

**HAYES TOWNSHIP
PLANNING COMMISSION
AGENDA**

January 15, 2019

7:00 p.m.

**Hayes Township Hall
09195 Old US 31 N
Charlevoix, Michigan 49720**

- Call to Order
- Pledge of Allegiance
- Review Agenda
- Declaration of Conflict of Interest (if any)
- Public Hearings
- Public Comments Unrelated to Agenda Items
- Approval of Minutes
- Report of Township Board Representative to the Planning Commission
- Report of Planning Commission Representative to the Zoning Board of Appeals
- Zoning Administrator Report
- New Business
 - Master Plan survey discussion
 - Set schedule of PC Meetings
- Old Business
 - Non-conforming lots
- Set Public Hearing Dates
- Set/Confirm Date of Next PC Meeting
- Planning Commission Comment
- Public Comment
- Adjournment

Note: A quorum of the Hayes Township Board members may be present at this meeting. No Hayes Township Board business will be discussed or conducted at this meeting.

Draft

Minutes of the Hayes Township, Charlevoix County, MI

Planning Commission Meeting

December 18, 2018

Members attending: Cliff Biddick, Omar Feliciano, Matt Cunningham, Marilyn Morehead, Ed Bajos, Doug Kuebler, and Roy Griffiths.

Also Present: Larry Sullivan, zoning administrator, and Frank Shepherd

The regular meeting of the Planning Commission (PC) was called to order at 7:04 pm by Marilyn Morehead, vice- chair, who asked everyone to join her in reciting the Pledge of Allegiance. Ms. Morehead passed around an information verification sheet created by the Township Clerk and the new sign in form. She then welcomed a new PC member, Mr. Kuebler. This was followed by a review of the agenda.

There were no Conflicts of Interest declared.

There were no Public Comments related to the Agenda.

Approval of Minutes

Mr. Bajos made a motion to approve the minutes as corrected. Mr. Biddick seconded the motion. Motion passed unanimously.

Report from the Township Board Representative to the Planning Commission.

Mr. Cunningham reported on the December 10, 2018 Board of Trustees (BoT) meeting. Actions taken by the BoT included the approval of the bid for snowplowing and the purchase of a new computer for the treasurer. BoT meeting dates for 2019 were approved. Doug Kuebler was appointed to the Planning Commission. Bob Jess will fill the vacancy for Board representative to the Zoning Board of Appeals. The BoT approved the payment of the Township Park construction bill #5 in the amount of \$426,955.56 and change order number 7 was approved in the amount of \$286. Jim Rudolf, Omar Feliciano, Janet Carlson, Roy Griffiths and Jodie Hostler were reappointed to the Board of Review. Ron VanZee is appointed the Board representative to the Parks and Rec committee. The issue of recreational marijuana is scheduled to be discussed at the next BoT meeting. The township is advertising for a recording secretary to support the various boards and committees. The next BoT meeting is scheduled for January 14, 2019.

Questions about the activities of the proposed recording secretary and recording the of the meetings was discussed. There was no correspondence from the PC to BoT.

There were no Zoning Board of Appeals meetings.

Zoning Administrator (ZA) Report

Mr. Sullivan reported that there were three building permits applied for and one issued in the month of November with two being held over pending receipt of additional information. The Arrigo and Culp application for construction of a residence on Lake Charlevoix which will require a site plan review and the shoreline review subcommittee. Mr. Sullivan has sent them a letter with three conditions to be met prior to the issuance of a building permit, which after further discussion has been amended to two conditions. The dwelling will be setback more than 100' from the waterfront but there is a structure and some lawn area that may not be in compliance with the current zoning requirements.

The Wagar property on Susan Lake where request to build an approximately 900 sq. ft. accessory building would require a shoreline review will be dealt with through a land division process, which results in three parcels. Each parcel would be sufficient to allow the construction of the building. This would allow the issuance of a building permit.

There were no land division requests in November, one is anticipated soon as described above. There were no nuisance complaints received. The potential zoning violation issue previously discussed regarding temporary housing of construction workers is still under investigation. No short term rental license applications were received, the Katt application continues to wait upon further documentation.

The appropriate support for the PC meeting was provided as well the scheduling of the Public Hearing on the Parks and Rec plan for January 3, 2019. Notice was given as required and posted. Attended the various meetings as required.

New Business

Election of Officers for 2019

Ms. Morehead opened the floor to nominations for the Chairperson position. Mr. Bajos nominated Roy Griffiths for election to the position. Mr. Biddick seconded the motion. Mr. Kuebler moved that nominations be closed, Mr. Biddick seconded the motion. Ms. Morehead called the question which passed unanimously.

Ms. Morehead then asked for nominations for the position of Vice-Chair /Secretary. Mr. Cunningham nominated Omar Feliciano for the position. After a brief discussion regarding the secretary position duties Mr. Biddick seconded the motion. Mr. Biddick then moved that the nominations be closed, Mr. Kuebler seconded the motion. Ms. Morehead called the question and the vote was unanimous in favor of Mr. Feliciano.

Preparation for the Public Hearing

A brief discussion of the process to be used in holding the Public Hearing on the Parks and Rec plan, scheduled for January 3, 2019 at 7 pm at the Township Hall occurred. The purposed of the meeting is to receive comments from the public on the proposed plan and relay them to the Parks and Rec committee for review prior to their submission to the BoT for final approval. It is the intent of the PC to primarily accept the comments from the public and not to debate the plan contents. It is anticipated that there

will be a brief overview of the key changes to the plan prior to the acceptance of the public comments. After the closing of the public hearing the comments will be turned over to the Parks and Rec committee for consideration and inclusion into the final plan draft. The plan is to be approved by action of the BoT.

Review of Draft Master Plan Survey

A brief review of the contents of the survey was initiated with the intention of finalizing this at the regular January 15, 2019 meeting, with Claire Karner. The PC should review the draft for content and wording of questions and be prepared to commit to a final format at that meeting. A decision on the distribution and collection of the responses will also occur at that time.

PC Service Plaque

MS. Morehead presented her work on this project and distributed the list of all who have served on the PC since the 1967 inception. Ms. Morehead will work on getting information on the best way to create a plaque and display it at the Township Hall. A brief discussion of the information contained in the plaque was held.

Old Business

The Jessie Bowman building permit issue was reviewed again. The PC voted to endorse the actions of the Zoning Administrator regarding the competition of the replacement mobile home. Mr. Griffiths moved, Mr. Biddick seconded, motion passed unanimously.

Set/Confirm Date of Public Hearing

A public Hearing is scheduled for January 3, 2019 at 7 pm at the township hall

Set date of the next PC Meeting

The next regularly scheduled meeting of the Planning commission is scheduled for Tuesday January 15, 2019 at 7 pm at the Township Hall. Mr. Nugent has forwarded a list of the scheduled PC meetings for 2019 to review.

Planning Commission Comments

Mr. Feliciano asked about the term ends to insure staggering of the term ends. The BoT will address the issue at the January meeting during which reappointments will occur.

Mr. Griffiths discussed the planning issue raised in the Resort Township Master Planning review which is discussing ADU's/Granny flats as an issue for aging in place, as an informational item.

Mr. Griffiths then discussed the opinion from the Township Attorney on the scope of action permitted by the Shoreline subcommittee under the most recent ordinance. It appears that the ordinance will need to be amended to specifically allow the subcommittee and the Zoning Administrator to use flexibility in

applying the standards in an effort to accommodate the various landscape plan options that may be created by applicants.

Mr. Feliciano read the information regarding the Parks and Rec committee meeting on January 2, 2019 at which a presentation on “What is a water trail, regulatory framework, leveraging water trails for economic development, and getting organized and more.

Public Comments

Mr. Shepherd asked if it was appropriate to publish the list of those who served on the PC at this time. It was determined that it would be better to wait until the review was complete and the final plans solidified before publication.

Adjournment

Mr. Bajos moved that the meeting be adjourned, Mr. Biddick seconded the motion. The meeting adjourned at 7:58 pm.

Compiled by: R Griffitts

Submitted by: M Morehead

Draft PC 2019 Meeting Dates

January 15

February 19

March 19

April 16

May 21

June 18

July 16

August 20

September 17

October 15

November 19

December 17

These are the dates for the third Tuesday of each month.

Zoning Administrator Report**December 2018**

Zoning Permits/Actions for December 2018

Permit #	Parcel #	Owner Name	Address	Improvement
18-11-01 Pending	002-017-50	Brad Arrigo & Kathleen Culp	07914 Boyne City/Charlevoix Road	Construct Residence
18-12-01	465-004-00	North Star Development	North Star Drive Lot 4	Construct Pole Barn- Transfer of Permit from Lot 2
17-06-03B	127-006-40	Travis Burke	07790 Burgess Road	Amend Permit to Account for Deck
18-12-02	116-002-00	American Tower Corp.	09631 Old US-31 North	Replace and expand antennas, no increase in height

Zoning Permits

Zoning permit activity centered around 4 permits, the first being the Arrigo/Culp permit which has been applied and paid for but has yet to be granted due to the need for a review by the Planning Commission under the new provisions pertaining to the Waterfront Development Review Section of the Zoning Ordinance (Section 3.14).

The second zoning permit was actually a shift of an already issued permit from one site condo lot to another, with no change in dimensions or setbacks from the first site the building was to occupy. The third permit was an amendment to a previously issued permit to account for the deck which was not included in the dimensions that were originally calculated for the permit fee.

The fourth permit was to replace three antennas on an existing tower, and add three additional antennas. The replacement and addition of antennas would not increase the overall height of the existing tower and antennas nor would it exceed the engineered capacity of the tower which if exceeded could create a safety hazard.

Land Divisions

Conversations have been ongoing with a property owner to split his property to allow an accessory building to be constructed on his property. I have had discussions as to the zoning ordinance requirements with the builder, the property owner and surveyor as to the requirements that would need to be met. I have also been having conversations with the Little Traverse Conservancy regarding a potential parcel split and combination with another parcel upon which a conservancy agreement would be put in place.

Nuisance Complaints

No nuisance complaints were received during the month of December.

Zoning Violations

No violations have been observed or reported during the month of December...

Short Term Rental Licenses

No applications have been received for short term rental licenses during the month.

Secretarial Work on behalf of the Planning Commission

The packet was copied and mailed out for the December Planning Commission meeting. I did provide some samples of an attitude survey being undertaken in another community and the Planning Commission did decide to incorporate portions of it into the survey for Hayes Township.

I spent a considerable amount of time and effort reviewing the draft Recreation Plan and making copies of it for the Public Hearing. In addition, I did spend a fair amount of time coordinating with the Planning Commission members a date for the Public Hearing on the Recreation Plan that is to be held in early January. It is always difficult attempting to schedule a special meeting with everyone's busy schedules but it is even more so during the holidays. The meeting got scheduled and the public notice was published in the Petoskey News Review.

Zoning Board of Appeals

No ZBA meeting was scheduled for December. I have been requested to post the Organizational Meeting of the Zoning Board of Appeals in January.

Other News

The Township has recently received a set of the newly revised Flood Insurance Rate Maps for Hayes Township. For those that are interested in taking a look at them, please contact me and I can arrange to meet with you to take a look at the maps. I have not had an opportunity to look at them myself but I will be shortly. These maps will become effective on May 16, 2019.

Meetings Attended

I have attended the December Township Board meeting as well as the Planning Commission meeting.