

**CHARTER TOWNSHIP OF BANGOR  
ZONING BOARD OF APPEALS**

**MINUTES OF MARCH 20, 2012 MEETING**

A regular meeting of the Charter Township of Bangor Zoning Board of Appeals was held on the 20<sup>th</sup> day of March, 2012 at the Bangor Township Administrative Building, 180 State Park Drive, Bay City, Michigan, pursuant to notice of said meeting.

REGULAR MEMBERS PRESENT: Banaszak, Corrion, LaPlant, Phelps, Pilarski

MEMBER (S) ABSENT: Schisler

Mr. Banaszak called the meeting to order at 6:00 p.m.

The Pledge of Allegiance was recited.

**The first item on the agenda was approval of the minutes of a regular meeting held February 21, 2012.** *Mr. Pilarski moved to approve the minutes as presented. Mr. LaPlant seconded the motion. Five (5) ayes, no (0) nays, one (1) absent. The motion passed.*

**The next item on the agenda was a petition filed by Mike Thelen for property at 4191 N. Euclid which is on the East side of Euclid between Wilder Road and Shrestha Drive for the purpose of a variance to increase total number of signs to allow one additional wall sign (one wall sign is allowed) and a variance to allow mounting of site lights at 28' in height (20' high is allowed). Parcel is zoned Commercial-2.**

Jim Lillo from the Bay County Road Commission wrote with regard to the petition filed by Mike Thelen for property at 4191 N. Euclid Road, they have no comment to the request. From the petition, it is their understanding the variance request is limited to site lighting and building signage. Both items will not directly affect the road right-of-way. Further, based on the site lighting plan sheet, it does not appear that the proposed lights will have an adverse affect on visibility in the way of glare on the motoring public.

Bradd Maki from the Bay County Department of Water and Sewer wrote the DWS takes no exception to the proposed variance

Fire Marshal Bailey wrote any construction must meet the International Fire Code 2006 edition.

Greg Turner of Pumford Construction represented the petition. Mr. Turner stated this plan was submitted to the Planning Commission. GM requires their logo on the building and the Thelen's want their name on the building also. This is a corner lot. The desire is to have the signs facing Euclid and not Shrestha. Only a directional sign will be on the South side.

Mr. Turner said the lighting change is to save energy and reduce light pollution. The existing lighting is floodlights. The proposed lights are induction fluorescent. They are better for ground lighting. He explained the candles and life of the bulbs. With higher poles, the bigger the light spread. Also, with higher poles, the number of poles is reduced. This saves on power usage. The light shines down.

Mr. Pilarski asked why this wasn't brought up at the Planning Commission meeting. Mr. Turner stated it was. The Planning Commission minutes were reviewed.

Mr. Turner restated the higher the light poles, the less light pollution. Mr. Banaszak asked how many more poles would be needed if the height was left at 20'. Mr. Turner did not know. He stated the extra 3 feet is for a base to hold the 25' light pole. All the existing lights will be removed. If 20' high poles were allowed, the lights would probably be more of a floodlight.

Mr. Turner stated if the variance were denied, they would have to come up with a new lighting plan. The lighting of the lot would be reduced after midnight. The lights are for personal protection and sales.

There are 34 existing light poles. The number of fixtures would be reduced by five.

Ms. Corrion asked what the savings would be with the proposed lighting. Mr. Turner said it would be reduced by about 30%.

Mr. LaPlant asked what type of light is proposed. A shoebox type of lighting is proposed. Mr. Turner added utility companies are offering incentives for reducing energy.

Ms. Corrion asked why the extra 3' was needed. Mr. Turner stated it was needed for the base of a 25' light pole.

Mr. Phelps commented he would like to see different height options. Mr. Pilarski agreed more information was needed to make a comparison. If only 20' was allowed, how many more poles would be needed.

Mr. LaPlant stated the proposed lighting is the way of the future. It's basic economics. The height of the poles is not an issue. They are everywhere. Traffic signals are 30' high. With a 28' pole, there would be low glare. It's more efficient and longer lasting. Mr. Turner stated the request isn't just about the height; it's about the power of illumination.

A discussion took place regarding energy use.

Mr. Pilarski wanted to be able to compare what exists to what is proposed.

*Mr. Banaszak moved to postpone the petition filed by Mike Thelen for property at 4191 N. Euclid which is on the East side of Euclid between Wilder Road and Shrestha Drive for the purpose of a variance to allow mounting of site lights at 28' in height (20' high is allowed) until the April 17, 2012 meeting. Ms. Corrion seconded the motion. Five (5) ayes, no (0) nays, one (1) absent. The motion passed.*

Mr. Pilarski stated he had no problem with the signage request.

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

*Mr. Pilarski moved to approve the petition filed by Mike Thelen for property at 4191 N. Euclid which is on the East side of Euclid between Wilder Road and Shrestha Drive for the purpose of a variance to increase total number of signs to allow one additional wall sign (one wall sign is allowed). The signs dictate where to go and are for better representation. Ms. Corrion seconded the motion. Five (5) ayes, no (0) nays, one (1) absent. The motion passed. The petitioner has six month to pull a building permit or the variance would be void.*

**The next item on the agenda was a petition filed by John Monville for property at 381 River Road which is on the South side of River Road between Revilo and Glendale for the purpose of a height variance of 2' to be 22' (20' in height is allowed); a side yard variance of 4' to be 1' (5' is required); a front yard setback variance of 10' to be 0' from the front lot line; and a 160 square foot variance to be 720 square feet for an accessory building (560 square feet is allowed). Parcel is zoned Residential-2.**

Jim Lillo from the Bay County Road Commission wrote with regard to the petition filed by John Monville for property at 381 River Road for several setback variances for construction of an accessory building (garage), they have the following comments on the request. As stated in the petition, Mr. Monville's garage is attached to the garage at 383 River Road. Simply, this petition will separate them. Their concern was the portion of the petition requesting a front lot setback variance, from 35' to 32' (from the approximate centerline of the road). As with many subdivisions in Bangor Township that abut the Kawkawlin River or Saginaw Bay, road right-of-way is at a premium and any further construction that occurs closer to the road only makes road maintenance more difficult. Upon

review in the field revealed this is not an issue. The current structure is approximately 32' from the centerline of River Road and, per the petition, shall remain the same. Further, the proximity of the garage to the road is limited by the presence of a utility pole approximately 3 to 4' in front of the current structure.

Bradd Maki from the Bay County Department of Water and Sewer wrote the separation must be maintained between the building and existing underground water and sewer utilities. If location changes any from its current location, minimum horizontal separation from service line is 5 feet and for main lines is 10 feet. Otherwise the DWS takes no exception to the proposed variance.

Fire Marshal Bailey wrote the construction shall comply with the International Fire Code. One-hour fire resistive construction shall be used where the structure is less than 5 feet from the adjoining property. The fire resistive construction shall prevent the spread of fire from the interior of the structure to adjoining property and shall prevent fire from entering the structure from the adjoining property.

A letter of support was submitted from Ken and Peggy Lange of 383 River Road.

Mr. Monville stated he would like a new garage. The existing garage sags. He would like to stay as close to the neighbor's garage as possible. Mr. Pilarski asked if 3' would work. Mr. Monville stated he was thinking 2.5'-3'.

Mr. LaPlant commented the existing garage was about 18'x20'. He asked where the water line was. Mr. Monville said he would be close to it. Mr. Monville was told it was the resident's responsibility to be aware of the location of the water line.

Ms. Corrion asked why an addition 2' in height was needed. Mr. Monville stated it was needed due to the pitch of the proposed roof. There will be 10' walls. There is no space and storage is needed.

Mr. Pilarski stated the variance request needed to be changed for the side yard. The square footage was needed for storage.

Mr. Phelps asked if a concrete slab existed. Mr. Monville stated it did. Mr. Monville was told that a firewall and eaves are required.

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

Mr. Pilarski commented this will remove a hazard. A firewall will be required and a conflict of interest will be removed. Mr. LaPlant stated this is an improvement. Mr. Phelps commented it will eliminate a potential hazard.

A discussion took place on the location of the water line. Mr. Monville understood he was responsible for any damage caused by the water line if it broke.

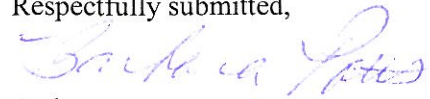
The side yard variance shall be change to 2.5' to be 2.5'.

*Ms. Corrion moved to approve the petition filed by John Monville for property at 381 River Road which is on the South side of River Road between Revilo and Glendale for the purpose of a height variance of 2' to be 22' (20' in height is allowed); a side yard variance of 2.5' to be 2.5' (5' is required); a front yard setback variance of 10' to be 0' from the front lot line; and a 160 square foot variance to be 720 square feet for an accessory building (560 square feet is allowed). The new garage will enhance the property. This increased the safety of his property and his neighbor's. This is a small lot and there are not a lot of other options. Mr. LaPlant seconded the motion. Five (5) ayes, no (0) nays, one (1) absent. The motion passed. The petitioner has six month to pull a building permit or the variance would be void.*

Mr. Pilarski reported the Planning Commission reviewed the Sign Ordinance and decided it was best to take each request separately.

*Having no other business before the Board, Mr. Banaszak moved to adjourn. Mr. LaPlant seconded the motion. Five (5) ayes, no (0) nays, one (1) absent. The motion passed and the meeting was adjourned at 7:10 p.m.*

Respectfully submitted,



Barbara A. Potts  
Zoning Board of Appeals Coordinator