

**Hayes Township Planning Commission  
Regular Meeting  
August 15, 2017**

The regular meeting of the Hayes Township Planning Commission (PC) was called to order at 7:03 p.m. at the Hayes Township Hall, 09195 Old US 31, Charlevoix.

Planning Commission members present were Marilyn Morehead, Matt Cunningham, Bob Jess, Cliff Biddick, Pat Phillips and Ed Bajos. Steve Wilson was absent. Also present Marlene Golovich secretary. and Larry Sullivan Zoning Administrator (ZA). Audience members signed in were Roy Griffiths and David Kemme.

Chair Jess asked to be joined in saying the pledge of allegiance.

Marilyn Morehead stated that she would like time for the PC to have discussion without public ~~interacation~~ **interaction**.

Dave Kemme asked when public comments could be made. Bob stated that no final decisions on the ordinance update were being made at this meeting.

Public comments – no comments.

The PC reviewed the draft ordinance updates dated August 2, 2017.

8. Waterfront Development Approval

B. Technical Committee it was suggested the committee be Ron, Marilyn, Bob & Larry with Claire.

Bob stated that the members of the technical committee should not include a Board of Trustees member and/or the supervisor but should keep the committee separate from the Board. Bob also suggested adding a landscaper to the committee. Matt suggested a landscape architect. Ed stated an architect may be better and more open minded. Marilyn stated she wanted to think about it.

Public comment was taken on fees to property owners, salary to technical committee, and the additional burden to the property owner.

Marilyn stated that the Township wants to bring the property in to shore land protection strip (SLPS) compliance. This section of the ordinance has certain triggers to provide the opportunity to review the SLPS

Public comment was taken on the Township getting sued for bargaining with people to come into compliance.

Larry Sullivan stated that PC members or the Lake Charlevoix Association may not have the technical expertise. He stated the township may be better off just utilizing Tip of the Mitt

Watershed Council. ~~It~~ He also stated it may be hard to get all the members of the proposed technical committee together for a meeting in a timely manner. You may not have to pay a per diem to PC members but Tip of the Mitt might charge a fee. After Tip of the Mitt reviews the plans the PC can review them at a regular meeting. Larry asked if the cost should be applied to the applicant or spread to the tax payers.

Cliff asked who would be on the committee, Larry and the Tip of the Mitt?

Marilyn stated she would like to think about it. She was asked by the supervisor to look into the proposed section of the ordinance. She has talked with Grenetta from the Tip of the Mitt and will talk with her again about fees. Marilyn stated she assumed there would not be per diems to the members similar to the site visits the zoning board of appeals makes.

Larry stated it should be composed of technical experts or not be called technical committee but maybe a review committee.

Bob asked Marilyn to check with Tip of the Mitt about fees and review turnaround time.

Pat stated that Marilyn was a good liason for the committee, she was asked by the supervisor, she is involved and passionate about waterfront protection.

Public comment was taken on what constitutes an expert, state licensing of experts and technical aspects being reviewed.

Bob suggested using a flow chart.

Public comment was taken on approval and denial standards, what is being reviewed.

Marilyn stated that applicants were not to be judged on the changes to their structures just the SLPS.

Public comment was taken on applicant's agreement or disagreement of the review and potential outcomes and reasons for acceptance or denial.

Cliff stated the goal is not to affect the house but the SLPS.

Marilyn stated that property owners are not aware of the zoning regulations of the SLPS. The standards for the review are in the ordinance. The purpose of the proposed new section is to bring property owners into compliance for the SLPS standards.

Public comment was taken on property owner awareness.

Pat Phillips stated that there are ways to raise awareness.

Larry stated that ignorance is not an excuse to break the law. There is no way to notify buyers before the purchase.

Public comment was taken on the review is not reasonable as written.

Public comment closed.

Planning Commission discussion.

Marilyn stated there have been a lot of good public suggestions and she will review with Claire. She is not sure but the review may need more than Tipp of the Mitt.

Larry stated he is concerned about 2A. He asked if the walkway is attached to the deck allowed in the setback would the walkway be used to measure the square footage of the deck. Larry also asked if 3D. should include language about the walkway being a direct line between the building and the shoreline to minimize the disruption of the shoreline.

Marilyn stated she would look for language.

Larry stated that 6. Marine Sewage reads “a written service agreement in place” should have added to it “by a licensed or permitted pump out facility”.

Marilyn stated that the ~~propose~~ **proposed** deck footage should include the walkway for total square footage. The walkway cannot be used to expand the area of the deck. Claire should be asked for wording.

Bob stated that Marilyn will work on the triggers and outcome of the site plan review.

Bob asked Matt if the Board approved additional funds for the ordinance update. Matt stated they approved \$2000.00. Secretary Golovich asked if she could add to the discussion about funds. She explained that there was a contract with Beckett and Raeder and that the PC has exceeded that contract and it was her understanding that the additional \$2000.00 was to complete the project.

Bob and Matt asked to see a copy of the contract/proposal.

Bob stated he would like to discuss possible ~~changed~~ **changes** to the ordinance regarding wood boilers. Larry stated that any changes to the ordinance made now would not affect existing boilers, they would be grandfathered in. Larry stated there are negative impacts from wood boilers.

Ed stated that taller chimneys and seasoned wood would help with the negative impacts.

Larry stated an ordinance change would not help with existing boilers but would help in the future. Pat stated adding chimney height to alleviate the problem would be ok but she would hate to see the ordinance eliminate out door wood boilers. She asked if good neighbors could not work this out. The PC asked Larry to look into it.

The Planning Commission members reviewed the regular minutes from the July 18, 2017. Cliff Biddick made a motion, supported by Marilyn Morehead to approve the minutes as corrected. Motion carried.

Zoning Administrator, Larry Sullivan prepared a written report with an oral overview.

Matt reported on Township Board (BOT) activities. Paul Hoadley continues to have concerns about the anti-funneling section of the proposed ordinance update. The park host gave the year-end report. The board will have a special meeting on August 23. Paul Hoadley is preparing a draft equipment operation policy. A contract with Ellsworth Co-op was signed for winter propane. The revised park host policy was sent to the attorney for review. The Board signed the MTA Principle of Governance. Omar Feliciano was given a raise for web page updates. Marlene & Ron will meet with an attorney about a complaint that was filed with the County Sherriff and the States Attorney General's office.

Matt was asked what the complaint was about. Matt stated it was about tree removal at Camp Sea-Gull. Topics for the special meeting include insurance policy, Larry's job review and hiring an ordinance enforcement officer.

Next meeting of the Planning Commission is September 19, 2017 @ 7:00 p.m.

Planning Commission Comments – Bob stated he was asked about sky diving in Hayes Township. Larry stated he denied a permit for an airport in the agriculture district because the airport was commercial in nature. The applicant can appeal to the zoning board of appeals.

Public comment – no comments.

Cliff Biddick made a motion, supported by Marilyn Morehead to adjourn at 8:21 p.m. Motion carried.

Respectfully submitted

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Marlene Golovich, recording secretary

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Marilyn Morehead Planning Commission Secretary

Minutes approved as corrected September 19, 2017