

**AGENDA
HAYES TOWNSHIP,
CHARLEVOIX COUNTY
PLANNING COMMISSION
September 15, 2026 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- August 18, 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 a. Shoreland landscape plan – 11935 Pa-Ba-Shan
11. Old Business - Short Term Rental advisory group update, Data Center Advisory Group update
12. Set/Confirm Public Hearing Dates
13. Set/Confirm Date of Next Regular PC Meeting- October 20, 2026
(Special Meetings for Zoning Ordinance October 3rd, 10th and 31st at 9am)
14. Public Comment
15. Planning Commission and Staff Comment
16. 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.

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
August 18, 2026
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: Roy Griffiths (Chair), Matt Cunningham, Rex Greenslade, CT Martin, and Mark Snyder.

Excused: Carey Cuddeback and Alexander Curley

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

Audience: Bill Conklin, Seth Herkowitz, David Zipp, Diane Conklin, Andrew Schwartz, Pippa Spohr, Rebecca Tashjian, Jeff Tashjian, Luanne Kozma, Ellis Boal, Steve Hassell, Rick Tyner, Carol Umlor, Joe Spohr, Jeannie Massaway, Jim Massaway, Linda Ambroso, and Michael Ambroso.

REVIEW AGENDA:

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

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

Nays: none **Motion Carries**

DECLARATIONS OF CONFLICTS OF INTERESTS: None

APPROVAL OF MINUTES JULY 21, 2026 REGULAR MEETING

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

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

Nays: none **Motion Carries**

PUBLIC COMMENTS- RELATED TO AGENDA ITEMS:

Public comments opened at 7:02 pm.

Comments included:

- Referred to Correspondence they submitted regarding new business item Public Hearing – proposed amendments to PUD for Country Club Fairways; would like the chair to announce the members of the Planning Commission that are excused at the beginning of the meeting; Tip of the Mitt Ordinary High Water Mark recommendation 582.35 and the township made a mistake with using this in their ordinance, current lawsuits they are involved in.

Public Comment closed at 7:19 pm.

Hayes Township Planning Commission
August 18, 2026
Regular Meeting
Hayes Township Hall
9195 Major Douglas Sloan Rd.
Charlevoix, MI 49720

REPORT OF TOWNSHIP BOARD REPRESENTATIVE TO THE PLANNING COMMISSION:

Mr. Cunningham gave a report on Board of Trustees activities. The next regularly scheduled Board meeting is on September 14, 2026.

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

ZBA did not meet.

ZONING ADMINISTRATOR REPORT:

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

NEW BUSINESS

SHORELINE LANDSCAPING PLAN- 7345 BIRDLAND:

Mr. Snyder made a motion, supported by Mr. Greenslade, to approve the Shoreline Protection strip landscape plan for 7345 Birdland Dr. as submitted.

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

Nays: none. **Motion Carries**

PUBLIC HEARING - PROPOSED AMENDMENTS TO PUD FOR COUNTRY CLUB FAIRWAYS:

Mr. Griffiths opened the public hearing at 7:29 pm.

The purpose of this hearing is to accept public comments on a proposed amendment to a previously approved Planned Unit Development to allow new single-family home construction.

The original Planned Unit Development (PUD) was approved on May 18th 1999, consisting of 44 residential units (11 fourplex buildings). 8 Residential units (2 fourplex buildings have been constructed. Applicant proposes to amend the PUD, reducing the total number of units from 44 to 24 and constructing 16 new single-family units instead of the originally approved fourplexes.

Mr. Herkowitz stated he is a partner and chief operating officer at Hunter Pasture, there to report on the project; his business partner Rick Tyner is recovering from spinal surgery and was unable to join in person. Also present is civil engineer Dave Hendershot, from Performance Engineering. Key discussion points on the site plan: the property is 10.25 acres after the township approved a property division in 2021. The proposed plan consists of 16 single-family homes, all with first-floor primary living to cater to the purchaser. They will all range in size

Hayes Township Planning Commission
August 18, 2026
Regular Meeting
Hayes Township Hall
9195 Major Douglas Sloan Rd.
Charlevoix, MI 49720

69 from 2,000 to 3,200 square feet, with a 1,000-square-foot finished basement and an attached
70 two-car garage. This new plan will result in a significant reduction in density from the originally
71 approved plan. The original PUD approval included 44 condominium units, compared with the
72 proposed 16 single-family homes, a total reduction of 20 units. We expect to start four homes
73 up front after completion of a land development scope, then the future construction
74 sequencing and pace will be determined by the sales velocity plan. In their 25-plus years of
75 history, Hunter Pasture has never, not completed a single development that it has started. They
76 encourage the Township to review their development portfolio. They are very proud of the
77 work they have done over the last 25 years and the level of quality development that they
78 produced and the community benefits that result from their work. Their plan preserves 6.17
79 acres, or 59% of open space, exceeding the ordinance requirement and preserving important
80 vistas and view sheds to the adjacent golf course and the surrounding natural land. They have
81 also reduced the overall stormwater loss from the original PUD. Their plan is consistent with
82 the future land use map. Their incorporation of large urban spaces allows for viewing and living
83 with the natural environment. The project provides convenient access to the Charlevoix
84 Community Pool and the recreational amenities they provide. They have reached a mutual
85 agreement with the Charlevoix Community Pool Board, which has been signed and executed by
86 both parties regarding the establishment of an emergency access connection between their
87 properties. The access will be gated and only used for emergency vehicles for ingress and
88 egress by the fire authority and other related emergency services. They have received all
89 necessary approvals from the Fire Authority, Lake Charlevoix EMS, City of Charlevoix in terms of
90 water capacity and the Charlevoix County Building Department regarding soil erosion review.
91 The Shoreline protection discussed at the July Planning Commission meeting has been
92 determined unnecessary, due to the ordinance specific to lakes and streams such as Lake
93 Charlevoix and Lake Michigan, not extending protection to on-site stormwater or decorative
94 ponds. However, it is their intent to restore any disturbed areas. Including ponds with a
95 vegetative buffer of native grasses. The project is driving to the criteria that is set forth in the
96 township ordinance; with the Planning Commission's support, their next steps will be to direct
97 significant resources to advancing all aspects of the project, including finalizing engineering
98 designs and architectural designs. They will establish community bylaws or rules and
99 regulations which the township may advance. Their project planning engages the surrounding
100 communities, including the Community Pool, Charlevoix County Club, and the County Club
101 Fairways HOAs. Issues include construction impact mitigation planning will be presented to the
102 HOAs that are impacted. Hours of operation, signage, security, logistics, site cleanliness, noise,

Hayes Township Planning Commission
August 18, 2026
Regular Meeting
Hayes Township Hall
9195 Major Douglas Sloan Rd.
Charlevoix, MI 49720

and repair will all be part of the effort. Landscaping and potential screening between properties will be done holistically. They have been looking at the HOA budget for a detailed evaluation of expenses that will be created as a result of the development, as well as future revenue that will be generated by 16 additional units. There will be ongoing dialogue and engagement between their entities and the neighbors throughout construction. The project will generate very significant community benefits, reduction in density, preservation of open spaces, infrastructure investment, a decrease in stormwater, new housing, economic development, support of local business, adjacent community assets, and ultimately the establishment of new property.

Zoning Administrator Ron VanZee stated the application to amend the Fairways PUD was received on June 8, 2026. Notice of Public Hearing was posted on July 27, 2026. The publication date in the Petoskey News Review was July 29, 2026. 300' notice to adjacent parcels was mailed July 27, 2026. Original Fairways PUD was approved May 18, 1999, with designated R-4 Multiple Family Residential Zoning allowing a net density of 4 dwelling units per net acre, a minimum of fifty percent of gross area maintained as open space, and a minimum of 900 square feet of floor space for each unit. The approval included provision for 44 residential units (11 fourplex buildings). The property tax identification number for the property is 15-007-118-003-15. The owner of record is AT/CCF LLC. The original PUD approved was for 12.53 acres. October 26, 2021, the Hayes Township Planning Commission approved an application to exclude 2 acres from the PUD where existing condominiums (4 fourplex buildings) are located, leaving 10.525 acres remaining in the original PUD, recognizing an agreement between AT/CCF LLC and Country Club Fairways Association (CCFHOA) to divide the property. Property division was approved and recorded at the Charlevoix County Register of Deeds. The applicant proposes, with this application, to develop 16 single-family residential units instead of the amended approval with 28 units available. Maximum allowed density in the R-4 zoning district is 4 dwelling units per net acre: $4 \times 10.525 = 42$. Proposed 16. Greenspace (open space) proposed is 6.17 acres or 59% of the parcel. Proposed public utilities provided by the City of Charlevoix for waste and Charlevoix Township for water. Approvals received from Charlevoix Township Fire Department and LCEMS Authority. Roads will remain private and maintained through association bylaws. Emergency access provided with gated easement to community pool property in addition to proposed road easement for ingress/egress utility, mail access, irrigation well, snow removal, dumpster, Great Lakes Energy, and telephone services. Nine emails of correspondence, seven of which supported comments forwarded from the Association President. The zoning department finds that the proposed application conforms to the requirements of the zoning ordinance and is less dense than

Hayes Township Planning Commission
August 18, 2026
Regular Meeting
Hayes Township Hall
9195 Major Douglas Sloan Rd.
Charlevoix, MI 49720

the original PUD approval, except for the proposed building envelopes that are in the R-4 zoning district designed for Multiple Family Residential structures, not Single-Family Structures. The Planning Commission will be required, under Article VI, Section 6.03, L, Amendment of an approved Planned Unit Development, to treat this as an original Planned Unit Development Application. You must consider Article VI, Section 6.03 H Standards for PUD Approval, which includes Article V, Site Plan Review, Section 503.5 Standards for Granting Site Plan Approval where applicable.

Chair opened at 7:50 pm

Comments included:

- William Conklin, 9290 Fairway View Unit 2, After the July 21st 2026 Planning Commission Meeting, the condominium Home Owners Association voted in new board members, and Mr. Tyner's surgery is the reason for the members' late correspondence submittal. He would like the Planning Commission to develop a construction schedule with a beginning and ending time condition or at least a temporary condition for approval. In the ordinance, in the PUD section item M, talks about expiration of approval and extension. An approved PUD shall expire one year following final approval by the Planning Commission. This PUD was originally approved in 2001 or 1999. With construction completes in 2003. A planning commission can grant one extension of an approved PUD for an additional one-year period. Encourages the Planning Commission to consider this PUD expired.
- Diane Conklin, 9290 Fairway View Unit 2, has lived there since 2015. They share a driveway with the proposed development, and the condo HOA has been maintaining the driveway and all common elements for years. They donate some money; however, the HOA covers all the plowing and mowing expenses. The HOA has been taking care of the developer's land; therefore, the HOA should have some say on what happens in the shared common area and driveway. The HOA would like construction to start on Fairway Lane to make sure they are going to sell before they build on the rest of the property. Density will affect the condo residents and HOA because they now pay more to maintain these common areas than they will when there are more families there.
- Andrew Schwartz, the president of the condo association, pointed out to the Planning Commission, with a visual aid of the proposed project, where exactly the HOA would like to see the first units constructed in lot numbers 8, 9, 10, 11, and 12 that overlook the seventh hole of the Charlevoix Country Club. This allows the HOA residents to maintain their sanity during construction. The developer claims density will help with more people to pay for the share of the common expenses; however, the HOA would

Hayes Township Planning Commission
August 18, 2026
Regular Meeting
Hayes Township Hall
9195 Major Douglas Sloan Rd.
Charlevoix, MI 49720

like the developer to put up a construction bond of \$250,000. The HOA would like the Planning Commission to place a condition for a landscape buffer between the condo association and the two closest proposed buildings. They would also like the developer to repave the road that goes behind the Condo Association and down to hole five of the Charlevoix County Club. The HOA would like the Planning Commission's support with these conditions.

- Jim Massaway reiterated the concern for the placement of the first four homes on Fairway Lane, to limit noise and traffic along the shared driveway. Especially because if the project fails, as it did before when they only built the two condo units when the recession hit, it's the most logical placement for these homes in case trouble times hit again, and construction is halted, and the project is left incomplete.
- Luanne Kozma, 9330 Woods Rd: written comments can be handed in at any time to be included in the record. Also, the Planning Commission does not need to make a decision tonight if they need to gather more information. Whether or not a PUD exists on the property after the land division seems to be the source of confusion. Also, would question if item M of the PUD section of the Hayes Township Zoning Ordinance applies to this case. Perhaps the Township attorney should submit an opinion to help the Planning Commission analyze these concerns.

Closed Public Comment at 8:04 pm

Mr. VanZee clarified that in his previous statement at the beginning of the Public Hearing, the Planning Commission will be required in this review, under Article VI, Section 6.03, L, Amendment of an approved Planned Unit Development, to treat this as an original Planned Unit Development Application. You must consider Article VI, Section 6.03 H, Standards for PUD Approval, which includes Article V, Site Plan Review, Section 503.5 Standards for Granting Site Plan Approval, where applicable.

Chair received and acknowledged the correspondence from the following residents into the record:

- Andrew Schwartz
- James Massaway
- Martha Sutton
- Jeff Tashjian
- Joe & Pippa Spohr

Hayes Township Planning Commission
August 18, 2026
Regular Meeting
Hayes Township Hall
9195 Major Douglas Sloan Rd.
Charlevoix, MI 49720

- 210 - Dorothy Sandoval
- 211 - Woody Pearson
- 212 - Bill Conklin
- 213 - Seth Herkowitz
- 214 - Rick Lobhenhertz

215
216 Mr. Herkowitz stated they respect and understand that there are critical issues that are
217 important to the community and stakeholders, and they plan on working collaboratively with
218 all stakeholders and the community as the project advances. However, they respectfully
219 disagree with the characterization of their response on numerous items from Mr. Schwartz.
220 They have taken a very thoughtful and detailed approach to respond and submit a multiple-
221 page response addressing the concerns from the condo HOA and Mr. Schwartz. They are talking
222 about private grievances that are not related to the site plan or the Township Zoning
223 Ordinance. There are important governing factors that were mutually negotiated and agreed
224 between the developer entity and the homeowner's association when the property was
225 originally split. This addresses not all but many of the issues that have been identified. For
226 example, the agreement identifies that the annual contribution from the developer for the
227 common area for each year is \$2500. The new master declaration is another important
228 document which outlines the requirement for the developer to post a performance bond with
229 the HOA for the road to be fixed by the developer in the amount of \$25,000. The HOA is now
230 requesting to increase this bond value from \$25,000 to 250,000. This document also states the
231 local contribution the developer is required to make, as well as the insurance requirements.
232 Construction impact is also included in terms of cleanliness of the roads and site cleanliness, as
233 well as repairing damage caused by the project. The project is in the early planning stage of the
234 development process, and they have identified a building envelope and specific utility
235 connection points in a site plan as part of the submittal process. They will have more detail and
236 advanced planning and construction drawings at the point of construction. They plan to
237 advance HOA budgeting throughout the process by developing a shared cost expense and cost
238 structure for annual dues for the future 16 homeowners. They plan to have a positive,
239 productive, and strong relationship with everyone involved.
240 William Conklin, 9290 Fairway View, this may be a defect in the notice to the public regarding a
241 proposed amendment to a previously approved planned unit development. They made public
242 comments to the Planning Commission regarding an amendment; now it is being said to
243 possibly be an original PUD. Therefore, the notice is defective, and all their comments are not

Hayes Township Planning Commission
August 18, 2026
Regular Meeting
Hayes Township Hall
9195 Major Douglas Sloan Rd.
Charlevoix, MI 49720

in context, and the Planning Commission should either dismiss this PUD or postpone and properly notice to be heard again.

Andrew Schwartz, for education for everyone, rolling this over another 30 days gives everyone a full and fair opportunity to properly address this matter. Then everyone can come to some accommodation with specific items. Suggest that with a little more time, the developer can also respond to the items mentioned specifically by the HOA.

Chair closed the Public Hearing at 8:15 pm.

Mr. Griffiths, we do have some issues between what the zoning ordinance addresses, which the Planning Commission has to follow, versus what appears to be contractual or relationship issues between the existing condominiums and the proposed development. And the Planning Commission's role is not to be a leverage point in such mitigations. It is not the Planning Commission's or the developers' fault that it took the Condominium Association, as Mr. Conklin explained, as long as it did, to decide on its HOA board. The question the Planning Commission needs to decide is whether this case should be noticed as a new PUD. If the Planning Commission is to consider this original, was it noticed correctly?

Mr. VanZee stated that no records exist rescinding the original PUD. If you go to the amendment section of the ordinance, there are certain criteria that some requests can be amended administratively by the Zoning Administrator and other changes that can not, and those are the cases that must be treated as an original PUD. The termination of a PUD is a separate section within the ordinance.

Mr. Greenslade clarified that the notice stated an amendment to the existing PUD, and when we consider the amendment, the criteria against which we make our decision are the same as it is for a new PUD, even though it is an amendment.

Mr. VanZee verified Mr. Greenslade was correct with this statement.

Mr. Griffiths stated under the standards for PUD, item M, the expiration of an approved PUD and extensions. The concern is due to the parcel split: did the PUD go with the new parcel or continue on the old parcel only? The ordinance stated the approved PUD shall expire one year following final approval by the Planning Commission unless substantial construction has begun on the PUD project before that time or the PUD applies to the Planning Commission for an extension before the expiration of the PUD. The Planning Commission may grant one extension of an approved PUD for an additional one-year period if it finds the property owner has

Hayes Township Planning Commission
August 18, 2026
Regular Meeting
Hayes Township Hall
9195 Major Douglas Sloan Rd.
Charlevoix, MI 49720

reasonable evidence that the development has encountered unforeseen difficulties beyond the control of the property owner and PUD requirements and standards are reasonably related to the development and have not changed. The PUD approval expires pursuant to subsection one above; no work pursuant to the PUD plan may be undertaken on the project until a new PUD approval is obtained from the Planning Commission following the procedures for a new PUD application. In addition, if the PUD approval expires, the property shall again be subject to the Zoning classification of the property that existed before the PUD approval as if no PUD had ever been in place. If the property split and the PUD stayed with the two-acre parcel with existing condos on it, then there was no PUD granted for the 10-acre parcel. Even if the 10-acre parcel had been carried over as a PUD, that was five years ago, and there has been no substantial construction in that period of time. Therefore, he believes this case should be treated as a new PUD request, which means it was not properly noticed.

Mr. Martin agreed with Mr. Griffitts. Also, some of the mitigation requests do not make sense to apply to the PUD. I would urge the HOA to have meaningful discussions with the applicants to deal with these issues.

Mr. Greenslade agreed with Mr. Martin; the four homes on Fairview Lane, the liability insurance, the increase in the bond, repaving the cart path, and the buffer landscape should be discussed and settled between the homeowners' association and the developer.

Mr. Snyder finds it interesting that when two private groups try to have the government solve their relationship issues, it typically does not work out well for anybody. The impression he received at the previous Planning Commission meeting was that a number of the homeowners in the association were appreciative of the 16 homes versus 44 condos. The impression he is getting at tonight's meeting is that the homeowners are trying to maneuver a list of requests. He would suggest the two groups privately resolve these issues instead of using government oversight.

Mr. Griffitts agreed with Mr. Snyder; at the last meeting, Mr. Schwartz was the only homeowner who raised concerns. Tonight, there seems to be a completely different perspective, which does not really have much to do with the decision. Mr. Griffitts contacted the Township attorney; however, he has not been able to address the issues yet. He recommended that if the Planning Commission cannot make a clear decision on the issues, it would be best to postpone for 30 days. As far as the proposed mitigation checklist that was submitted, after comparing it with the zoning ordinance, it appears less than 30% have any standard within the Zoning Ordinance, which the Planning Commission has to follow.

Therefore, the HOA needs to try and negotiate these requests themselves with the developers,

Hayes Township Planning Commission
August 18, 2026
Regular Meeting
Hayes Township Hall
9195 Major Douglas Sloan Rd.
Charlevoix, MI 49720

and not try to use the Planning Commission as a leverage point. If there are issues that are addressed within the Zoning Ordinance, then the Planning Commission will address them.

Mr. Greenslade made a motion, supported by Mr. Snyder, to schedule a public hearing for the September 15th 2026 Planning Commission Meeting based on the township attorney's opinion on whether the Planning Commission needs to re-post and re-hear this public hearing at the September 15th 2026 Planning Commission Meeting, depending on whether the attorney determines if this request is an amendment or original application.

Yeas: Roy Griffitts, CT Martin, Rex Greenslade, Mark Snyder, and Matt Cunningham.

Nays: none **Motion Carries**

OLD BUSINESS:

SET/CONFIRM PUBLIC HEARING DATES:

Set a public hearing for September 15th, 2026 at 7:00 pm to review the Planned Unit Development amendment at 007-118-003-15 County Club Fairways.

SET/CONFIRM DATE OF NEXT PC MEETING –SEPTEMBER 15, 2026.

Next Planning Commission regular meeting will take place on September 15, 2026, at 7:00 pm.

PUBLIC COMMENT: Public Comment opened at 8:40 pm.

No comments.

Public Comment closed at 8:40 pm.

PLANNING COMMISSION and STAFF COMMENT:

Mr. Martin stated that the list of items under mitigation and the intertwined documents between the PUD and the HOA should be worked out privately.

Mr. Cunningham suggested having the Township Attorney present for the next meeting during the PUD public hearing.

Mr. Greenslade commended the Shoreline Protection Strip Committee for the work they did on the Birdland property. It shows the Shoreland Protection strip process is working.

Mr. Griffitts stated the Data Center work group meeting has been rescheduled for September 9th, due to several members on vacation and waiting to hear back from MTA for guidance on a

Hayes Township Planning Commission
August 18, 2026
Regular Meeting
Hayes Township Hall
9195 Major Douglas Sloan Rd.
Charlevoix, MI 49720

model ordinance dealing with data centers. The draft zoning ordinance work, draft material will be available by the third week in September, and they will be scheduling some special meetings to begin reviewing chapters on Saturday morning that will be open to the public in October.

ADJOURNMENT: Mr. Greenslade made a motion, supported by Mr. Snyder, to adjourn the meeting at 8:44 pm.

Yeas: Roy Griffitts, CT Martin, Rex Greenslade, Mark Snyder, and Matt Cunningham.

Nays: none **Motion Carries**

Respectfully Submitted by: April Hilton, Deputy Clerk/Recording Secretary



Zoning Administrator Report

September 2026

Zoning Administrator work-in-progress report for August includes the following:

- Variance for setback from Lake Charlevoix granted on July 1st 2026, for 6995 Birdland Drive. Waiting for the Health Department permit.
- Communicating with the landowner regarding a violation for a non-permitted patio on Oyster Bay Drive. The landowner is submitting a plan to reduce the size of the patio.
- Variance Application for setback from Lake Charlevoix, for 7345 Birdland Drive, was approved by the ZBA on July 1st 2026. Planning Commission approved the Shoreline Landscaping plan at their August 18th 2026, Planning Commission Meeting.
- Working with EGLE regarding a Jet Ski business testing their Jet Skis on Susan Lake. EGLE has sent an EGLE violation letter; still waiting for resolution.
- Working with EGLE regarding a driveway that appears to be in a wetlands area on Major Douglas Sloan Road. EGLE has determined a wetlands violation. EGLE has sent an EGLE violation letter; still waiting for resolution.
- Sent the second notice of a violation letter to the property owner on Hemlock Ave for junk accumulation on the property.
- Mr. Zipp continues to assist by contacting different resource agencies to help the property owner on Villa Road to resolve a violation of the Nuisance Ordinance and a non-compliance complaint.
- Zoning permit application for a new single-family residence on Deer Path Drive. A Stop Work Order has been issued for this project until the shoreline protection strip is restored. The property has also been cited for wetland violations by EGLE. EGLE issued a letter to restore.
- Sent a letter to the property owner on East Susan Shore Drive concerning complaints from neighbors regarding noise and overcrowding. Health Department and Building Department have also been notified of potential violations.
- Sent a first violation notice letter to the property owner on Upper Bay Shore Road for junk accumulation and more than one mobile home located on a single parcel.
- Received an application for a new Site Condo Development / PUD for 007-118-003-15 located on Fairway View.

26-08-01	08/03/26	007-110-024-10	8864 Major Douglas Sloan Rd	Jacob & Elizabeth Coats	New 24'X30' Accessory Structure
26-08-02	08/12/26	007-116-005-15	9775 Burgess rd	Mike and Autumn Barwis	New 450 Square Foot ground Level Deck
26-08-03	08/17/26	007-111-015-00	10404 Maple Grove Rd	Theresa Duncan	New 12X26 Accessory Building
26-08-04	08/19/26	007-121-008-00	8144 Shrigley Rd	Dennis & Mona O'Neil	New 20' X 26' Accessory Building
26-08-05	08/19/26	007-530-009-00	5767 Undine rd Unit 9	Luke Noss and Margo Noss	New 90'X75' Single Family Home with attached garage and elevated deck.
26-08-06	08/26/26	007-111-011-15	10842 Maple Grove Rd	Timothy DeYoung	New 40'X50' Accessory Building
26-08-07	08/27/26	007-110-030-50	10283 Maple Grove Rd	Sarah & Marshall Jones	8'X40' Accessory Building
26-09-01	09/02/26	007-129-014-35	10850 Quarterline Road	Bob Kelly	40'x64' Accessory Building
26-09-02	09/09/26	007-115-008-00	8790 Upper Bay Shore rd	Cody and Julie Wheat	New 24X30 Attached Garage and Covered Porch