

**Charter Township of Bangor
PLANNING COMMISSION
MINUTES OF JULY 26, 2017 MEETING**

A regular meeting of the Charter Township of Bangor Planning Commission was held on the 26th day of July, 2017 in the Township Administration Building of Bangor Township, 180 State Park Drive, Bay City, Michigan, pursuant to notice of said meeting.

MEMBERS PRESENT: Sandra Covaleski, Eric Krenz, Mike Nielsen, Mark Norton, Vicki Roupe, Bill Schubert

MEMBERS ABSENT: None

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 June 28, 2017 regular meeting minutes. *Mr. Norton moved to approve the minutes as presented. Mr. Nielsen seconded the motion. Six (6) ayes, no (0) nays. The motion passed.*

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

Mr. Schubert had concerns with where certain proposed uses would be allowed. Having those uses as permitted or as special uses was discussed.

Paul Weisburger, an attorney, offered explanation on some questions.

Information regarding banking restrictions was given.

Building Official Neil Froncek explained he and the Township Board will review the required applications annually. Licenses can be revoked if standards are not followed.

Mr. Nielsen asked if one business can be involved in multiple operations. It was explained that labs and transportation had to be separate. They could be in the same building if they had a different owner, address and were separate.

It was discussed whether or not the Primary Caregiver Operation needed to be included. It did not need to be included in this ordinance.

Discussion continued regarding the location of labs.

Secure Transporter was not included in the proposed ordinance amendment but should have been. The Commission put it in the industrial zoning.

All of the “proposed uses” shall be “allowed uses”.

The Planning Commission questioned if their site plan review came before or after the Commercial Medical Marihuana Facility application was submitted to the Clerk. They also questioned if site plan approval needed to be requested annually.

Ms. Covaleski moved to recommend approval to the Township Board, changes to Zoning Ordinance #300, as amended, to provide for the zoning regulation of Commercial Medical Marihuana Facilities and Primary Caregiver Operations; and designate such Facilities and Operations as permitted uses; in order to maintain the public health, safety and

APPROVED

welfare of the residents and visitors to Bangor Township with the following changes to the proposed ordinance: in italic section on page 1, change special use to permitted use; combine Sections 2 and 4 and renumber the remaining Sections; in Section 2 the permitted uses in Industrial-2 are: Grower Class A, B & C, Processor, Provisioning Center, Safety Compliance Facility and Secure Transporter; in newly numbered Section 3 the permitted use in Commercial-2 is Provisioning Center.; Primary Caregiver Operation was removed from the proposed ordinance. Mr. Norton seconded the motion. Six (6) ayes, no (0) nays. The motion passed.

Ms. Covaleski recused herself from the next two agenda items.

The next item on the agenda was a request for recommendation to Township Board by Neil Froncek for property at 3967 N. Euclid for a Zoning Change from O-1, Office Service District to C-2, General Commercial District.

Mr. Froncek stated the Future Land Use map shows the area to be General Commercial in the future.

Ms. Covaleski stated the zoning change would improve the area. The property has been for sale for a long time.

There was no one in the audience against the request.

Mike Brown wrote the BCDWS takes no exception.

The Fire Marshal had no concern.

The Drain Commissioner had no comment.

Jim Lillo of the Bay County Road Commission wrote decisions concerning Zoning issues are those of the township

Mr. Nielsen agreed the Future Land Use map did show the property as commercial. However, the property is surrounded by properties zoned Office. Properties across Euclid are zoned Commercial. Spot zoning was discussed.

Mr. Schubert moved to recommend to Township Board a Zoning Change from O-1, Office Service District to C-2, General Commercial District for property at 3967 N. Euclid contingent upon having the owner's signature on file. Mr. Norton seconded the motion. Five (5) ayes, no (0) nays. The motion passed.

The next item on the agenda was a request for recommendation to Township Board by Green Acres Holdings, LLC for property at 3514 Patterson for a Zoning Change from C-2, General Commercial District to I-1, Light Industrial District.

David Ellis represented the request. This is a three acre parcel surrounded by Industrial zoned properties.

Mike Brown wrote the BCDWS takes no exception.

The Fire Marshal had no concern.

The Drain Commissioner had no comment.

Jim Lillo of the Bay County Road Commission wrote decisions concerning Zoning issues are those of the township

There was no one present in favor of the request.

John Allen of 4423 Wheeler Road was against the request. It would bring too much traffic to the adjacent residential properties.

APPROVED

Mr. Nielsen commented the existing zoning of the property is spot zoning. It currently is not compatible with the area. The rezoning does not fit with the Future Land Use Plan.

Mr. Schubert stated the proposed zoning is consistent with the adjacent area. Three sides are zoned Industrial.

Mr. Schubert moved to recommend to Township Board a Zoning Change from C-2, General Commercial District to I-1, Light Industrial District for property at 3514 Patterson. Mr. Krenz seconded the motion. Five (5) ayes, no (0) nays. The motion passed.

The next item on the agenda was a request for site plan approval from Daco Real Estate Holdings LLC for property at 3697 Wilder Road (0901000830000500). Dave LaRue represented the site plan.

Mr. LaRue explained he already was give site plan approval but he wanted to increase the building size and it is over the allowed 5%. He owns both parcels A and B.

Mike Brown wrote the BCDWS takes no exception.

The Fire Marshal had no concern.

The Bay County Drain Commission wrote they will not require detention for Daco. The reasons for this are twofold. First, a significant portion of the property is impervious already. Second, the design does not increase the flow entering the storm system on Wilder. The 8 inch storm drain is not being increased so will act as a metering line for the site.

They would raise the concern that they are aware of flooding on Wilder Road in significant storm events. They believe the Daco property, because it lacks detention, may end up with standing water around their catch basins in large storm events. Essentially, the parking area will act as detention. They have not done any calculations as that does not impact the public system. They also assume Daco is aware of that risk.

Jim Lillo of the Bay County Road Commission wrote they have the following comments regarding the request. Bangor Township and the BCRC recently participated in an Access Management study along Wilder Road. The intent of the study was to work together and with potential developers to limit additional access point onto an already access-heavy Wilder Road corridor. Bangor Township passed an ordinance reiterating this idea and stating their intent to participate. This property is a prime example. The plan submitted shows an access driveway solely on their parcel, with a vacant, relatively small, narrow parcel immediately adjacent to the west. If the vacant parcel is developed in the future, they will undoubtedly want their own driveway access, resulting in five driveway accesses within a short distance (Daco, vacant parcel, O'Reilly's and the car wash). In our opinion, Bangor Township should request the developer/developer's engineer to seriously consider a design that would allow for a future shared driveway for both parcels. Adding two more accesses in this area will only increase the number of conflict points already present.

A discussion took place on having a common driveway for both parcels and easements that may be required if the parcels are split. It is currently considered one parcel. Mr. LaRue agreed to close one driveway and put a drive more centered on the parcel.

Mr. Krenz advised three ADA parking spaces were needed.

Mr. Nielsen moved to approve the request for site plan approval from Daco Real Estate Holdings LLC for property at 3697 Wilder Road (0901000830000500) contingent upon having three ADA parking spaces and centering the drive to make a common driveway for proposed parcels A and B with reciprocal easements between the two parcels. Ms. Covalleski seconded the motion. Six (6) ayes, no (0) nays. The motion passed.

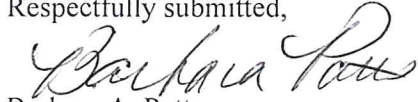
APPROVED

The last item on the agenda was a request for a three (3) month extension for Saginaw Valley Naval Ship Museum site plan approval.

Mr. Nielsen moved to approve the request for a three (3) month extension for Saginaw Valley Naval Ship Museum site plan approval. Ms. Covaleski seconded the motion. Six (6) ayes, no (0) nays. The motion passed.

Having no other business before the Commission, Mr. Nielsen moved to adjourn. Mr. Norton seconded the motion. Six (6) ayes, no (0) nays. The motion passed and the meeting was adjourned at 8:03 p.m.

Respectfully submitted,



Barbara A. Potts
Planning Commission Coordinator

APPROVED