

**MINUTES OF THE CLAY TOWNSHIP PLANNING COMMISSION REGULAR MEETING HELD
WEDNESDAY, JUNE 24, 2009 IN THE CLAY TOWNSHIP MEETING HALL, 4710 PTE. TREMBLE
ROAD, CLAY TOWNSHIP, MICHIGAN 48001**

1. CALL TO ORDER:

Vice-Chairman Antkowiak called the meeting to Order at 7:30 p.m.

2. ROLL CALL:

PRESENT: John Blair; George Lyle; Edward Keller, II; Kathie Schweikart; Edward Sharrow; Anthony Antkowiak; Whitey Simon; Thomas Krueger

ABSENT AND EXCUSED: Chairperson Dorothy DeBoyer

A quorum was established.

Also Present: Patrick Meagher, Community Planning and Management

3. AMENDMENTS TO AGENDA:

None.

4. APPROVAL OF MINUTES OF MAY 27, 2009:

Motion by Krueger, supported by Lyle to approve the Minutes of May 27, 2009 as presented.

AYES: All NAYS: None ABSENT & EXCUSED: DeBoyer

MOTION CARRIED.

5. PUBLIC HEARING:

Soil Removal Permit Application: Vacant Fruit Road - Parcel ID No. 74-14-541-0116-200 Blue Water Materials – Mark/Sandra Pyszora, Sr.

Vice-Chairman Antkowiak: Stated that before beginning the public hearing, he wanted to reiterate some of the things that need to be kept in mind for a public hearing. All comments have to be made through the Chairperson. Comments directed to the Applicant from the audience are prohibited. Individuals wishing to speak may have a specific time limit. Anyone wishing to speak is asked to sign in on the sign-in sheet provided. However, anyone wishing to speak will be given an opportunity. Each individual will be allowed to speak once. It will be the Chairperson's decision whether or not a rebuttal comment will be allowed. Citizens may appoint a spokesperson to represent those who agree on a point of view. Public comments on the public hearing request may be made only during the public hearing.

Vice-Chairman Antkowiak opened the public hearing at 7:33 p.m.

Vice-Chairman Antkowiak then welcomed the Applicant to address the Planning Commission.

Mark Pyszora, Sr.: Stated that they have applied for the Road Commission permit. The soil erosion portion has been completed and they have turned a copy of that into the Building Department.

Chairman Antkowiak then invited the public to come forward and speak in favor or in opposition to the requested soil removal permit.

No one came forward to speak in favor or in opposition to the requested soil removal permit.

Chairman Antkowiak closed the public hearing at 7:35 p.m.

Chairman Antkowiak then requested any comments or questions from the Planning Commissioners.

Motion by Simon, supported by Lyle to recommend approval to the Clay Township Board of the Soil Removal Permit for Vacant Fruit Road – Parcel ID #74-14-54-0116-200 Blue Water Materials, Mark/Sandra Pyszora, Sr., contingent upon the Township Engineer reviewing the plan for potential issues with soil suitability, water, well, and drainage conflict, as well as compliance with other engineering-related issues.

Krueger: Stated that in the Phase I Report that was done on the property, there were some issues with one of the test holes and he questioned the Applicant as to whether he would have to do anything with respect to that.

Mark Pyszora: Stated that it was part of the easement that the access road will be located on. What they are going to do is put down a base of broken concrete with stone over it, so they will have no contact with it.

Krueger: Questioned Mr. Pyszora as to whether there were any water table runoff issues?

Mark Pyszora: Stated he believed the ground flow shows the water going the other way.

Vice-Chairman Antkowiak restated Motion by Simon, supported by Lyle to recommend approval to the Clay Township Board of the Soil Removal Permit for Vacant Fruit Road – Parcel ID #74-14-54-0116-200 Blue Water Materials, Mark/Sandra Pyszora, Sr., contingent upon the Township Engineer reviewing the plan for potential issues with soil suitability, water, well, and drainage conflict, as well as compliance with other engineering-related issues.

R/C VOTE: AYES: Keller; Simon; Blair; Schweikart; Lyle; Sharrow; Krueger; Antkowiak

NAYS: None.

ABSENT & EXCUSED: DeBoyer

MOTION CARRIED.

6. PLANNING CONSULTANT'S REPORT:

Meagher: Stated that the Master Plan Committee meeting has been canceled. They are moving along on the study portion. The visioning session is scheduled for July 11, 2009.

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

Antkowiak: Stated that the ZBA had two variance requests before it at their last meeting. One request was from an Applicant who had initially submitted plans for a one-story garage that was approved. In the process, the Applicant decided that he wanted to make the garage bigger, better, longer and wider and ended up going into the front setback and laying footings over a lead sewer. He was requesting a variance for the encroachment. After much discussion and deliberation, the requested variance was denied. The second variance request was for a home on Anchor Bay Drive that had considerable fire

damage and the owner wanted to rebuild on the existing footprint. The issue was that on one side the footprint was 3 inches from the property line. After much discussion and deliberation and with specific requirements, the variance was granted.

9. CHAIRPERSON'S REPORT:

Vice-Chairman Antkowiak: Stated there is no report since the Chairperson was not present.

10. PLANNING COMMISSION MEMBERS' COMMENTS:

Simon: Stated that Judge Kelly had issued his ruling regarding the Boy's Club property which upheld the Planning Commission's decision. There is a link on the HISCFA.org site that will give you access to viewing the Judge's ruling in its entirety.

11. PUBLIC COMMENTS:

Mark Pyszora: Thanked the Planning Commissioners for working with him on the project and further stated it has been a pleasure working with the Planning Commission. He stated he appreciated all of their input, which had been very helpful.

Sandra Pyszora: Thanked the Planning Commissioners.

12. ADJOURNMENT:

Motion by Simon, supported by Krueger to adjourn the meeting at 7:40 p.m.

AYES: All NAYS: None ABSENT & EXCUSED: DeBoyer

MOTION CARRIED.

Respectfully Submitted,

Christine Holcomb
Recording Secretary