

MINUTES OF THE CLAY TOWNSHIP PLANNING COMMISSION MEETING HELD ON WEDNESDAY, FEBRUARY 12, 2003 IN THE CLAY TOWNSHIP BOARD ROOM, 4710 PTE. TREMBLE ROAD, CLAY TOWNSHIP, MI 48001.

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, Pat Sharrow, Sandra O'Conner, Chuck Michel, Louise Cooper, Tony Antkowiak, Edward Keller II.
Absent: None.
Also present was Timothy Wiggle, Zoning Enforcement Official, Linda Anderson was not able to attend because of weather conditions.
3. Communications: None.

4. **APPROVAL OF JANUARY 22, 2003 MINUTES:**

Moved by Sharrow, supported by DeBoyer, to approve the January 22, 2003 Planning Commission Minutes as amended. AYES: All. NAYS: None. ABSENT: None.

5. **SITE PLAN CONSIDERATION:**

CLAY TOWNSHIP RETAIL CENTER – PTE. TREMBLE ROAD

Chairman Getman: Update on the status of Aco Hardware to locate in the strip mall, site plan can be approved whether they want to go through with it or not.

John Makuch: Applicant have a year to comply with the site plan.

TurnKey Architect Debbie Jones present: Submitted revised site plans for the Aco Hardware location, last heard Aco Hardware was to locate in the strip mall.

John Makuch: Applicant would have a year to do something.

Dorothy DeBoyer: Linda Anderson's concerns have been addressed: notes on plan stating "amendment to the original site plan" and "no outside storage" and the handicap parking has been moved over.

Pat Sharrow: Note #7: it reads "vehicle storage spaces should be 15' wide", what is that?

Debbie Jones: Standard note that was not revised.

Pat Sharrow: Note can be eliminated so there is no misunderstanding.

Chairman Getman: Pointed out the vacant stores on the drawings.

Pat Sharrow: 2nd page states "5' high decorative metal fence" and Linda's note says "garden center will be enclosed by a 3' decorative fence", is it 5' and does that fit the Ordinance?

Dorothy DeBoyer: notes that came from the site review said 5'.

Linda Anderson could have done this in error, should read 5' and not 3'.

Dorothy DeBoyer: John Makuch and myself reviewed the site looked at where the handicap parking would be moved to, walked the area, etc., does not appear to be any problem with traffic flow.

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MOTION BY MAKUCH, SUPPORTED BY SHARROW, **MOTION CARRIED**, TO APPROVE THE REVISED SITE PLAN FOR TURNKEY WITH THE REMOVAL OF THE NOTE #7 “VEHICLE STORAGE SPACE 15’ WIDE” ON THE SITE PLAN.

AYES: ALL. NAYS: NONE. ABSENT: NONE.

Pat Sharrow: Property to the east of the site is no longer zoned industrial, changed to commercial.

6. RE-VIEW OF PROPOSED CHANGES OF ORDINANCE NO. 123

Chuck Michel commented on administrative section not changed where it indicates the building inspector is the administrative officer and should be zoning inspector.

Discussion of the statement and what the implications are.

Pat Sharrow: it does say “.....or other officials as may be designated by the Township Board...”, Township Board has designated zoning enforcement official.

Chuck Michel: Concerned about Ord. indicating that it will be administered and enforced by the building inspector.

Consensus is to amend the statement and add the word to the phrase in the Adm.

Section “..... or Zoning Official and whoever else may be designated by the Township Board”.

Timothy Wiggle, Zoning Official: Error found on front page, Section 3.15, 1st paragraph is missing the three (3) paragraphs that we intended to put back, gave the Building Department the authority for regulating residential districts for light shielding.

Louise Cooper: Section 3.13, page 43 made a correction last meeting under Performance Standards: “new commercial or industrial or residential use otherwise....”, change was not made, Linda has 3.15 and 3.01, missed Section 3.13; per our review last meeting this was one of the corrections.

Tim Wiggle: This particular section has to do with commercial and industrial only.

Chairman Getman: Linda Anderson check for that correction as noted by Louise Cooper.

Pat Sharrow: Questioned the Land map on the mainland, North River Road, north part of Township zoned back to residential behind the park store, has that been changed?

Chairman Getman: Pointed out it has been corrected

Tim Wiggle: Island is incorrectly unidentified, should be zoned residential, houses down on Cottage Lane are not indicated correctly.

Chairman Getman: Linda Anderson will review the changes, set a date for public hearing for the changes, map changes will require a separate public hearing for each one.

Attorney Dan Dalton will be at the next meeting.

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7. CHAIRMAN'S REPORT

Thank you to the Planning Commission members and the office staff for the sympathy cards and thoughts on the passing of my Father.

Wendy filed a lawsuit, update to the Board, plan to address the Township Board to explain what has transpired with the Wendy's issue.

Pat Sharrow: Rather wait than putting in an improper/unsafe new restaurant.

8. PLANNING CONSULTANT'S REPORT: None.

9. PLANNING COMMISSION COMMENT:

Pat Sharrow: Directed question to Tim Wiggle as to copy of a permit, dredge spoils are going to Fruit Road, do you know if he intends to use it strictly for fill and will be leveled or if stockpiling needs to come before the Township for a permit?

Tim Wiggle: Wanted the Board to be made aware of this permit; explained the procedure followed in the Building Department re: DEQ permits and what is required by the Bldg. Dept. Brisbay Restaurant re: Judge Kelly made an interpretation.

Chairman Getman/Pat Sharrow: District Court can't make a ruling, would have to be per Circuit Court.

Tim Wiggle reviewed with the Board updates on cases per Attorney Dan Dalton's report.

Sunoco has not fulfilled their requirements: stripped a driveway and sufficiently closed the drive thru window, will send a letter if don't comply and make the corrections

Site plan reviews when will we start on those?

Chairman Getman: In March we will start reviewing site plans that are a year old/

10. PUBLIC COMMENT

Mark Thompson, 911 Washington Street, Algonac: Remark re: curb cut on a State Highway, jurisdiction over the local bodies, remove the responsibility off the local body.

Chairman Getman: It is a special approval land use.

Mark Thompson: On behalf of the City of Algonac Planning Commission extending an invite to Clay Township Planning Commission to meet on Monday, March 10, 2003 at 7:30 p.m. with the Algonac Planning Commission in the City Offices Meeting Room.

Chairman Getman: Thank you for the invite, will confirm, will need to post a special meeting.

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11. **ADJOURNMENT**

Moved by Michel, supported by DeBoyer, **MOTION CARRIED**, to adjourn the meeting at 8:45 p.m. AYES: All. NAYS: None. ABSENT: None.

Valerie J. Kulba
Recording Secretary