

AGENDA
HAYES TOWNSHIP, CHARLEVOIX COUNTY
PLANNING COMMISSION
REGULAR MEETING

November 15, 2022 7:00 pm

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

Join Zoom Meeting

[https://us02web.zoom.us/j/84924945717?pwd=VUhTNU11a3plcmhqUVFLY0ho](https://us02web.zoom.us/j/84924945717?pwd=VUhTNU11a3plcmhqUVFLY0hoSUR0QT09)
[SUR0QT09](https://us02web.zoom.us/j/84924945717?pwd=VUhTNU11a3plcmhqUVFLY0hoSUR0QT09)

Meeting ID: 849 2494 5717

Passcode: 066586

+1 312 626 6799 US (Chicago)

- Call to Order
- Pledge of Allegiance
- Review and Approval of Agenda
- Declarations of Conflict of Interest
- Approval of Regular Meeting Minutes of October 18, 2022
- Public Comment not related to agenda items
- Board of Trustees Representative for Planning Commission Report
- Zoning Board of Appeals Representative for Planning Commission Report
- Zoning Administrator Report
- New Business
 - Master Plan update process- Beckett & Raeder
 - Status report on the draft edits of Zoning Ordinance
 - Reschedule December Planning Commission meeting/Public Hearing
- Set/Confirm Public Hearing Dates (Mini-Campground)
- Set/Confirm Next Planning Commission Regular Meeting Date
- Public Comment
- Planning Commissioners Comment
- Adjournment

To best facilitate a hybrid meeting (in person as well as ZOOM) for the public, please adhere to the following guidelines:

In person attendance

1. Doors to the hall will open at 6:45 pm
2. Please voluntarily provide a name for the record
3. Please hold all comments until the appropriate designated public comment agenda item
4. To maintain an orderly meeting while providing opportunity for the public to be heard, Planning Commission Chairman will call names in appropriate order
5. We ask that you voluntarily state your name for the record
6. Direct all comments to the planning commission
7. Keep comments brief and to the point (3 minutes per person); deputy clerk will advise when time is up
8. Do not speak while others are speaking
9. Minutes may not be yielded to other speakers.

Via ZOOM attendance

1. Upon signing into the meeting, please voluntarily provide a name for the record
2. All ZOOM participants will be admitted from the waiting room prior to the start of the meeting
3. All ZOOM participants will remain muted until called on during the appropriate designated public comment agenda item
4. Please raise your hand to be called on during public comments
5. Direct all comments to the planning commission
6. Keep comments brief and to the point (3 minutes per person); participant will be muted at 3 minutes
7. Minutes may not be yielded to other speakers.

Note: A quorum of the Hayes Township Board members may be present at this meeting. No Hayes Township Board business will be discussed or conducted at this meeting.

DRAFT
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1
2 The October 18th, 2022 meeting of the Hayes Township Planning Commission was called to
3 order by Chair Roy Griffitts at 7:00 pm.

4
5 Board members present were: Matt Cunningham (Trustee), Roy Griffitts (Chair), Steve
6 Bulman, Derek Burnett, Rex Greenslade, Ed Bajos and Marilyn Morehead.

7 Also present: April Hilton (Deputy Clerk/Recording Secretary

8 Audience Members signed in: Shelly VanWart, Ellis Boal, LuAnne Kozma, Tim Boyko, Kim
9 Fary, Deb Narten, Winnie Boal, Danielle Hutcheson, Monica Fedak, Omar Feliciano, Jim
10 Rudolph, Gretchen Baisa, Chris Knight, Carole Meluin, Robert Jess, John Knight, Sheryl
11 Bergman, Chelsea Mills, Chris Mills, Betty Henne, Judy Price, Earl Price, Janet Simon, Ray
12 Bice, Bob Adams, Bill Henne, Sue Bice, Lawrence Murray, Kevin Kemp, Candy Kemp, Sue
13 Loverger, Chip Lovenger, Karen Lamoreauny, Marilyn Anderson, Dave Stolt, Vic Martinchek,
14 Kathy Martinchek, Pat Fary, Lesley Pritchard, Mel Narten, Mike Hutcheson, Diane McMahan,
15 Jim McMahan, Darcey Phelps, Lee Maynard, Bob Furgeson, Bud Borus, Maureen Whitener,
16 Jennifer McKay, Katie Wolf, Wendy Leudand, Amy Kuczynski, Wayne Sexton, Kellyann
17 Sexton, Randy Price, Mike Taylor, Summer Way, Anthony Dass, Carol Umlor, Tom Darton,
18 Andrew Mailloux, Brent Price and Carl Harmon.

19

20 **PLEDGE OF ALLEGIANCE**

21

22 **REVIEWED & APPROVED AGENDA**

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

24 Yays: Matt Cunningham, Roy Griffitts, Steve Bulman, Derek Burnett, Rex Greenslade, Ed
25 Bajos, and Marilyn Morehead.

26 Nays: None Motion Carried

27

28 **DECLARATIONS OF CONFLICT OF INTEREST: NONE**

29

30 **REZONE REQUEST UPDATE/MASTER PLAN/FUTURE LAND USE MAP:**

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31 Mr. Griffiths updated the Planning Commission Members, as well as the public present, on
32 the rezone request on the property owned by Emmet County that surrounded by property
33 owned by Reith-Reilly in Bayshore. The rezone request was withdrawn by the applicant
34 prior to the hearing and the application fee has been returned by the Board of Trustees. The
35 rezone request, as well as residents' concerns, highlighted a need for the Planning
36 Commission to revisit the Future Land Use Map in the Master Plan that was adopted in 2019.
37 The Future Land Use Map does not reflect the impact of Industrial Zoning on the Bayshore
38 area. Mr. Griffiths stated he would entertain a motion to begin the process of revisiting the
39 Master Plan to correct the Future Land Use map.

40
41 Mr. Bajos made a motion, supported by Ms. Morehead to begin the process required to
42 review and amend the Hayes Township Master Plan.
43 Yays: Matt Cunningham, Roy Griffiths, Steve Bulman, Derek Burnett, Rex Greenslade, Ed
44 Bajos, and Marilyn Morehead.
45 Nays: None Motion Carried

46
47 **PRESENTATION BY LAND INFORMATION ACCESS ASSOCIATION, TIP OF THE MIT**
48 **WATERSHED COUNCIL, LAKE CHARLEVOIX ASSOCIATION:**

49
50 Lee Maynard (LIAA) introduced the three organizations and the individual representatives (Tom
51 Darnton- Lake Charlevoix Association, Lee Maynard (LIAA), Jennifer McKay (Tip of the Mitt) and
52 Katie Wolf (Tip of the Mitt).

53 Jennifer McKay presented a review of the 2016 Lake Charlevoix Visioning and Shoreline
54 Protecting Project as well as Lake Charlevoix Watershed Zoning Recommendations.

55 Hayes Township Specific result of waterfront parcel review:

- 56 • 78% in violation (47% of those had rock/riprap/32% beach sanding/ 4
57 seawalls)
- 58 • Greenbelt results (42% very poor/poor, 42% moderate/good, 16%
59 excellent)

60 Lee Maynard presented different types of shorelines within the county as well as some ideas of
61 restoration of damaged shorelines.

62 Individual PC members shared concerns, interests, ideas to benefit the lake included:

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- 63 • Educate and encourage to work with property owners to protect lake (not always 100%
- 64 restoration)
- 65 • Construction in Hayes Township promotes Shoreline Protection Strip restoration per
- 66 Ordinance
- 67 • Property owners may not have means to restore Shoreline Protection Strip 100%
- 68 • OHWM definition and reality create conflict
- 69 • Work with individual property owners to create Lake protection on individual unique
- 70 parcels
- 71 • Enforcement issues; needs to be collaboration of all communities
- 72 • Inform public (rebuild/new construction); educate public
- 73 • Erosion caused by high lake levels
- 74 • Ordinary High-Water Mark (OHWM) not consistently presented or defined; Shoreline
- 75 hardening not in Township's regulations; EGLE passed out permits too easily
- 76 • More Charlevoix County involvement
- 77 • Not all parcels are the same, uniformity countywide of enforcement
- 78 • High Energy wave action areas
- 79 • Hayes Township Park maybe a future site for the Township to work with agencies jointly
- 80 to put in a bioengineered shoreline protection project
- 81

82

83

84 **PUBLIC COMMENTS UNRELATED TO AGENDA ITEMS**

85 Public comment opened at 7:51 and include:

- 86 ✓ Hayes Township Principal of Guidance
- 87 ✓ Questioned the sincerity of Planning Commission members
- 88 ✓ Concern about former H&D property; Industrial near Residential
- 89 ✓ Chair reminded the public that the Township recognizes that the Future Land Use
- 90 map does not reflect the desires of the Township nor what should happen on or near
- 91 the parcel owned by Emmett County
- 92 ✓ Concerns about Master Plan that was adopted in 2019
- 93 ✓ Reclamation process of Reith-Reilly property
- 94 ✓ Thank the PC for revisiting the Master Plan
- 95 ✓ Michigan Shores residents are concerned with industrial zoning

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- 96 ✓ Strict rules and regulations that PC must follow to consider a rezone and there are
- 97 there are many false rumors flying around
- 98 ✓ Master plan verbiage conflicts with map
- 99 ✓ Ordinance needs to be strictly enforced
- 100 ✓ Protect Bayshore
- 101 ✓ Development should not happen in Hayes; ruined Traverse City

102

103 Public comment closed at 8:34.

104

105 **APPROVAL OF AUGUST 16TH, 2022 PC MINUTES**

106 Mr. Bajos made a motion, supported by Mr. Greenslade to approve the September 13, 2022
107 Planning Commission minutes as corrected.

108 Yeas: Matt Cunningham, Roy Griffiths, Steve Bulman, Derek Burnett, Rex Greenslade, Ed
109 Bajos, and Marilyn Morehead.

110 Nays: None **Motion Carried**

111

112 **REPORT OF TOWNSHIP BOARD REPRESENTATIVE TO THE PLANNING COMMISSION:**

113 By Matt Cunningham. Next meeting November 14, 2022.

114

115 **REPORT OF PLANNING COMMISSION REPRESENTATIVE TO THE ZONING BOARD OF**
116 **APPEALS:**

117 Mr. Greenslade presented an oral Zoning Board of Appeals report.

118

119 **ZONING ADMINISTRATOR REPORT:**

120 Ron VanZee presented an oral Zoning Administrator Report.

121

122 **NEW BUSINESS**

123

124 **STATUS REPORT ON COMPILATION OF SYNOPSIS OF ZONING ORDINANCE REVIEW:**

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125 Planning Commission members each received a copy of the edits along with a drive
126 containing all the videos of previous discussion for review. Draft will be put on the website
127 and copies are available from the clerk.

128 Planning Commission came to a census to review the edits of the Zoning Ordinance
129 discussion draft individually and return comments and corrections to Chair Roy Griffitts
130 before next scheduled meeting.

131

132 **SET/COMFIRM PUBLIC HEARING DATES:**

133 Tentatively set, (complete application has not been received by the Township/no health
134 department approval) a Public Hearing/Special Use Permit for a Mini Campground, for
135 December 20th, 2022.

136

137 **SET/COMFIRM DATE OF NEXT PC MEETING:**

138 Next Planning Commission meeting will take place on November 15th, 2022 at 7:00 pm.

139

140

141 **PUBLIC COMMENTS:** Public comments opened at 8:47 pm.

142 Comments included:

- 143 ✓ Honor the protection of streams, lakes, wells, shoreline
- 144 ✓ Traffic study prior to any more development
- 145 ✓ Un-elect Roy Griffitts from Chair of Planning Commission
- 146 ✓ Thank you for the commitment to revisit the Master Plan
- 147 ✓ Intimidating to speak at meetings; more collaboration between residents and
148 Planning Commission
- 149 ✓ Hayes Township current Ordinance is considered one of the best in State to protect
150 lakes
- 151 ✓ Contact with Holtec (new owner of Big Rock)
- 152 ✓ Discussion with community while reviewing the Master Plan

153

154 Public comments closed at 9:05 pm.

155

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156 **PLANNING COMMISSION COMMENT:**

157 Ellis Boal has requested the Planning Commission remove Roy Griffitts as Chair.

158 Planning Commission comments:

- 159 • Roy acting as Deputy Supervisor (in regards to the EMS Authority) and serving on the
- 160 Planning Commission was an oversight and not malicious
- 161 • Roy handles the difficult position well
- 162 • All members strongley disagreed with removing Roy Griffitts as Chair
- 163 •

164 Ms. Morehead made a motion, supported by Mr. Bulman to reject the suggestion to remove

165 Chair Roy Griffitts from the Planning Commission.

166 Yeas: Matt Cunningham, Steve Bulman, Derek Burnett, Rex Greenslade, Ed Bajos, and

167 Marilyn Morehead.

168 Abstained: Roy Griffitts

169 Nays: None **Motion Carried**

170

171 Mr. Bulman clarified that the Planning Commission has a legal responsibility to hear

172 applications received (the rezone as well as the salt station). He takes offense to the name

173 calling and rhetoric directed to the Planning Commission or the suggestion the PC was

174 encouraging or in favor of either request. He reiterated that he took the position on the PC

175 to represent all Hayes Township land owners and their rights. The PC is with the residents

176 and not against.

177

178 Mr. Greenslade clarified with the Chair the Ordinance edit review process. The public will

179 have a chance to provide input. He continued that he would like the community and

180 residents to support and comment regarding the Zoning Ordinance.

181

182 Mr. Burnett reiterated to the public that all meeting where the Planning Commission has

183 discussed the Zoning Ordinance has been open to the public.

184

185 Mr. Griffitts made a observation that this has been the largest meeting since the Elmer's

186 controversy. He appreciated all of those that were respectful. Dialog needs to stay open

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187 and that the statements that have falsely been made against the Planning Commission are
188 detrimental to the process. He invited the public to question why or what those false
189 statements serve, what purpose. All discussions take place at the Planning Commission
190 meetings, always open to the public, nowhere else. Mr. Griffiths encourages the public to
191 regularly attend.

192
193 **ADJOURNMENT:** Mr. Bajos made a motion, supported by Ms. Morehead, to adjourn at
194 9:15 p.m.

195 Yeas: Matt Cunningham, Roy Griffiths, Steve Bulman, Derek Burnett, Rex Greenslade, Ed
196 Bajos, and Marilyn Morehead.

197 Nays: None **Motion Carried**

198

199

200

201 Respectfully Submitted,

202 .

203

204 April Hilton

205 Hayes Township Deputy Clerk/Recording Secretary