

MINUTES

DRAFT

**THOMAS TOWNSHIP PLANNING COMMISSION
THOMAS TOWNSHIP PUBLIC SAFETY BUILDING
8215 SHIELDS DRIVE, SAGINAW, MICHIGAN
WEDNESDAY, MARCH 15, 2023, 7:00 P.M.**

Members Present: J. Curry, D. Sommers, D. Bird, R. Iamurri, and P. Lynch
Absent: S. Yockey, K. Beam
Others Present: D. Sika, Community Development Director
A. Bicigo, Code Enforcement Officer/Planning Assistant
5 Interested Parties

Mr. Iamurri called the meeting to order at 7:00 p.m.

Approval of Agenda:

Motion by Mr. Sommers, supported by Mrs. Curry to approve the agenda as presented.

VOTE 5 YEAS 0 NAYS 2 ABSENT MOTION CARRIED

Approval of Minutes:

Motion by Mr. Bird, supported by Mrs. Curry to approve the minutes of the February 15, 2023 meeting.

VOTE 5 YEAS 0 NAYS 2 ABSENT MOTION CARRIED

Hearings

A. Special Use Permit – Stafford Trinklein

Michael and Joe Rybicki of MLR Engineering were present with Stafford Trinklein to explain the removal of sand from one of Mr. Trinklein’s farm properties. J. Rybicki explained the sand would be taken from the southwest corner of the parcel on Gleaner Rd. There is about 2 feet of sand, which will be taken along the south edge of the property out to Gleaner Rd. J. Rybicki stated that after the sand is removed, they will backfill to match the existing contour of the land so drainage will continue to the northwest. M. Rybicki agreed with Mr. Sika’s suggested contingencies of a six-month time frame and dust control measures. He also explained that they will update the road rating of Gleaner Rd. before the project and document its condition to assess any damage caused by the removal of the sand. M. Rybicki also stated

their agreement with the suggested \$26,550 bond, the hours of operation stated in the ordinance, and that they will be sweeping the roadway as necessary to keep it clean. He also stated that they will be pulling a soil erosion permit with the county before work begins. Mr. Sika suggested that the 6-month time frame for the permit start when the seasonal load limits if there are any this year, are lifted. Mr. lamurri set a tentative start date of April 15 with Mr. Trinklein’s agreement. Mr. lamurri closed the hearing at 7:17 p.m. Motion by Mr. Bird, supported by Mr. Lynch to approve the special use permit.

Contingencies:

- 1) Dust control on site as needed. Place water/calcium chloride on driveway as needed.
- 2) Per the Saginaw County Road Commission:

“We are ok with this new driveway location – a driveway permit is required. I added Thomas Township on this email because we will want to discuss protecting Gleaner road since it is local. Whether that be a bond or cash deposit - we’d like to see something tied to the special use permit. This will ensure if the road takes a beating from the loads getting hauled out to the north, proper repairs can take place.

- a) Bond/Cash deposit for road repair because it is a designated local road. Bond or Cash Deposit amount: \$26,550. This deposit may be used to repair Gleaner Rd. from the driveway to Gratiot (M-46).
 - b) Sweep road of dirt/dust as needed.
 - c) Driveway Permit.
- 3) Hours of operation are 7:00 a.m. to 6:00 p.m., Monday – Friday. Not on weekends.
 - 4) Project completion by September 30, 2023
 - 5) Access Route will be to the north on Gleaner Rd. to Gratiot (M-46)
 - 6) Saginaw County Soil and Erosion Permit

VOTE 5 YEAS 0 NAYS 2 ABSENT MOTION CARRIED

Presentations

A. Site Plan Review – Saginaw Control and Engineering

Greg Turner was present on behalf of Pumford Construction and Saginaw Control and Engineering to obtain site plan approval for a new 110,000 square foot addition to the existing SCE building. Mr. Turner stated that the addition will be nearly the same size as the existing building, but will be 50 feet shorter on one side to allow space for truck docks. He explained that the space will be used for more manufacturing support, warehouse space, and truck docks. Mr. Sommers inquired as to the timeline of the project in question. Mr. Turner stated that they have already obtained a soil erosion permit, which allowed them to begin preparation of the land for the addition. Their plan is to begin construction as soon as they are able to obtain planning commission approval and the building permit, with completion estimated for late fall of 2023. Mr. Turner stated that there will be an additional 200 feet of sidewalk beyond what was shown in the drawing per Mr. Sika’s review of the site plans. There are also two light poles that will be added that were not included in the drawings. Mr. Sika added a contingency that the damage to the existing

landscaping along Sunshine Dr caused by the mowing equipment be fixed as part of the project. Mr. lamurri closed the presentation at 7:24 p.m. Motion by Mr. Bird, supported by Mr. Lynch to approve the site plan.

Contingencies:

- 1) Storm Water Review approval.
- 2) Department of Public Works specific utility requirements as notated in the review.
- 3) Extend the 5' wide public sidewalk along Graham Road an additional 200 feet to the north. Any future phase will necessitate extending the sidewalk to the north property line.

VOTE 5 YEAS 0 NAYS 2 ABSENT MOTION CARRIED

Old Business

A. Snow removal ordinance 6-1-5 update

An amendment to the snow removal ordinance is currently being considered. Mr. Sika stated that the change to the ordinance will only affect section 6-1-5A and that everything else in the ordinance will remain the same. The current ordinance states:

- A. *Removal of Snow, Ice and Debris:* All property owners and occupants of real property fronting upon a sidewalk required by this Ordinance shall keep such sidewalk free from all ice, snow, earth and other substances or debris. Owners and occupants shall have a period of forty-eight (48) hours to remove such ice, snow, earth and other substances or debris after deposit thereof.

Mr. Sika explained that, under the current ordinance, the Township has to wait for a court date, which generally results in a suspended sentence and no recourse for those that do not keep their sidewalk clear of snow and ice. The proposed change, listed below, will treat snow and ice removal in the same way that high grass and weeds are addressed in the ordinance. After proper notice, the Township will hire a contractor to remove the snow from delinquent properties and will be able to bill the property owner for the removal. If the bill is not paid, it will be added to their property taxes. Mr. Sika explained that the next step will be to have the Township attorney put the text into ordinance form, followed by a public hearing to adopt or amend the ordinance.

Draft Text Amendment 3-15-2023

To replace section 6-1-5

6-1-5,

A. Removal of Snow, Ice and Debris:

Purpose.

The purpose of this section is to:

- (1) Ensure safe, unrestricted pedestrian and bicycle access, to public and private areas, utilizing sidewalks;
- (2) Ensure safe egress and ingress to parking lots adjacent to sidewalks by vehicular traffic;
- (3) Ensure safe, unrestricted access by those with disabilities to public and private areas, utilizing sidewalks;
- (4) Improve the safety and general welfare of all citizens.
- (5) Improve the safety and general welfare to those who shop, work, and walk within the business districts, increasing customer traffic.
- (6) Improve the safety and general welfare of children walking and or bicycling to parks, schools, shops and restaurants, sporting events, the library, work, to school, and for fun.
- (7) Allow for the removal of snow by the Township from private properties that have not removed snow as required under the ordinance, and recovery of costs.

a) Scope.

This section applies to sidewalks, on public and private rights-of-way, easements, and other areas that convey pedestrian and bicycle traffic, being those areas paved or concrete that provide an area for pedestrian and bicycle traffic. All property occupants, managers, owners or owner/agent, of real property fronting upon a sidewalk required by this Ordinance shall keep such sidewalk free from ice, snow, earth and other substances or debris.

b) Removal of snow.

The occupant, manager, owner, or owner/agent of every lot or parcel of land adjoining any sidewalk on publicly or privately owned rights-of-way, easement and other areas that convey pedestrian and bicycle traffic, must clear from those surfaces all snow, fallen, drifted, or in any other manner accumulated, within 48 hours from the first accumulation of one inch or more as measured at the parcel.

c) Removal of ice.

The occupant, manager, owner, or owner/agent of every lot or parcel of land adjoining any sidewalk or publicly or privately owned rights-of-way, easement and other areas that convey pedestrian and bicycle traffic and the owner, manager, or owner/agent must, within 48 hours from the first accumulation, remove from those surfaces any ice formed and/or accumulated. When immediate removal of ice is impracticable, sand, salt or other chemicals or materials must immediately be spread upon the ice in such manner and in such quantity as to prevent the surfaces from being slippery and dangerous to pedestrians and bicycle riders, and then must remove such ice as soon thereafter as removal is practicable.

d) Notice to remove.

Either of the following forms of notice to remove snow and ice are deemed sufficient notice alone for Thomas Township to enforce the provisions of this article:

- (a) Publication and contents of general notice to remove. The Township will give general notice of required snow and ice removal at least once each snow/ice season by public notice. For the purposes of this article, the snow/ice season begins on November 1, each year and ends on May 1, the following year. Such notice must set forth the requirements of sections (6-1-5, Removal of Snow) and (6-1-5, Removal of Ice) of the Code. This notice will become effective for the entire snow/ice season ten days after its publication.

- (b) Other notice. At any time, the notice by publication outlined in subsection (a) is not effective, notification may be made in person, by telephone, by mail, or by written notice left at the property. Notice under this subsection is effective if the owner or occupant fails to remove snow or ice prior to 12:00 noon of the day after notice is given.

e) Failure to clear.

- (a) Removal by Thomas Township. If snow or ice is not removed or treated as required in sections (6-1-5, Removal of Snow) and/or (6-1-5, Removal of Ice), the Township may cause such snow or ice to be removed. The owner of the adjacent property to the sidewalk (as indicated by the records of the Township Assessor) shall then be charged the actual cost of the sidewalk clearance, plus an administrative fee as set by resolution of the Township Board of Trustees. If that charge is not paid within 30 days of invoice, it may be assessed against that parcel.

(b) Municipal Civil Infraction. Any person or other entity who violates any of the provisions of this ordinance is responsible for a municipal civil infraction violation. A person who violates any provision of sections (6-1-5, Removal of Snow) and (6-1-5, Removal of Ice), is responsible for a municipal civil infraction, subject to payment of a civil fine as set forth in section (4-8-6 – Municipal Civil Infraction Violation and Sanctions). Repeat offenses under this article shall be subject to increased fines as set forth in section (4-8-6). Each day that the condition of accumulation of ice or snow shall continue after the first day of violation shall constitute a separate offense and shall bear a separate penalty.

Adjournment:

Motion by Mr. Sommers, supported by Mr. Bird to adjourn the meeting at 7:45 p.m. Motion carried.