

MINUTES OF THE CLAY TOWNSHIP PLANNING COMMISSION HELD ON WEDNESDAY, March 28, 2001  
AT 7:30 P.M. IN THE CLAY TOWNSHIP BOARD ROOM, 4710 PTE. TREMBLE ROAD, CLAY TOWNSHIP,  
MICHIGAN

1. Meeting called to order by Chairperson Mark Getman at 7:30 p.m.
2. R/C: Mark Getman, Chairman, Don Kent, Co-Chair, John Makuch, Secretary, Chuck Michel, Pat Sharrow, Diana Decker, Sandra O'Conner, Louise Cooper, Dorothy DeBoyer. Wade-Trim Planner Linda Anderson also present.  
ABSENT: None.

**3. Communications:**

Acknowledge letter from Project Control, John Monte re: proposed Roland Subdivision.

**4. Approval of the March 14, 2001 Minutes:**

Moved by Cooper, supported by DeBoyer, **MOTION CARRIED**, to approve the March 14, 2001 Planning Commission Minutes with a correction on page 4 under Chairman's Report should read "Ordinance Review Committee" and not "Site Plan Committee". AYES: All. NAYS: None.  
ABSENT: None.

**5. OLD BUSINESS:**

SITE PLAN CONSIDERATION/SPECIAL APPROVAL LAND USE:  
SUNOCO GAS STATION/MINI MART - TACO BELL  
5460 PTE. TREMBLE ROAD

Pat Sharrow excused from the meeting at 7:36 p.m.

Chairman Getman: Bldg. Dept. notified by applicant per State Highway could not comply with requirement of a passing lane, asked for written documentation from State, never received; today Bldg. Dept. called by applicant saying State has now said passing lane is possible, still have not received anything from State; right back to applicant not cooperating with the Township; Township Attorney has asked the Planning Commission not to take any action tonight, refer the entire affair to him.

**Moved by Michel, supported by Kent, MOTION CARRIED, per Township Attorney's advise to not take any action at this meeting concerning the Sunoco Gas Station/Mini Mart and refer any State Highway letters and other information to Township Attorney for his opinion. AYES: All. NAYS: None. ABSENT: None.**

Pat Sharrow returned to the regular meeting.

SITE PLAN CONSIDERATION: PROPOSED ROLAND SUB./BILL ROLAND  
MCKINLEY & BENOIT ROADS

Chairman Getman received letter from John Monte clarifying concerns noted at last meeting, plans revised/submitted 2-6-2001, sidewalks not proposed (requesting waiver from the Township Board), public street lighting desired (special assessment district proposed by Township), storm water detention proposed and provided an existing on-site drainage and conservation easement.

Pat Sharrow: Street lighting by special assessment not in other subdivisions, Twp. has eliminated most all special assessments for public street lighting.

Chairman Getman: Planning Commission would not authorize street lighting, may recommend to Township Board

Planner Linda Anderson: Per Subdivision Ordinance indicate street lighting on site plan, not a requirement.

John Monte: Developer does desire street lighting, Detroit Edison does not want to deal with homeowners association to collect fees.

Pat Sharrow: Not whole street, only intersections.

Chuck Michel: Are we waiving the requirement for a sidewalk?

Chairman Getman: Planning Commission cannot waive sidewalk requirement, Township Board would make that decision.

Chuck Michel: Questioned what was revised on the site plan per last drawing?  
Lot 12 and Lot 13 size on road front.

John Monte: Subdivision Ordinance different than other ordinance, couple lots off a little, changed width to make it work, ratio close, made adjustments to lot sizes, sidewalk, lighting & tree noted, minor changes to original site plan.

Pat Sharrow: Retaining pond, if County requires that where would it go?

John Monte: At this point, like Commission to review it as is; met with the County Drain Office and DEQ; drain was newly constructed and designed for retention, don't feel there will be any changes.

Pat Sharrow: Where does the drain exist?

John Monte: Behind lots on McKinley Road, goes across site, picks up drainage from Benoit, discharged along Swartout.

Pat Sharrow: Questioned location of drain on the easterly side.

John Monte: Existing drain was between existing lots, drain will help solve problems for the Rd. Comm., drain use to meander through a old horse track, eventually blocked off, drain reconstructed, designed as conservation easement area for mitigation of wetlands.

John Makuch: Curious what types of homes does builder want to build?

Bill Roland: Described size, type, cost, etc. building is Joe Stephenson.

Chuck Michel: Wade-Trim's original report indicated 8" water mains, 12" on your plan.

John Monte: Did not receive engineer's comments until after plans were resubmitted, eng. changes will be on drawings when it comes back.

Chuck Michel: Changes on lots, do not see any difference in bldg. lines on the site plan.

Linda Anderson: Lot 13 was all right, it was Lot 12.

John Monte: Without reviewing old plan, don't know physical dimensions to give you.

Chuck Michel: Specific details are required on revised plan: 8" sewer pipes, Lot 13 measurement changes.

John Monte: Reiterated when recommendation is made to Twp., if Planning Commission would recommend to the Board a waiver on the sidewalk.

Pat Sharrow: Questioned if Lots 12 & 13 would need a zoning variance, since not 150' front feet on the road? Sidewalk variance would come from the Township Board; Lots 12 & 13 do not conform to the zoning of RS.

Sidewalk discussion by Board, necessary or unnecessary in a rural setting, pros and cons.

Chairman German: Street lighting is not Planning Commission's concern.

Don Kent: Drain dug about 1-1/2 years ago, it has been full ever since.

Mr. Roland, developer: ditch blocked by kids, we opened it up, and we'll watch the flow.

Louise Cooper: Asked if fences will be going in?

Pat Sharrow: Don't think developer is planning any deed restrictions to prevent them, fences are allowed in country properties.

John Monte, Engineer requested Planning Commission table the site plan consideration, corner lot appears not big enough to meet the RS zoning, would not be a hardship to go for a variance, go back to drawing board and resize the lot.

**Moved by Sharrow, supported by Kent, MOTION CARRIED, to postpone the decision on the preliminary site plan on the proposed Roland Sub.at McKinley and Benoit Roads until the engineer brings in revised lot line drawing with the statement that the Planning Commission does like the subdivision and sure we can work this out with no problems. AYES: All. NAYS: None. ABSENT: None.**

Discussion on Site Plan Consideration/Special Approval Land Use:

TURN-KEY BUILDING CO., INC./ 2602, 2634 PTE. TREMBLE ROAD;  
9669 NOOK ROAD - MIKE MENTZ

Chairman Getman: Letter from Wade-Trim Linda Anderson to Turn-Key Building Co. re: traffic study requested will be commencing and completed.

Wade-Trim Linda Anderson: Should have the traffic study results completed and ready for the 2<sup>nd</sup> meeting in April.

Chairman Getman: Several Planning Commission members have concerns over having another vacant piece of property left 50% vacant; would like to discuss tonight why you feel this property is going to be a marketable property, any studies you may have done which could answer some of our concerns such as why you feel the mall will be full, low vacancies and how you plan to keep it this way.

Mark Dishinger (Turn-Key Bldg. Inc.) Told about the request, don't have a formal report, not allowed to see the results of the demography report for Farmer Jack, tentative list of businesses already signing up prior to it being built, Farmer Jack approached us about relocating at this site.

Chairman Getman: Farmer Jack in City of Algonac now and not doing a good job on drawing the people, strip mall and the majority of it is empty, how can we be sure this is not going to happen here?

Mark Dishinger: we do have the draw and clients are approaching us; problems can develop when there are problems with the landlord and tenants; we are striving for a 10-20 year lease, looking at National tenants i.e. Blockbuster, Hallmark, etc.

Don Kent: Can you find out some more information on that? More comfortable with making long term leases with National businesses; no guarantees on anything, feel we have the right spot, marketing study understand what your concerns are and ours.

Chairman Getman: Businesses can only draw from two areas North and West, two directions from which to draw, City has a history of vacant businesses.

Pat Sharrow: Township has many retirees, return back to the City for an outing and accomplish many shopping tasks while there, how can we get them to stay here when they have a choice of ten places elsewhere, not as fast growing as those communities along the expressway, people visiting Township increases during the summer season.

Sandra O'Conner: People leave area to do shopping, mall in Algonac not well built.

Don Kent: What is bound to make Turn-Key different than other areas before?

Dorothy DeBoyer: People who have lived here a long time, if had good choices of stores would not leave the area.

Chuck Michel: How many leases do you have to have before you will break ground?

Mark Dishinger: Would need the potential stores in the mall 90% full before we would even commit, do leases prior to building, working out the lease agreements.

John Makuch: Developer is willing to work with Planning Commission, commented on seeing more national businesses in there, traffic flow in the intersection, etc.

Mark Dishinger: Try to do something different, a little higher end, Farmer Jack will be a prototype, wide aisle, etc., end result is more people will want to shop there.

Chuck Michel: Property outlined for future development in that area will that be cleaned up?  
Answer: Turn-Key Rep. everything will be cleaned up.

Pat Sharrow: Special Approval Land Use can specify clean up, sidewalk put in, landscaping, etc.

Mark Dishinger: Have made all the changes in a revised site plan according to Wade-Trim Planner Linda Anderson's letter, still waiting on the traffic study.

6. **NEW BUSINESS:** None.

7. **Chairman's Report:**

Discussed with Dorothy DeBoyer having her come to the site review committee meeting, not a formal appointment, new to Planning Commission, get her familiar with this committee.

8. **Planning Consultant's Report:** None.

9. **Planning Commission Comments:** Site Plan Committee will meet 4-2-2001.

10. **Public Comments:**

Jodie Kurrle, 321 S. Parkway: Hallmark has done an extensive study regarding this area and they want to be in that center, will bring some of that business back here, strip mall definitely will give a prosperous place for businesses for quite a few years.

Allen Kurrle, 321 S. Parkway: The mall at City riverfront is really in a wrong location, primary property that can be used more effectively rather than seeing vacant buildings.

Richard Wagner, Pte. Tremble Road, DDA member: Explained future plans for a bikepath/walk in Clay Township along M-29, difficulties, where we are now, etc.

Richard Baker, Stone Road: Mini Mall will help tax structure, better than land sitting vacant.

Al Kodet: Son had a business in the Algonac Mall, strong breakdown with landlords and tenants, believe with aggressive landlord and good businesses in the mall, it will prevail; good anchor and asset to the City of Algonac and Clay to move Post Office into Clay.

Robert Gooden: Noted go to Meijers because of the convenience, wide aisle, electrical wheel chairs, etc.

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11. ADJOURNMENT:

Moved by Michel, supported by Kent, MOTION CARRIED, to adjourn the meeting at 8:53 p.m. AYES: All. NAYS: None. ABSENT: None.

Valerie J.  
Kulba  
Recording  
Secretary