

001
**HAYES TOWNSHIP
PLANNING COMMISSION
AGENDA
May 15, 2018**

- Call to Order
- Pledge of Allegiance
- Review Agenda
- Declaration of Conflict of Interest (if any)
- Public Hearings

Special Use Permit - Storage Buildings - Falls Enterprises, 11770 US-31 North

Special Use Permit - Cottage Industry - Ronald Shanks, 7797 Pincherry Road

- 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
 Budget
- Old Business
- Set Public Hearing Dates
- Set/Confirm Date of Next PC Meeting
- Planning Commission Comment
- Public Comment
- Adjournment

Draft Written by: R J Jess**412 Planning**

| | | |
|---------|--------------------|-------|
| 412-417 | File Clerk | 0 |
| 702 | Secretary salary | 0 |
| 703 | Per Diem Pay | 9,000 |
| 727 | Office Supplies | 300 |
| 800 | Services/Education | 9,200 |

Zoning is not included in this budget and has been separated from 412 heading for purposes of draft budget. It would seem appropriate for ZBA to make their budget.

PC wants file clerk out of our budget and more explanation on why this is/was necessary?

For item 800 PC estimates \$8,000.00 for professional planner and \$1,200 for education.

Draft Minutes of the
Hayes Township Planning Commission meeting

April 17, 2018

Members attending: Omar Feliciano, Matt Cunningham, Bob Jess, Marilyn Morehead, and Roy Griffiths. Also attending were Larry Sullivan, township zoning administrator, and Mrs. Collard.

Mr. Jess called the regular meeting of the Hayes Township Planning Commission (PC) to order at 7:02 pm and asked everyone to join in reciting the Pledge of Allegiance. This was followed by a review of the Agenda. Ms. Morehead suggested that we move a discussion of the next year's budget up the agenda to new business. There were no public hearing scheduled and the remainder of the agenda stood as proposed.

Declarations of Conflict of Interest:

Mr. Jess called for any declarations of conflict of interest. There being none, he moved on to the next item on the agenda.

Public Comments Unrelated to Agenda Items:

Mr. Jess called for any comments and there being none moved to the next item on the agenda.

Review and Approval of the Minutes of the March 20, 2018 PC meeting:

After review and clarification of an abbreviation, Ms. Morehead moved that we approve the minutes as drafted. Mr. Cunningham seconded the motion and it was passed unanimously.

Mr. Sullivan suggested that the PC consider changing the format of the Minutes going forward to identify the topic headings. Further discussion on format and corrections was held and the scribe agreed to try the suggestions to the best of his meager ability.

Report from the Board of Trustees (BoT) representative:

Mr. Cunningham presented a review of the activities at the April 9, 2018 BoT meeting. He noted that the Lake Charlevoix association requested permission to add signage to the township welcoming signs identifying the Lake Charlevoix watershed area. The BoT adopted the proposed changes to Section 3.14 and 3.24 of the waterfront and landscaping zoning plan after changing the Susan lake setback to the original 80 feet distance. The Elliot Falls rezoning was discussed at length and ultimately tabled until an opinion on the matter is obtained from the township attorney. The BoT approved submitting a grant request to the Great Lakes Energy peoples fund for the sand-tastic project requesting \$1600.00, with some matching funds provided by the township and the Pine Point Association. Mr. Feliciano made a presentation on the resources required to be able to post additional information regarding the activities of the BoT and other committees on the township webpage. The BoT agreed to buy the software suggested to support this additional dissemination of information. A training session was scheduled for

the BoT, the PC, the Zoning Board of Appeals (ZBA) in conjunction with the Bay Township Board on April 30, 2018 at 6:30 pm., at the Hayes Township hall. Mr. Griffiths requested that the training session be recorded for those who may be able to attend and for future training purposes.

The BoT approved a pay increase of 2.1% to reflect the current rate of inflation for the BoT members. The next BoT meeting was set for May 14, 2018 at 7pm. and a budget planning work meeting was set for June 11, 2018 at 6pm. The mowing proposal from D&G enterprises was accepted. The BoT approved selling two buildings at Camp Seagull and a cleanup session at Camp Seagull was scheduled for May 12, 2018.

Following the completion of Mr. Cunningham's report discussion ensued about the software purchase and when and how best the PC packets can be made available to the public online. There being no further questions or discussion Mr. Jess moved to the next agenda item.

Report on the Zoning Board or Appeals:

Mr. Jess reported that the ZBA met two months previously to organize the committee for the coming year. There have been no other meetings requested or required of the ZBA since that time.

Report of the Zoning Administrator:

Mr. Sullivan reviewed the written report which is available on the township website. One zoning permit was issued which resolved an earlier complaint regarding tree cutting on the Lake Charlevoix shoreline. There were no land division applications for March and one was received in April. No nuisance complaints were filed, however one was received just prior to the meeting involving trash on a property in Bayshore which had been foreclosed. The trash included syringes and needles and the health department was notified as was the finance company which currently owns the property.

Zoning violations of Mr. Graham have yet to be resolved in the legal system. Two notification of tree cutting in the green belt were investigated and appropriate steps were taken to ensure compliance. Short term rental inspections revealed a discrepancy between the approved housing capacity and the current house configuration. The appropriate agencies were notified and they will be following up on the issue. A second application is still pending an inspection and scheduling difficulties are being addressed.

Mr. Sullivan shared his attendance at a variety of meetings as well as preliminary discussions with Great lakes Energy regarding a potential new facility in the township and two tower companies regarding proposed activities. Two permit applications were received for the Summerhill Way development one permit was issued and the second is pending a site visit and health department approval. There have been several inquiries regarding accessory buildings and a general uptick in inquiries should give us an active building season.

Mr. Jess asked follow-up questions regarding the identity of the contractors involved in the tree cutting complaints. Two different firms were identified. Mr. Sullivan indicated he would be returning to the Lake Charlevoix site to make certain the appropriate site clean-up was done. Mr. Jess also asked for

more information regarding the one of the meetings Mr. Sullivan attended on pipeline safety. It was a safety training conference for builders, zoning administrators and other who might be involved in projects near pipelines and was sponsored by the pipeline companies. Ms. Morehead asked a follow-up question on the proposed property split and further information will be presented at a later date. Mr. Jess asked a question related to an issue raised by a resident in the previous month's meeting relating to the need for a mining permit to do the work at Camp Seagull. Mr. Griffiths added further that the question also included whether there was a need for a soil erosion permit? Mr. Sullivan indicated that he thought that the contractor would deal with these issues prior to the start of work. He further stated that he would inquire when next at the building department.

Mr. Jess then suggested that under section VII-7D of the zoning plan that under the sections of the plan dealing with site review his belief is that the park plans are required to be brought before the PC for review do to the scope of the earth moving involved in the park development. Mr. Sullivan suggested that this issue might be asked about with the township attorney at the upcoming training session. Further discussion of the ordinance and its applicability to the park ensued. After discussion Mr. Cunningham made a motion that the Camp Seagull requires a site plan review due to language contained in VII, 14 and 15b and 2 dealing with the amount of work to be performed within the 100' distance from the high water mark. Mr. Griffiths asked for clarification on the areas under consideration and upon receiving that agreed to second the motion. Further discussion clarified that the motion was to ask the BoT to bring the site plan before the PC and not a motion to seek a legal opinion on the issue. The question of whether the PC has jurisdiction over the site plan process for Camp Seagull needs to be clarified specifically with regard to item 15. Mr. Jess offered to contact the attorney and seek guidance on this matter. Mr. Sullivan suggested that this would be most effectively done with a written request to the attorney. Mr. Feliciano asked also that the attorney's response cite any applicable state statutes that might apply to the opinion. Based upon the issued raised in the discussion on the motion, Mr. Cunningham withdrew the motion. At this point discussion on the topic was closed and Mr. Jess moved the next agenda item,

New Business

Waterfront ordinance discussion

Mr. Jess congratulated the members of the PC for the hard work done in creating this ordinance update.

Master Plan Discussion

Mr. Jess offered that the PC is due to review and update the township's Master Plan. At the next meeting we need to bring suggested topics for review in the plan. Ms. Morehead recalled the discussion from the previous meeting in which Mr. Feliciano offered to bring some suggestions on how to review the existing plan and also the plan review did not require rewriting the entire plan. Mr. Feliciano passed out copies of materials he has researched on the review processed to be reviewed for discussion at the next meeting. This led to discussion of the use of a planning professional. Mr. Cunningham asked if we should inform the public of the start of the review process and invite public feedback and input on the

plan. This met with a consensus agreement. Mr. Griffiths suggested that feedback be solicited from the public in written form. This too was agreed with.

Mr. Jess suggested that given we may have two public hearings at the next regularly scheduled meeting that set aside a few minutes on the agenda to focus on what areas of the plan we might look at. Mr. Feliciano asked that we have a blown up copy of current zoning map available for the discussions. This led to the suggestion that we ask for a flat screen monitor for the township which would allow us to use available online resources. Ms. Morehead moved that we have a discussion on reviewing the Master Plan to see what needs to be updated and reviewed at the June 19, 2018 meeting, with Mr. Feliciano making the initial presentation and we should all be looking at our copies to be prepared and that we inform the public of this meeting. Mr. Cunningham seconded the motion. Mr. Jess asked about the topic of Mr. Feliciano's presentation as envisioned by Ms. Morehead. Ms. Morehead responded that she thought it would be a presentation of the materials Mr. Feliciano has developed and it would lead us into further discussion on the Plan review. There being no more questions Mr. Jess called for the vote, motion passed unanimously.

Mr. Sullivan added a comment reminding the PC to look at the mixed residential use classifications in the vicinity of American Waste to the Lutheran Church, on the south side of 31.

Budget Discussion

Ms. Morehead raised the question of whether or not the PC wanted to hire someone to take the minutes. Mr. Griffiths asked for some time to consider the question. Mr. Jess clarified the timeline on the budget work session and then the committee looked at the budgetary items for the next year. In addition to training and the stipends there should be funds available for a planning consultant. The form of the consulting arrangement is to be developed in the future. Mr. Feliciano asked that we request at least a \$1000 for a training budget. Mr. Griffiths and Mr. Cunningham reviewed the current budget by category as starting point for suggesting a budget for next year. Discussion followed on how to best establish budgeting criteria and rationale for the requests. Pricing for the Beckett and Raider services four times a year at \$8000 and \$1200 a year for training for PC members only and the ZBA is to develop an appropriate budget request for the activities of its members. A discussion on per diems resulted in a suggestion of \$8000 for the year. The office supplies will be impacted by the push to put more information online and \$300 would be reasonable again this next year. The projected budget request is approximately \$17,500 in total, subject to confirmation of the assumptions made during the discussion and resolution of the secretarial support question. Ms. Morehead offered further discussion on the secretarial support needs and what it might take to support the activities of the PC. A decision on this topic has been tabled for further evaluation. Mr. Jess summarized the discussion and has developed a basis for budget discussions with the BoT. At this point he moved onto the next agenda item.

Old Business

Reviewing the items on the old business list we struck the issue of online packets as this activity is currently in progress.

Budget discussion was completed in new business and has been struck from the list.

Workforce housing, Non- conforming lots and wood fired boilers are issues still be discussed and will become part of the Master Plan review process, and are struck from the old business topic list.

There being no additional old business items Mr. Jess moved to the next item on the agenda.

Public Hearings schedule

Mr. Sullivan stated that the Ronald Shanks application for a cottage industry permit to store up to 10,000 pounds of fireworks materials in a structure consisting of shipping container placed on the property. Discussion on requirements from the Federal Bureau of Alcohol, Tobacco and Firearms on storage of this kind of material will be provided by Mr. Sullivan as part of the application packet. Mr. Feliciano has downloaded some further information on the storage of explosives and will forward that to PC via email. It is imperative that all required paperwork be complete before this application will be considered by the PC. This also raises implications for the Master Plan review going forward.

A potential second hearing would be for a site plan review for the Elliot Falls project. This would be contingent on the decision by the BoT on the Elliot Falls rezoning request. This decision by the BoT will occur in the period between PC meetings and the outcome will dictate the scheduling of the site plan review.

Planning Commission Comments

None

Public comments

Mrs. Collard asked if we had a copy of the approved ordinance update as passed by the BoT and if so could she have a copy of it? Mr. Jess responded he had an electronic copy and would share a copy. This led to a discussion of updating the PC member's books with the new language when the ordinance came into effect. New copies will be provided after the effective date.

There being no further comments or discussion Mr. Griffiths moved to adjourn, Ms. Morehead seconded the motion. The meeting adjourned at 8:37 pm.

Prepared by: R Griffiths

Submitted By: M Morehead