

MINUTES OF THE CLAY TOWNSHIP PLANNING COMMISSION MEETING
HELD ON WEDNESDAY, MARCH 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 7:30 p.m.
2. Roll Call: Present: Chairperson Mark Getman, Vice-Chair Dorothy DeBoyer, Pat Sharrow, Chuck Michel, Louise Cooper, Edward Keller II, Tony Antkowiak.
Absent: Sandra O'Conner (excused).

Also present was Linda Anderson, Wade-Trim Planner and Zoning Enforcement Official Timothy Wiggle.

3. Communications: None.

4. **APPROVAL OF THE FEBRUARY 26, 2003 MINUTES:**

Moved by Cooper, supported by Michel, **MOTION CARRIED**, to approve the March 26, 2003 Planning Commission Minutes as presented. AYES: All. NAYS: None.
ABSENT: Sandra O'Conner.

5. **SITE PLAN CONSIDERATION:**

1. JERRY GREEN'S OUTDOOR STORAGE FRUIT ROAD

Linda Anderson handed out Wade-Trim's opinion re: Jerry Green Outdoor Storage SPR

Pat Sharrow: Asked Linda Anderson to re-review the site plan: per the ordinance the use is allowed in C-3 and it is an error that is not allowed in I-1, under Article XVI, I-1, Light Industrial District, Item #15 states the Planning Commission has some discretion in allowing uses that are similar and compatible to others. Mr. Green's business is similar to contractor storage. Linda's report indicates the language could be an omission in the drafting of the new ordinance and an amendment to the ordinance would correct the interpretation.

Planning Commission's intention probably was to have S.A.L.U. in commercial and allowed use in industrial. It is a good site plan, a needed use in the Township. Agree with Linda to amend the ordinance.

Board members comments followed.

Board consensus is to amend the ordinance to include an allowed use in I-1 and Special Approval Land Use in C-3.

MOTION BY MAKUCH, SUPPORTED BY DEBOYER, TO POSTPONE THE SITE PLAN APPROVAL FOR JERRY GREEN'S OUTDOOR STORAGE ON FRUIT ROAD UNTIL THE PLANNING COMMISSION CAN MAKE THE PROPER AMENDMENT TO THE ORDINANCE TO MAKE THE BUSINESS AN ALLOWED USE IN THE INDUSTRIAL DISTRICT.

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Discussion of the motion:

Pat Sharrow: Impressed with the landscaping, as the 1st business going in on the Fruit Road property, appreciate the standards this one is setting for others to follow.

VOTE ON THE MOTION: AYES: All. NAYS: none. ABSENT: O’Conner.

MOTION CARRIED.

1. STANDARD FEDERAL BANK 2850 PTE. TREMBLE ROAD

Dorothy DeBoyer report from the Site Plan Review Committee: In regards to the things cited by Wade-Trim on the preliminary, everything has been addressed on this new site plan, No. 6: parking spaces require 9’, site plan indicates 8’, these are handicap with the extra space, two parking areas for handicap in a 29’ space.

MOTION BY MAKUCH, SUPPORTED BY DEBOYER, TO APPROVE THE SITE PLAN FOR STANDARD FEDERAL BANK AT 2850 PTE. TREMBLE ROAD.

Discussion of the motion:

Chuck Michel: Are we addressing Fire Chief’s comments re: smoking, emergency lighting, fire lane sign at the front curb, address sign at the road.

Tim Wiggle, Zoning Enforcement Official: Comments by Fire Chief addressed under the building code requirements, issues do not have to be addressed by the Planning Commission but rather in the construction and approvals.

Pat Sharrow: Addressing of the road comes under another ordinance in the Township.

Chuck Michel: How about a fire lane sign?

Chairman Getman: Not something the Zoning Ordinance requires.

Pat Sharrow: Not a S.A.L.U. already been given this approval at another time, can’t require conditions not in the zoning ordinance.

Chuck Michel: Do we need a correction in the Zoning on the eastside not industrial, should be C-2?

Discussed by the Board and agreed.

MOTION WITHDRAWN BY MAKUCH, SUPPORTED BY DEBOYER.

MOTION BY MAKUCH, SUPPORTED BY DEBOYER, **MOTION CARRIED**, TO APPROVE THE SITE PLAN FOR STANDARD FEDERAL BANK PENDING THE SUBMISSION OF A CORRECTED SITE PLAN INDICATING THE ZONING ON THE EAST SIDE OF THE PROPERTY IS C-2 AND NOT LIGHT INDUSTRIAL.

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Discussion of the motion:

Chuck Michel: Are the handicap parking spaces are marked on the site plan?

They are marked PH.

Chuck Michel: Noted the property is in the DDA District and the development of extending a sidewalk along that area has started; would you be interested in installing a sidewalk in front of the bank, this is not mandatory.

Applicant: We are interested in the community and can address the sidewalk.

Tim Wiggle: Correction to a comment he had on encroachment in the report.

VOTE ON THE MOTION: AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

Adjourn the meeting at 7:54 p.m. until 8:00 p.m. to complete signing on the Site Plan.

Meeting reconvened at 7:59 p.m.

6. **LOT SPLITS:**

**03-01 WALTER WILLIAMS/KEVEN WILLIAMS
9468 PEARL BEACH BLVD.**

Pat Sharrow: Asked petitioner what is the reason for the shared driveway?

Petitioner: Parents have a beauty shop next to the house, use it for parking at the same time but the driveway is 36' wide it goes right down the center of the lot split.

Pat Sharrow: Is it on each side of the line, there will be 18' on each lot would be driveway.

Petitioner: That is right.

Pat Sharrow: What would be the need for any direct easement if each property has an easement? Do not like the idea of approving an easement for a drive, almost like creating a private road. Neither lot wouldn't be crossing the other lot to reach yours.

No need for any kind of written easement.

Petitioner: It was a recommendation from the Township.

Tim Wiggle: Answer to Pat's question, petitioner at the time did not know whether the driveway was going to be shared or the size.

Pat Sharrow: Never ask lot splits where there driveway is going to be, County's responsibility to indicate no site there, County reviewed it and that is the end of the Township's responsibility, if needed a driveway would apply for a County permit to put a culvert in, etc. This part should be omitted entirely, no reference to it in the lot split.

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MOVED BY SHARROW, SUPPORTED BY DEBOYER, TO RECOMMEND TO THE TOWNSHIP BOARD THE LOT SPLIT 03-01 FOR 9468 PEARL BEACH BOULEVARD NOT BE APPROVED UNLESS THE FOLLOWING REASONS ARE ADDRESSED AT THE ZBA AND WE WILL POSTPONE ANY DECISION UNTIL THESE ITEMS ARE TAKEN CARE OF:

- THE GARAGE ON PARCEL “B” IS REMOVED OR A ZBA VARIANCE IS GRANTED,
- THE DEPTH TO WIDTH RATIO IS GRANTED A VARIANCE BY THE ZBA,
- THE OTHER GARAGE CAN ONLY REMAIN IF THE ZBA ALSO GRANTS A VARIANCE TO HAVE AN ACCESSORY BUILDING BEFORE THE BUILDING OF A HOME.

VOTE ON THE MOTION: AYES: ALL. NAYS: NONE. ABSENT: O’CONNOR.
MOTION CARRIED.

**LOT SPLIT 03-02 DARYL REPOKIS/MELVYN ALEXANDER
1100 LACROIX ROAD**

MOTION BY SHARROW, SUPPORTED BY MAKUCH TO RECOMMEND APPROVAL OF THE LOT SPLIT 03-02 FOR 1100 LACROIX ROAD, HARSENS ISLAND PROCEED TO THE TOWNSHIP BOARD FOR APPROVAL IF THE APPLICANT APPLIES TO THE ZBA FOR A VARIANCE REGARDING THE DEPTH TO WIDTH RATIO OF THE AIRPORT AREA.

Discussion: None.

VOTE ON THE MOTION: AYES: ALL. NAYS: NONE. ABSENT: O’CONNER.
MOTION CARRIED.

Petitioner: Asked to have the variance explained to him.

Chairman Getman: Can’t approve the creation of any lots that don’t conform to the zoning ordinance, depth to the width ratio, the land will be too long and narrow, you have a unique situation there.

Divide land lose nonconforming status.

Petitioner: A land problem that should have been taken care of when the property sold, spoke of the problems in the past and money paid out in property taxes.

Chairman Getman: If no objections would like to move the Chairman’s Report to before Planning Commissioner’s Comments?

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7. **PLANNING CONSULTANT’S REPORT**

Linda Anderson, Planner: Working with Marie to get the legal notice prepared for the amendments to the Zoning Ordinance and working up some maps for display in the Township Hall.

Discussion: Proposed amendment storage in industrial.

Linda Anderson: Agree the outside storage was to be a special use in C-3 and this is why it has special use requirements, I-1 was a permitted use, wouldn’t be bound by all of the requirements.

Moved by Sharrow, supported by DeBoyer, to add this change to the list of amendments to the Zoning Ordinance permitting outside storage as allowed use in C-3 removing it from allowed and adding it as an allowed use in I-1.

VOTE ON THE MOTION: AYES: ALL. NAYS: NONE. ABSENT: O’CONNER.

MOTION CARRIED.

Linda Anderson: Add a definition/general provision regarding Section 16.02 Principal Permitted Uses, #15., Page 76; Planning Commission Boards change through the years, don’t want a situation where someone may take advantage of the intent, may be worthwhile to add a definition or general provision statement for future use “this is only for uses which do not appear anywhere in the Ordinance”.

8. **ZONING ADMINISTRATOR COMMENTS:** NONE.

WADE-TRIM PLANNER LINDA ANDERSON EXCUSED FROM THE MEETING AND LEFT THE BUILDING.

9. **CHAIRMAN’S REPORT**

Chairman Getman updated the Planning Commission concerning another planning firm appeared before the Township Board with a proposal; the Board approved recommending to the Planning Commission that we consider Community Planning & Management. State Statute allows the Township Board to budget for this purpose, it allows the Planning Commission to selected their own planning consultant and engineering firm within the budget constraints. Linda Anderson’s bid was higher; both bids are for two meetings a month. Large projects are completed (Master Plan and Zoning Ordinance) will not need the planning consultant every meeting.

Explained Wade-Trim’s revised offer, does bring Wade-Trim within the budgetary restraints. Discussed with Clerk Michael Pellerito the situation.

Explained the options the Commission has regarding the contracts.

Wade-Trim cost is higher for the travel time for Linda Anderson.

Discussed the differences between the two firms.

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Chairman Getman: Is it the Commission's opinion to invite Community Planning & Management President Patrick Meagher to the March 26, 2003 meeting?
General consensus agree Mr. Meagher should make his presentation allowing the Planning Commission an opportunity to form an opinion from listening and asking their own questions of CP.

Tony Antkowiak: Questioned what is the budget cost for a planner?

Pat Sharrow: \$900 a month x 12 = \$10,800 - agree it is important to do some savings of money, could lose State Shared Revenue possible \$100,000 next year.

Lengthy discussion continued on this issue.

Chairman Mark Getman will call Patrick Meagher and invite him to the March 26th meeting.

10. **PLANNING COMMISSION COMMENTS:**

Pat Sharrow: DDA Joint meeting with the City of Algonac, how did that go?

Chuck Michel: Section of the sidewalk that is within the City will be part of the construction; bid the whole section together will be less expensive.

Pat Sharrow: Disagree with DDA requesting a business to put a certain façade in, should concentrate on streetscape, landscaping, lighting, etc. to blend in the area.

Pat Sharrow: Mentioned project on Fruit Road, problem with weeds within the ditches, discussed with the Township Clerk the possibility of filling the ditches in and installing tubes, cost would be high; possibility could do it under a special assessment.

11. **PUBLIC COMMENTS:** None.

12. **ADJOURNMENT:**

Moved by Michel, supported by DeBoyer, **MOTION CARRIED**, to adjourn the meeting at 9:07 p.m. AYES: All. NAYS: None. ABSENT: O'Conner.

Valerie J. Kulba
Recording Secretary

