

MINUTES OF THE CLAY TOWNSHIP SPECIAL PLANNING COMMISSION MEETING
HELD ON MAY 16, 200AT 7:30 P.M. IN THE CLAY TOWNSHIP BOARD ROOM, 4710
PTE. TREMBLE ROAD, CLAY TOWNSHIP.

1. Meeting called to order by Chairperson Mark Getman at 7:35 p.m.
2. Roll call: Present: Mark Getman, Chairperson, John Makuch, Secretary, Pat Sharrow, Diana Decker, Louise Cooper, Chuck Michel. Absent: Don Kent (excused), Sandra O'Conner (excused). Also present were Zoning and Enforcement Official Michael Kras and Wade-Trim Consultant Linda Anderson.

3. **Communications:** None.

3. **REVIEW/DISCUSSION ON PROJECT:**

Chairman Getman: The reason for the special meeting is the Turn-Key Building Co. strip mall, previously held a public hearing, received traffic report, reviewed and discussed several items; Members do you have any questions for the applicant?

Dorothy DeBoyer: Traffic light at M-29/Nook Road intersection, any information?

Mike Mentz, Turn-Key: Meeting with MOOT tomorrow to start the process.

Chairman Getman: Can make it a condition the developer complies with requirements of the traffic study.

John Makuch: Questioned parking lot lighting, 24-hours, bugs attracted to lights.

Mike Mentz, Turn-Key: Light sensors and will come on at night, will point straight down, shields on them; Farmer Jack control its lighting field (panel inside store), rest of lighting around center is connected to a house panel set to coincide with their hours.

John Makuch: Dimmer lights at night, concerned for citizens living across the street.

Turn-Key: Reducing the wattage of the lights probably not possible.

Louise Cooper: Natural trees will they be kept in the back of the property?

Turn-Key: Any of the woods we can save we will, clear some around the detention pond.

Chairman Getman: The barrier requirements are up to the discretion of Commission.

Dorothy DeBoyer: West border behind homes on Nook Road, will a green belt go there?

Chairman Getman: Barrier is required by ordinance between commercial and residential, what material and construction used is Planning Commission's option.

PLANNING COMMISSION SPECIAL MINUTES - MAY 16, 2001

Page 2

MOTION BY SHARROW, SUPPORTED BY COOPER TO APPROVE THE SPECIAL APPROVAL LAND USE REQUEST FROM TURN-KEY BUILDING CO., INC. FOR 2602, 2634 PTE. TREMBLE ROAD AND 9669 NOOK ROAD FOR THE FOLLOWING REASONS:

Refer to Linda Anderson (Wade-Trim) report of 2-28-01 regarding S.A.L.U.

1. Request complies with intent of Zoning District.
2. Request is consistent with intent of Clay Township Master Plan.
3. Is adequately served by public facilities, specifically:
Water: (Clay Township presently uses less than 50% of the water that we contract for from the City of Algonac and even with the addition of the Harsens Island Water lines, we will be using approximately 55%-60%; there is much capacity left for this project and any future projects in the Township. Sewer: Clay Township uses only approximately 18% of 40% we are entitled to at Sewer Treatment Plant. Fire: Clay Township has a volunteer department of 20 with one full time Fire Chief. Department has received awards, is one of the best in the County, good equipment, new truck ordered. Police: Sixteen (16) full time Officers, 3 part time Officers, in addition 5 dispatchers and 10 reserve officers. Can serve this project and not deprive other citizens of needs.

The following conditions apply to the S.A.L.U.:

1. Site plan will contain a major grocery store or department store as the site presents and twelve (12) other stores eventually as required by our Ordinance.
2. Greenbelt, plant materials, masonry walls will be in place around entire perimeter of site as approved by Planning Commission.
3. An internal system of roads and walks will be approved by the Planning Commission with review by Township engineer if Planning Commission feels that is necessary, any costs will be paid by the applicant.
4. A bikepath/walkway (asphalt) will exist from Nook Road east to the end of the property line owned by applicant as discussed at the last meeting.
5. A 3rd traffic lane on Nook Road, last 200' per the traffic study will be done.
6. A right turn lane on M-29 as recommended per the traffic study will be in place.
7. A traffic light or the preparation for the traffic light will be in place across from the Boat launch entrance as recommended in the traffic study.
8. A wetlands survey will be done before final site plan approval so no changes will be made after final approval of the site plan. (*Note to Building Department - no building permits issued until this comes to Township - any changes made, if needed, must be approved by Planning Commission).
9. Site will be all cleared and the landscaping and driveways be in place even though not all areas will be developed at this time before any C. Of O. is Issued.

10. All other applicable permits (State, County, etc.) will be presented to Township.
11. Site review by Township Engineers (Wade-Trim) before a final is considered screened for site plan especially regarding drainage, grade, specifications for concrete and asphalt for parking and sidewalks and building foundations, fire suppression - cost to applicant.
12. Any supplemental inspectors needed by Township, as determined by the Building Inspector, will be paid for by the applicant. It would be required midway through the plan and before a final C. of O. is given, that an inspection made by a mechanical engineer as an assist to the Township's Building Inspector. As part of the motion, Planning Commission has permission to use Wade-Trim Engineering per our recommendation because it moves better to have them do it and report through Wade-Trim Consultant Linda Anderson back to the Planning Commission.

**VOTE ON THE MOTION: AYES: ALL. NAYS: NONE. ABENT: KENT, O'CONNER.
MOTION CARRIED.**

Turn-Key Developers questioned a motion condition regarding specific number of stores that must be leased.

Chairman German: Ordinance requires 12 or more businesses in strip mall.

Turn-Key Developer: A user may want three spaces, would this only count as one?

Pat Sharrow: Planning Commission cannot vary from the conditions of the ordinance, as owner, you would have discretion to proceed to ZBA for a variance.

Consultant Linda Anderson: Four standards you have to meet.

SITE PLAN DISCUSSION:

Mike Mentz, Turn-Key: Spring wall issue, no problem putting the 6' wall, if were to berm with trees, is this acceptable?

Pat Sharrow: No problem with masonry wall behind the stores as presented leaving that other area open, if in the future back part were to develop, a new site plan would be necessary.

Masonry wall behind stores gives them protection from possible vandals, wall located there rather than on the property line leaves it more in a natural state. Depth of the proposed retention pond is there any danger; County drain back there is not fenced.

John Makuch: Comment agree with placement where the wall is, save the trees, wall will aid in noise retention and lighting.

Chairman Getman: Proposed screening appears to be acceptable.

Chuck Michel: Like the idea saving the woods and using trees as a natural barrier; questioned proposed screening north line behind the future development bordering the residential, is that intended to be a masonry wall?

Turn-Key: Explained the screening along this line.

PLANNING COMMISSION SPECIAL MINUTES - MAY 16, 2001

Page 4

John Makuch: Question area marked future development would require another site plan?

Chairman Getman: Another public hearing and special approval land use.

John Makuch: Eastside proposed greenbelt, it butts commercial, what is your proposal?

Mike Mentz: Sod around the whole perimeter, grass and trees on the island.

Pat Sharrow: Landscape plan will change slightly with addition of walkway, require a revised site plan, also traffic lanes added on M-29 and Nook Road, how much greenbelt will it take up; will it change the parking at all?

Chairman Getman: Road Commission will make the determination of the placement of the extra lane on Nook Road.

Discussion regarding the Nook Road lanes and which property on Nook Road would be affected.

Mike Mentz: Reduce the greenbelt but it won't reduce the setback, questioned the width of the walk required, would it be asphalt, etc.?

Pat Sharrow: Same specs used for the Bridge-To-Bay, believe asphalt and 6'. What is the right turn lane taking away from the parking?

Mike Mentz: Added the right turn lane already, just have to extend it down to the corner.

Sidewalk question: intend to put sidewalk along front of property, could section for future development be added at a later time?

Pat Sharrow: Motion made sidewalk installed from Nook Rd to east of your property line.

Mike Mentz: Explained reasons damage to sidewalk from construction, water taps put in.

John Makuch: Specified fire lane on site plan.

Mike Mentz: Circulation around the whole center with a 30' drive, fire hydrants, etc.

Pat Sharrow: Anticipate any problem with people wanting to use DNR Launch such as park in your lot until the launch opens? Would you be posting anything?

Mike Mentz: Get that in any center we open, large trucks park overnight, whether we put signs up, it will happen regardless.

Consultant Linda Anderson recommend approval of site plan w/ S.A.L.U.conditions. Mark Dishinger, Turn-Key: Re: sidewalk thought it was going in on south side of M-29. Pat

Sharrow: Decision has never been made, cited some of different routes it may take, regardless would be a big help to get it from Algonac at least this far, more beneficial in front of commercial property rather than residential.

PLANNING COMMISSION SPECIAL MINUTES - MAY 16, 2001

Page 5

MOTION BY MICHEL, SUPPORTED BY DECKER TO APPROVE THE SITE PLAN FOR TURN-KEY BUILDING CO., INC. FOR A STRIP MALL DEVELOPMENT TO BE CONSTRUCTED ON 2602, 2634 PTE. TREMBLE ROAD to 9669 NOOK ROAD WITH THE FOLLOWING CONDITIONS:

Refer to Linda Anderson (Wade-Trim) report of 2-28-01 regarding S.A.L.U.

1. Request complies with intent of Zoning District.
2. Request is consistent with intent of Clay Township Master Plan.
3. Is adequately served by public facilities

Water: (Clay Township uses less than 50% of the water that we contract for from the City of Algonac and we will be using approximately 55%-60%; there is much capacity left for this project and any future projects in the Township. Sewer: Clay Township uses only approximately 18% of 40% we are entitled to at Sewer Treatment Plant. Fire: Clay Township has a volunteer department of 20 with one full time Fire Chief. Department has received awards, is one of the best in the County, good equipment, new truck ordered. Police: Sixteen (16) man Department with 3 part time officers, in addition 5 dispatchers and 10 reserve officers.

Can serve this project and not deprive other citizens of needs.

The following conditions apply to the S.A.L.U.:

1. Site plan will contain a major grocery store or department store and twelve (12) other stores eventually as required by our Ordinance.
2. Greenbelt, plant materials, masonry walls will be in place around entire perimeter of site as approved by Planning Commission.
3. An internal system of roads and walks will be approved by Planning Commission with review by Township engineer if Planning Commission feels that is necessary, any costs will be paid by the applicant.
4. A bikepath/walkway (asphalt) will exist from Nook Road east to the end of the property line owned by applicant as discussed at the last meeting.
5. A 3rd traffic lane on Nook Road, last 200' per the traffic study will be in place.
6. A right turn lane on M-29 as recommended per the traffic study will be in place.
7. A traffic light or the preparation for the traffic light will be in place across from the Boat launch entrance as recommended in the traffic study.
8. A wetlands survey will be done before final site plan approval so no changes will be made after final approval. (*Note to Building Department - no building permits issued until this comes to Township - any changes made, if needed, must be approved by Planning Commission).
9. Site will be all cleared and landscaping and driveways be in place even though not all areas will be developed at this time before any C. Of O. is issued.

PLANNING COMMISSION SPECIAL MINUTES - MAY 16.

2001 Page 6

10. All other applicable permits (State, County, etc.) will be presented to Township.
11. Site review by Township Engineers (Wade-Trim) before a final is considered screened for site plan especially regarding drainage, grade, specifications for concrete and asphalt for parking and sidewalks and building foundations, fire suppression - cost to applicant.
12. Any supplemental inspectors needed by Township, as determined by the Building Inspector, will be paid for by the applicant. It would be required midway through the plan and before a final C. Of O. is given, that an inspection made by a mechanical engineer as an assist to the Township's Building Inspector. As part of the motion, Planning Commission has permission to use Wade-Trim Engineering per our recommendation because it moves better to have them do it and report through Wade-Trim Consultant Linda Anderson back to the Planning Commission.

No discussion of motion.

VOTE ON MOTION: AYES: All. NAYS: None. ABSENT: Kent, O'Conner.

MOTION CARRIED.

5. **PUBLIC COMMENTS:** None.

6. **ADJOURNMENT**

Moved by Michel, supported by Cooper, **MOTION CARRIED**, to adjourn the Special Meeting of the Planning Commission at 8:15 p.m. AYES: All. NAYS: None. ABSENT: Kent, O'Conner.

Valerie J. Kulba
Recording
Secretary