

MINUTES OF THE CLAY TOWNSHIP PLANNING COMMISSION MEETING  
HELD MAY 22, 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 II, Tony Antkowiak.  
Absent: Sandra O'Conner (excused).

3. **COMMUNICATIONS:** None.

4. **OLD BUSINESS:**

**EXTENSION OF SITE PLAN/SPECIAL APPROVAL LAND USE APPROVAL:  
UNITED ACQUISITION SERVICE (SPRINT PCS - 3272 S. CHANNEL DRIVE)**

United Acquisition Service (Sprint PCS) requesting an extension for the Site Plan and S.A.L.U. will expire before they can get their DEQ Permits.

MOVED BY SHARROW, SUPPORTED BY DEBOYER TO GRANT A SIX-MONTH EXTENSION OF SITE PLAN/SPECIAL APPROVAL LAND USE APPROVAL TO UNITED ACQUISITION SERVICE (SPRINT PCS – 3272 S. CHANNEL DRIVE) BECAUSE OF A DELAY IN OBTAINING THE DEQ PERMITS. AYES: ALL. NAYS: NONE. ABSENT: O'CONNOR (Excused).

**MOTION CARRIED.**

5. RE-REVIEW: APPROVAL OF PROPOSED ORDINANCE

Chairman Getman: An open house was held at the Island and Mainland for the public to ask questions and review the proposed ordinance and map, suggestions were made when a joint meeting was held with the Township Board and Planning Commission and a public hearing. A memo from Wade-Trim Consultant Linda Anderson re: Public Comments received re: draft Zoning Ordinance, review those comments:

1. Illustration 2.5 Lot Types; error on the drawing identifies lot depth as lot width. Planning Commissioners agree should state "lot depth".
2. "Building" and "Agricultural building" definition in ordinance differs from building code definition. Board's consensus is zoning ordinance is different from the building code. Agree with Linda Anderson's opinion to leave the definitions as is.
3. Board agrees with Consultant to add "Agricultural Equipment Sales and Service" and "Agricultural Storage Facilities" to the RS-1 Zone special use list.

4. Farms should be a permitted use in RS-1. (They are).
5. Ordinance should exempt farm uses from site plan review.  
Linda Anderson's recommendation: could add this to site plan review if P.C. agrees, it has come up a couple of times, add it to the intent of 1<sup>st</sup> paragraph of site plan review, we could put an exemption in there for farm building (must meet the definition of farming); agree with these adjustable concerns, need some assurance, etc.  
All agree Linda Anderson will take care of that change in the Zoning Ordinance.
6. Minimum lot size of  $\frac{3}{4}$  acre for RS-2 is too large; discussion followed:  
Developer criticized the minimum lot sizes, described several land areas in Clay that are already platted small lots, it does exist, we are providing all types of housing, if a need for smaller homes it is already there, developer looking to make the most money.  
Linda Anderson: options he can cluster, etc.  
P.C. members agreed to leave it at  $\frac{3}{4}$  acre for RS-2.
7. Change Horvath property from A-1 to RS-1: No problem next to the Golf Course, the large acreage to the west, seven (7) acre farm (Silent Acre Farms), not the small lots across the street.  
All agreed to change Mr. Horvath's property from A-1 to RS-1.
8. There should be a time limit on building permits. Limits placed on building permits authorized by special use, condos, P.U.D. but not on general as such that could be worked into the definition.  
Members agree with a time limit, good for a year and could be extended for one additional year.
9. Typos or incorrect reference numbers on pages 47, 55 and 57. These will be corrected.

Pat Sharrow noted some items Ron Nelson, Chairperson for the ZBA wanted reviewed:

- Page 13 Definitions: patio and deck; Deck defined as a foundation above grade. Questioned by Ron: "is a patio also a deck?"

Definition of a patio: an uncovered platform extending out from the main building.

ZBA probably getting variance requests, Chuck Michel cited an incident that went to the ZBA for a variance.

Residential where decks are allowed; Board agreed patio and decks are not the same.

Patio definition, but is that an allowed use?

Under allowed use should include "not more than 9".

Linda Anderson: could add ".....the same design standards apply....".

- Page 35 Questioned the angle in the diagram - 45°, does not agree what is on the illustration compared to the wording, diagram will be fixed.

- Page 41, the word “benchmark”, Ron Nelson feels is not the proper word according to the Army Corp of Eng.; Dorothy DeBoyer looked it up and it is the proper word, commonly used.

Discussion about the measurement from the benchmark, Michel objects to the way a building foundation is measured by the benchmark.

- Per Pat Sharrow: Page 82, paragraph 4: front yard setback exists on 50% of the lot within 300’ of the average setback, note to mention the rear yard also on the water or is that mentioned somewhere else?

Section 18.03, referring to average setback, want Linda Anderson to make sure the rear water yards are covered in average setbacks.

- Dorothy DeBoyer: Page 51 – “the number of acreage required for a horse.....”, originally was two acres now increased to three acres, why change it?  
Chairman Getman: Clerk Pellerito has said people call to complain about neighbors having animals on their property and what size the lot has to be.

Pat Sharrow: Don’t mind going to two acres if the lot is conforming, 150’ width, if nonconforming with less frontage, then should be 3 acres in order to keep a horse.

John Makuch: Agree, it would have to meet all the standards.

Chairman Getman: Who is going to enforce this?

Dorothy DeBoyer: Have we had a problem with it in the past?

Tony Antkowiak: Agree think two acres is too small, people will complain one way or the other, can’t please everyone.

Pat Sharrow: Another thing to consider is young people in 4-H, some young people don’t keep their horses at home, they are boarded; 3 acres – 150’ by 900’ or 2 acres – 150’ by 600’ in depth, doesn’t make much of a difference.

Chuck Michel: Question a manure pile has to be so far from lot line, two acres not enough room.

Chairman Getman: Existing acreage and the splitting of acreage, 150’ wide.

What do we want to do about this, obviously member’s opinion is divided; polled the

Board: Five members want to see it stay at two acres as long as it is nonconforming.

Pat Sharrow: Did we check the lot lines for Don Double by The Shop that he was concerned about? Back portion of his property is shown something else.

Which home are they talking about?

Chuck Michel: Front part of his lot shows commercial and it extends back further.

Per Chairman Getman, need to check with Assessor Barbara Schutt to see where the lot line is.

6. **CHAIRMAN’S REPORT** – NONE.

7. **PLANNING CONSULTANT’S REPORT:**

Linda Anderson noted the Township’s Master Plan is needed to be updated, important to do before the end of the year under the old State rules; if wait until next year will be a lot more procedural changes that will occur in 2003.

Chairman Getman: Master Plan has not been changed since 1992.

Pat Sharrow: Less expensive if we update the Master plan this year

Next step bring it to the Township Board to approve the updating of the Master Plan.

8. **PLANNING COMMISSION COMMENT:**

Pat Sharrow: Township has been receiving the Clay Connection Surveys; the top priorities are: Bike paths, curbside recycling, Colony Tower, Parks & Recreation, Televising Board meetings, skate park.

Edward Keller II: Township bike path runs behind my house, bridge made myself, bench placed there and walkers are congregating near the bench, smoking, drinking and damaging property.

Pat Sharrow: DDA hiring a company to work on a theme for the DDA District, would be asking for amendments to the Zoning Ordinance, DDA consider a survey of these business people.

Chuck Michel: DDA wants the use of the right of-way on the Southside and a sidewalk.

Pat Sharrow: Why spend the money if the business owners do not want it; how can the DDA justify spending money on one business and not another.

9. **PUBLIC COMMENT**

None.

10. **ADJOURNMENT**

Moved by Michel, supported by DeBoyer, **MOTION CARRIED**, to adjourn at 8:50 p.m. AYES: None. NAYS: None. ABSENT: O’Conner (excused).

Valerie J. Kulba  
Recording Secretary