

CLAYTON TOWNSHIP PLANNING COMMISSION  
Regular Meeting Minutes  
June 21, 2016, 7:00 p.m.

CALL TO ORDER

Dr. Shaw called the Clayton Township Planning Commission to order at 7:00 p.m.

PLEDGE TO THE FLAG

Mr. McCartney led the Pledge to the Flag.

ROLL CALL

Members Present: Shaw, DePottey, Widigan, Milem, McCartney, Hyde

Members Absent: Bower

Others Present: Ted Henry, Zoning and Building Administrator, Ken Tucker, Attorney, and Deanna Turner, Stenographer

APPROVE PROPOSED AGENDA

Motion by Widigan, supported by DePottey to approve the proposed agenda for the June 21, 2016, Planning Commission meeting.

MOTION CARRIED.

APPROVAL OF MINUTES MAY 17, 2016

Motion by Widigan, supported by DePottey to approve the minutes of the May 17, 2016, regular Planning Commission meeting.

MOTION CARRIED.

COMMUNICATION

None.

REPORT OF OFFICERS AND COMMITTEES

Will be discussed under New Business.

PUBLIC COMMENT

None.

## OLD BUSINESS

### PLANNING COMMISSION BY LAWS

Dr. Shaw said he wanted to highlight what was changed at last meeting. In the first paragraph, Charter Township of Clayton, add Genesee County. Mr. DePottey said it was good to leave it in there, since there is another Clayton Township in Michigan.

Section 1A: Fiscal year for governmental unit begins in September. Mr. DePottey said he thought it was October. Mr. Milem said the fiscal year begins January 1 and ends December 31.

Mr. Milem said if the supervisor has to appoint someone, he will usually do that in October or November for the upcoming calendar year.

D4 started with a zoning administrator and a secretary, then department, township clerk; those are the only changes on that page.

#### Page 2, 2nd paragraph, Special Meetings:

Mr. Milem said 24 hours notice is included in the Charter Township Act, same for the Planning Commission as regularly scheduled board meetings. Mr. Tucker said that is from the Open Meetings Act, 18 hours notice. Mr. Milem said they notify members 24 hours in advance under the Charter Township Act. Mr. Tucker said he would have to compare them. Mr. Widigan said 24 hours was safe, anyway. Mr. Milem added that it wouldn't hurt, and 18 hours for the public. Dr. Shaw said he would like it covered all the way. They switched the notice to 24 hours.

Dr. Shaw said a quorum was four members of a seven-member planning commission. Ms. Hyde said they talked about doing a percentage, instead of a number, 51% constitutes a quorum. Mr. Milem said that would be a change in the ordinance to do that. Mr. DePottey said then they would have to change the bylaws if the member amount changes; they should just leave it as a percentage.

Mr. Tucker stated that quorum itself means more than 50%; you don't have to define it. Mr. Widigan said no official action of the planning commission can be taken without a quorum present. Mr. DePottey said they should keep it short and simple.

Section 3D: Annual report done by Chairperson or person from the commission to the board. Dr. Shaw asked when is a good time to do that. Mr. Widigan answered, December. Mr. Milem said so many things are directed by the board throughout the court of the year; it is hard for them to list planning activities, as they may change from week to week. He said there are a couple of site plans hanging out there that people cannot seem to get their act together, therefore, they have not come before the board yet.

Ms Hyde said she interpreted the report as not open activities, but rather what the commission did in the previous year. Dr. Shaw agreed. Ms. Hyde suggested they present a report in January so they can capture the December activities.

Page 3, C, added Chairperson.

Include, Under D, the unexpired, staggered one-year, two-year, and three-year terms of the member being replaced. Mr. Milem said that is the way it's always been done. There is a chart showing the terms of everyone.

Mr. Milem said there is a typo under C, on page 3.

Ms. Hyde said the staggering occurs in the initial appointment of the person. Dr. Shaw said that is the board's decision, not the planning commission's; why is it in the bylaws? Mr. Widigan said it was already included in the Planning and Enabling Act.

Mr. Milem asked what they want "D" to read. Ms. Hyde said the successor should finish out the unexpired term of the member being replaced.

Section 5: Dr. Shaw said they kept the first paragraph, Conflict of Interest. Were there other things that should be added? Mr. Henry said there is a spelling error in the word, grandparents.

Ms. Hyde said they should include every one of them. Dr. Shaw said they chose the most restricted description.

Mr. Widigan asked a question regarding Section 1, Secretary, in regards to minute taking. He said the secretary isn't taking the minutes currently. Should the language say, secretary or designee, can take the minutes. Mr. Milem said Secretary is defined by the Charter Township Act, the board member appointed to the planning commission, is automatically the secretary.

Mr. Milem said they learned at the MSU classes the importance of minute taking. The only thing you have if you have a lawsuit; the judge looks at the minutes. He added that the board is looking at having someone take the minutes of the board meetings, so the clerk can be more involved. Mr. Henry added that Mr. Milem proofs the minutes.

## NEW BUSINESS

### REVIEW OF ACCESSORY BUILDING ORDINANCE

Mr. Milem stated that Mr. Henry came to him regarding several residents who wanted to come before Zoning Board of Appeals (ZBA) for variances. There was trouble with break ins; people watching motor homes and RVs. They are present through the week, and then not there. Homes were broken into. Residents want to build structures they can store their RVs in. The township accessory ordinance really limits this. If there is a two-story house, it is not a problem; if it is a ranch, there is a problem. Mr. Henry said the main crutch is that they just don't allow enough sidewall and pitch on some of these to allow people to build and put the RVs away.

Mr. Henry said several other municipalities are evaluating their ordinances: Davison Township, Mt. Morris Township, Genesee Township.

Ms. Hyde asked if there was a downfall if they are allowed. Mr. Henry said sometimes the critical part is that the township has higher density subdivisions, and then some are surrounded by agriculture. The problem is deciding who is allowed, and who isn't.

A discussion ensued.

Mr. Henry said he would like to see what other townships do before the next planning commission meeting. He will bring information to the next meeting.

Mr. Henry said another issue, is the definition of accessory building. He said people are building gardening sheds to store their gardening tools, lawn tractors, etc. He said if they already have a building, they cannot build a garden shed.

Motion by Milem, supported by Widigan to table Review of Accessory Building Ordinance to the July, Planning Commission meeting.

MOTION CARRIED.

#### ADDITIONAL ITEMS

Mr. Henry said he has had a request about bee keeping. Dr. Shaw asked if it is in the animal ordinance. Mr. Milem said it was exempted out of there. Mr. Henry said it could fall under the nuisance ordinance if a neighbor was to complain. He hasn't called the resident back yet because he wanted to gather more information. Mr. Milem said nothing says that you cannot keep bees.

#### ADDITIONAL COMMENTS

None.

#### ADJOURNMENT

Motion by DePottey, supported by Widigan to adjourned the Planning Commission meeting at 8:05 p.m.

#### APPROVAL OF MINUTES:

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Dr. William Shaw, Chairperson

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Dennis Milem, Secretary