

MINUTES OF THE CLAY TOWNSHIP PLANNING COMMISSION REGULAR MEETING HELD ON OCTOBER 8, 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 7:30 p.m.
2. Roll Call: Present: Chairperson Mark Getman, Vice-Chair Dorothy DeBoyer, Secretary John Makuch, Pat Sharrow, Tony Antkowiak, Chuck Michel, Louise Cooper, Edward Keller.
Absent: Sandra O'Conner (excused).

Also present was Community Planning & Management Patrick Meagher and Stacey Lubinski, Zoning Enforcement Officer Tim Wiggle.

3. **COMMUNICATIONS:**

2003 Fall Workshop sponsored by the St. Clair County Metropolitan Planning Commission on Wednesday, October 29, 2003, 7:00 pm to 9:00 pm.

4. **APPROVAL OF THE SEPTEMBER 24, 2003 MINUTES:**

Moved by DeBoyer, supported by Michel, **MOTION CARRIED**, to approve the September 24, 2003 Planning Commission Minutes with one amendment, page 1, 1st line refers to a special meeting, it was a **Regular** meeting. AYES: All. NAYS: None. ABSENT: None.

OLD BUSINESS:

5. **RON KAHL – FRUIT ROAD STORAGE 3502 FRUIT ROAD**

Postponed from the August 27, 2003 meeting, a new site plan has not been presented to the Board, have to take action tonight.

Acting on the old plan? Yes.

Was it your intention to withdraw?

Ron Kahl: Have to figure out what I am going to do; according to the new Planner it is completely unusable for my situation.

MOTION BY MICHEL, SUPPORTED BY COOPER, TO DENY THE SITE PLAN FOR THE FRUIT ROAD STORAGE FACILITY FOR RON KAHL, 3502 FRUIT ROAD BASED UPON THE RECOMMENDATION BY THE TOWNSHIP CONSULTANT AND NO FURTHER PLAN HAS BEEN SUBMITTED.

Discussion: None.

AYES: ALL. NAYS: NONE. ABSENT: O'CONNER.

MOTION CARRIED.

Chairman Getman: Addressed applicant regarding new site plan and the procedure to follow.

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Ron Kahl: Referred to changes made to the green belt and paving, not a workable plan at this time.

Pat Sharrow: Reminded applicant were told before if you feel there is an unfair decision, there is an appeal process you can pursue.

Consultant Patrick Meagher: For the record met with Mr. Kahl and went over the items line by line, Planner is not directing these changes, it is the Ordinance itself.

Chairman Getman: Planning Commission was in agreement with the Planner's interpretation

6. STACEY DONOVAN STATE FARM INSURANCE – 5256 PTE. TREMBLE ROAD:

Chairman Getman: Fire Department has an issue: fire lane posted, address, smoke alarm on both floors. Smoke alarm would come under building code; address is required by a separate ordinance. Review from Mr. Meagher, issue regarding the sign, needs to be addressed, approve site plan with sign permit obtained.

Dorothy DeBoyer: Notation on the plans all signs are in compliance with Twp. requirements.

Pat Sharrow: Nonconforming sign that exists on the property now.

Tim Wiggle: Sign currently is non-conforming to the setback requirement.

Pat Sharrow: Questioned the posts of the sign, does that make a difference.

Tim Wiggle: Site plan states going to refurbish the existing sign.

MOTION BY SHARROW, SUPPORTED BY MAKUCH TO APPROVE THE SITE PLAN FOR STACEY DONOVAN STATE FARM INSURANCE, 5256 PTE. TREMBLE ROAD WITH THE CONDITION ANY SIGN MEETS THE CLAY TOWNSHIP ORDINANCE.

Discussion:

Edward Keller: Review from the Planner questions the drainage site and recommends a full set of engineering plans, should we be concerned.

Chairman Getman: Existing building and use.

Tim Wiggle: Drainage question because new owner plans to change the paving in the rear.

MOTION RESCINDED BY SHARROW, SUPPORTED BY MAKUCH.

MOTION BY SHARROW, SUPPORTED BY MAKUCH, APPROVE THE SITE PLAN WITH THE CONDITION THE SIGN MEETS THE TOWNSHIP ORDINANCE AND IF THE BUILDING INSPECTOR CONSIDERS IT IS NECESSARY FOR THE TOWNSHIP ENGINEER TO REVIEW THE DRAINAGE, THE BUILDING INSPECTOR WILL MAKE THE DECISION.

AYES: ALL. NAYS: NONE. ABSENT: SANDRA O'CONNOR.

MOTION CARRIED.

Chuck Michel: 2nd floor is for future use, concerned about the parking under that situation.

Pat Sharrow: Square footage of both floors indicates sufficient parking.

Chairman Getman: Some provisions depending on the use in the Ordinance.

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Chairman Getman called for a ten (10) minutes recess at 7:55 p.m. for the purpose of signing the State Farm Insurance Site Plan.

Reconvened the meeting at 8:03 p.m.
Chairman Getman called the meeting back to order.

7. **CHAIRMAN'S R EPORT**

Wendy's have submitted a site plan to the Attorney for review by the experts. After review will bring it into the Building Department and then will be on the Planning Commission Agenda.

Schedule a joint meeting of the Planning Commission with the neighboring communities of the Planning Commission of Ira Township, Cottrellville Township and the City of Algonac for the 2nd meeting in October, 10-22-03. Secretary John Makuch will take care of the mailings.

8. **PLANNING CONSULTANT'S REPORT:** None.

9. **ZONING ADMINISTRATOR COMMENTS:**

Updates by Zoning Enforcement Adm. Tim Wiggle on current issues.

10. **PLANNING COMMISSION COMMENTS:**

Pat Sharrow: Township Board adopted Ordinance #123-1 Amendment for the Enforcement Section, questioned the expiration of building permits, Township Board would like Planning Consultant Patrick Meagher's opinion.

Pat Sharrow: Right To Farm Act questioned allowing farms in single family residential.

Planner Patrick Meagher: Debatable on how far the Right To Farm Act can go, push it to far, read the argument, typically not going to allow for two homes, size and integrity.

11. **PUBLIC COMMENTS:** None.

12. **ADJOURNMENT:**

Moved by Michel, supported by DeBoyer, **MOTION CARRIED**, to adjourn the meeting at 8:20 p.m. AYES: All. NAYS: None. ABSENT: O'Conner.

Valerie J. Kulba
Recording Secretary