

MINUTES OF THE CLAY TOWNSHIP PLANNING COMMISSION WORKSHOP
MEETING HELD ON MARCH 27, 2002 AT 7:30 P.M. IN THE CLAY TOWNSHIP
BOARD OOM, 4710 PTE TREMBLE ROAD, CLAY TOWNSHP.

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

2. ROLL CALL

Present: Chairman Mark Getman, Secretary John Makuch, Pat Sharrow, Sandra O'Conner, Dorothy DeBoyer, Chuck Michel, Louise Cooper, Edward Keller, Tony Antkowiak.

Absent: None

Linda Anderson, Wade-Trim Planner, Karen Missavage, Planning & Zoning Administrator, Mike Kras, Building Administrator.

3. COMMUNICATIONS

None

4. REVIEW DRAFT OF ORDINANCE

Chairman Getman: This is a joint meeting of the Planning Commission and the Clay Township Board to review the draft of the suggested changes to the Clay Township Zoning Ordinance. It will be an informal meeting with exchanges between the two boards.

Roll Call of Clay Township Special Board Meeting.

Chairman Getman: Supervisor McKoan, how would you like to handle this? Would you like a brief presentation or would the Board like to ask questions?

Supervisor McKoan: Why don't you do a presentation, giving the Board idea of what has been done.

Chairman Getman: Sometime ago we were asked by the Board to review the Zoning Ordinance, there were some issues because of problems that Mr. Kras has encountered and there tends to be a lot of things go to the ZBA. Decks, heights of buildings were addressed and there is no heavy Industrial. A change of zoning in Perch Point Isles has been done they now have their own classification. Additional residential classification that allows for smaller acreage, proposing to rezone much of Harsens Island. That was received quite well at the Open House on Harsens Island.

Supervisor McKoan: Questioned properties on the Island.

Chairman Getman: I spoke with Mr. Pellerito concerning Mr. Horvath's property and I personally don't have a problem with it being zoned RS-1.

Sharrow: I'd like to see 90% of the Island RS-1.

Chairman Getman: we have also addressed Cluster Housing.

Anderson: The biggest change is going with the 50%.

Kasperowicz: We had some people concerned about that in their area.

Getman: Side yard setbacks have been addressed and now it is a total amount so it is more flexible.

Makuich: Tried to be user friendly and address problems.

Getman: North end, across from Great Lakes Inn, somehow map changed that to commercial, we have switched back to what it should be, R-1

One spot on Field road was industrial, that goes back to residential and one on M-29 that was zoned Industrial has been zoned commercial.

DeBoyer: There is one on M-29 that has a house on two lots, one zoned industrial and one residential.

Sharrow: That has been made residential.

Getman: Dickinson Island, center open, discussed doing same as Harsens Island.

Anderson: If we leave it RS-1 it will be the same as St. John's marsh & the state park.

Kirkpatrick: About 3 years ago, Planning advertised changes on Farmland. It was about changing acre sizes for animals, most citizens were in favor of the requirement remaining at 2 acres; see it has been changed to 3 acres.

General discussion followed concerning the farm definition and acreage requirement for animals.

Kirkpatrick: It is unfortunate we didn't have a little synopsis of the major changes to review.

Getman: There will be public hearing and final approval comes from the Township Board, if you find something you don't agree with you can send it back to the Planning Commission.

McKoan: What has been changed, if anything, with parking spaces?

Getman: I don't think much if anything has changed. We have a lot of pre-existing situations that are grandfathered. If it stays vacant for a period of time then it has to be reviewed and may need to go to the ZBA.

Sharrow: Added a section that when an existing business that is replaced by a similar business they have an automatic use, they do not have to go to the Planning Commission.

Kasperowicz: Reading through I found it almost self-explanatory.

Sharrow: We did include a definition of a Hobby farm.

Anderson: We don't have agricultural zoning, so the farms are in residential area.

Kirkpatrick: We have people who are moving out who want to have one or two animals and now this has been changed.

Makuch: I think we tried to be close to state guidelines as we could.

Kras: Addressed requirements of a farm.

Getman: Addressed why we increased number of acres.

Makuch: Do you think it would be better to leave it at 2 acres?

Kirkpatrick: Yes

Missavage: The question on how many acres has come up about once a week. They like the idea of the 2 acres.

Sharrow: How does the board feel about the 5-acre requirement for a pond?

General consensus was that 5 acres should stay.

Missavage: Suggests something in the ordinance steers applicants to public property for Cellular towers. There could be a lot of money come to the Public entity.

Discussion followed.

Antkowiak: With the 2 or 3 acre issue, the distance requirement from lot lines should be addressed.

Michel: Questioned the deck covering, what is a roof? Does a balcony constitute a roof?

Discussion followed.

Getman: If it doesn't intrude into the set back, it is acceptable.

DeBoyer: A balcony meets the code but a balcony does not meet the code for a roof.

Kras: The Building code defines how a roof must be constructed.

McKoan: We can define a balcony opposed to a roof for someone not familiar with the building code.

Sharrow: There are some new definitions now such as un-obscured view. Also what type of trees are allowed.

Antkowiak: There's nothing about the length of time for completion after approval.

Getman: It should be in there, that was an oversight.

Sharrow: Some corrections to be made, page 80, first chart, should read sewer and/or water, page 88, #5, setback shall be 40 feet, also page 89 #5. Page 98, 2nd par 3rd sentence should read, "applications shall be received in township". Page 105, 1st sentence does not agree with #11. Page 120 at 20.21 second sentence, "are" should be "area". Page 182, Clay Township Planning Commission was created under Municipal planning act and Township zoning act.

O'Connor: Questioned term.

Getman: It is now 3-year terms for all members.

Sharrow: Height was reviewed, we have raised height limits to 30 feet, and if they want more they aren't required to add front & rear, only side yard.

Kras: We should eliminate the word "side". If someone wanted a variance for an accessory building this could create problems. Leave out the word "side" and we can keep it the same way.

Kirkpatrick: What about Russell Island?

Sharrow: That is all R-1.

Ron Nelson: Is Bench Mark the correct term?

Getman: We can check with the Corp of Engineers to be sure.

CHAIRMAN'S REPORT

Public hearing April 17, 7:30 at Algonac High School.

PLANNING CONSULTANT'S REPORT

We need to get these changes made quickly, there needs to be books available to the public before the Public Hearing.

Getman: We will have one available at the Township office and at the Post Office on Harsens Island.

PUBLIC COMMENTS

Al Kodet commented on Peddler's license and the requirements to be classified as a farm and the need to address manure control.

Richard Baker: Very interesting and when this is all done would be good to send a copy to the High school government class.

Michael Kras: Should consider again the number of acres required to have a horse.

ADJOURNMENT

Moved by Michel, Supported by DeBoyer to adjourn the meeting at 9:30 p.m. AYES: All NAYS: None ABSENT: None