

**Hayes Township Planning Commission
Public Hearing
Zoning Ordinance Amendments**

January 31, 2012

Chair Rich Burnett called this Hayes Township Planning Commission meeting to order at 7:30 p.m, for the purpose of holding three consecutive Zoning Ordinance Amendment Public Hearings at the Hayes Township Hall, 09195 Old US 31, Charlevoix.

Planning Commission members present were Steve Wilson, Jim Rudolph, Marilyn Morehead, Cliff Biddick Rich Burnett, Ed Bajos and Pat Phillips. Also present were Secretary Marlene Golovich, Planner Mary Campbell and ZA Jonathan Scheel. Audience members were Ethel Knepp, Doug Kuebler, Robbin Kraft, Jim McMahan and Bill Danly.

Chair Burnett asked to be joined in repeating the Pledge of Allegiance.

Chair Burnett then went over the order of business stating that the meeting would begin with the three advertised public hearings on following proposed ordinance amendments:

- 1) Medical Marihuana (to add definitions and Section 3.25)
- 2) Accessory Buildings (to revise Section 3.05)
- 3) Lakefront regulations (to revise Section 3.14), and add driveway regulations

To be followed by Planning Commission deliberations and action.

Chair Rich Burnett turned the meeting over to Mary Campbell of MC Planning and Design, planner for Hayes Township.

Mary provided an overview of the Medical Marihuana amendment, and some additional comments received from Township attorney Bryan Graham concerning the regulation of signs for Medical Marihuana primary caregivers, see attachment for question posed to B. Graham and his response.

Chair Burnett open the hearing for public comment on the Medical Marihuana amendment.

Some review and clarification was requested and provided concerning the potential suggested revision to the sign language proposed.

No additional public comments on this amendment were received.

After asking if there were additional public comments three times, the hearing was closed by Chair Burnett.

Mary provided a brief overview of the Accessory Building amendment, and the history regarding the Township's moratorium concerning the protection of viewsheds.

Chair Burnett opened the hearing for public comment on the Accessory Building amendment.

Bill Danly thanked the Planning Commission for all their hard work and is fully in favor of the changes in Section 3.05

No additional public comments on this amendment were received.

After asking if there were additional public comments three times, the hearing was closed by Chair Burnett.

Mary gave overview of the Lakefront and driveway regulations amendment.

Mary stated that one letter was received from Roy Griffiths (see attached) with various comments concerning the proposed ordinance.

Chair Burnett open the hearing for public comment on the Lakefront and driveway regulations amendment.

Ethel Knepp stated she would like Mr. Griffiths concerns addressed regarding the motivation to make the proposed changes to Section 3.14.

Ed Bajos stated that the proposed changes were intended to define and clarify that section not to punish landscapers or property owners.

Mr Griffiths letter also asked where the proposed sketch was referenced for Section 3.14. The PC consensus was to use a drawing similar to Option 2 (see attached) of the drawings provided by Attorney Bryan Graham.

Jim McMahon asked if the tree size should be specified in Section 3.14 and Mary replied additional requirements are in the landscape section of the ordinance, in Section 3.24 and that Section 3.14 noted that. He also stated that the Driveway Section looked good and the PC is doing a good job.

Mary recommended that subsection (6) be removed from E Section 3.24.6. PC concurred.

After asking if there were additional public comments three times, the hearing was closed by Chair Burnett.

Planning Commission deliberations:

The Planning Commission decided to strike as follows a portion of Section 3.25 (2.) based on the township's attorney's recommendation:

2. A property at which a primary caregiver is providing medical marihuana services shall have no sign related to the use as a primary caregiver, ~~including but not limited to any symbol portraying or representing a marihuana plant or portion thereof,~~ may be visible from outside the dwelling.

Cliff Biddick made a motion, supported by Ed Bajos to recommend to the Hayes Township Board that the proposed ordinance amendment concerning medical marihuana(new Section 3.25), as amended at this meeting, be sent to the Charlevoix County Planning Department for review and adoption by the Board of Trustees. Motion carried unanimously.

Marilyn Morehead made a motion, supported by Rich Burnett to recommend to the Hayes Township Board that the proposed ordinance amendment primarily concerning accessory buildings (Section 3.05), be sent to the Charlevoix County Planning Department for review and adoption by the Board of Trustees. Motion carried unanimously.

Steve Wilson made a motion, supported by Marilyn Morehead recommend to the Hayes Township Board that the proposed ordinance amendment to Article II, Article III and Article IV Section 2.02, 3.14 subsections 1,2,3,4,5, & 6, Section 3.14.1.B Section 3.14.1 F & G, Section 3.14.2, Section 3.26 and Section 4.13 footnote (a) as amended at this meeting (to include the drawing), be sent to the Charlevoix County Planning Department for review and adoption by the Board of Trustees. Motion carried unanimously.

The next regular meeting of the Planning Commission will be February 21, 2012. Cliff Biddick stated he would not be attending the February meeting.

Cliff Biddick made a motion, supported by Steve Wilson to adjourn at 8:20 p.m. Motion carried unanimously.

Respectfully submitted

Marlene Golovich, recording secretary

Steve Wilson Planning Commission Secretary

Minutes approved as written April 17, 2012