

Hayes Township Planning Commission
September 16th, 2025
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, Roy Griffiths (Chair), Mark Snyder, Matt Cunningham, Rex Greenslade, Alexander Curley and Carey Cuddeback.

Also, present: Ron VanZee (Zoning Administrator) and Kristin Baranski (Recording Secretary)

Audience: Dave Kemme, Kevin Willis, Ron Shanks, Mel Czechowski, Gillian Lazar, Danielle Hucheson, Carol Umlor, and Anne Fialko.

REVIEW AGENDA:

Mr. Snyder made a motion, supported by Ms. Cuddeback, to approve the agenda as presented.

Yeas: Roy Griffiths, CT Martin, Mark Snyder, Carey Cuddeback, Rex Greenslade, Alexander Curley and Matt Cunningham.

Nays: none **Motion Carries**

DECLARATIONS OF CONFLICTS OF INTERESTS: None

PUBLIC HEARING 7977 PINCHERRY REZONE REQUEST:

Mr. Griffiths opened the public hearing at 7:03pm.

Zoning Administrator presented case:

- Case NO: 250916 (office use only)
- Application Date: August 18, 2025
- Notice Posting Date: August 30, 2025 (Petoskey News Review)
- 300ft Notice Date: August 27, 2025
- Applicants/Owners: Ronald & Sheryl Shanks
- Subject Address: 7977 Pincherry Rd, Charlevoix, MI 49720
- Parcel ID: 15-007-125-009-00
- Zoning District: Agricultural Zoning Districts
- Parcel Size: Approx. 19.923 acres (legal lot of record), Average width is 663 feet, Average length is 1309 feet
- Request: Applicant is asking to rezone property from Agricultural to Rural Residential

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- History: Special Use Permit to store fireworks, approved May 15, 2018 as a Cottage Industry allowed both in the Agricultural Zoning District and Rural Residential Districts
- Future Land Use: Future Land Use map encourages Rural Residential

Applicant presented the following facts:

- Legal lot of record is just less than the 20 acres. The minimum parcel size for the Agricultural Zoning district is 10 acres, creating the need to rezone to divide parcel

Chair opened and closed Public Comment at 7:06 pm with no comment.

Chair closed Public Hearing at 7:06pm.

Planning Commission deliberated and applied the standards and factors from Section 10.01 C5

- a) Is the proposed rezoning consistent with the Hayes Township Master Plan? YES FUTURE LAND USE MAP
- b) Is the proposed rezoning reasonably consistent with surrounding uses? YES CURRENT ZONING MAP
- c) Will there be any adverse physical impact on surrounding properties? NO
- d) Will there be an adverse effect on property values in the adjacent area? NO
- e) Have there been changes in land use or other conditions in the immediate area or in the community in general which justifies rezoning? YES SIMILAR LOTS NEARBY
- f) Will rezoning create a deterrent to improvements or envelopment of adjacent property in accord with existing regulations? NO
- g) Will rezoning grant a special privilege to an individual property owner when contrasted with other property owners in the area or the general public (i.e. will rezoning result in spot zoning)? NO
- h) Are there substantial reasons why the property cannot be used in accordance with its present zoning classifications? YES
- i) Is the rezoning in conflict with the planned use for the property in the Land Use Plan? NO
- j) Is the site served by adequate public facilities or is it the petitioner able to provide them? YES PRIVATE WELL AND SEPTIC
- k) Are there sites nearby already properly zoned that can be used for the intended purpose? NO
- l) Are other local remedies available? NO

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Upon finding that the proposed rezone complies with the criteria in the Zoning Ordinance and the Master Plan, Mr. Martin made the motion, support by Mr. Curley, to rezone parcel 15-007-125-009-00 (7977 Pincherry Road) from Agricultural to Rural Residential as it is consistent with the Future Land Use Map, current Zoning Map and surrounding parcels.

A roll call was taken.

Yeas: Roy Griffiths, CT Martin, Carey Cuddeback, Mark Snyder, Rex Greenslade, Alexander Curley and Matt Cunningham.

Nays: none **Motion Carries**

PUBLIC COMMENTS:

Public comments opened at 7:18pm.

Comments included:

- Common characteristics of local Short Term Rental regulations and policies (City of Charlevoix, Charlevoix Township, Melrose Township, Harbor Springs) see attached

Public Comment closed at 7:24pm.

APPROVAL OF MINUTES AUGUST 19TH, 2025 REGULAR MEETING

Mr. Greenslade made a motion, supported by Mr. Cunningham, to approve the August 19, 2025 regular meeting minutes as presented.

Yeas: Roy Griffiths, CT Martin, Mark Snyder, Carey Cuddeback, Rex Greenslade, Alexander Curley and Matt Cunningham.

Nays: none **Motion Carries**

REPORT OF TOWNSHIP BOARD REPRESENTATIVE TO THE PLANNING COMMISSION:

Mr. Cunningham gave a report on Board of Trustees activities. Next regular scheduled Board meeting is October 13, 2025.

REPORT OF ZONING BOARD OF APPEALS REPRESENTATIVE TO THE PLANNING COMMISSION:

Mr. Greenslade reported a Zoning Board of Appeals meeting will be held on October 8th, 2025 at 7:00 pm to hear 2 individual variance requests.

ZONING ADMINISTRATOR REPORT:

Ron VanZee presented a written report. Report is available on the Hayes Township website and for review at the Township Hall.

NEW BUSINESS

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PUBLIC COMMENT RULES:

Members discussed amending the PC By-Laws to designate the first public comment period for agenda items only. This will allow the members to process and weigh public comment while making decisions on agenda items. The second public comment period will be open for all comments.

Ms. Cuddeback made the motion, supported by Mr. Snyder, to amend Planning Commission By Laws to designate the first public comment period for agenda related comments only.

Yeas: Roy Griffiths, CT Martin, Mark Snyder, Carey Cuddeback, Rex Greenslade, Alexander Curley and Matt Cunningham.

Nays: none **Motion Carries**

SHORT TERM RENTAL ORDINANCE DISCUSSION

Planning Commissioners discussed a Short Term Rental Ordinance that is a result of the most current Survey conducted for Hayes Township. The survey results indicated strong support for providing some sort of controls and/or limitations on short-term and vacation rentals; in the form of location limits via zoning and/or through limiting the number of occupants and/or the length of stay. Discussion included:

- local Short Term Ordinances were reviewed
- Previous Short Term Ordinance was rescinded due to the fact that it was unenforceable and tracking/follow up was difficult due to one time registration application (no site visits; updates, etc.)
- Health Department regulates septic systems
- Charlevoix County Sheriff reported no calls regarding Short Term Rentals in the past 2 years
- Zoning Administrator reported 2 Hayes Township Short Term Rentals have had repeated complaints throughout the past 2 years
- Limits on how many rentals one person can have
- Limit occupants
- limit Short Term Rentals to specific Zoning Districts
- not allow LLC/Corporate owned Short Term Rentals; owners have LLC/Business for legal or tax purposes
- Some people use Short Term Rental income to be able to afford property/continue with family property
- Enforcement is the big question
- Homeowner Associations can restrict Short Term Rentals; some already do

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- Short Term Rentals have always been around and always will be
- County and State may also have regulations
- Short Term Rental needs more information, research and discussions
- Mr. Cunningham will take to Board of Trustees to see what route to take; perhaps a joint meeting between PC and BOT

OLD BUSINESS:

SET/CONFIRM PUBLIC HEARING DATES:

N/A

SET/CONFIRM DATE OF NEXT PC MEETING –October 21, 2025.

Next Planning Commission regular meeting will take place on October 21, 2025, at 7:00 pm.

PUBLIC COMMENT:

Public Comment opened at 8:25pm. Comments included:

- zoning ordinances can regulate; illegal to run business in neighborhood and short term rentals are a business
- complaints are more than about noise; calling the Sheriff is not the answer

PLANNING COMMISSION and STAFF COMMENT:

ADJOURNMENT: Mr. Snyder made a motion, supported by Mr. Curley, to adjourn the meeting at 8:28pm.

Yeas: Roy Griffiths, CT Martin, Carey Cuddeback, Mark Snyder, Rex Greenslade, Alexander Curley and Matt Cunningham.

Nays: none **Motion Carries**

Respectfully Submitted by:

Kristin Baranski
Clerk/Recording Secretary