

**AGENDA
HAYES TOWNSHIP, CHARLEVOIX COUNTY
PLANNING COMMISSION**

June 16, 2026 7:00 pm

**Hayes Township Hall
9195 Major Douglas Sloan Road
Charlevoix, Michigan 49720**

ZOOM

**[https://us02web.zoom.us/j/83601481092?
pwd=bTRvd01yc2NtSHY5MXkrZDUxVDMrZz09](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- May 19, 2026
6. Public Comment Related to Agenda Items
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
11. Shoreland landscape plan – 8740 Boyne City Rd.
12. Shoreland landscape plan - 7738 Boyne City Rd.
13. Old Business
14. Set/Confirm Public Hearing Dates
15. Set/Confirm Date of Next Regular PC Meeting- July 21, 2026
16. Public Comment
17. Planning Commission and Staff Comment
18. 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. For the first Public Comment period, 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. For the second Public Comment session speakers are limited to two (2) minute each.
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
May 19th, 2026
Regular Meeting
Hayes Township Hall
9195 Major Douglas Sloan Rd.
Charlevoix, MI 49720

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

Members present: Roy Griffitts (Chair), Matt Cunningham, Rex Greenslade, Carey Cuddeback, and CT Martin.

Excused: Mark Snyder and Alexander Curley

Also, present: April Hilton (Recording Secretary) and Ron VanZee (Zoning Administrator)

Audience: LuAnne Kozma, Ellis Boal, Carol Umlor, and Steve Hassell.

REVIEW AGENDA:

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

Yeas: Roy Griffitts, Carey Cuddeback, Rex Greenslade, CT Martin, and Matt Cunningham.

Nays: none **Motion Carries**

DECLARATIONS OF CONFLICTS OF INTERESTS:

None

APPROVAL OF MINUTES APRIL 21, 2026 REGULAR MEETING

Mr. Greenslade made a motion, supported by Mr. Cunningham, to approve the April 21, 2026 Regular meeting minutes as corrected.

Yeas: Roy Griffitts, Carey Cuddeback, Rex Greenslade, CT Martin, and Matt Cunningham.

Nays: none **Motion Carries**

PUBLIC COMMENTS- RELATED TO AGENDA ITEMS:

Public comments opened at 7:04pm.

Comments included:

- Zoning Administrator Report, and Data Centers.

Public Comment closed at 7:10pm.

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 June 8, 2026.

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

ZBA held an Administrative Meeting on May 6th 2026 at 7pm.

Hayes Township Planning Commission
May 19th, 2026
Regular Meeting
Hayes Township Hall
9195 Major Douglas Sloan Rd.
Charlevoix, MI 49720

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

BUDGET SUBMISSION 2026/27:

Ms. Cuddeback made a motion, supported by Mr. Greenslade to approve the submission of the Planning Commission budget request as discussed.

Yeas: Roy Griffiths, CT Martin, Carey Cuddeback, Rex Greenslade, and Matt Cunningham.

Nays: none Motion Carries

OLD BUSINESS:

SET/CONFIRM PUBLIC HEARING DATES: N/A

SET/CONFIRM DATE OF NEXT PC MEETING –JUNE 16, 2026.

Next Planning Commission regular meeting will take place on June 16, 2026, at 7:00 pm.

PUBLIC COMMENT: Public Comment opened at 7:18pm.

Comments included:

- Zoning Administrator Report.

Public Comment closed at 7:20pm.

PLANNING COMMISSION and STAFF COMMENT:

Mr. Martin stated the Short-Term Rental Work group held a great meeting last night and will meet again on May 27 2026 and June 10th 2026.

ADJOURNMENT: Mr. Greenslade made a motion, supported by Mr. Martin to adjourn the meeting at 7:22pm.

Yeas: Roy Griffiths, Carey Cuddeback, CT Martin, Rex Greenslade, and Matt Cunningham.

Nays: none **Motion Carries**

Respectfully Submitted by: April Hilton Deputy Clerk/Recording Secretary



Zoning Administrator Report

June 2026

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

- New Variance Application for setback from Lake Charelvoix Received for 6995 Birdland Drive.
- Communicating with landowner regarding violation for a non permitted patio on Oyster Bay Drive. Sent Zoning permit application and section 3.14 of the Hayes Township Zoning Ordinance to landowner.
- Received and Reviewing Variance Application for setback from Lake Charlevoix Received for 7345 Birdland Drive.
- Working with EGLE regarding Jet Ski business testing their Jet Skis on Susan Lake.
- Working with EGLE regarding a driveway that appears to be in a wetlands area on Major Douglas Sloan road.
- Sent first notice a violation letter to property owner on Hemlock Ave for junk accumulation on the property.
- Zoning Application for 7720 Indian Trails Dr, ZBA approved Variance request at the October 8th 2025 meeting. Shoreline Review committee visited the site on April 28th 2026, Shared plans and pictures with Tip of the Mitt. Waiting for Shoreline Restoration plan from applicant.
- Zoning permit application for a Demo and rebuild of existing home on Quarterline road. Shoreline Review Committee conducted inspection and advised applicant to work with Tip of the Mitt to create shoreland restoration plan. Shoreline plan from applicant will be submitted after the new year.
- Inspected on Villa Road for Violation of Nuisance Ordinance and a non-compliance complaint. Trying to contact landowner, last communication with landowner stated he was not well. Reached out to the VA and Tribe for additional support.
- Spoke with Holtec Representative, sign permitted to Holtec on 4/23/2025 was placed incorrectly, they are contacting MDOT for a survey showing the width of the ROW for that part of US31. Working with Holtec on the sign placement the owner has been provided information on design options.



- Property owner of Falls Storage is actively working to resolve sign violation at their parcel on US 31.
- Sent first notice of violation letter to property owner on Townline road for more than three inoperable vehicles being stored outside on the parcel.
- Shoreline Review Committee conducted a site visit on April 28th 2026 at 8740 Boyne City Road. Shoreline Restoration plan will be reviewed at the June 16th 2026 Planning Commission Meeting.
- Received Zoning Permit Application for 7738 Boyne City Road for a demo of existing home and a new 83'X124' single family dwelling unit. Shoreline Subcommittee site visit scheduled for June 10th 2026.
- Received a Rezone application for 10963 Boyne City Road from AG to RR, Planning Commission will set a public hearing date at their June 16th 2026 Planning Commission Meeting.
- Received and reviewing zoning application for an accessory building on 8240 Susan Shores Dr. Waiting for additional information from applicant.
- Reviewing Zoning Application for an addition on a single family residence located on Woods Creek Dr. Shoreline Review Committee with Tipp of the Mitt representative conducted a site visit. Waiting for Shoreline Restoration plan from applicant.
- Received and reviewing Zoning permit application for a new single family residence on Deer path Drive. Stop Work Order has been issued on this project, until shoreline protection strip is restored. Property has also been cited for wetland violation.

26-05-01	05/18/26 007-400-013-00	07125 Nine Mile Point Dr.	Doug Quada and Kathy Keljo	Replacement of roof structure with a steeper pitch and include an energy heel to the trusses and new detached garage with Variance approved by ZBA, Shoreline restoration plan as approved by the Planning Commission
26-06-01	06/03/26 007-570-012-00	11321 Summerhill Way Lot K	Ken & Jan Adkins	New 30'X60' Accessory Building

Division	05/27/26	15-007-125-009-00	7977 Pincherry rd	Ronald Shanks	RR
----------	----------	-------------------	-------------------	---------------	----

May 30, 2026

Report of the Shoreland Protection Subcommittee on 8740 Boyne City Road,
Charlevoix.

A project to build a new home on a vacant waterfront lot on Boyne City rd. was submitted to the township zoning administrator. A site visit was conducted by VanZee, Griffiths, Martin, Hilton and Noah Jansen (Tip of the Mitt) on May 21, 2026. Submitted plans included a shoreland inventory of plants and trees.

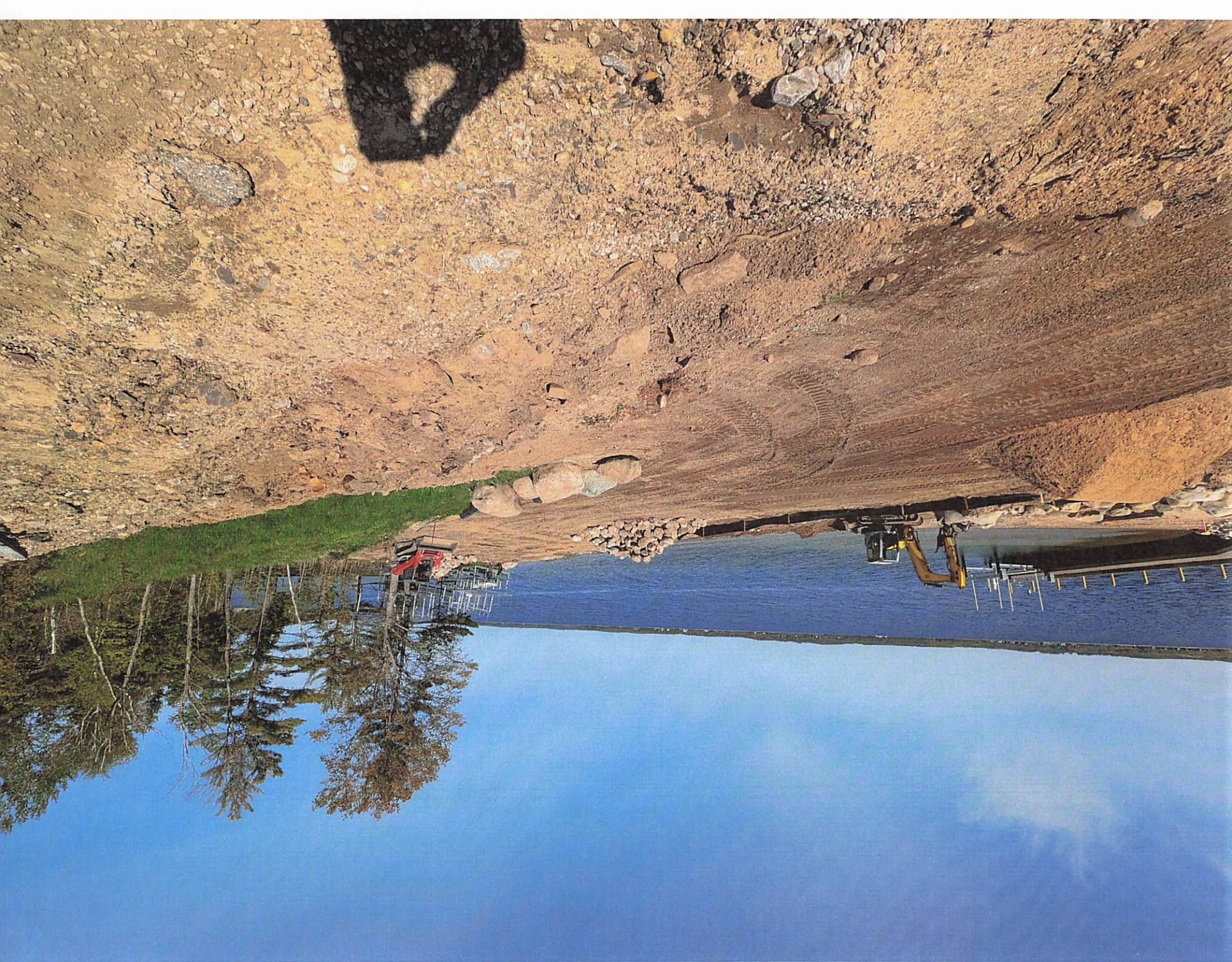
The lot is an 8.5 acre that averages several hundred feet deep and initially slopes moderately towards the water until approximately half the distance to the water at which point the slope increases dramatically to the OHWM. The area between the proposed buildings and the shoreline buffer has been graded and the 50' area for the SPS has been designed to minimize runoff and stabilize the hillside. The plan calls the removal of an existing waterfront structure (already removed) and replanting the SPS with native plants and trees. Significant ground work has been done to reach an existing permitted permanent dock with the access route currently done as a two-track path that has structure totaling 6 feet wide for the length of the access route. Inside the SPS the track composition changes to permeable pavers. There is an area of native dune/soil identified for a path and much of the area is to be planted in dune grass. The existing plantings in what will be the shoreland protection strip are trees, a mix of pines, firs, and cedars of various ages and the typical ground cover that grows under them. Additional trees, shrubs and plants are to be planted most heavily closest to the OHWM including, balsam, pine and apple serviceberry.

The building setbacks are 100 to over 500 feet from the ordinary high-water mark and the landscape plan is designed to accommodate the unique characteristics of the site. A list of plants to be used has been provided.

Noah Jansen, Tip of the Mitt, has provided the following feedback on the variety of the plants that are proposed to ensure that they are appropriate to the location. "Thank you for taking the time to visit the property with me today. After seeing the slope of the site in-person, I acknowledge the need for having the fire pit, paver area, etc. located in the only flat area, which is all or mostly within the SPS. I do appreciate the use of permeable pavers and path materials and the tree plantings to stabilize the slopes above the SPS. The proposed plantings in the SPS use native species (dune grass and creeping juniper) that would occur together in a natural ecosystem (sand dunes). I would also encourage them to plant some larger, more robust shrubs within the first 10 feet from the top of the riprap for additional protection from shoreline erosion. These could be grouped together and the groups spaced to allow views. Potential species

include common juniper (*Juniperus communis*), red osier dogwood (*Cornus sericea*), ninebark (*Physocarpus opulifolius*), and soapberry (*Shepherdia canadensis*)."

Given the nature of the property and intensive design work on the SPS, to include as feasible the recommendations from the Tip of The Mitt consultant it is recommended that the Plan be approved.







No. Revision/Issue	
1	Initial
2	Revised
3	Revised
4	Revised
5	Revised
6	Revised
7	Revised
8	Revised
9	Revised
10	Revised

Studio McCallum, LLC
Landscape Architecture
Planning & Design

Cassandra E. McCallum, P.A.
Landscape Architect & Managing Director
408 - 314 - 7411
cassandra@studiomccallum.com

Project: Vanelsander Grotto And Shoreline
Prepared for: David and Sue Vanelsander
8740 Boyne City Road
Charter, MI 49720

Project	20250015
Client	David and Sue Vanelsander
Date	04/27/2025
Scale	1" = 10'
Sheet	L05



PLANT SCHEDULE GROTTO AREA

SYMBOL	BOTANICAL / COMMON NAME	SIZE	QTY
	Aster alpinus	2" Cal.	10
	Red Maple	10'-12"	3
	Betula nigra 'Little King'	4" HL	3
	Fox Valley Dwarf River Birch	4" HL	3
	Cornus mas	8" HL	2
	Cornelian Cherry	6'-8"	10
	Juniperus scopulorum 'Wichita Blue'	6" HL	3
	Wichita Blue Juniper	10'-12"	13
	Linderothia 'Linderothii'	10'	10
	Columnar Tulip Poplar	3 gal	106
	Picea canadensis 'Dark Green'	13,396	
	Dark American Arborvitae		
	Juniperus horizontalis 'Hughes'		
	Hughes Creeping Juniper		
	Ground Covers		
	Permeable Pavers With Turf Joins 1200 SF		
	Native soil f		
	Removal Of Existing Boulders		
	Six 6' Wide Steps Through Shoreline Boulders		

REFERENCE NOTES SCHEDULE GROTTO AREA

SYMBOL	DESCRIPTION	QTY
	IDAHO GOLD	1,052 sf
	Unlocks Turfstone A With Grass Fill	1,198 sf
	Permeable open grid paver units.	
	Pattern requires (100%) Standard applications.	
	Sandy Shoreline Behind OHWM	3,955 sf



June 10, 2026

Report of the Shoreland Protection Subcommittee on 7738 Boyne City Road,
Charlevoix.

A project to tear down an existing old house and build a new home on a waterfront property on Boyne City rd. was submitted to the township zoning administrator. A site visit was conducted by VanZee, Griffiths, Martin, Hilton and Noah Jansen (Tip of the Mitt) on June 10, 2026. Submitted plans included a statement desiring to leave the existing shoreland area as it is comprised of native and no-native but soil appropriate plants and trees.

The property is a 54.5-acre compound that averages approximately ¼ mile deep and initially slopes towards the water through a series of large plateaus until approximately 540 feet of distance to the water at which point the slope decreases dramatically to the OHWM. The natural area which varies in depth between 150' -200' runs across the property at the shoreline and the total slope change between the lawn and the water is less than 4ft or 2% in elevation. The building setback is over 500 feet from the ordinary high-water mark

The area between the proposed buildings and the shoreline buffer has been maintained as a lawn area and the area of land some 150'- 200'deep including the 50' area for the SPS has been left with the naturally occurring vegetation that will grow in the acidic soil. The plan calls for not disturbing the existing natural area. There is a bark chip path totaling 6 feet wide for the depth of the natural area as an access route to the water. The existing plantings in what will be the shoreland protection strip are trees, a mix of pines, tamaracks, and cedars of various ages and the typical ground cover that grows in alkaline soils that are often under water during the high-water times. The many stumps in the SPS reflect an amount of tree removal over the years that is likely beyond what is currently allowed. Planting 20 native trees and 20 native shrubs is recommended, to be planted most heavily closest to the OHWM including. A 1/2- to 2-gallon pot size is ideal. Recommended tree species include tamarack (*Larix laricina*), paper birch (*Betula papyrifera*), white pine (*Pinus strobus*), balsam poplar (*Populus balsamifera*), red maple (*Acer rubrum*), and, if they can be protected from deer browse, white cedar (*Thuja occidentalis*). Recommended shrubs include ninebark (*Physocarpus opulifolius*), red osier dogwood (*Cornus sericea*), silky dogwood (*Cornus amomum*), pussy willow (*Salix discolor*), shrubby cinquefoil (*Dasiphora fruticosa*), Kalm's St. John's-wort (*Hypericum kalmianum*), and soapberry/russet buffaloberry (*Shepherdia canadensis*). Additionally, any existing tree and shrub seedlings growing

in the SPS should be allowed to continue to grow to help reestablish the natural vegetation there.

Given the nature of the property and the large natural area and including the recommendations from the Tip of The Mitt consultant it is recommended that the Plan be approved.























SITE CIVIL PLANS

FOR

NEW RESIDENCE FOR MR. & MRS. LESTER

7738 BOYNE CITY ROAD

HAYES TOWNSHIP,, CHARLEVOIX COUNTY, MICHIGAN



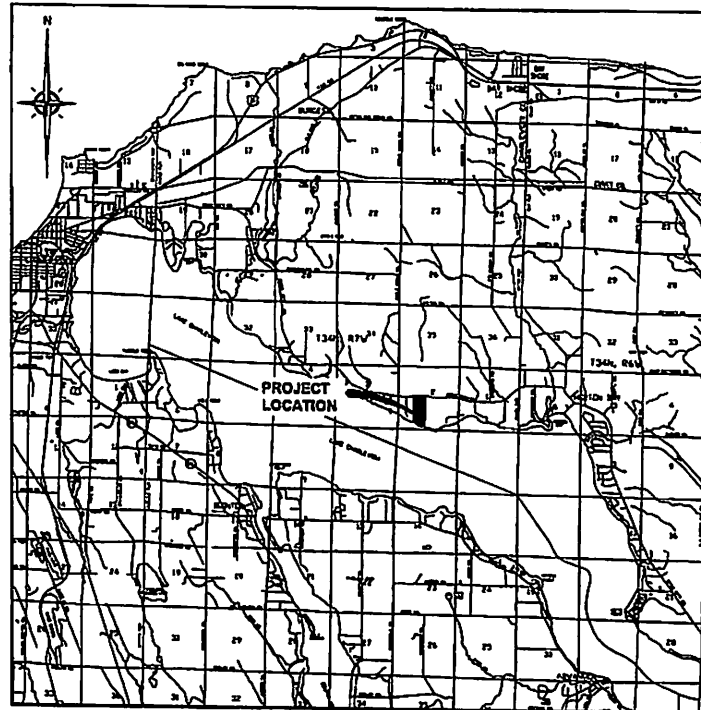
VICINITY MAP
SCALE

ARCHITECT

CBI DESIGN PROFESSIONALS
630 W. LONG LAKE, SUITE 110
BLOOMFIELD HILLS, MI 48307
248 843.7805

ENGINEER

GOSLING CZUBAK ENGINEERING SCIENCES, INC.
1150 BUSINESS PARK DRIVE
TRAVERSE CITY, MICHIGAN 49606-0807
231 946.1191 • 800 963.1052
www.goslingczubak.com info@goslingczubak.com



LOCATION MAP
NOT TO SCALE

SHEET INDEX	
SHEET #	SHEET TITLE
C000	COVER PAGE
C100	TOPOGRAPHIC SURVEY
C101	DEMOLITION PLAN
C200	OVERALL PROPOSED SITE PLAN
C201	DETAILED SITE PLAN
C300	OVERALL SEPTIC PLAN
C301	DETAILED DRAINFIELD PLAN
C500	CONSTRUCTION DETAILS



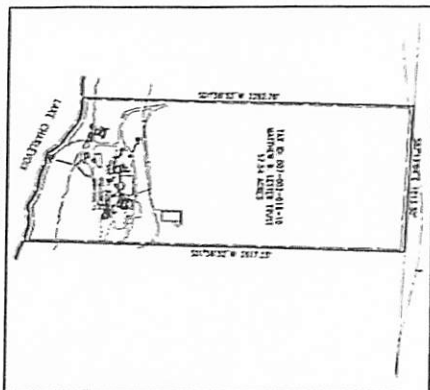
Know what's below.
Call before you dig.



LESTER RESIDENCE - 7738 BOYNE CITY ROAD

Issue Date
Project No.
250373
Sheet
C000

ORIGINAL SHEET SIZE IS 24" X 36" HALF SCALE SHEET IS 18" X 24"

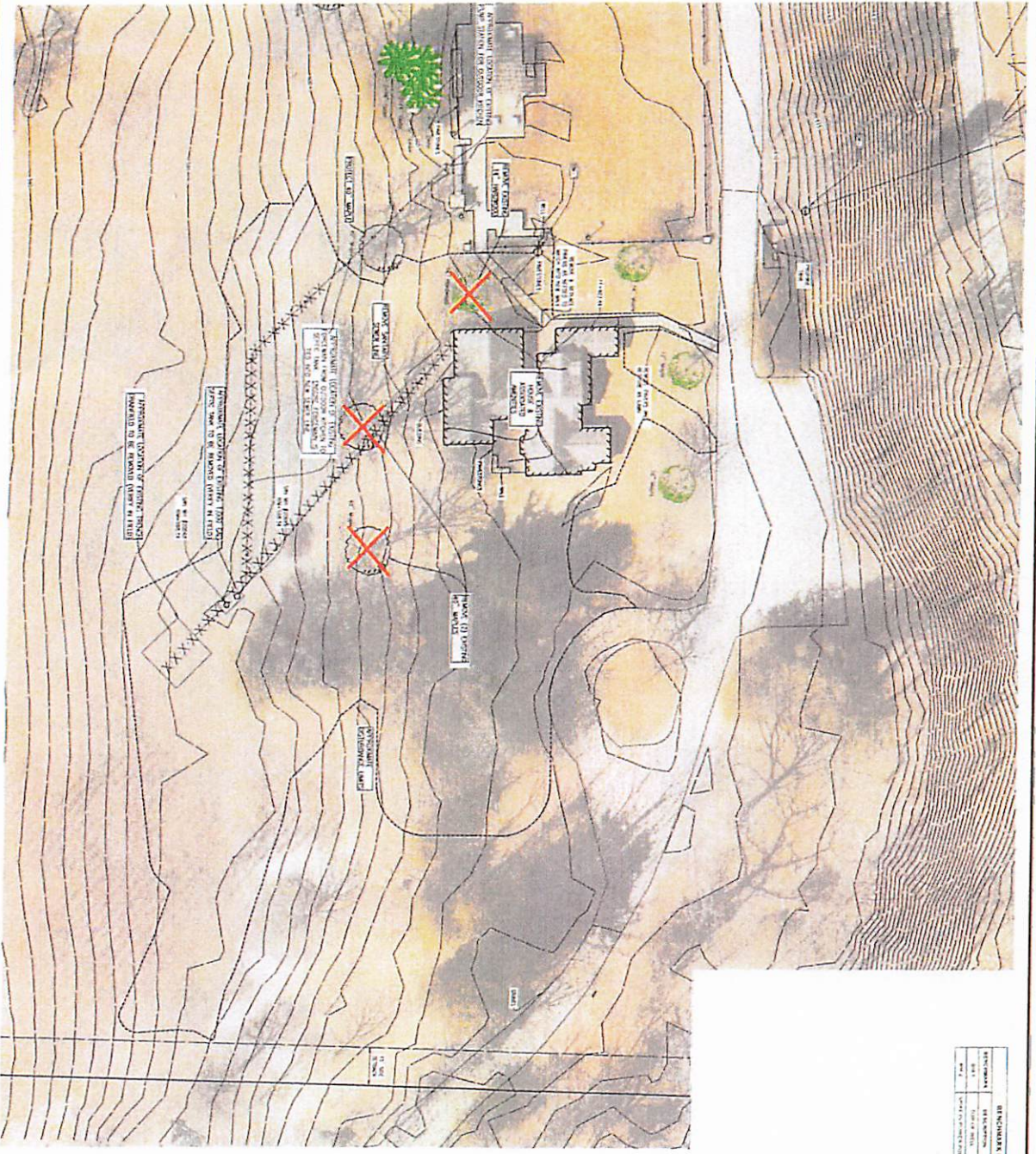


1. **THEORY**

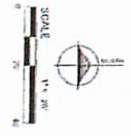
- 
- Know what's below.
Call before you dig.

Healthcare
1100 Robinson Pkwy. Ste. 200
Troy, NY 12180
212.868.6131
www.healthcare.com

C100



DEMOLITION PLAN			
DATE	BY	DATE	BY
10/1/2011	J. J. J. J.	10/1/2011	J. J. J. J.
10/1/2011	J. J. J. J.	10/1/2011	J. J. J. J.



DEMOLITION PLAN
LESTER RESIDENCE - 7738 BOYNE CITY ROAD
CBI DESIGN PROFESSIONALS

811
Know what's below.
Call before you dig.

Scale
0 20 40 feet

North Arrow

Project Information

Project Name: LESTER RESIDENCE - 7738 BOYNE CITY ROAD

Project Number: 1001

Project Date: 10/1/2011

Project Location: 7738 BOYNE CITY ROAD, BOYNE CITY, MI 48011

Project Owner: CBI DESIGN PROFESSIONALS

Project Manager: J. J. J. J.

Project Engineer: J. J. J. J.

Project Surveyor: J. J. J. J.

Project Architect: J. J. J. J.

Project Contractor: J. J. J. J.

Project Demolition: J. J. J. J.

Demolition Plan

Demolition Method: EXCAVATION

Demolition Equipment: EXCAVATOR

Demolition Duration: 10 DAYS

Demolition Start Date: 10/1/2011

Demolition End Date: 10/10/2011

Demolition Site: 7738 BOYNE CITY ROAD, BOYNE CITY, MI 48011

Demolition Area: 1000 SQ. FT.

Demolition Volume: 1000 CU. YD.

Demolition Weight: 1000 TONS

Demolition Cost: \$100,000

Demolition Insurance: \$1,000,000

Demolition Bond: \$1,000,000

Demolition License: 1001

Demolition Permit: 1001

Demolition Inspection: 1001

Demolition Approval: 1001

Demolition Plan

Demolition Method: EXCAVATION

Demolition Equipment: EXCAVATOR

Demolition Duration: 10 DAYS

Demolition Start Date: 10/1/2011

Demolition End Date: 10/10/2011

Demolition Site: 7738 BOYNE CITY ROAD, BOYNE CITY, MI 48011

Demolition Area: 1000 SQ. FT.

Demolition Volume: 1000 CU. YD.

Demolition Weight: 1000 TONS

Demolition Cost: \$100,000

Demolition Insurance: \$1,000,000

Demolition Bond: \$1,000,000

Demolition License: 1001

Demolition Permit: 1001

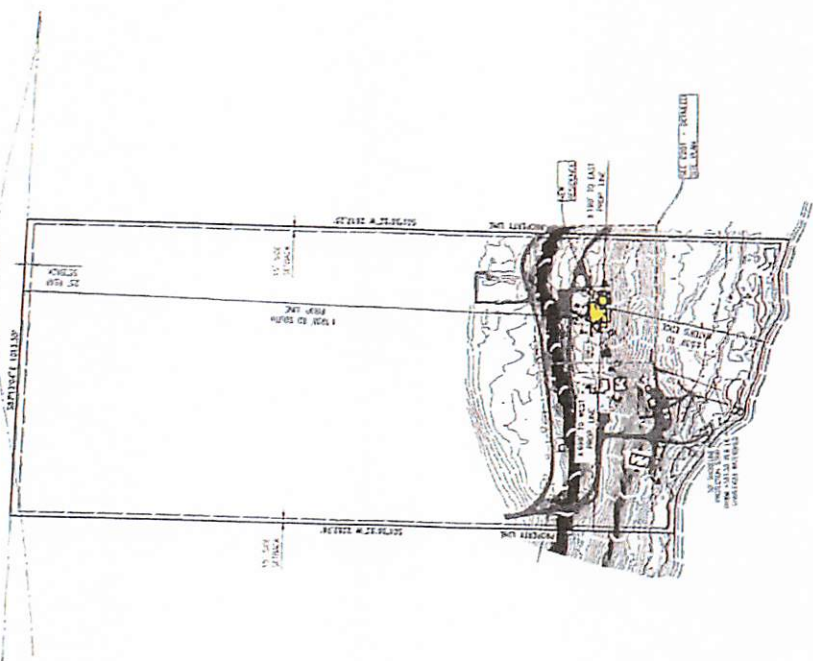
Demolition Inspection: 1001

Demolition Approval: 1001



- LEGEND**
- Proposed Structure
 - Existing Structure
 - Proposed Driveway
 - Existing Driveway
 - Proposed Fencing
 - Existing Fencing
 - Proposed Landscaping
 - Existing Landscaping
 - Proposed Paving
 - Existing Paving
 - Proposed Retention Wall
 - Existing Retention Wall
 - Proposed Storm Drain
 - Existing Storm Drain
 - Proposed Sewer Line
 - Existing Sewer Line
 - Proposed Water Line
 - Existing Water Line
 - Proposed Gas Line
 - Existing Gas Line
 - Proposed Electric Line
 - Existing Electric Line
 - Proposed Cable Line
 - Existing Cable Line
 - Proposed Telephone Line
 - Existing Telephone Line
 - Proposed Fire Hydrant
 - Existing Fire Hydrant
 - Proposed Fire Alarm
 - Existing Fire Alarm
 - Proposed Fire Sprinkler
 - Existing Fire Sprinkler
 - Proposed Fire Extinguisher
 - Existing Fire Extinguisher
 - Proposed Fire Alarm Control Panel
 - Existing Fire Alarm Control Panel
 - Proposed Fire Alarm Pull Station
 - Existing Fire Alarm Pull Station
 - Proposed Fire Alarm Sounder
 - Existing Fire Alarm Sounder
 - Proposed Fire Alarm Notification Appliance
 - Existing Fire Alarm Notification Appliance
 - Proposed Fire Alarm Control Unit
 - Existing Fire Alarm Control Unit
 - Proposed Fire Alarm Control Panel
 - Existing Fire Alarm Control Panel
 - Proposed Fire Alarm Pull Station
 - Existing Fire Alarm Pull Station
 - Proposed Fire Alarm Sounder
 - Existing Fire Alarm Sounder
 - Proposed Fire Alarm Notification Appliance
 - Existing Fire Alarm Notification Appliance
 - Proposed Fire Alarm Control Unit
 - Existing Fire Alarm Control Unit

BENCHMARK DATA	
MARKER	DESCRIPTION
B.M. 1	Top of Bench
B.M. 2	Top of Bench
B.M. 3	Top of Bench
B.M. 4	Top of Bench
B.M. 5	Top of Bench
B.M. 6	Top of Bench
B.M. 7	Top of Bench
B.M. 8	Top of Bench
B.M. 9	Top of Bench
B.M. 10	Top of Bench
B.M. 11	Top of Bench
B.M. 12	Top of Bench
B.M. 13	Top of Bench
B.M. 14	Top of Bench
B.M. 15	Top of Bench
B.M. 16	Top of Bench
B.M. 17	Top of Bench
B.M. 18	Top of Bench
B.M. 19	Top of Bench
B.M. 20	Top of Bench
B.M. 21	Top of Bench
B.M. 22	Top of Bench
B.M. 23	Top of Bench
B.M. 24	Top of Bench
B.M. 25	Top of Bench
B.M. 26	Top of Bench
B.M. 27	Top of Bench
B.M. 28	Top of Bench
B.M. 29	Top of Bench
B.M. 30	Top of Bench
B.M. 31	Top of Bench
B.M. 32	Top of Bench
B.M. 33	Top of Bench
B.M. 34	Top of Bench
B.M. 35	Top of Bench
B.M. 36	Top of Bench
B.M. 37	Top of Bench
B.M. 38	Top of Bench
B.M. 39	Top of Bench
B.M. 40	Top of Bench
B.M. 41	Top of Bench
B.M. 42	Top of Bench
B.M. 43	Top of Bench
B.M. 44	Top of Bench
B.M. 45	Top of Bench
B.M. 46	Top of Bench
B.M. 47	Top of Bench
B.M. 48	Top of Bench
B.M. 49	Top of Bench
B.M. 50	Top of Bench
B.M. 51	Top of Bench
B.M. 52	Top of Bench
B.M. 53	Top of Bench
B.M. 54	Top of Bench
B.M. 55	Top of Bench
B.M. 56	Top of Bench
B.M. 57	Top of Bench
B.M. 58	Top of Bench
B.M. 59	Top of Bench
B.M. 60	Top of Bench
B.M. 61	Top of Bench
B.M. 62	Top of Bench
B.M. 63	Top of Bench
B.M. 64	Top of Bench
B.M. 65	Top of Bench
B.M. 66	Top of Bench
B.M. 67	Top of Bench
B.M. 68	Top of Bench
B.M. 69	Top of Bench
B.M. 70	Top of Bench
B.M. 71	Top of Bench
B.M. 72	Top of Bench
B.M. 73	Top of Bench
B.M. 74	Top of Bench
B.M. 75	Top of Bench
B.M. 76	Top of Bench
B.M. 77	Top of Bench
B.M. 78	Top of Bench
B.M. 79	Top of Bench
B.M. 80	Top of Bench
B.M. 81	Top of Bench
B.M. 82	Top of Bench
B.M. 83	Top of Bench
B.M. 84	Top of Bench
B.M. 85	Top of Bench
B.M. 86	Top of Bench
B.M. 87	Top of Bench
B.M. 88	Top of Bench
B.M. 89	Top of Bench
B.M. 90	Top of Bench
B.M. 91	Top of Bench
B.M. 92	Top of Bench
B.M. 93	Top of Bench
B.M. 94	Top of Bench
B.M. 95	Top of Bench
B.M. 96	Top of Bench
B.M. 97	Top of Bench
B.M. 98	Top of Bench
B.M. 99	Top of Bench
B.M. 100	Top of Bench

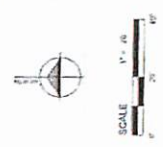


OVERALL PROPOSED SITE PLAN
LESTER RESIDENCE - 7738 BOYNE CITY ROAD
 CBI DESIGN PROFESSIONALS

NO.	DATE	DESCRIPTION
1	01/15/2024	Initial Site Plan
2	02/15/2024	Revised Site Plan
3	03/15/2024	Final Site Plan
4	04/15/2024	Final Site Plan
5	05/15/2024	Final Site Plan
6	06/15/2024	Final Site Plan
7	07/15/2024	Final Site Plan
8	08/15/2024	Final Site Plan
9	09/15/2024	Final Site Plan
10	10/15/2024	Final Site Plan
11	11/15/2024	Final Site Plan
12	12/15/2024	Final Site Plan
13	01/15/2025	Final Site Plan
14	02/15/2025	Final Site Plan
15	03/15/2025	Final Site Plan
16	04/15/2025	Final Site Plan
17	05/15/2025	Final Site Plan
18	06/15/2025	Final Site Plan
19	07/15/2025	Final Site Plan
20	08/15/2025	Final Site Plan
21	09/15/2025	Final Site Plan
22	10/15/2025	Final Site Plan
23	11/15/2025	Final Site Plan
24	12/15/2025	Final Site Plan
25	01/15/2026	Final Site Plan
26	02/15/2026	Final Site Plan
27	03/15/2026	Final Site Plan
28	04/15/2026	Final Site Plan
29	05/15/2026	Final Site Plan
30	06/15/2026	Final Site Plan
31	07/15/2026	Final Site Plan
32	08/15/2026	Final Site Plan
33	09/15/2026	Final Site Plan
34	10/15/2026	Final Site Plan
35	11/15/2026	Final Site Plan
36	12/15/2026	Final Site Plan
37	01/15/2027	Final Site Plan
38	02/15/2027	Final Site Plan
39	03/15/2027	Final Site Plan
40	04/15/2027	Final Site Plan
41	05/15/2027	Final Site Plan
42	06/15/2027	Final Site Plan
43	07/15/2027	Final Site Plan
44	08/15/2027	Final Site Plan
45	09/15/2027	Final Site Plan
46	10/15/2027	Final Site Plan
47	11/15/2027	Final Site Plan
48	12/15/2027	Final Site Plan
49	01/15/2028	Final Site Plan
50	02/15/2028	Final Site Plan
51	03/15/2028	Final Site Plan
52	04/15/2028	Final Site Plan
53	05/15/2028	Final Site Plan
54	06/15/2028	Final Site Plan
55	07/15/2028	Final Site Plan
56	08/15/2028	Final Site Plan
57	09/15/2028	Final Site Plan
58	10/15/2028	Final Site Plan
59	11/15/2028	Final Site Plan
60	12/15/2028	Final Site Plan
61	01/15/2029	Final Site Plan
62	02/15/2029	Final Site Plan
63	03/15/2029	Final Site Plan
64	04/15/2029	Final Site Plan
65	05/15/2029	Final Site Plan
66	06/15/2029	Final Site Plan
67	07/15/2029	Final Site Plan
68	08/15/2029	Final Site Plan
69	09/15/2029	Final Site Plan
70	10/15/2029	Final Site Plan
71	11/15/2029	Final Site Plan
72	12/15/2029	Final Site Plan
73	01/15/2030	Final Site Plan
74	02/15/2030	Final Site Plan
75	03/15/2030	Final Site Plan
76	04/15/2030	Final Site Plan
77	05/15/2030	Final Site Plan
78	06/15/2030	Final Site Plan
79	07/15/2030	Final Site Plan
80	08/15/2030	Final Site Plan
81	09/15/2030	Final Site Plan
82	10/15/2030	Final Site Plan
83	11/15/2030	Final Site Plan
84	12/15/2030	Final Site Plan
85	01/15/2031	Final Site Plan
86	02/15/2031	Final Site Plan
87	03/15/2031	Final Site Plan
88	04/15/2031	Final Site Plan
89	05/15/2031	Final Site Plan
90	06/15/2031	Final Site Plan
91	07/15/2031	Final Site Plan
92	08/15/2031	Final Site Plan
93	09/15/2031	Final Site Plan
94	10/15/2031	Final Site Plan
95	11/15/2031	Final Site Plan
96	12/15/2031	Final Site Plan
97	01/15/2032	Final Site Plan
98	02/15/2032	Final Site Plan
99	03/15/2032	Final Site Plan
100	04/15/2032	Final Site Plan

OVERALL SEPTIC PLAN
LESTER RESIDENCE - 7738 BOYNE CITY ROAD
CBi DESIGN PROFESSIONALS

C300



- SITE PLAN LEGEND**
- PROPOSED SEPTIC SYSTEM
 - PROPOSED SEPTIC TANK
 - EXISTING MAJOR CONTAMINANT
 - PROPOSED MAJOR CONTAMINANT
 - PROPOSED MINOR CONTAMINANT

REMARKS DATA

REMARKS	DATE	BY
1. ALL CONSTRUCTION AND MAINTENANCE SHALL BE IN ACCORDANCE WITH THE CITY OF MINNEAPOLIS DEPARTMENT OF PUBLIC WORKS STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.	11/11/11	J. J. JENSEN
2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF MINNEAPOLIS DEPARTMENT OF PUBLIC WORKS STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.	11/11/11	J. J. JENSEN

WASTEWATER NOTES

- ALL CONSTRUCTION AND MAINTENANCE SHALL BE IN ACCORDANCE WITH THE CITY OF MINNEAPOLIS DEPARTMENT OF PUBLIC WORKS STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF MINNEAPOLIS DEPARTMENT OF PUBLIC WORKS STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF MINNEAPOLIS DEPARTMENT OF PUBLIC WORKS STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF MINNEAPOLIS DEPARTMENT OF PUBLIC WORKS STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF MINNEAPOLIS DEPARTMENT OF PUBLIC WORKS STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF MINNEAPOLIS DEPARTMENT OF PUBLIC WORKS STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF MINNEAPOLIS DEPARTMENT OF PUBLIC WORKS STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF MINNEAPOLIS DEPARTMENT OF PUBLIC WORKS STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF MINNEAPOLIS DEPARTMENT OF PUBLIC WORKS STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF MINNEAPOLIS DEPARTMENT OF PUBLIC WORKS STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF MINNEAPOLIS DEPARTMENT OF PUBLIC WORKS STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF MINNEAPOLIS DEPARTMENT OF PUBLIC WORKS STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF MINNEAPOLIS DEPARTMENT OF PUBLIC WORKS STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF MINNEAPOLIS DEPARTMENT OF PUBLIC WORKS STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF MINNEAPOLIS DEPARTMENT OF PUBLIC WORKS STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.

SEPTIC TANK

THE SEPTIC TANK SHALL BE BASED ON SECTION 3.1. MINIMUM VOLUME OF THE SEPTIC TANK SHALL BE 1,000 GALLONS FOR A SINGLE FAMILY RESIDENCE. THE SEPTIC TANK SHALL BE BASED ON THE FOLLOWING: TOTAL NUMBER OF BEDROOMS, BATHS, KITCHENS, AND OTHER AREAS. THE SEPTIC TANK SHALL BE BASED ON THE FOLLOWING: TOTAL NUMBER OF BEDROOMS, BATHS, KITCHENS, AND OTHER AREAS. THE SEPTIC TANK SHALL BE BASED ON THE FOLLOWING: TOTAL NUMBER OF BEDROOMS, BATHS, KITCHENS, AND OTHER AREAS.

UNPAVED AREAS SHALL BE BASED ON THE FOLLOWING: TOTAL NUMBER OF BEDROOMS, BATHS, KITCHENS, AND OTHER AREAS. THE SEPTIC TANK SHALL BE BASED ON THE FOLLOWING: TOTAL NUMBER OF BEDROOMS, BATHS, KITCHENS, AND OTHER AREAS.

PAVED AREAS SHALL BE BASED ON THE FOLLOWING: TOTAL NUMBER OF BEDROOMS, BATHS, KITCHENS, AND OTHER AREAS. THE SEPTIC TANK SHALL BE BASED ON THE FOLLOWING: TOTAL NUMBER OF BEDROOMS, BATHS, KITCHENS, AND OTHER AREAS.

SEPTIC TANK VOLUME SHALL BE BASED ON THE FOLLOWING: TOTAL NUMBER OF BEDROOMS, BATHS, KITCHENS, AND OTHER AREAS. THE SEPTIC TANK SHALL BE BASED ON THE FOLLOWING: TOTAL NUMBER OF BEDROOMS, BATHS, KITCHENS, AND OTHER AREAS.

SEPTIC TANK VOLUME SHALL BE BASED ON THE FOLLOWING: TOTAL NUMBER OF BEDROOMS, BATHS, KITCHENS, AND OTHER AREAS. THE SEPTIC TANK SHALL BE BASED ON THE FOLLOWING: TOTAL NUMBER OF BEDROOMS, BATHS, KITCHENS, AND OTHER AREAS.

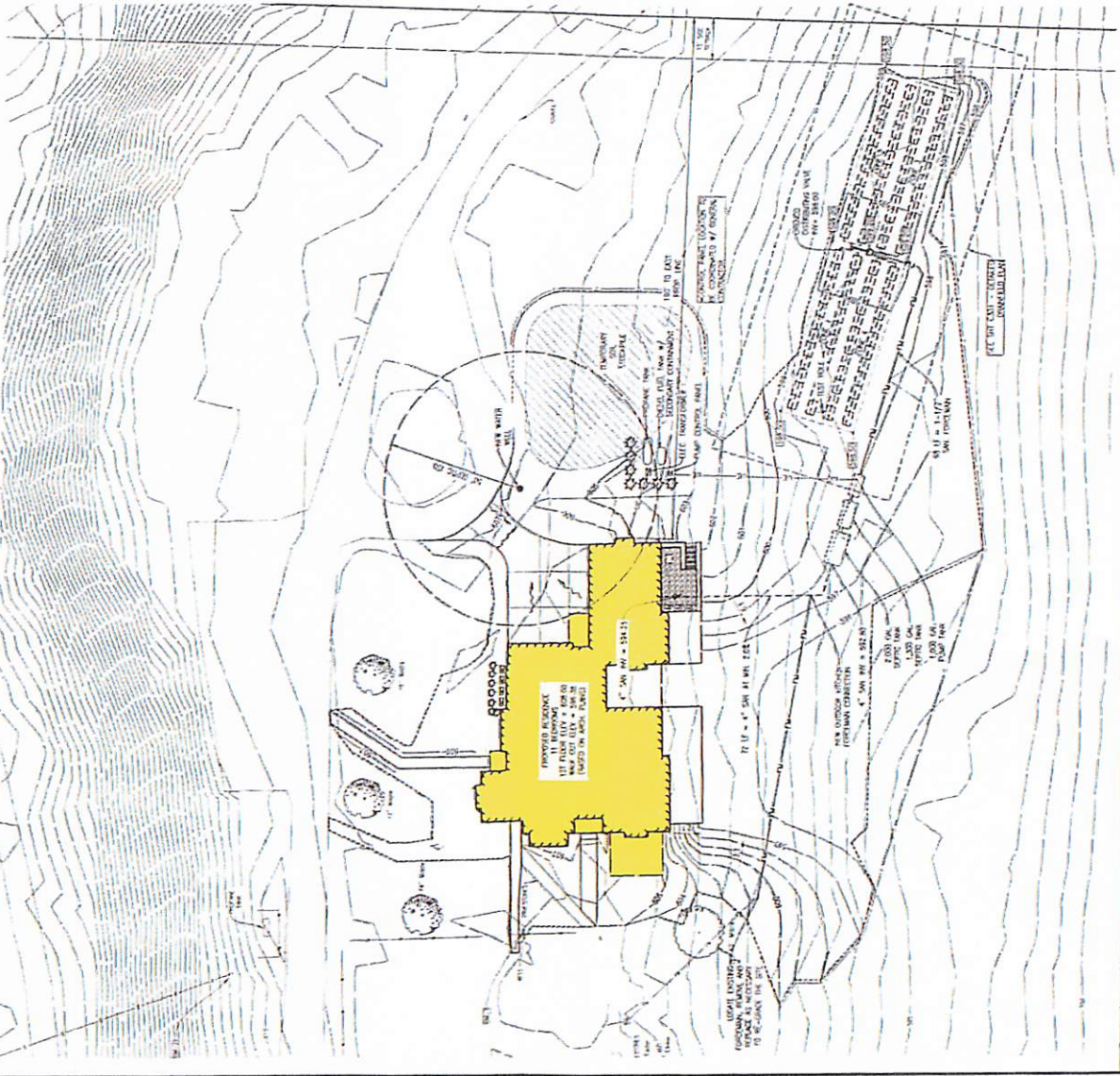
SEPTIC TANK VOLUME SHALL BE BASED ON THE FOLLOWING: TOTAL NUMBER OF BEDROOMS, BATHS, KITCHENS, AND OTHER AREAS. THE SEPTIC TANK SHALL BE BASED ON THE FOLLOWING: TOTAL NUMBER OF BEDROOMS, BATHS, KITCHENS, AND OTHER AREAS.

SEPTIC TANK VOLUME SHALL BE BASED ON THE FOLLOWING: TOTAL NUMBER OF BEDROOMS, BATHS, KITCHENS, AND OTHER AREAS. THE SEPTIC TANK SHALL BE BASED ON THE FOLLOWING: TOTAL NUMBER OF BEDROOMS, BATHS, KITCHENS, AND OTHER AREAS.

SEPTIC TANK VOLUME SHALL BE BASED ON THE FOLLOWING: TOTAL NUMBER OF BEDROOMS, BATHS, KITCHENS, AND OTHER AREAS. THE SEPTIC TANK SHALL BE BASED ON THE FOLLOWING: TOTAL NUMBER OF BEDROOMS, BATHS, KITCHENS, AND OTHER AREAS.

SEPTIC TANK VOLUME SHALL BE BASED ON THE FOLLOWING: TOTAL NUMBER OF BEDROOMS, BATHS, KITCHENS, AND OTHER AREAS. THE SEPTIC TANK SHALL BE BASED ON THE FOLLOWING: TOTAL NUMBER OF BEDROOMS, BATHS, KITCHENS, AND OTHER AREAS.

SEPTIC TANK VOLUME SHALL BE BASED ON THE FOLLOWING: TOTAL NUMBER OF BEDROOMS, BATHS, KITCHENS, AND OTHER AREAS. THE SEPTIC TANK SHALL BE BASED ON THE FOLLOWING: TOTAL NUMBER OF BEDROOMS, BATHS, KITCHENS, AND OTHER AREAS.



SEPTIC TANK VOLUME SHALL BE BASED ON THE FOLLOWING: TOTAL NUMBER OF BEDROOMS, BATHS, KITCHENS, AND OTHER AREAS. THE SEPTIC TANK SHALL BE BASED ON THE FOLLOWING: TOTAL NUMBER OF BEDROOMS, BATHS, KITCHENS, AND OTHER AREAS.

CRB Design Professionals
 1200 Lakeside Drive
 Suite 100
 212 484-1111
 www.crbdesign.com

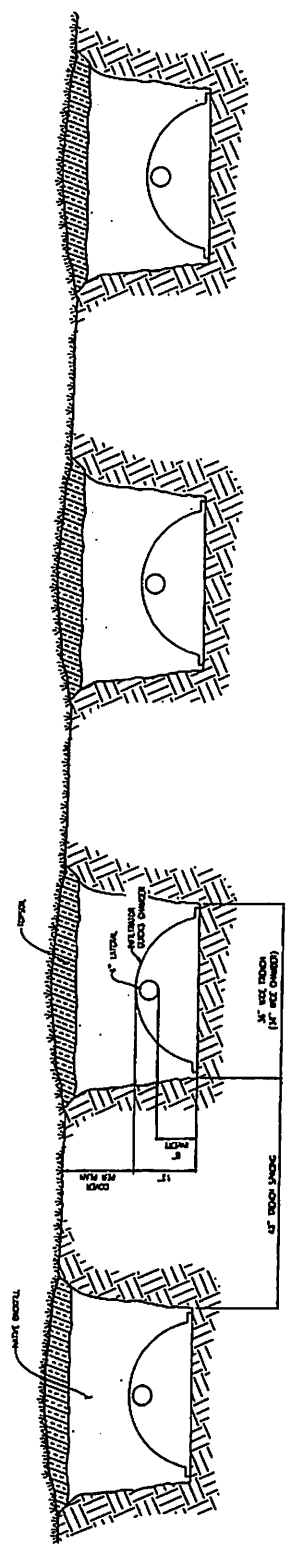
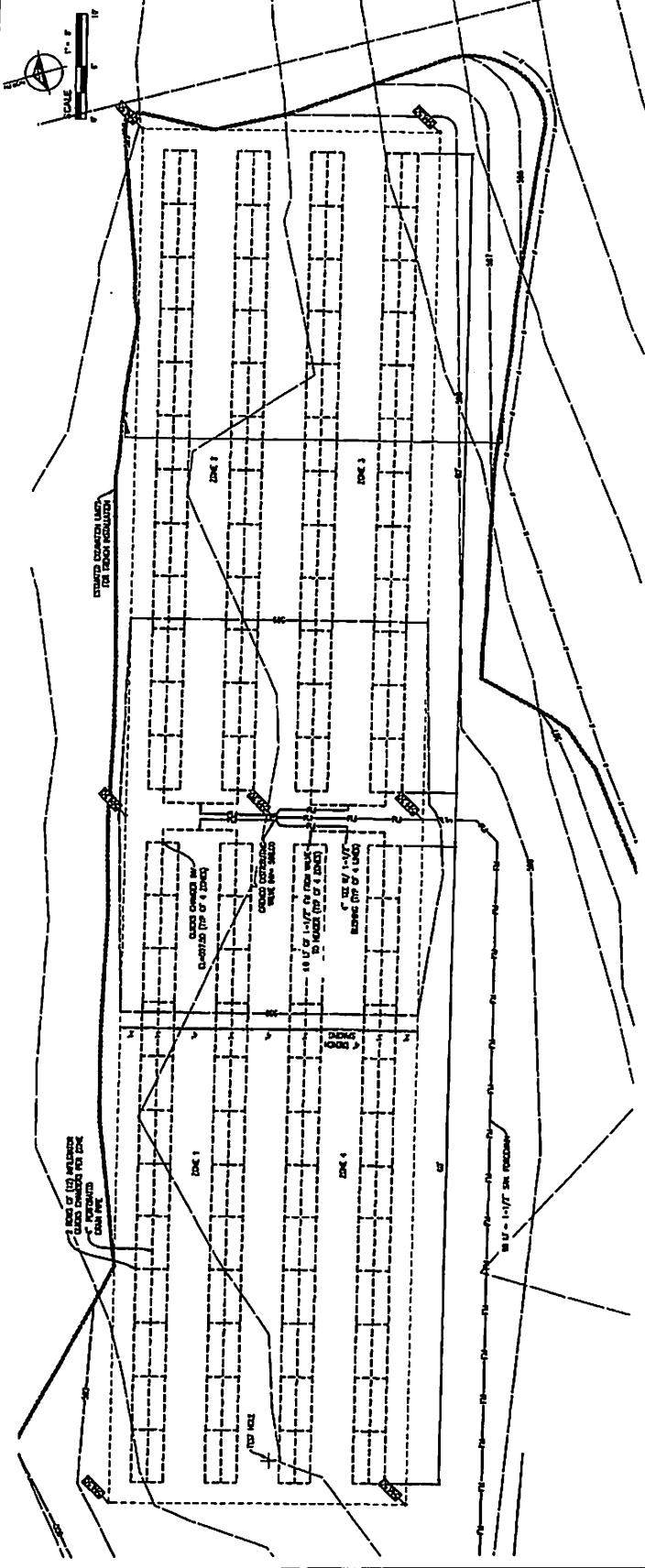
DETAILED DRAINFIELD PLAN
 LESTER RESIDENCE - 7738 BOYNE CITY ROAD

CRB DESIGN PROFESSIONALS

NO.	REVISION	DATE
1	ISSUED FOR PERMIT	08/11/2011
2	REVISED FOR COMMENTS	08/11/2011
3	REVISED FOR COMMENTS	08/11/2011
4	REVISED FOR COMMENTS	08/11/2011
5	REVISED FOR COMMENTS	08/11/2011
6	REVISED FOR COMMENTS	08/11/2011
7	REVISED FOR COMMENTS	08/11/2011
8	REVISED FOR COMMENTS	08/11/2011
9	REVISED FOR COMMENTS	08/11/2011
10	REVISED FOR COMMENTS	08/11/2011

Project No.	08-0000
Sheet No.	01 OF 01
Scale	AS SHOWN
Drawn By	AD
Checked By	AD
Approved By	AD
Project Name	LESTER RESIDENCE - 7738 BOYNE CITY ROAD
Project Location	BOYNE CITY, MICHIGAN
Project Date	08/11/2011

C301







April Hilton <deputyclerkhayes@gmail.com>

Fwd: Difficulty of having a summary for the STR and Data Center Meeting.

clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>
 To: "deputyclerkhayes@gmail.com" <deputyclerkhayes@gmail.com>

Tue, Jun 16, 2026 at 3:47 PM

Sent from my iPhone

Begin forwarded message:

From: Roy Griffiths <rwgriffitts3@gmail.com>
Date: June 16, 2026 at 9:33:21 AM EDT
To: Kristin Baranski <clerkhayestownshipmi@gmail.com>
Subject: Fwd: Difficulty of having a summary for the STR and Data Center Meeting.

----- Forwarded message -----

From: Bill Conklin <supervisorhayestownshipmi@gmail.com>
Date: Mon, Jun 15, 2026 at 3:19 PM
Subject: Re: Difficulty of having a summary for the STR and Data Center Meeting.
To: Melvin Czechowski <mhczechow@aol.com>
CC: Roy Griffiths <rwgriffitts3@gmail.com>

No there are no minutes and no recordings for STR Committee --- I will add a STR Report (my perspective) at the time of the Supervisor's report at Board meetings in July, etc.

CT offered to make notes of what was discussed and what agreement or consensus about certain points was made by the majority -- but the STR process is like educating citizens with information which they know little about so they are being educated along the way and it's a long, slow process - I will be amazed if we get a consensus about a proposed Ordinance by September....

So CT submits the Notes after each meeting and submits an agenda for next meeting - 6/29 which both were posted (or sent to be posted) today ---

Planning Commission process is unknown to me in any detail-- what process it is taking is broadly known that they are looking at hiring a Planner - what stage that it is in, I am not certain. But I know that they are working on it.

Thanks for sharing your thoughts - we will get there.

Bill Conklin
 231-373-0059

On Mon, Jun 15, 2026 at 10:24 AM Melvin Czechowski <mhczechow@aol.com> wrote:

I was surprised when you told me during the recent BOT meeting about difficulty of having a summary for the STR and Data Center Meeting. I thought that minutes were taken for every meeting. Whenever I have attended meetings like ASTM, Mich Shores, etc.; minutes have been taken. Minutes could be taken by writing or recording during the meeting. The township does recording for the BOT and Planing Commission meetings. Is it done for the STR and Data Center meeting? If it is, it would not be difficult or time consuming for summarizing these meetings.

What is happening with the Township Planning Ordinance. A few months ago it was mentioned that sections would be ready soon. What is happening? I have heard that Mrs. Carrey Cuddeback and her husband have sold there house and will be moving soon. Who is taking over this project?

Better communication between the township administration and the community would create a more amiable environment and reduce many of the township recent problems.

I look at the agenda of the next Planning Commission and see no mention of STR and Data Center Meetings. Likewise, no mention as to what is going on with the Township Planning ordinance. I should think at least a short summary could be mentioned. All those issues are of interest to many Township residents. Also, we have not newspapers to the let us know what is going on in Township meeting. So at least, when meetings are held a summary of the important topics I mentioned should be presented. They should also be in the Township Website. I and many residents cannot attend all township meetings.

Regards,

Mel

Melvin H. Czechowski, Ph.D.

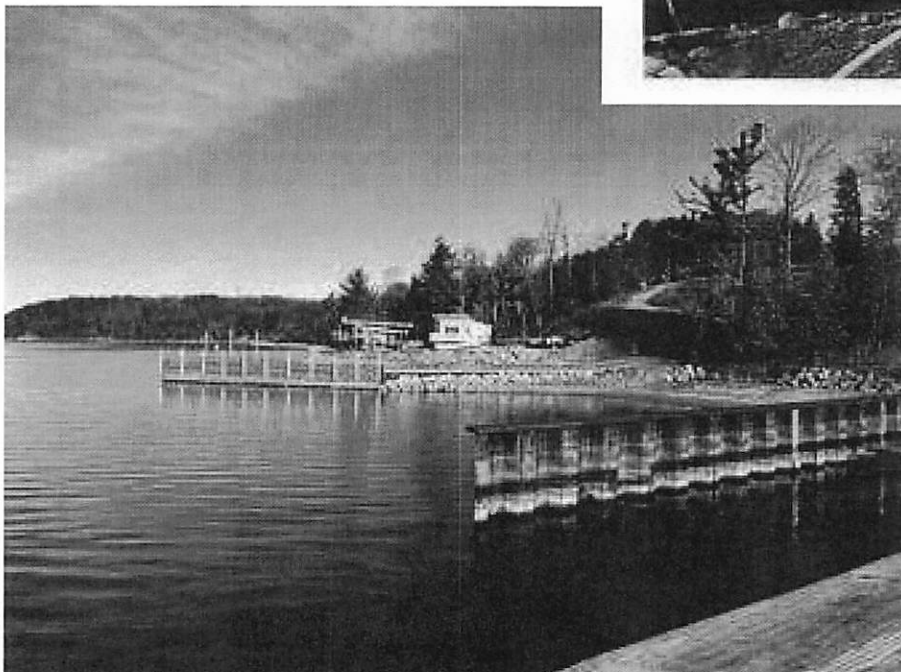
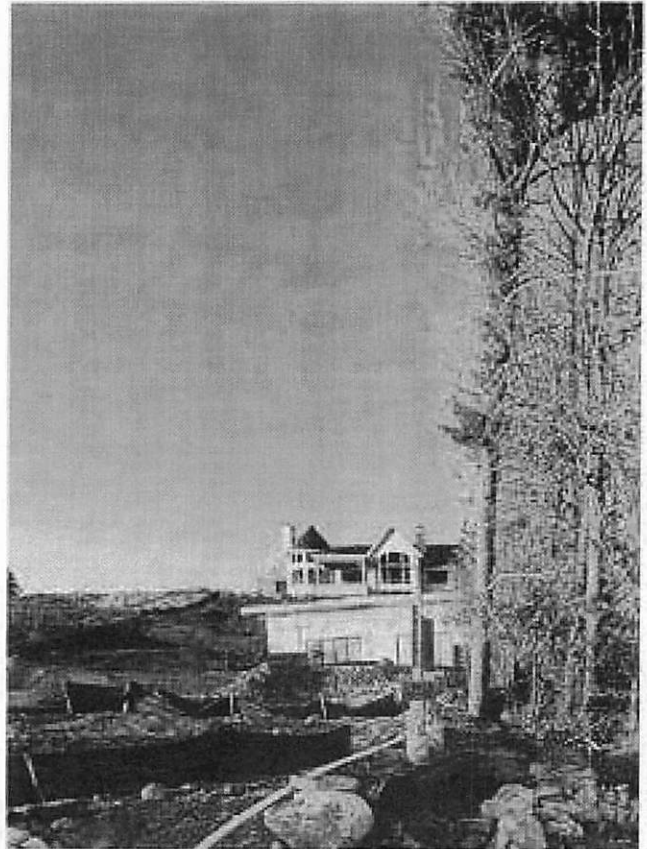
June 8, 2026

TO: Hayes Township Board of Trustees and Planning Commission

FROM: LuAnne Kozma, Hayes Township resident and President of Protect Lake Charlevoix Shoreland

RE: Shoreland violations on Berger property and VanEslander property

1. **VanEslander property:** Photos in the Board's June 8 packet show a new structure built close to the Ordinary High Water Mark and close to the Camp Seagull Park line on this property. There was a nonconforming white cabin before, as you can on the photo below that I took in 2024. A nonconforming structure cannot be enlarged or altered, (ZO § 3.02 Nonconformities) and a new structure must conform to the waterfront regulations in ZO § 3.14. I ask the Township Board to take Mr. Van Zee to task on this lack of enforcement and have him issue a citation.



2. Berger property at 6490 Peaceful Valley Road: There are two violations on this property: a violation of the Township Zoning Ordinance, for not installing the Shoreland Protection Strip; and a violation of state environmental laws for over dredging in Lake Charlevoix bottomlands.

First the Township violation:

Missing from Ron Van Zee's Zoning Administrator Report is the continuing Shoreland Protection Strip violation at the Berger property. I spoke about this at last month's meeting. I also gave written and verbal comments to this Board in May last year (2025). I first filed a written complaint about it in fall 2024, and nothing has been done. Last month, Van Zee said falsely that Berger was "sued" and that's why his enforcement actions are on hold.

Second, the EGLE permit challenge and Berger's and RB Lyons' violation of the permit:

The State (EGLE) issued a permit to Berger for a permanent dock, permanent boat hoist and dredging last summer. The Little Traverse Bay Bands of Odawa Indians and Protect Lake Charlevoix Shoreland, a non profit organization I and other residents formed to protect Lake Charlevoix, each filed a petition with EGLE, to contest the issuance of the permit, over concerns about dredging and other issues. This is not a "lawsuit against Mr. Berger." It is a contested case against EGLE for issuance of a permit. Berger chose to intervene. He did not have to. Berger's lawyer also answered for RB Lyons' dredging techniques as you can see in the attached letter.

Violations of the Zoning Ordinance must be enforced regardless of the EGLE permit: The challenge against EGLE's permit allowing work below the Ordinary High Water Mark does not negate the Township's legal obligation to enforce the zoning ordinance involving violations above the Ordinary High Water Mark. The Township should issue a citation immediately. Van Zee's failure to act is not acceptable.

The Board also needs to rectify the problem of the conflict on interest of Trustee Matt Cunningham as the Board's "liaison" to oversee Mr. Van Zee's zoning administration, when property owners in violation of the zoning ordinance, such as VanEslander and Berger, are also hired by Cunningham and Cunningham is their agent.

The Over-Dredging: Last fall 2025 with, two challenges to the EGLE permit pending, RB Lyons did the dredging. Our organization's attorney sent a letter asking they cease doing the work.

As it turns out, EGLE determined after measuring in March, that RB Lyons dredged more than twice the amount of bottomlands permitted by the permit, and issued a violation notice to both Berger and RB Lyons. See attached. Attached also is the ***Charlevoix County News*** article for the Township's records.

Berger and RB Lyons, in a joint statement by Berger's attorney, replied to EGLE that the over dredging is an "industry standard" and "negligible." Our organization is interested to see how that plays out in the trial, that begins a week from today before an administrative law judge in Lansing.

Clerk Baranski did not inform Board or the public about RB Lyons' and Berger's EGLE violation notice: EGLE sent the violation notice to the Hayes Township Clerk. The correspondence never appeared in any Board packet and the rest of the Board—and importantly the residents of Hayes Township— have not been informed of Trustee Cunningham's violation of environmental laws.

Planning Commission also not informed: Trustee Cunningham is on this public body, as well. No Shoreland Protection Strip Plan has come to the Planning Commission and no enforcement has been undertaken.

Enforcement is required but conflicts of interest are corrupting enforcement, transparency, and good governance. These shoreland violations of the zoning ordinance and lack of enforcement show that Shoreland Protection is not being taken seriously by the Township, especially when Matt Cunningham's company, RB Lyons is the agent involving the below the OHWM work for a property owner.



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY

WATER RESOURCES DIVISION

EGLE

PHILLIP D. ROOS
DIRECTOR

March 18, 2026

VN-018838

VIA EMAIL

Matthew Berger
1420 Winterwood Drive NE
Grand Rapids, Michigan 49525

R.B. Lyons, Inc.
ATTN: Tom Cunningham
06530 Brown Road
Charlevoix, Michigan 49720

Dear Matthew Berger and R.B. Lyons, Inc.:

SUBJECT: Violation Notice - Request for Information
Site Name: 15-6490 Peaceful Valley Rd-Hayes Twp
Property Location: 6490 Peaceful Valley Rd., Charlevoix, MI 49720

The Department of Environment, Great Lakes, and Energy (EGLE), Water Resources Division (WRD), conducted an inspection on March 4, 2026, at the above-referenced property. The purpose of the inspection was to evaluate compliance with Part 301, Inland Lakes and Streams, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Part 301), and the administrative rules for Part 301.

At the time of the inspection, WRD staff observed an 80-foot-wide by 240-foot-long (19,200 square foot) dredged area estimated to have had approximately 1,900 cubic yards of material removed. This exceeds the 981 cubic yards of material, from an approximate 54-foot-wide by 196-foot-long (9,580 square foot) dredge area, authorized by EGLE Permit Number WRP045532 v1.0 (Permit). The dredged area appears 10 to 20 feet closer to shore than authorized in the Permit. The area and amount of dredging is larger than the dredge authorized in the Permit and is regulated under the authority of Part 301. This Violation Notice has been issued to you because you have been identified as the owner and contractor responsible for the property and the unauthorized activities.

Section 324.30102 of Part 301 prohibits the dredging of bottomland without first obtaining a permit from EGLE. A review of WRD files indicates the area and amount of dredging exceeded the authorized permitted size/volume. Therefore, it appears that the over-dredged areas were conducted in violation of Part 301.

EGLE advises that all unauthorized activities occurring within regulated areas on this property stop. To assist EGLE's review and disposition of this matter, we are requesting that you provide, by no later than April 20, 2026, a written response to this Violation Notice and include with your response the following information:

1. The project purpose(s).
2. The date the work was undertaken.
3. The name and current phone number and email address of the contractor who did the work.
4. Full name(s) of the property owner(s) and current phone number(s) and email address(es).
5. A copy of the current development plans, including plan views, cross sections, and elevations of the previously existing lake bottom and proposed final grades and dimensions.
6. Information regarding the dredging process, how the dredge was implemented, how the dredge volume is measured, and how the dredge location and area limits are measured and mapped.
7. Any other relevant information that will assist our review.

WRD staff may conduct additional inspections to determine compliance with Part 301.

The WRD anticipates your cooperation in resolving this matter. If you have any questions, you may contact me at 989-313-9708; UzarskiD@Michigan.gov; or EGLE, GDO-WRD, P.O. Box 30458, Lansing, Michigan 48909-7958.

Sincerely,



Donald Uzarski
Gaylord District Office
Water Resources Division

cc: Charlevoix CEA
Charlevoix County Clerk
Hayes Township Clerk
Keri Kent, EGLE

News

R.B. Lyons Company Cited For Violating State Permit, Over-Dredging in Lake Charlevoix

HAYES TOWNSHIP

The Michigan Department of Environment, Great Lakes and Energy (EGLE) issued a violation notice in March to R. B. Lyons Inc., a Charlevoix-based company, and property owner Matthew Berger, for violating the state's Natural Resources and Environmental Protection Act (Part 301, Inland Lakes and Streams permit), after an inspection by EGLE staff determined R.B. Lyons Inc dredged more than twice the amount (1,900 cubic yards) of Lake Charlevoix bottomlands than permitted (981 cubic yards).

The permit, issued in summer 2025, is being contested in two cases filed by local environmental non-profit organization Protect Lake Charlevoix Shoreland and the Little Traverse Bay Bands of Odawa Indians. The cases have been combined and a hearing will take place before an administrative law judge in June.

Don Uzarski, with EGLE's Water Resources Division in Gaylord, wrote the landowner and R.B. Lyons Inc as the "contractor responsible for the property and unauthorized activities" the following:

"At the time of the inspection, WRD staff

observed an 80-foot-wide by 240-foot-long (19,200 square foot) dredged area estimated to have had approximately 1,900 cubic yards of material removed. This exceeds the 981 cubic yards of material, from an approximate 54-foot-wide by 196-foot-long (9,580 square foot) dredge area, authorized by EGLE Permit Number WR-P045532 v1.0 (Permit). The dredged area appears 10 to 20 feet closer to shore than authorized in the Permit. The area and amount of dredging is larger than the dredge authorized in the Permit and is regulated under the authority of Part 301... A review of WRD files indicates the area and amount of dredging exceeded the authorized permitted size/volume. Therefore, it appears that the over-dredged areas were conducted in violation of Part 301"

Uzarski advised that all unauthorized activities stop. EGLE also requested that R.B. Lyons and the property owner provide more information about the plans, "the dredging process, how the dredge was implemented, how the dredge volume is measured, and how the dredge location and area limits are measured and mapped" no later than April 20.

Bill Henne, a director of Protect Lake Charlevoix Shoreland, witnessed the dredging operation taking place last October while he and the group's consulting limnologist surveyed the area near the property. They took video of the dredging.

The group's attorney, Ellis Boal, wrote Mr. Berger at that time requesting that they cease doing the project while the permit was being challenged in the court.

Further visits and measurements by the organization alerted them to a potential over-dredging violation, which EGLE followed up with an investigation.

"The reason for our case is that EGLE at first recommended denying Berger's earlier plan to dredge 498 cubic yards, citing that the cumulative impacts of a dock and dredging of this size would be more than a minimal impact on the public trust. EGLE reversed itself, permitting a revised project with more dredging of Lake Charlevoix's bottomlands, 981 cubic yards. This is all to accommodate a 58-foot boat that drafts at least 5 feet. The permitted work was to dredge to about 6 foot depth of water. R.B. Lyons dredged deeper and

wider than what was authorized."

The organization encourages people to report violations on Lake Charlevoix to EGLE's tip line, which can be anonymous, at: Environmental Assistance Center at 800-662-9278 or EGLE-Assist@Michigan.gov, or for pollution emergencies, call EGLE's emergency line at 800-29-4706.

Documents for the permit and EGLE's inspection of the violation can be found on EGLE's MiEnviro Portal at: <https://www.michigan.gov/egle/maps-data/mienviroportal>. Search for permit number WRP045532.

A video of the dredging taken by the group's consultant, limnologist Anthony Groves, and more information can be viewed on the organization's website.

Protect Lake Charlevoix Shoreland is a non-profit organization formed in 2022 to advocate for the protection of Lake Charlevoix and the lake's environmental quality. <https://ProtectLakeCharlevoix-Shoreland.org>

LEGAL DOCUMENTS AVAILABLE UPON REQUEST FROM info@protectlakecharlevoixshoreland.org

HAYES TOWNSHIP PC MEETING

Meeting Date:	June 16th, 2026
---------------	-----------------

Location:

Hayes Township Hall

[illegible]