

**CHARTER TOWNSHIP OF BANGOR  
PLANNING COMMISSION  
MINUTES OF OCTOBER 28, 2020 MEETING**

A regular meeting of the Charter Township of Bangor Planning Commission was held on the 28<sup>th</sup> day of October 2020 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, Dave Engelhardt, Ed LaPlant, Mike Nielsen, Bill Schubert, Bob Thomas

MEMBERS ABSENT: Mark Norton

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

**The first item was approval of minutes of the August 26<sup>th</sup>, 2020 regular meeting.** Ms. Covaleski moved to approve the minutes. Mr. Thomas seconded the motion. Six (6) ayes, no (0) nays. The motion passed.

**The next item was a request filed by Alan Willett for the property at 3446 E. Beaver Road (0901003120010501) for approval of a Special Exemption Permit and Site Plan.**

Mr. Willett represented the request and stated the previous recommendations have been applied to the site plan.

Danny Williams, owner of the medical building next door, was in support of the request. He stated it will be a nice addition.

Chris Rupp spoke behalf of his mother in-law Marcia Stanolis. The main concern is the amount of fill and how high it is. He wanted to know how drainage would be routed, what type of barrier/fencing was going to be around property and what kind of lighting would be used.

Susan Rupp also spoke on behalf of her mother. Her concerns were regarding the people going in and out of the facility. Safety was also a concern. Ms. Rupp reiterated her husband's comments

Russell Austin of 2558 Euclid stated his property is the low spot in the area. He has concerns with drainage, lost of wildlife, his trees being removed and lights shining onto his property.

Chris Stanolis, son of Marcia Stanolis, was concerned with how high the property was built up. He has concerns with lights shining into his mom's bedroom.

Joe Stanolis was also concerned with the amount of fill that was brought in and drainage. He would have liked to see the site plan prior to the meeting. He questioned fencing material and height.

Mr. Schubert explained what a Special Use was. He stated the property owner is under no obligation to talk to the neighbors about a project. Drainage was a major concern but there are multiple storm drains and an on-site retention basin that drains to Beaver Road. The Bay County Road Commission has approved the drainage. There is fencing for security and screening.

Jim Lillo of the Bay County Road Commission wrote they have no objection to or comments on the site plan. Mr. Willett's engineer forwarded a copy of the proposed site plan to the BCRC for review and the BCRC Board approved the commercial access and drainage components within the Beaver Road right-of-way at their regular meeting held on August 12, 2020.

Fire Marshall Jim Starkey stated a Knox box is required. The road surface of the storage unit area is not specified. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced as to provided all-weather driving capabilities. 2012 IFC 503.2.3.

**APPROVED**

Mark Norton wrote on the East property line; he feels that the retaining wall should not have a gap in it. At a 1 on 2 slope it seems that the embankment will be difficult to stabilize. He has the same comment for the south property line where it also indicates a 1 on 2 slope.

Mr. LaPlant stated prints were provided to the Building Official along with a comprehensive drainage plan.

Mr. Schubert stated there are two phases. The first phase is for the mini storage. The second phase is for restaurants.

Ms. Covaleski commented all the items mentioned at the previous meeting have been included on the plan.

Mr. Schubert agreed with Mr. Norton's comments on the retaining wall.

Mr. Willett stated the screening would not be a chain link fence. The storage facility would be open 8:00 a.m.-8:00 p.m. Lighting would be attached to the building and shine down.

A discussion to place on screening and its location. The mini storage would have a chain link security fence.

Building Official Tim Mark stated a DEQ permit was not required due to the size of the lot.

The drive around the storage facility would be gravel and able to support fire apparatus.

Mr. Willett stated he would put opaque fencing along any residentially used or zoned properties. The south property line would have a chain link fence. There would be no fencing on the East side.

Mr. Thomas asked if there would be electricity to the buildings. Mr. Willett stated there would be no plugs for switches in the storage areas.

*Mr. LaPlant moved to approve the request filed by Alan Willett for the property at 3446 E. Beaver Road (0901003120010501) for approval of a Special Exemption Permit and Site Plan Opaque fencing shall be run from the gate on the East side along East line, along South property line and along West property line to adjacent commercial property. The retaining wall shall be solid. The lighting shall face downward. The watermain easement shall be filled with the Bay County Department of Water & Sewer. Ms. Covaleski seconded the motion. Six (6) ayes, no (0) nays. The motion passed.*

**The next item was a request for Site Plan approval from JAS Dispensary for property at 4373 Wilder Road (0901000940030500).**

Mike Bahoura and Terry Taieb represented the request.

JAS added two shipping containers on site to store packing materials and boxes. They had applied to and were approved from the City of Bay City which was the wrong jurisdiction.

Jim Lillo of the Bay County Road Commission wrote they have no objection to or comments on the site plan. They understand the work proposed is for storage and its location is well off the Wilder Road right-of-way.

Fire Marshal Jim Starkey had no issue with the site plan.

Mark Norton wrote he does not see the new structure (awfully big set of plans to be doing nothing), but he suggests a sidewalk to be added along the frontage of the property as it is in the planned sidewalk area. Utility Contacts indicate the City of Bay City. Is there a variance for the front yard setback? Suggest removing the landscape timbers. Parking spaces need to be 10' wide x 20' long. Need a BCRC approved entrance. Can they adjust the lights mounted on the building to shine down and not out into traffic and lighting up the parcel next door? Driving by that building at night blinds you when coming from the west.

**APPROVED**

Mr. Schubert stated the parking space size needs to be changed to 10' x 20' and the amount of required parking needs to be recalculated. There is room in the rear for additional parking.

Mr. Bahoura stated there is no traffic in and out of the storage containers. They are for storage only.

Mr. Schubert stated the previous owners did not meet the items required for site plan approval. The railroad ties were to be removed, the lighting was an issue and sidewalks were required.

After discussion, Mr. Taieb stated the building in the back of the property would be removed. He was directed to mark it on the site plan.

Mr. Nielsen asked if the building location was grandfathered in. It was.

Mr. Nielsen asked what type of shipments the building would be accepting. Mr. Bahoura stated the trash truck would be the largest vehicle to come onto the property. Deliveries would be made by van.

Mr. Schubert asked about utilities run to the containers. There would only be lights to the containers.

Mr. LaPlant commented he was not a fan of the shipping containers.

Mr. Nielsen stated the existing lights and the lighting plan do not jive. Mr. Bahoura assured the Commission the lights would be directed down.

*Mr. Nielsen moved to approve the Site Plan from JAS Dispensary for property at 4373 Wilder Road (0901000940030500) with the following stipulations: parking space size needs be 10'x20'; additional parking needs to be added if calculations show more spaces are required; sidewalks are required along Wilder Road, lighting shall be adjusted to be in compliance with the lighting plan; the timbers shall be removed; and removal of Building C shall be noted on site plan. Mr. LaPlant seconded the motion. Six (6) ayes, no (0) nays. The motion passed.*

**The next item was a request for Site Plan approval for Green Acres Holdings LLC for property at 3514 Patterson (0901000920009500).**

Donald Skover represented the request. He stated the plan was approved three years ago. He has plans to develop the first building and possibly add one or two more then split off a portion of the property.

Jim Lillo of the Bay County Road Commission wrote they have the following comments regarding the site plan. From the submitted plan Sheet C2.10, the existing gravel access along Patterson Road will be abandoned, replaced with topsoil and grass. The proposed commercial access off Patterson that accesses the parking area behind proposed building #3514, needs to conform to the BCRC's current commercial access requirements. For the existing commercial access on Wheeler Road, it also must conform to the BCRC's current standards. This access is currently approximately 60' wide, if it is to remain, they will require its width to be reduced to no more than 40' and be located as far west on the property as reasonable. Both commercial accesses will require an approved permit from the BCRC before any work can occur in the road right-of-way. On-site drainage must be shown and the locations where runoff will enter either the Jean Aplin County Drain along Patterson or the roadside ditch along Wheeler Road. Since this is a change of use, the developer should contact the Bay County Drain Commissioner's office to determine if storm detention will be required.

Mark Norton wrote site grading and drainage is incomplete. Need a BCRC approved entrance, note to abandon existing entrance/gravel parking appears to be pointing to the wrong spot. Should be pointing further south to the existing entrance. Parking spaces need to be 10' wide x 20' long. Dumpster Enclosure. Has this site plan (dated August 2017) been approved previously?

**APPROVED**

Mr. Nielsen noted the parking space size and aisles are not in compliance. Mr. Schubert was concerned with the traffic flow.

John Biggar, the architect, stated he felt the parking was adequate. Mr. Nielsen stated items were missing from the site plan, such as: loading zone, handicap parking, grading, utilities, landscaping, floor plans, elevations, lighting, fencing, and dumpster location.

A discussion took place on the number of buildings that would be on the site and how they will be identified.

*Mr. Schubert motioned to postpone for not more than three regular meetings, the Site Plan for Green Acres Holdings LLC for property at 3514 Patterson (0901000920009500). Mr. LaPlant seconded motion. Six (6) ayes, no (0) nays. The motion passed.*

**The next item was a request for site plan approval for Bud Brothers Provisioning for property at 3392 S. Huron Road (0901000630044500).**

Craig Rudnick from Spicer Group represented the request.

Jim Lillo of the Bay County Road Commission wrote they have the following comments regarding the site plan. From the submitted plans, the existing commercial driveway access to the property from Huron Road will remain as is. This access is under the jurisdiction of the MDOT; thus, they should be contacted to determine their requirements. The commercial access to the parking area behind the existing building needs to conform to the BCRC's current requirements. This includes 35' driveway return radii and an access width of 26'. Approval of the commercial accesses and a work in the right-of-way permit form the BCRC is required before any work can occur in the Two-Mile Road right-of-way. Sloped end sections with a minimum slope of 1 on 3, are required for the proposed driveway culvert along Two Mile Road.

Don Hundley from MDOT wrote initial review is that the existing drive is non-conforming and there is a good chance it will be required to move or be removed completely. They show access being created off 2-Mile Rd. Which would be much better. MDOT guidelines are: Corner clearance nearest edge to nearest edge; Over 40 mph= 230'; Below 40 mph= 115'; Drive spacing Center to Center Over 50 mph= 455'; 45 mph= 350'. They have a crash history at this intersection as well.

Fire Marshal Jim Starkey requires a Knox box.

Mark Norton wrote existing water and sanitary sewer services, and mains should be shown.

Mr. Rudnick stated they would be able to make the BCRC suggested changes. He stated they will work with MDOT on their suggestions.

Mr. Schubert had concerns with the lighting about the neighbors. The application shall meet requirements and have an exact plan for the lighting.

Mr. Nielsen states the parking space calculations were incorrect. He added screening along the residential properties was required. All existing landscaping will stay.

Mr. LaPlant asked if the dumpster would be enclosed. It will be.

The utilities needed to be added to the plan.

Mr. Schubert stated if the shed stays on the property, more parking would be required.

*Mr. Nielsen moved to approve the site plan request from Bud Brothers Provisioning for property at 3392 S. Huron Road (0901000630044500) with the following conditions: the driveway along Two Mile shall be approved by the Bay County Road Commission, parking calculations shall be corrected, if the shed is to remain parking calculations*

**APPROVED**

*shall be adjusted, utilities shall be shown and the applicant will address the MDOT issue. Mr. LaPlant seconded the motion. Six (6) ayes, no (0) nays. The motion passed.*

**The last item was a request for site plan approval for ROWE Professional Services/MidMichigan Health Department for property at 3051 Kiesel Road (0901001810000501).**

Troy Grunder of Rowe represented the request along with Mike Erickson the Vice President of MidMichigan Health.

Mr. Grunder explained this was phase II of III. An emergency room will be added. Variances for parking were requested and granted. Mr. Grunder stated they are working with the Bay County Road Commission regarding the driveways. He added there is now underground detention located under the parking lot.

Jim Lillo of the Bay County Road Commission wrote they have the following comments regarding the site plan. From the submitted plans, the existing commercial driveway access for the property from Kiesel Road will remain as is. The developer is proposing two additional commercial accesses along Two-Mile Road. The access immediately north of the Kiesel Road intersection will not be allowed. It is too close to the existing road intersection and will create vehicular conflicts with Two Mile Road traffic and traffic entering/exiting Kiesel Road. The northern proposed commercial access is acceptable as located. The 18' driveway return radii should conform to the BCRC's current requirement of 35' or a variance, along with reasoning, should be requested. As a note, any proposed landscape vegetation/trees should be such that they do not obstruct a driver's view (anytime during their lifespan) when exiting the property or entering Two Mile Road from Kiesel Road. Approval of the commercial accesses and a work in the right-of-way permit from the BCRC is required before any work can occur in the Two Mile or Kiesel Road right-of-way.

Fire Marshal Jim Starkey requests a fire protection drawing for this project.

Mark Norton wrote the drawing needs a cross section for the Helistop. Is there evidence of any required FAA approvals for the Helistop? Do we have anything in our ordinance pertaining to Helicopter landings? Proposed grading sheet is incomplete, no proposed grades shown, only contours. Has the BCDC reviewed/approved the drainage plan? The NE quadrant of the site appears to be trapped or drain offsite to the NE.

Mr. Grunder stated the building will be sprinklered and will get the Fire Marshal the plan when it is ready.

A discussion took place on the helistop and FAA requirements.

Mr. Grunder stated they had not submitted plans to the Bay County Drain Commission yet.

Mr. Erickson stated all lighting would stay on site. The generator has a masonry enclosure to mitigate sound.

*Ms. Covaleski moved to approve the request for site plan approval from ROWE Professional Services/MidMichigan Health Department for property at 3051 Kiesel Road (0901001810000501) with the stipulations the Bay County Road Commission issue is addressed and Drain Commission approval is received. Mr. LaPlant seconded the motion. Six (6) ayes, no (0) nays. The motion passed.*

A discussion took place on whether revised plans are received by the Building Department and regarding storage containers.

*Having no other business before the Commission, Ms. Covaleski moved to adjourn. Mr. Nielsen seconded the motion. Six (6) ayes, no (0) nays. The motion passed and the meeting was adjourned at 8:35 p.m.*

Respectfully submitted,



Barbara A. Potts

Planning Commission Coordinator

**APPROVED**