

Hayes Township Planning Commission
Regular Meeting
September 16, 2014

The regular meeting of the Hayes Township Planning Commission was called to order at 7:00 p.m., at the Hayes Township Hall, 09195 Old US 31, Charlevoix.

Planning Commission members present were Marilyn Morehead, Doug Kuebler, Ed Bajos Cliff Biddick, Pat Phillips, Jim Rudolph and Steve Wilson. Also present were Marlene Golovich, secretary, Ron VanZee, zoning administrator **and Connie Saltonstall.**

No public comments unrelated to agenda items.

The Planning Commission members reviewed the minutes from the August 19, 2014 public hearing meeting for the Moblo mining application. Doug Kuebler made a motion, supported by Ed Bajos to accept the minutes as written. Motion carried unanimously. The Planning Commission members reviewed the minutes from the August 19, 2014 public hearing meeting for the Dhaseleer cottage industry application. Doug Kuebler made a motion, supported by Marilyn Morehead to accept the minutes as written. Motion carried unanimously.

The Planning Commission members reviewed the minutes from the August 19, 2014 regular meeting. Ed Bajos made a motion, supported by Doug Kuebler to accept the minutes as written. Motion carried unanimously.

Doug Kuebler reported on Township Board activities. The Township is hoping to hydro seed areas of the Undine Cemetery. There will be a CSG park clean up on September 20. Snow plow bids were advertised in the newspaper. Rain gutters will be installed on the rear roof line of the Township hall. The Bible Baptist church will be holding a youth picnic at the Hayes Township Park, Camp Sea-Gull.

Connie Saltonstall stated that a group of citizens in Oyster Bay have concerns regarding a permit granted by the DEQ for a 200' permanent dock in Oyster Bay. Oyster Bay is a fairly narrow bay and if a dock of the same type and size were constructed on the opposite side of the bay the navigable area would be reduced forty percent. The DEQ indicated to Connie that the regulation of permanent docks vs removable seasonal docks is done by the local government unit via an ordinance. Currently the permit process is being reviewed by the Corp of Engineers. Connie asked if the Township Planning Commission would consider regulating permanent docks via an ordinance.

Zoning Administrator, Ron VanZee presented a written report with an oral overview. Ron reported that he met with the DEQ in regards to Eastern Ave Beach, a dock in Oyster Point and a wetlands violation in Birdland. The DEQ told Ron that the Township could mow the grass at EAB and that sand could be brought in but sand would require Corp of Engineers approval. DEQ stated they would prefer that all the grass not be pulled up or sprayed with weed killer but the Township could apply for a permit to do it. If it was determined not to be wetlands it would be ok without a DEQ/Corp permit but could not be done without the consent of the Township. The proposed 200' permanent

dock in Oyster Bay has been given a DEQ permit but the DEQ stated that the Township has the authority to regulate this type of dock and could do so through an ordinance. The proposed 200' dock must still receive approval from the Corp of Engineers and the Corp will take our current zoning into consideration. The PC asked the ZA to write a letter to the Corp stating that the proposed dock is 2 feet wider than allowed by zoning and that a dock of that length on either side of Oyster Bay could reduce the navigable area by 40%.

Ron also stated that he received an application for an accessory building on property zoned agriculture that does not have a residence on it making the accessory building the primary use. He said the current ordinance appears to allow an accessory building in the ag zone district and would only have to meet the ag zone district setbacks. The ordinance also states that an accessory building as a primary use must meet the 100 foot front yard setback. The ordinance appears to be at odds and he asked the PC for their understanding of the intent. The PC suggested that Ron get the Township attorneys opinion. Ron stated that he had other questions for the attorney regarding medical marijuana and would include the accessory building in that correspondence. Ron also stated he sent a letter to a resident on Burgess Road that appeared to be in violation of the mining section of the zoning ordinance. It is a home owner that had fill brought in from another site to fill and level her steep back yard. Ron is not sure if she needs to go through the process of getting the usual required permit. It was suggested that Ron speak to Supervisor Knepp regarding the intent of the mining section of the ordinance in regards to spoils being brought in from other sites.

The next regular meeting of the Planning Commission is scheduled for October 21, 2014.

Doug Kuebler made a motion, supported by Pat Phillips to adjourn at 8:20 p.m. Motion carried unanimously.

Respectfully submitted



Marlene Golovich, recording secretary



Steve Wilson Planning Commission Secretary

Minutes approved as corrected October 21, 2014.