

MINUTES OF THE CLAY TOWNSHIP PLANNING COMMISSION SPECIAL MEETING  
HELD ON MAY 15, 2002 AT 7:30 P.M. IN THE CLAY TOWNSHIP BOARD ROOM, 4710  
PTE. TREMBLE ROAD, CLAY TOWNSHIP, MI 48001.

1. Meeting called to order by Chairman Mark Getman at 7:30 p.m.
2. Roll Call: Present: Chairman Mark Getman; Vice-Chair Dorothy DeBoyer, Secretary John Makuch, Pat Sharrow, Chuck Michel, Louise Cooper, Edward Keller, Tony Antkowiak.  
Absent: Sandra O'Conner (excused).

Also present was Linda Anderson, Wade-Trim Planning Consultant.  
Citizens present: 16 (sixteen).

3. **COMMUNICATIONS:** None.

4. **PUBLIC HEARING: WENDY'S/TACO BELL PTE. TREMBLE/NOOK RD.**  
(Corner of Nook Road and Pte. Tremble Road adjacent to the new strip mall.)

Chairman Getman: Stated procedure to follow regarding the Public Hearing, applicant will initially address the Board, public will have an opportunity to speak; state name, address for the record, direct comments to the Board not the applicant; petitioner to respond at the end of the public hearing.

Open the public hearing.

Chuck Chris, 8945 Anchor Bay Drive: Representing the applicant/petitioner, Mr. Zamborowski is Counselor for the Petitioner; majority of the items referred to by the Site Plan Committee have been addressed; answer any questions you may have.

Sandra Mondello, 2653 Pte. Tremble Road: DDA would not envision this as a downtown look; object to two separate fast food buildings, combined might be better, enough restaurants, don't need more, litter will increase & lighting; not good for the community.

Rich Szefer, 8812 Anchor Bay Drive: Businesses will be good for the City.

Shamil Halabu & Sam Hanna, 5470 Pte. Tremble Road: Owners of the Sunoco/Taco Bell on P.T.R., don't object to more business in the area, do object to a Taco Bell close to ours; we have been very good neighbors for the Township, would only split business between two locations, causing one to close, enough other fast food franchises that could locate here.

Chairman Mark Getman: The applicants application does not reflect upon your business (meaning the other Taco Bell owners), personally question if Taco Bell would grant two franchise, Township cannot regulate what fast food restaurant they can have, cannot judge it on the fact it is going to be a Taco Bell.

Rich Baker, 9212 Stone Road: Questioned if it was not a Taco Bell, would the applicant have to come back to put something in the other building?

Chairman Getman: No, as long as it is a drive thru restaurant.

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No further comments by Mr. Chuck Kriss.

Close the public hearing.

Chairman Getman: Under special approval land use, the Township can regulate hours of operation and lighting.

John Makuch: Why two separate restaurants and not one?

Chuck Kriss: Enough land at that location for two restaurants.

John Makuch: Has the petitioner applied for these franchises and been approved?

Chuck Kriss: Wendy Restaurant is moving forward as long all the approvals are met by the Township, Taco Bell not cleared yet.

Chairman Getman: Do not agree with applicant there is enough land for two restaurants, personal opinion ample room for one restaurant, ample parking & room for maneuvering, would look good with proper lighting and landscaping; two restaurants would be overpowering to the property, cramped & crowded, traffic maneuvering congested and lack of parking spaces. P.C. members are very sensitive to parking issues, traffic flow pattern, pedestrians have to cross lanes to get into the restaurants.

Pat Sharrow: Garbage dumpster location, truck will have to back into corner, cars during the day would create a dangerous situation; Nook Road Side, trees are in the right of way, wonder if permission will be required to move them. Strip mall required to build a 6' bike path on Pte. Tremble Road along their own property, continue the bike path to Nook Road; insufficient parking, cannot approve.

John Makuch: Site a good location for one fast food restaurant, not two, traffic pattern poor, condensing too much in one site; summertime will bring cars with boats, trailers, campers pulling into the lot, appears no room to accommodate these recreational vehicles; bike path included on site plan.

Tony Antkowiak: Agree with has already been said, questioned signage too much in one area, still think another Taco Bell is a conflicting business.

Chairman Getman: Reiterated Planning Commission cannot regulate what it is.

John Makuch: We are approving this footprint?

Chairman Getman: A different franchise would change the footprint.

Dorothy DeBoyer: According to Zoning Ordinance they do met the rear and front yard setback; does not have adequate parking, congestion and movement of traffic is a concern.

John Makuch: Questioned we are at the S.A.L.U. state right now, no problem with one building, problem with two buildings; if denied and Petitioner comes back with the single unit, would they pay the fees again?

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Linda Anderson: If denied it is done, would have to start over, if table, it can be reworked.

Tony Antkowiak: If tabled and petitioner comes back with two businesses and one building, what would happen?

Chairman Getman: It would an amended one.

MOTION BY SHARROW, SUPPORTED BY MAKUCH, TO POSTPONE A DECISION ON THE SPECIAL APPROVAL LAND USE FOR THE WENDY'S/TACO BELL AT PTE. TREMBLE AND NOOK ROAD FOR THE APPLICANT UNTIL THE JUNE 12, 2002 PLANNING COMMISSION MEETING.

Discussion: Allow applicant an opportunity to think over comments made here by Planning Commission and make his decision if he wishes to revamp his plan.

AYES: SHARROW, MAKUCH, DEBOYER, MICHEL, COOPER, KELLER, ANTKOWIAK.

NAYS: GETMAN. ABSENT: SANDRA O'CONNOR (EXCUSED).

**MOTION CARRIED.**

Cannot approve the site plan if do not have a S.A.L.U. approval.

MOTION BY MAKUCH, SUPPORTED BY ANTKOWIAK, TO POSTPONE SITE PLAN CONSIDERATION FOR THE WENDY'S/TACO BELL AT PTE. TREMBLE AND NOOK ROAD UNTIL THE PLANNING COMMISSION'S MEE;TING JUNE 12, 2002 TO ALLOW THE APPLICANT TO POSSIBLY RECONSIDER THE PLANNING COMMISSIONS COMMENTS. AYES: ALL. NAYS: NONE. ABSENT: SANDRA O'CONNOR (EXCUSED).

**MOTION CARRIED.**

5. CHAIRMAN'S REPORT: NONE.
6. PLANNING CONSULTANT'S REPORT: None.
7. PLANNING COMMISSION COMMENT: None.
8. PUBLIC COMMENT: None.
9. ADJOURNMENT:

Moved by Antkowiak, supported by DeBoyer, **MOTION CARRIED**, to adjourn the special meeting at 8:05 p.m. AYES: All. NAYS: None. ABSENT: O'Conner (excused).

Valerie J. Kulba  
Recording Secretary