

# CHAPTER 1 INTRODUCTION

## **Purpose and Planning Process**

The purpose of the Hayes Township Master Plan is to provide guidelines for future development, while protecting the natural resources and rural character of the Township. This plan presents extensive background information including socio-economic data on the Township; description and mapping of natural resources and existing land uses; and inventory of existing community facilities. The background information was analyzed to identify important characteristics, changes and trends occurring in the Hayes Township. Community concerns were identified based on a 1998 citizen survey, a follow-up questionnaire, a public input session conducted in January 2007, previous planning efforts, and input from a Master Plan working group. Goals and policies were developed to guide future development based on the background studies, key land use trends and community issues. These goals, along with a detailed map of existing land use, provided the basis for the Future Land Use Map which specifies where the various types of future development ideally will be located in the Township. This plan also provides suggestions for implementation of the identified goals and policies. The guidance provided by this Master Plan will be utilized in updating the Zoning Ordinance for Hayes Township.

## **Location**

Hayes Township is positioned between the Cities of Charlevoix, Boyne City and Petoskey. It is bordered on the north by Lake Michigan, on the south by Lake Charlevoix, on the west by Charlevoix Township, and on the east by Bay and Resort Townships. Susan Lake, several streams, and many wetlands add to Hayes Township's unique character. In the Township's interior, large parcels of agricultural and forest land are mixed with smaller residential parcels. At the Township's northern border the community of Bay Shore has grown up around several commercial establishments. See Figure 1-1.

Hayes Township is in a state of transition. In the past two decades it has become less of an agricultural community and more of a bedroom community, serving neighboring municipalities, where Hayes Township residents are employed. In addition, Hayes Township has become home to a growing number of retirees and senior citizens, and is a second home community for vacationers from other parts of Michigan and the United States. Hayes Township's extensive lake front and open spaces are significant factors in its attractiveness and growth.

## **Background**

Hayes Township in Charlevoix County stands at a critical point in its history. New residential and commercial development is happening at an accelerating pace, changing familiar landscapes as rapidly and dramatically as they were altered 100 years ago when the white pine loggers harvested the virgin forests.

Residents have said they do not want to stop this development, which they recognize as both inevitable and, in some respects, highly desirable. They strongly insist that it be funneled in the most desirable directions, in ways that preserve the tranquil, open and natural features that make this such an attractive area in which to live or to vacation. They want government to provide a balanced and fair approach to planning and zoning that respects the rights of those who already live here to continue to enjoy the uncrowded beauties of the land and the lakes. They acknowledge

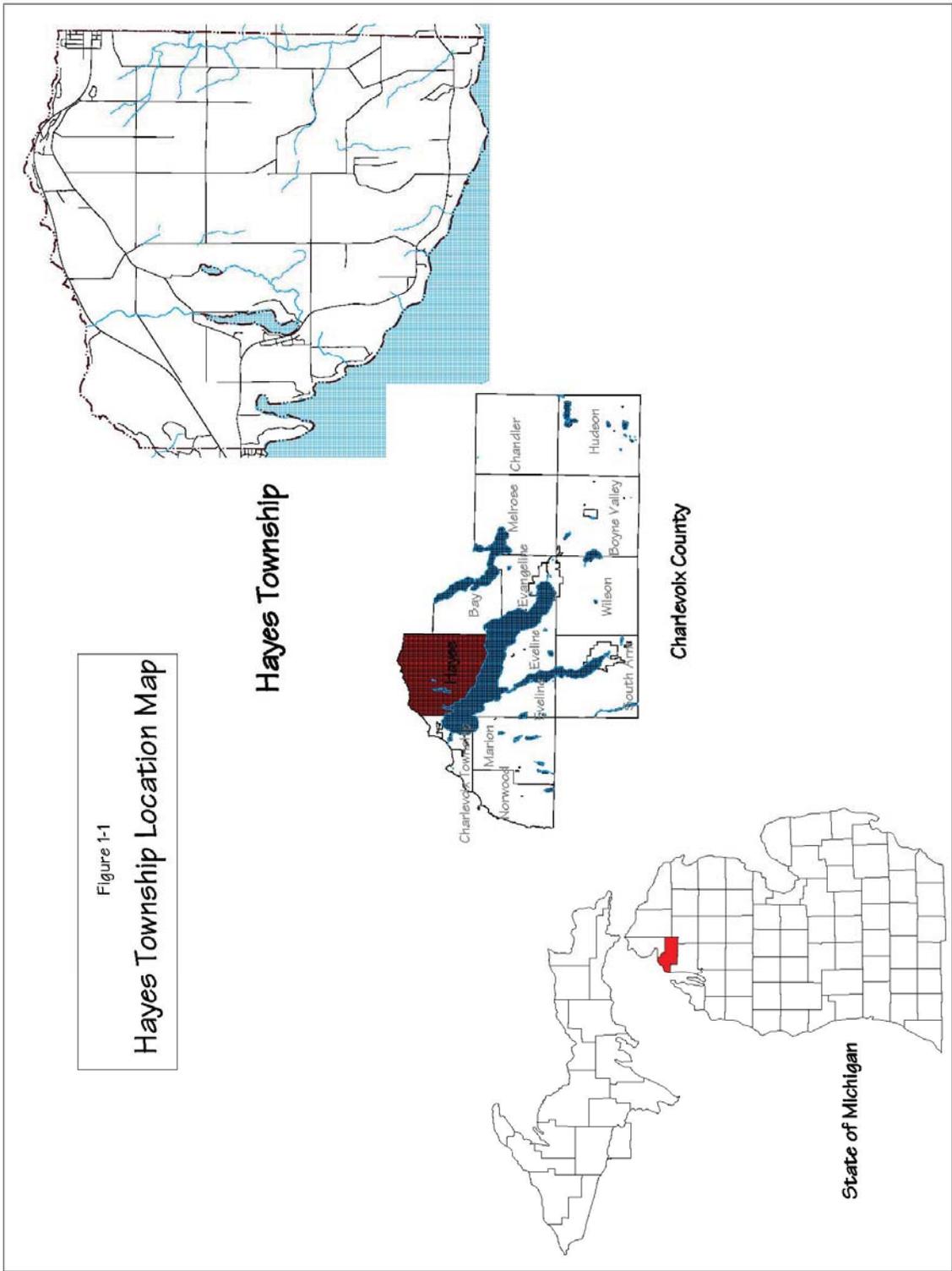


Figure 1-1  
 Hayes Township Location Map

that property owners have economic rights but believe those rights should be used in responsible ways that are consistent with the overall goal of maintaining the historic features of the township.

Crucially, they believe that local government has substantial responsibility for adopting policies that protect the historic scenic attributes of the township, that reduce overcrowding on land, roads and waterways and that remedy existing problems of visual pollution in blighted areas. They say, in effect, that a visionary government working imaginatively with potential developers can create better outcomes for present and future residents than a developer could achieve on his own.

The Hayes Township Board charged the Hayes Township Planning Commission with originally preparing and subsequently updating the Township Master Plan to guide future land use decisions. In moving toward that goal, the commission has tried to find consensus first on an overriding philosophy of land use, then to formulate a set of policies or principles that public officials and private developers can apply to specific situations and locations. And finally the commission has attempted to suggest specific actions that the board and other agencies should take to carry out those policies and principles.

Later pages of this plan provide substantial detail about each of these three elements of the plan. The key **philosophical base** is that the highest priority must be given to preserving, protecting and enhancing the township's exceptional land and water resources. The **overriding principle** for government officials in decisions that could affect these resources is to strive, usually in cooperation with landowners and developers, to maximize those actions that preserve the scenic and rural character of the township and to minimize the impact of land development that necessarily impinges on open space. Chief among the **specific actions** urged by the plan are:

- Changes in the zoning ordinance to encourage clustered development and to require increased open space in large-scale projects;
- The designation of specific areas for agricultural, residential, public, commercial or industrial activity and the limitation of strip commercial and industrial development along the U.S. 31 Corridor and the Boyne City Road;
- Enactment of regulations to preserve prime agricultural acreage and to protect groundwater;
- Adoption of a future land use strategy that coordinates planning and regulatory processes.
- Development of Access Management guidelines for US-31.
- Enactment of waterfront protection measures.

The commission believes that local government must approach land use issues with a clear vision of its long-range goals in assuring that future generations enjoy the exceptional scenic and recreational amenities that currently make the township so attractive. The commission believes that local officials should not kill the goose that lays the golden egg by yielding our future to immediate considerations of increasing the tax base.

In reaching these conclusions and drafting this plan, the commission has been strongly influenced by its review of the township's history and the movement from a farm-based community toward the present mixed pattern of limited farming and year-round and seasonal housing that emphasizes recreational activities. It has also sought to respect the clear preferences of residents as expressed in a 1998 survey that revealed overwhelming support for restricting development that could

diminish the existing scenic and water assets. The commission has been mindful of the advice it has gotten from a broad range of local officials and residents as well as planning experts and officials in other communities facing similar challenges.

The commission recognizes that an effective and fair plan for Hayes Township must be flexible enough to accommodate future shifts in the desires of residents as well as changing state and national economic conditions. The commission believes that a Master Plan should not only tell us what we should not do but also should encourage land use toward a precisely understood pattern of activities.

## **Historical Background**

Present day Hayes Township still retains evidence of its first inhabitants, the native Americans, and later the farmers and lumbermen who were its first European settlers. Log-constructed Greensky Hill Church (United Methodist) stands just off Old US 31 North, near the "Circle of Council Trees" once used by the Native Americans. Greensky Church was started as an Indian Mission in the home of Zu Zopf, and a burial ground is nearby. The Undine Cemetery on the Boyne City Road is the burial ground for other early residents of the Township.

Several one-room school buildings, including the Undine and Hopyard, both of which closed in the 1940's, remain and have been converted to private uses. The Maple Grove School was moved to Petoskey in the mid-40's and now houses a church. The Murray School, a red brick building on the corner of Upper Bay Shore and Murray Roads, was closed in 1965 and is now a residence.

The Maple Grove Grange Hall on the corner of Maple Grove and Church Roads served the agricultural community for over 70 years until the Grange was disbanded in 1986.

Two areas of the Township tended to become population and business centers during the latter 19<sup>th</sup> and early 20<sup>th</sup> centuries, the heyday of the lumbering industry. At Burgess Corners, a sawmill owned and operated by Burgess and Linnie Cooper stood by the railroad tracks until the early 1900's. Bernie Newsom ran a large general store at the corner of Burgess Road and Old US 31 North, which burned in the early 1940's. Burgess Corners lost its final commercial establishment in the early 1950's when a store and gas station closed.

Bay Shore also became a busy industrial and commercial community during the 1900's. The kilns of the Bay Shore Lime Company, which have not operated since 1930, baked limestone quarried off US 31. The sawmills of the Bay Shore Lumber Company prepared high quality timbers for shipments to Detroit and Chicago. The lumber mill also produced broom handles as a by-product, making Bay Shore a multi-product manufacturing community. Loggers for miles around furnished the four-foot pieces of wood used for fuel by the kilns. Three fire hoses stood guard near the town houses because the kilns, operating twenty-four hours a day, created a constant fire hazard.

A modern three-story hotel served travelers to Bay Shore until it burned in 1914. The large general store in the center of the town provided dry goods and hardware on one side and provender on the other. The hall above the store offered a meeting place for the Macabees and the Oddfellows, a dance floor for the lively, and a cozy place for friendly conversing. Bay Shore boasted an additional grocery store, a blacksmith shop, meat market, barber shop, ice cream parlor, and saloon.

The early Bay Shore had a band, a ball team, and at one time free movies were shown on the outside wall of a store. Games on the bluff, school dances in the hall over the store, ice cream socials, and maple syrup making were other forms of entertainment. Daily trains left Bay Shore for Petoskey, at 10 a.m. and returned at 2:30 p.m. Catholic and Presbyterian Churches served the community.

Today Bay Shore is an unincorporated village, largely residential in nature, but commercial establishments in the area include a general store and gas station, automobile dealership, a trucking terminal, and a road building company with its gravel mining operation.

The Oyster Bay area was the location of summer camps on the shores of Lake Charlevoix, on acreage also known as Struthers' Estate. This was a popular summer camp for boys until its closing in the early 1970's. Since the closing of the camps, the site has been developed for residential use.

During the 1960's, Consumers Power Big Rock Nuclear Power Plant and LexaLite Manufacturing were built on the shore of Lake Michigan, providing more technical jobs and higher incomes. The power plant, which at one time provided the Township with approximately 20% of its tax base, was decommissioned in 1998.

With the development of several summer resort colonies in nearby Charlevoix, the shores of Lake Charlevoix in Hayes Township began to attract summer residents, who bought large parcels and built seasonal homes. In recent years, new home construction has increased in Hayes Township as more people have moved north to become part of the growing year-round economy of the region or to become seasonal home owners. With passing generations, many of the large parcels along Lake Charlevoix have been divided, resulting in the growth of year-round lakefront homes on smaller parcels. Resort-oriented subdivisions, developed in the 1970's at Susan Shore, Birdland Estates, Michigan Shores and Pine Point, have evolved into year-round residential areas.

The interior of Hayes Township was largely agricultural, primarily beef and dairy cattle and crops such as potatoes and beans. In the past twenty years many agricultural lands have been divided with areas once agricultural becoming residential. Whereas agriculture was the mainstay of the Township forty years ago, it is now estimated there are fewer than a half dozen full-time farmers in the Township. Thus, while retaining its characteristic open spaces and forestlands, Hayes township is less of an agricultural community than it has been in the past. Similarly, while there has always been a commercial and industrial factor in the Bay Shore area, the major growth in the past twenty years has been more residential in nature.

In short, Hayes Township remains a very desirable place in which to live and enjoy open spaces, lakes and forests, with services and places of employment by and large located in neighboring municipalities.

### **Plan Development Process**

The 2007 Update of the Hayes Township Master Plan was developed by the Hayes Township Planning Commission in conjunction with the Hayes Township Board. The Planning Commission reviewed the previous Master Plan and updated as appropriate, especially in relation to population, existing land use, Township goals and future land use, in order to develop a general picture of the township and produce a base-line study on which to plan for future growth. Individual members of the planning commission, committees and concerned citizens participated in the planning process. The Township wishes to thank everyone who gave so much time to the development of this plan.

The plan is intended to serve as a guide that will be used by the township to help determine land uses and development policies that will affect the community's physical development. It defines general planning goals, policies and action plans that provide a philosophical base for use by the Planning commission as it guides future growth and land use in the township. Because it is a guide, this plan is not intended to be rigidly administered. Changing conditions in the community may affect the goals and philosophy established when the plan was originally developed. Such

changes do not automatically mean that the plan must be subject to wholesale revisions, but rather that the goals and philosophy espoused should be evaluated to determine if the plan remains valid. If the plan's validity is retained, then its policies and action plans should be followed.

Michigan law specifically designates Township Planning Commissions as having the responsibility to develop Comprehensive Plans. The Michigan Township Planning Act, PA 168 of 1959 (MCLA 125.321 et seq.) defines the purpose of a Comprehensive Plan:

To promote public health, safety and general welfare, to encourage the use of resources in accordance with their character and adaptability; to avoid the overcrowding of land by buildings and people; to lessen congestion on public roads and streets; to facilitate provision for a system of transportation, sewage disposal, safe and adequate water supply, recreation and other public improvements; and to consider the character of each township and its suitability for particular uses judged in terms of such factors as the trend in land and population development.

In addition, this plan will serve the following purposes:

1. Provide a basic plan consistent with the intent, purpose, and requirements of the Township Planning Act.
2. Provide a legal and rational foundation for Hayes Township's Zoning Ordinance and other ordinances adopted for the purpose of implementing this Plan.
3. Provide goals and policies for future land use and development.
4. Encourage the preservation and protection of natural and scenic resources.
5. Promote the preservation of features that contribute to the Township's character and to the area's tourism related economic base as characterized by low density development, shorelines, woodlands, farmland, open space, and abundance of recreational amenities.
6. Delineate areas suited to various types and densities of land use and development.
7. Provide guidelines and policies describing how future land uses should be established and how land and natural resources may be altered or developed over time.
8. Provide a tool for use by township officials during the process of reviewing future land development project proposals.
9. Outline methods by which this plan may be implemented.

### **The Status of Planning and Zoning in Hayes Township**

Hayes Township initially adopted the current zoning ordinance in 1974, and last amended in 1999. The most recent Master Plan that served as the basis for this update was adopted in 2000.

Updated zoning ordinances supported by up-to-date comprehensive land use plans (also known as Master Plans) are considered the main tool Michigan communities have at their command to control land use patterns and development pressures. To provide a strong legal foundation a zoning ordinance should correspond to an up-to-date adopted Master Plan. Since the Township administers a Township Zoning Ordinance, it is advisable that the Township maintain an up-to date Township-specific Master Plan to guide future development and provide an enhanced legal foundation for the Township Zoning Ordinance.