AGENDA
HAYES TOWNSHIP, CHARLEVOIX COUNTY
PLANNING COMMISSION

January 16, 2024 7:00 pm
Hayes Township Hall
9195 Major Douglas Sloan Road
Charlevoix, Michigan 49720
ZOOM
https://us02web.zoom.us/j/83601481092?pwd=bTRvd01yc2NtSHY5MXkrZDUxVDMrZz09

Meeting ID: 836 0148 1092
Passcode: 068828

+1 312 626 6799 US (Chicago)

1. Call To Order
2. Pledge of Allegiance
3. Review and Approval of Agenda
4. Declaration of Conflict of Interest, if any
5. Review and Approval of Draft Minutes- December 12, 2023, January 6, 2024 and January 13, 2024
6. Public Comment
7. Report of Township Board Representative to the Planning Commission
8. Report of Zoning Board of Appeals Representative to the Planning Commission
9. Zoning Administrator Report
10. New Business – Public Hearing on Hayes Township Recreation Master Plan
    Review Public comment structure
    2023 annual report
11. Old Business
12. Set/Confirm Public Hearing Dates
13. Set/Confirm Date of Next PC Meeting- February 20, 2024
14. Planning Commission Comment
15. Adjournment

Public Comment at Meetings of the Hayes Township Planning Commission

The Hayes Township Planning Commission values public input and offers an opportunity for the public to comment at its meetings. 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 question, 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 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
September 19th, 2023
Special Meeting
Zoom ID 836 0148 1092

CALL TO ORDER: Chairperson Roy Griffitts called the meeting to order at 7:00 p.m.
Members present: Roy Griffitts (Chair), Derek Burnett, Marilyn Morehead, Rex Greenslade, CT Martin, Mark Snyder, and Matt Cunningham.
Also, present: April Hilton (Deputy Clerk/Recording Secretary) and Kristin Baranski.
Audience: Luke VanZee, Diane McMahon, Jim McMahon, Danielle Hutchenson, Janet Simon, Deb Narten, LuAnne Kozma, Tim Boyko, Ellis Boal, Winnie Boal, Kevin Willis, Andy Wilson, Melvin Czechowski, and Carol Umlor.

REVIEW AGENDA:
Mr. Greenslade made a motion, supported by Mr. Martin, to approve the agenda as presented.
Yeas: Derek Burnett, Roy Griffitts, Matt Cunningham, Rex Greenslade, CT Martin, Mark Snyder and Marilyn Morehead
Nays: none **Motion Carries**

DECLARATIONS OF CONFLICTS OF INTERESTS: None

APPROVAL OF MINUTES AUGUST 22ND, 2023 REGULAR MEETING
Mr. Martin made a motion, supported by Ms. Morehead, to approve the August 22nd, 2023, regular meeting minutes as corrected.
Yeas: Derek Burnett, Roy Griffitts, Matt Cunningham, Rex Greenslade, CT Martin, Mark Snyder, and Marilyn Morehead.
Nays: none **Motion Carries**

PUBLIC COMMENTS UNRELATED TO AGENDA ITEMS:
Public comments opened at 7:04 pm.
Comments included:

- Resident requested the Planning Commission to have a meeting with a Geologist and was wondering if the Township could allow the meeting to take place at the Township Hall with the use of the Township microphones and Zoom equipment.
- Resident would like to know why the Planning Commission will not speak with the Geologist the residents have be speaking to. Also, they feel the township Lawyer does not have the resident's interest in mind.
- Resident suggested using "Previously mined" for the Future Land Use map, would like it to state something about the land being mined.
- Resident supports the request to have the Planning Commission consult with the Geologist.

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

CALL TO ORDER: Chairperson Roy Griffitts called the meeting to order at 7:00 p.m.
Members present: Roy Griffitts (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 Griffitts, 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 Griffitts, 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 Griffitts, Matt Cunningham, Rex Greenslade, CT Martin, Mark Snyder, and Marilyn Morehead.
Nays: none **Motion Carries**

Hayes Township Planning Commission
December 12th, 2023
Regular Meeting
Hayes Township Hall
9195 Major Douglas Sloan Rd.
Charlevoix, MI 49720

CALL TO ORDER: Vice Chairperson Derek Burnett called the meeting to order at 7:00 p.m.

Members present: Derek Burnett, CT Martin, Marilyn Morehead, Rex Greenslade, Mark Snyder, and Matt Cunningham.

Excused: Roy Griffitts (Chair)

Also, present: April Hilton (Deputy Clerk/Recording Secretary), Ron VanZee (Zoning Administrator) and Julie Collard (Parks and Rec Chair)

Audience: Melvin Czechowski, LuAnne Kozma, Ellis Boal, Jim McMahon, Marilyn Anderson, Joni Hosler, Betty Henne, Dianne McMahon, Carol Umlor, Janet Simon, Shelly VanWart and Tim Boyko.

PLEDGE OF ALLEGIANCE:

REVIEW AGENDA:
Mr. Martin made a motion, supported by Mr. Greenslade, to approve the agenda as amended.
Yeas: Matt Cunningham, Rex Greenslade, Mark Snyder, Derek Burnett, CT Martin, and Marilyn Morehead
Nays: none **Motion Carries**

DECLARATIONS OF CONFLICTS OF INTERESTS:
None

APPROVAL OF MINUTES NOVEMBER 21ST, 2023 REGULAR MEETING
Ms. Morehead made a motion, supported by Mr. Greenslade, to approve the November 21ST, 2023, regular meeting minutes as corrected.
Yeas: Derek Burnett, CT Martin, Matt Cunningham, Rex Greenslade, Mark Snyder, and Marilyn Morehead.
Nays: none **Motion Carries**

PUBLIC COMMENTS UNRELATED TO AGENDA ITEMS:
Public comments opened at 7:06 pm.

Comments included:

- Disappointed to only have one public comment. Concern of the process for rewriting the Parks and Rec Master Plan. Would like to know if Beckett and Raeder were involved in the rewrite.
- Supports community input. Asked when the public will be able to view the Parks and Rec Master Plan rewrite draft. Suggest the commissioners take their time when approving any changes to the master plan.
- Supports two public comment periods during the meetings.
- Merry Christmas!!
- Suggested more description on agenda items. Asked if Beckett and Raeder had any involvement in the survey or the Parks and Rec Master Plan rewrite.

Public comments closed at 7:15pm

REPORT OF TOWNSHIP BOARD REPRESENTATIVE TO THE PLANNING COMMISSION:

Next meeting January 8th, 2024, at 7:00pm.

REPORT OF ZONING BOARD OF APPEALS REPRESENTATIVE:

NA

ZONING ADMINISTRATOR REPORT:

Written report available at Hayes Township Hall.

New Business:

PRESENTATION BY PARKS AND REC COMMITTEE CHAIR:

Ms. Collard presented the Planning Commission with copies of the Parks and Rec Master Plan Rewrite Draft for them to review. Ms. Collard requested the Planning Commission set a Public Hearing date for January 16th, 2024, to discuss approving the Parks and Rec Master Plan Rewrite Draft.

Ms. Morehead made a motion, supported by Mr. Martin, to approve a public hearing on January 16th, 2024, for the Parks and Rec Master Plan Rewrite Presentation.

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

Nays: none **Motion Carries**

ANNUAL ORGANIZATIONAL MEETING:

Mr. Greenslade made a motion, supported by Mr. Martin to approve the Hayes Township 2024 Planning Commission meeting dates as amended.
Yeas: Derek Burnett, CT Martin, Matt Cunningham, Rex Greenslade, Mark Snyder, and Marilyn Morehead.
Nays: none **Motion Carries**

Mr. Burnett made a motion, supported by Ms. Morehead to open nominations.
Yeas: Derek Burnett, CT Martin, Matt Cunningham, Rex Greenslade, Mark Snyder, and Marilyn Morehead.
Nays: none **Motion Carries**

Ms. Morehead made a motion, supported by Mr. Martin to nominate Roy Griffitts as Chair to the Planning Commission.
Yeas: Derek Burnett, CT Martin, Matt Cunningham, Rex Greenslade, Mark Snyder, and Marilyn Morehead.
Nays: none **Motion Carries**

Mr. Martin made a motion, supported by Mr. Greenslade to nominate Mark Snyder as Vice Chair to the Planning Commission.
Yeas: Derek Burnett, CT Martin, Matt Cunningham, Rex Greenslade, Mark Snyder, and Marilyn Morehead.
Nays: none **Motion Carries**

Mr. Burnett made a motion, supported by Mr. Martin to close nominations.
Yeas: Derek Burnett, CT Martin, Matt Cunningham, Rex Greenslade, Mark Snyder, and Marilyn Morehead.
Nays: none **Motion Carries**

Old Business:

SET/CONFIRM PUBLIC HEARING DATES:

Next Public Hearing date is set for January 16th, 2024.

SET/CONFIRM DATE OF NEXT PC MEETING – JANUARY 16th, 2024.

Next Planning Commission regular meeting will take place on January 16th, 2024, at 7:00 pm.

PLANNING COMMISSION COMMENT:

- Mr. Martin is looking forward to the public hearing for the Parks and Rec Master Plan Rewrite. Also, would like to schedule some Saturday workshops for rewriting the Zoning Ordinance draft.
- Mr. Greenslade suggested for the members to decide on a solution for the second comment period at the next planning Commission meeting.
- Mr. Snyder will provide his email for correspondence.
-

ADJOURNMENT: Ms. Morehead made a motion, supported by Mr. Snyder, to adjourn the meeting at 7:55 pm.

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

Nays: none **Motion Carries**

Respectfully Submitted by:
April Hilton
Deputy Clerk/Recording Secretary

Hayes Township Planning Commission
January 6th, 2023
Special Meeting
Hayes Township Hall
9195 Major Douglas Sloan Rd.
Charlevoix, MI 49720

CALL TO ORDER: Vice Chairperson Roy Griffitts called the meeting to order at 8:45 a.m.

Members present: Roy Griffitts, Derek Burnett, CT Martin, Marilyn Morehead, Rex Greenslade, and Mark Snyder.
Excused: Matt Cunningham.
Also, present: April Hilton (Deputy Clerk/Recording Secretary), Ron VanZee (Zoning Administrator) and Kristin Baranski.
Audience: Jim McMahon, Kim Fary, Pat Fary, Ellis Boal, LuAnne Kozma, Darry Phelps, Janet Simon, and Carol Umlor.

PLEDGE OF ALLEGIANCE:

REVIEW AGENDA:
Mr. Snyder made a motion, supported by Mr. Martin, to approve the agenda as presented.
Yeas: Roy Griffitts, Rex Greenslade, Mark Snyder, Derek Burnett, CT Martin, and Marilyn Morehead
Nays: none **Motion Carries**

DECLARATIONS OF CONFLICTS OF INTERESTS:
None

PUBLIC COMMENTS UNRELATED TO AGENDA ITEMS:
Public comments opened at 8:48 pm.
Comments included:

- Stated they would have liked more notice about the special meeting.
- Supported the previous comment, that residents feel the township should give residents more notice for a special meeting.
- Supports the previous two comments.
- Stated their opinion of the changes the Planning Commission have discussed in the past regarding the zoning ordinance are not in the best interest of the township.

Public comments closed at 8:57pm

Hayes Township Planning Commission
January 6th, 2023
Special Meeting
Hayes Township Hall
9195 Major Douglas Sloan Rd.
Charlevoix, MI 49720

CONTINUE WORK ON THE ZONING ORDIANCE EDITS:

- Planning Commission discussed Renewable Energy and what roles the State of Michigan and Township will have in approvals and denials. i.e. large utility companies who meet the states renewable energy commitment have permission per state, townships have some say however States can override.
- The board came to a consensus to incorporate Marilyn's suggestions into the various zoning districts.
- Marilyn will research right of property and/or special use permits per each district.
- Mr. VanZee suggested for Ag/RR that the zoning ordinance use more restrictive guidelines of uses by right/ uses by special use permit.
- Mr. VanZee state the Township needs to plan and manage development, way back it was little cabins on lakes built on large lots, the trend now is larger home on smaller lot. We need to plan and protect.
- On multi-generational properties larger than 10 acres but smaller than 20 acres, families would like to split/develop within family- the PC needs to avoid spot zoning in these cases.
- Mr. VanZee will work with Equalization to receive a map of the waterfront area to determine how to measure lot size.
- The board came to a consensus to add the Shoreline Protection Strip in each district.
- The Board came to a census the statement regarding Renewable Energy in each district.
- The board came to consensus to create a subdistrict to residential for Small Lot Residential as well as Mixed Use Residential (Neighborhood Commercial 4.10)
- PC discussed adding verbiage to not allow cement batch plants within the Township. Mr. VanZee will speak with attorney. This may allow to use Light Industrial as a district.

Mr. Griffitts made a motion, supported by Mr. Greenslade to hold a special meeting/ Work session for Saturday, January 13th at 8:45 am to continue discussion on the Zoning Ordinance Draft.

Yeas: Roy Griffitts, Marilyn Morehead, Rex Greenslade, Mark Snyder, Derek Burnett and CT Martin.
Nays: none **Motion Carries**

PLANNING COMMISSION COMMENT:

- Mr. Martin will provide the definition the Advisory Committee came up with for Light Industrial.

ADJOURNMENT: Mr. Martin made a motion, supported by Ms. Morehead, to adjourn the meeting at 10:42 pm.
Yeas: Roy Griffitts, Marilyn Morehead, Rex Greenslade, Derek Burnett and CT Martin.
Nays: none **Motion Carries**

Respectfully Submitted by:

April Hilton

Deputy Clerk/Recording Secretary

Zoning Administrator Report

January 2024

Zoning Administrator work in progress report for the month of January includes the following:

- Michigan Heights lot requirements setbacks review
- Proposed repair on retaining wall/seawall on Lake Charlevoix- working with EGLE
- Conversion of garage to dwelling
- Outdoor sales and indoor service/repair facility
- Setback and other zoning requirements for replacement of home
- Continue work to complete application for garage with/without living space
- Three inquires for clustered/tiny home developments
- Working with Charlevoix County Equalization on new mapping for lakes and streams as well as zoning map corrections
- Attended Special Meeting PC January workshop as well as regular meeting in December

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Public Notices

NOTICE TO CREDITORS
IN THE MATTER OF Leon A Woodruff, Jr.

TO ALL CREDITORS: * NOTICE TO CREDITORS: The decedent, Leon A Woodruff Jr, who lived at 495 Arbor, Harbor Springs, MI 49740
Died October 25th 2023

You are hereby notified that Tonya Smith is handling the final accounts. Creditors of the decedent are notified that all claims against the decedent will forever be barred unless presented to Tonya Smith within 5 months after the publication date of this notice.
Dated: 11/29/2023

Tonya Smith
6119 Hart Gln
San Antonio, TX 78249

Public Notice:

Hayes Township
2024-2029 Recreation Plan

The Hayes Township Planning Commission will hold a public hearing on January 16, 2024, at the Hayes Township Hall, located at 09195 Major Douglas Sloan Rd, Charlevoix, 49720, at 7pm. The purpose of this hearing is to accept comments on the Draft Hayes Township Recreation Plan 2024-2029. A copy of the plan is available for review at the Hayes Township Hall as well as on the website at hayestownshipmi.gov. The purpose of this plan is to guide the efforts of Hayes Township in making investments in and providing recreation facilities into the future with particular emphasis on the time period between 2024 and 2029. Comments may be submitted in writing by mail to Hayes Township Planning Commission at the Hayes Township Hall, or by email to clerk@hayestownshipmi.gov prior to the hearing or be presented at the public hearing. Verbal comments will be accepted at the hearing.

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PROOF OF PUBLICATION

Hayes Township
Hayes Township
9195 Major Douglas Sloan RD
Charlevoix MI 49720-9053

STATE OF MICHIGAN, COUNTY OF EMMET, COUNTY OF CHARLEVOIX

The Petoskey News Review, a newspaper printed and published in the counties of Emmet and Charlevoix, in the State of Michigan, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspaper in the issue dated:

12/16/2023

and that the fees charged are legal.
Sworn to and subscribed before on 12/16/2023

Legal Clerk

Notary, State of WI, County of Brown

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Notary Public
State of Wisconsin

Public Notice:

Hayes Township
2024-2029 Recreation Plan

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2023 Hayes Township Planning Commission Annual Report

2023, was a year dominated by work on updating and editing the Zoning Ordinance as a whole. The PC met 14 times in regular and special meetings formats. Two new members joined the Commission and underwent training. The disruption of progress occurred by the emergence of an issue raised on the Reith-Reilly green pit which impeded discussion and unfortunately slowed progress on many levels. The issues raised in the green pit issue led to the creation an advisory group to provide feedback on future land uses in.

The beginning of the year was marked by presentations from northwestmihabitat.org, the Land Information Access Association. Tip of the Mitt and the Lake Charlevoix Association. These presentations provided information on workforce housing needs and the development of countywide survey of lake Charlevoix shoreline ordinances. The follow-up presentation by the waterfront study group was well done and presented information to be used in the continuing work on the ordinance edits.

The PC to continued worked through the draft during the course of the year. Some delays have been incurred in the progress on the Master Plan due to another yet lawsuit, this one focusing on the consent agreement which governs the use of the green pit. The zoning ordinance draft review by the PC is anticipated to be completed in 2024 and sent back to the consultant for further refinement before coming back to the PC and issued for public feedback.

DRAFT

In addition to working on the ordinance we conducted the regular business of the PC including holding public hearings on rezoning's, special use permits, property divisions and preliminary project discussions.

Plans for 2024 include finalizing the Zoning Ordinance update, reviewing an updating the Master Plan as needed, and further work in the effort to increase housing options in our community.

Gmail

clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Parks and Recreation Master Plan Feedback

1 message

Jim McMahon <jim_mcmahon_iii@yahoo.com> Thu, Jan 11, 2024 at 12:07 PM
To: Roy Griffitts <rwgriffitts3@gmail.com>, Mark Snyder <snyderhtp@outlook.com>, Derek Burnett <burnett.pc@outlook.com>, Matt Cunningham <trustee2@hayestownshipmi.gov>, Rex Greenslade <greensladerex@gmail.com>, Marilyn Morehead <morehead.m@gmail.com>, "C. T. Martin" <ctmagnetics@aol.com>, "hayestownshippc@gmail.com" <hayestownshippc@gmail.com>, Kristin Baranski <clerk@hayestownshipmi.gov>
Cc: "hayestownshippr@gmail.com" <hayestownshippr@gmail.com>

Dear Planning Commission members,

The Parks and Recreation Master Plan has lots of positive township information and has colorful imaginary, photos, and diagrams. I believe the plan would be more complete with development in two specific areas:

1. The survey was not mailed to each household and property owner. The mailing of a hardcopy survey provides ease of use and assurance that 100% of township households and property owners would be reached. To my understanding, the survey was only available online.

A potential survey respondent needed to know where the survey was located online and to have internet access. For most township property owners and residents, accessing or reading township website information is not high on their personal to-do list. This online approach makes the survey into a chore for most people. Were the survey questions professionally designed, unbiased, and administered?

2. This document does not provide a proposed plan for implementation. There is no list of proposed development priorities in priority sequence.

For example, one of the 1st responsibilities of the township is to protect its assets. Some township waterfronts are under threat of erosion. Protecting the Camp Sea-Gull shoreline using a natural, non-hardened, methodology would be more important than installing a $350,000 pickle-ball court. Additionally, the most important feature of Camp Sea-Gull is the waterfront. All features at this waterfront park should be supportive of waterfront-related activities.

Many people come to Camp Sea-Gull for relaxation and relative quiet in the late afternoon. Could there be more appropriate places in the township than a waterfront park, with its beautiful vistas and its relative-quiet atmosphere, to locate a pickle-ball court? Please consider locations such as the property adjacent to the township hall for the pickle-ball court?

Recommendations:

1. Re-execute the survey using a township-wide methodology with proven, professional, survey methods to ensure all residents and property owners are reached. A professionally drafted and executed survey would better guarantee broader and unbiased responses.

2. Using a professionally-administered survey, create a vision for the entire township and for all of its parks. Additionally, Camp Sea-Gull requires a general timeline (Gantt chart) for future development.

Thank you for this opportunity to provide constructive feedback.

Jim McMahon
phone: 231-347-9829

Article V

Zoning Districts and Maps (01/2022-2/2022)

Preliminary Draft

5.01 Purpose

TBD

5.02 Zoning Map

TBD

5.03 Interpretation of Zoning District Boundaries

TBD

5.04 Lot Area, Lot Width, and Setback Requirements

TBD/Morehead insert/Van Zee suggestion: in combined areas -go with most restrictive by right as well as by Special Use Permit; (Small lot residential) (Low density on waterfront and keep 2 overlay districts as current) (Also current ordinance states that measured from center of lot-halfway between front lot line and rear lot line; continue? Changes would create several legal non-conforming; waterfront lots; could create narrow waterfrontage; want to prepare for large undeveloped waterfront lots that still exists in township; 100 ft from water and then 200 feet across; VanZee will check with Equalization; Stmt: The intent of purpose is limit the opportunity for smaller waterfront dimensions on Lake Charlevoix, Lake Michigan and Suan Lake so that the Township has a minimum waterfront width TBD upon receipt of map from Equalization

5.05 Lot Area, Lot Width, and Setback Illustrations

TBD

5.06 Classification of Zoning Districts

A. Zoning Districts

For the purpose of this Ordinance, the following Zoning Districts shall be established in Hayes Township.

CR	Conservation Reserve
ARR	Agricultural and Rural Residential
R-1	Residential
MR	Multiple Family Residential
MHP	Mobile Home Park
C1	Commercial
I1	Industrial

B. Zoning Map

The areas assigned to each Zoning District and the boundaries thereof shown on the map entitled "Hayes Township Zoning Map, Charlevoix County, Michigan" are hereby established, and said map and all proper notations and other information shown thereon are hereby made a part of this Zoning Ordinance.

C. Boundaries of Districts

Unless otherwise specified, the boundary lines of the Zoning Districts shall be interpreted as following along section lines, or customary subdivisions of sections, or centerlines of highways or streets, or the shoreline of waterways, or property lines of legal record at the office of the Charlevoix County Register of Deeds on the date of the enactment of the Zoning Ordinance. The official Zoning Map shall be the final authority in any dispute concerning district boundaries. The official map shall be kept up to date, with any amendments to the Ordinance involving changes to the official map noted and portrayed on said map.

The official zoning map, including legally adopted amendments, shall be designated as such by the signature of the Township Clerk. Where uncertainty exists as the exact district boundaries, the following shall prevail:

A. Where boundary lines are indicated as approximately following streets, alleys, or highways; the center lines of the said streets, alleys, or highways shall be considered to be exact boundary lines.
B. Boundaries indicated as approximately following lot lines shall be considered to follow said lot lines.
C. Where the application of the above rules leaves a reasonable doubt as to the exact location of a district boundary, the provisions of the more restrictive district shall govern the entire parcel in question, unless determined otherwise by the Zoning Board of Appeals.

D. Zoning of Vacated Lands

Whenever any street, alley, highway, or other public right-of-way within the Township has been abandoned by official government action, such right-of-way lands attach to and become part of the land adjoining. Such right-of-way lands property shall automatically acquire and be subject to the provisions of the Zoning District of abutting property. In the case of an abandoned right-of-way which also serves as the district boundary, the centerline of the right-of-way shall be the district boundary.

E. Zoning of Filled Areas

Whenever, after appropriate permits are obtained, any fill material is placed in any lake, stream, or wetland so as to create a usable or buildable space, such fill area shall take on the Zoning District and accompanying provisions of the land abutting said fill area. No use on any lake or stream shall be allowed which does not conform to the Ordinance provisions on the property from which said property emanates. No fill material shall be placed in any lake or stream within the Township unless appropriate permits are obtained from the Michigan Department of

Environmental Quality and U.S. Army Corp of Engineers, as required. Refer to Waterfront Section and add statement to clarify.

F. Zoning District Changes

When district boundaries change, any non-conforming use may continue subject to all other applicable provisions of this Ordinance.

Section 5.07 Conservation Reserve District (CR)

The following provisions shall apply to the Conservation Reserve District (CR).

A. Intent

The land uses in this district are intended to promote the proper use, enjoyment and conservation of water, land, topographic and forest resources of the Township particularly adapted to recreational and forest uses. The provisions of this section also recognize the gradual extension of other property uses into the district, and the importance of adopting good standards to guide such developments. If properly integrated, the inclusion of such uses is provided for by special approval by the Zoning Administrator.

B. Permitted Uses

1. Parks, playgrounds, recreational areas and community centers
2. Conservation areas for fauna and flora
3. Accessory buildings and uses customarily incidental to the above permitted uses

C. Uses Subject to Special Use Permit

Special approval use of lands and premises, and the erection and use of buildings and structures shall, after the effective date of this Ordinance, be limited to the following uses and shall be subject to the provisions of **SECTION XXXXXXXX** *Uses Subject to Special Use Permit* and the applicable portions of **ARTICLE XXXXXXX** *Supplemental Site Development Standards.*

1. Docks and launched ramps
2. Recreational Camps
3. Commercial Wind Turbine Generator and Anemometer Towers, subject to the provisions of **Section XXXXXX** *Supplemental Site Development Standards.*
4. Renewable Energy Developments, subject to the provisions of **Section XXXX** *Supplemental Site Development Standards* and deferring to State of Michigan Regulations TBD
5. Accessory buildings and uses customarily incidental to the above special uses.
6. Approval of a Shoreline Landscaping Plan to create or modify a Shoreline Protection Strip

D. Dimensional Regulations

Structures and uses in the Conservation Reserve District are subject to the area, height, bulk and placement requirements in **Section XXXX** Schedule of Regulations.

Section 5.08 Agricultural/Rural Residential (AG/ARR)

The following provisions shall apply to the Agricultural / Rural Residential (AG/ARR).

1. Intent

The Agricultural/Rural Residential is designed to promote the use of wooded and rural areas of the Township in a manner that will retain the basic attractiveness of the natural resources and provide enjoyment for both visitors and the community at large. The primary intent of the District is to hold the rural Township areas for agricultural and forestry purposes and to allow some multiple uses of marginal farm-forest lands. Residential uses are considered secondary in Agricultural, the minimum lot size for Agricultural Zoning is 5 acres, however given the rural nature of areas of the township, some 2 acre lots are allowed subject to the uses allowed by right in the R-1 Zoning District where the creation of these lots does not fragment the larger AG areas.

It is the intent of the AG district is to provide for a variety of comparatively low-density residential lifestyles in a manner which preserves open spaces and natural resources of the Township and the Township's rural character. In parcels 5 or less acres, the more restrictive requirements of the uses by right and the permitted special uses. These smaller parcels for residential purposes require a minimum of 2 acres and are intended to preserve open space for agricultural uses. The expanses of open spaces and natural resources, including woodlands, wetlands, hillsides, fields, and farmland comprise the fundamental rural character of the Township which residents wish to protect for future generations. This designation includes limited existing farms and it is not the intent of this designation to encourage the conversion of these agricultural lands to more intensive land uses, but to provide opportunities for residential development in a manner more compatible with the continuation of agricultural activities than traditionally provided for. However, neither is it the intent of this designation to encourage the establishment of more intensive agricultural uses, such as confined livestock operations, which are incompatible with residential use of adjoining lands. Permitted land uses within this district are established based upon, in part, the limited public services available and accompanying natural constraints. The Rural Residential designation is intended to implement, in part, the Rural Residential portion of the Future Land Use Plan in the Hayes Township Master Plan.

2. Permitted Uses Ron will designated for 5 acres or less

   A. Single family dwellings.
   B. Agricultural, including both general and specialized farming, tree farms and forestry.
   C. Roadside stands for the sale of farm product, provided that not less than fifty (50) percent of the goods offered for sale shall have been produced on the premises; and provided further, that the facilities for entry to and exit from the premises and adequate off-street parking are available.

D. Co-location of antenna or similar sending/receiving device on an existing tower or alternative tower structure, subject to the provisions of **Section XXXXX** *Antenna Co-location on an Existing Tower or Structure.*

E. Home occupations conducted completely inside the residence, subject to the provisions of Section XXXXX *Home Businesses.*

F. Accessory buildings and uses customarily incidental to the above permitted uses.

G. Accessory Dwelling Units.

H. Agricultural warehouses and non-animal agricultural processing plants.

I. Plant nurseries and greenhouses.

Uses Subject to Special Uses Permit Ron will designated for 5 acres or less

A. Bed and breakfast facilities.

B. Planned Unit Developement (Open Space Preservation Option), subject to the provisions of **Section XXXX** *Supplemental Site Development Standards*

C. Public buildings and facilities.

D. Places of worship and related religious buildings.

E. Cemeteries.

F. Golf courses and country clubs.

G. Public and private campgrounds.

H. Private airports and landing strips.

I. Fire control structures.

J. Kennels, veterinary clinics and animal hospitals.

K. Non-domestic furbearing animals when confined in cages not less than two hundred (200) feet from property line.

L. Planned Unit Developments.

M. Additional farm employee dwellings, provided the property is at least 20 acres in size. The additional dwellings must be sited such that the property could be split in the future with all setbacks met for parcels created.

N. Migratory labor dwellings, provided the property is at least 20 acres in size and subject to the provisions of **Section XXXXX** *Supplemental Site Development Standards.*

O. Forest product processing and sales.

P. Sand and gravel excavation, subject to the provisions of **Section XXXX** *Supplemental Site Development Standards.*

Q. Renewable Energy Developments, subject to the provisions of **Section XXXX** *Supplemental Site Development Standards* and deferring to State of Michigan Regulations TBD

R. Cottage industries conducted outside the residence in the yard, garage or accessory structure, subject to the provisions of **Section XXXX** *Home Businesses.*

S. Accessory buildings and uses customarily incidental to the above special approved uses.

T. Special events.

U. Approval of a Shoreline Landscaping Plan to create or modify a Shoreline Protection Strip

3. Dimensional Regulations

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Structures and uses in the Agricultural and Rural Residential (ARR) District are subject to the area, height, bulk and placement requirements in Article 5 *Schedule of Regulations.*

Section 5.09 Residential District (R-1)

The following provisions shall apply to the minimum ½ acre lot, subject to Health Department and other Ordinance Regulations. Need to separate low density and small lot residential or add a sub category

1. Intent

The Residential District is designed to accommodate and encourage single family residential development and associated uses, in keeping with the residential goals and policies specified in the Hayes Township Master Plan. The permitted uses are intended to provide for residential and related uses and those compatible with such, with the intent to keep residential areas relatively quiet and free from detrimental influences.

2. Permitted Uses

   A. Single family dwellings.
   B. Parks, playgrounds, recreational areas and community centers.
   C. Home occupations conducted completely inside the residence, subject to the provisions of **Section XXXXXX** *Home Businesses.*
   D. Accessory buildings and uses customarily incidental to the above permitted uses.
   E. Accessory Dwelling Units subject to Health Department approval for well and septic and zoning ordinance requirements.

3. Uses Subject to Special Use Permit

   A. Planned Unit Development (Open Space Preservation Option), subject to the provisions of **Section XXXXXX** *Supplemental Site Development Standards.*
   B. Public buildings and facilities.
   C. Places of worship and related religious buildings.
   D. Cottage industries conducted outside the residence in the yard, garage or accessory structure, subject to the provisions of **Section XXXXXX** *Home Businesses.*
   E. Multiple family dwellings greater in number than an ADU are subject to special conditions in Sec XXX
   F. Renewable Energy Developments, subject to the provisions of **Section XXXX** *Supplemental Site Development Standards* and deferring to State of Michigan Regulations TBD
   G. Approval of a Shoreline Landscaping Plan to create or modify a Shoreline Protection Strip
   H. Accessory buildings and uses customarily incidental to the above special approval uses.

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4. Dimensional Regulations

Structures and uses in the Residential District are subject to the area, height, bulk and placement requirements in **Section XXXXX** *Schedule of Regulations*

Section 5.10 Multiple Family District (MFR)

The following provisions shall apply to the Multiple Family District (MFR). Include Neighborhood Commercial

1. Intent

The Multiple Family District is designed to accommodate and encourage higher density residential development through a mix of residential structures and associated uses, including both one-family and multiple family dwelling structures, in keeping with the residential goals and objectives specified in the Hayes Township Master Plan. The uses permitted are intended to promote land uses for residential and related uses and those compatible with such, with the intent to keep residential areas relatively quiet and free from detrimental influences.

2. Permitted Uses

   A. Single family dwellings.
   B. Two family dwellings.
   C. Parks, playgrounds, recreational areas and community centers.
   D. Home occupations conducted completely inside the residence, subject to the provisions of **Section XXXXX** *Home Businesses.*
   E. Accessory buildings and uses customarily incidental to the above permitted uses.

3. Uses Subject to Special Use Permit

   A. Public buildings and facilities.
   B. Places of worship and related religious buildings.
   C. Multiple family dwellings.
   D. Buildings with 3 or more units commercial criteria shall apply
   E. Renewable Energy Developments, subject to the provisions of **Section XXXX** *Supplemental Site Development Standards* and deferring to State of Michigan Regulations TBD
   F. Approval of a Shoreline Landscaping Plan to create or modify a Shoreline Protection Strip
   G. Accessory buildings and uses customarily incidental to the above special approval uses.

4. Dimensional Regulations

Structures and uses in the Multiple Family Residential District are subject to the area, height, bulk and placement requirements in **Section XXXXX** *Schedule of Regulations.* Density increases with municipal or engineered system for water and sewer.

Section 5.11 Mobile Home Park District (MHP)

The following provisions shall apply to the Mobile Home Park District (MHP).

1. Intent

The Mobile Home Park District is intended to provide for the location and regulation of mobile home parks. It is intended that mobile home parks be provided with necessary community services in a setting that provides a high quality of life for residents. These districts should be located in areas where they will be compatible with adjacent land uses.

2. Permitted Uses

   A. Manufactured or mobile home developments.
   B. Parks, playgrounds, recreational areas and community centers.
   C. Co-location of antenna or similar sending/receiving device on an existing tower or alternative tower structure, subject to the provisions of **Section XXXXX** *Antenna Co-location on an Existing Tower or Structure.*
   D. Home occupations conducted completely inside the residence, subject to the provisions of **Section XXXXX** *Home Businesses.*
   E. Accessory buildings and uses customarily incidental to the above permitted uses.

3. Uses Subject to Special Use Permit

   A. Public buildings and facilities.
   B. Places or worship and related religious buildings.
   C. Renewable Energy Developments, subject to the provisions of **Section XXXX** *Supplemental Site Development Standards* and deferring to State of Michigan Regulations TBD
   D. Approval of a Shoreline Landscaping Plan to create or modify a Shoreline Protection Strip
   E. Accessory buildings and uses customarily incidental to the above special approval uses.

4. Dimensional Regulations

Structures and uses in the Multiple Family Residential District are subject to the area, height, bulk and placement requirements in **Section XXXXX** *Schedule of Regulations.*

Section 5.12 Commercial District (CD)

If Township can prohibit cement batch plants, perhaps include Industrial in Commercial under Special Uses

The following provisions shall apply to the Commercial District (CD).

1. Intent

The intent of the Commercial District is to provide for retail, service and office development that offers a variety of goods and services to primarily address the needs of Township residents. Because of the variety of business types permitted in the Commercial District, special attention must be focused on site layout, building design, vehicular and pedestrian circulation, and coordination of site features between adjoining uses. Accordingly, it is the intent of this ordinance that commercial development be:

- Compatible in design with adjacent commercial development
- Buffered from or located away from residential areas and non-commercial uses in coordination with development on adjoining sites

2. Permitted Uses

A. Public parks, playgrounds and recreational facilities.
B. Multiple family dwellings.
C. Restaurants and bars, except drive-through restaurants.
D. Retail sales, within an enclosed building.
E. Banks and financial services.
F. Business and personal services.
G. Professional offices.
H. Funeral homes.
I. Public utility buildings without storage yards.
J. Public buildings and facilities.
K. Civic, social and fraternal organizational facilities.
L. Motels and resorts.
M. Co-location of antenna or similar sending/receiving device on an existing tower or alternative tower structure, subject to the provisions of **Section XXXXX** *Antenna Co-location on an Existing Tower or Structure.*
N. Home occupations conducted entirely inside the residence, subject to the provisions of **Section XXXX** *Home Businesses.*
O. Accessory buildings and uses customarily incidental to the above permitted uses.

3. Uses Subject to Special Use Permit

A. Gasoline/Service Station.
B. Any use permitted in the CD district with a drive-through window.
C. Places of worship and related religious buildings.
D. Child or adult daycare facilities serving more than six (6) clients.

E. Group foster care facilities.
F. Convalescent or nursing homes.
G. Building material sales.
H. Public campgrounds.
I. Carpentry, plumbing and electrical sales, services and contracting offices.
J. Machine shop.
K. Car wash facilities, subject to the provisions of **Section XXXX** *Supplemental Site Development Standards.*
L. Sale of motor vehicles.
M. Outdoor sales facilities, subject to Site Plan Review Approval
N. Warehouse and storage buildings, but not including commercial bulk storage of flammable liquid and gases.
O. Transmission and communication towers, subject to the provisions of **Section XXXXX** *Supplemental Site Development Standards.*
P. Renewable Energy Developments, subject to the provisions of **Section XXXX** *Supplemental Site Development Standards* and deferring to State of Michigan Regulations TBD
Q. Sand and gravel extraction, subject to the provisions of **Section XXXXX** *Supplemental Site Development Standards.*
R. Cottage industries conducted outside the residence in the yard, garage or accessory structure, subject to the provisions of **Section XXXX** *Home Businesses*.
S. Production, processing, assembly, manufacturing or packing of goods or materials. Such facilities may include testing, repair, storage, distribution and sale of such products. Facilities must meet regulatory agency guidelines.
T. Approval of a Shoreline Landscaping Plan to create or modify a Shoreline Protection Strip
U. Accessory buildings and uses customarily incidental to the above special approval uses.

4. Dimensional Regulations

Structures and uses in the Multiple Family Residential District are subject to the area, height, bulk and placement requirements in **Section XXXXX** *Schedule of Regulations.*

Section 5.13 Light Industrial (I-1)

The following provisions shall apply to the Industrial District (I-1).

1. Intent

It is the intent of the Industrial District to provide for a variety of manufacturing and industrial uses that can be generally characterized as being of low intensity, including the absence of objectionable external affects such as noise, fumes, excessive heavy truck traffic and similar characteristics. This district is also intended to accommodate commercial establishments not engaging primarily in retail sales. Such industrial areas should be free of incompatible uses, and designed to avoid negatively impacting

adjacent conforming uses. Public sewer or water is not available in this district and all future land uses and activities in tis District shall provide for safe sewage disposal and potable water. Accordingly, it is the intent of this ordinance that light industrial development be:

- Compatible in design with adjacent commercial development
- Buffered from or located away from residential areas and non-commercial uses in coordination with development on adjoining sites

2. Permitted Uses

Renewable Energy Developments, subject to the provisions of **Section XXXX** *Supplemental Site Development Standards* and deferring to State of Michigan Regulations TBD

3. Uses Subject to a Special Use Permit

A. Building material sales.
B. Carpentry, plumbing and electrical sales, services and contracting offices.
C. Machine shop.
D. Warehouse and storage buildings, but not including commercial bulk storage of flammable liquid and gases.
E. Production, processing, assembly, manufacturing or packaging of goods or materials. Such facilities may include testing, repair, storage, distribution and sale of such products. Facilities must meet regulatory agency guidelines.
F. Junkyard and salvage material storage.
G. Sand and gravel excavation, subject to the provisions of **Section XXXX** *Supplemental Site Development Standards.*
H. Outdoor storage facilities, including self-storage facilities upon Supplemental Site Plan Review
I. Sexually oriented businesses, subject to the provisions of **Section XXXX** *Supplemental Site Development Standards.*
J. Sanitary landfill.
K. Transmission and communication towers, subject to the provisions of **Section XXXX** *Supplemental Site Development Standards.*
L. Renewable Energy Developments, subject to the provisions of **Section XXXX** *Supplemental Site Development Standards* and deferring to State of Michigan Regulations TBD
M. Approval of a Shoreline Landscaping Plan to create or modify a Shoreline Protection Strip
N. Accessory buildings and uses customarily incidental to above special approval uses.

4. Dimensional Regulations

Structures and uses in the Multiple Family Residential District are subject to the area, height, bulk and placement requirements in **Section XXXXX** *Schedule of Regulations.*

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Mobile Home Park

The Mobile Home Park category is designated to specifically acknowledge the existing park and encourage the continuation of this land use in this location.

Commercial

Commercial category is designated to accommodate small to moderate scale commercial needs of the Township. This area exists in two locations: on US-31 just west of Bay Shore, and on the southside of US-31 near the Charlevoix Township line.

Light Industrial

Light Industrial category is designated to accommodate light industrial uses compatible with the limited services available and the environmental sensitivity of much of the Township. Light industrial uses are typically less intensive then general or heavy industrial uses, and may include manufacturing and assembly, storage and distribution, research and development, and contractor establishments. Due to the availability of industrial property in the cities, where appropriate services are provided, Hayes Township believes the local industrial needs can be adequately met during the planning process without designating additional land for such in this Township.

FUTURE LAND USE MAP

The Future Land Use Map on the previous page illustrates the geographic extent of the future land use categories. The F

Gmail

clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Important to Discuss the Parks and Recreation Survey

2 messages

Jim McMahon <jim_mcmahon_iii@yahoo.com> Mon, Jan 15, 2024 at 10:13 AM
To: Roy Griffitts <rwgriffitts3@gmail.com>, Mark Snyder <snyderhtp@outlook.com>, Derek Burnett <burnett.pc@outlook.com>, Matt Cunningham <trustee2@hayestownshipmi.gov>, Marilyn Morehead <morehead.m@gmail.com>, Rex Greenslade <greensladerex@gmail.com>, "C. T. Martin" <ctmagnetics@aol.com>, Kristin Baranski <clerk@hayestownshipmi.gov>, "hayestownshippc@gmail.com" <hayestownshippc@gmail.com>
Cc: "hayestownshippr@gmail.com" <hayestownshippr@gmail.com>

Dear Planning Commission members,

This email is in addition to my earlier January 11, 2024, email regarding the Parks and Recreation Master Plan. Please consider both emails.

The Parks and Recreation public hearing must be opened up to audience participation and discussion of issues regarding the draft Parks and Recreation Master Plan. The single 3-minute public comment period is hardly enough time for public comment, open discussion, and audience participation. Below are just a few points for discussion. I'm sure there are many more topics for consideration, if property owners are given reasonable notification and opportunity.

1. The survey is a key element in getting property owners input and feedback. However, there was no broad communication of the survey with all property owners. It appears that **the only communication was a mention of the survey in a township newsletter for online participation only.** The newsletter is now thought by many residents as a political, self-serving, mailer and it is viewed that way.

This newsletter only reaches occupied homes (addresses) in Hayes Township. My understanding is that this USPS delivery does not reach all township property owners.

There was no "official" hardcopy mailing of the survey to all township property owners.

2. The survey was not professionally designed and independently conducted. There is bias shown in some survey questions. There were significant park topics that were not put into questions.

3. What was question # 2? It is not shown in the master plan document.

4. What method was used to validate each survey responder? There appears to be no survey response security. Was there an opportunity for duplicate responses?

5. Why were there no mentions of the beach area and the swimming area in question # 3? However, many of the respondent replies talked about the beach and swimming areas.

There were were no questions about the beach and swimming areas. Isn't this one of the primary uses for waterfront parks?

6. How were the replies from the respondents' and their feedback factored into the development of the master plan? Were there sufficient public meetings to discuss the survey replies? There appears to be no attempt to reply to the concerns expressed in the survey? This leaves the impression that replies and feedback had little value.

7. Specifically, how many online surveys were submitted?

These are just a few questions about the survey. Wide public, active participation in a meeting(s) specifically about the parks and recreation should have been conducted prior to finalization of the master plan. These meetings should be widely publicized and held at the Charlevoix Public Library gathering room, with Zoom participation, in good weather. Holding a meeting in the dead of winter accomplishes few transparent objectives and does not allow broad participation.

The planning commission should re-do the survey, how it is drafted and conducted, and utilize the survey's important role in the development of the Parks and Recreation Master Plan.

Thank you.

Jim McMahon
phone: 231-347-9829

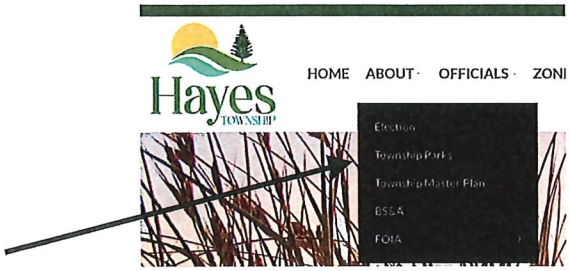
clerk hayestownshipmi <clerkhayestownshipmi@gmail.com> Mon, Jan 15, 2024 at 10:17 AM
Reply-To: clerk@hayestownshipmi.gov

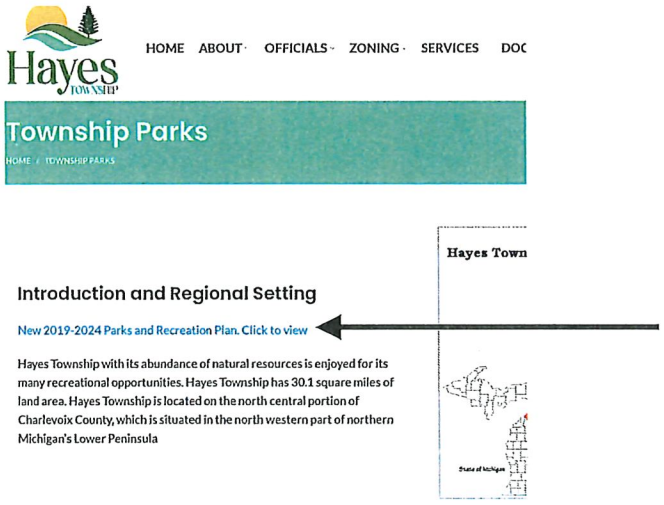
January 15, 2024

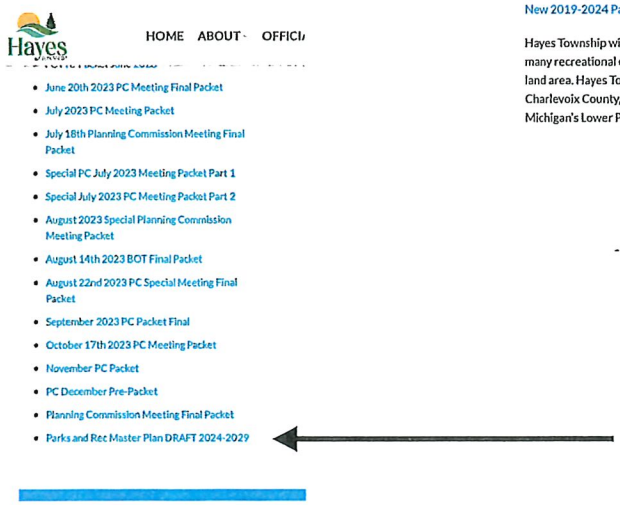
To: Hayes Township Planning Commissioners
From: LuAnne Kozma, Hayes resident, 9330 Woods Road

RE: Comments on Draft Hayes Township Recreation Master Plan 2024-2029

1. The draft master plan varies greatly in numerous ways from the last one, and is not based on the demonstrated desires and needs of the community. The title was changed, too, leaving out the word "Parks." The planning process did not follow the DNR's guidelines for "early public input methods." Once drafted, the Draft Plan has had no community review or even Parks and Rec Committee review at parks and recreation meetings in October or November, and there was no December meeting. When the Draft Plan was available for public comment for 30 days, the draft plan document was not readily visible on the Township website homepage nor posted as a blog post for download. Under the "About" menu where there is a drop-down menu called "Township Parks," the old Parks and Recreation Master Plan has been there for the past 30 days. Not the Draft 2024-2029 Parks and Recreation Master Plan! You had to know where to dig for it under Planning Commission documents for 2023.







2. The Board of Trustees approved a $10,000 proposal on October 9, 2023 by Beckett and Raeder to write an "update" to the Parks and Rec Master Plan. However, as I wrote the PC previously, I spoke with Tim Knutson of B&R and he said he was not involved in the survey, did not see survey results, and, <u>did not do any rewriting of the master plan.</u> He only did the 3 drawings for Camp Seagull. However that is not what the proposal said the company would

do. This new draft is solely a draft revised by Julie Collard, with three renderings by B&R thrown in. This is a breach of the contract.

BECKETT AND RAEDER PROPOSAL:

Ms. Collard made a motion, supported by Mr. Kuebler to approve the Proposal from Beckett and Raeder for the Camp Seagull schematic design and 5-year park and recreation master plan update, and approve Julie Collard to sign on behalf of the township.

Yeas: Matt Cunningham, Julie Collard, Ron VanZee, Doug Kuebler and Kristin Baranski.

Nays: None **Motion Carried**

3. I agree with Jim McMahon's comments about the **survey** and its unscientific and unreliable methods. Additionally:

- the methodology is not described
- it has reliability and controls issues. I responded twice to the survey.
- it was not confined to Hayes residents. I asked an out-of-area friend who has been working on the history of Kamp Kairfree for years, to take the survey and he did. Other non-residents could also have responded and skewed results, especially about pickleball. Appendix C is called "property owners survey" but it was not that either.

Re-doing the survey is necessary to include more questions and use the correct methodology (hard copy surveys mailed to every resident so that more than one person per household could respond). Proper process should be done above all else, or else the plan is based on falsehoods.

4. The **safe swimming area on Lake Charlevoix at Camp Seagull** that a vast majority of residents wanted—and still wants—for this park in past parks and rec plans and in grant proposals, AND one of the main reasons why this park was purchased and donations raised for it— **is being eliminated in this plan.** This is unacceptable and it must be added as one of the top priorities for the park.

On page 17, a swim area at Camp Seagull is not mentioned. It doesn't even say the park has 1400 feet of frontage on Lake Charlevoix.

In the so-called "survey" in Appendix C, there was an open-ended question: "What amenity would you most like to see at Hayes Township Park Camp Seagull?" I can see 9 responses that said:

- swimming
- swimming beach. Can't readily access the lake. My answer to #1 would be different if I could swim there. You don't even list it as an option below.
- a place to safely swim
- Swimming area (without sand) and rewinding the vegetation in a 100 foot shoreland with only native plants
- Safer access into the lake at the swimming area
- axcess [sic] to lake
- a beach. With that we would visit at least once a week
- a beach
- swimming

On page 36, the Goals and Objectives section, however, a safe swimming area is not listed as a goal or objective. On page 37, swimming area has been eliminated from the list of facilities

that will be developed. In the former plan, the recreational goal for Camp Seagull read: "Continue access for non-motorized boats, **swimmers**, picnickers and land-based recreational users." While a new objective of a shoreline restoration project is good, it is not necessary to compromise or eliminate a swimming area with that objective. Both can and should co-exist. Both meet the goal "to maintain and improve all Hayes recreation areas."

In the current 2019-2024 Parks and Recreation Master Plan on page 23 of the Appendix, according to the previous survey (which went out to 1209 distinct property owners and which 321 people took—see page 35), an overwhelming number of people wanted to see:

Restrooms, 83.7% said strongly agree or agree
Picnic area 79%
Swimming area, 78.9%
Covered pavilion for group use, 67.9%
Trail head for planned bike trail, 62.8%
Boat launch, 62.0%
Winter activities, 58.6%
Fishing opportunities, 56.3%
Campfire area, 55.7 %
Tennis courts, 23.0% (48.2% said disagree or strongly disagree)
Canoe/Kayak rental, 31%

There's no evidence in the draft plan that the community's desire for a "swimming area" at Camp Seagull has evaporated. On page 34 describing the process that took place from 2008-2023, it does not mention the above survey and results.

Very disturbing is the following email exchange among parks and rec committee members, appended here (obtained just today via FOIA), after Julie Collard shared the Beckett & Raeder renderings with the committee on Nov 9., Tom Darnton wrote on Nov 14: "I think this is a good starting point. The coir log shoreline design is similar to the successful project at the East Jordan Tourist Park. **It also moves us clearly away from any idea this is an organized swimming area while still allowing an access point to the water for small boats and those with a strong urge to get in the water."** [emphasis added]

To which committee member Leslie Cunningham replied: "I'm missing some information. When did we decide that we are NOT promoting swimming at Camp Seagull? Remember the first survey regarding the park and what the first priority was."

To which Darnton replied to the whole committee:

From: Tom Darnton <tdarnton@me.com>
Subject: Re: Lower CSG Rendering/Shoreline Restoration
Date: November 15, 2023 at 1:19:39 PM EST
To: Leslie Cunningham <leslieruth12@gmail.com>
Cc: Hayes Treasurer <treasurerhayestownshipmi@gmail.com>, Paul Zardus <paulzardus@gmail.com>, Laura White <lewwhite1383@gmail.com>, Becky Stauffer <bschollstauffer@gmail.com>, Gregg Stauffer <ggstauff@gmail.com>

My first answer to Leslie's question is there seems to be some confusion about language. This is a place for swimming. It will not be a place to play in the sand at the edge of the water. We've decided on a shoreline treatment that is as natural as it can be, given that the boat launch is there. This is not an area where a sandy beach could be maintained without constant replenishment, which we now understand is bad for the lake. The plan creates a safe place to enter the water for swimmers, paddleboarders, etc. Passage from the upland to the waters edge along much of the length of the area will be discouraged by the design, which must stand up to the rise and fall of the lake and wave action. I don't think we decided not to promote swimming. There won't be a "swimming beach" like at Eastern Avenue. The site has limitations which impact what can be done. Not sure how best to describe this distinction.

Tom

Contrast this to what the Parks and Recreation committee members told me verbally (and I recorded) at their October 2023 meeting. I was given a raft of conflicting answers:

- Julie Collard explained that a swim area is "a possibility at the park," an "up in the air amenity that we don't know if we are going to be able to have a designated swim area at Camp Sea-Gull, "an engineer said it might not be feasible and there's "not a strong area for it," and that even a bioengineering shoreland restoration project might make one not *feasible*.

- The two caretakers, Gregg and Becky Stauffer clarified that the reason why the question isn't asked on the survey is because "people swim there all the time, there's no designated area." That he's there every day and he watches people swim "through the whole stretch," "we already have a swim beach," "they come down and swim now!" The survey listed "all the things we don't have." "We already have a beach area for swimming. That's why it's not on there because people swim already." "It's a great swim area, there are tons of people that come down there." "You ought to come down on a Sunday night and sit there in the summer and see all the local families that come down there on the fishing pier, they're out on their paddle boards, their kayaks, they're swimming, more on Sunday nights than I've ever seen this year. And they're all enjoying it. So it's such a weird thing to ask 'cause, it is a swim area. It's already there. People use it."

- Asked if he was satisfied with it, Mr. Stauffer replied he was "totally satisfied and I am not sure what else you could possibly do to make it any better."

- Julie Collard and Paul Zardus, another committee member, said contradictorily, that we don't need swimming at Camp Sea-Gull because we have Eastern Avenue Beach.

5. On page 16, the **budgets:** To depict honestly what the Township actually spends on parks and recreation, it should be added that actual expenditures made were lower than budgeted. As we know from the terrible audit reports, the Township regularly overspent on other budget categories, without amending the budget, violating the Uniform Budgeting and Accounting Act. The Park Master Plan says $84,200 was budgeted in 2022-2023, but according to the annual financial statement the Township spent only $77,488. The Draft Parks and Rec Master Plan has inaccurate info for Fiscal Year 2023, stating $102,800 was budgeted. Actually $111,500 was budgeted last June. But given that in Fiscal year 2021-2022 the same thing happened, (the expenditures were way below the budget), I don't have any faith that this Board will spend the parks and rec budget on parks this fiscal year either. The township's trend is to <u>defund</u> our planned park improvements. I don't see a commitment to fully funding the parks. The park budget is being raided to fund other Board priorities, such as a fire truck when there is no fire department. Put both the budgeted and actual amounts.

6. **The photos**: quite a few photos do not depict recreation or parks in the township. Too many depict sunsets, bales of hay on private farms, private property fences and docks, a flagpole, flower boxes, three private golf courses, and a private pool at a private hotel. There are no photo credits. Many poorly depict the actual recreation resource, such as the Eastern Ave beach photo and the wheel-way photo.

7. **Pickleball.** There has been no demonstrated need or even an identification of pickleball players in the township that would necessitate a large, 4-court complex that would allow 16 people to play pickleball at the same time. There was no effort to describe in the inventory, area pickleball courts. The survey cannot be relied upon. The pickleball grant applied for by the Township with the DNR last spring did not demonstrate a single Hayes resident who played pickleball. There were only letters of support by: an out-of-town pickleball promoter; the supervisor; the planning commission chair; the park caretaker; and a resident who wanted to watch pickleball but due to disability cannot play. Supervisor Van Zee wrote: *"We have received*

overwhelmingly positive feedback from our residents regarding this project." And that's just not true. PC Chair Roy Griffits wrote: *"There are many residents who play Pickle Ball and are excited at the prospect of having courts in our area.*" With no proof or evidence whatsoever. A 4-court complex is for tournament play, not for residential use by a community as small as ours, with only 2,000 residents. How many pickleball players do we really have? Would there really be 16 people using it at one time? Are area pickleball courts being used to capacity? Where are these other pickleball courts in the recreation inventory of nearby facilities?

8. **Camp Seagull was purchased for its *passive* recreational features of swimming area, fishing, boat launch, picnicking, and conservation based on a lakefront on Lake Charlevoix.** The trailhead for users of the future bike trail is a passive use. The park was not acquired as an "*active recreation*" sports park. The two uses are incompatible. The quiet and peacefulness of activities on the peaceful lakefront serenity would be broken by a loud pickleball tournament with 4 games going on at the same time, and probably accommodating tournament play by out of town groups.

9. **No bathrooms** are planned for the upper part of the park. The building of bathrooms is always done first before other amenities are developed. At the very least, a bathroom would be needed if there is a playground and shelter/trailhead facility for bike trail users, in the upper part of the park.

10. And finally, **honesty** in grant writing and assessing the community's real park and recreational needs. It's important to be honest about our needs and base those on valid survey tools, so that when applying for grants, the use of public money is being spent on something actually needed. Without a good survey process, the DNR is not going to grant money for facilities that are not documented with solid community support. The problem with pickleball is that it is a current fad that is enjoying a rise in popularity but also being pushed heavily by promoters of the sport. The various grant programs are for specific allowed projects. I've spoken with several DNR grant staff who report that everyone is pushing for pickleball projects. With a limited number of grants to be granted statewide, 4 pickleball courts in a rural northern Michigan county isn't going to cut it. This administration is being foolish to think hopping on that bandwagon without real support from the community is a winnable grant project. Other needs were properly identified.

Gmail

clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Fwd: Lower CSG Rendering/Shoreline Restoration

1 message

Hayes Treasurer <treasurerhayestownshipmi@gmail.com> Tue, Jan 9, 2024 at 3:25 PM
To: Kristin Baranski Clerk <clerk@hayestownshipmi.gov>

---------- Forwarded message ---------
From: **Tom Darnton** <tdarnton@me.com>
Date: Tue, Jan 9, 2024 at 1:57 PM
Subject: Fwd: Lower CSG Rendering/Shoreline Restoration
To: Julie Collard <treasurer@hayestownshipmi.gov>

Re record request

Begin forwarded message:

From: Tom Darnton <tdarnton@me.com>
Subject: Re: Lower CSG Rendering/Shoreline Restoration
Date: November 15, 2023 at 1:19:39 PM EST
To: Leslie Cunningham <leslieruth12@gmail.com>
Cc: Hayes Treasurer <treasurerhayestownshipmi@gmail.com>, Paul Zardus <paulzardus@gmail.com>, Laura White <lewwhite1383@gmail.com>, Becky Stauffer <bschollstauffer@gmail.com>, Gregg Stauffer <ggstauff@gmail.com>

My first answer to Leslie's question is there seems to be some confusion about language. This is a place for swimming. It will not be a place to play in the sand at the edge of the water. We've decided on a shoreline treatment that is as natural as it can be, given that the boat launch is there. This is not an area where a sandy beach could be maintained without constant replenishment, which we now understand is bad for the lake. The plan creates a safe place to enter the water for swimmers, paddleboarders, etc. Passage from the upland to the waters edge along much of the length of the area will be discouraged by the design, which must stand up to the rise and fall of the lake and wave action. I don't think we decided not to promote swimming. There won't be a "swimming beach" like at Eastern Avenue. The site has limitations which impact what can be done. Not sure how best to describe this distinction.

Tom

On Nov 15, 2023, at 11:33 AM, Leslie Cunningham <leslieruth12@gmail.com> wrote:

I'm missing some information. When did we decide that we are NOT promoting swimming at Camp Sea-Gull? Remember the first survey regarding the park and what the first priority was.
Les

On Tue, Nov 14, 2023 at 2:16 PM Tom Darnton <tdarnton@me.com> wrote:

I think this is a good starting point. The coir log shoreline design is similar to a successful project at the East Jordan Tourist Park. It also moves us clearly away from any idea this is an organized swimming area while still allowing an access point to the water for small boats and those with a strong urge to get in the water.

Tom

On Nov 9, 2023, at 2:24 PM, Hayes Treasurer <treasurerhayestownshipmi@gmail.com> wrote:

Just got this from Tim.
Take a look and let me know what you guys think!

Julie

--

Julie Collard--Hayes Township Treasurer

All the greatest things in life are simple, and many can be expressed in a single word: freedom, justice, honor, duty, mercy, hope.-

Winston Churchill

Gmail

clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Planning Commision meeting and Proposed Parks and Rec Master Plan

JoEllen Rudolph <jobee949@gmail.com> Tue, Jan 16, 2024 at 3:43 PM
To: "To: Roy Griffitts" <rwgriffitts3@gmail.com>, Mark Snyder <snyderhtp@outlook.com>, Derek Burnett <burnett.pc@outlook.com>, Matt Cunningham <trustee2@hayestownshipmi.gov>, Marilyn Morehead <morehead.m@gmail.com>, Rex Greenslade <greensladerex@gmail.com>, "C. T. Martin" <ctmagnetics@aol.com>, Kristin Baranski <clerk@hayestownshipmi.gov>, "hayestownshippc@gmail.com" <hayestownshippc@gmail.com>, "Cc: hayestownshippr@gmail.com" <hayestownshippr@gmail.com>

I am very disappointed with the proposed revised and drastically abbreviated Parks and Recreation Master Plan. It is based on a very small number of online respondents. The "results" of the survey do not match the Master Plan recommendations and the inexplicable removal of highly valued park amenities and uses as indicated even in this flawed survey.

SURVEY COMMENTS

1. The survey needs to be redone.
2. The survey must be rewritten with unbiased questions and language. Since the P & R committee could not do that, a professional company should be hired.
3. It must be sent out by U.S.P.S. mail to all township residents and landowners.
4. I also recommend that a check box be included on the survey that indicates if the respondent owns waterfront property in the township. Waterfront owners already have lake access for swimming, boating and picnicking and will not rate those items as high a priority as those of us with no waterfront access especially to Lake Charlevoix.
5. The characterization of a swimming area as a "swimming beach" is not a viable description. Camp-Sea-Gull does not have a sandy beach at the open area of the park. Plus, the removal of a swimming area from the plan because of the lack of a "sandy beach" has nothing to do with the use of the water for swimming.

SWIMMING AREA

1. We need to maintain a swimming area at Camp Sea-Gull. Camp-Sea Gull was the product of years of hard work and grant writing by past Hayes Township Boards to purchase Lake Charlevoix access for its residents. A swimming area was one of the highest priorities. The fishing pier and boat launch were not as highly rated but were necessitated by required conditions for a large grant from the Waterways Commission. We now have boat access and a fishing pier.

2.The cavalier comment that township residents can go to Western Avenue beach if they want to swim is irrelevant and condescending. There is very limited parking there. That is also a lot farther away than Camp Sea-Gull for those of us living in the Northeast part of the township.

3.The use of a shoreline natural protection strip as advocated by Tip of the Mitt is wonderful. However, that should in no way prevent safe access to a swimming area.

4.The must be a safe gently sloped way to enter the water. It should be clearly marked and easily ambulated by residents of all ages. There currently is not a safe way to enter the water. I have seen swimmers carefully pick their way into the water.

5.There should be a highly visible clearly designated swimming area of approximately 3 feet deep.

6.It would be good to consider adding a changing room/bath house to the Camp Sea-Gull Park plan. For those of us who drive longer distances to get to the park, driving home in a wet bathing suit is not desirable. Changing clothing in the current temporary bathroom is not acceptable for adults or a parent helping a child.

PICNIC PAVILION

1. Camp-Sea-Gull needs a covered pavilion in the waterfront area that is large enough for 3 picnic tables and it needs to be located between the parking lot and water. The current covered structure at Camp-Sea Gull is too small, too far from parking and too remote for most. I was in a group of ten couples having a potluck supper who used the new picnic tables last summer. The tables were located in the hot sun, directly off the sidewalk and parking lot. The tables were too heavy to move. It was not a pleasant experience.

BATHROOM ACCESS FOR BOATERS

1. The P & Rec Committee should consider adding a transient boater /temporary "tie up" spot to the fishing pier. I witnessed a boater coming from the lake, the pilot idling the boat in place to the east/ right of the boat ramp, while a passenger gingerly climbed over the large rocks to use the bathrooms at the park. That is a safety hazard for boating visitors to the park.

Thank you.

JoEllen Rudolph

Gmail

clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Important to Discuss the Parks and Recreation Survey

2 messages

Jim McMahon <jim_mcmahon_iii@yahoo.com> Mon, Jan 15, 2024 at 10:13 AM
To: Roy Griffitts <rwgriffitts3@gmail.com>, Mark Snyder <snyderhtp@outlook.com>, Derek Burnett <burnett.pc@outlook.com>, Matt Cunningham <trustee2@hayestownshipmi.gov>, Marilyn Morehead <morehead.m@gmail.com>, Rex Greenslade <greensladerex@gmail.com>, "C. T. Martin" <ctmagnetics@aol.com>, Kristin Baranski <clerk@hayestownshipmi.gov>, "hayestownshippc@gmail.com" <hayestownshippc@gmail.com>
Cc: "hayestownshippr@gmail.com" <hayestownshippr@gmail.com>

Dear Planning Commission members,

This email is in addition to my earlier January 11, 2024, email regarding the Parks and Recreation Master Plan. Please consider both emails.

The Parks and Recreation public hearing must be opened up to audience participation and discussion of issues regarding the draft Parks and Recreation Master Plan. The single 3-minute public comment period is hardly enough time for public comment, open discussion, and audience participation. Below are just a few points for discussion. I'm sure there are many more topics for consideration, if property owners are given reasonable notification and opportunity.

1. The survey is a key element in getting property owners input and feedback. However, there was no broad communication of the survey with all property owners. It appears that **the only communication was a mention of the survey in a township newsletter for online participation only.** The newsletter is now thought by many residents as a political, self-serving, mailer and it is viewed that way.

This newsletter only reaches occupied homes (addresses) in Hayes Township. My understanding is that this USPS delivery does not reach all township property owners.

There was no "official" hardcopy mailing of the survey to all township property owners.

2. The survey was not professionally designed and independently conducted. There is bias shown in some survey questions. There were significant park topics that were not put into questions.

3. What was question # 2? It is not shown in the master plan document.

4. What method was used to validate each survey responder? There appears to be no survey response security. Was there an opportunity for duplicate responses?

5. Why were there no mentions of the beach area and the swimming area in question # 3? However, many of the respondent replies talked about the beach and swimming areas.

There were were no questions about the beach and swimming areas. Isn't this one of the primary uses for waterfront parks?

6. How were the replies from the respondents' and their feedback factored into the development of the master plan? Were there sufficient public meetings to discuss the survey replies? There appears to be no attempt to reply to the concerns expressed in the survey? This leaves the impression that replies and feedback had little value.

7. Specifically, how many online surveys were submitted?

These are just a few questions about the survey. Wide public, active participation in a meeting(s) specifically about the parks and recreation should have been conducted prior to finalization of the master plan. These meetings should be widely publicized and held at the Charlevoix Public Library gathering room, with Zoom participation, in good weather. Holding a meeting in the dead of winter accomplishes few transparent objectives and does not allow broad participation.

The planning commission should re-do the survey, how it is drafted and conducted, and utilize the survey's important role in the development of the Parks and Recreation Master Plan.

Thank you.

Jim McMahon
phone: 231-347-9829

clerk hayestownshipmi <clerkhayestownshipmi@gmail.com> Mon, Jan 15, 2024 at 10:17 AM
Reply-To: clerk@hayestownshipmi.gov

January 16, 2024

To: Hayes Township Planning Commission

From: Bill Henne, Former HTPC Chair

Subject: Draft Hayes Township Recreation Master Plan 2024-2025

The subject draft does not indicate who is responsible for putting the plan together. There are no credits for either text or photos. The previous plan was done by a professional planner but this one appears to be a hodge-podge of amateurs. Who wrote this Plan?

The Plan would have us believe that it was a result of the Parks and Recreation discussions and a flawed, unscientific survey. But, information on the most recent P and R meetings leads one to wonder if it could have been put together by the township treasurer/P and R Chair, who would serve the township better by resigning from the Parks and Recreation Committee and learning how to do the treasurer's job.

The scientific survey conducted for the 2019-2024 Recreation Master Plan, indicates that the majority of the respondents have prioritized swimming and a playground. The recent survey does the same. Yet, on this plan, only a tiny area near the highway is designated for a playground, and a swimming area is being eliminated.

The proposed draft for the Hayes Township Recreation Master Plan is woefully inadequate and unacceptable.

I suggest that you scrap this plan and contract with Beckett and Raeder (the township has already paid them $10,000 to work on this plan) to do a draft of a new plan for consideration. A part of this effort must be a new, scientific survey.

Please retain the idea of a bioengineered shoreline. That is a very good idea.

HAYES TOWNSHIP PLANNING COMMISSION MEETING			
Meeting Date:	January 16, 2024	**Location:**	Hayes Township Hall

Name	Would you like to be called on to speak during public comment?	
Mel Czedrowski	YES ?	NO
Jim McMahon	YES	NO
Janet Summers	YES	NO
LuAnne Kozma	YES	NO
	YES	NO
	YES	NO
	YES	NO
	YES	NO
	YES	NO
	YES	NO
	YES	NO
	YES	NO
	YES	NO
	YES	NO
	YES	NO
	YES	NO
	YES	NO
	YES	NO
	YES	NO