

**Charter Township of Bangor
PLANNING COMMISSION
MINUTES OF NOVEMBER 19, 2014 MEETING**

A regular meeting of the Charter Township of Bangor Planning Commission was held on the 19th day of November 2014 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, Ed Davis, Ed LaPlant, Mark Norton, Bill Schubert

MEMBERS ABSENT: Mike Nielsen, 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 September 24, 2014 regular meeting minutes. *Mr. Norton moved to approve the minutes. Mr. Bishop seconded the motion. Five (5) ayes, no (0) nays. The motion passed.*

The next item on the agenda was a request for Special Exception Use Permit/Site Plan approval for James Londry for property at 2853 N. Euclid Avenue (0901003230025000) specifically for a home occupation (Section 6.03Q)

The DWS wrote they take no exception.

The Fire Department had no comments.

The Bay County Road Commission stated they have no comment on the petition. This development abuts right-of-way under jurisdiction of the MDOT and they regulate the activity within their right-of-way.

MDOT did not have any issues with what was submitted. The existing drive to the house remains the same, no additional access is allowed. The catch basin is under the jurisdiction of the County Drain Commissioner as it dumps directly into their drain.

Mr. Londry stated everything has been completed as suggested at their last hearing. Sarah Londry added the issues with the DEQ and the drainage have been taken care of. The second driveway has been pulled back. She stated business is not done on the property; it's done off site.

James Schriber of 2881 N. Euclid stated his house is just south of the Londry's. He chose to build his house in that location. When he did, the Londry property was neat and clean. Now Mr. Londry stores his equipment on the property. Loads of wood are trailered onto site. There are trailers, plow blades and salt spreaders on the property. Mr. Schriber added the equipment is serviced on the driveway. Mr. Londry's workers' vehicles are parked there.

Mr. Schriber stated he is trying to sell his home. Interested parties have asked what was going on next door. No one wants to live next to a business. The economy lowered his property value and now this business is lowering it further. This is a residential area. Mr. Schriber presented photos.

Laura Shorkey of 2841 N. Euclid stated plow trucks, bobcats, salt, etc. are stored on site. She said the trucks are started in the middle of the night and the vibrations and noise wake her up. All summer, items are stored outside. Ms. Shorkey added Mr. Londry burns yard waste. If this is approved, she is requesting a

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privacy fence but put on her side of the property. She added concrete, old trailers, etc. are dumped in the back end of the property. Mr. Londry also sharpens his mower blades all the time.

Robert Jean of 2816 N. Euclid stated the second drive was still there and is being used. There are at least three cars on the property. Things are worse now than they were three months ago. Mr. Jean stated the storm drain should have been put on Ms. Sylvester's property since she's the one that gets flooded.

Mr. LaPlant commented the drive still exists. It is not shown on the site plan. He assumes it will go back to being grass. Ms. Londry stated the items not used for the business were not put on the site plan. 33' from the road has been removed. She stated they intend to leave it there but it's not functional. Mr. Londry added the approach has been removed. The Londry's stated they were never informed of any problem by MDOT.

A discussion took place regarding the drain that was installed by the Drain Commission.

Marcy Jean stated the drain should have gone in front of 2887 N. Euclid.

Mr. Bishop stated he asked at the previous meeting if there was an issue with the DEQ. He was told no. Mr. Bishop had a letter saying the matter had been corrected. He felt he was deceived.

Mr. Norton asked if the privacy fence was installed. Mr. Londry explained he was in the process of putting it up but the neighbor wanted a nicer fence and there was a property line issue. Mr. Schriber stated he would install the fence along the East side of his property. He was not in favor of more fencing along the north side.

Mr. Londry had started the drain tile installation. He explained the location of the tile on the site plan. The south side was not done yet. He planned to have it done before it freezes.

Mr. Londry stated the DEQ approved his drainage plan. Mr. Schubert asked if grades were shot. Mr. Londry stated no. Mr. Bishop asked where the wetlands drained to. Mr. Londry stated they didn't drain. He was not allowed to drain that area per the DEQ. The higher land drains to the wetlands.

Discussion took place on possible stipulations that could be added if allowed.

Mr. Schubert advised there is a mixture of property uses along Euclid. Mr. Bishop stated most are grandfathered in.

The Commission was concerned with the second driveway. The pictures showed Mr. Londry parking equipment on it.

Mr. Davis asked where equipment maintenance was done. Mr. Londry stated it was done in the driveway. He fixes broken equipment and puts it away.

Mr. Norton moved to approve the request for Special Exception Use Permit/Site Plan approval for James Londry for property at 2853 N. Euclid Avenue (0901003230025000) specifically for a home occupation with the following stipulations: the second driveway shall be removed or covered and seeded; no wood, lawn clippings, brush, concrete or other materials shall be brought in from off site; no processing of these items shall be done on site; no salt shall be stored on site; all business vehicles and equipment shall be stored in the designated parking area and blocked by a privacy fence (40' on both south sides adjacent to the neighbor's 100' property line); mowers and equipment will be kept on trailers; and bobcat will be

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stored in the garage or on a trailer. Mr. Schubert seconded the motion. Discussion took place on additional fencing and drainage. Four (4) ayes, one (1) nay-Bishop. The motion passed.

The next item on the agenda was an optional preliminary site plan review for DeShano Development Corporation for property on Shrestha Drive (09010S3400002200 & 09010S3400002300).

Scott DeShano and Jim Klein of Axiom Consulting Services represented the plan. Mr. Schubert explained that comments during this review are not binding. This is not a formal review.

Mr. DeShano stated he understood. He added he was under time restraints and wanted to avoid anything major when they submitted the final plan.

Curb and gutter requirements were discussed. Mr. DeShano would prefer just curb along the parking area facing Shrestha. The catch basins will be where designated.

Mr. DeShano asked for some relief of the landscaping requirements. If followed, there would be no lawn and would look like a jungle. They want the development to blend in with the area.

Fencing and landscaping along the north and west sides was discussed.

Mr. Klein state he has been in contact with the Bay County Road Commission.

Mr. DeShano stated all three phases would be done at once.

Mr. Klein indicated they hadn't been in contact with the DPW yet but would get their requirements. The Fire Department requirements would also be met.

Mr. LaPlant explained the Zoning Board of Appeals interpreted the site as having a front yard, two side yards, and no rear yard.

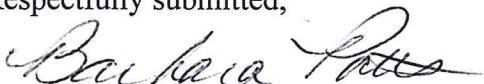
Mr. Norton requested a grading plan.

Mr. DeShano stated they would be submitting for site plan approval in December.

Mr. Norton moved to approve the 2015 meeting dates as presented. Mr. Schubert seconded the motion. Five (5) ayes, no (0) nays. The motion passed.

Having no other business before the Commission, Mr. Norton moved to adjourn. Mr. Bishop seconded the motion. Five (5) ayes, no (0) nays. 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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