

**MINUTES OF THE CLAY TOWNSHIP PLANNING COMMISSION
REGULAR MEETING HELD APRIL 9, 2008 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: Vice-Chairman Anthony Antkowiak, Secretary Kathy Schweikart, Whitey Simon, Earl Lines, George Lyle, Edward Keller, II, Thomas Krueger, Edward Sharrow, Chairperson Dorothy DeBoyer

ALSO PRESENT: Patrick Meagher, Community Planning & Management; Michael Kras, Building/Zoning Department; Algonac Planning Commission Members: Mark Thompson, Ann Horeftis, Mike Musdo, and John Schuman

3. **AMENDMENTS TO THE AGENDA:**

None.

4. **APPROVAL OF MINUTES OF FEBRUARY 27, 2008:**

Simon: On page 4, 2nd line from bottom, change “mute” to “moot”.

Schweikart: This is not a verbatim discussion.

Chairperson DeBoyer: No.

Schweikart: Questioned how it is determined what is put in Minutes?

Chairperson DeBoyer: Minutes are not supposed to be verbatim. Meeting Minutes are not verbatim. They are to bring out the important points and in particular in a Planning Commission, the important items that caused the Planning Commission to make the decision that they did.

Schweikart: Questioned whether the tape recordings of the Minutes are kept for a certain length of time.

Chairperson DeBoyer: We have not been requested to save the tapes. The Court is merely asking for a copy of the Minutes.

Motion by Krueger, supported by Simon to approve the Minutes of the Clay Township Planning Commission meeting of February 27, 2008 with correction.

AYES: All NAYS: None

MOTION CARRIED.

5. PLANNING CONSULTANT’S REPORT:

None.

6. Z.B.A. REPRESENTATIVE’S REPORT:

None.

7. JOINT MEETING WITH THE CITY OF ALGONAC PLANNING COMMISSION:

Chairperson DeBoyer: Welcomed members of the Algonac Planning Commission and requested that they introduce themselves.

Schuman: John Schuman, Secretary of the Algonac Planning Commission.

Horeftis: Ann Horeftis, Algonac Planning Commission member.

Thompson: Mark Thompson, Chairman of the Algonac Planning Commission.

Musdo: Mike Musdo, Vice-Chairman of the Algonac Planning Commission.

Chairperson DeBoyer: Questioned whether there was anything in particular that needed to be discussed?

Thompson: There really was nothing specific for discussion. Stated that it has been almost 2 years since the last joint meeting. He believes that the statute states that every so often there has to be a joint meeting with abutting communities.

Chairperson DeBoyer: As a County Planning Commissioner, she is of the opinion that we have been ignored too much. At every opportunity she likes to put her oar in and start stirring a bit to remind them that we are here and we are a part of the County that needs to be considered in their plans. If there is something of concern that the Algonac Planning Commission feels she might be able to help in any way in the County, requested they feel free to speak to her about it. Feels it would be good to work together as things come upon on the joint borders.

Lyle: Questioned how old is Algonac’s Master Plan?

Thompson: They have just updated their Zoning Ordinances this year and are talking about updating their Master Plan in 2008-2009 because the state has changed the statutes and they have to look at updating.

Lyle: Questioned how old is the current Master Plan?

Thompson: Believes it is about 4-5 years old. They also have some unique spots the same as Clay Township.

Lyle: Questioned whether they update their Master Plan themselves or have a Planning Consultant?

Thompson: They have Planning Consultants. He wondered if anyone had any questions about anything that is going on in Algonac or anything that they have proposed?

Chairperson DeBoyer: Stated she was curious about the Lions Field.

Thompson: The City purchased the Lions Field along with the Lions Club. They have done a master recreational plan for that piece of property and are actively pursuing that plan right now. The old tracks and cement curbs have been removed. They acquired 35-40 trees that will be transplanted this Spring. They are in the process of having the bath house redone. They are also going to develop an area for a park. In reference to the Downrigger's property, they are coming back before us to reopen as a restaurant with the same owner. They were in front of the ZBA for a variance on some parking and a greenbelt requirement. Nothing much is happening with the Sunoco gas station. The owner wants to rent it out but has been told that in order to do so he must bring everything up to Code.

Chairperson DeBoyer: Questioned whether there was contamination at the Sunoco site?

Thompson: Stated that there definitely was contamination. When the tanks were pulled out, they were leaking.

Chairperson DeBoyer: Stated that about the only thing currently going on in Clay Township is trying to establish a park next door to the Township offices. There is talk about a possible farmer's market also, which will all come before the Planning Commission at some point. She feels that it is something that would be good for both communities. Also, anything that we can do to keep our businesses open and occupied would be good.

Musdo: Questioned whether Clay Township had a lot of vacant commercial property?

Chairperson DeBoyer: In the Kroger shopping center there are 4 to 5 stores towards the back that are empty. Unfortunately, from what she understands, they aren't interested in lowering their rent and in this economy there aren't a lot of people who want to take that chance.

Krueger: Stated that it is very difficult for a commercial establishment to succeed here, especially the smaller stores. He further stated that he gives Artie Bryson and the Chamber of Commerce a lot of credit for trying to generate business for the local community.

Thompson: Stated that it is hard to get people in the community to shop locally.

Schuman: Stated that he has a concern that Algonac and Clay Township are duplicating something that we already have for public use. Feels that some of the vacancies in shopping centers, etc. that could be used for a farmer's market instead of building a new place.

Chairperson DeBoyer: There really isn't a pavilion type of farmer's market.

Schuman: He is referring to occupancy of all the vacant spots versus a place that doesn't exist yet. He feels that it would basically be a duplication of what is being built at the Lions Club.

Chairperson DeBoyer: Stated that she really doesn't feel it would be the same and doesn't feel the Algonac center would be conducive to a farmer's market.

Schuman: Questioned how to utilize the Lions Club property to its best ability? They have discussed having things such as City Hall built there and changing the direction of the waterfront property. Feels this is something that we all continue to put money into every year.

Chairperson DeBoyer: Stated that she has had people comment that when urban renewal took place, the plan to put City Hall and the Fire Department on prime property was not a real wise decision.

Schuman: One of the things they are current working on is looking at potentially moving the main office as well as the police and fire departments. It would also give them a tax base on the waterfront that would be more beneficial to the community.

Lines: In these economic times, people are going to wonder where the money will come from and whose taxes are going to pay for it.

Schuman: As a Planning Commission we have to look to the future. It may not be appropriate now, but might be in 3-5 years. It would definitely be an awesome tax base.

Musdo: Questioned whether the Russell Island property owners have approached the Clay Township Planning Commission?

Chairperson DeBoyer: They have not this year. They did come before us last year and it was not a well put together plan, and because of the way it was put together it was almost impossible for us to approve. We did meet with them and the gentleman looking to do the parking lot and marina is not a member of the Russell Island Association. His thought was that he would build it and they would buy it or lease it. However, he has never come to any agreement with the Russell Island Association.

Lyle: There were about 4 different parcels with five different owners and each one was separate and you couldn't okay one without okaying all of them.

Chairperson DeBoyer: They had options on some and not on others.

Musdo: Question whether it was even feasibly a possibility?

Chairperson DeBoyer: Feels that it is, but there was one piece in particular that they didn't have an option on and when we held the public hearing on all the pieces, the owner of that property spoke in favor of rezoning everything around him and then spoke against rezoning their property.

Musdo: Has anyone approached Border Patrol and the U. S. Government regarding people coming to and fro?

Chairperson DeBoyer: Doesn't feel it would be any more of an issue than any of the other property along the river. She understands that in the last couple of weeks they have decided to increase the border patrol on the northern border, so we may see an increase in agents along this area. Stated that the parking lot/marina is definitely a possibility if they put it together and bring it back right.

Musdo: But, realistically, this is not something that would happen in one year.

Chairperson DeBoyer: They were talking about first putting in just the parking lot and the landing for the ferry. The rest of the development was going to occur somewhere down the road.

Schuman: Questioned whether there would be adequate parking and adequate space at the proposed location?

Chairperson DeBoyer: Feels there would be.

Lines: Questioned whether there were about 300 parking spots being proposed?

Chairperson DeBoyer: Is not sure of the amount but it was a large parking lot.

Schuman: Questioned whether they had anything currently on paper to make a formal plan?

Chairperson DeBoyer: No, they do not.

Thompson: The situation has gotten better over the last two years, but it is still an ongoing problem that needs to be resolved.

Schuman: Feels the boating community are the ones that are hurt since there is no where for them to park their boat trailers or vehicles to go fishing.

Krueger: Questioned the Algonac Planning Commissioners as to whether they have the same problems facing them all the time that they feel they have to address?

Thompson: Not really. If they get 2 or 3 of the same items, they kick it back to their Planning Consultant and have them research it. If a change in the Ordinance is warranted, they will do that and recommend to council that it is approved.

Lyle: Stated that he noticed that Algonac had a problem recently with people parking their trucks over a certain size on their yards.

Thompson: We looked at this issue very carefully two years ago before we changed the Ordinance. Commercial vehicles can be parked on personal property providing it is not more than 8 feet tall and only has one set of axles.

Krueger: Questioned Algonac Planning Commission members as to whether they have any commercial projects or large residential projects before them?

Thompson: They have a proposed development at the end of Sunset that is being contemplated for subdivision development.

Schuman: This would be between Michigan and Washington Streets. It's approximately 25 acres and would likely be 30-35 homes.

Thompson: The only other recent development we have had was Timber Ridge at Nook and Fruit.

Chairperson DeBoyer: Feels commercial area in downtown Algonac and residential area in Clay Township worked very well, rather than spreading commercial development all over.

Schuman: Stated that he often wonders why Algonac and Clay Township haven't joined back together to accomplish one unit, merging police departments, fire department. He understands it is a very hard subject. But, feels it is more logical than not, and is a political-based problem.

Krueger: Stated that we need to give both communities a lot of credit. You can say that we don't do a lot together, but we do everything together except police, fire, and administration. We share everything else.

Thompson: Feels that economics are going to drive this to something that they will need to seriously look at in the next few years.

Schuman: Stated that sometimes old is good, old is new. Everything seems to be reverting back to what we used to do and is not such a bad thing if properly done. Feels that it could be worked out. There is an economic concern that properly done could be overcome.

Chairperson DeBoyer: Stated that we have sometimes lost sight of what a public servant is. We are here to serve the needs of our community to the best of our ability under the law.

Krueger: Our police and fire departments interact, everybody shares. It's a nice thought to try and take the politics out of it, but the politics are always going to be in it and somehow we have to work past that somehow.

Schuman: Stated that maybe we could introduce another program that would help reduce the cost to both entities and have a sharing instead of having two or three cars running in all directions. It might behoove us to consider going backwards to the way it used to be. He feels it would be a hard proposal to come across but feels it would seriously be something to be looked at.

Thompson: Questioned whether there was anything new on the Pearl Beach Estates development?

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Chairperson DeBoyer: As she understands, they are holding off until the economy improves.

Krueger: We gave Sand Island preliminary approval but haven't heard back from them. Also, there was a proposed cluster housing development for the Boys Club that was turned down and are about to go to Circuit Court on their appeal.

Lyle: Also, the project on Swartout Road.

Chairperson DeBoyer: That seems to also been on hold because of the economy.

Schuman: Questioned the status of a bridge?

Chairperson DeBoyer: It is still in the works. MDOT has not been the problem. There were other things that they had to meet and they are working towards a resolution.

Simon: The DEQ had a problem with the sturgeon spawning grounds.

Thompson: They also had a problem with riparian rights.

Krueger: Stated that the Great Lakes Inn will be turned into an assisted living home.

Thompson: Read that there have only been 5 building permits in St. Clair County in 2008 versus 1,000 in 2005.

Simon: Questioned how you can go for a building permit when you can buy existing property a lot cheaper than you build it? It doesn't make much sense.

Lyle: Banks are repossessing and dropping prices \$80,000 to \$90,000 in some places. It is unbelievable what is out there to be had.

Krueger: Questioned whether Algonac has a lot of industrial property in the community?

Thompson: Only Algonac Harbor Club. The rest is just commercial.

Krueger: Feels that there is some industrial property in Clay Township but a lot of the industrial property is spread out and it sometimes give them a problem with residential property surrounding it.

Thompson: Thanked the Clay Township Planning Commission for extending the invitation to the Algonac Planning Commission.

Chairperson DeBoyer: Thanked the Algonac Planning Commission members for attending and hoped that they could get together again and hopefully work together.

8. CHAIRPERSON’S REPORT:

Chairperson DeBoyer: Stated that there are two Planning Commissioners who are going to complete their Citizen Planner classes. The Planning Commission consists of 5 Citizen Planners and 3 Master Planners. Stated that Clay Township is very much in favor of education for their Planning Commission. They have been very good about allowing us to attend.

9. PLANNING COMMISSION MEMBERS COMMENTS:

Schweikart: Wanted to say thank you for letting them go to the Continuing Education class in Port Huron.

10. PUBLIC COMMENTS:

Norman Rhodes, 3206 South Channel Drive, Harsens Island

Mr. Rhodes stated that at the Board meeting it was mentioned that there is a Cost Recovery Ordinance coming into effect that is being reviewed by the attorney to recover costs for police, fire, EMS, etc. for non-Clay Township residents. He is totally against that Ordinance.

Chairperson DeBoyer: Stated that she doesn’t feel it will be a concern between Clay Township and Algonac because they do have an agreement to assist one another and doesn’t feel that it will ever be a problem between the two.

Rhodes: Stated that he thinks Algonac should take a look at that. Questioned whether the Planning Commission is aware of the Request for Information for the Appeal on the Boys Club?

Chairperson DeBoyer: Stated that the Township Attorney has simply asked for the Minutes.

Rhodes: Stated that he has an Affidavit from the Lucky Seven in regard to their Request for Information for the Appeal and reads from same.

Chairperson DeBoyer: Stated that request would not come to the Planning Commission but rather to the Building Department.

Rhodes: Stated that the Citizens for Clay Township want to be involved in the Ordinances, the Master Plan, and getting involved with the Planning Commission. They have created a website that is ccctwp.org. That website has the documents for the Appeal that can be reviewed. In their efforts to inform the public and keep them informed and to help them learn the processes, there will be a meeting on Saturday, April 12th at 3:00 p.m. at the Harsens Island’s Lions Club there will be a presentation by the Township Planner to the citizens on the Master Plan. This will include what the Master Plan is all about and citizen involvement and what that means. He feels it will be very, very interesting and would like to invite members of both the Clay Township Planning Commission and Algonac Planning Commission to attend. This is all about how to deal with and operate with municipal entities in Master Plans and Ordinances and things like that, which is done basically for the people, and the people needed

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to be educated on this. You can come to this to see what the Master Plan is and the idiosyncrasies and how the Master Plan is made up. This will be about 1-1/2 hours long and is free. This is what the citizens from Clay Township are doing.

11. ADJOURNMENT:

Motion by Lines, supported by Lyle to adjourn the meeting at 8:35 p.m.

AYES: All NAYS: None

MOTION CARRIED.

Respectfully Submitted,

Christine Holcomb
Recording Secretary