

Hayes Township Planning Commission
Regular Meeting
May 19, 2015

The regular meeting of the Hayes Township Planning Commission was called to order at 7:00 p.m., at the Hayes Township Hall, 09195 Old US 31, Charlevoix.

Planning Commission members present were, Doug Kuebler, Pat Phillips, Marilyn Morehead, Steve Wilson, Cliff Biddick, Ed Bajos and Jim Rudolph. Also present were Marlene Golovich, secretary, Ron VanZee, zoning administrator, Mary Campbell, Jim McMahon, Diane McMahon, Ben Cunningham, Matt Cunningham, Mike Cunningham, Jerry Seymour, Alex Hollenbeck, and Connie Saltonstall.

Chair Jim Rudolph asked to be joined in the pledge of allegiance.

Public comments: None received.

The Planning Commission members reviewed the minutes from the April 21, 2015 regular meeting. Doug Kuebler made a motion, supported by Ed Bajos to accept the minutes as written. Motion carried unanimously.

The Planning Commission members reviewed the minutes from the May 14, 2015 work meeting. Doug Kuebler made a motion, supported by Ed Bajos to accept the minutes as written. Motion carried unanimously.

Doug Kuebler reported on Township Board activities. A new entrance to the Hayes Township Park is being developed. A volunteer clean-up day is scheduled on May 30th for the township park. The next regular meeting of the BOT is June 8 and will include the annual meeting and the budget hearing.

Zoning Administrator, Ron VanZee presented a written report with an oral overview.

Chair Jim Rudolph turned the meeting over to Mary Campbell of M.C. Planning and Design.

Mary presented the proposed amendment changes to the PC for their review.

Section 3.14 (Section 7) 2a & 2b the PC discussed the size of the deck allowed within the 100 ft setback from the water. The consensus was to allow 160 sq. ft. The question was asked if "at grade" meant no walls would be allowed on the deck or do we need to be more specific. It was suggested that the deck not be allowed more than two feet above grade, it would require a permit and zoning administrator approval.

Jim McMahon asked if the deck must meet side yard setbacks too. Yes.

Ron Van Zee stated that we have a definition for impervious but not pervious. We will need a definition for pervious/permeable surface. He also asked if we were going to allow fire pits, fire places and appliances built into the decks. No they are not pervious/permeable surfaces.

Scott Philp worried that under-sizing the deck would encourage use of the shoreland protection strip for gatherings and thus damage the protection strip. He suggested that 400 sq. ft. might be a better size for the deck to accommodate large gatherings.

Jim McMahon stated he thought this was excessive and that it should be smaller than the original 160 sq. ft. not larger. He also asked why we were even considering allowing it when we never have in the past.

Mary is to add language to the proposed amendment that requires restoration of the shoreland protection strip before a deck permit can be issued.

Mary polled the PC on deck size;

Doug Kuebler allow for a bigger deck 250 sq. ft.

Steve Wilson allow for a bigger deck

Cliff Biddick smaller is better

Marilyn Morehead use a sliding scale depending on the lot size

Jim Rudolph smaller is better

Ed Bajos if we are going to allow it make it useful 250 sq. ft.

Pat Phillips allow 250 sq. ft.

Marlene Golovich stated that we never allowed anything before and that smaller is better so stick with the 160 sq. ft.

Connie Saltonstall asked why we needed more than 12x12.

Marilyn Morehead stated that everyone is already putting in decks so maybe smaller is better.

Ed Bajos stated that they must have a SLPS before they are permitted to have a deck so the lake is being protected

Ron VanZee pointed out that the average of the deck sizes being discussed is 200 sq. ft.

Jim McMahon stated he is worried about allowing anything in the 100 ft setback and is concerned about allowing a raised deck.

It was stated that no fill would be allowed to raise the deck to the 2 foot level but rather posts would be used.

The PC consensus was to allow for a 200 sq. ft. deck.

Section 3.14 (Section 8)

4c - ok

4d - ok

4f – restrict dock lighting height to 4 ft. above dock surface

Jim McMahon is concerned about any AC on docks. Could they just be solar lights? Jim Rudolph stated that AC on docks can be safe and would need to meet building dept standards. Jim M stated that he is worried that Oyster Bay is going to look like a commercial marina with all the lights.

Section 3.16 (Section 10) Add “municipal” to “adjacent to a park located”. Remove “privacy” from “six foot privacy fence” and add maximum 6 ft. fence that does not restrict views to the water.

Accessory Buildings Section 3.05

7. The A-1 Zoning District does not require a zoning permit and this will be changed to ZA Zoning Permit needed.

R2 & R3 suggested changes ok

8. After discussion about the required 100’ setback and agricultural use it was decided to leave this section as is.

Section 4.13 Mary is still trying to touch base with Bryan Graham regarding the district setbacks for Agricultural.

Mary will provide the PC with proposed language from Eveline Township regarding zoning regulations for the area between the ordinary high water mark and the all time high water mark.

The next meeting of the PC is June 16 and the plan is to wrap up the amendment review and schedule a public hearing for July 21.

Jim McMahon asked if his suggested revisions regarding water run off were discussed at the last PC meeting. They were discussed but not incorporated because they would be too hard to enforce.

Section 3.20 Jim McMahon suggested changing "adjacent districts" to "neighboring properties". The PC agreed this was a good change and should be made.

Connie Saltonstall suggested that permanent docks should be required to have a site plan review by the Zoning Administrator. Because all applications made to the DEQ for a permanent dock are shared with the Township and time is allowed for the Township to comment on the DEQ application the PC does not feel a site plan review is necessary. Mary Campbell stated that language dealing with this issue may be in the proposed language from Eveline Township that she will be providing to the PC.

Cliff Biddick made a motion, supported by Pat Phillips to adjourn at 9:10 p.m. Motion carried unanimously.

Respectfully submitted

Marlene Golovich, recording secretary

Steve Wilson Planning Commission Secretary

Minutes approved as written June 16, 2015.