

**CHARTER TOWNSHIP OF CLAYTON
PLANNING COMMISSION MINUTES
DECEMBER 17, 2019**

ROLL CALL

Members Present: Kevin DePottey, George Sippert, Tom Spillane, Dennis Milem, Dwight Dennings, Ed McCartney, Andy Suski

Members Absent: None.

Others Present: Ted Henry, Building Official/Code Enforcer; Ken Tucker, Attorney; Sherylynn Russo, Stenographer

APPROVAL OF PROPOSED AGENDA

Action Taken: Motion by McCartney, supported by Sippert, to approve the proposed agenda for the December 17, 2019, Clayton Township Planning Commission meeting.

MOTION CARRIED.

APPROVAL OF MINUTES: November 19, 2019

Action Taken: Motion by Milem, supported by Suski, to approve the minutes of November 19, 2019 Clayton Township Planning Commission meeting.

MOTION CARRIED.

COMMUNICATIONS

SOLAR ORDINANCE.PUBLIC UTILITY

Mr. Henry advised the final reading of the Ordinance which will be published and adopted 15 days thereafter.

REPORT OF OFFICERS AND COMMITTEES:

Building Department:

- (1) The first solar panel permit application was pulled today (12/17/19).
- (2) The Board has approved a revision to the permit fee schedule.

PUBLIC COMMENT:

NONE.

NEW BUSINESS / DISCUSSIONS

HOME OCCUPATION PERMITS/RENEWAL

Required January / February 2020 timeframe.

LIQUOR LICENSE / FOOD, 50%/50%

Need to review the first of the year which needs to include conformance with local ordinance.

PUBLIC HEARING ON CASE R19-02 PAUL STIRLING

The request has been submitted to change zoning from (O) Office to (SF) Single Family.

Present were P. Stirling and I. Banau, Agent Broker

Reason for request: structure (3 bedroom home) is no longer used as an office for the adjoining apartments and petitioner would like it to revert back to a single family dwelling, thus being eligible for a PRE.

Comments & Questions:

Question was raised relative to surrounding properties. North consists of commercial multi-family and all other surrounding properties are single family homes. Property is currently sewer and well.

6:10 p.m. OPEN FOR PUBLIC HEARING

No public opposition.

6:12 p.m. PUBLIC HEARING CLOSED

Board commented that in their opinion it meets future goal of eliminating "spot" zoning. This property should not have been rezoned to begin with.

Action Taken: Motion by Suski, supported by Dennings to rezone back to (SF) Single Family which also supports our future plans to eliminate "spot" zoning.

ROLL CALL / MOTION CARRIED.

Mr. DePottey advised petitioner that this will be forwarded to the Township Board for review and final approval.

OLD BUSINESS / DISCUSSIONS

Mr. Spillane advised the Board that the County is currently developing an ordinance restricting ORVs which would identify roads that will be restricted. Not sure at this time, but golf carts may or may not be included. Once the County ordinance is in place, local municipalities must wait one year before adopting their own ordinance. It was

noted that this could create a problem if we try to change or modify a year later. Enforcement could also be an issue. Specifically, County allows and Township does not. Genesee County is basing this on a current ordinance recently established in Lapeer County. Genesee County may also adopt an ORV sticker.

County timeline: first public hearing is scheduled for January 15, 2020 at 9 a.m. and could pass by Spring.

Board has decided to wait and review after Genesee County has passed ordinance.

ADDITIONAL ITEMS

NONE.

ADDITIONAL COMMENTS

The Planning Commission will be losing a member (Tom Spillane) effective 1/1/20 when he assumes role as Township Supervisor. He will need to appoint a replacement and Mr. Spillane asked if there were any recommended replacement(s) from this Board.

He will announce his replacement at the January meeting when officers are elected (Chair, Co-Chair, Secretary and Sergeant of Arms).

This will be added to the January agenda.

Mr. Henry advised that a site review for Clayton Market (mobile home party store) gas tanks will probably be coming to the February meeting. Question was raised if that falls under the jurisdiction of the State Health Department. This will be addressed when review comes before this Commission.

ADJOURNMENT:

Action Taken: Motion by Sippert, supported by Milem, to adjourn the Planning Commission meeting at 6:34 p.m.

MOTION CARRIED

Respectfully submitted,

Sheryllynn Russo, Stenographer

Kevin DePottey, Chairperson

Dennis Milem, Secretary