

MINUTES OF THE CLAY TOWNSHIP PLANNING COMMISSION MEETING HELD ON JANUARY 22, 2003 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 Getman at 7:35 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, Edward Keller.

Also present were Wade-Trim Planner Linda Anderson and Zoning Enforcement Officer Tim Wiggle.

3. **COMMUNICATIONS:** None.

4. **APPROVE MINUTES OF JANUARY 8, 2003 MEETING:**

Moved by Cooper, supported by Michel, to approve the January 8, 2003 Planning Commission Minutes with the following corrections:

- Page 2, Pat Sharrow's comment, 6th paragraph from the top, delete the line.
- Page 6, Mainland: Changes to Zoning Map: 9th line from the bottom; Munchies Restaurant is now called "Brisbay Restaurant" and amend phrase to read: "Brisbay Restaurant should be commercial", lot 3 doors down is residential and should not be used as a parking lot.

ALL IN FAVOR OF APPROVING THE MINUTES AS AMENDED:

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

MOTION CARRIED.

5. REVIEW OF PROPOSED CHANGES TO ORDINANCE 123

Linda Anderson, Planner: Sheets from Linda indicated amendments to the Ordinance, strike out line indicates a deletion, bolded text is new text:

Explained the changes as follows:

Section 3.01 Accessory Buildings, Structures and Uses.

2. Accessory buildings or structures shall not be erected in required front or required side yards.

Section 3.15 Exterior Lighting

This section is all new.

Section 3.25 Height Exceptions.

Item 2 is clarified by stating both side yard dimensions shall be increased.

Next page 81, Item #6. Side yard setback requirements includes and applies to main buildings, delete "and accessory".

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Bottom of page #2 changed building heights may exceed this limitation by 1 foot for every 1 foot of additional side yard provided. Added the sentence "Additional setback shall apply to both sides."

Page 82, there was a numbering problem, from 7. To 6.

Section 18.05 MPH, Manufactured Home Park District. Reference to the Mobile Home Commission Act 419, PA 1976 is incorrect, the new date is **Act 96 of 1987, as may be amended.**

Next paragraph (No. 2) refers to the wrong MHC Act, Linda will amend.

Page 163, under Section 23.04 Prohibited Signs

2. Banners: reference section changed from Section 26.07 to 23.07.

Page 191, ARTICLE XXVIII - ADMINISTRATION AND ENFORCEMENT

Administrative and Enforcement has been taken out of the old ordinance and reformatted to fit into this one.

Re: Regulation of Condominium Developments discussion, question was if it was part of the zoning ordinance or if they were separate? Reserve chapter originally set up for the condominiums regulations and pulled it out, this would be actually the way it would appear in the ordinance if put back in.

Pat Sharrow: Asked if research was done to see if Planning Commission had held a public hearing on the condo ordinance.

Dorothy DeBoyer: Reported back her research on the condominium, motion by the Township Board was to adopt Ordinance 89-37 to amend the Clay Township Zoning Ordinance to establish the regulations in Clay Township for all condominium developments, effective March 12, 1997.

Discussion followed re: Planning Commission involved in the Condo amendment.

Dorothy DeBoyer left the room to locate the Planning Commission minutes stating a public hearing was held regarding the Condo amendment.

Chuck Michel: Suggest we require a cash bond, Page 188, Item #6 re: "Performance guaranteed in authorizing any various or granting of any temporary dwelling permits....." wish to add text: temporary dwelling permits and accessory buildings shall require a cash bond. Not stated anywhere in the Ordinance if an accessory building is built before the house that the applicant must post a bond.

Board's consensus should have a reference to a bond.

Zoning Ordinance Official Tim Wiggle: Reference to post a pond would give ZBA flexibility and authority.

Dorothy DeBoyer: Reported Planning Commission on 12/11/1996 set the public hearing for January 8, 1997 regarding Condominium amendment.

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Chairman Getman: Will this Article be in one of the reserved sections?

Linda Anderson: Ord. first put together had included Article XXIV Regulation of Condominium Developments, pulled it out, will insert it in original text and reformat.

Linda Anderson: Page 191, Article XXVIII deleted Section 28.01 Violations, this should remain, will move the section to the bottom.

Continued discussion the ZBA allowing temporary accessory buildings, nothing in the Ordinance that allows the ZBA to require a bond; Board's consensus is amend the section and the phrase "shall require a cash bond."

Linda Anderson: Update met with Assessor Barbara Schutt went over the changes and marked up a map, will make the changes and get Barb a copy and she will double check.

Discussion with Linda Anderson re: setting a date for the public hearing on the amendments to the Zoning Ordinance; consensus is to wait for the map changes and hold the public hearing for text and map at the same time.

6. CHAIRMAN'S REPORT

Attorney Dan Dalton will be at the Planning Commission's February 26, 2003 meeting to meet the members and give an update on zoning enforcement in Clay Township.

7. PLANNING CONSULTANT'S REPORT

Linda Anderson would like to set a date for the annual Planning Commission dinner, will call Mark Getman and set a date.

8. PLANNING COMMISSION COMMENT

Pat Sharrow: Update to the Board re: St. Clair County Metropolitan Planning Commission approved Clay Township's Master Plan, comments regarding the staff report remarks. Harsens Island resident Franklin Schoonover is on the St. Clair County Planning Commission, he was very helpful, supportive and he reiterated to the board members you don't know Harsens Island unless you come down and travel it. I am requesting a letter of appreciation be written to Mr. Schoonover

Moved by Sharrow, supported DeBoyer, **MOTION CARRIED**, to request Planning Commission Chairman Mark Getman send Franklin Schoonover a thank you letter for his help and support. AYES: All. NAYS: None. ABSENT: None.

Chairman Getman: Township Board approved the Master Plan as well, good to have the support from both of these groups.

Zoning Enforcement Official Tim Wiggle: ZBA Board agreed to meet with Planning Commission Board for the purpose of exchanging ideas.

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Chairman Getman: Later in the year at a workshop to invite the ZBA specifically.

Tim Wiggle: Clay Commons has been put on hold through the County Drain Commissioner.

Chuck Michel: Like to reinstate a meeting with the Planning Commissions from the City of Algonac, Cottrellville and Ira.

Chairman Getman: When we have a free minute could have a special meeting with the municipalities. Also want to start revisiting the site plans.

Pat Sharrow: Like to meet with the DDA to search out their goals.

9. **PUBLIC COMMENTS** None.

10. **ADJOURNMENT**

Moved by Michel, supported by DeBoyer, **MOTION CARRIED**, to adjourn the meeting at 8:15 p.m. AYES: All. NAYS: None. ABSENT: None.

Valerie J. Kulba
Recording Secretary