

MINUTES OF THE CLAY TOWNSHIP PLANNING COMMISSION REGULAR MEETING HELD ON NOVEMBER 10, 2004 AT 7:30 P.M. IN THE CLAY TOWNSHIP MEETING HALL, 4710 PTE. TREMBLE ROAD, CLAY TOWNSHIP, MICHIGAN 48001.

1. Chairperson Dorothy DeBoyer called the regular meeting to order at 7:35 p.m. after some audio problems.
2. Roll Call: PRESENT: Chairperson Dorothy DeBoyer, Vice-Chair Mark Getman, Secretary John Makuch, Pat Sharrow, Edward Keller II, George Lyle, Michael Watson. ABSENT: Chuck Michel (excused), Anthony Antkowiak (excused).
3. **AMENDMENTS TO THE AGENDA:** None.
4. **APPROVAL OF MINUTES:** October 27, 2004

Moved by Getman, supported by Lyle, to approve the October 27, 2004 Planning Commission Minutes with the correction on page 3, paragraph 2, Pat Sharrow's comment, last sentence, change the word "doesn't" to "...Planning Commission does concur it would be a hardship."

Per Recording Secretary, tape was checked, Chuck Michel's last statement of the motion was correct.

VOTE ON THE MOTION: AYES: Sharrow, Watson, Lyle, Makuch, Getman, Keller II, DeBoyer. NAYS: None. ABSENT & EXCUSED: Michel, Antkowiak.
MOTION CARRIED.

5. **COMMUNICATIONS:** None.

PUBLIC HEARING: SPECIAL APPROVAL LAND USE/SITE PLAN CONSIDERATION

6. **ALGONAC PLAZA – "LITTLE CAESAR" 2658 PTE. TREMBLE**

Chairperson Dorothy DeBoyer explained the purpose of the public hearing: Special Approval Land Use for Little Caesar to install a pick-up window to their existing facility. Rules of a public hearing are found on the back of the Agenda.

Comments from applicant:

Owner of Little Caesar: Here to discuss the possibility of putting in a pizza pick-up window, open to any suggestions or ideas the Commission may have, will follow any requirements of the Commission.

Open the Public Comment Portion:

Anyone in favor of the pick-up window for Little Caesar: No comments.

Anyone against the pick-up window for Little Caesar: No Comments.

Close the Public Hearing portion.

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Board Discussion:

George Lyle: Questioned the sidewalk in the front where the cars are lined up?

Applicant: If required would remove it and put another sidewalk in, can cut that to make an easier exit from the building.

Lyle: Pretty sharp turn with sidewalk still there. Asked Planner what changes could there be made to make the traffic better?

Patrick Meagher: Recommendation re: lane between the island that separates Wendy's and the shopping center one-way and extending the island out with nodes that would discourage people from going the wrong way; explained a traffic flow plan: entire lane cut down to 20', drive by window 10' and 10' for a pass by lane, greenbelt area, etc.

Planner explained the plan to the applicant and the Commission.

Applicant: Having the pick-up window hopefully would eliminate some of the congestion currently in the parking lot.

Pat Sharrow: Pick-up window would be ideal if can do it safely, concern is the people whipping through parking lot to get to Wendy's and then having the cars leaving the pick-up window, perhaps working with the Planner on safety issues, reminder the pick-up window would strictly be that.

Michael Watson: Concern is coming from pick-up window into oncoming traffic, lane between the pick-up and Wendy's are going different ways, all three lanes would have to go one-way.

John Makuch: Can't see a decision made tonight, workable plan, pick-up window would eliminate the cars backing out, beneficial to the business, window would eliminate some hazards.

Chairperson DeBoyer: Would the Planner be willing to work with the Applicant to design something that would be safe for our community and fill their needs.

Patrick Meagher: Yes am willing to sit down with the applicant, mentioned a concern he has in regard to turning radius involved adjacent to the parking spaces just north of the building, discussion followed.

John Makuch: Traffic specialists that deal in traffic issues from an eng. standpoint, applicant could contact if there is.

Patrick Meagher: Yes could refer the applicant to a professional re: traffic hazards.

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MOTION BY SHARROW, SUPPORTED BY WATSON TO POSTPONE A DECISION ON THE SPECIAL APPROVAL LAND USE FOR “LITTLE CAESAR” UNTIL THE APPLICANT TALKS TO THE DESIGNER REGARDING THE COMMENTS HE HAS HEARD TONIGHT CONCERNING THE ONE-WAY TRAFFIC, WIDENING OF THE GREEN BELT AND SAFETY CONCERNS AND RE-SUBMIT THE AREA AT THE COMMISSION’S NEXT REGULAR MEETING FOR REVIEW AND THE PETITIONER MAY CONFER WITH THE TOWNSHIP PLANNER PATRICK MEAGHER REGARDING HIS ASSISTANCE ON SAFE TRAFFIC ROUTES.

Discussion:

Chairperson DeBoyer: Primary concerns are: Traffic flow as it comes around the back and crosses the one lane coming in; two-way traffic at the pick-up window, entering into the two-way traffic from the pick-up window as cars are passing through to Wendy’s.

VOTE ON THE MOTION:

AYES: ALL. NAYS: NONE. ABSENT: ANTKOWIAK, MICHEL.

MOTION CARRIED.

7. LOT SPLITS:

#04-08 AUTON/LYDIA BUCHER 8408 STARVILLE ROAD

MOVED BY SHARROW, SUPPORTED BY LYLE, TO RECOMMEND APPROVAL OF LOT SPLIT #04-08 FOR AUTON/LYDIA BUCHER, 8408 STARVILLE ROAD TO THE TOWNSHIP BOARD AS THE LOT SPLIT MEET ALL CONDITIONS OF THE ZONING ORDINANCE AND THE LAND DIVISION ORDINANCE.

R/C VOTE: AYES: SHARROW, LYLE, WATSON, MAKUCH, GETMAN, KELLER II, DeBOYER. NAYS: NONE. ABSENT: ANTKOWIAK, MICHEL.

MOTION CARRIED.

#04-09 LINDA AMATO 9116 PETERS ROAD

Applicant Linda Amato: Need to sell this property in order to keep her house.

George Lyle: Need a variance from the ZBA, frontage on the new lot.

Chairperson DeBoyer: According to definitions in Zoning Ordinance, classified as a “flag lot”.

Pat Sharrow: Ordinance does not provide for a “flag lot” at this time. Report to Twp. Board could be cannot recommended approval unless variance is granted.

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MOTION BY LYLE, SUPPORTED BY GETMAN, TO RECOMMEND APPROVAL OF LOT SPLIT #04-09 FOR LINDA AMATO, 9116 PETERS ROAD TO THE TOWNSHIP BOARD SUBJECT TO THE VARIANCE FOR THE FRONT FOOTAGE BY THE ZBA. R/C VOTE: AYES: SHARROW, LYLE, WATSON, MAKUCH, GETMAN, KELLER II, DeBOYER. NAYS: NONE. ABSENT: ANTKOWIAK, MICHEL.
MOTION CARRIED.

LOT SPLIT #04-10 SCOTT SMITH 200 BEAUREGARD

MOTION BY MAKUCH, SUPPORTED BY GETMAN TO RECOMMEND APPROVAL OF LOT SPLIT #04-10 FOR SCOTT SMITH, 200 BEAUREGARD, HARSENS ISLAND TO THE TOWNSHIP BOARD. R/C VOTE: AYES: SHARROW, LYLE, WATSON, MAKUCH, GETMAN, KELLER II, DeBOYER. NAYS: NONE. ABSENT: ANTKOWIAK, MICHEL.
MOTION CARRIED.

LOT SPLIT #04-11 JAMES SCHUDLICH 1753 MILL STREET

MOVED BY GETMAN, SUPPORTED MAKUCH TO RECOMMEND APPROVAL OF LOT SPLIT #04-11 FOR JAMES SCHUDLICH, 1753 MILL STREET TO THE TOWNSHIP BOARD WITH THE CONDITION 75' BE ADJOINED TO THE OTHER PARCEL AS THE PROPOSED DEEDS INDICATE. R/C VOTE: AYES: SHARROW, LYLE, WATSON, MAKUCH, GETMAN, KELLER II, DeBOYER. NAYS: NONE. ABSENT: ANTKOWIAK, MICHEL.
MOTION CARRIED.

8. **BY-LAWS OF THE PLANNING COMMISSION**

Chairperson DeBoyer: By-Laws were read orally at the last meeting and if approved can be adopted.

MOVED BY GETMAN, SUPPORTED BY SHARROW, **MOTION CARRIED**, TO ADOPT THE PLANNING COMMISSION BY-LAWS AS PRESENTED. AYES: ALL. NAYS: NONE. ABSENT: ANTKOWIAK, MICHEL.

9. **PLANNING CONSULTANT'S REPORT**

Patrick Meagher: No report.

Chairperson DeBoyer: Any Commissioner's comments on the amendments?

Patrick Meagher: Mr. Wiggle has a few more amendments for me to review.

10. **ZONING ADMINISTRATOR COMMENTS:** None.

11. **CHAIRMAN'S REPORT:** No new information to report.

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12. **PLANNING COMMISSION COMMENTS:**

Pat Sharrow: November 23rd Tuesday meeting a workshop to discuss the Ordinance changes. Planner Patrick Meagher will rearrange his schedule to be at the meeting.

Chairperson DeBoyer: Commissioners Mark Getman and John Makuch will be leaving the Planning Commission. I would like to express our appreciation for your expertise, interest and participation for all the years you have served on the Planning Commission.

13. **PUBLIC COMMENTS:**

Mary Lorraine, 7303 Dyke Road: Complaint regarding the restaurant next door and the lighting situation.

Chairperson DeBoyer: Planning Commission is not an enforcement board, once a site plan is approved; it is the zoning enforcement officer who does the enforcing.

Zoning Enforcement Official Timothy Wiggle: Addressed the situation with Mr. and Mrs. Lorraine, it is in the Attorney's hands, met with him on the 30th of September.

14. **ADJOURNMENT**

Moved by Getman, supported by Makuch, **MOTION CARRIED**, to adjourn the meeting at 8:28 p.m. AYES: All. NAYS: None. ABSENT: Antkowiak, Michel.

Valerie J. Kulba
Recording Secretary