

**MINUTES OF THE CLAY TOWNSHIP PLANNING COMMISSION REGULAR MEETING HELD ON APRIL 12, 2006 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.

2. **ROLL CALL:**

PRESENT: Chairperson Dorothy DeBoyer, Vice Chair Anthony Antkowiak, Secretary Michael Watson, Earl Lines, Kathie Schweikart.

EXCUSED: Pat Sharrow, George Lyle, Thomas Krueger, Edward Keller II.

Also Present was Building Official Michael Kras and Community Planner Peter Briddick.

3. **AMENDMENTS TO THE AGENDA:** None

4. **APPROVAL OF MINUTES:**

Motion by Lines, supported by Antkowiak to approve March 22, 2006 Minutes.

Changes to minutes: Page 3, Agenda Item #7 – 3<sup>rd</sup> paragraph, change patrol to patron.  
Page 4, Agenda Item #10 – 2<sup>nd</sup> paragraph, change committee to community.

Minutes approved with the above corrections as stated.

AYES: All. NAYS: None. EXCUSED: Pat Sharrow, George Lyle, Thomas Krueger, Edward Keller II.

**MOTION CARRIED.**

5. **OLD BUSINESS:**

**LOT-SPLIT 06-02:**

**BLAIR GILBERT    510 LYNN MARIE LANE**

Chairperson DeBoyer: I'm sure you remember that this has been before us and because of the strange configuration of the property it was necessary for him to go before the Zoning Board of Appeals to ask for a variance, which the Zoning Board of Appeals did approve. Now it is our position to recommend approval or denial of the lot split.

**MOTION BY ANTKOWIAK, SUPPORTED BY LINES TO RECOMMEND APPROVAL OF LOT SPLIT 06-02 TO THE TOWNSHIP BOARD AS ALLOWED BY THE ZONING BOARD OF APPEALS VARIANCE.**

R/C VOTE ON THE MOTION: AYES: ANTKOWIAK, LINES, SCHWEIKART, WATSON, DEBOYER. NAYS: NONE.

EXCUSED: SHARROW, LYLE, KRUEGER, KELLER II.

**MOTION CARRIED.**

6. **LOT SPLIT 06-03:**

**SAL PALOMBO INVESTMENT-MARK BROUSSARD    9371 SYCAMORE ST.**

Chairperson DeBoyer: You have before you what the Assessor has prepared for us regarding the lot split.

**PLANNING COMMISSION MINUTES – APRIL 12, 2006**

Page 2

Michael Watson: Are these lots now?

Chairperson DeBoyer: Yes, they are lots of record.

Michael Watson: Then why are we looking at a lot split?

Chairperson DeBoyer: If you look at the second page and it shows orange and yellow and the first page shows the parent parcel. The second page shows the split they would like to take place. It is currently owned as one piece and so these other pieces are going to be split off.

Earl Lines: Basically this would be a subdivision, wouldn't it? The way it is laid out.

Chairperson DeBoyer: Yes, it is a platted subdivision.

Discussion and several questions followed amongst all members regarding ingress, egress, width of lots, lots of record, what lots involved and ownership of lots.

Sal Palombo: Yes, you are correct a subdivision does exist. It was subdivided in 1927. Normally once a subdivision is subdivided it falls under the laws of the subdivision at the time it was subdivided. However, this is such an unusual situation, the Assessor thought that the Planning Commission should look at it. Mr. Broussard is keeping the piece in the middle and I am getting the pieces on either side.

Michael Watson: So why can't you just buy the lots?

Sal Palombo: Technically, that is what I thought I did. It was already subdivided and we signed the deed over. However, the Assessor has all the lots under one sidwell number, so if the lot split is approved she will assign a sidwell number to each and every lot.

Chairperson DeBoyer: If you look at the Quit Claim Deeds you will see all the lots individually listed. It does designate the lots. This is a special circumstance as there is no road going in there. It is just a driveway.

Much more discussion followed regarding the development of the roads to County standards, water and sewer lines, easements, lot sizes, Assessor's report on the lot split, property identification numbers, etc.

**MOTION BY ANTKOWIAK SUPPORTED BY SCHWEIKART TO RECOMMEND APPROVAL OF LOT SPLIT 06-03 TO THE TOWNSHIP BOARD.**

**R/C VOTE ON THE MOTION: AYES: ANTKOWIAK, LINES, SCHWEIKART, WATSON, DEBOYER. NAYS: NONE.**

**EXCUSED: SHARROW, LYLE, KRUEGER, KELLER II.**

**MOTION CARRIED.**

**7. DISCUSSION: ORDINANCE 123, SECTION 13.03.2:**

**PLANNING COMMISSION MINUTES – APRIL 12, 2006**

Page 3

Chairperson DeBoyer: An applicant came to the Site Review Committee to put a Billiard's Facility in a building that previously had been a manufacturing building. In reviewing this, the three members of the Site Review Committee came to a consensus that when you read Section 13.03.2, we agreed this was a recreation use so it would apply. However, when the review went to the Planner, they had a different opinion of this Section that it was only for public recreation uses. So I felt that this was something that the Planning Commission as a whole should discuss.

Vice Chair Antkowiak: I have an opinion that we should also send this to the Zoning Board of Appeals and ask them to give us a determination of what they would interpret that Section to mean in relation to our Zoning Ordinance.

Chairperson DeBoyer: That is a possibility, however the Planning Commission cannot send it to the Zoning Board of Appeals, but the Building Official can send it for an interpretation.

Mike Kras: I looked at that Section of the Ordinance the same way as the Site Plan Review Committee and that is why Mr. Decker continued on with his Site Plan as the four of us were in agreement on the recreation use.

Peter Briddick: Patrick and I spent an awful lot of time researching this issue back and forth on the uses and definitions and clearly it lies within the Ordinance. But typically when a reference is made to a public facility, if you go to your definitions for public facilities, it will give you particular type of uses, which excludes this type of business. But when you go to definitions for public recreation uses, it includes this. So the bottom line reference that we went to was that this is an indoor commercial recreation use.

MOTION BY WATSON SUPPORTED BY LINES TO REQUEST THE BUILDING OFFICIAL MIKE KRAS TO ASK THE ZONING BOARD OF APPEALS FOR AN INTERPRETATION OF ORDINANCE 123, SECTION 13.03.2.

AYES: ALL. NAYS: NONE.

EXCUSED: SHARROW, LYLE, KRUEGER, KELLER II.

**MOTION CARRIED.**

**8. SURVEY COMMITTEE REPORT:**

Kathie Schweikart: I don't have much to report considering the fact that nothing has progressed. Just waiting to hear back from the Township Board once it goes on the agenda.

**9. PLANNING CONSULTANT'S REPORT: NONE.**

**10. Z. B. A. REPRESENTATIVE'S REPORT: NONE.**

**11. CHAIRPERSON'S REPORT:**

Chairperson DeBoyer: I was at the DDA meeting last night and the comments that were made

**PLANNING COMMISSION MINUTES – APRIL 12, 2006**

Page 4

from the members that were not on the committee were that the survey is too long, people will not fill out a survey that is eight pages long, and it will be more costly to print and mail. It will be on the Township agenda for the board meeting on Monday night and I have written a letter to the Board of Trustees telling them about the survey and expenses. The DDA members did say rather than mailing the survey it could be put on the website or disbursed to different businesses to be picked up and so on, but there needs to be some control.

Kathie Schweikart: Do the DDA Members realize that the survey will be on one piece of paper, folded, and sent out – not eight pages.

Chairperson DeBoyer: I will add that information to my letter to the Township Board to make them aware the survey will not be eight pages long. Also, I am letting the Township Board know that all I am asking for, at this point, is comments and a thought on whether they would be interested in paying our half of the expenses or not.

Discussion continued amongst all members regarding the survey: size of survey, how to send it to the citizens (mail or put on website), expenses, the amount of response we received from the last survey, etc.

12. **PLANNING COMMISSION MEMBER'S COMMENTS:** NONE.

13. **PUBLIC COMMENTS:** NONE.

14. **ADJOURNMENT:**

Motion by Lines, supported by Watson, to adjourn the meeting at 8:25 p.m.

AYES: All. NAYS: None. EXCUSED: Pat Sharrow, George Lyle, Thomas Krueger, Edward Keller II.

**MOTION CARRIED.**

Patty Watson  
Recording Secretary