MINUTES OF THE CLAY TOWNSHIP PLANNING COMMISSION REGULAR MEETING HELD ON AUGUST 10, 2005 IN THE CLAY TOWNSHIP MEETING HALL, 4710 PTE. TREMBLE ROAD, CLAY TOWNSHIP, MICHIGAN 48001.

1. Chairperson Dorothy DeBoyer called the meeting to order at 7:30 p.m.
   In the absence of the Secretary Michael Watson, Vice Chair Anthony Antkowiak called the roll.

2. **ROLL CALL:**
   PRESENT: Chairperson DeBoyer, Vice Chair Anthony Antkowiak, Pat Sharrow, George Lyle, Earl Lines, Thomas Krueger, Edward Keller II.
   ABSENT: Kathie Schweikart (excused), Secretary Michael Watson (excused).
   Also present: Community Planner Peter Briddick, Zoning Official Timothy Wiggle.

3. AMENDMENTS TO AGENDA: None.

4. **APPROVAL OF MINUTES:** July 27, 2005

Moved by Lyle, supported by Lines to approve the July 27, 2005 Planning Commission Minutes.
Discussion:
G. Lyle: page 2, comment from ZBA Rep. Mr. Antkowiak.
Statement to read as follows:
"Anthony Antkowiak: Update on the last ZBA meeting, reviewed cases, ZBA requesting definition of unobstructed yards be reviewed, future need a larger footprint than normal, proximity of sheds on canal lots."

VOTE ON THE CORRECTED MINUTES:
AYES: ALL. NAYS: NONE. ABSENT: Schweikart, Watson.
MOTION CARRIED.

5. **EXTENSION OF APPROVED SITE PLAN CONSIDERATION FOR:**
   ALGONAC BAPTIST CHURCH (SEPTEMBER 8, 2004)
   8543 MARSH ROAD

MOVED BY SHAROW, SUPPORTED BY LYLE, TO GRANT A ONE-YEAR EXTENSION TO THE SITE PLAN FOR THE ALGONAC BAPTIST CHURCH, 8543 MARSH ROAD PROPERTY, EXPIRING SEPTEMBER 2006.
VOTE ON THE MOTION:
AYES: ALL. NAYS: NONE. ABSENT: SCHWEIKART, WATSON.
MOTION CARRIED.

6. PUBLIC HEARING:
   SPECIAL APPROVAL LAND USE – LEONARD DUNFORD –
   SITE PLAN CONSIDERATION 5628 PTE TREMBLE RD.

Chairperson DeBoyer: Explained why a special approval land use is necessary since ice cream shop is requesting a drive-thru window, public hearing is required.
The Board will hear from the applicant first, followed by the public.

OPEN THE PUBLIC HEARING:
Eric Hendersen, 44045 Gratiot, Mt. Clemens, MI: Architect representing applicant Leonard Dunford. Outdoor ice cream parlor for summer use would be landscaped and curbed, clean up the surrounding area.

Chairperson DeBoyer: Anyone in favor or against?

Ralph Cummings, 5689 Pte. Tremble Road: Drive-thru lane will it require another lane on M-29?
Chairperson DeBoyer: No, the lane will come around the building, drive-thru according to Ordinance 123 requirements under a S.A.L.U.

Ralph Cummings: Who will pay for traffic study?
Chairperson DeBoyer: Applicant will pay for it, Commission will select eng. co. to conduct the traffic study, lane constraint would have to meet MDOT requirements.

Ralph Cummings: At this point do not know what will happen, correct?

Chairperson DeBoyer: Planning Commission, as a whole will determine what they can approve and what conditions they would put on the Special Approval Land Use.

Len Kiloustian, 5667 Pte. Tremble Road: More and more businesses are moving on the highway, need to lower the speed limit a little more, road needs to be widened.

Chairperson DeBoyer: Township cannot control, MDOT determines speed limit.

Jack Dixon, 5637 Pte. Tremble Road: Object to the Commission even considering a drive-thru ice cream shop with cars going 50 M.P.H. on this road.

Judy Cummings, 5689 Pte. Tremble Road: Opening the door for a major organization to come in with a drive-thru, afraid for the children and animals.

Applicant's Representative: Clarify public's concerns, only one entrance, drive-thru is set back, will not have much congestion compared to a drive-thru for a fast food restaurant.

Chairperson DeBoyer: Asked if there were any more comments from the public?
CLOSED THE PUBLIC HEARING AT 7:45 P.M.
Comments from Planning Commission members:

Pat Sharrow: Two areas need to be addressed before a decision can be made:

1. Topography of the land to the north and west is 1'-2' higher, house on property would flood; fill the property to the west and north where will the runoff go? Applicant must meet the requirements of the S.A.L.U. for proper drainage. A report from the St. Clair County Drain Commission.

2. Driveway width of 30', need to find out if this size is acceptable on the highway. Applicant would need to obtain a traffic engineering study at their cost.

Earl Lines: Questioned deceleration and acceleration lane.

Anthony Antkowiak: Consideration of landscaping would require some kind of variance.

Chairperson DeBoyer: Ordinance requires a 20' minimum between residential and C-3 Zoning, Commission will have to determine how to correct the footage between C-3 and C-2 Zoning; 50' zoned R-1 is attached to the piece in the back and may eventually be the driveway for the house in the back.

Pat Sharrow: Referred to Ordinance 30 requires surface ditch, wooden steel or barrier or underground drainage, not one of those conditions exists on those properties.

Zoning Adm. Tim Wiggle: Currently Building Department is addressing the issues.

Community Planner Peter Briddick: Noted a correction to the date on the revised site plan letter; various types of traffic studies, advise the Commission to give the applicant some direction to encompass all the curb cuts within the ¼ mile in both directions and consideration of side streets and intersection.

Chairperson DeBoyer: Planning Commission will not make a decision tonight.

7. **PLANNING CONSULTANT'S REPORT**

Peter Briddick: Workshop on the 24th, State Conference will any of the Planning Commission members be attending?

8. **Z.B.A. REPRESENTATIVE'S REPORT**

No report.

9. **ZONING ADMINISTRATOR'S REPORT**

Letter sent to the Algonac Baptist Church re: extension.

10. **Chairperson's Report**

St. Clair County Road Commission has been informed it is the Attorney General's opinion Township's can no longer designate haul routes.

St. Clair County Planning Commission would like to present Citizen Planner Certificates in front of the County Commissioners; what is the feeling of the Planning Commission? Township Planning Commission voiced their opinions, would much rather be presented with their certificates by the Township Board.

Chairperson DeBoyer: Everyone is in agreement will inform the M.S.U. Extension.

Planner Peter Briddick: Your Commission is the only one I have worked with where all members are certified and you continue taking courses, proud of you all. All your decisions are based on a strong decision making progress, reflective on how you conduct business. These feelings should be shared with the Twp. Board as well when they present the certificates.

10. **PLANNING COMMISSION COMMENTS**

George Lyle: Comment as to the public notices in the newspaper should be highlighted or in bold print, do not stand out enough.

Pat Sharrow: Fall Convention is there anyone interested in attending?

Chairperson DeBoyer: Bring it to the Township Board for their approval.

Pete Briddick: Full Citizen Planner Course starts on Wednesday through Saturday.

11. **PUBLIC COMMENTS:** None.

12. **ADJOURNMENT**

Moved by Krueger, supported by Antkowiak, **MOTION CARRIED,** to adjourn the meeting at 8:10 p.m. AYES: All. NAYS: None. ABSENT: Schweikart, Watson.

Valerie J. Kulba
Recording Secretary