

Minutes of the Hayes Township, Charlevoix County MI

Planning Commission Meeting

June 19, 2018

Members attending: Cliff Biddick, Omar Feliciano, Matt Cunningham, Marilyn Morehead, Ed Bajos, Roy Griffitts and Robert Jess (late arrival).

Also Present: Julie Collar, Ron VanZee, township supervisor, and Larry Sullivan, Zoning Administrator.

The regular meeting of the Planning Commission (PC) was called to order at 7:01 pm by Marilyn Morehead, Vice Chair, who asked everyone to join in the Pledge of Allegiance. This was followed by a review of the agenda.

There were no declarations of a Conflict of Interest.

There were no Public Hearings scheduled.

There were no Public comments unrelated to the agenda.

The minutes of the Public Hearing were reviewed and approved as submitted. Motion for approval by Mr. Biddick and seconded by Mr. Bajos.

The minutes of the regular meeting were reviewed, corrected, and approved as corrected. Discussion of the recording of attendance occurred. Motion made by Mr. Bajos and seconded Mr. Biddick.

Mr. Cunningham gave a report as the representative of the Board of Trustees (BoT) to the PC. Mr. Cunningham reported that the Bot held a special meeting at 6pm on June 11, 2018. The purpose of the meeting was a presentation of the proposed FY 2018/2019 budget. Much discussion occurred regarding the format and content of the budget and it's transparency to the public as well as the issue of the recurring material deficiencies in the auditor's report. A decision was made to hire an accountant to help clarify the format and establish policies which will address the deficiencies.

The BoT then moved to its regular meeting at 7pm on the same date. At this meeting the BoT approved the proposed budget. It established a schedule of regular meetings to be held on the second Monday of the month. The review of the road bids were moved to the next meeting. The BoT is still sending out proposals for a new auditor. The Eastern avenue beach buoy installation will be done by Matt Berg. \$800 was approved to use Sandtastic to clean the Eastern Ave. beach. The Budget was amended to accomplish these items. The BoT approved closing Camp Seagull Park for the construction phase. The BoT asked that the PC appoint the subcommittee for the review of the waterfront plans. Marlene Golovich asked that the PC minutes be mailed to her and that there is a backlog of previous minutes due. Ms. Morehead asked about the start of construction at Camp Seagull. Mr. Feliciano commented that the PC packets are now being put online at the township website, and the process by which it is accomplished. A timeline was suggested for submissions to be posted on the website. Approved minutes should come from Mrs. Golovich. Mr. Feliciano will discuss this process with Mrs. Golovich.

There was no Zoning Board of Appeals (ZBA) activity and no report.

Mr. Sullivan reported that there were four zoning permits issued in May with one still pending Health Department approval. Mr. Bajos asked if there was a written report available? Mr. Sullivan responded yes and that he thought it had been provided. It was determined that it had not been received as part of the package. It is available on the website. The four permits were issued to Summerhill way, Great Lakes energy, American Tower Corp., Robert Peeks. There were two land division applications, Cannarsa and Foltz . No nuisance complaints received. The Ditech LLP., property has been cleaned up. Grady Graham property has been brought into compliance. The issue of the horses on Rocky beach road has been resolved. Letters on beachfront violations are to be mailed this month. Short term rental licenses situations has not been resolved.

Further discussion on the methodology for submitting the Zoning Administrator's report for posting ensued and Mr. Sullivan and Mr. Feliciano will work through the process.

In New Business, Mr. VanZee spoke at length on the upcoming Master Plan review. He spoke of his role on the county planning commission and how the Master Planning process occurs in the county and the process by which it is reviewed. He reiterated how important the Master Plan document was, as it the foundation document for the PC, special use permits (SUP), rezoning , and the ZBA decisions. If any of the decisions end up in court, the Master Plan is the document that judges pay attention to, not the zoning ordinance. He reiterated how important it is that the PC understands that anything that is in the zoning ordinance has to be backed by the Master Plan.

The Plan should reflect what exists, and what we hope the township will look like in the future. There is no requirement that we coordinate the Plan with any other township. We need to reflect the acquisition of Camp Seagull and the rezoning that has happened. Some of the decisions made in last few years do not agree with the current edition of the Plan and we should adapt the plan to reflect the new directions the township has taken. We should review the rezoning to determine why they happened and where they happened to see if conditions have changed in the township which might warrant changing an entire area to a different zoning district. This should be done in any area where rezoning has occurred. 9 mile point was given as an example of an area where multiple zoning variances were granted indicating that a special zoning district might be appropriate. This type of special zoning occurs in many areas where older developments make building difficult under current zoning criteria. The survey might need to be updated to reflect current thinking and that budget has been allocated should the PC decide that an update is beneficial.

Mr. VanZee recommended that we utilize resources available in the county to help in the process and particularly mentioned Kristen Stark at the county offices. The future land use plan ~~should~~ and the zoning map should be enlarged, updated, and made available to property owners and potential buyers who will have an interest in what the future may hold for their area. The Police and Fire emergency services are an area where we should consider the future growth of those services.

Ms. Morehead asked about the process for going forward with the review? Mr. VanZee responded with the suggestion that each part be reviewed separately at each of the next year's meetings so that the PC

as a whole can participate in the review of the entire plan. Mr. Griffiths asked a question regarding the role of the PC in economic development through the Master Plan? Mr. VanZee replied that the Economic Development part is something to be considered by the PC and the Plan should reflect in the plan the areas designated for growth and how it will impact the township. He then talked about the potential for the County to work with townships on economic development provided that they are prepared to deal with growth. He gave an example of the potential for a manufacturing plant in the area of the City of Charlevoix, which does not have any land left in the City. Further discussion on the potential type of manufacturing plant and potential locations ensued, including roads and infrastructure. Reference to Boyne City's development plans were made as an example of good planning.

Mr. Griffiths suggested that if we do not have a plan for potential development, then no one will seek to develop things in the township. Mr. VanZee then responded with discussion of effects that new development brings in regards to housing and spin off development secondary to the primary developed project. Mr. Feliciano commented on his preferences for development that is not detrimental to the environment. The environmental requirement imposed on the development of new manufacturing plants was briefly discussed. Mr. VanZee asked only that the PC be prepared to respond to development by planning for it before it happens. The discussion then focused briefly on how the PC integrates the need for development areas with the rural characteristics of the township. Mrs. Morehead again asked about the process of review and asked Mr. VanZee for a suggestion on where to begin? He suggested that we start the process by reviewing the survey to determine if it was still appropriate today, or are there any other questions we need to be asking? It may be that there are only sections of the survey that could benefit from an updated questionnaire. Ms. Morehead suggested that as an agenda item for the next PC meeting that we all review the survey responses from five years ago and be prepared to discuss whether an update of the survey would be useful, and if so what questions need to be asked.

Mr. Feliciano commented on the Master Plan in relation to the recreational sites and activities and the inclusion of information available to the public in a concise and accessible manner. As an example, the current system requires someone go to three different plans to see which area allows what activities. He showed an example of how it could be consolidated into one comprehensive portion of the Plan and the website. Mr. VanZee suggested that his example could even be expanded to show potential future planned areas. Ms. Morehead commented that excerpts from the plan could or should be made available in brochure format for public information purposes. Mr. Feliciano also asked whether we could with Mr. Sullivan's assistance get an updated zoning map. Mr. Sullivan stated that he did not think that the county had a correctly updated map available. Mr. Feliciano commented on how important large scale maps will be in informing the public and seeking input on the plan as many people use the visual information from the map in evaluating their input. Mr. VanZee stated he thought that updating the map would be a good project for one member of the PC who could go right to the county and they will go through all the records of rezoning and help update the map. Mr. Sullivan commented that the county records may not always include the final decisions made at the BoT on the recommendations of the PC on rezoning. He also commented that on the development of future manufacturing facilities in the Charlevoix area. There is not a requirement that the township include this type of development in

the plan, but that we need to include it in the discussion. He reflected on the changing preferences in community planning and the impacts on the educational system. Ms. Morehead commented that we need to consider Hayes Township not just as itself but also as part of a larger community that includes Charlevoix and the surrounds. Mr. Griffiths reflected that change and growth in the Charlevoix area has been difficult to accomplish. Mr. VanZee replied that our task was to be prepared to respond to opportunities as they arise and what types of opportunities we want accept in the township and where best to locate them. He also commented on the effects of a lack of planning that allows activities to occur through the SUP in many areas as opposed to planned use areas in the township. Ms. Morehead wrapped up the discussion by again commenting that we need to review the survey prior to the next meeting.

Mr. Cunningham asked about the City of Charlevoix industrial park? It is now not fully occupied but has been sold by the city and is privately owned. Discussion on the history of the industrial park and it's development was reviewed. Mr. Feliciano commented on the abandoned train bridge and asked how to request it be removed? He stated that it reflects poorly on the township from a tourism perspective and also as it ages with no maintenance it becomes a potential public safety hazard. Mr. VanZee will look into the matter.

Mr. Sullivan reviewed a procedural issue in the plan review. He suggested that the members review the Michigan Planning Enabling Act which tells us a list of things that need to be done as part of the review process, including notifying various other bodies of the intent to update the plan and request their cooperation on the process. This allows the opportunity to coordinate planned growth so that incompatible uses do not occur along common borders. The Resort Township proposed plan update is now available for our review and comment.

Ms. Morehead moved to the next item in new business, the appointment of the Waterfront Development Review subcommittee of the Planning Commission, section 3.12 of the ordinance. She proposed that we consider, herself and Ed Bajos as committee members. She also spoke with Grenetta Thomassey from the Tip of the Mitt Watershed council about serving as a third member of the subcommittee who agreed to do so. Ms. Morehead asked for discussion on the suggestion. Mr. Cunningham asked who was interested in serving on the committee. He polled the members and Ms. Morehead, Mr. Bajos, Mr. Biddick, and Mr. Griffiths expressed an interest in the role.

Mr. Sullivan commented on his hopes for being able to utilize the committee as part of his enforcement campaign planned for the month upcoming. Mr. Jess joined the meeting and after a brief review of the previous discussion and comments on the planned feedback process of the subcommittee to the PC, which led to a broader discussion of the need for the subcommittee to report to the PC and how best to do so. The subcommittee is advisory only, reports back to the PC and does have the authority to make final decisions on the projects reviewed. Mr. Feliciano commented that is important that we have a flow chart and document the process so that all can understand how the system is to work.

After discussion by the PC Mr. Jess offered the suggestion that the subcommittee could be either, Ms. Morehead and Mr. Griffiths, or Mr. Bajos and Mr. Griffiths, or Ms. Morehead and Mr. Bajos. Mr. Biddick

moved an advisory motion that the subcommittee be Ms. Morehead and Mr. Griffitts and Ms. Thomassey. Mr. Bajos seconded the motion, motion passed. It was noted that the decision rested with the Chair of the PC, Mr. Jess, who decided that the subcommittee would consist of those ~~in the~~ named in the motion.

There were no items of Old Business

There are no Public Hearing dates to be scheduled

The next regularly scheduled Planning Commission meeting is scheduled on July 17, 2018 at 7pm at the Hayes Township Hall.

Planning Commission comments were offered by Mr. Jess who congratulated Mr. Feliciano on getting the packet posted online, and is looking forward to this becoming a regular feature of the township website. Mr. Feliciano mentioned the availability of a training session offered by the MTA in Gaylord on July 12, 2018.

There being no Public Comment, Mr. Bajos made a motion to adjourn, seconded by Mr. Biddick. The meeting adjourned at 8:45 pm.

Compiled by: R Griffitts

Submitted by: M Morehead

Minutes of Waterfront Development Review Subcommittee,

Hayes Township Planning Commission, Meeting.

July 10, 2018 Minutes

Members attending: Marilyn Morehead, Grenetta Thomassey, Roy Griffitts

The initial meeting of the subcommittee was held at the offices of the Tip Of The Mitt Watershed Council (TOM) in Petoskey at 3 pm.

The purpose of the meeting was introductory and organizational.

The subcommittee reviewed the relevant portions of section 3.14 of the Hayes Township Zoning Ordinance as well as materials provided by TOM, regarding recommended native plants. Ms. Thomassey gave a supply of materials to the Township for distribution to interested citizens.

The subcommittee suggested that a standard be developed submitted to insure consistency in reviews of submitted landscape plans. It was also recommended that feedback from the zoning administrator be sought in developing this standard.

The meeting adjourned at 4pm.

Compiled by: R Griffitts