

MINUTES OF THE CLAY TOWNSHIP PLANNING COMMISSION REGULAR MEETING HELD ON JUNE 14, 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:**

Vice Chair Anthony Antkowiak will take the roll.

PRESENT: Chairperson DeBoyer, Vice Chair Anthony Antkowiak, George Lyle, Earl Lines, Pat Sharrow, Whitey Simon, Thomas Krueger.

ABSENT: Kathie Schweikart (excused). Edward Keller II (excused).

Also present was Patrick Meagher, Stacie Meagher, Peter Briddick of Community Planning.

Chairperson DeBoyer welcomed new Planning Commission member Whitey Simons.

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

4. **APPROVAL OF MINUTES:**

Moved by Lines to approve the May 10, 2006 Planning Commission Minutes.

Supported by Lyle.

Discussion:

Sharrow: page 6, Item 8. Discussion on Survey: Sharrow's comment should read, "Can the DDA pay for a small part of the survey?"

Lines: page 5, comment middle of the page was by Earl Lines and not George Lines.

Motion with the corrections as stated is approved. AYES: All. NAYS: None. CARRIED.

5. **OLD BUSINESS: LUCAS HOMES**

RE-ZONING-VACANT PTE TREMBLE RD. R-1 to RM (MULTIPLE FAMILY AND R-1)

Chairperson DeBoyer: Lucas Homes property did come before the Planning Commission December 2005, public hearing held to request conditional re-zoning; decision was postponed and Attorney addressed Planning Commission on conditional re-zoning, attorney did not recommend to do conditional re-zoning at the time, petitioner plans to come back to the Planning Commission with another plan whatever they would choose to do and this is why it has come back to the Planning Commission.

MOTION BY SHARROW TO SEND A LETTER TO THE TOWNSHIP BOARD AND A COPY TO LUCAS HOMES INDICATING AT THIS TIME THE PLANNING COMMISSION DOES NOT RECOMMEND CONDITIONAL RE-ZONING. R/C VOTE: AYES: SHARROW, LINES, LYLE, SIMON, ANTKOWIAK, KRUEGER, DEBOYER. NAYS: NONE. CARRIED.

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6. SITE PLAN CONSIDERATION

BRISBAY RESTAURANT 7291 DYKE ROAD

Chairperson DeBoyer: Pre Site needs to be addressed in addition to the things by our Planner. Applicant not present.

Applicant received a copy of the Planner's letter addressing several concerns.

Resident, 7303 Dyke Road: Reported saw several asphalt trucks in the lot.

Chairperson DeBoyer: We are not an enforcement Board.

Pat Sharrow: Applicant will be required to ask for a variance on a number of parking if going to use patio will require more and what they intend to use with outside patio, specifically no music.

Chairperson DeBoyer: Lot next to them is finished and use it for parking, existing is grand fathered in, now using this new lot would need something from MDOT giving them permission.

Motion by Krueger to postpone site plan consideration for Brisbay Restaurant based on the lack of sufficient information requires variances and a letter from MDOT giving the owner permission to park on the new lot. Supported by Sharrow. Ayes: All. Nays: None. Carried.

7. LOT SPLIT:

06-05 REMIE/DOROTHY DURAND 8460 MCKINLEY

Chairperson DeBoyer: Parcel zoned RS-1 and lies between McKinley Road and Morrow Road consisting of 16 acres, parcel A is the parent parcel.

MOTION BY KRUEGER, SUPPORTED BY SHARROW, TO RECOMMEND APPROVAL TO THE TOWNSHIP BOARD FOR LOT SPLIT 06-05, REMIE/DOROTHY DURANT, 8460 MCKINLEY ROAD. R/C VOTE: AYES: SHARROW, LINES, LYLE, SIMON, ANTKOWIAK, KRUEGER, DeBOYER. NAYS: NONE. CARRIED.

06-06 JOHN MACEWAN 9555 LAKEPOINTE

Chairperson DeBoyer: Zoned R1, lots platted as 50' wide. This one has a home with an attached garage. According to Assessor cannot split lots with buildings on it.

MOTION BY SHARRIW TO POSTPONE LOT SPLIT 06-06 FOR 9555 LAKEPOINTE THE HOUSE DOES EXTEND ON ALL THREE LOTS, 50' LOTS ON LAKEPOINTE IS ALREADY AN OVERDEVELOPED ROAD, REQUEST A LEGAL OPINION FROM ATTORNEY MCNAMEE TO SEE IF THE PLANNING COMMISSION CAN

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DENY 50' LOTS CONSIDERING THE HOUSE IS ON ALL THREE LOTS. SUPPORTED BY LYLE.

Discussion:

Applicant Mr. Macewan: Intention is to move the existing house, per Township opinion suggested we split the lot 1st.

Sharrow: Intention is to move this house to one lot and build on the other two lots?

Chairperson DeBoyer: Not sure if we can pose a bond.

Planner Patrick Meagher: Conforming lot and trying to turn it into three nonconforming lots, probably going to get that response from the Attorney.

R/C VOTE: AYES: SHARROW, LINES LYLE, SIMON, ANTKOWIAK, KRUEGER, DEBOYER. NAYS: NONE. CARRIED.

LOT SPLIT 06-07 MAUREEN BOURY 6880 MIDDLE CHANNEL DR.

Chairperson DeBoyer: Meets the depth to width, now the 5-1 ratio in affect, the property owner wants to do another split.

MOTION BY KRUEGER TO RECOMMEND TO THE TOWNSHIP BOARD APPROVAL OF LOT SPLIT 06-07 FOR 6880 MIDDLE CHANNEL DRIVE. SUPPORTED BY SHARROW. MOTION CARRIED.

LOT SPLIT 06-08 RICK YOHNICKI 2976 FRUIT ROAD

Chairperson DeBoyer: R1 Zoning area, there are two homes on this, one parcel requested lot split, only issue would be the parent parcel fronting Fruit Road, does not meet the width requirement of 65'.

Sharrow: Questioned a Supervisor's Platt can be split four (4) times in the last 10 years, septic tank where will that be located?

Applicant: City water and sewer.

MOTION BY ANTKOWIAK TO POSTPONE ANY ACTION ON LOT SPLIT 06-08 UNTIL THE APPLICANT HAS GONE BEFORE THE ZBA TO OBTAIN THE APPROPRIATE VARIANCE FOR THE 60' FRONTAGE ON THE PARENT PARCEL. SUPPORTED BY LINES.

Discussion:

Krueger: Questioned parent parcel 60' depth, have to meet the dept to width otherwise creating a nonconforming lot.

Chairperson DeBoyer: Parent Parcel does not have to meet depth to width but needs the 65' frontage.

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R/C VOTE ON THE MOTION: AYES: SHARROW, LINES, LYLE, SIMON, ANTKOWIAK, KRUEGER, DEBOYER. NAYS: NONE. CARRIED.

8. PLANNED UNIT DEVELOPMENT PROJECT REVIEW;

SAND ISLAND CLUB-GRAND POINT PROPERTIES, LLC

Chairperson DeBoyer: P.U.D. runs a little different from other projects, preliminary meeting was held and now here to give the Planning Commission a short overview and then the Planning Commission can ask questions after.

JJR Builder addressed the Commission: Unique piece of real estate, 51 acres – 90 units would be built, concept is to develop a unique community with private bridge, private cottages, buffer, hope it will become a private area, explained the type of housing, yacht basin, service areas, exercise, playground, etc. Will bring water from Harsens Island lines, sewer treatment plant; clustering and leave open spaces, created a theme design will all be unified, New England theme, Bay Harbour type of homes, detailed the type of material that would be used on the homes.

Pat Sharrow: Concerns: 12” water line feeds the water system to the Island, would need testing done to see if it would be sufficient to supply your project without a booster station and a tower. N. Channel Drive road from the Ferry is not in good shape, State funds for our road budget has been cut, cannot do any off site repairs.

Earl Lines: Bridge clearance is only 4’6” and with boat traffic, clearance will not cut it, Coast Guard has used the cut for emergency purposes.

Engineer: Approval process we are going to have to deal with the Coast Guard, idea is a boat could be kept at the marina for their access easily.

Planner Patrick Meagher: Reminded the Commission here to set a public hearing, at that time these questions and concerns from the public and Commission can be asked and the owner can fairly respond, stepping ahead of ourselves right now, legal process to follow.

MOTION BY SHARROW THE PUBLIC HEARING FOR THE SAND ISLAND CLUB-GRANDE POINTE PROPERTIES, LLC WILL BE HELD ON JULY 12, 2006 AS PART OF THE REGULAR PLANNING COMMISSION MEETING. SUPPORTED BY SIMON. VOTE ON THE MOTION: AYES: ALL. NAYS: NONE. CARRIED.

9. **PLANNING CONSULTANT’S REPORT**

Planner Patrick Meagher: Not much to report, working with the Township Attorney to conform to the mandatory rules of the Zoning and Enabling Act, should be ready to adopt it in August.

Chairperson DeBoyer: Might have a new ordinance amendment.

10. **Z.B.A. REPRESENTATIVE’S REPORT**

Anthony Antkowiak: ZBA does urge the Planning Commission to look at the issue of enclosed boathouses, as this has been quite a problem.

11. **CHAIRPERSON’S REPORT**

Survey update: find out from U.S. Post Office what it will cost to mail.
Whitey Simons: Website that will actually give you the cost of mailing.

12. **PLANNING COMMISSION MEMBER’S COMMENTS**

Earl Lines: 1-year on this Commission, have enjoyed it, find it very interesting, look forward to more.

Sharrow: Community needs slow steady growth and the right kind; people have the right to the use of their land.

Chairperson DeBoyer: Joint meeting with the DDA and Twp. Board what the people want in their community was discussed.

13. **PUBLIC COMMENTS:**

Mary Lane, 7303 Dyke Road: Referred to Brisbay Restaurant and letter from the Planner.

Planner Patrick Meagher: Clarification purposes re: Sand Island Project, have to be very careful to follow the procedures so if it gets denied or approved we have a good case.

Nick Sarzynski, Harsens Island: Commission should ask themselves “what is really needed for the community?” Property vacant for extended periods of time, a wiser use of authority, wetlands 55% have been eroding, hate to see it being ruined for our future generations.

14. **ADJOURNMENT**

Motion by Simon, supported by Lines to adjourn at 8:50 p.m. Ayes: All. None. CARRIED.

Valerie J. Kulba

Recording Secretary