

Hayes Township Planning Commission

July 25th, 2023

Special 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 Bulmann, Derek Burnett, Marilyn Morehead, Rex Greenslade and Matt Cunningham

Excused: Ed Bajos.

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

Audience: Janet Simon, Shelly Green VanWart, Marolyn Anderson, Kevin Willis, Pat Fary, Catherine Phelps, Daran Phelps, Jeff Harmon, Dianne McMahon, Betty Henne, Jim McMahon, Deb Narten, Danielle Hutchenson, Kim Fary, Sue Pike, Joellen Rudolph, Jim Rudolph, Tim Boyko, Susan Mcbrew, Chip Lorenger, LuAnne Kozma, Carol Umlor, Anthony Deir, Mel Czechowski, Jim Pemberton, Bob Ferguson, Mel Taylor, and Winnie Boal.

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

REVIEW AGENDA:

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

Yeas: Derek Burnett, Steve Bulmann, Roy Griffiths, Matt Cunningham, Rex Greenslade, and Marilyn Morehead

Nays: none **Motion Carries**

Ms. Morehead made a motion, supported by Mr. Bulmann to adjourn the meeting no later than 9:00pm.

Yeas: Derek Burnett, Steve Bulmann, Roy Griffiths, Matt Cunningham, Rex Greenslade, and Marilyn Morehead

Nays: none **Motion Carries**

DECLARATIONS OF CONFLICTS OF INTERESTS: None

PUBLIC COMMENTS UNRELATED TO AGENDA ITEMS:

Public comments opened at 7:02 pm.

Comments included:

- Resident's comments are attached to the minutes.
- Resident does not agree with changing the label 'mining impaired'. Feels the land should be labeled with concern.
- Resident suggested 'mining History' or 'mining reclaimed' would be better verbiage that all parties could agree on. They would like to see a lawsuit avoided.

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- Resident would like to thank the Advisory committee for all their hard work. However, they are concerned for the residents well water and the water in the surrounding creeks to the Reith Riley property.
- Resident is concerned there is no public comment towards the end of the meeting. Feels the mining impaired portion of the advisory committee report should be part of the Hayes Township Zoning ordinance.
- Deb Narten supports the Mining Impaired label, feels it best describes the land as it is damaged.
- Resident feels the Planning Commission should approve all the suggestions from the Advisory Committee especially the label of mining impaired. Does not feel one property owners' opinion should affect the Planning Commission's decision.
- Resident feels the Planning Commission should visit the Reith Riley pit for they feel it is dangerous. Also feels there should be a second public comment towards the head of the meeting.
- Resident feels the Township should not have any special meetings. They do not feel like the Township is working for the residents. And feels the 'mining impaired' label should be changed to 'stripped mining.'
- Resident feels Rieth Riley has stripped the land from mineral extraction and feels 'mining impaired' is what it should be labeled. Believes the Planning Commission should use the label that the Beckett and Raeder professional created for this section. Also, would like to thank the Advisory Committee for all their hard work.
- Resident suggest the Township advertise special meetings better.
- Resident feels the Township is receiving bad legal advice suggesting changing the advisory committee report and feels the Planning Commission should follow the advice of the Advisory Committee.

Public comments closed at 7:25pm

NEW BUSINESS-

SHORELAND SITE PLAN REVIEW: 7948 INDIAN TRAILS, CHARLEVOIX, MICHIGAN 49720:

Mr. Greenslade made a motion, supported by Mr. Bulmann to use the identified sections of the Site Plan Review that pertain to the application.

Yeas: Derek Burnett, Steve Bulmann, Roy Griffiths, Matt Cunningham, Rex Greenslade, and Marilyn Morehead

Nays: none **Motion Carries**

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Ms. Morehead made a motion, supported by Mr. Greenslade, to approve the Zoning Permit Application, Site Plan Review, for 7948 Indian Trails, Charlevoix Michigan 49720 with the condition the applicant discuss any additional plantings of deep-rooted shrubs with a Tip of the Mitt representative for approval.

Yeas: Derek Burnett, Steve Bulmann, Roy Griffiths, Matt Cunningham, Rex Greenslade, and Marilyn Morehead

Nays: none **Motion Carries**

CONTINUATION OF REVIEW ADVISORY COMMITTEE REPORT AND FUTURE LAND USE MAP:

Planning Commission discussion included, the desire for proper reclamation of gravel pits for future use; Public confusion between Future Land Use Map and zoning designations; County disapproves of negative designations on Future Land Use Maps; the intent of the Future Land Use Map is to show what the Township wants the future to look like (desired is to have Rieth Riley's property as AG, so why designate it "Mining Impaired"); The Advisory Committee envisioned the Reith Riley property as a residential classification; consent judgement provides rules for property owners responsibility and court controls property

- The Planning Commission came to a consensus to label the area of the "Green pit" as Rural Residential on the Future Land Use Map with an asterisk explaining the conditions of current land use, the limitations of the consent agreement and what desired future uses are TBD and will be specifically defined.
- The Planning Commission came to a consensus to keep the Farm/Forest district as a 10-acre minimal.
- The Planning Commission came to a consensus to keep the language for Residential-Waterfront while identifying the different bodies of water within Hayes Township.
- The Planning Commission came to a consensus to include language for affordable housing (R2-R4) in the Residential – Settlement section of the Future Land Use Map.
- The Planning Commission came to a consensus to continue discussion of the definitions and asterisk language at the next meeting.

OLD BUSINESS-

SET/CONFIRM PUBLIC HEARING DATES:

None

SET/CONFIRM DATE OF NEXT PLANNING COMMISSION MEETING:

Planning Commission regular meeting will take place on August 15th, 2023, at 7:00 pm.

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PLANNING COMMISSION COMMENT:

Mr. Greenslade made a motion, supported by Ms. Morehead to amend the agenda, and add a second Public Comment.

PUBLIC COMMENT:

Open at 8:40pm

- Resident appreciates the discussion by the Planning commission tonight.
- Resident would like to know if the restoration of the Rieth Riley is contingent on the future use of the land.
- Resident appreciates the discussion by the Planning Commission. Feels it had a positive movement forward.
- Resident feels the discussion of the Planning Commission was a great step forward.
- Resident is concerned the Planning Commission did not consider the whole building within the Site Plan Review.
- Resident feels the Planning Commission had a very productive discussion.

Closed at 8:48pm

ADJOURNMENT: Ms. Morehead made a motion, supported by Mr. Greenslade, to adjourn the meeting at 8:48 pm.

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

Nays: none **Motion Carries**

Respectfully Submitted by:
April Hilton
Deputy Clerk/Recording Secretary