

Hayes Township, Charlevoix County, Planning Commission

Regular Meeting of the Planning Commission

May 16, 2023 7:00 pm

Hayes Township Hall

9195 Major Douglas Sloan Road

Charlevoix, Michigan 49720

<https://us02web.zoom.us/j/83601481092?pwd=bTRvd01yc2NtSHY5MXkrZDUxVDMrZz09>

+1 309 205 3325 US

Meeting ID: 836 0148 1092

Passcode: 068828

Call to Order

Pledge of Allegiance

Review of Agenda

Declarations of Conflict of Interest

Approval of April 18, 2023 Regular Meeting Minutes

Public Comment 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

- Report on Advisory Committee Activity
- 2023-2024 Planning Commission Budget Recommendation

Old Business

Set/Confirm Public Hearing Dates

Set/Confirm Date of Next Planning Commission: June 21, 2023 at 7:00 pm

Public Comment

Planning Commission Comment

Adjournment

Public Comment at Meetings of the Hayes Township Planning Commission

The Hayes Township Planning Commission values public input and offers two opportunities for the public to comment at its meetings, once near the beginning and once near the end. This affords the Planning Commission the opportunity to hear your views and remarks. If you speak, you should not expect to engage the Planning Commission members or any staff in discussion or debate.

Planning Commission Members will not respond to comments made during the Public Comment unless it becomes necessary to ask a clarifying questions, correct a factual error, or to provide specific factual information.

Questions about Township matters are best directed to individual Board members or Township staff (Planner, Zoning Administrator, or Assessor) between meetings. Contact information is available on the township website at: hayestownshipmi.gov.

The availability of public comment is recognized by the Michigan Open Meetings Act. The Act provides that rules may be adopted for orderly comment from the public. To that end, the following rules have been established by the Planning Commission:

1. A person who wishes to speak during Public Comment will sign in and signify that they would like to speak on the form.
2. The person will begin by stating their name, spelling it out if requested.
3. The person addresses the Chairperson, or other person chairing the meeting, on behalf of the entire Planning Commission. Public comment is NOT to be addressed to individual Planning Commission members, to any township staff present, or to other members of the audience.
4. There is a three (3) minute time allotment for each speaker. The time limit may be extended by the Chairperson or majority of the Planning Commission members present. If a speaker uses less than three (3) minutes, they may not use the remaining time at that Public Comment. A speaker may speak only once at each Public Comment. There is no provision for another audience member to 'donate' their three (3) minutes to another speaker.
5. A speaker will be out of order if the speaker disrupts the meeting, fails to be germane, speaks longer than the allotted time, uses vulgarities or makes a personal attack on a Planning Commission member or Township employee that is unrelated to the performance of that person's duties.
6. If a speaker is called out of order, that speaker will not be able to speak again at the same meeting except by special leave of the Planning Commission. If the speaker continues to disrupt the meeting or is disorderly, law enforcement will be called to remove the speaker.
7. The Chairperson, or other person chairing the meeting, will have the discretion to permit members to speak at times other than the times reserved for Public Comment.

Hayes Township Planning Commission
April 18th, 2023
Regular Meeting
Zoom ID 836 0148 1092

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

Members present: Roy Griffiths (Chair), Steve Bulman, Derek Burnett, Marilyn Morehead, and Rex Greenslade

Excused: Matt Cunningham and Ed Bajos.

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

Audience: Fallen Carring, Ellis Boal, LuAnne Kozma, Kathy Martinchek, Vic Martinchek, Janet Simon, Carl Harmon, Kim Fary, Betty Henne, Chelsea Mills, Mark Hosmer, Shelly VanWart, Ron Hilton, Tim Boyko, and Bud Borus.

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

REVIEW AGENDA:

Ms. Morehead made a motion, supported by Mr. Bulman to approve the agenda as presented.

Yeas: Derek Burnett, Steve Bulman, Roy Griffiths, Rex Greenslade, and Marilyn Morehead

Nays: none **Motion Carries**

DECLARATIONS OF CONFLICTS OF INTERESTS: None

APPROVAL OF MINUTES MARCH 28TH, 2023 REGULAR MEETING

Mr. Greenslade made a motion, supported by Mr. Burnett, to approve the March 28th, 2023, regular meeting minutes as corrected.

Yeas: Derek Burnett, Steve Bulman, Roy Griffiths, Rex Greenslade, and Marilyn Morehead.

Nays: none **Motion Carries**

PUBLIC COMMENTS UNRELATED TO AGENDA ITEMS:

Public comments opened at 7:04 pm.

- Resident stated he will be representing the interveners in court against Rieth Riley and has asked the Township to join in the lawsuit against Rieth Riley.
- Resident would like the Zoning Administrator report to show addresses. Also presented a list of documents they have personally FOIA requested over the past year.
- Resident believes that Horton Creek is in danger due to the mineral extraction by Rieth Riley.
- Resident expressed their concern for the phase 7 mineral extraction from Rieth Riley putting residents well water and Horton Creek at risk.

Public comments closed at 7:15 pm

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REPORT OF TOWNSHIP BOARD REPRESENTATIVE TO THE PLANNING COMMISSION:

Next meeting May 8th, 2023.

REPORT OF ZONING BOARD OF APPEALS REPRESENTATIVE:

Hearing Scheduled for May 24th, 2023.

ZONING ADMINISTRATOR REPORT:

Written report available at Hayes Township Hall.

NEW BUSINESS-

REVIEW OF ADVISORY GROUP ACTIVITY:

Mr. Burnett presented the Planning Commission with a review of the Advisory Group's most recent meeting activity. Next Meeting is May 10th, 2023.

UPDATE ON ZONING ORDINANCE EDITS:

Ms. Morehead made a motion, supported by Mr. Bulman to approve holding off the discussion of the Zoning Ordinance draft until the Advisory Committee is complete with their discussions.

Yeas: Derek Burnett, Steve Bulman, Roy Griffiths, Rex Greenslade, and Marilyn Morehead.

Nays: none **Motion Carries**

RECAP/DISCUSSION LIAA, LAKE CHARLEVOIX ASSOCIATION/ TIP OF THE MITT MARCH PRESENTATION:

Planning Commission members discussed their questions and concerns they had after the presentation from LIAA. Planning Commission members also discussed what they foresee for future goals and protection for the Shoreline. The planning commission would like to see improvement in quality of the lakes within the Township. Members Agreed each lake within the Township needs to be discussed individually to best achieve these goals. The Planning Commission will consider all suggestions from LIAA, Lake Charlevoix Association and Tip of the MITT organizations.

OLD BUSINESS-

SET/CONFIRM PUBLIC HEARING DATES: None

SET/CONFIRM DATE OF NEXT PLANNING COMMISSION MEETING:

Next Planning Commission meeting will take place on May 16th, 2023, at 7:00 pm.

Hayes Township Planning Commission
April 18th, 2023
Regular Meeting
Zoom ID 836 0148 1092

PUBLIC COMMENT: Public comments open 7:40 pm.

Comments included:

- Resident requested the Zoning Ordinance be on the agenda at the following Planning Commission meeting.
 - Resident feels it is important that each body of water should be address individually. Also believes Rieth Riley has manipulated and abused their agreement with the Township.
 - Resident appreciates the intervenors and everyone that has been involved with the fight against Rieth Riley mineral extraction. Expressed their concern, that Rieth Riley is being reckless and would like the Township to stop any future extraction.
 - Resident is unsure what the Planning Commission goal is when rewriting the Zoning Ordinance.
 - Planning Commissioner from neighboring township suggested the planning commission members focus on sewer near the lake shore when considering shoreline protection.
 - Resident would like to see dates and address on the Zoning Administrator Report. Also referenced a meeting they had with Tipp of the MITT.
- Resident questioned what the Planning Commission is trying to solve by rewriting the Shoreline protection section of the Zoning Ordinance.
- Public comments closed 7:57pm.

PLANNING COMMISSION COMMENT:

Mr. Burnett asked if dates could be added to the Zoning Administrator report. He will follow up his questions with the Zoning Administrator.

Mr. Griffiths reminded the residents the Planning Commission members can not address the residents concerns regarding the Rieth Riley or Emmet County properties. Informed the Residents of the letter posted on the Township website from the township attorney regarding Rieth Riley mineral extraction.

ADJOURNMENT: Mr. Greenslade made a motion, supported by Ms. Morehead, to adjourn the meeting at 8:04 pm.

Yeas: Derek Burnett, Steve Bulman, Roy Griffiths, Marilyn Morehead, and Rex Greenslade.

Nays: none **Motion Carries**

Respectfully Submitted by:
April Hilton
Deputy Clerk/Recording Secretary

2023/2024 Draft Planning Commission Draft Budget

General assumptions:

It is assumed that there will be a need to meet in work sessions on a variety of topics including the review and update of the township zoning ordinance and the start of the required update of the Master Plan. To that end we are increasing the total number of meetings to 16 if needed.

Accomplishing these tasks will require additional administrative support and production, publishing and printing costs.

Recording Secretary. 16 @ \$200/session	\$3200
Per diem 16 x 6 x 90	\$8640
16 X 1 x \$135	\$2160
Total	\$10800
Office Supplies	\$1000
Education*	\$2400
Publication/Printing	\$4500
Services **	\$23000
Total Budget submission	\$44900

*This includes one training session per member plus some additional for new member training and memberships/subscriptions.

**This is an estimate which may include some additional work from consultants, including but not limited to diagrams, associated charts, artwork, software and legal review (if needed).

**HAYES TOWNSHIP
ZONING ADMINISTRATOR REPORT
MAY 2023**

Reviewed application for variance, 07644 Indian Trails. Prepared public notice, prepared zoning information for Zoning Board of Appeals. Public notice published as well as adjacent property owners noticed for May 24, 2023 scheduled hearing.

Received, reviewed and approved application for an accessory structure at 06450 Boyne City Road after receiving and approving application and survey for lot line adjustment to accommodate zoning permit application.

Issued zoning permit for a 24' x 32' accessory structure at 06091 Pincherry Road.

Issued zoning permit for a 10' x 30' accessory structure at 08305 Quarterline Road.

Issued zoning permit for a new single family residence with attached garage at 08978 US 31 N.

Issued zoning permit for a 30' x 40' accessory structure at 06450 Boyne City Road.

Received and reviewing application for zoning permit for a new single family residence at 06310 Michigan Shores Drive.

Received and reviewing application for zoning permit for an accessory structure at 07889 Boyne City Road.

Owners of property on Stephens Road have requested pre-application meeting for proposed camp ground. Meeting has not been scheduled as of this report.

Wrote letter of nuisance violations to owners of property located at 09888 Major Douglas Sloan Road.

May 16th 2023 PC meeting

Name	Public Coment Yes/NO
Davelle Heston	No
LuAnne Kozma	yes
KEVIN WILLIS	P
DEBBIE NARTEN	yes
Ellis	
Carol Um/or	No
Joel Robinson	No
Janet Simon	yes
Kim Farny	yes
Bob Adams	No