

MINUTES OF THE CLAY TOWNSHIP PLANNING COMMISSION MEETING HELD ON DECEMBER 11, 2002 AT 7:30 P.M. IN THE CLAY TOWNSHIP BOARD ROOM, 4710 PTE. TREMBLE ROAD, CLAY TOWNSHIP.

1. Meeting called to order by Chairperson Mark German at 7:30 p.m.
2. Roll Call: Present: Chairperson Mark Getman, Vice-Chair Dorothy DeBoyer, Secretary John Makuch, Pat Sharrow, Sandra O'Conner, Chuck Michel, Louise Cooper, Tony Antkowiak. Absent: Edward Keller
Also present was Wade-Trim Planner Linda Anderson and Zoning Enforcement Officer Tim Wiggle.

3. **COMMUNICATIONS:** None.

4. **APPROVE MINUTES OF NOVEMBER 26, 2002 MEETING:**

Moved by Sharrow, supported by Michel, to approve the November 26, 2002 Planning Commission Minutes as amended:

- page 2, 2nd paragraph from the bottom: last sentence changed to read: "the first serious accident the Township would be sued."
- page 3, 1/2 way down, Pat Sharrow's comment changed to read: Latest site plan indicated connecting storm sewer to storm sewer existing on Turn-Key property, no reason to believe this was not what they were doing.
- page 3, 1st paragraph: An approach for Wendy's is about not paying for the use of the access through the strip mall?
- page 4, 1st motion amended as follows: remove the words "deny the site plan presented on July 31, 2002" and replace with "the most recent site plan presented to the Planning Commission based on the traffic study"
- page 5, 1/2 way down page: remove the words "public area," sentence will read as follows: "Property next to it which would be Action Auto property some of it would be the sewer plant zoned commercial."
- page 6, 2nd paragraph change to read as follows: Linda Anderson will remove this statement to "receive construction permits for watermain permits along Stone and Folkert Road", that statement will be removed from the Master Plan and indicate watermains are in existence now.
- page 6, 4th paragraph from the top, change to read: Phelps Road in the draft Master Plan states is paved, correct statement to indicate " is planned to be paved by 2003...."

ALL IN FAVOR OF APPROVING THE MINUTES AS AMENDED:

AYES: All. NAYS: None. ABSENT: Keller.

MOTION CARRIED.

4. **OLD BUSINESS;** SITE PLAN CONSIDERATION

FRUIT ROAD STORAGE

RON KAHL

Chairman Mark Getman: Received letter from Township Attorney John McNamee re: access issue, combine the two parcels, will permanently establish a 22' driveway on parcel #4, adjacent to parcel #5, condition of approval provide a recorded easement on parcel #4 establishing a permanent ~~egress/ingress~~ *ingress as amended 1/8/03 V.K.* to parcel #5.

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Pat Sharrow: Township Board made a motion to pick up any additional review costs by Wade- Trim; is Mr. Kahl going to submit another site plan with the required landscaping?

Ron Kahl: Will not submit anything until get a final determination on everything.

Chairman Getman: Need everything per the last meeting plus the Attorney's requirement regarding the easement.

Ron Kahl: Can I indicate on the site plan a driveway for future use?

Chairman Getman: Yes, ingress/egress on the parcel itself would not need the easement.

Ron Kahl: If show a future site for driveway on parcel #5, does driveway have to be put in now?

Chairman Getman: What we approve, actually has to be permanent egress/ingress to that property, parcel #5 is getting an easement across the 22' section of parcel #4 and cannot be ~~receded~~ *rescinded as amended 1/8/03 V.K.* by future owners, allows parcel #5 to access Fruit Road via parcel #4.

Ron Kahl: Questioned site plan requirements for various phases for future use.

Lengthy discussion followed as to additional development phases.

Pat Sharrow: Check with an attorney if you own both properties five years from now and you decided to put an access on parcel #5, sure legally you could remove the deed restriction placed on parcel #4.

Ron Kahl: Recorded in the County as an easement.

MOVED BY SHARROW, SUPPORTED BY MICHEL, TO POSTPONE THE SITE PLAN CONSIDERATION FOR RON KAHL, FRUIT ROAD STORAGE UNTIL A NEW SITE PLAN AS *HAS as amended 1/8/03 V.K.* BEEN SUBMITTED.

DISCUSSION:

Pat Sharrow: Questioned the procedure under the New Ordinance preliminary site plan would an engineering drawing be required for a review by the site plan committee or would a preliminary one be acceptable?

**VOTE ON THE MOTION: AYES: All. NAYS: None. ABSENT: Keller.
MOTION CARRIED.**

6. **LOT SPLIT #02-14**
RICHARD PRINGLE **8254 LITTLE FISHER HWY.**

Property line adjustment, no new lots being created.

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MOVED BY MICHEL, SUPPORTED BY ANTKOWIAK, MOTION CARRIED, TO RECOMMEND APPROVAL OF LOT SPLIT #02-14 TO THE TOWNSHIP BOARD FOR RICHARD PRINGLE, 8254 LITTLE FISHER HIGHWAY, HARSENS ISLAND. AYES: ALL. NAYS: NONE. ABSENT: KELLER.

LOT SPLIT #02-15

CARL COLMAN

8080 MARSH ROAD

MOVED BY DEBOYER, SUPPORTED BY MAKUCH, MOTION CARRIED, TO RECOMMEND APPROVAL OF LOT SPLIT #02-15 TO THE TOWNSHIP BOARD FOR CARL COLMAN, 8080 MARSH ROAD, CLAY TOWNSHIP. AYES: ALL. NAYS: NONE. ABSENT: KELLER.

7. APPROVAL OF THE PROPOSED AMENDMENTS TO THE MASTER PLAN

Chairman Getman: Explained why the text is late, map was already presented.

Pat Sharrow: Goals and objectives have not changed greatly, last meeting made some statistic changes i.e. "water available on Harsens Island"; unless Planning Commission members have an objection to the goals and objectives in place for over 10 years, believe we should approve this tonight even though did not get the final draft until this evening.

Chairman Getman: Received the draft, only changes were to the utilities.

Linda Anderson: Main change was the utilities, other changes talked about, but already made those changes on the master copy, inserted up to date figures of the availability of water on the Island; noted a map correction to the small map: center of Harsens Island marked Residential Suburban - RS-1 and not marked on it.

Chairman Getman: The large Master Map is correct?

Linda Anderson: Yes it is, can be adopted with this correction.

MOTION BY ANTKOWIAK, SUPPORTED BY COOPER, MOTION CARRIED, TO APPROVE THE AMENDMENTS TO THE FINAL MASTER PLAN WITH THE CONDITION THE FUTURE LAND USE MAP WILL BE CORRECTED TO INDICATE RESIDENTIAL SUBURBAN ONE (RS-1) IN THE CENTER OF HARSENS ISLAND.

VOTE ON THE MOTION: AYES: ALL. NAYS: NONE. ABSENT: KELLER.

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MOTION BY SHARROW, SUPPORTED BY MICHEL, THE AMENDED AND REVISED MASTER PLAN, AS SOON AS PUBLISHED, BE SUBMITTED TO THE TOWNSHIP BOARD EVEN THOUGH THEIR APPROVAL IS NOT REQUIRED BY LAW, LIKE TO SEE IT SUBMITTED TO THEM FOR THEIR APPROVAL.

DISCUSSION:

Planner Linda Anderson explained the certified and distribution procedure, electronic copy will go to the clerk.

VOTE ON THE MOTION: AYES: Sharrow, O'Conner, Makuch, DeBoyer, Michel, Cooper, Antkowiak. NAYS: Getman. ABSENT: Keller. MOTION CARRIED.

8. ELECTION OF OFFICERS

Chairman Getman: Report from the Nominating Committee.

Pat Sharrow's Report: Nominating Committee recommending John Makuch be the candidate for secretary, recommending Mark Getman be the candidate for Chairman and two people have expressed interest in Vice-Chair: Dorothy DeBoyer and Tony Antkowiak, recommend Mrs. DeBoyer as Vice-Chair by the nominating committee based on her years in the community, life time residency, experience in banking management, etc.

MOTION BY DEBOYER, SUPPORTED BY O'CONNER, MOTION CARRIED, TO ACCEPT THE RECOMMENDATION OF THE NOMINATING COMMITTEE TO APPOINT JOHN MAKUCH AS SECRETARY TO THE PLANNING COMMISSION FOR 2003. AYES: ALL. NAYS: NONE. ABSENT: KELLER.

MOTION BY MAKUCH, SUPPORTED BY MICHEL, MOTION CARRIED, TO ACCEPT THE RECOMMENDATION OF THE NOMINATING COMMITTEE TO APPOINT DOROTHY DEBOYER AS VICE-CHAIR TO THE PLANNING COMMISSION FOR 2003. AYES: SHARROW, O'CONNER, MAKUCH, DEBOYER, MICHEL, COOPER, GETMAN. NAYS: ANTKOWIAK. ABSENT: KELLER.

MOTION BY MICHEL, SUPPORTED BY O'CONNER, MOTION CARRIED, TO ACCEPT THE RECOMMENDATION OF THE NOMINATING COMMITTEE TO APPOINT MARK GETMAN AS THE CHAIRMAN TO THE PLANNING COMMISSION FOR 2003. AYES: ALL. NAYS: NONE. ABSENT: KELLER.

9. CHAIRMAN'S REPORT

Chairman Getman: Change to the ~~Plan Review~~ Site Review Committee membership: John Makuch will now be on the committee, Chairman Getman will no longer serve on this committee. *Dorothy DeBoyer will serve as chair as amended 1/8/03 V.K.*

Site plan review committee is very important under the New Ordinance and if other members want to attend would be informative.

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Discussion regarding Supervisor unsure about the Site Plan Committee judging businesses going in where there had been businesses; under New Ordinance a business going into an existing business place, zoned commercial or a non-conforming use business would be reviewed by site plan committee and zoning enforcement officer judging it is not a more intense use, similar use, etc.

Pat Sharrow: What is the "same use" definition? Suggestion is look at our Commercial Zoning Districts, need to set up what is the same and what is different in a use. Chairman Getman: Referred to the C-1 use reviewed tonight by the Site Plan Committee. Non-conforming cannot replace with a more intense use.

Pat Sharrow: A business registration in the Township would be a great idea. Mike

Kras: Explained find businesses owners by finding them in the newspaper.

Discussion followed regarding business inspections, registration, etc.

10. PLANNING CONSULTANT'S REPORT

Consultant Linda Anderson incentive re: ~~re-plating~~ replatting as amended 1/8/03 V.K. small lots:

- a. Have two lots owned by the same owner, treat as one lot, applicant has to build in the center, require treat that as one lot.
- b. Incentive if there was a plat done as nonconforming and the developer/owner offer to replat that at the Township's expense.

11. PLANNING COMMISSION COMMENT

Pat Sharrow: Zoning Ordinance and Master Plan complete, set some New Year's Resolutions on some things that could be done in the next year, i.e. capital improvements, meet with the realtors and explain why zoning is important and makes a better community.

Chairman Getman: ~~Excessive~~ Successive as amended 1/8/03 V.K. Township Boards have coveted many capital improvements.

Pat Sharrow: Planning Commission meet with the DDA, get some ideas together to see what Planning Commission would want per Master Plan for the community and where DDA is going.

Tim Wiggle: While at Ira, every quarter the Planning Commission and ZBA would meet for an informal sit down get together.

Pat Sharrow: Application for ZBA the language changed, copy out of the ordinance saying "what is your hardship or what is different about your property than others in this community that makes you feel there is a hardship or what right is being taken away from you that is granted to everyone else?"

Chairman Getman: Explained the procedure followed regarding the re-review.

12. PUBLIC COMMENT

Michael Kras: Comment regarding site plan files, legal businesses, etc. Lengthy discussion regarding his comment.

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12. ADJOURNMENT:

Moved by Michel, supported by DeBoyer, **MOTION CARRIED**, to adjourn the ~~special~~
regular as amended 1/8/03 V.K. meeting at 7:40 p.m. AYES: All. NAYS: None. ABSENT:
None.

Valerie J. Kulba
Recording Secretary