

**Charter Township of Bangor
PLANNING COMMISSION
MINUTES OF MARCH 23, 2011 MEETING**

A regular meeting of the Charter Township of Bangor Planning Commission was held on the 23rd day of March, 2011 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, Patricia Parker, Dennis Pilarski, Bill Schubert and Tom Washabaugh

MEMBERS ABSENT: Ed Davis and Mark Norton

At 6:00 p.m., Mr. Schubert called the meeting to order.

The first item on the agenda was election of officers. *Ms. Parker nominated Bill Schubert to remain as Chair and Mark Norton to remain as Vice Chair. Mr. Pilarski seconded the nomination. Mr. Schubert stated that he wanted a change. Mr. Bishop closed the nominations. Five (5) ayes, no (0) nays, two (2) absent. The nomination passed.*

The next item on the agenda was approval of the December 22, 2010 regular meeting minutes. *Mr. Pilarski moved to approve the minutes as presented. Ms. Parker 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 recommendation of approval to Township Board for the rezoning of vacant property on S. Huron Road (0901000720022000) from RMH- Residential Manufactured Home District to C-2, General Commercial District.

P.J. Hazen, the petitioner, stated they wanted to rezone the property from RMH to Commercial. Kim Hazen stated they are considering using a portion of the property for indoor storage and the other portion for a motocross track. There is one in Midland. It's only used on weekends.

Jeff Martin stated the property is zoned RMH and can not be used as such. There is a gas vent in the middle of the property and the surrounding area can't be used as residential.

Mark Norton entered the meeting at 6:04 p.m.

Mr. Martin stated the property is unusable as currently zoned. It's logical to rezone the property to commercial.

Gary Ratti, the developer of Gaslight Village Condominiums, commented it is hard to market the condos now. It will be much more difficult to market them next to commercial property.

Ed Van Bellegham of 3039 Gaslight Drive commented he moved there because the area is nice and quiet. He doesn't want to hear motorcycles day and night.

Tom Arthur, broker for Gaslight Village Condominiums, stated a rezoning isn't just for the interest of the property owner. It is of interest for everyone all around the property. The change should not encumber the neighbors. The change will create a problem, not make the property compatible.

Lee Harvey, owner of the property, stated all the property to the east is zoned commercial. If a track is put in, it would be on the north end of the property and storage would go on the south. The storage facility would be a

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buffer between the residential and the track. Currently, the property is not being used.

Mr. Schubert asked if Mr. Harvey was in favor of the request. Mr. Harvey commented he owned the property for 20 years and he hasn't been able to develop it. Commercial properties are surrounding this one. He added he was in favor of the request.

Mr. Schubert clarified this was not a site plan review. The hearing was only for rezoning of the property. The Planning Commission has to determine if the proposed zoning fits in that area. If the property does get rezoned, a site plan would need to be submitted if it is developed.

Mr. Martin stated talking about potential use of the property is putting the cart before the horse. The property is unusable as it is now. For the property to be used, it needs to be zoned something else. The vent won't be moved. The request to rezone the property is to give them potential for development.

There were no other comments from the audience. The item was taken back to the Commission.

Mr. Norton asked about accessibility to the property. Ms. Hazen stated her property at 3606 S. Huron Road had a 50' easement to the property. There is a deed restriction that allows access from Huron Road. Mr. Harvey's property at 3680 S. Huron Road could also be used for access. Mr. Harvey stated the oil company that owns the wells on the property also has an easement. All three wells are active.

Mr. Washabaugh asked if there was a high-pressure line on the property. Mr. Harvey stated there was one by Bangor Downs but not on his property. Mr. Washabaugh asked how far from the well must a residence be. Mr. Harvey stated they must be at least 600' from the well.

Mr. Norton asked if the vent was within 600' of Mr. Harvey's property lines. Mr. Harvey commented the well effected other properties, not just his. The Health Department told them only a small piece of the property on the west end wasn't impacted by the well.

The Commission discussed a previously proposed development for the property that took the vent into account.

Mr. Harvey commented 3-phase electrical lines ran along two-thirds of the property. They farm under the lines. Mr. Washabaugh asked how would people be kept away from the lines. Mr. Harvey stated if a storage facility went in, it would be fenced anyway.

Paul Colbeck from the Bay County Department of Water & Sewer had no comment.

Jim Lillo from the Bay County Road Commission wrote with regard to the request for rezoning of vacant property at along S. Huron Road from RMH to C-2, they have no comment to the request. The request deals with a zoning issue along a road under the jurisdiction of the Michigan Department of Transportation (MDOT). Any proposed future vehicular access to Huron Road as a result of development of this vacant land will need approval from the MDOT.

Don Hundley from MDOT telephoned and stated they had no comment. If the property is ever developed, plans would need to be submitted to them at that time for review.

Mr. Schubert read aloud the allowed uses in a C-2 zone. Mr. Norton stated the Future Land Use map shows the property to be low density multi-family. The property is contiguous to C-2, RM and R-3.

Mr. Pilarski asked how much of the property was currently being farmed. Mr. Harvey answered 50% of the land was farmed. Mr. Washabaugh questioned why the other half was not farmed. Mr. Harvey commented it was not productive to farm.

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Mr. Washabaugh questioned the development of commercial use when residential use was not allowed. Mr. Martin stated the property can be used for commercial. He didn't know why but the DNR said so.

Mr. Norton asked if there were any gas wells to the west of the property. Mr. Harvey stated there were several between his property and Two Mile. There is no natural gas on his property.

Mr. Ratti commented there were two wells on the property he developed. They were capped. The wells don't last forever.

Mr. Pilarski stated the EPA standards have to be met. The Commission doesn't know what those are. Nothing residential can be built on the property without having problems.

The Commission discussed how if the property were developed as commercial, fencing and buffering would be required.

Mr. Schubert moved to approve the request for recommendation of approval to Township Board for the rezoning of vacant property on S. Huron Road (0901000720022000) from RMH- Residential Manufactured Home District to C-2, General Commercial District. Ms. Parker seconded the motion. Six (6) ayes, no (0) nays, one (1) absent. The motion passed.

The next item on the agenda was a request for a one-year extension of site plan approval for Saginaw Valley Naval Ship Museum. Approval was granted 4/28/10.

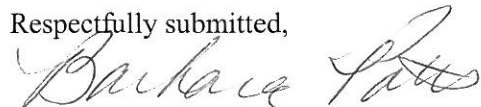
Mike Kegley of 3372 E. Woodland represented the request. He asked that the site plan approval be extended for one year. The EPA has approved the project. The next step is for the Navy to approve it. It may take up to 60 days. If they give approval, the ship will be on its way.

Mr. Pilarski asked who sets the standards for the pier. Mr. Kegley stated there was a pier there years ago. An engineer did the load testing. The ship will never touch the pier. It will be connected by gangplank.

Mr. Schubert moved to approve the request for a one-year extension of site plan approval for Saginaw Valley Naval Ship Museum. Ms. Parker seconded the motion. All members were in favor. Six (6) ayes, no (0) nays, one (1) absent. The motion passed.

Having no other business before the Commission, Ms. Parker moved to adjourn. Mr. Norton seconded the motion. Six (6) ayes, no (0) nays, one (1) absent. The motion passed and the meeting was adjourned at 6:45 p.m.

Respectfully submitted,



Barbara A. Potts
Planning Commission Coordinator

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