

**MINUTES OF THE CLAY TOWNSHIP PLANNING COMMISSION
REGULAR MEETING HELD FEBRUARY 14, 2007 IN THE CLAY
TOWNSHIP MEETING HALL, 4710 PTE. TREMBLE ROAD,
CLAY TOWNSHP, MICHIGAN 48001**

1. Chairperson Dorothy DeBoyer called the meeting to order at 7:30 p.m.

Chairperson DeBoyer welcomed new Recording Secretary, Christine Holcomb, a Clay Township resident.

2. **ROLL CALL:**

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

ABSENT: Edward Keller, II (excused)

ALSO PRESENT: Peter Briddick, Community Planner

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

4. **APPROVAL OF MINUTES:**

Motion by Krueger, supported by Lyle to approve January 24, 2007 Minutes.

AYES: All NAYS: None. EXCUSED: Keller, II.

MOTION CARRIED.

5. **PUBLIC HEARING:**

RE: Rezoning – 5325 Pte. Tremble & 9760 Pte. Tremble Lane (C-2 to C-3)

Chairperson DeBoyer: Please disregard the Site Plan that is included. The Site Plan will be for sometime in the future. This is simply rezoning. If approved everything allowed in C-3 could be done.

Vice-Chair Antkowiak read the descriptions of C-1 and C-2 and the Special Uses that fall under each classification.

Chairperson DeBoyer read the special applications for land use under C-3 and all that fall under that category. These are all things we need to think about when considering a request for rezoning.

Chairperson DeBoyer then opened the public hearing.

Comments from Applicant: None.

Public Comments: None.

Sharrow: Any written comments?

Chairperson DeBoyer: None. The public hearing was closed.

Sharrow: Although she hadn't read the Master Plan, she believed it was intended to lessen the intensity in certain areas of the community specifically for no more commercial development on the south side of M-29. There is no public water access to this piece of property and the applicant feels he does not need same. Also, feel this is an intense use for a small piece of property. Questioned Applicant as to whether he has been informed that there is not a public water access at end of road? Access belonging to a subdivision.

Applicant: No, was not told there was access.

Discussion followed amongst Planning Commission Members. Highlights of discussion are as follows: Property is quite dilapidated and sitting idle, and if we don't make changes to zoning, it will remain as is. Building has previously been everything from old DUR railroad building, flower shop, grocery store and electrical supply. Concern was raised as to size of this property that will be left for building after greenbelts and proper parking area

Motion by Krueger to approve rezoning from C-2 to C-3, supported by Schweikart.

Chairperson DeBoyer: Are you recommending approval to the Township Board?

Krueger: Yes. Restated motion to recommend approval of rezoning from C-2 to C-3, supported by Schweikart.

Chairperson DeBoyer: Recommendation to rezone.

Sharrow: Opposes the re-zoning. Doesn't feel same follows the Planner's guidelines. It's contrary to the Master Plan. Feels it's detrimental to the residential community and the rebuilding of same. It will have no impact on the infrastructure and should remain a C-2. Feel it will be very harmful to the residential district around it, Marcus Ct., Zens, and Pointe Tremble Lane.

Chairperson DeBoyer: Had checked Master Plan and didn't believe it was contrary to the Master Plan.

Lines: Personally felt it would bring revenue to the area and would benefit the community economically.

Chairperson DeBoyer: If building was taken down and business would be moved back from Pointe Tremble Lane feels it would be an asset as there is no parking there now and the building is a hazard.

R/C VOTE: AYES: Antkowiak, Simon, Lines, Lyle, Krueger, Schweikart, DeBoyer. **NAYS:** Sharrow. **ABSENT:** Keller, II.

MOTION CARRIED.

Chairperson DeBoyer: To be sent to Township Board for final approval on the March 5, 2007 agenda.

Sharrow: Will we have an answer from the County by then, within 30 days?

Chairperson DeBoyer: Then we will have it placed on the Township Board's April 1, 2007 agenda since next St. Clair County Planning Commission meeting is March 21, 2007.

6. NEW BUSINESS:

**PUD – “The Preserves” – Vacant Pte. Tremble Road (74-14-060-0018-000)
Lucas Homes LLC**

Patrick Westerlund, Architect, Gary Giannosa and Mario Palazzolo, developers, appeared. Site Plan was presented of the proposed development which they are requesting to be zoned PUD Development, single family and defining 38 attached condominiums in front and 42 detached condominiums in the back with wetlands and recreations areas defined.

Sharrow: How were wetlands determined? Planning Commission should be provided with name and State certification of wetland expert. Discussion occurred regarding percentage of open space available for walkways and recreation due to the percentage of wetlands.

Westerlund: Bill Collins is wetland expert recommended by DEQ. Also, they are working with Dave Dortman of DEQ.

Chairperson DeBoyer: Suggested comments be obtained and questions be directed to Township Planner, Police, Fire and Building Department and that all of this should be accomplished prior to the public hearing.

Westerlund: Questions as to what would be expectations of requirements of single family condominiums and whether they would be restricted to building one specific type of building.

Chairperson DeBoyer: Before approval, we would need to have size of plan, plans for each individual building, elevations for each building, the footprints for each lot. PUD is different from a subdivision and they would need examples of each building.

Palazzolo: They do not intend to build 40 exact same buildings. Even in a subdivision, not all homes are exactly the same. Square footage may be the same but each might look different on the outside. They will provide samples.

Sharrow: This is a nice piece of property to have developed and seems to be aimed toward senior citizens, which is needed in the community. Feel it is a good idea but it has to be done right and not over-developed. Wetlands are fragile and should not be destroyed. Also, the residents of the development should have ample areas for recreation other than walking paths.

Simon: Agrees that wetlands and the proper care of them are a real concern. Also, questioned the differences in elevations.

Chairperson DeBoyer: They will also need to consult with the Chief of Police regarding acceleration and deceleration lanes. Also, we have a water moratorium in effect.

Giannosa: They have had two or three meetings with DEQ. Of 46 acres, they are only developing 18. Also, he has met with Jon DeBoyer and they expect the water testing to go fine.

Chairperson DeBoyer: Does the Planning Commission feels it's time to set a public hearing? It must be held at a regular Planning Commission meeting and next available meeting would be April 11, 2007.

Lines: Questioned whether they should come back one more time with more information before setting public hearing?

Sharrow: Don't feel it's necessary. They know the neighbors' objections.

Motion by Sharrow to schedule for public hearing at April 11, 2007 Planning Commission meeting, supported by Lines.

AYES: All. NAYS: None. ABSENT: Keller, II

MOTION CARRIED.

7. Amendments to Zoning Ordinance #123

Chairperson DeBoyer provided copies of the proposed new Zoning Ordinance for Clay Township to all Planning Commissioners. Public hearing is scheduled in March.

Discussion followed amongst Planning Commission Members. Highlights of discussion are as follows: Copies are very helpful and much appreciated and should also be helpful to the public.

Chairperson DeBoyer: Suggested copies should be placed at Reader's Cove and Island Hardware on Harsens Island as well as at Township Offices and Clay-Algonac Library along with notice in newspaper.

Simon: We will also post notice at the Post Office on Harsens Island that copies are available at Reader's Cove and Island Hardware.

8. PLANNING CONSULTANT'S REPORT.

Briddick: No comments.

9. Z.B.A. REPRESENTATIVE'S REPORT.

Antkowiak: No comments.

10. **CHAIRPERSON'S REPORT.**

Chairperson DeBoyer mentioned the St. Clair County Metro Planning Winter Workshop and a report from County Road Commission regarding developments in Clay Township.

11. **PLANNING COMMISSION MEMBER'S COMMENTS.**

Discussion followed amongst Planning Commission Members. Highlights of discussion are as follows: Concern regarding phragmites and methods of controlling same. Possibility of being able to mow those not under water to control them so they could be left natural. Possibility of growth of cattails could cause increase in muskrat population.

12. **PUBLIC COMMENTS.**

Joe Wolak, 9175 Maynard RE: Lucas Home Development

Mr. Wolak stated that he spends a considerable amount of time kayaking and hiking in the Pearl Beach Drain, St. John's Marsh and the surrounding woodlands around the proposed development area. He is deeply concerned about the impact of this development upon wildlife in the area and about what the landscaping will do to the phragmites, which are beneficial to the wildlife.

Chairperson DeBoyer: Requested that Mr. Wolak hold his comments until the public hearing on April 11, 2007 as the developer will be present to address his concerns.

13. **ADJOURNMENT.**

Motion by Simon, supported by Krueger to adjourn the meeting at 8:37 p.m.

AYES: All. NAYS: None. ABSENT: Keller, II.

MOTION CARRIED.

Respectfully Submitted,

Christine Holcomb
Recording Secretary