

# Hayes Township, Charlevoix County, Planning Commission

## Regular Meeting of Planning Commission

December 13, 2022 7:00 pm

Hayes Township Hall

9195 Major Douglas Sloan Road

Charlevoix, Michigan 49720

ZOOM

<https://us02web.zoom.us/j/83460345817?pwd=VStlck5FZWlGVzFwaFNoenRieFViQT09>

Meeting ID: 834 6034 5817

Passcode: 103827

+1 689 278 1000 US

## AGENDA

Call to Order

Pledge of Allegiance

Review of Agenda

Declarations of Conflict of Interest

Approval of Minutes Regular Meeting Draft November 15, 2022

Public Comments Unrelated to Agenda Items

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

Review of Advisory Group Activity

Annual Organizational Meeting

Approval of Proposed 2023 Meeting Dates

Election of Planning Commission Officers

Set/Confirm Public Hearing Dates

Set/Confirm Date of Next PC Meeting for January 17, 2023 at 7:00 pm

Public Comment

Planning Commission Comment

Adjournment

To best facilitate a hybrid meeting (in person as well as ZOOM) for the public, please adhere to the following guidelines:

**In person attendance**

1. Doors to the hall will open at 6:45 pm
2. Please voluntarily provide a name for the record
3. Please hold all comments until the appropriate designated public comment agenda item
4. To maintain an orderly meeting while providing opportunity for the public to be heard, Planning Commission Chairman will call names in appropriate order
5. We ask that you voluntarily state your name for the record
6. Direct all comments to the planning commission
7. Keep comments brief and to the point (3 minutes per person); deputy clerk will advise when time is up
8. Do not speak while others are speaking
9. Minutes may not be yielded to other speakers.

**Via ZOOM attendance**

1. Upon signing into the meeting, please voluntarily provide a name for the record
2. All ZOOM participants will be admitted from the waiting room prior to the start of the meeting
3. All ZOOM participants will remain muted until called on during the appropriate designated public comment agenda item
4. Please raise your hand to be called on during public comments
5. Direct all comments to the planning commission
6. Keep comments brief and to the point (3 minutes per person); participant will be muted at 3 minutes
7. Minutes may not be yielded to other speakers.

Note: A quorum of the Hayes Township Board members may be present at this meeting. No Hayes Township Board business will be discussed or conducted at this meeting.

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**CALL TO ORDER:** Chairperson Roy Griffitts called the meeting to order at 7:00 p.m.

Members present: Roy Griffitts (Chair), Steve Bulman, Derek Burnett, Marilyn Morehead, Matt Cunningham, and Ed Bajos.

Excused: Rex Greenslade

Also, present: April Hilton (Deputy Clerk/Recording Secretary).

Audience: Julie Collard, Kim Fary, Deb Narten, Tim Boyko, LuAnne Kozma, Lauren Pearson, Abby Hawley, Jim Rudolph, Danielle Hutcheson, Ellis Boal, Jim McMahon, Diane McMahon, Janet Simon, Greg Denzinger, David Kemme, Chris Mills, Chelsea Mills, Betty Henne, Andy Wilson, Anthony Diaz, Carol Umlor, John Neych, Mel Czechargler, Carl Harman, Christine Knight, and Bob Koaches.

**PLEDGE OF ALLEGIANCE TO THE FLAG:** Mr. Griffitts led the Pledge of Allegiance.

**REVIEW AGENDA:** Mr. Bajos made a motion, supported by Mr. Cunningham to approve the agenda as presented.

Yeas: Derek Burnett, Steve Bulman, Roy Griffitts, Ed Bajos, Matt Cunningham, and Marilyn Morehead

Nays: none     **Motion Carries**

**DECLARATIONS OF CONFLICTS OF INTERESTS:** None

**APPROVAL OF MINUTES OCTOBER 18<sup>TH</sup>, 2022 REGULAR MEETING**

Ms. Morehead made a motion, supported by Mr. Bajos, to approve the October 18<sup>st</sup>, 2022, regular meeting minutes as presented.

Yeas: Derek Burnett, Steve Bulman, Roy Griffitts, Ed Bajos, Matt Cunningham and Marilyn Morehead.

Nays: none     **Motion Carries**

**PUBLIC COMMENTS UNRELATED TO AGENDA ITEMS:**

Public comments opened at 7:04 pm.

Comments Included:

- Resident asked questions about a performance bond that was sent to the township regarding the Rieth-Riley property.
- Resident requested clarification on the possible plans to amend an industrial rezone.

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- Resident informed the Planning Commission of two upcoming court cases schedule against the township regarding the ordinary high-water mark.
- Resident asked questions about the advisory committee to the Planning Commission that Supervisor Ron VanZee had mentioned at the previous evenings Board of Trustee meeting. Also asked about Beckett and Raeder's involvement with this committee.
- Resident expressed their concern of their property possibly being rezoned to industrial. They explained how they found it would not be beneficial to be zone industrial.
- Resident asked about their property possibly being in a flood zone, and the Townships' status for flood insurance.

Public comments closed at 7:20 pm

**REPORT OF TOWNSHIP BOARD REPRESENTATIVE TO THE PLANNING COMMISSION:** By Matt Cunningham. Next meeting December 13<sup>th</sup>, 2022.

**REPORT OF ZONING BOARD OF APPEALS REPRESENTATIVE:**

NA Greenslade Absent

**ZONING ADMINISTRATOR REPORT:**

NA

**NEW BUSINESS-**

**MASTER PLAN UPDATE PROCESS- BECKETT & RAEDER:**

Ms. Morehead made a motion, supported by Mr. Bajos, to approve an advisory committee to assist the Planning Commission with revising the Master Plan.

Yeas: Derek Burnett, Steve Bulman, Roy Griffiths, Ed Bajos, Marilyn Morehead, and Matt Cunningham.

Nays: none     **Motion Carries**

Chair Roy Griffiths invited John Iacoangeli, from Beckett and Raeder to describe how he sees the process going and the expectations for the committee.

**STATUS REPORT ON THE DRAFT EDITS OF ZONING ORDINANCE:**

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The Planning Commission is still reviewing the draft edits handed out at the last Planning Commission meeting.

**RESCHEDULE DECEMBER PLANNING COMMISSION MEETING:**

Ms. Morehead made a motion, supported by Mr. Bajos to reschedule the December Planning Commission meeting to December 13<sup>th</sup>, 2022, at 7:00pm.

Yeas: Derek Burnett, Steve Bulman, Roy Griffiths, Marilyn Morehead, Ed Bajos and Matt Cunningham.

Nays: none     **Motion Carries**

**SET/CONFIRM DATE OF NEXT PLANNING COMMISSION MEETING:**

Next Planning Commission meeting will take place on December 13<sup>th</sup>, 2022, at 7:00 pm.

**PUBLIC COMMENT:** Public comments open 7:50 pm.

Comments included:

- Resident suggested the Planning Commission should inform the public of the sections of the Zoning Ordinance draft they plan to discuss prior to each meeting. This way the residents have a chance to read the section and gave proper feed back to the Planning Commission.
- Resident stated their concern for Michigan Shores area for possible cement dust polluting the water as well as putting the green space around Michigan shores at risk.
- Resident stated they are concerned with how the members of the Advisory Committee were selected. They are worried about the transparency to the public.
- Resident questioned if the Advisory Committee members will be voted on or not by either the Board of Trustees or Planning Commission.
- Resident suggested the Planning Commission tables the Zoning Ordinance Draft Discussion until after the Master Plan Review is complete.

Public comments closed 7:58pm

**PLANNING COMMISSION COMMENT:**

- Marilyn Morehead shared her opinion, that the Advisory Committee will be a transparent process to involve the community with the revision of the Master Plan.

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- Roy Griffiths responded to resident concern of the appointed members of the  
Advisory Committee.

**ADJOURNMENT:** Mr. Bajos made a motion, supported by Mr. Cunningham, to adjourn the  
meeting at 8:02 pm.

Yeas: Derek Burnett, Steve Bulman, Roy Griffiths, Rex Greenslade, Marilyn Morehead, Ed Bajos  
and Matt Cunningham.

Nays: none     **Motion Carries**

Respectfully Submitted by:

April Hilton  
Deputy Clerk/Recording Secretary

**Hayes Township 2023 Planning Commission Meeting Dates**

**Meetings are held at 7pm on the third Tuesday of each month**

**Hayes Township Hall  
9195 Major Douglas Sloan Road**

January 17<sup>th</sup>, 2023

February 21<sup>st</sup>, 2023

March 21<sup>st</sup>, 2023

April 18<sup>th</sup>, 2023

May 16<sup>th</sup>, 2023

June 20<sup>th</sup>, 2023

July 18<sup>th</sup>, 2023

August 15<sup>th</sup>, 2023

September 19<sup>th</sup>, 2023

October 17<sup>th</sup>, 2023

November 21<sup>st</sup>, 2023

December 19<sup>th</sup>, 2023





***Northern Michigan Shores Property Owners Association***

*6865 9 Mile Pointe Drive*

*Charlevoix, MI 49720*

November 28, 2022

Hayes Township Master Plan Focus Group

Hayes Township Planning Commission

Hayes Township Board of Trustees

Hayes Township Hall

9195 Major Douglas Sloan Road

Charlevoix, MI 49720

Dear Focus Group, Planning Commission, and Board of Trustee Members,

As the Hayes Township Master Plan Focus Group is meeting soon, the Board of Directors of the Northern Michigan Shores Property Owners Association is writing this letter to express our concerns regarding the Hayes Township Master Plan. At this time our letter will focus on two specific areas of the Rieth-Riley property; Parcel 007-102-001-00, referred to as the current greenbelt area, and the gravel pit.

The greenbelt area, parcel 007-102-001-00, contains a narrow strip of property that runs the southern length of Michigan Shores from US-31 to the turn-around at the eastern end of 9 Mile Pointe Drive. Much of the greenbelt is located above Michigan Shores. This greenbelt also includes the seldom-used road that begins at the Rieth-Riley gravel pit and ends at Lake Michigan where the previous diesel engine water pump was located.

In the best interests of our community, our preference for the entire greenbelt including the road is to have it zoned Conservation Reserve (CR). This zoning would preserve the current natural, forest resources. This greenbelt currently offers some buffering for Michigan Shores from the gravel pit and any future activity. The road, as part of this Conservation Reserve, would preclude a through-road into the adjacent property to the east of Michigan Shores.

The Rieth-Riley gravel pit is a more complex challenge to Michigan Shores. A certified, professional geologist must be retained to determine the future zoning of this gravel pit area because of the hazards of re-using this area for industrial or other purposes. There are severe issues regarding the safety of the groundwater for Michigan Shores and Lake Michigan. We are also concerned about air quality in the immediate area as this area was mined for sand for many years. Sand has silica, which during extraction can lead to airborne silica dust coming from the

open areas of the mine. Silica is a human carcinogen and also causes silicosis. An in-depth study by a certified geologist would be highly recommended to determine future zoning for this old, gravel pit to safeguard the safety of Michigan Shores and Lake Michigan.

Overall, we believe we have legitimate concerns about the impact of future zoning of these parcels on the property and residents within Michigan Shores.

Thank you for your consideration of our concerns.

Sincerely,

Nancy Simon, President, lifecoachsimon@gmail.com

Ruth Augustine, Vice-President, raugustine@gmail.com

Sarah Wolf, Treasurer, nmospa@gmail.com

Karen Wooster Secretary

Melvin Czechowski, Director, mhczechow@aol.com