was accepted. Six (6) ayes, no (0) nays. The motion passed.*

Ms. Covaleski was brought back to the meeting.

**The next item was a request for site plan approval by Morton Street Investments, LLC for property at 3900 N. Euclid (0901000740003501).**

Jim Lillo of the Bay County Road Commission had no comment on the site plan.

The Bay County Drain Commissioner had no comments.

The Fire Department had no comment.

The Bay County Department of Water & Sewer had no comments.

Dale Bash represented the request. He stated his previous site plan approval expired. He was here to renew the approval.

Discussion took place on a buffer between the subject property and the apartment building adjacent to it. Mr. Bash stated the kids from the apartments ruin any landscaping that is put back there. He stated, if required, he would have trees but they wouldn't last.

Mr. Bash stated the two suites in the back of the property would have power. Mr. Nielsen questioned the size of the drain pipe shown on the site plan. The correct size would need to be added to the site plan. A discussion regarding drainage took place.

It was suggested that the buildings be moved more South to make room for a buffer. Mr. Bash stated moving it would not work for the trucks. He added he could install a wooden fence but the kids would ruin it.

Mr. Bash added there would be wall pack lighting for security.

*Mr. Nielsen moved to approve the request for site plan approval by Morton Street Investments, LLC for property at 3900 N. Euclid (0901000740003501). A swale shall be installed on the West end around the field tiles and be tied into the 4" drain tile. Ms. Covaleski seconded the motion. Seven (7) ayes, no (0) nays. The motion passed.*

**The next item on the agenda was a request for site plan approval by Timothy Sequin for property at 3916 N. Euclid (0901000740004000).**

Tim Sequin represented the request.

Jim Lillo of the Bay County Road Commission had no comment on the site plan.

The Bay County Drain Commissioner had no comments.

The Fire Department had no comment.

The Bay County Department of Water & Sewer had no comments.

Mr. Sequin explained he had the back portion of the property rezoned and would like to expand his development. He is proposing one 30'x100' building. It would match what exists. He talked to the adjacent property owners

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and took care of their concerns regarding lighting and projects being done in the units. The lights will be on timers and the gate will lock at 10:00 p.m. It is in the contract that no businesses can be run out of the units. He will also be addressing the low area in the rear of the property which will get rid of the water back there. There is a green belt between this project and the adjacent residential area. No changes to the pond were needed.

Mr. Schubert stated the water main size and easement location should be shown on the site plan.

Electricity will be run to the building by overhead wires. The site will have stone crete for surfacing.

Mr. Norton asked where the parking was. Mr. Sequin stated parking isn't needed, however, it was shown on the previously approved site plan. Mr. Norton stated it should be added to the site plan.

There is a 6' chain link fence around the pond and also one around the property.

*Ms. Covaleski moved to approve the request for site plan approval by Timothy Sequin for property at 3916 N. Euclid (0901000740004000). Mr. Norton seconded the motion. Mr. Schubert stated parking should be shown along with the size and location of the water main and easement. The amendment was accepted. Seven (7) ayes, no (0) nays. The motion passed.*

Building Official Dave DeGrow addressed the Commission regarding an issue that was recently brought to his attention which happened prior to his hiring. He explained Coco Loco's restaurant applied for and was issued a building permit for an outdoor eating area. The project is close to being finished. Site plan approval should have been required since administrative approval could not have been given. Mr. DeGrow presented an aerial view of the property showing the restaurants parking. 138 parking spaces remain with the addition.

Mr. DeGrow stated this was not the fault of the restaurant owner. It was the Township's mistake. Mr. DeGrow asked for guidance on what should be done to correct the issue.

A discussion took place.

Mr. DeGrow stated he red tags buildings if there are safety, welfare or code violations. This has none of those.

Jose and Alicia Costilla were present. Mr. Costilla stated they would like the patio open for July 4<sup>th</sup> and would do what was needed to make that happen.

Parking, sidewalks, landscaping, etc. were items that would be needed on a site plan. MDOT may want to close a driveway because of their access management plan. Once a plan is developed, variances may be needed.

The Planning Commission took no action.

**The last item on the agenda was for recommendation to Township Board for changes to Zoning Ordinance #300, as amended, to provide for the zoning regulation of Commercial Marihuana Facilities and designate such Facilities and Operations as permitted uses; in order to maintain the public health, safety and welfare of the residents and visitors to Bangor Township.**

The Commission made the following recommended changes: remove all references to "Medical" marihuana; define MRTMA in its first use as Michigan Regulation and Taxation of Marihuana Act; insert ordinance number in #2 of Section 1; Section 2 and 3 shall be changed to be allowed as a Special Exception Uses not as a permitted uses; and in Section 2 and 3 the items listed should have the word "marihuana" in front of them.

*Mr. Schubert moved to recommend to the Township Board changes to Zoning Ordinance #300, as amended, to provide for the zoning regulation of Recreational Marihuana Facilities and designate such Facilities and Operations as Special Exception Uses; in order to maintain the public health, safety and welfare of the residents and visitors to Bangor Township; with the following changes: remove all references to "Medical" marihuana; define MRTMA in its first use as Michigan Regulation and Taxation of Marihuana Act; insert ordinance number*

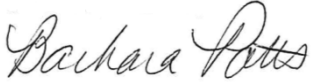
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*in #2 of Section 1; Section 2 and 3 shall be changed to be allowed as a Special Exception Uses not as a permitted uses; and in Section 2 and 3 the items listed should have the word “marihuana” in front of them. Ms. Covaleski seconded the motion. Seven (7) ayes, no (0) nays. The motion passed.*

Information regarding allowing chickens was presented and will be reviewed at a later time.

*Having no other business before the Commission, Mr. Nielsen moved to adjourn. Ms. Covaleski seconded the motion. Seven (7) ayes, no (0) nays. The motion passed and the meeting was adjourned at 7:58 p.m.*

Respectfully submitted,



Barbara A. Potts  
Planning Commission Coordinator

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