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**HAYES TOWNSHIP
PLANNING COMMISSION
AGENDA
August 21, 2018**

- Call to Order
- Pledge of Allegiance
- Review Agenda
- Declaration of Conflict of Interest (if any)
- Public Hearings _ none
- Public Comments Unrelated to Agenda Items

- New Business
 - Claire Kerner Master plan discussion, survey
 - Elliott Falls special use permit, site plan review
 - 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
 - Waterfront Development Review subcommittee of the Planning Commission discussion. Update. Mailings.
 - BOT funds for survey

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

Draft

Minutes of the Hayes Township, Charlevoix County, MI

Planning Commission Meeting

July 17, 2018

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

Members Excused: Robert Jess

Also Present: Larry Sullivan, Zoning Administrator, Julie Collard, Anthony Ariano, Bob and Deb Shanahan, Clare Kerner, Stephanie Baldwin Edgewater design rep.

The regular meeting of the Planning Commission (PC) was called to order at 6:58 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.

Public Comments unrelated to Agenda Items:

Mr. Ariano addressed the Commission on the issue of non-conforming lots and existing houses in older developments. He pointed out the hardship that newer zoning regulations placed on owners who wish to improve their houses. Specifically the problem issue is the 100' setback on the waterfront as well as side setbacks on previous approved narrow lots. Another issue is the difficulty in obtaining variances through the ZBA. Ms. Morehead asked whether Mr. Ariano had addressed this issue with the Zoning Administrator. Mr. Sullivan replied that they have spoken in the past and that the public have two methods of appealing a zoning hardship. One is to file a request with the ZBA and the other is to request that the PC amend the ordinance to change the setback ordinance. Ms. Morehead mentioned that these types of issues are to be addressed through the Master Plan Update process that has begun. She also clarified the Ariano projected timeline for construction. Mr. Griffiths reiterated that currently the most expeditious method would be to go through the ZBA, and that the PC would be examining this issue in the near future. Ms. Morehead commented on the difficulty in utilizing the ZBA as they must follow the Ordinance in a manner that allows the township attorney to defend against lawsuits. Mr. Bajos commented on the difference between spot zoning and special zoning districts, and that this was an issue that was long overdue for updating. Further discussion on how other areas have dealt with this type of concern was offered. Mr. Ariano indicated that he would write up his concerns and input and submit it To Mr. Sullivan for inclusion in the process.

Mr. Shanahan addressed the PC as the representative of a family trust regarding a parcel owned by the trust that currently is zoned as residential near the Rod and Gun Club. He asked that board consider a

commercial zoning area in that location. He was unsure of how to proceed and offered to put something in writing. Mr. Sullivan offered additional information on the property and indicated that he suggested to Mr. Shanahan that raising the issue with the PC would be helpful for the Master Plan review process. Ms. Morehead requested that he commit the issue to writing. Mr. Griffiths asked Mr. Shanahan what his timeframe for action was regarding the property as there is a rezoning request process available to him in the Zoning Ordinance. Mr. Sullivan commented that there were issues that would make the rezone request not effective at this time. Mr. Shanahan commented that they were looking at a 3-5 year timeline and that there was not an immediate need for action.

There being no further Public Comments, Ms. Morehead suggested that we move Ms. Kerner's discussion on getting organized to update the Master Plan to this point in the agenda with no objection.

Ms. Kerner introduced her intern Roman Rainy a student at University of Michigan. Ms. Kerner stated that she was presenting an overview of the master planning review process that the firm generally uses. She stated that she read through the master plan and the minutes of the last meeting to better understand the issues that are in front of the PC. The Plan review can take many different forms, from as little as reviewing the action plan goals to a complete rewrite and intensive public process. Ms. Kerner mentioned that the firm has done field work in many communities that face zoning issues like 9 Mile Pointe to help develop average setback data for the community to better understand the historical use patterns.

Ms. Kerner said generally there are four phases of the review process. The initiation, the community engagement, existing conditions, and then phase four is really thinking about zoning issues, updating the future land use map and zoning plan and policy issues. Ms. Kerner provided some questions that the PC can go through to decide on the scope of review anticipated.

Ms. Morehead talked about the previous month's meeting in which the Township Supervisor spoke to the PC about the importance of the review and the focus on the future of the township and the need to plan for growth. This led to a discussion of the survey in the last plan update. Was it sufficient to guide the PC in this update? Ms. Morehead suggested that the demographics section needed to be updated, and that she was not sure that another survey was the best way to go for fear that it will delay the process.

Mr. Griffiths asked a question regarding the presentation of the data in the prior survey seeking to understand the difference between the rating counts and response counts. Discussion ensued with no clear understanding to be determined. Mr. Feliciano suggested that an updated survey be considered as we now have our own township website and that we also consider a mail survey to increase the number of residents who participate. The costs and administrative burdens of the survey process were discussed, and the targeted population for response. All property owners vs registered voters?

Ms. Morehead suggested that rather than discuss the process we needed to focus on the question of whether we survey or not, given the potential for increasing the time required to update the plan by waiting for input from the public. Mr. Griffiths suggested that given the issues that have been raised in the township over the last couple of years, e.g. the waterfront and recreational properties and

commercial zoning, that we should get some feedback from the township residents on these topics, while still moving ahead on others areas of the plan review. Mr. Biddick asked if we were talking about a complete new survey? Mr. Griffiths suggested that we could abridge the previous survey and develop a shorter version tailored to specific areas of public comment. Ms. Morehead asked Ms. Kerner if there were problems in using a shorter form of survey instrument. Ms. Kerner replied that a shorter, issue focused survey could be very helpful in developing the update. She also commented on the recent experience of Bay Township which did a four page hard copy survey mailed to allow property owners with a postage paid return envelope. This resulted in a very high response rate. She also provided other methods for increasing response rates. Questions on cost and time frames followed. Ms. Kerner suggested that that once designed, the survey could be sent out and data could be reviewed in approximately 6 weeks. Mr. Sullivan suggested that including the survey in the tax bills could reduce the costs of mailing a survey. Mr. Griffiths asked about online survey criteria and multiple responses to the survey.

Ms. Morehead asked that we task someone with developing a first draft survey for the PC to work from at the next meeting. Discussion ensued regarding the size and content of the questions in a short form survey document. Mr. Griffiths drew the short straw on this assignment. Other PC members are welcome to send suggestions via email to Mr. Griffiths prior to the next meeting. Mr. Feliciano will develop a question regarding an update of questions 7 and 13 in the old survey to include in the new one.

Ms. Morehead then asked Ms. Kerner for suggestions on how best to move forward in reviewing the plan sections chapter by chapter? She answered that she thought the existing conditions section would go fairly quickly, the demographics section needs updating and should reflect most current census data. The community goals and policies will benefit from the survey feedback and this is the area that will require the most time. If we want to utilize the time now to do field work on the communities that are in need of updated zoning districts regulations it would be a good use of time. The Zoning plan is an important part of the plan and is now required as part of the master plan in Michigan. Chapters 6, 7,8 are going to be a major focus of review and the review will also benefit from the survey responses. The future land use maps are a goal of this process also. The PC will contact Ms. Kerner when we get a draft survey finalized to review the content and process going forward. Ms. Kerner will email us the Bay Township survey results and put together a quote on fieldwork for the special zoning districts analysis.

Ms. Morehead then moved to the next item on the agenda, approval of the minutes of the June meeting. After corrections were submitted, Mr. Bajos moved accepting the minutes as corrected, Mr. Biddick seconded. Motion passed unanimously.

Report of the Township Board Representative to the Planning Commission.

Mr. Cunningham reported the Board held a special meeting on June 26, 2018 to move the date of the regular meeting to July, 16 2018, They discussed hiring an accounting consultant. They hired Mason, Kammerman, & Rohrback at the rate of \$100/hr. Camp Seagull phase one first change order was approved. On July 16 the meeting seasonal road brining was discussed with a second application to be

administered. They hired the firm of Mason, Kammermen, & Rohrback as auditors for the 2017/18 year audit. The board reviewed Camp Seagull playground equipment to decide which pieces to keep. The BOT amended the budget to reflect approved expenses. The BOT approved extra engineering fees to reroute the planned road which was design to pass too close to the host house. Val Kammerman gave a presentation on changes to the budget format and reporting to increase the usability of the documents. The BOT approved changes to the road design and approved a new cost for the Camp Seagull which now totals \$1,494,730.15 so far.

There was a complaint filed about the oak tree removal process and the potential to spread disease. Eastern avenue beach received permission to add sand to the beach. Mr. Hoadly (BOT)asked the PC to review the zoning plan to prohibit two house on one lot. In follow up discussion on the topic he referred the PC to Mr. Sullivan for more information. Mr. Sullivan discussed the issue citing an example where on one property the owner built a new home adjacent to an existing home. Rather than tearing down the first home, the owner built a long breezeway connecting the two structures. He was also required to disable the kitchen in the original home. Mr. Sullivan was concerned that shortly after his inspection the original kitchen was reactivated and it became two houses connected by the breezeway. Mr. Griffiths asked if there were other situations like this in the township. Mr. Sullivan answered that this was the most egregious example but that there are other situations that are similar. Discussion about the current zoning regulations versus enforcement arose and how or if the zoning regulations could be updated. Mr. Bajos asked why the township was liable for the extra engineering fees to change the road path when it was not done correctly?

There was no Zoning Board of appeals activity and no report.

Zoning Administrators Report

A copy of the report is available on the township website. Mr. Sullivan issued six permits in the previous month. There were two land division inquiries. Mr. Sullivan has been exploring procedures to best handle these types of requests and has provided copies of forms used by other townships. There were two nuisance complaints responded to. There is a list of zoning violation letters sent for shoreline protection strip violations. Additional letters are to be sent in the next round. Short term rental license issues are still outstanding pending corrections by the applicants. Mr. Sullivan asked that the PC consider defining single family dwellings in the master plan update, as it applies to short term rental properties. Discussion ensued and the topic will be considered in the future. Mr. Sullivan also distributed a survey from Leland township for our information.

Report of the activity of the Waterfront Development Review Subcommittee

Mr. Griffiths presented a brief report on the initial organizational meeting of the subcommittee. The issue of standardizing the review process was discussed and the input of Mr. Sullivan was requested to insure that the township provides consistent feedback to residents.

Public Hearing Dates. There are none scheduled but the Falls project may be coming back soon.

The next Meeting date is August 21, at 7 pm.

Planning Commission Comment

Mr. Feliciano commented on the timelines and process for getting items posted on the webpage. He also provided feedback on a training session he attended. It focused on topics that are current in townships and the process by which things are to be organized. Reporting timelines and the Farm act were reviewed. A host of other topics were touched on. Ms. Morehead congratulated Mr. Feliciano on attending and recommended that each PC member try to attend at least one educational session a year.

Public Comment. There were no comments from the Public.

Mr. Bajos made a motion to adjourn at 8:52 pm. Mr. Biddick seconded. Meeting adjourned.

Compiled by: R Griffitts

Submitted by: M Morehead

BAY TOWNSHIP 2018 SURVEY SUMMARY

INTRODUCTION

The following report summarizes the 2018 Bay Township Community Survey results. The Planning Commission developed the 2018 Community Survey to better understand the needs and desires of the residents of Bay Township. The results from the survey will be used to update the Bay Township Zoning Ordinance and will also help identify future land use practices and provide guidance to the Township Board.

METHODOLOGY

In February of 2018, a total of 1,103 surveys were mailed to Township residents. Addresses were compiled from the list of registered voters and from the County Equalization office. Due to the seasonal nature of many Bay Township residents, it was common for residents to receive a copy of the survey at their permanent address and at their Bay Township address. Every effort was made to reach all residents, including renters.

A total of 421 individuals completed the survey. Because one survey was mailed to each household (including seasonal property owners living outside the Township), we can estimate the response rate to be approximately 51%. This is based on the fact that there are 847 housing units in the Township (2016 American Communities Survey 5-year estimates). While 340 of the housing units are classified as vacant, the Census estimates that 92% of all vacant housing units are actually occupied seasonally. The vast majority of the surveys were returned by mail (92%), while 8% of surveys were completed online.

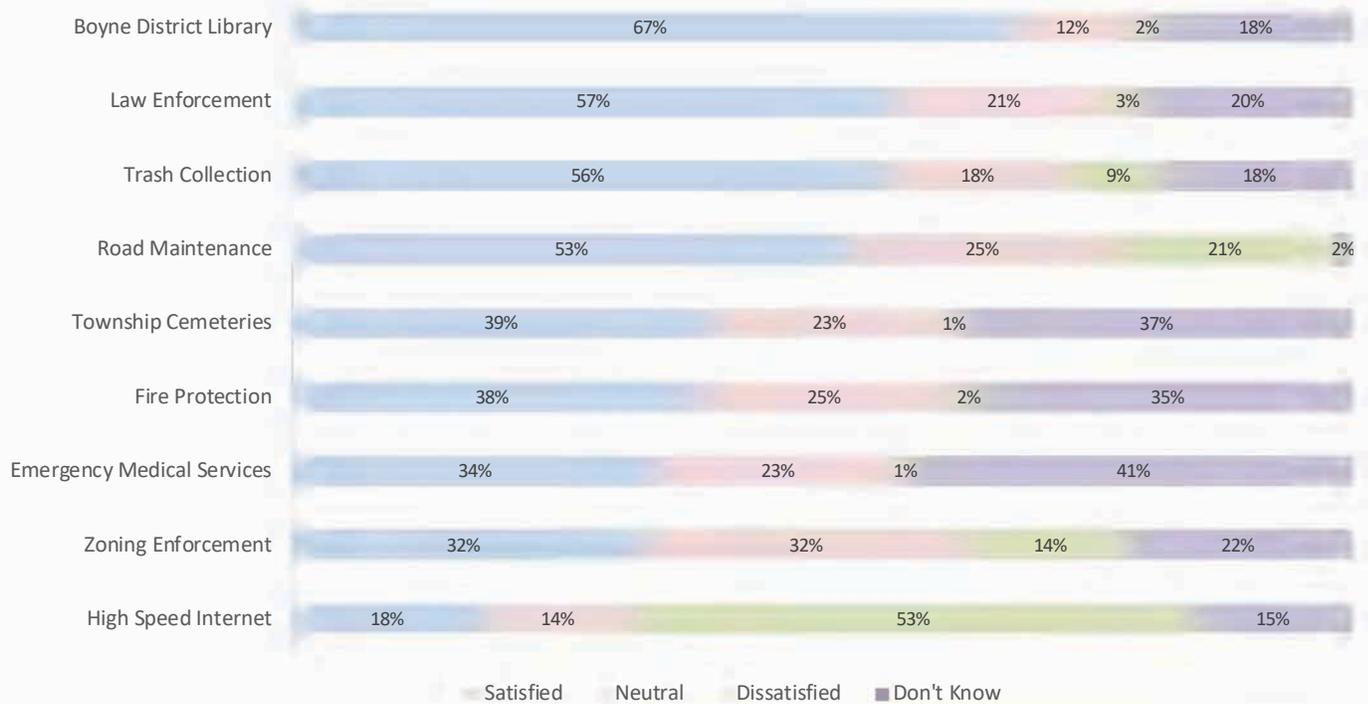
CONTEXT

The Bay Township Planning Commission is continually examining its planning and zoning goals and policies. The Bay Township Master Plan was last updated in 2006. During this update process, the Planning Commission developed a similar survey to inform goals, policies, and objectives for the 2006 Master Plan, and ultimately the Zoning Ordinance. As applicable, results from the 2018 survey are compared with results from the last community survey, which was conducted in 2004.

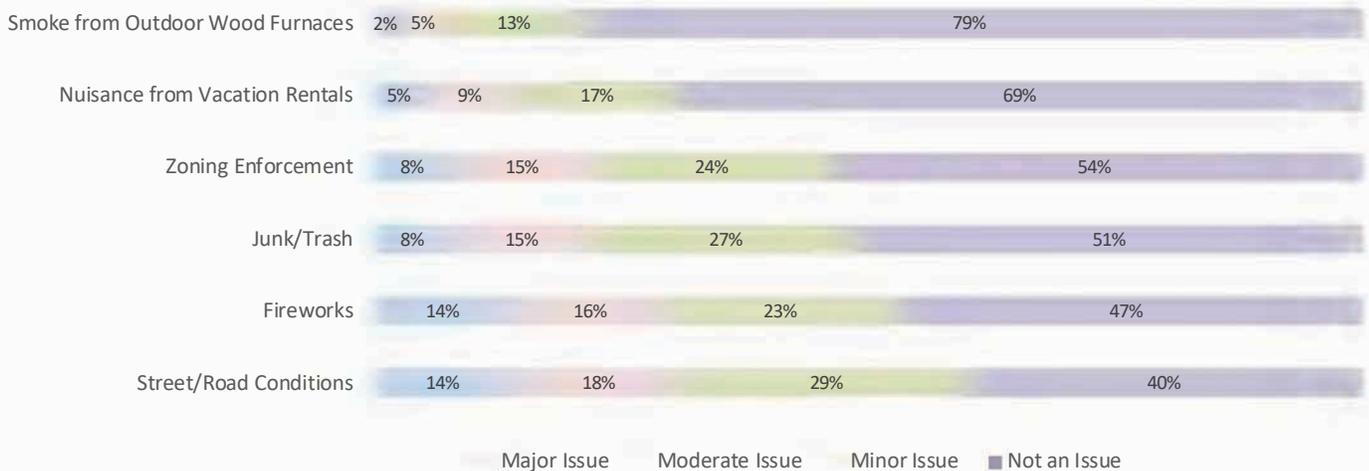
A full compilation of all long answer responses to the survey questions is available upon request at the Township.



Question 1: How would you rate your satisfaction with the following public services?



Question 2: Please rate how much of a problem, if at all, each of the following are in the Township:

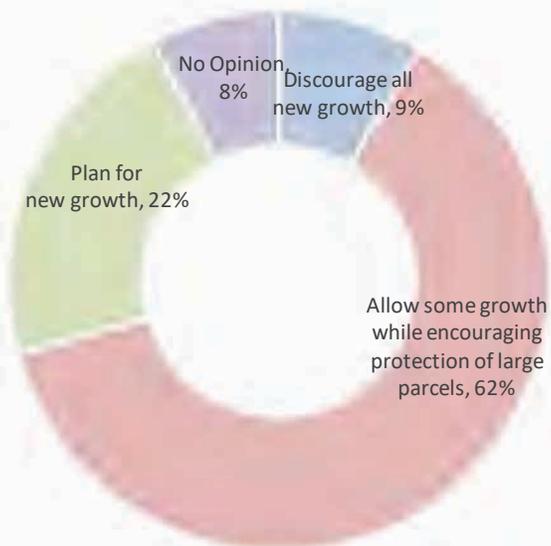


Question 3: Please expand on any items you identified as an issue in Question #2.

- **Street/Road Conditions:** 67 people provided additional comments about roads. Comments focused on paving County roads that are currently dirt, snow removal, removal of dead/dangerous trees, speed enforcement, culverts and drainage, signage, and general road maintenance.
- **Fireworks:** 56 individuals provided additional comments about fireworks. The primary concern surrounding fireworks was that they occur well beyond the 4th of July period. People noted that they go off all summer into the late evening hours, causing noise and light pollution, and scaring children and pets. Some people expressed a sentiment that fireworks are simply a part of living in a resort community.
- **Junk/Trash:** 56 people provided additional comments about junk and trash. Many of these comments were about the importance of the annual junk pick-up, as well as a desire for regular trash collection and recycling services. Numerous comments also focused on areas of the Township with junk in yards, along with poorly maintained structures and properties.

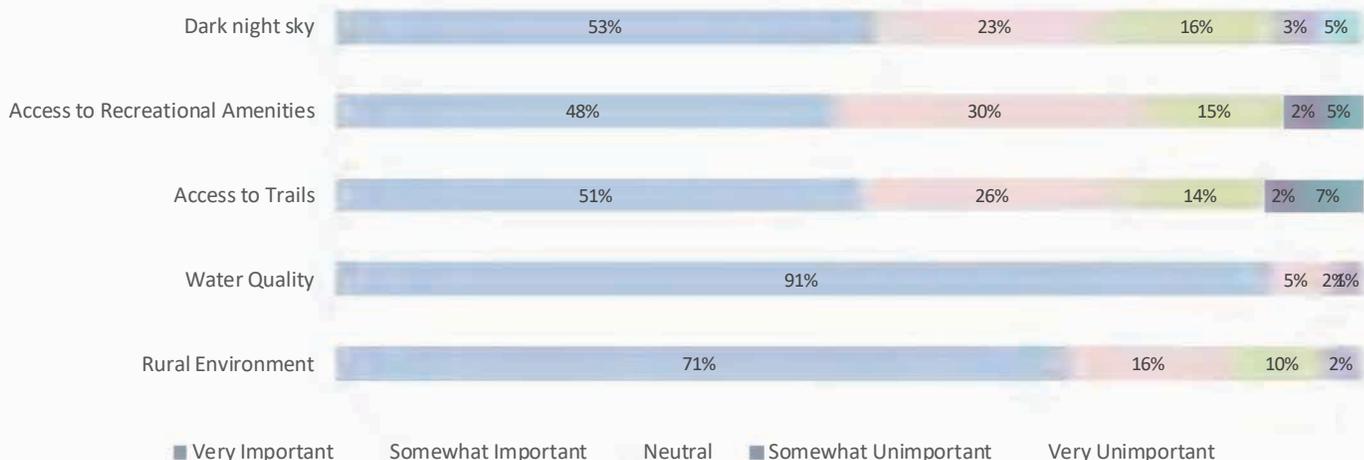
- Zoning Enforcement: 27 people provided additional comments about zoning enforcement. These comments focused on the need for enforcement, particularly along the waterfront. Respondents also articulated a desire for more consistent administration of the zoning ordinance.
- Smoke from Outdoor Wood Furnaces: 15 people provided additional comments about smoke from Outdoor Wood Furnaces. Four of the responses indicated that it is not a problem, while 11 comments indicated concerns about public health and general nuisances.
- Nuisance from Vacation Rentals: 15 people provided additional comments about vacation rentals. Key concerns focused on enforcement, noise, and excessive partying. On the other hand, some people expressed support for people visiting the Township and focused on the economic benefits of vacation rentals.
- Other: There were 23 “Other” comments. These comments focused on Internet and cellular services, the bike path and other recreational facilities, taxes, and various aspects of land use control.

Question 4: Please select the one statement below that most closely matches your views on growth and development in the Township. “I would prefer the Township to . . .” (Please choose only one)

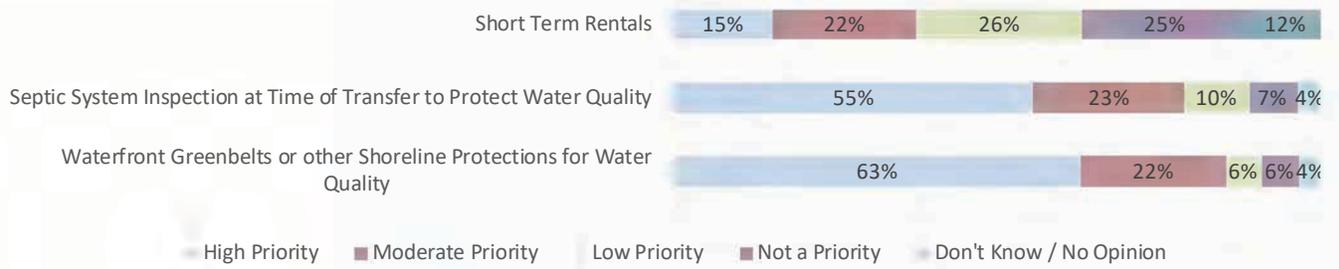


A question very similar to question #4 was posed in the 2004 Community Survey. 57.8% of respondents in 2004 wanted to see limited, controlled growth; which is similar to the 2018 sentiment of 62% of respondents who want to allow for some growth while encouraging protection of large parcels. In both 2018 and 2004, there seems to be a strong desire to protect the Township’s open space and natural resources, while still allowing for controlled growth and development in targeted areas.

Question 5: How important are the following in Bay Township?

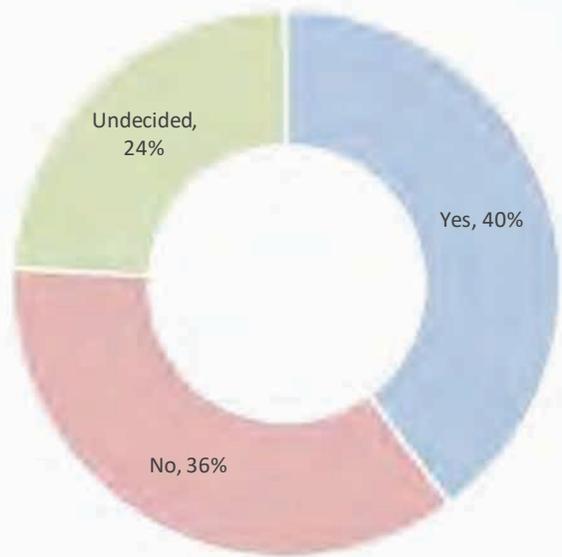
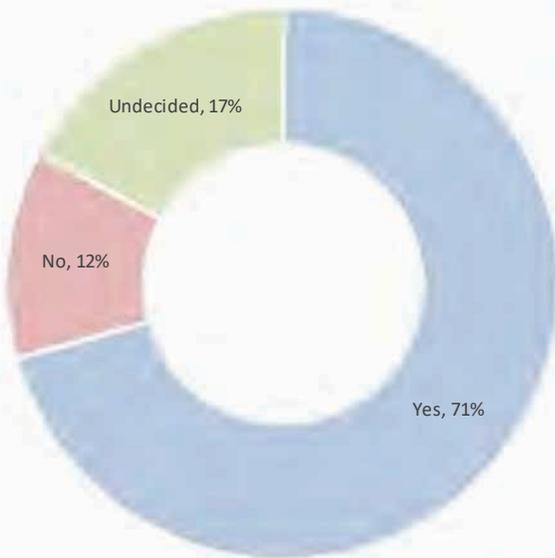


Question 6: Rate each of the following issues as a priority for regulation in the Township.



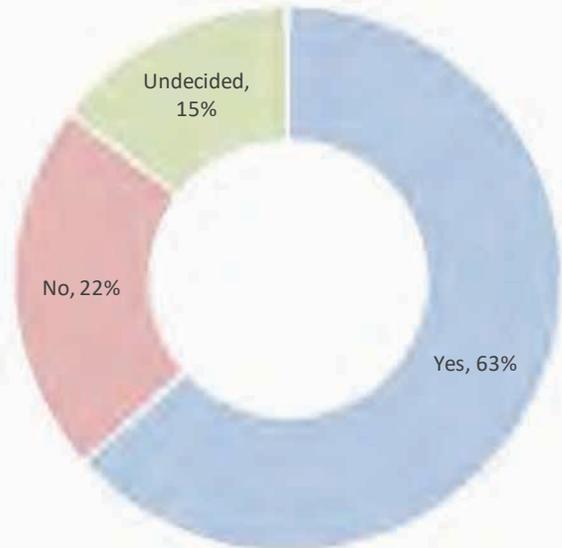
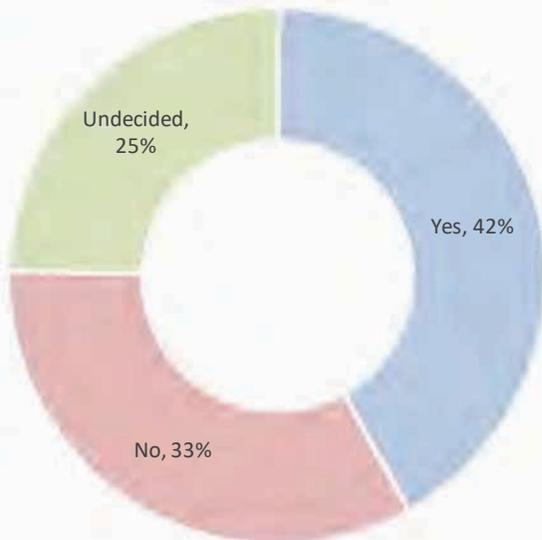
Question 7: Should Bay Township partner with conservancies and others to protect farmland and other important natural features?

Question 8: Would you support an increased Township millage to repair and upgrade roads in the Township?

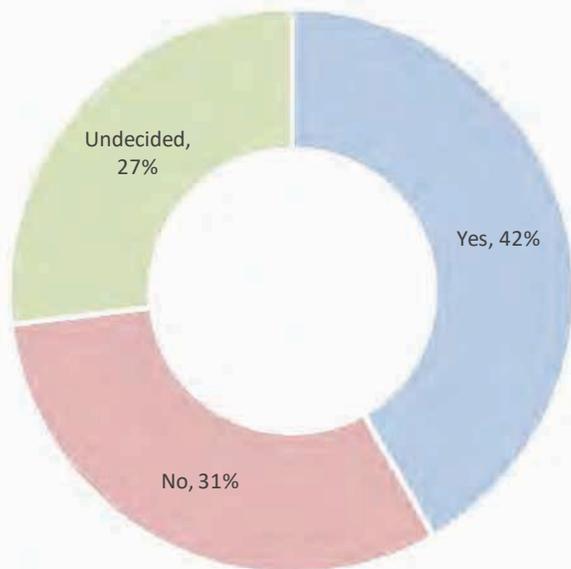


Question 9: Would you support an increased Township millage to support fire and ambulance services in the Township?

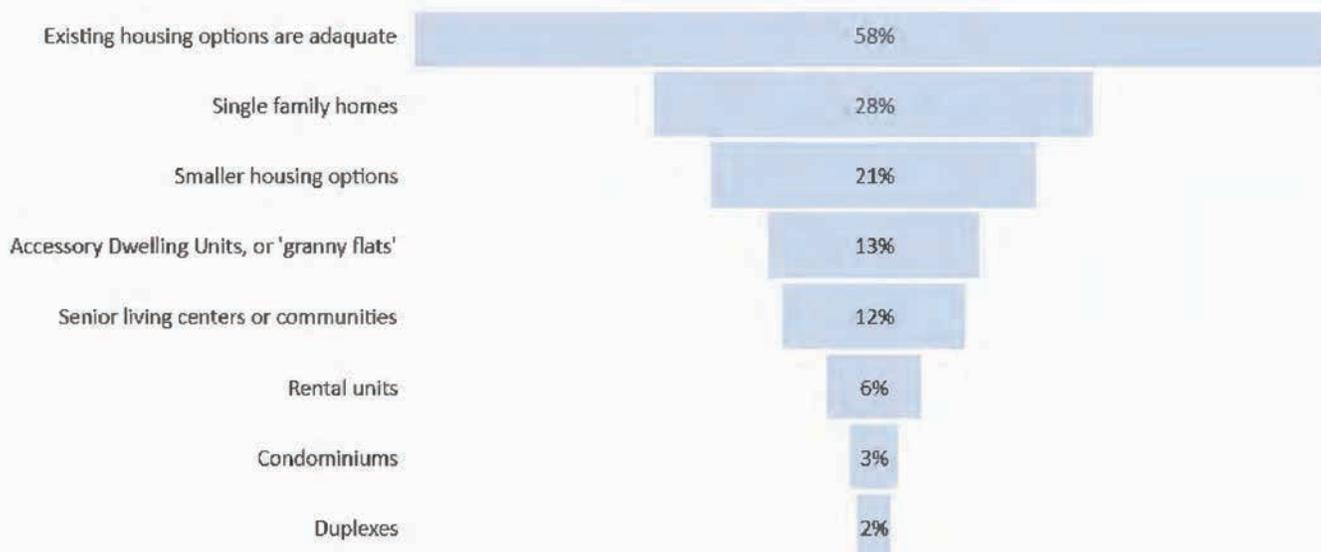
Question 10: Would you be supportive of non-motorized trails and expanded recreational opportunities for Township residents?



Question 11: If you answered yes to Question #10, would you be willing to support these expanded facilities through a Township millage?

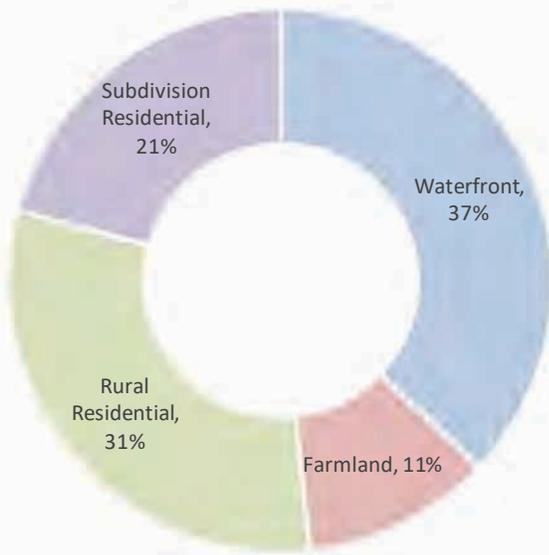


Question 12: What type of housing (if any) does Bay Township need more of? Please check all that apply

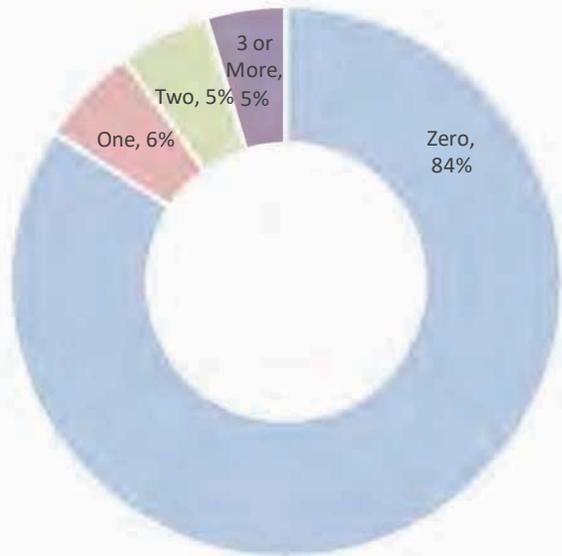


Although the most common responses as to the need of new housing was (1) that existing options are sufficient, and (2) that there is the most support for new single family homes, there seems to be acknowledgment in the Township that there is a place for other types of housing formats. Interestingly, 21% of respondents felt Bay Township would benefit from smaller housing options and 13% were supportive of (more) accessory dwelling units. According to the Census, the average household size has declined in Bay Township by 4% from 2000 to 2010 to 2.41 people. Additionally, demographic research indicates an aging population will likely desire smaller housing formats (missingmiddlehousing.com).

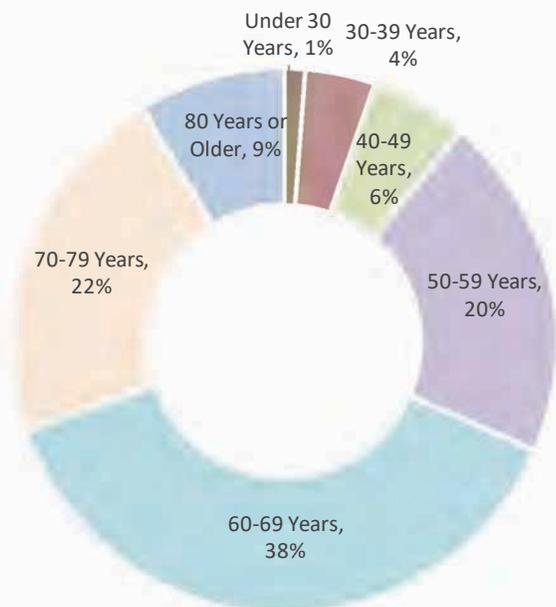
Question 16: Which best describes your property in Bay Township?



Question 17: How many children age 17 or younger live in your household?



Question 19: What category is your age?



It is useful to compare the demographics of survey respondents with the demographics of the general population.

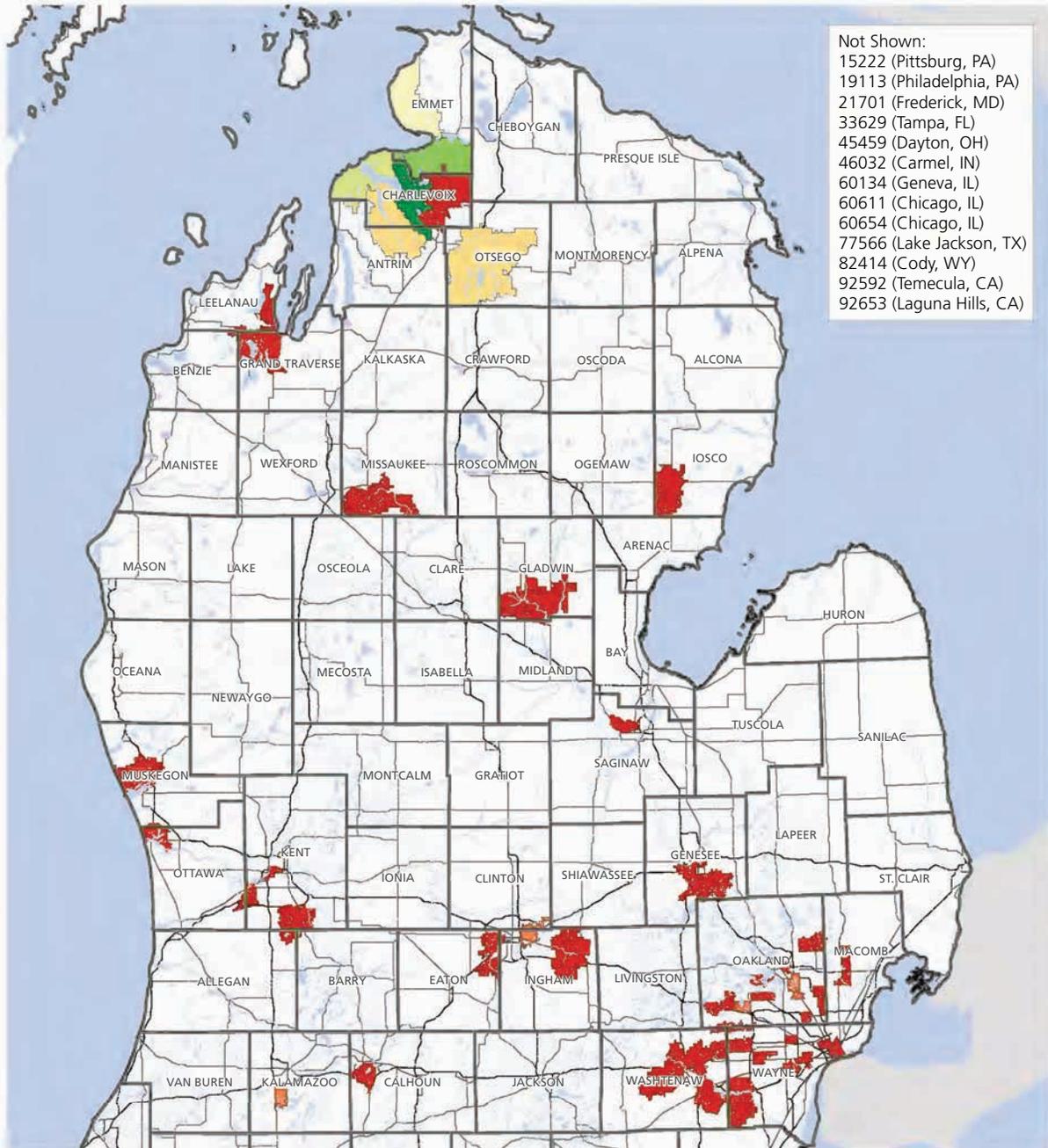
The 2016 American Community Survey estimates that 39% of total housing units in Bay Township are vacant. This is likely due to the fact that most of these housing units are used for seasonal residents. This number mirrors the 37% of surveys respondents who said they are a seasonal residents.

The 2016 ACS estimates that 2.2% of the residential housing units in the Township are renter-occupied. This number is higher than the fraction of one percent (.24%) of survey respondents who identified as a renter. Due to the difficulty of reaching renters, this population was likely underrepresented in the survey results.

Survey respondents appear to be older in general when compared with Bay Township residents. According to the 2010 Census, 27.6% of Bay Township residents are 60 years or older. However, 69% of survey respondents reported being 60 years or older. This discrepancy could partially be attributed to the fact that many of the seasonal residents are older on average.

Question 18: Please indicate the zip code where you work (if applicable).

Of the 421 survey respondents, 71 individuals provided a zip code of employment. As illustrated by the map, places of employment are concentrated in an around Bay Township, although many respondents reported working out of the region and even out of the state. This is likely due to the fact that 37% of respondents are seasonal residents as well as the fact that working remotely is becoming increasing more common.



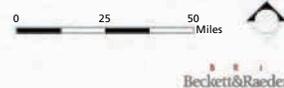
BAY TOWNSHIP COMMUNITY SURVEY
Place of Employment by Zip Code

Data Sources: State of Michigan Geographic Data Library, Michigan DNR Open Data Portal

- Freeways
- State Trunklines
- County Boundary
- Lakes / Ponds
- Rivers / Streams

Employment by Zip Code:

- 59 Residents (49712)
- 44 Residents (49770)
- 12 Residents (49720)
- 4 Residents (49740)
- 3 Residents (49735 & 49727)
- 2 Residents (Multiple)
- 1 Resident (Multiple)



Question 20: Please feel free to comment below regarding any concerns or suggestions you may have that were not addressed in the survey.

A total of 146 individuals provided additional comments. There were a variety of topics covered; ranging from zoning issues, to development, to Township leadership and services. In general, most respondents seem satisfied with the Township's efforts to provide services and communicate with residents.

Many people articulated a desire for high speed Internet service, as well as better cable and cellular services. People noted safety concerns and called for the Township to work with potential private providers to improve services.

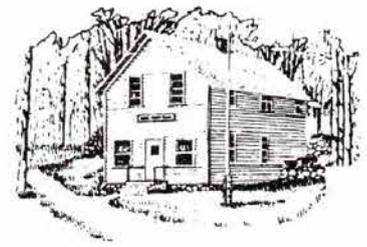
There was a wide variety of opinions expressed in terms of development and zoning regulations. A number of people said they wanted less regulation, while others supported more zoning protections on waterfront property and to protect against blight and trash.

As is the case in most communities, road maintenance and upkeep was an important issue. There was also widespread support for recycling services and more frequent garbage/junk pick-up. Other topics that reemerged from earlier in the survey included the bike path, short-term rentals, outdoor wood burning, and fireworks.



Photos courtesy of Rob Maxwell

The Bay Township Planning Commission is continually examining its planning and zoning goals and policies and would like community input. Your feedback is instrumental in helping the Township update its zoning ordinance to better reflect the needs and desires of all residents. Results from this survey will also help identify future land use practices and prioritize Township services. Please complete this survey by March 16, 2018. This survey can also be completed online at: www.surveymonkey.com/r/baytownship. Your feedback is greatly appreciated. Thank you!



1. How would you rate your satisfaction with the following public services?

	Satisfied	Neutral	Dissatisfied	Don't Know
Emergency Medical Services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Fire Protection	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Law Enforcement	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Zoning Enforcement	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Road Maintenance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
High Speed Internet	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Trash Collection	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Boyne District Library	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Township Cemeteries	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

2. Please rate how much of a problem, if at all, each of the following are in the Township:

	Not an Issue	Minor Issue	Moderate Issue	Major Issue
Zoning Enforcement	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Junk/Trash	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Street/Road Conditions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Smoke from Outdoor Wood Furnaces	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Nuisance from Vacation Rentals	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Fireworks	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

3. Please expand on any items you identified as an issue in Question #2.

4. Please select the one statement below that most closely matches your views on growth and development in the Township. "I would prefer the Township to . . ." (Please choose only one)

- Discourage all new growth
- Allow some growth while encouraging protection of large parcels
- Plan for new growth
- No Opinion / Don't Know

5. How important are the following in Bay Township?

	Very Important	Somewhat Important	Neutral	Somewhat Unimportant	Very Unimportant
Rural Environment	<input type="radio"/>				
Water Quality	<input type="radio"/>				
Access to Trails	<input type="radio"/>				
Access to Recreational Amenities	<input type="radio"/>				
Dark night sky	<input type="radio"/>				

6. Rate each of the following issues as a priority for regulation in the Township.

	Not a Priority	Low Priority	Moderate Priority	High Priority	Don't Know / No Opinion
Waterfront Greenbelts or other Shoreline Protections for Water Quality	<input type="radio"/>				
Septic System inspection at Time of Transfer to Protect Water Quality	<input type="radio"/>				
Short Term Rentals	<input type="radio"/>				

7. Should Bay Township partner with conservancies and others to protect farmland and other important natural features?

- Yes
- No
- Undecided

8. Would you support an increased Township millage to repair and upgrade roads in the Township?

- Yes
- No
- Undecided

9. Would you support an increased Township millage to support fire and ambulance services in the Township?

- Yes
- No
- Undecided

10. Would you be supportive of non-motorized trails and expanded recreational opportunities for Township residents?

- Yes
- No
- Undecided

11. If you answered yes to Question #10, would you be willing to support these expanded facilities through a Township millage?

- Yes
- No
- Undecided

12. What type of housing (if any) does Bay Township need more of? Please check all that apply

- Condominiums
- Single-family homes
- Smaller housing options
- Duplexes
- Accessory Dwelling Units, or 'granny flats'
- Senior living centers or communities
- Rental units
- Existing housing options are adequate

13. What is one word you would use to describe Bay Township to someone planning a visit?

14. How long have you lived in Bay Township?

- Less than 2 Years
- 2-10 Years
- 11-30 Years
- More than 30 Years

15. Please classify your residency in Bay Township

- Year-round Resident - Homeowner
- Year-round Resident - Renter
- Seasonal Resident - Primary Residence in another Community
- None of the Above

16. Which best describes your property in Bay Township?

- Waterfront
- Farmland
- Rural Residential
- Subdivision Residential

17. How many children age 17 or younger live in your household?

- 0
- 1
- 2
- 3 or More

18. Please indicate the zip code where you work (if applicable)

19. What category is your age?

- | | |
|--|---|
| <input type="radio"/> Under 20 Years Old | <input type="radio"/> 50-59 Years |
| <input type="radio"/> 20-29 Years | <input type="radio"/> 60-69 Years |
| <input type="radio"/> 30-39 Years | <input type="radio"/> 70-79 Years |
| <input type="radio"/> 40-49 Years | <input type="radio"/> 80 Years or Older |

20. Please feel free to comment below regarding any concerns or suggestions you may have that were not addressed in the survey.

Thank you for completing this survey! If you would like to get more involved in the Township, please visit the Bay Township Website at www.baytownshipmi.org

From: Claire Karner <ckarner@bria2.com>
Sent: Friday, August 3, 2018 2:45 PM
To: Ron VanZee; Bob Jess; Marilyn Morehead
Subject: Zoning Analysis

Hi All,

Sorry for the delay in getting you an estimate on hours involved in examining and analyzing nonconforming parcels in the Nine Mile Point and Northern Michigan Shores areas. Our GIS analyst was slammed with work this week and the majority of the hours will involve her expertise, so I wanted her to take a look at the area. Here are the estimates:

1. 5 hours – Measure and record all the setbacks. Create maps showing nonconforming parcels that do not meet the minimum lot area, minimum square footage, minimum front, side, or rear setbacks.
2. 3 hours - Create a matrix ranking of nonconforming properties to show areas of concern and clusters of nonconformity. Visually display the final results of the matrix ranking.
3. 3 hours - Using our understanding of the zoning ordinance and the constraints identified in the analysis, we will summarize our proposed changes and modifications to the Township's regulatory system and current zoning ordinance.

So, a total of 11 hours of work would be sufficient. This would not include any meeting attendance. Please let me know if you have any questions.

Have a great weekend!
Claire

Claire Karner, AICP
Associate

Beckett&Raeder, Inc.
Making Great Places for over 50 Years

921 West 11th Street Suite 2E
Traverse City, MI 49684
231.649.1065
Petoskey, MI 231.347.2523
Ann Arbor, MI 734.663.2622
Toledo, OH 419.242.3428

Please visit us at www.bria2.com

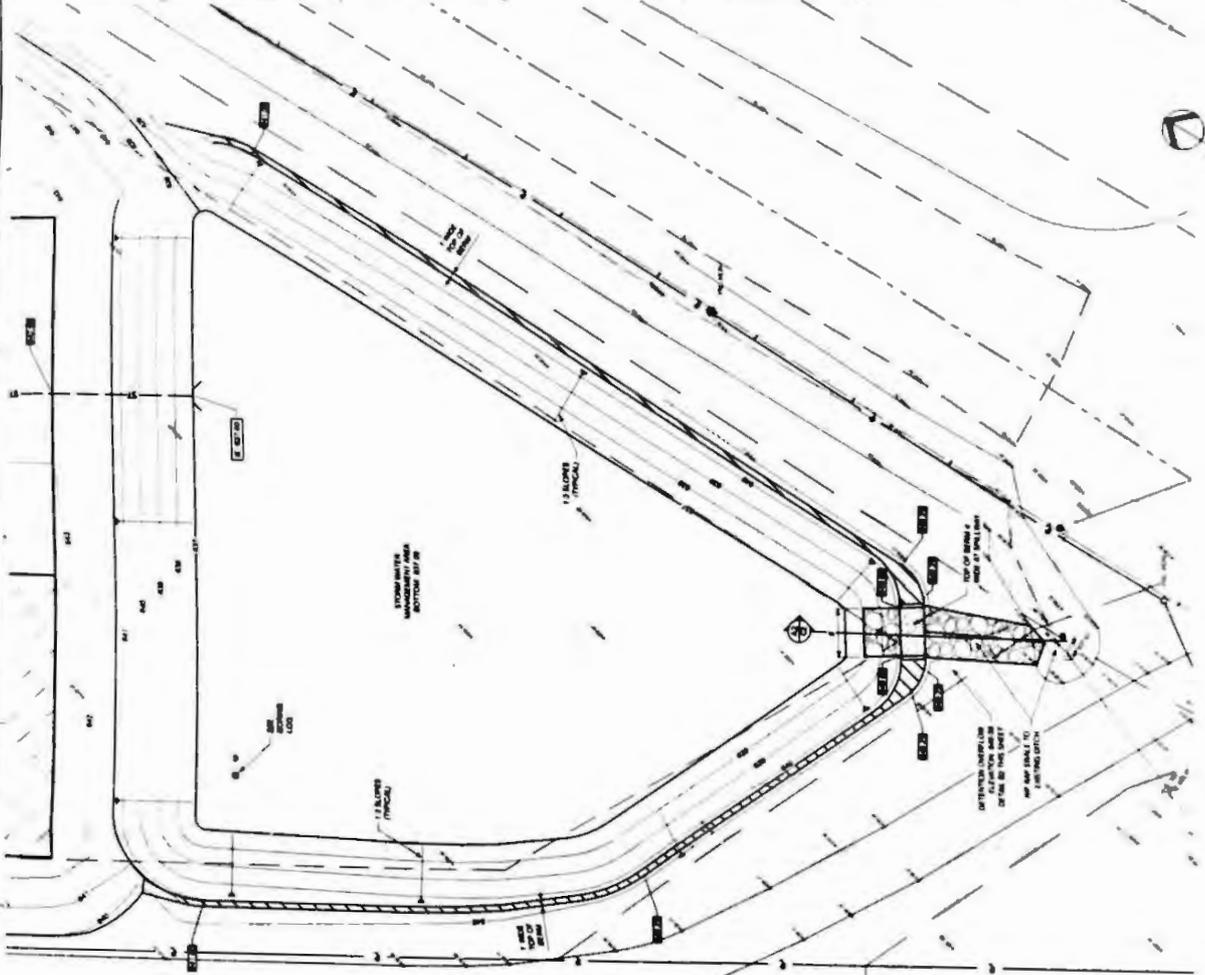
Performance Engineers, Inc.
 Civil / Structural Engineering
 400 Pennington Avenue
 Chesterfield, Missouri 63073
 Phone: (314) 647-4800
 Fax: (314) 647-4804
 www.performanceeng.com

PERGUSON & CHAMBERLAIN ASSOCIATES, INC.
 PROFESSIONAL SURVEYORS
 111 S. Main Street
 Chesterfield, Missouri 63073
 Phone: (314) 647-1000
 Fax: (314) 647-1001

FALLS STORAGE
 Part of Section 8.19
 Hayes Township, Cook County, Missouri

NO.	DATE	DESCRIPTION
1	11/11/17	ISSUED FOR PERMITS
2	11/11/17	ISSUED FOR PERMITS
3	11/11/17	ISSUED FOR PERMITS
4	11/11/17	ISSUED FOR PERMITS
5	11/11/17	ISSUED FOR PERMITS
6	11/11/17	ISSUED FOR PERMITS
7	11/11/17	ISSUED FOR PERMITS
8	11/11/17	ISSUED FOR PERMITS
9	11/11/17	ISSUED FOR PERMITS
10	11/11/17	ISSUED FOR PERMITS

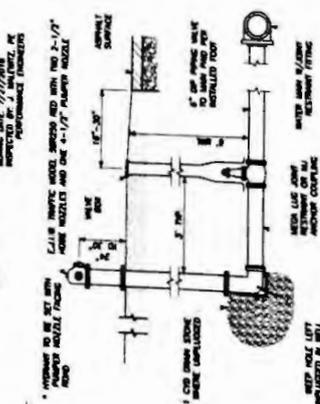
DETAILS & NOTES



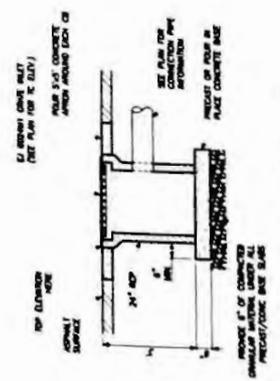
B4 DETENTION AREA DETAIL



B1 BORING LOG



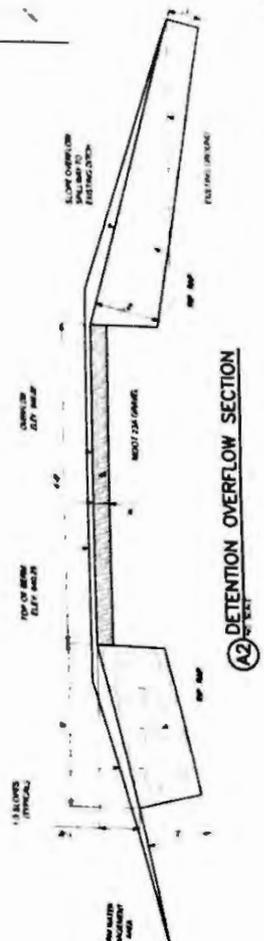
C1 TYPICAL HYDRANT ASSEMBLY



B2 CATCH BASIN DETAIL



B1 PARKING LOT SECTION



A2 DETENTION OVERFLOW SECTION

Member
Chair
Member
Member

Cliff Bialick
Bob Jess
Ed Bajos
Omar Feliciano

*Hayes Township
Planning Commission
09195 Old US 31 N.
Charlevoix, MI 49720*

*Township Hall Phone (231) 547-6961 and Fax (231) 237-0046
Zoning Administrator Cell Number 231-497-9360
Zoning Administrator Email zoning@hayestownshipmi.com
Web page - hayestownshipmi.gov*

July 17, 2018

Richard and Connie Pierce
2778 Comfort Street
West Bloomfield, Michigan 48323

Dear Mr. and Mrs. Pierce,

This letter is a follow up to my correspondence to you last July regarding your property located at 7955 Indian Trails, Charlevoix Michigan having a tax identification number of 15-007-515-001-00.

As I indicated in my July 2017 letter to you, your property was in violation of Section 3.14 Waterfront Regulations pertaining to the "Shoreline Protection Strip" and the "Limitation of Boat Dockage" provisions. I was contacted by Drost Landscaping last fall and as a result of our discussions, we felt it would be prudent to wait until the Township completed their review of the Waterfront Regulations section of the Hayes Township Zoning Ordinance. Once amendments were put into place, it would be appropriate to move forward with installing landscaping elements on your property.

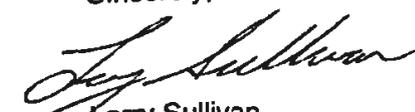
The Ordinance amendments were adopted and took effect in April of this year. I believe that at this time, either you or an agent on your behalf should submit a shoreline restoration plan at this time so as to enable the plan to be reviewed, amended as might be necessary, approve it and allow you to move forward with restoration prior to the end of this year.

I am setting a deadline of August 14, 2018 to receive a plan as to how you intend to restore the "Shoreline Protection Strip". Failure to meet this time frame will result in this matter being turned over to the Township Attorney to proceed with legal action to ensure compliance with the Ordinance provisions.

Should you have any questions, feel free to contact me at the phone number or email address listed in the letterhead. Thank you in advance for your timely compliance in regard to this matter.

Thank you in advance for your assistance.

Sincerely,


Larry Sullivan
Zoning Administrator

Jim Malewitz

From: Rik Lobenherz <riktherealtor@gmail.com>
Sent: Thursday, July 12, 2018 4:06 PM
To: Jim Malewitz
Subject: FW: Attached Image
Attachments: 0094_001.pdf

I will sign and record this when we close with Falls

Richard E. Lobenherz, CCIM
Broker/Owner
Cell -231-675-6285
Office- 231-547-9905
Fax- 231-547-2936
203 Bridge Street, Charlevoix, MI 49720
Free Northern Michigan Real Estate App
www.richardtherealtor.net
Northern Michigan Property Guide



BERKSHIRE HATHAWAY
HomeServices
Michigan Real Estate

Impact Statement for Falls Storage Complex August 6, 2018

Based upon the use that is being proposed, no additional school children or elderly populations will be residing on the property. No demands on community services are expected to be generated by this development as they are only to be used as storage buildings. This property is capable of being served by Charlevoix Township water and City of Charlevoix Sewer, but usage is expected to be quite minimal for this use.

EASEMENT TERMINATION

THIS EASEMENT TERMINATION (the "Easement Termination") is given as of this _____ day of _____, 2018, by Charlevoix Club Park, LLC, a Michigan limited liability company ("CCP"), whose post office address is 203 Bridge Street, Charlevoix, MI 49720; and Landscape Supply North LLC, a Michigan limited liability company ("Landscape") whose mailing address is P.O. Box 363, East Jordan, MI 49727; and Northstar Development – Charlevoix LLC, a Michigan limited liability company ("Northstar"), whose mailing address is PO. Box 903, Boyne City, MI 49712.

WHEREAS, CCP is the fee simple owner of certain real property more particularly described in Exhibit "A" attached hereto;

WHEREAS, Landscape has an interest in the real property more particularly described in Exhibits "B", "C", and "D" attached hereto;

WHEREAS, Northstar is the fee simple owner of certain real property more particularly described in Exhibit "E".

WHEREAS, CCP granted to the Parcels owned by CCP, Landscape, and Northstar a non-exclusive 66 foot wide service drive, utility and drainage easement in that Service Drive Utility and Drainage Easement (the "Service Drive Easement") recorded on June 28, 2013, in Liber 1035, Page 455, with the Charlevoix County Register of Deeds;

WHEREAS, CCP hereby exercises its reserved rights to alter or amend the Service Drive Easement; and

WHEREAS, this Termination Agreement runs with the land and shall be binding upon and inure to the benefit and burden of the parties, and their respective heirs, personal representatives, transferees, successors, or assigns;

NOW, THEREFORE, for valuable and other good consideration paid at the time of the execution hereof, the receipt of which is hereby acknowledged, and intended to be legally bound, the parties agree as follows:

1. Recitations. The foregoing recitations are true and correct and are incorporated herein by reference.

2. Termination of Pedestrian and Vehicular Ingress and Egress. CCP, Landscape, and Northstar hereby terminate the Service Drive Easement only as it relates to pedestrian and vehicular ingress and egress on the parcels described in Exhibits "A", "B", "C", "D", and "E".

3. Other Easements. All other terms, provisions, and easements not specifically referenced in this Easement Termination shall remain in full force and effect.

4. Binding Effect. The covenants contained in this Easement Termination are not personal but shall run with the land and shall be binding upon and inure to the benefit of the fee simple title holder of the Parcels, and their respective heirs, personal representatives, transferees, successors, or assigns. The Termination Agreement is hereby ratified and confirmed and shall remain in full forth and effect.

IN WITNESS WHEREOF, This Termination Agreement is executed on this _____ day of _____, 2018.

Charlevoix Club Park, LLC, a Michigan limited liability company

By: Richard E. Lobenherz
Its: Member

STATE OF MICHIGAN)
COUNTY OF CHARLEVOIX) ss

The foregoing instrument was acknowledged before me, a notary public, on this _____ day of _____, 2018, by Richard E. Lobenherz, Member for and on behalf of Charlevoix Club Park, LLC, a Michigan limited liability company.

Notary Public:
State/County:
Acting In:
Commission Expires:

IN WITNESS WHEREOF, This Termination Agreement is executed on this _____ day of _____, 2018.

Landscape Supply North LLC, a Michigan limited liability company



By: Robert Moblo
Its: Member

STATE OF MICHIGAN)

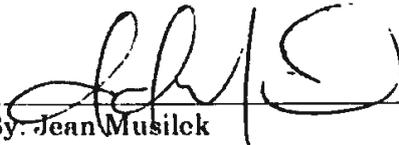
COUNTY OF CHARLEVOIX) ss

The foregoing instrument was acknowledged before me, a notary public, on this 12th day of July, 2018, by Robert Moblo, Member for and on behalf of Landscape Supply North, LLC, a Michigan limited liability company.



Notary Public: Omar Jose Famada
State/County MI/Kent
Acting In: Charlevoix
Commission Expires: 11/29/2022

Northstar Development-Charlevoix LLC, a Michigan limited liability company



By: Jean Musilek
Its: Member

STATE OF MICHIGAN)
COUNTY OF CHARLEVOIX) ss

The foregoing instrument was acknowledged before me, a notary public, on this 12th day of July, 2018, by Jean Musilek, Member for and on behalf of Northstar Development - Charlevoix LLC, a Michigan limited liability company.



Notary Public:
State/County:
Acting In:
Commission Expires:

OMAR JOSE FAMADA
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF KENT
My Commission Expires Nov. 29, 2022
Acting in the County of Charlevoix

Drafted by:
Omar J. Famada, without opinion as to title (P80671)
203 Bridge Street
Charlevoix, MI 49720

SUP

**HAYES TOWNSHIP
09195 OLD US 31 N, CHARLEVOIX, MI. 49720**

ZONING PERMIT APPLICATION

ZONE DISTRICT C-2 Pending PERMIT NUMBER 7 FEE 300⁰⁰ DATE RECEIVED 1-24-18

GENERAL INFORMATION

Property Owner Name(s) Falls enterprises
Mailing Address 206 Ferry Ave #39 Charlevoix, mi 49720
Telephone _____ Cell: 989 859 3569 EMAIL: ElliottJFalls@gmail.com

PROPERTY INFORMATION

Property Tax ID Number(s) 15-007-007-118-015-30 007-119-006-415
Property Address 11770 US-31 N Charlevoix, mi. 49720
Contractor _____ Contractor Contact Information _____

PROPOSED USE OF PROPERTY

Type of Improvement(s)(describe) 1001+ Heated/cold units - pole build. 10x10 to 20x40+
New Construction Reconstruction _____ Addition _____ Sign _____ Other _____
Dimensions of Proposed Structure 60x440 60x220
22x135 80x200 HEIGHT 16' walls + roof

PROPOSED ZONING PERMIT

Special Use Type of Special Use Cottage industry, marine service, moving, carpet, carpet cleaning, lawn care, auto detailing/care, inventory storage, cabinet making, artist space
P.U.D. _____ Rezone _____ Land Division/Split Involved? _____

PERMITS & REQUIRED DOCUMENTS

Site Plan Required Survey Required _____ Health Dept.
Road Commission _____ Soil & Erosion Corps of Engineers _____ D.N.R. _____ D.E.Q. _____

Owners Signature(s) [Signature] Elliott J Falls
Zoning Administrator Signature [Signature]

SEE REVERSE SIDE

HAYES TOWNSHIP
CHARLEVOIX COUNTY, MICHIGAN
NOTICE OF HEARING
SPECIAL USE PERMIT APPLICATION

Dear Property Owner:

Per the Hayes Township Zoning Ordinance, you are also being notified of a Public Hearing by the Hayes Township Planning Commission for the purpose of accepting public comments on a request to consider approving a special use permit to allow for the construction of warehouse and storage building on the below described property. The uses requested to be allowed in these structures, in addition to allowing storage would be to allow cottage industries, marine service and auto detailing companies, carpet cleaning companies, cabinet making companies, lawn care businesses, business inventory storage and artist studios to operate out of these storage buildings.

The property is currently zoned Neighborhood Commercial (C-1) with a concurrent request to rezone the properties having a combined acreage of approximately 4.5 acres, to General Commercial (C-2) Neighborhood Commercial.

DATE AND TIME: Tuesday February 20, 2018 at 7:00 p.m.

LOCATION: Hayes Township Hall, 09195 Old US 31 North,
near Burgess Road

PROPERTY INVOLVED: Approximately 4.5 acres located at 11770 US 31
North having property tax numbers 15-007-119-
006-45 and 15-007-118-015-30.

APPLICANT: Fall Enterprises (a.k.a. Elliot Falls)

Comments may be made at the hearing or in writing to Larry Sullivan, Zoning Administrator at 09195 Old US 31 N, Charlevoix MI 49720. Questions may be directed to Larry Sullivan at 231-497-9360. Written comments will also be accepted by email at zoning@hayestownshipmi.gov or by fax to 231-237-0046,

Foreclosure

Notice of Foreclosure by Advertisement

NOTICE is hereby given pursuant to MCL 600.3212, that the following will be foreclosed by a sale of the mortgaged premises, or some part of them, at public auction at the place of holding court within Emmet County, at 9:00 AM, on February 21, 2018:

Name(s) of the mortgagor(s): Charles G. Parks, a married man aka Charles G. Parks Jr. and Angela M. Parks, his wife and Dixie A. Parks, a single woman as joint tenants with full rights of survivorship. Original Mortgage: Option One Mortgage Corporation. Closing Assignee (if any): Wells Fargo Bank, N.A., as trustee for Option One Mortgage Loan Trust 2007-3, Asset-Backed Certificates, Series 07-3. Date of Mortgage: February 9, 2007. Date of Mortgage Recording: February 22, 2007.

Amount claimed due on date of foreclosure: \$144,973.46. Description of the mortgaged premises: Situated in Township of Carp Lake, Emmet County, Michigan, and described as: commencing at the East 1/4 corner of Section 10, Township of North, Range 4 West; thence North along said Section line 10 feet to a 4 inch conc. Monument on the shore of Paradise Lake; thence North 82 degrees 12 minutes 30 seconds West along the shore of said Lake 190 feet to a point; thence North .55 feet and the Place of Beginning of this description; thence North 22.32 feet to the center right-of-way line of Highway U.S. 31; thence North 12 minutes East along said right-of-way line 17 feet; thence along the arc of a 78 foot radius curve 13.96 feet; thence South 30.77 feet to the shore of Paradise Lake; thence North 88 degrees 13 minutes 30 seconds West along the shore of said lake 30 feet to Place of Beginning.

Property described as: Lot 13, Subdivision of Frank Schmalzrieds of Deditch's Subdivision, recorded in Liber 6 of Plats, Page 13, Emmet County Records.

Redemption period shall be 3 months from the date of sale, unless determined otherwise.

Public Notices



Hayes Township Rezone Hearing

The Hayes Township Planning Commission will hold a public hearing on February 20, 2018 at 7:00 p.m. at the Township Hall located at 09195 Old US 31 North near Burgess Road, Charlevoix, Michigan. The purpose of this hearing is to accept public comments on an application by Elliot Fall to rezone 2 parcels of property currently zoned Neighborhood Commercial (C-1) to General Commercial (C-2). The property tax identification numbers are 007-118-015-30 and 007-119-006-45 with a street address of 11770 US 31 North. The property is approximately 4.5 acres in size. Questions may be directed to Larry Sullivan, Zoning Administrator at 231-497-9360 or by email to zoning@hayestownshipmi.gov.

(L-2/2)



Hayes Township Special Use Permit Hearing

The Hayes Township Planning Commission will hold a public hearing on February 20, 2018 at 7:00p.m. at the Hayes Township Hall located at 09195 Old US 31 North near Burgess Road, Charlevoix, Michigan. The purpose of this hearing is to accept comments regarding the desire of Elliot Fall to locate warehouse and storage buildings on the below described property and to allow the following listed uses to occur and/or operate out of those structures. The desired uses including cottage industries, marine service and auto detailing companies, carpet cleaning companies, cabinet making companies, lawn care businesses, business inventory storage, and artist studios to operate out of these storage buildings. The property tax identification numbers are 007-118-015-30 and 007-119-006-45 with a street address of 11770 US 31 North. Questions may be directed to Larry Sullivan, Zoning Administrator at 231-497-9360 or by email to zoning@hayestownshipmi.gov.

(L-2/2)

Public Notices



CITY OF BOYNE CITY PLANNING COMMISSION

Notice is hereby given that, a public hearing will be held at the regular meeting of the Boyne City Planning Commission on Monday, February 19, 2018, at 5:00 p.m. in the Boyne City Commission Chambers, 319 N. Lake Street, Boyne City, MI, to review and consider the following:

A public hearing to consider proposed amendments to Article I section 1.40, Article III section 3.40, Article IV section 4.40, Article V section 5.40 and Article XX section 20.10 and 20.30 of the Boyne City Zoning Ordinance. The proposed ordinance amendments will move the regulatory and design standards for a dwelling from the definition to the schedule of regulations and to the development requirements for the Traditional Residential, Rural Estate and Waterfront Residential districts. The regulatory effect of the proposed ordinance amendments will be the elimination of the minimum width requirement for a single family dwelling in the Multiple Family Residential District.

A complete copy of the proposed ordinance changes are available at the Boyne City Planning Department, Monday through Friday, 7:30 a.m. through 4:30 p.m. it is also posted on the Boyne City website at boynecity.com. All interested persons are encouraged to attend the public hearing and participate in discussion. Any written input in regard to the issues may be received in the City Planner's office until 5:00 p.m. on the day of the public hearing or at the public hearing. For further information contact the City Planner's office at 319 N. Lake Street, Boyne City, MI 49712 or call (231)-582-0343.

Questions and comments may also be e-mailed to smcpherson@boynecity.com.

(L-2/2)

Exhibit A

PARCEL "A":

In the Township of Hayes, Charlevoix County, Michigan, Commencing at a Charlevoix County Marker at the West corner common to Sections 18 and 19, Town 34 North, Range 7 West; thence along the line common to said sections, North 76°04'44" East 983.25 feet to a 1/2 inch rod, being the POINT OF BEGINNING of this description; thence North 34°01'39" West 153.64 feet to a 1/2 inch rod on the Southeasterly line of 66 foot wide service drive, utility and drainage easement; thence continuing North 34°01'39" West 66.00 feet to a 1/2 inch rod on the Southeasterly line of Highway U.S. 31; thence continuing North 34°01'39" West 75.00 feet to the centerline of said highway; thence along said centerline, North 55°58'21" East 185.00 feet; thence South 34°01'39" East 75.00 feet to a 1/2 inch rod on said southeasterly highway line; thence continuing South 34°01'39" East 66.00 feet to a 1/2 inch rod on the Southwesterly line of said 66 foot wide easement; thence continuing South 34°01'39" East 439.21 feet to a 1/2 inch rod; thence South 35°22'58" West 197.62 feet to a 1/2 inch rod; thence North 34°01'39" West 355.07 feet to the Point of Beginning; being a part of the Southwest 1/4 of the Southwest 1/4 of Section 18, and a part of the Northwest 1/4 of the Northwest 1/4 of Section 19, all in Town 34 North, Range 7 West, and containing 2.612 acres.

Subject to the rights of the public and of any governmental unit in any part thereof taken, used or deeded for street, road or highway purposes.

PARCEL "B":

In the Township of Hayes, Charlevoix County, Michigan, Commencing at a Charlevoix County Marker at the West corner common to Sections 18 and 19, Town 34 North, Range 7 West; thence along the line common to said sections, North 76°04'44" East 1180.26 feet to a 1/2 inch rod, being the POINT OF BEGINNING of this description; thence North 34°01'39" West 221.36 feet to a 1/2 inch rod on the Southeasterly line of 66 foot wide service drive, utility and drainage easement; thence continuing North 34°01'39" West 66.00 feet to a 1/2 inch rod on the Southeasterly line of Highway U.S. 31; thence continuing North 34°01'39" West 75.00 feet to the centerline of said highway; thence along said centerline, North 55°58'21" East 185.00 feet; thence South 34°01'39" East 75.00 feet to a 1/2 inch rod on said southeasterly highway line; thence continuing South 34°01'39" East 66.00 feet to a 1/2 inch rod on the Southwesterly line of said 66 foot wide easement; thence continuing South 34°01'39" East 289.09 feet to a 1/2 inch rod on said section line; thence South 16°54'53" West 238.25 feet to a 1/2 inch rod; thence North 34°01'39" West 217.85 feet to the Point of Beginning; being a part of the South 1/2 of the Southwest 1/4 of Section 18, and a part of the North 1/2 of the Northwest 1/4 of Section 19, all in Town 34 North, Range 7 West, and containing 2.145 acres.

Subject to the rights of the public and of any governmental unit in any part thereof taken, used or deeded for street, road or highway purposes.

Exhibit B

PARCEL "C":

In the Township of Hayes, Charlevoix County, Michigan, Commencing at a Charlevoix County Marker at the West corner common to Sections 18 and 19, Town 34 North, Range 7 West; thence along the line common to said sections, North 76°04'44" East 1377.27 feet to a 1/2 inch rod, being the **POINT OF BEGINNING** of this description; thence North 34°01'39" West 289.09 feet to a 1/2 inch rod on the Southeasterly line of 66 foot wide service drive, utility and drainage easement; thence continuing North 34°01'39" West 66.00 feet to a 1/2 inch rod on the Southeasterly line of Highway U.S. 31; thence continuing North 34°01'39" West 75.00 feet to the centerline of said highway; thence along said centerline, North 55°58'21" East 228.26 feet; thence South 15°22'39" East 79.16 feet to a 1/2 inch rod on said southeasterly highway line; thence continuing South 15°22'39" East 69.66 feet to a 1/2 inch rod on the Southwesterly line of said 66 foot wide easement; thence continuing South 15°22'39" East 333.69 feet to a 1/2 inch rod on said section line; thence along said section line, South 76°04'44" West 78.77 feet to the Point of Beginning; being a part of the South 1/2 of the Southwest 1/4 of Section 18, Town 34 North, Range 7 West, and containing 1.563 acres.

Subject to the rights of the public and of any governmental unit in any part thereof taken, used or deeded for street, road or highway purposes.

Exhibit C

PARCEL "D":

In the Township of Hayes, Charlevoix County, Michigan, Commencing at a Charlevoix County Marker at the West corner common to Sections 18 and 19, Town 34 North, Range 7 West; thence along the line common to said sections, North $76^{\circ}04'44''$ East 1456.04 feet to a 1/2 inch rod, being the **POINT OF BEGINNING** of this description; thence North $15^{\circ}22'39''$ West 333.69 feet to a 1/2 inch rod on the Southeasterly line of 66 foot wide service drive, utility and drainage easement; thence continuing North $15^{\circ}22'39''$ West 69.66 feet to a 1/2 inch rod on the Southeasterly line of Highway U.S. 31; thence continuing North $15^{\circ}22'39''$ West 79.16 feet to the centerline of said highway; thence along said centerline, North $55^{\circ}58'21''$ East 228.26 feet; thence South $01^{\circ}31'09''$ East 88.94 feet to a 1/2 inch rod on said southeasterly highway line; thence continuing South $01^{\circ}31'09''$ East 78.26 feet to a 1/2 inch rod on the Southwesterly line of said 66 foot wide easement; thence continuing South $01^{\circ}31'09''$ East 407.02 feet to a 1/2 inch rod on said section line; thence along said section line, South $76^{\circ}04'44''$ West 78.77 feet to the Point of Beginning; being a part of the Southeast 1/4 of the Southwest 1/4 of Section 18, Town 34 North, Range 7 West, and containing 1.705 acres.
 Subject to the rights of the public and of any governmental unit in any part thereof taken, used or deeded for street, road or highway purposes.

Exhibit D

PARCEL "E":

In the Township of Hayes, Charlevoix County, Michigan,
 Commencing at a Charlevoix County Marker at the West corner common
 to Sections 18 and 19, Town 34 North, Range 7 West; thence along
 the line common to said sections, North 76°04'44" East 1534.81
 feet to a 1/2 inch rod, being the **POINT OF BEGINNING** of this
 description; thence North 01°31'09" West 407.02 feet to a 1/2 inch
 rod on the Southeasterly line of 66 foot wide service drive,
 utility and drainage easement; thence continuing North 01°31'09"
 West 78.26 feet to a 1/2 inch rod on the Southeasterly line of
 Highway U.S. 31; thence continuing North 01°31'09" West 88.94 feet
 to the centerline of said highway; thence along said centerline,
 North 55°58'21" East 166.01 feet; thence South 01°31'09" East
 88.94 feet to a 1/2 inch rod on said southeasterly highway line;
 thence continuing South 01°31'09" East 78.26 feet to a 1/2 inch
 rod on the Southwesterly line of said 66 foot wide easement;
 thence continuing South 01°31'09" East 465.45 feet to a 1/2 inch
 rod on said section line; thence along said section line, South
 76°04'44" West 143.34 feet to the Point of Beginning; being a part
 of the Southeast 1/4 of the Southwest 1/4 of Section 18, Town 34
 North, Range 7 West, and containing 1.939 acres.
 Subject to the rights of the public and of any governmental unit
 in any part thereof taken, used or deeded for street, road or
 highway purposes.

Exhibit E

In the Township of Hayes, Charlevoix County, State of Michigan, Commencing at a Charlevoix County Marker at the West corner common to Sections 18 and 19, Town 34 North, Range 7 West; thence along the line common to said sections, North 76°04'44" East 1216.54 feet to a 1/2 inch rod, being the POINT OF BEGINNING of this description; thence continuing along said section line, North 76°04'44" East 81.76 feet to a 1/2 inch rod on the West 1/8 line of said section 19; thence continuing along said section line, North 76°04'44" East 365.01 feet to a 1/2 inch rod; thence South 05°59'01" East (recorded as South 04°25'25" East) 601.71 feet to a 1/2 inch rod; thence South 87°59'36" West 398.87 feet to a 1/2 inch rod on said 1/8 line; thence continuing South 87°59'36" West 30.00 feet to a 1/2 inch rod; thence South 02°00'25" East 64.02 feet to a inch rod; thence South 55°58'26" West 188.15 feet to a 1/2 inch rod; thence North 34°01'39" West 151.37 feet to a 1/2 inch rod; thence North 55°58'26" East 176.66 feet to a 1/2 inch rod; thence North 02°00'25" West 100.59 feet to a 1/2 inch rod; thence North 35°22'58" East 65.87 feet to a 1/2 inch rod; thence 02°00'25" West 296.87 feet to the Point of Beginning; being a part of the North 1/2 of the Northwest 1/4 of Section 19, Town 34 North, Range 7 West., containing 6.658 acres.

Together with and subject to a 66 foot easement for ingress and egress described at follows: In the Township of Hayes Charlevoix County, Michigan, A 66 foot wide private easement for ingress, egress and utilities lying 33 feet either side of a centerline described as follows: Commencing at the West corner common to Sections 18 and 19, Town 34 North, Range, Range 7 West; thence along the line common to said sections, North 76°04'44" East 1377.27 feet; thence North 34°01'39" West 355.09 feet to the Southeasterly line of Highway U.S. 31, being the POINT OF BEGINNING of this description; thence along the centerline of said 33 foot wide private easement the following five (5) courses: South 34°01'39" East 66.00 feet, South 30°42'09" East 207.56 feet, South 45°35'52" West 104.08 feet, South 07°52'02" West 37.51 feet, and South 01°42'39" East 581.58 feet to the Point of Ending; being a part of the West 1/2 of Sections 18 and 19, Town 34 North, Range 7 West.

**Impact Statement for Falls Storage Complex
August 6, 2018**

Based upon the use that is being proposed, no additional school children or elderly populations will be residing on the property. No demands on community services are expected to be generated by this development as they are only to be used as storage buildings. This property is capable of being served by Charlevoix Township water and City of Charlevoix Sewer, but usage is expected to be quite minimal for this use.