

**Charter Township of Bangor
PLANNING COMMISSION
MINUTES OF AUGUST 22, 2012 MEETING**

A regular meeting of the Charter Township of Bangor Planning Commission was held on the 22nd day of August 2012 in the Township Administration Building of Bangor Township, 180 State Park Drive, Bay City, Michigan, pursuant to notice of said meeting.

MEMBERS PRESENT: Dick Bishop, Mark Norton, Patricia Parker, Dennis Pilarski, and Bill Schubert

MEMBERS ABSENT: Ed Davis, Tom Washabaugh

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 23, 2012 regular meeting minutes. *Mr. Pilarski moved to approve the minutes as written. Mr. Bishop seconded the motion. Five (5) ayes, no (0) nays, two (2) absent. The motion passed.*

The next item on the agenda was a request for site plan approval from Bay Aggregate, Inc. for property at 99 Tiernan (0901001420000500).

Representatives from Bay Aggregate stated they were moving the existing office building from the waterfront back onto the site. It would have new foundation.

Jim Lillo from the Bay County Road Commission wrote with regard to the site plan filed by Bay Aggregate, Inc for property at 99 Tiernan Road, they have no comment on the site plan. The request is for a development that does not access a roadway under the jurisdiction of the BCRC. This section of Tiernan Road is under the jurisdiction of the City of Bay City and the engineer/developer should contact them to determine what they will require for access to this site.

Bradd Maki from the Bay County Department of Water and Sewer wrote the DWS takes no exception to the proposed site plan. Water and sewer connections to be verified as indicated. Coordination with City of Bay City and DWS is required for service connections.

Fire Marshal Bailey wrote the site plan for 99 Tiernan does not indicate the location of existing fire hydrants. The building that is being moved shall be within 400 feet of a fire hydrant.

Mr. Norton stated he thought the service lead to the building should be 1". Bay Agg representatives stated they want to connect to an existing water lead. They want one meter. They will coordinate with the water departments.

Mr. Schubert stated sidewalks needed to be discussed. The Commission agreed the installation of sidewalks was not warranted.

Mr. Pilarski stated address numbers and a Knox box were required. The Fire Department has a Knox box on the gate.

A discussion took place on the address numbers. The address is 99 Tiernan Road but the buildings are labeled as A, B, C, etc. They are working with the Township Assessor.

Ms. Parker asked for the distance between the fire hydrant and the building. There is a loop of hydrants and they will make sure the building is within 400' from a hydrant. Outside the site, the hydrants are owned by the City of Bay City.

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A dumpster will not be needed.

Mr. Norton moved to approve the site plan from Bay Aggregate, Inc. for property at 99 Tiernan (0901001420000500). The water line will be coordinated between the Department of Water and Sewer and the City of Bay City. Address numbers will be coordinated with the Bangor Assessor's Office and Consumers Energy. Sidewalks are not warranted at this site. Mr. Pilarski seconded the motion. Five (5) ayes, no (0) nays, two (2) absent. The motion passed.

The next item on the agenda was a request for Special Exception Use Permit/Site Plan approval for Bay Regional Medical Center for property at 3250 E. Midland Road (090101930023500) specifically for a hospital.

Mr. Pilarski reported Bay Med came before the Zoning Board of Appeals. The height variance was approved but the parking space variance was postponed.

Kurt Fogelsonger and Stacie Tewari represented the request along with Jim Bourdon. The proposal is for an addition in West Campus connecting the CORF and J-ROC buildings. This will be the McLaren Cancer Institute for one stop cancer treatment. The first floor will be for treatment and second and third floor will have doctors' offices.

Currently, half of the parking spaces are used. They are asking to continue the use that began in the 1960's. The floor spacing is higher because of the equipment needed. There will be roof access. At the Zoning Board of Appeals meeting, they demonstrated there is not a need for additional parking. There will be almost 100 extra parking spaces after the projected increase in staff and visitors.

Mr. Fogelsonger presented renderings of the site and an aerial view. The site meets all setbacks. No additional storm water improvements are needed.

Mr. Schubert read the proposed wording for the variance approval regarding the parking spaces. It read: "This variance has been granted based upon the representation that a full service oncology unit will be open 8:00 a.m. to 5:00 p.m., Monday-Friday only. The Zoning Board of Appeals reserves the right to require a new review of this variance request and to impose new conditions in the event that hours of operation, or days of operation of the unit are expanded."

Jim Lillo from the Bay County Road Commission wrote with regard to the Special Exception Use Permit/Site Plan filed by Bay Regional Medical Center (McLaren West Campus) for property at 3250 East Midland Road, they have the comments listed below.

Referring to the petition submitted by McLaren West Campus (same address/location) for the May 16, 2006 ZBA meeting and the BCRC's response to that request (May 5, 2006 BCRC letter): *"Will require reconstruction of Professional Drive at Midland Road. We urge the Township to insist that both drives to McLaren's West Campus be brought up to standards for commercial drives. No further development should be allowed until both drives are fixed."* Subsequent discussions occurred between the BCRC and McLaren before and after the May 16th, 2006 ZBA meeting regarding upgrading the two existing commercial drives that serve this location. They understood the development proposed in 2006 and subsequently built, would not result in a large increase in driveway traffic. Thus, the BCRC did not require the two entrances to be upgraded to current standards at that time. However, they further understood McLaren was to investigate and plan for upgrading the entrances (especially the western access) ahead of any future development at the site.

Based on the information received, the size and use of the proposed addition/building, they "assume" a large amount of traffic will not be generated by this development. The problem they foresee is the slow addition of

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buildings over a period of years, all of which that, individually, do not generate “a lot of traffic”, but eventually and collectively they will generate appreciably more traffic than existed six years ago.

Therefore, they are requesting McLaren provide the BCRC with their future plans and timetable for upgrading the two entrances to their facility to current BCRC standards. They are especially concerned about the western entrance, as it currently has visibility issues for vehicles both entering and exiting.

Bradd Maki from the Department of Water and Sewer wrote the DWS takes no exception to the proposed site plan. Existing water and sewer tie-in locations should be verified. Alternate tie-in locations may need to be considered. Coordination with DWS required for testing and inspection.

Bay County Drain Commission wrote most of the area is impervious already. There is a major detention basin behind it. Drainage from the new building will not have much effect.

Mr. Fogelsonger asked what the trigger should be for improving the entrances. His opinion was they should be improved when the existing parking is exceeded.

Mr. Bourdon stated they did some research into accidents in the area of the entrances. He added three accidents have occurred in the seven years within 150’ of the entrances. Mr. Bourdon commented when this was in the planning stage Mr. Lillo of the Bay County Road Commission contacted him. At that time, Mr. Lillo said he did not anticipate a need to change the entrances based on their discussion. Mr. Bourdon stated they approached the homeowner to the West of the West entrance to purchase a portion of his property. The homeowner refused. There is a large tree on that property that hinders the view onto Midland Road. It also blocks the drive when coming from the West. They are willing to meet with the Bay County Road Commission and with the property owner.

A discussion took place on the improvement to the entrances.

There was no one in the audience for or against the request.

The issue with the entrances has been going on for years. It needs to be worked out with the Bay County Road Commission.

Mr. Bourdon stated the proposed variance language needed to be amended. The days and hours should be Sunday-Saturday, 7:00 a.m.-5:00 p.m.

More discussion took place on how to improve the clear vision area at the entrances and Bay County Road Commission requirements.

Mr. Schubert asked for clarification on the number of parking spaces. Mr. Pilarski explained 1,011 parking spaces are required and 435 exist. No new parking is proposed. Mr. Fogelsonger commented the ordinance is based upon single building sites not on a campus layout. Mr. Schubert suggested having traffic counters put in to see what the numbers are. Mr. Fogelsonger stated a study was done over a one-week period. Most parking spaces were used at shift change. There are over 800 parking spaces accessed off Midland Road. There is no congestion at Midland Road at shift change.

Patient surveys are done all the time. If there is a problem with parking, the patients will let them know.

Mr. Norton asked that the survey that was given to the Zoning Board of Appeals be attached to the site plan.

Mr. Norton had questions about the sewer line. Ms. Tewari stated there would be two new lines on the North and would continue underneath the building.

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A discussion regarding sidewalks took place. There are internal sidewalks. If the drives were improved, ramps should be put in for pedestrian traffic.

Another discussion took place on the entrances. The Bay County Road Commission did not indicate how they would be satisfied. Mr. Fogelsonger stated they can devise a plan on how to improve the entrances and make a timeline.

Mr. Pilarski suggested postponing the request until more information from the Road Commission was received. Mr. Bourdon stated he left a message for Jim Lillo at the Road Commission but he has not heard back.

Mr. Norton moved to approve the request for Special Exception Use Permit/Site Plan approval for Bay Regional Medical Center for property at 3250 E. Midland Road (090101930023500) specifically for a hospital. This is contingent upon an agreement with the Bay County Road Commission for the entrances. The survey shall be attached to the site plan. The adjacent neighbor to the West of the West entrance shall be contacted. Ramps will be added on the entrances for pedestrian traffic when they are improved. Mr. Bishop seconded the motion. Mr. Pilarski added site plan approval is contingent upon Zoning Board of Appeals approval of the parking space variance. The amendment was accepted. Five (5) ayes, no (0) nays, two (2) absent. The motion passed.

The next item on the agenda was a request for site plan approval from 1112 N. Euclid LLC, Joe Thelen for property at 1112 N. Euclid (0901001730049500).

Brian Swedorski represented the request.

Jim Lillo from the Bay County Road Commission wrote with regard to the site plan filed by Joe Thelen for property at 1112 North Euclid Avenue, they have no comment on the site plan. The request is for a development that does not access a roadway under the jurisdiction of the BCRC. Euclid Avenue (M-13) is under the jurisdiction of the MDOT and the engineer/developer should contact them to determine if they have any comments or requirements regarding the proposed development.

Bradd Maki from the Department of Water and Sewer wrote the DWS takes no exception to the proposed site plan. No utility information provided. Water service is Bangor-Monitor. Changes to sewer service locations to be coordinated with DWS.

The Fire Department takes no exception with the site plan for 1112 N. Euclid.

Don Hundley from MDOT wrote a permit has been applied for. They are reviewing the plans. A request has been made to close a drive and move it to the south. It is being moved away from the traffic signal and it is being moved closer to an existing drive. MDOT will work with them to come up with a positive solution for all parties.

Mr. Swedorski stated the storm sewer and grading would remain intact. A little curb work will be done but nothing structurally.

Sidewalks exist along N. Euclid.

Mr. Schubert moved to approve the request for site plan approval from 1112 N. Euclid LLC, Joe Thelen for property at 1112 N. Euclid (0901001730049500) as presented. Mr. Norton seconded the motion. Five (5) ayes, no (0) nays, two (2) absent. The motion passed.

Under any other business, John Korpala requested Planning Commission determination of classification of a nonconforming use. Mr. Korpala explained he has a purchase agreement on Don's Qwik Stop. The roof over the coolers needs to be replaced. He needed clarification as to which classification the property was.

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The Commission determined the property fell under Class B Nonconforming use based on the property not meeting all the criteria listed in Section 26.04 of the Zoning Ordinance for Class A Nonconforming uses. The applicable permit he may need would be a building permit.

A discussion took place on minor repair. The Commission agreed if a repair was made that did not create more usable area, the repair would be considered minor.

Mr. Norton moved the determination of the Planning Commission for property at 3031 Patterson Road was that it was a Class B Nonconforming use based on the characteristics listed in Section 26.04 of the Zoning Ordinance. Mr. Pilarski seconded the motion. Five (5) ayes, no (0) nays, two (2) absent. The motion passed.

The last item on the agenda was discussion of Zoning Ordinance amendments.

Mr. Schubert explained the Planning Commission was requested to look at the Zoning Ordinance and find ways to make it more small business friendly while keeping the integrity of the ordinance.

Some areas suggested to review were regarding landscaping and parking. It was suggested pre-development meetings take place with any business that has questions regarding the requirements for a site plan.

Having no other business before the Commission, Mr. Bishop moved to adjourn. Mr. Schubert seconded the motion. Five (5) ayes, no (0) nays, two (2) absent. The motion passed and the meeting was adjourned at 7:45 p.m.

Respectfully submitted,



Barbara A. Potts
Planning Commission Coordinator

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