

Hayes Township Planning Commission
March 28th, 2022
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 Matt Cunningham

Excused: Rex Greenslade and Ed Bajos.

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

Audience: Janet Simon, Kim Fary, Deb Narten, Jim McMahon, Diane McMahon, Ellis Boal, LuAnne Kozma, Shelly VanWart, Christopher Mills, Jennifer McKay, Danielle Hutcheson, Tim Boyko, Winnie Boal, Betty Henne, Bill Henne, Tom Forton, Marilyn Anderson, Daron Phelps, Catherine Phelps, Mike Hutcheson, Jesus Torres, Bethany Torres, Chelsea Mills, Tom Darton, Vic Martinchek, Kathy Martinchek, Kevin Willis, Melvin Czechowski, Kevin Kemp, Candy Kemp, Christine Knight, Andrew Wilson, Ruth Augustine, Ryan Engen, Tim Wenger and Larry Evans.

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

REVIEW AGENDA:

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

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

Nays: none **Motion Carries**

DECLARATIONS OF CONFLICTS OF INTERESTS: None

PRESENTATION BY LIAA, LAKE CHARLEVOIX ASSOCIATION AND TIP OF THE MITT:

Berry Hicks and Jennifer McKay presented professional guidelines and recommendations to the Planning Commission from LIAA, Lake Charlevoix Association and Tip of the MITT for protecting Lake Charlevoix shoreline.

APPROVAL OF MINUTES JANUARY 17TH, 2023 REGULAR MEETING

Ms. Morehead made a motion, supported by Mr. Bulman, to approve the January 17th, 2023, regular meeting minutes as presented.

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

Nays: none **Motion Carries**

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PUBLIC COMMENTS UNRELATED TO AGENDA ITEMS:

Public comments opened at 7:51 pm.

- Resident is concerned the changing the Zoning Ordinance will decrease the township's ability to protect the community, especially the shoreline.
- Resident is concerned the Reith Riley mineral extraction will affect them at their home.
- Resident is concerned the township officials do not have the communities and residents' best interest in mind and feels their decisions may have conflict of interest.
- Resident is concerned the activity of Reith Riley's mineral extraction will affect negatively affect the residents daily live and health. They would like Hayes Township to conduct a special meeting with Reith Riley.
- Resident is concerned the Reith Riley mineral extraction will affect their daily life, health, and home value.
- Resident is concerned for the Bayshore community and would like the Planning Commission to hold a special meeting to address the Rieth Riley mineral extraction concerns.
- Resident would like to know if a traffic study has been done in Bayshore on highway 31.
- Resident does not believe the Planning Commission wants to do more toward protecting the lake.
- Resident asked for an update on the Zoning Ordinance draft. And is concerned the proposed changes would decrease the Zoning Ordinance protection of the Shoreline.
- Resident is concerned Reith Riley's mineral extraction will decrease housing values and will destroy the water quality of Horton creek and Lake Charlevoix. Also concerned the increases truck traffic will cause traffic hazards.
- Resident supports Kim Fary's, research, and purpose for a special meeting regarding the residents concerns of Reith Riley extracting minerals in Bayshore.
- Resident would suggest the Planning Commission read through Kim Fary's letter and research and would like to see the Township hold a special meeting with Reith Riley to address these concerns.
- Resident would like to remind everyone Reith Riley already came to the Township during the Board of Trustee meeting and answered the concerns of the residents. Would also like the residence to keep in mind to be polite when asking questions to township member and presenters.
- Resident stated Reith Riley has to wait for the frost/freeze laws to lift before extraction minerals. They are concerned of road damage when they do begin moving truck loads.

Public comments closed at 8:29 pm

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REPORT OF TOWNSHIP BOARD REPRESENTATIVE TO THE PLANNING COMMISSION:

Next meeting April 10th, 2023.

REPORT OF ZONING BOARD OF APPEALS REPRESENTATIVE:

NA

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.

OLD BUSINESS-

SET/CONFIRM PUBLIC HEARING DATES:

None

SET/CONFIRM DATE OF NEXT PLANNING COMMISSION MEETING:

Next Planning Commission meeting will take place on April 18th, 2023, at 7:00 pm.

PUBLIC COMMENT: Public comments open 8:36 pm.

Comments included:

- Resident asked the Planning Commission when the Zoning Ordinance draft will be presented to the public to view. Resident does not believe that Beckett and Raeder should be involved.
- Resident presented studies they have generated from sources regarding the potential damages that may be caused by Reith Riley extracting minerals in Bayshore.
- Resident would like to see a discussion regarding the suggestion to contact the Township Attorney and to have a special meeting to address the residents concerns of Reith Riley mineral extractions.
- Resident is concerned for traffic hazards on 31 and Pincherry. The Township will reach out to the road commission regarding having a traffic study conducted.
- Resident is concerned more residents were not present at the meeting to show concern for shoreland protection.
- Resident encouraged the Planning Commission to discuss having a special meeting regarding the Reith Riley mineral extraction. Also expressed concern for the consultant leading the Advisory Committee is informing the group incorrectly.

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- Resident believes it is the planning Commissions responsibility to stop the extraction of mineral by Reith Riley.
 - Resident would like the Planning Commission to consider all the concerns expressed during the public comment portions of the meeting.
 - Resident wants to know what the Planning Commission is planning to do regarding the Bayshore residents concerns for Reith Riley extraction of minerals.
 - Resident does not want to come across as attacking to the township members, just would like to express their level of concern for the residents of Bayshore.
 - Resident stated they are concerned of Reith Riley accountability for their lack in response to the community concerns. And would like to resolve these issues outside of the courts, however, will entertain a lawsuit if needed.
- Public comments closed 8:59pm.

PLANNING COMMISSION COMMENT:

Mr. Burnett asked how long it would take to gather all the information needed to entertain a special meeting regarding the Reith Riley concerns.

Mr. Griffiths responded the process is to reach out to the township's attorney regarding the status of Reith Riley's special use permits and how to address these issues. He will be reaching out to the township's attorney the following day.

Mr. Bulman supports Mr. Griffiths to contact the townships attorney for his legal opinion on address the Rieth Riley mineral extraction concerns.

ADJOURNMENT: Mr. Bulman made a motion, supported by Mr. Burnett, to adjourn the meeting at 9:02 pm.

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

Nays: none **Motion Carries**

Respectfully Submitted by:

April Hilton

Deputy Clerk/Recording Secretary