

Hayes Township Planning Commission
October 17th, 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), Derek Burnett, Marilyn Morehead, Rex Greenslade, CT Martin, Mark Snyder, and Matt Cunningham.

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

Audience: Deb Narten, Danielle Hutchenson, Doug Kuebler, Diane McMahon, Jim McMahon, LuAnne Kozma, Ellis Boal, Winnie Boal, Janet Simon, Mel Narten, Michael Hutchenson, Carole Melvin, Tim Boyko, Shelly VanWart and Wyatt Melvin.

PLEDGE OF ALLEGIANCE:

REVIEW AGENDA:

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

Yeas: Derek Burnett, Roy Griffiths, Matt Cunningham, Rex Greenslade, CT Martin, Mark Snyder, and Marilyn Morehead

Nays: none **Motion Carries**

Mr. Snyder made a motion, supported by Ms. Morehead, to approve the agenda as amended.

Yeas: Derek Burnett, Roy Griffiths, Matt Cunningham, Rex Greenslade, CT Martin, Mark Snyder, and Marilyn Morehead

Nays: none **Motion Carries**

DECLARATIONS OF CONFLICTS OF INTERESTS: None

APPROVAL OF MINUTES SEPTEMBER 19th, 2023 REGULAR MEETING

Mr. Martin made a motion, supported by Ms. Morehead, to approve the September 19TH, 2023, regular meeting minutes as corrected.

Yeas: Derek Burnett, Roy Griffiths, Matt Cunningham, Rex Greenslade, CT Martin, Mark Snyder, and Marilyn Morehead.

Nays: none **Motion Carries**

Hayes Township Planning Commission
October 17th, 2023
Special Meeting
Zoom ID 836 0148 1092

PUBLIC COMMENTS UNRELATED TO AGENDA ITEMS:

Public comments opened at 7:04 pm.

Comments included:

- Resident hopes everyone has received an invite to the presentation from a geologist this Thursday.
- Resident stated the Protect Lake Charlevoix organization has sent some recommendations to the PC members regarding the Shoreland Protection strip.
- Residents hopes the PC members consider the recommendations sent to the PC members by the Protect Lake Charlevoix organization. Also asked if any shoreland reviews have been written recently.
- Resident is concerned the construction at the Rieth Riley pit is a threat to their wells. Also concerned the pits are being left open on multiple occasions.

Public comments closed at 7:14pm

REPORT OF TOWNSHIP BOARD REPRESENTATIVE TO THE PLANNING COMMISSION:

Next meeting November 13th, 2023.

REPORT OF ZONING BOARD OF APPEALS REPRESENTATIVE:

NA

ZONING ADMINISTRATOR REPORT:

Written report available at Hayes Township Hall.

Mr. VanZee stated as supervisor for the past seven years; he has either appointed or re-appointed each member of the Planning Commission. The reason he has done that is mainly because five of them live on the three major lakes in the township and two of the members make their living from the lakes. From recent comments made from the community, Ron VanZee asked the members of the Planning Commission if any of them have the intention to gut the ordinance and harm the lakes. The Planning Commission members responded that is not their intent. Ron VanZee then requested the members, use their expert opinion, to take their time, and discuss the Ordinance to make sure it is exactly how it needs to be to protect the lakes and community as a whole for Hayes Township.

New Business:

REPORT ON MTA PROFESSIONAL DEVELOPMENT RETREAT FOR PLANNING AND ZONING:

Mr. Greenslade found the Retreat covered all the bases the PC members are involved in. He found the discussion at the retreat labeled "Managing all the Pieces" was very insightful, especially for facing the challenges with enforcing the Ordinance.

Hayes Township Planning Commission
October 17th, 2023
Special Meeting
Zoom ID 836 0148 1092

Mr. Martin stated as a newer member to the Planning Commission, he found the training very enlightening, for the meeting covered various topics that the Planning Commission members encounter at meetings and within Hayes Township.

Mr. Griffiths stated the current issues that Hayes Township is confronted with, many townships throughout Michigan face the same issues.

REVIEW PC BYLAWS REGARDING AGENDA AND PUBLIC COMMENT:

Mr. Griffiths made a motion, supported by Mr. Greenslade, to approve a temporary change to the PC Bylaws to have an open public comment at the beginning of the meeting, as the only public comment period, through the December PC meeting to test the effectiveness of change. Yeas: Roy Griffiths, Matt Cunningham, Rex Greenslade, CT Martin, Mark Snyder, and Marilyn Morehead.

Nays: Derek Burnett **Motion Carries**

Old Business:

REVIEW OF DRAFT EDITS TO ZONING ORDINANCE:

Planning Commission members discussed.

- Article III Definitions
- Article

Discussion included:

- Mr. Burnett found the difference between a Bed and Breakfast and Boarding Housing is determined by time. A Bed and breakfast are supposed to be a shorter length of stay compared to a Boarding House. Mr. Burnett is going to research further and bring a suggestion to the PC.
- Mr. Martin found the definition of "Family" is most consistent to be "a group of two or more persons related by birth, marriage or adoption that live together all such related persons are considered Family."
- Mr. VanZee found to be classified as a "Farm", it must be an operation for the better of the public and be the primary source of income. Mr. VanZee suggested to add a definition for "Hobby Farms". Mr. VanZee will use what he has found and bring definition suggestions to the Planning Commission for all Farm related definitions.
- Mr. Greenslade found the Front Lot Line is determined by the line separating the lot from a private or public road. Rex suggested to include Lake Front Properties in this definition to read, "on a corner and through lots including shorefront or waterfront lots, the lot line separating such lots from road right away are front lot lines."

Hayes Township Planning Commission

October 17th, 2023

Special Meeting

Zoom ID 836 0148 1092

- Mr. Snyder suggested the PC determine an Ordinary High-Water Mark for the Hayes Township Ordinance.
- Mr. Snyder suggested having a meeting with the Zoning Admin to better understand the impact a few feet can have when changing the Waterfront Set back, for further education before deciding on the Ordinary High-Water Mark.
- Mr. Griffiths suggested for the PC to use higher authority recommendations such as EGLE, within the ordinance verse creating their own for Hayes Township.
- Mr. Griffiths suggested creating a specific site plan review set of criteria for waterfront shoreland protection strips, under the umbrella of special land use permit allowing the Planning Commission to hold a public hearing for each plan.
- Mr. Snyder suggested making a consistent Ordinance with other townships in Charlevoix County.
- Mr. Martin stated the waterfront setbacks in the current ordinance is for every lake, stream, pond, wet land, etc. in the township. The PC members will discuss these setbacks further as it is a complex issue.
- Ms. Morehead will work with Ron VanZee to identify and present any issues for all the streams, wetlands and smaller creeks in Hayes Township.

Ms. Morehead made a motion, supported by Mr. Snyder, to table the Review of Draft Edits to the Zoning Ordinance until next meeting.

Yeas: Derek Burnett, Roy Griffiths, Matt Cunningham, Rex Greenslade, Mark Snyder, CT Martin, and Marilyn Morehead.

Nays: none **Motion Carries**

SET/CONFIRM PUBLIC HEARING DATES:

None

SET/CONFIRM DATE OF NEXT PC MEETING – November 21st, 2023.

Next Planning Commission regular meeting will take place on November 21st, 2023, at 7:00 pm.

PUBLIC COMMENT: Public comments open 8:20 pm.

Comments included:

- Resident was pleased with the meetings discussion and comments made by the PC members and Zoning Admin. Wishes the residents, and the PC members can work together and have the same goals.
- Resident suggested to encourage audience input. Also, feels there is never any feed back from letters submitted by residents to the PC. Also, feels the second public

Hayes Township Planning Commission
October 17th, 2023
Special Meeting
Zoom ID 836 0148 1092

comment at the meetings should be keep on the agenda. Supports the first public comment to be open to all topics.

- Resident mentioned there are several lakes and streams within Hayes Township.
- Resident supports the first public comment being open to all topics, however, disagrees with removing the second public comment period. Suggested the PC members research Traverse City Zoning Ordinance. Resident gave a definition for Bottomlands.

Public comments closed 8:29 pm.

PLANNING COMMISSION COMMENT:

Mr. Cunningham stated the Charlevoix County Planners Forum is scheduled for November 29th, 2023, at the public Library 4:00pm to 8:00 pm. Topics include, Planning and Zoning, Water Quality, Lake Charlevoix Shoreland Planning, Lake Charlevoix Septic Study, Master Planning implementation and what local officials can do for childcare.

Mr. Griffiths responded to the feed back for the PC to have open dialog with the audience.

Mr. Griffiths states he is unsure what the answer is, however, the members can only address these issues at the meetings and the deliberations among the members must take place during the time at the meetings. This makes it difficult to open the meeting to a large amount of dialog and input from the audience.

ADJOURNMENT: Ms. Morehead made a motion, supported by Mr. Snyder, to adjourn the meeting at 9:01 pm.

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

Nays: none **Motion Carries**

Respectfully Submitted by:
April Hilton
Deputy Clerk/Recording Secretary