

MINUTES OF THE CLAY TOWNSHIP PLANNING COMMISSION MEETING HELD ON NOVEMBER 14, 2001 AT 7:30 P.M. IN THE CLAY TOWNSHIP BOARD ROOM, 4710 PTE. TREMBLE ROAD, CLAY TOWNSHIP.

Meeting called to order by Chairperson Mark Getman at 7:30 p.m.

1. Roll call: Present: Chairman Mark Getman, Secretary John Makuch, Pat Sharrow, Sandra O'Conner, Chuck Michel, Diana Decker, Louise Cooper.
Absent: Dorothy DeBoyer (excused).

Moved by Sharrow, supported by Michel, **MOTION CARRIED**, to amend the Agenda to add item #7-A. Chairman's Report. AYES: All. NAYS: None. ABSENT: DeBoyer.

3. **Communications:** Members received copy of letters from the DDA.

4. **Approval of the October 24, 2001 Minutes:**

Moved by Michel, supported by Decker, **MOTION CARRIED**, to approve the October 24, 2001 minutes as submitted. AYES: All. NAYS: None. ABSENT: None.

5. **LOT SPLIT: 01-15:**

Chris Derra 9291 Field Road

Chuck Michel: No problem, not creating a new lot, taking a line out, making it part of the other piece.

Applicant: If split do not plan to build, only landscape and enjoy.

MOTION BY MICHEL, SUPPORTED BY COOPER, **MOTION CARRIED**, TO RECOMMEND TO THE TOWNSHIP BOARD TO APPROVE LOT SPLIT #01-15, 9292 FIELD ROAD FOR CHRIS DERRA , LOT SPLIT MEETS THE CRITERIA OF THE REQUIREMENTS OF THE ORDINANCES. AYES: ALL. NAYS: NONE. ABSENT: DEBOYER.

6. **SITE PLAN CONSIDERATION:**

PEARL BEACH WATERFRONT ESTATES 6187 PTE. TREMBLE ROAD

Owner Karl Dornburg present.

Architect Brian Gregorich made a presentation to the Board explaining the design, plan, etc. the direction of where the builder is going.

Chairman Getman: Referred to Consultant's review report; any thoughts from members?

Chuck Michel: Questioned the 3' water main and tying it into the 8' one?

Architect:: Civil Eng. still doing a preliminary and has not been in contact with Wade Trim.

Owner Karl Dornburg: Plan to relocate it, sewer line dead end at the property, originates at the lot.

Chuck Michel: Line should be indicated and taken out of the site plan drawing.
Fire Department's comments regarding fire hydrants and smoke detectors.

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Pat Sharrow: Water/sewer lines, drainage site plans needs to go to the Township Engineer for review before a final site plan is approved; also the location map is incorrect; Ownership of two lots, would need a document to show you own both lots, per Assessor would need these properties combined to eliminate any splitting of properties; DEQ requires applying for all permits, are in a flood plain; garbage pick-up for the Condominiums, cannot place garbage at the highway since you are a commercial business and not entitled to pick-up, private contractor will handle the pick-up; Prior condo complexes had Twp. Atty. review condo agreement, require the stakes be set or a bond be collected prior to that being done; like the project, need these few steps done before we give a final approval.

Architect Brian Gregorich: Unaware how the Township process works to complete the process to get a final approval.

John Makuch: Will you be lining the outline with trees or brush?

Karl Dornburg: Area backs up to Willow Ct. plan to screen the area.

John Makuch: Boat docks there now?

Karl Dornburg: Own the Pte. Tremble Marina, Marine permit.

John Makuch: No break wall in front of these docks.

Karl Dornburg: Will all have lifts, allow for storage.

Chuck Michel: Access drive down in front of the parking spaces, is this also the exit?

Architect: Revised the plan, one way in and one way out, split the entrance into two.

Pat Sharrow: Questioned if Wade-Trim Consultant Linda Anderson was aware this was a condo project?

Owner: Yes she was.

Louise Cooper: Questioned the lighting for the cuppola.

Chairman Getman: This has to be addressed, discussed with Twp. Attorney the height of the cuppola and how the height should be determined, his opinion is by Wade-Trim's requirements and the way Planning Commission always has made their determination; any variances would have to be granted by the ZBA.

Architect: Did not know your Attorney's opinion, if the cuppola height can make or break the project, personally do not want to go to the ZBA, willing to reduce the height or eliminate it; would ZBA look at it as a hardship, strictly an aesthetic addition to the building.

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Chairman Getman: Can come to the ZBA for two things, ask them for a variance, it is not a hardship or could ask them for an interpretation of the height section of the Ordinance, ZBA has authority to do that; Attorney has interpreted it the way we always have and Planning Commission does not have the authority to ignore Attorney's opinion. Another issue here is can table it or postpone it for a maximum of 60 days; if approve pending all the items discussed; possible to have it extended after 60 days, check into that.

Discussion followed regarding the 60 day maximum.

Owner: Most of the items will be able to get done, Master Deed is not drawn up, explained the involved process and bank requirements involve money, time restraints.

MOTION BY SHARROW, SUPPORTED BY MAKUCH, TO POSTONE A DECISION ON THE SITE PLAN FOR PEARL BEACH WATERFRONT ESTATES, 6187 PTE. TREMBLE ROAD ALTHOUGH PLANNING COMMISSION FINDS THE SITE PLAN VERY FAVORABLE, DO NEED THE FOLLOWING DECISIONS:

ON THE HEIGHT OF THE CUPPOLA FROM THE ZBA:

- => DRAINAGE, WATER, SEWER LINES,(UNERGROUND LINES REVIEWED BY TOWNSHIP ATTORNEY *as amended 11-28-01 V.K.* WHICH WE WILL REQUEST WILL BE WADE TRIM ENGINEERS AND THE COST FOR THESE REVIEWS WILL BE THE OWNER'S RESPONSIBILITY;
- => OWNERSHIP LAND CONTRACT, ETC. WILL BE BROUGHT TO THE ASSESSOR; *Planning Commission as amended 11-28-01 V.K.*
- => WILL CORRECT THE LOCATION MAP ON THE PLAN; AND
- =» ANYOTHER CONDITIONS OF THE TOWNSHIP'S CONDO ORDINANCE.

VOTE ON THE MOTION: AYES: ALL. NAYS: NONE. ABSENT: DEBOYER.
MOTION CARRIED.

Carl Dornburg: Does an interpretation from the ZBA require a public hearing? Discussion whether an interpretation needs to be advertised as a public hearing is? Will find out an answer.

Pat Sharrow: Need to notify Water & Sewer Department Supervisor the engineers from Wade Trim will be reviewing this project and he will need to work with them.

An answer regarding the ZBA question will be referred to Linda Anderson for a reply.

7. **REQUEST FOR EXTENSION: "THORNHOLLOW MOBILE HOME PARK"**

Pat Sharrow: Delay in completing project because some permits from the County are delayed.

MOVED BY MICHEL, SUPPORTED BY COOPER TO GRANT THORNHOLLOW MOBILE HOME PARK A SIX-MONTH EXTENSION. AYES: ALL. NAYS: MAKUCH. ABSENT: DEBOYER.

MOTION CARRIED.

7-A. CHAIRMAN'S REPORT:

Two items:

1. Turn-Key Development is continuing and moving on, hold up is the DEQ.
2. Term expires 11 -15-2001, may be last meeting, Supervisor has not made his recommendation to re-appoint or place someone else on the Board. Per State statute, Supervisor has 30 days from tomorrow to make an appointment, under the law continue to serve until replacements are appointed; if my last meeting want to take this opportunity to say it has been a pleasure.

8. PLANNING CONSULTANT'S REPORT

Kevin Lawrence: Set-up the public meetings to review the Zoning Ordinance, one on the mainland and Harsens Island.

Chairman Getman: Planning Commission does need a final meeting to do finish work on the Zoning Ordinance review so it can be presented to Wade-Trim for their changes allowing Wade-Trim to have those meetings Kevin is talking about.

Flexible for meeting for those two meetings, prefer a weekday, 3:00 p.m. to 7:00 p.m. Consensus will meet on the 28th and discuss those final changes.

Chairman Getman: Planning Commission's next meeting is the 27th, normally we meet on the Tuesday since Thanksgiving is the same week, not this year it did not interfere with our normal meeting.

Post a change in the meeting dates from Tuesday, November 27th to the standard date of Wednesday, November 28th.

9. PLANNING COMMISSION COMMENTS: None.

10. PUBLIC COMMENTS:

Richard Baker, Stone Road: Like to see an Ordinance Multiple house built between M-29 for equal space for a public park, investors coming in and making money off our property.

Ed Keller: Have seen the prime sites in Florida lost where the people cannot enjoy the view or have access to the waterfront because investors have bought all the property.

11. **ADJOURNMENT:**

MOVED BY CHUCK SUPPORTED BY MAKUCH, **MOTION CARRIED**, TO
ADJOURN THE MEETING AT 8:40 P.M. AYES: ALL. NAYS: NONE. ABSENT:
DEBOYER.

Valerie J. Kulba
Recording
Secretary