



42 **Report of Zoning Board of Appeals Representative:** By Roy Griffiths (Planning Commission  
43 Representative)

44 Zoning Board of Appeals did not have a meeting this month. A revised draft of bylaws has been passed  
45 back and forth between members. A meeting will need to be scheduled shortly to review and sign said  
46 bylaws.

47

48 **Zoning Administrator Report:** By Larry Sullivan

49 Mr. Sullivan, Zoning Administrator, presented a written report with an oral overview for February. A  
50 zoning permit was applied for by Lloyd Kelley to restore shoreline vegetation in order to remove a  
51 zoning violation which would allow the residence to be sold without a clouded title. Arrigo Family LLC  
52 applied (last fall) for a permit to construct a single family dwelling and restore shoreline. Due to the  
53 magnitude of the development being proposed, it was necessary to require a shoreline restoration plan  
54 and a review of said plan by the Shoreline Protection Committee as well as The Planning Commission.

55 No new land division but an application is pending for the Wager property on Susan Lake.

56 No nuisance complaints.

57 No zoning violations to report.

58 No short term rental licenses were issued in February.

59 Mr. Sullivan worked very diligently on Elmer's Special Use Permit request to locate a concrete batch  
60 plant on the former C.H. Smith property on the corner of Maple Grove and Boyne City/Charlevoix Road  
61 and creating the February Planning Commission meeting packets. Preparations included notifying all  
62 property owners within 300 feet of Elmer's property, publishing the Public Hearing Notice for the March  
63 13, 2019 meeting. The Zoning Board of Appeals is continuing to work on their Rules of Procedure. Mr.  
64 Sullivan attended the February Township Board meeting, Planning Commission meeting and the Zoning  
65 Board of Appeals meeting. Mr. Sullivan was asked if there is anything new going on with Elmer's Special  
66 Permit request. He stated that they have requested a postponement via an email for the  
67 reconsideration/retable request until the June Planning Commission meeting. A conversation began  
68 among Planning Commission members regarding posting requirements for next meeting. Per Mr.  
69 Griffiths, all discussion regarding Elmer's will be held in a public meeting, it will not be discussed at  
70 tonight's meeting. He has been conferring with the township attorney so everything is by the book. A  
71 discussion ensues regarding a new application from Elmer's versus an amended application, and where  
72 does the Planning Commission draw the line as far as changes to current Special Permit request. Frank  
73 Sheppard has several questions about the landscaping business over by American Waste. He is  
74 concerned about landscaping debris that is lying around and is wondering if there is anything Mr.  
75 Sullivan can do to get that said property looking better. Mr. Sullivan will look into. Several trees are  
76 down in area and it is no longer screened.

77

78 **New Business:**

79 Mr. Griffiths began the New Business portion of the meeting with a quick review of the Master Plan  
80 Survey. An estimate of responses is in the ballpark of 210 total surveys returned thus far (130 returned  
81 via mail and 75-80 surveys completed on website). Frank Sheppard asked for clarification on residents  
82 that have multiple properties and received multiple surveys. Mr. Griffiths responded that he himself  
83 only filled out one in spite of having multiple properties. The Board of Trustees received a request for

84 additional monies to compile results from survey. Mr. Griffiths believes due to time restraints and the  
85 magnitude of the work required it is necessary to have it compiled by an outside source. More  
86 information and clarification will be available when the contact returns to work shortly. Mr. Feliciano  
87 and Mr. Griffiths commented on the quality of the Master Plan survey result report and that they expect  
88 a clear, classy informative report with graphs, charts, etc. There will be a final breakdown of costs  
89 related to the survey in the form of a final bill.

90 New business topic then moved on to a budget for the upcoming year. The Planning commission took a  
91 moment and reviewed the budget from the previous year and then began discussion.

92 File Clerk: remove

93 Recording Secretary: Position paid per meeting. There are 12 scheduled meetings a year. In lieu of  
94 everything going on in the township the Planning Commission agreed to budget for an additional 4 extra  
95 meetings for a total of 16. Applicants are charged for Public Hearings so no need to factor those into  
96 budget.

97 Office Supplies: Reflecting on the amount of paper and supplies used for Elmer's thus far and looking  
98 forward to what is anticipated regarding the Master Plan the Office Supply budget was increased from  
99 \$300.00 to \$750.00.

100 Services/Education: There is a big push for education this year. Education/Training budget request will  
101 be an increase from \$612.00 to \$2500.00. Several members have already submitted their paperwork for  
102 MTA planning and Zoning Workshop.

103 Zoning Administrator Cell Phone: Remains Same

104 Master Plan: The question is asked "How many times can Claire or John come to meetings @ \$90.00 an  
105 hour. Someone suggested 6 times for Master Plan plus a couple more to address/clarify shoreline  
106 ordinances. Mr. Griffiths requesting 9 sessions to be included in next year's budget. Mr. Sullivan  
107 suggests Mr. Griffiths can run Master Plan Public Meetings because it will only entail taking public  
108 comment. Mr. Sullivan believes that outside of attending public meetings, additional time should be  
109 considered for complying and analyzing public comments. Mr. Feliciano believes a Master Plan consists  
110 of approximately 3-4 stages, including public comments, complying data/maps, etc. Mr. Griffiths  
111 determines that this budget request will have some blanks left on it that will need to be filled in next  
112 meeting after receiving more data. Thus Education budget request will be \$1250.00. Services budget  
113 request is TBD. Publication and Printing budget request will be (10 x \$70) \$700.00.

114  
115 **Old Business:** Mr. Griffiths suggests some topics that will be discussed in the near future, "What areas in  
116 zoning need to be updated?" Encourages everyone needs to think about it. He would like all ordinances  
117 to match the Planning Commission's decisions. Omar would like each member to start researching local  
118 township's Master Plans.

119  
120 **Set Public Hearing Date:** Meeting is set for April 16, 2019 at 7:00 p.m. at Hayes Township Hall to hear a  
121 request from Elmer's to postpone Special Permit meeting until May 16, 2019.

122  
123 **Set/Confirm date of Next Planning Commission Meeting:** The next Planning Commission meeting is  
124 scheduled for April 16, 2019 at 7:00 p.m. at Hayes Township Hall. A discussion ensues regarding how to  
125 handle the postponement request from Elmer's and not violate the Public Meeting Act. Elmer's

126 originally requested a postponement on Special Use Permit until April 16, 2019. Elmer's will have to  
127 request another postponement at the April Planning Commission meeting to postpone until the June  
128 Planning Commission meeting. Thus the April meeting will remain a Public Meeting and public comment  
129 can be heard. Several residents have requested to be notified if Public Meeting date will be changed to  
130 ensure that they will be in town and can attend. Very likely, the April meeting will only consist of  
131 Elmer's request to postpone until June. Mr. Griffiths, who has been in conversation with township  
132 attorney (Bryan Graham), would like to get the word out to residents to that fact and still be compliant  
133 with the Open Meeting Act. Technically, The Planning Commission, despite an email from Elmer's  
134 requesting a postponement until the June meeting, has to hold the April Public Meeting to officially  
135 accept or deny the postponement request. Mr. Griffiths suggests making it clear that the agenda for the  
136 April meeting is to address Elmer's request to postpone until the June meeting. The Planning  
137 Commission will continue to comply with Open Meeting guidelines as far as notifying the public. Mr.  
138 Sheppard suggests using the newsletter to notify residents.

139

140 **Planning Commission Comments:** The next Planning Commission Meeting is scheduled for April 16,  
141 2019. Mr. Cunningham asked "How will the Master Plan be filed? Will a motion need to be made on  
142 that?" Mr. Griffiths responded "He does not believe so." Mr. Feliciano added, "Isn't that part of the  
143 Boards decision that they (the consultant) will complete the survey". Mr. Griffiths restates that Ron  
144 (VanZee) has received a request from Claire Karner for additional monies to do the survey analysis.  
145 Matt Cunningham makes Motion, seconded by Mr. Bajos, to have Claire Karner file the information for  
146 the survey and produce Master Plan ready documents.  
147 All supported by saying Yea, motion passed.

148

149 Mr. Biddick inquired, "How will the Parks and Rec Master Plan factor into the Township Master Plan?"  
150 Mr. Feliciano responded, "From what he understands, the Parks and Rec Master Plan is an extension of  
151 the Master Plan." It is not a separate plan but part of the Township Master Plan.

152

153 **Public Comments:** Mr. Sheppard requested clarification regarding notification for Public Hearing  
154 Meetings. Mr. Sullivan stated that he has been in contact with Bryan Graham (Township Attorney) to  
155 clarify notification legalities and what technically has to be done and what is good public policy. Mr.  
156 Sullivan suggested that in all probability it will be the same process, notification of land owners 300 feet  
157 from property, posted notice at township and a posting in the newspaper. Mr. Griffiths replied that it  
158 has been the practice that when an applicant has requested additional time after submitting an  
159 application and had a special hearing and a postponement; the Planning Commission has allowed the  
160 applicant to make amendments. In the past, The Planning Commission has voted on amended  
161 applications without opening the public comments again. He does not know if that will be the same in  
162 this particular case (Elmer's). Mr. Graham will determine what direction the process will go. Mr.  
163 Sheppard questioned the fact that people deferred their comments at the initial public hearing. Mr.  
164 Sheppard also stated that he went back and checked his recording of the March Public Meeting and that  
165 Troy Broad, owner of Elmer's, stated "Maybe a year or so." Mr. Griffiths replied "Up to a year." Mr.  
166 Sheppard restated and reiterated his previous statement and added that he went and listened to the  
167 tape again.

168

169 **Adjournment:** The Chair asked for a motion to adjourn at 7:56 p.m. Ed Bajos made the motion, Cliff  
170 Biddick supported the motion. All supported by saying Yea.

171 Motion passed.

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173

174 Recorded By:

175

176 Kristin Baranski

177 Recording Secretary

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179

180 Respectfully Submitted

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182

183 Omar Feliciano , Vice-Chairperson