

MINUTES OF THE CLAY TOWNSHIP PLANNING COMMISSION MEETING HELD ON WEDNESDAY, FEBRUARY 26, 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 7:30 p.m.
2. Roll Call: Present: Chairperson Mark Getman, Vice-Chair Dorothy DeBoyer, Pat Sharrow, Sandra O'Conner, Chuck Michel, Louise Cooper, Tony Antkowiak.
Absent: Edward Keller II.
Also present were Linda Anderson, Attorney Daniel Dalton, Michael Kras, Tim Wiggle.

3. Communications: None.

4. **APPROVAL OF THE FEBRUARY 12, 2003 MINUTES:**

Moved by Cooper, supported by Antkowiak, **MOTION CARRIED**, to approve the February 12, 2003 Planning Commission Minutes as amended. AYES: All. NAYS: None.
ABSENT: Edward Keller II.

5. **NEW BUSINESS:**

DAN DALTON, CLAY TOWNSHIP ATTORNEY PRESENTED A VERY INFORMATIVE PRESENTATION AS TO THE INTERPLAY BETWEEN CODE ENFORCEMENT AND THE TOWNSHIP ATTORNEY.

Board comments to Mr. Dalton:

Chairman Getman: Brisbay Restaurant using a vacant lot 2-3 lots away for parking, illegal.

Zoning Enforcement Official Tim Wiggle: Investigated the issue goes back to Jeff Sergent's time, decided not to push it any further in District Court, owner claims has an agreement with the Township the lot can be used for employees and personal vehicles.

Lengthy discussion followed.

John Makuch: Compliment the Building & Zoning Department and Mr. Dalton on their efforts to enforce the Zoning Ordinance, nice to see actions have been taken.

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

Linda Anderson, Wade-Trim: Completed copy of the proposed changes was given to each Board member.

Zoning Enforcement Official Timothy Wiggle: Questioned Section 2.02 under Height, definitions reference made to the height being measured from the benchmark of the Corp of Engineer, usually the measuring is from the existing grades.

Michael Kras, Building Inspector: Always measured from the grade, attended a DEQ meeting and informed will be raising the flood plain measurement to 579'6", currently benchmark is 578'5".

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Lengthy discussion followed: how it will affect future enforcing of the grade ordinance, problems that can develop, etc.

Pat Sharrow: Explained what was the reason that number was used in the Ordinance and the drainage problems when a grade is too high; can't keep going and changing this ordinance, have to come to a resolve.

Pat Sharrow: Like to go ahead with what we have, hold the public hearing, if problems develop down the road can bring it back with ideas and suggestions.

Chairman Getman: Separate public hearing is needed for every map change, text changes can be under one public hearing.

Discussion as to what is involved in the mailing, notices published, date for the hearing will be Wednesday, April 23, 2003.

Pat Sharrow: Asked Linda Anderson if Township Planning Commission was formed under the Municipal Planning Act, you do not have to send certain things to the County Zoning because you are the same as city, municipal, is there any truth to that?

Linda Anderson: Twp. is under Municipal Planning but Township Zoning, zoning has to go to the County, Master Plan may not had to go to the County.

7. **CHAIRMAN'S REPORT:** None.

8. **PLANNING CONSULTANT'S REPORT:**

Set the date for a dinner for the Planning Commission members for March 19, 2003; will be in contact with Mark for the details.

9. **ZONING ADMINISTRATOR COMMENTS**

Three items like to update the Board:

- Dirt stored on the property by the Ferry, issued letters to both property owners re: the dirt storage.
- Letter to Dave Bryson made mention he has not completed the site plan as approved by the Planning Commission.
- Ron Kale's property on Fruit Road, dirt stored, letter follow-up re: necessary steps with the Township before can store dirt according to the Ordinance.

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10. **PLANNING COMMISSION COMMENTS:**

Pat Sharrow: per Budget Committee suggested a cost saving idea: Planning Commission, ZBA and DDA members pick up their packets at the Township Hall or Police Department? Effort to cut postage which runs the Township \$1,000 a year.

Board comments followed.

Next meeting may be in the new Board Room.

Pat Sharrow: Wade-Trim has presented the Township Board with an offer, will be on the agenda at the next meeting with another comparison contract.

Chairman Getman: According to State Statute the Township Board does not have jurisdiction to contract with consultant firm, Planning Commission has the right to pick a planner to work with.

Pat Sharrow: Past history Township Board has approved the hiring of the Planner.

11. **PUBLIC COMMENTS:** None.

12. **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