

Hayes Township Planning Commission
February 13th, 2024
Regular Meeting
Hayes Township Hall
9195 Major Douglas Sloan Rd.
Charlevoix, MI 49720

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

Members present: CT Martin, Marilyn Morehead, Rex Greenslade, Mark Snyder, Matt Cunningham, and Roy Griffiths (Chair)

Excused: Derek Burnett

Also, present: April Hilton (Deputy Clerk/Recording Secretary), Ron VanZee (Zoning Administrator).

Audience: LuAnne Kozma, Jeff Harmon, Tim Boyko, Jim McMahon Joellen Rudolph, Janet Simon, Shelly VanWart, and Ellis Boal.

PLEDGE OF ALLEGIANCE:

REVIEW AGENDA:

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

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

Nays: none **Motion Carries**

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

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

Nays: none **Motion Carries**

DECLARATIONS OF CONFLICTS OF INTERESTS:

None

APPROVAL OF MINUTES January 16th, 2024 REGULAR MEETING

Ms. Morehead made a motion, supported by Mr. Martin, to approve the January 16th, 2024, regular meeting minutes as corrected.

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

Nays: none **Motion Carries**

PUBLIC COMMENTS:

Public comments opened at 7:05 pm.

Comments included:

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- Stated they have sent their brief on the Rieth Riley Pit to the Commission members. They would like to see the Hayes Township by Laws and Policy menu created on the Township Website. Would also like to see office hours posted on the website.
- Thanked Marilyn for her comments at the Board meeting the evening before. Thanked Rex for his time on the Zoning Board of Appeals. Spoke about a previous ZBA Case and stated their opinion for the outcome.
- Stated the fight with Reith Riley in the past year has been expensive for all parties involved and a risk for the residents living near the Gravel pit. Suggested to the Planning Commission to research other townships dealing with the same situation and investigate what they are doing to handle the situation.
- Stated they are opposed to the changes discussed about combining AG and RR zoning, because they are concerned with the uses permitted under AG and RR do not meet the rational explained in the ordinance. Stated they are concerned when combining AG with RR the Township will potentially open itself up to more lawsuits. Stated they understand their comments may come across as critical, however they do apricate what the township is doing and the work they are putting into the Zoning Ordinance Draft.
- Supported previous comments to keep AG zoning throughout the township. Does not support a combination of AG and RR zoning in the same area. Appreciates everything the Board members and Planning Commissioners are doing.

Public comments closed at 7:20 pm

REPORT OF TOWNSHIP BOARD REPRESENTATIVE TO THE PLANNING COMMISSION:

Next meeting March 11th, 2024, at 7:00pm.

REPORT OF ZONING BOARD OF APPEALS REPRESENTATIVE:

N/A

ZONING ADMINISTRATOR REPORT:

Written report available at Hayes Township Hall.

Ron presented maps generated by Equalization showing the shorelines of all three lakes.

Ron presented an application from a property owner on Lake Charlevoix, concerning an application submitted to EGLE and Army Corp. The Letter informs the homeowner will need a Special Use Permit to repair a Retaining Wall that is below sea level and with this repair they are looking to reclaim some property. The basis for the permit is to prevent erosion, currently the permit does not reflect restoration of the shoreline protection strip. Zoning Administrator will reply back to EGLE that the Hayes Township Zoning Ordinance requires a Shoreline Protection Strip of 50 feet.

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Planning Commission Comments Included:

- Homeowner should not be allowed to rebuild Seawall or hardening on the shoreline.
- It is important to use the same process the commission always has when going forward through this process. Also, work with Tippi of the Mitt and Lake Charlevoix Association.
- The pictures from the application indicate the ordinary high-water mark.
- Noted in the Application to EGLE the applicants last name is misspelled.
- The Township has not received permit application regarding a Special Use Permit only a notice from EGLE.
- The Township gives the property owner a chance to comply prior to a formal application.
- Application is on EGLE website available to the public; Planning Commission was requested by a member of the public to state the applicant's name.
- Application has been on EGLE website for some time, the applicant originally applied for the lower-level permit, however, EGLE required a higher level of permit based on the amount of work proposed.
- Member of the public argued it is public information for the Planning Commission to state the applicant's name. The applicant's name is Chris Narten at 06605 Woods Creek Dr. application submission number 8PZ-B5Q6-295QR.

New Business:

REVIEW OF ZONING ORDINANCE EDITS (PUD/SUP/SITE PLAN REVIEW AND SUPPLEMENTAL SITE PLAN DEVELOPMENT STANDARDS TIME PERMITTING:

- Zoning Administrator will research the first line in 6.1 Purpose; for verbiage if AG and RR are combined.
- A Planned Unit Development (PUD) allows clustered housing while accommodating open space upon approval.
- PUD early discussion included:
 - Health department requirement of 1 acre per septic tank.
 - Possibility of multiple resident's septic system.
 - Less than ten-acre lot size (5 acres) if affordable housing development (affordable housing yet to be defined).
 - If intent of Township is to make housing accessible for younger generations, than perhaps consider less acreage for a PUD.

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- Planning Commission will reach out to Housing North to invite them back with the most recent studies regarding local housing needs.
- Planning commission came to a census they will consider reducing the PUD acre requirement to 5 acres for affordable housing development.
- Add "Shoreline Protection strip regulations" under 6.2.
- Planning Commission discussion expanding public notice requirements.
- Planning Commission came to a census a PUD requires at least twelve copies of the completed application.
- Under mixed use PUD's; step 6; increase the number of days the county has for review of the Planning Commission recommendation.
- Add "Shoreline Protection Strip Regulations" under 6.8 where accruable.
- Planning Commission will consult with BRI for formula for Density and Open Space Requirements.
- Planning Commission came to a census to change the total open space requirement to 50%.
- Planning Commission discussed Layout of Residential Lots and Non-Residential Uses.
- Planning Commission will reach out to BRI for information on setbacks.

Old Business:

SET/CONFIRM PUBLIC HEARING DATES:

N/A

SET/CONFIRM DATE OF NEXT PC MEETING –MARCH 12th, 2024.

Next Planning Commission regular meeting will take place on March 12th, 2024, at 7:00 pm.

PUBLIC COMMENT:

Public Comment Opened at 8:48

Comments Included:

- Questioned why the Planning Commission is considering consulting Beckett and Raeder again. Concerned with changing some of the standards within the ordinance.
- Stated concern for the properties near the Reith Riley's Green Pit.
- Stated they believe builders do not make money building affordable housing, which is one of the issues with affordable housing.

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Public Comment Closed at 8:52

PLANNING COMMISSION COMMENT:

Mr. Greenslade stated he believes tonight's meeting was successful and productive.

Ms. Morehead stated she would like the Planning Commission to schedule some special meetings to work on the zoning ordinance edits.

Mr. Snyder made a motion, supported by Mr. Greenslade to set a special meeting on March 6th, 2024, at 5:30 pm to continue the Zoning Ordinance draft edits.

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

Nays: none **Motion Carries**

ADJOURNMENT: Ms. Morehead made a motion, supported by Mr. Snyder, to adjourn the meeting at 9:00 pm.

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

Nays: none **Motion Carries**

Respectfully Submitted by:
April Hilton
Deputy Clerk/Recording Secretary