



LuAnne Kozma - luannchozma@gmail.com

Protect the Shoreland strip

Ayrie Moore <ayrie.moore@gmail.com>

Sun, Jan 30, 2022 at 8:12 PM

To: clerk@hayestownshipmi.gov

Dear Kristin Baranski and ZBA members

Please read my comments out loud and during both ZBA hearings on February 2:

The purpose of the zoning ordinance is to protect the Shoreland of Lake Charlevoix from harm and accordingly it created the Shoreland Protection strip, defined as all land 50 feet upwards from the ordinary high water mark (OHWM).

The ordinance protects the 50 foot Shoreland strip in a number of ways:

- 1) by providing for a 100 foot setback for all structures;
- 2) by keeping structures away from the water of Lake Charlevoix;
- 3) by prohibiting any structure on or over its water;
- 3) by precluding commercial use of structures in a residential zone;
- 4) by prohibiting, since 1979, any structure, including boathouses, within 100 feet from the OHWM of Lake Charlevoix;
- 5) by defining the OHWM in a way that has been supported by the Army Corps and State of Michigan as evidenced in their emails;
- 6) by prohibiting destruction, including excavation, of any of the land within the 50 foot strip above the OHWM, including boat basins and canals;
- 7) in providing that 20% of the 50 foot Shoreland strip can be used for removing vegetation only, it affirmatively prohibits the removal of root systems, and thus excludes all other forms of removal, including excavation of land and soil.

The proposed Law boathouse expansion violates both the letter and spirit of the zoning ordinance. Please do your jobs and protect Lake Charlevoix and its shoreland from harm. Enforce the existing zoning ordinance and reject the Law application.

Thank you,
Ayrie Moore
9190 Woods Road
Charlevoix MI 49720

Sent from my iPad



LuAnne Kozma <luannekozma@gmail.com>

Fwd: Proposed Law Boathouse Project

1 message

Arlene Westhoven <arloon43@gmail.com>
To: LuAnne Kozma <luannekozma@gmail.com>

Wed, Jan 26, 2022 at 5:20 PM

Hi, Luanne,
Apparently this didn't go out this morning when I sent it. Sorry, I hope it's not too late.
I'm sorry I won't be able to attend the hearing tonight. Will try for the one on the 2nd.
Best wishes with your efforts.
Arlene

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

From: **Arlene Westhoven** <arloon43@gmail.com>
Date: Wed, Jan 26, 2022, 5:16 PM
Subject: Proposed Law Boathouse Project
To: <Clerk@hayestownshipmi.gov>

To Whom It May Concern:

I am the President of the Michigan Loon Preservation Association. I am writing concerning the proposed development project in Hayes Township on Lake Charlevoix.

The mission of the Michigan Loon Preservation Association is to preserve and protect loons throughout the state. Common Loons are a threatened species in Michigan. Loons feed on inland lakes even if they do not nest there. Loons regularly visit Lake Charlevoix to feed after their chicks are more self-reliant.

DREDGING CAUSES WATER POLLUTION THROUGHOUT THE ENTIRE LAKE. THE EFFECTS THREATEN NOT ONLY LOONS, BUT FISH AND THE ENTIRE ECOSYSTEM.

1. Disturbance of sediments by dredging releases toxins, such as lead and pesticide residues, into the water and become part of the food chain. This poisons fish and loons and other birds and animals that eat the fish and invertebrates. This also includes humans.

2. Dredging introduces sediments into the water, Loons, Bald Eagles Osprey and Terns dive for their food. Murky water hinders their ability to see their prey.

3. It is likely that dredging will have to occur repeatedly, even yearly, to keep the channel clear. Repeated dredging introduces sediments and toxins into the water even if the sediment is removed.

Thank you for your cooperation.
Arlene Westhoven, President,
Michigan Loon Preservation Association



Luanne Kozma <luannekozma@gmail.com>

Hayes Township - Please add to minutes - both ZBA hearings, Feb 2, 2022

Frank Fowle <fowle10@gmail.com>

Sat, Jan 29, 2022 at 12:07 PM

To: clerk@hayestownshipmi.gov

Bcc: luannekozma@gmail.com

To: Hayes Township, ZBA Secretary, Kristin Baranski

Dear Ms Baranski,

I am a resident a mere 1/4 mile from the proposed Law boathouse expansion. Please include this statement in the minutes to be read with the other statements that are in opposition of this project:

This proposal not only violates the zoning ordinance, it violates the very spirit of the community itself. Please consider the intangibles as you vote on this.

Would you vote for a privately owned business center to open in the middle of a small residential neighborhood? As they remove 3-4 plots in order to put in a parking lot and swimming pool? And now families, who go for walks and ride their bikes now have to avoid - the new private business center?

This is the precise reason why zoning ordinances are put in place to begin with. To protect the balance of the ecosystem, both for the people and the wildlife. This proposal is in direct violation of the spirit of this community.

Thank you,
Frank Fuller Fowle IV
9370 Boyne City Road

Frank Fowle
944 W Hubbard St, #1
Chicago, IL 60642



LuAnne Kozma <luannekozma@gmail.com>

Please read into the record of Hayes Zoning Board of Appeals meeting on Wed Feb 2, 2022

1 message

Noah Fowle <noahfowle@gmail.com>
To: clerk@hayestownshipmi.gov
Bcc: luannekozma@gmail.com

Mon, Jan 31, 2022 at 10:26 AM

Ms. Baranski,

thank you for your efforts and service to Hayes Township. I know the jobs of your and your colleagues cannot be easy in the best of times, and the challenges must only be compounded when issues arise that cause strong view from opposing positions.

Please read the following statement into this Wednesday's meeting record.

Noah Fowle
9370 Boyne City Road
Charlevoix MI 49720

"I encourage the members of this board to keep in mind their duty and obligation, whatever their final determination on Scott and Debra Law's project, remains to keep their deliberations and final decision open, transparent and accessible to the public. We, who oppose this project, make up a part of your community and whether you agree or disagree with us, we seek to know why.

If you think this project is justified and respects the letter and spirit of the law, then stand up, and say so. If you believe that the large financial expenditure produced by the project justifies the risks it poses to the natural habitat of Lake Charlevoix, then stand up and say so. If you find the scope and breadth of the project are appropriate and are in-keeping with the ordinance at issue, then stand up and say so. If you think our concerns are overblown, inconsequential, misguided, or wrong, then stand up and say so. While you may not owe those of us who disagree with this project your vote against, you do owe us an explanation as to why this project gets your vote.

In reviewing the plans for this project, it does not appear that the structures confirm to the required 100-foot setback. Why does this project get a pass on that requirement?

In reviewing the plans of this project, the proposed structures appear to be within 100 feet from the Ordinary High Water Mark (OHWM). Why are you prepared to offer special consideration and ignore this requirement?

The Army Corps and State of Michigan emails about OHWM are convincing evidence and in keeping with the definitions of Hayes Township Ordinance. If you disagree with this interpretation, explain why.

In reviewing the plans for this project, it appears that contrary to the ordinance, this project would allow a structure on or over the water. Why does this project warrant a special dispensation from this requirement?

In reviewing the plans of this project, it allows for the destruction and excavation of land within the 50-foot strip above the OHWM. Why are you willing to give your ascent to a project that flouts an ordinance this governmental body is designed to protect and enforce?

In reviewing the plans of this project, it exceeds the limit of removing vegetation ONLY along the 50-foot shoreland strip and it calls for, contrary to ordinance, the further removal of roots and soil. How can you claim that this project conforms with ordinance?

In reviewing the plans of this project, it defies the ordinance's requirement that a boathouse is for residential use ONLY and instead includes a large-commercial scale building designed for commercial, non-residential use. Why do you believe such a structure won't risk creating a nuisances per se?

This project is simply too large and too invasive. The process which we, the public are due, in evaluating it and commenting on it has become too cumbersome and amorphous. At every turn, the approval process is shrouded in unjustified exceptions, poorly explained special treatment, and arbitrary short-cuts. If you disagree with my conclusion fine, but as public officials you must subject your disagreement and an explanation of your conclusions to our scrutiny. Any disagreement over what is best for the public trust, or in this case a public waterway, belongs out into the open and amongst the public. Your vote is yours, but you cannot cast it secret silence from us - your neighbors and fellow township members."



Lucy Moore <lucy3moore@gmail.com>

enforcing shoreline protection re: the Law's "boathouse" proposal

Lucy Moore <lucy3moore@gmail.com>

Fri, Jan 21, 2022 at 11:16 PM

To: CLERK@hayestownshipmi.gov

To the ZBA Secretary, Township Clerk Kristin Baranski,

I am writing you about the upcoming ZBA hearing on the Law's "Boat House" proposal. I want to commend Hayes Township for having a strong, exemplary ordinance in place for the protection of the shoreline of Lake Charlevoix—and to urge the Zoning Board to do all you can to enforce it! I may not know all the exact legal technicalities that apply, but I can recognize the obvious and excessive violations of environmental protections in plain sight, as is the case with this proposal.

Drudging a channel through the Shoreland Protection Strip, siphoning off a bit of the lake to create a private pool inland, building a high occupancy event center/ party house/ "storage area" with full amenities (including elevators, multiple bathrooms, large kitchen and dining area, with a view over the water—in the name of a boat house!—is in blatant violation of any semblance of environmental protection of the integrity of the lake and the shoreline that defines its boundaries. To propose building such a structure, as an addition to a residence, in a R1 residential quiet zone is preposterous enough, as is... but to do so inside the high water mark, that the construction (of the channel, the pool, and the huge building overlooking the pool), would have literally moved quite a distance inland, is outrageous. If we can't count on you to enforce your own ordinances for the protection of the shoreline, what hope is there for the future of Lake Charlevoix, and the well being of all who depend on it as a much treasured natural resource?!

As someone who grew up here in our family home on the lake for five generations, so far,...I cannot stand the picture of the future commercialization of Lake Charlevoix and the surrounding area that will surely follow, if you do not do your job of protecting it now, for future generations. And your job will only get harder from now on, if you do not stop this kind of illegal development now, when you can, simply by abiding by your own rules and regulations that are already in place.

The Laws are not above the law, and you are the ones responsible for upholding the law—especially if you expect others to abide by your ordinances whenever, from now on. Please do the right thing, for all our sakes—and reject this proposal!

Sincerely,

Lucy S. Moore



LuAnne Kozma <luannekozma@gmail.com>

Law Property Plans are inconsistent with Zoning uses

1 message

Scott Boal <smbdenver@gmail.com>

Sun, Jan 30, 2022 at 10:32 PM

To: clerk@hayestownshipmi.gov

Cc: LuAnne Kozma <luannekozma@gmail.com>, Lisa Hicklen <lisahicklen@charter.net>, Irene Fowle <izfowle@gmail.com>, Ellis Boal <ellisboal@voyager.net>

Dear Kristin Baranski and ZBA members:

Please read my comments aloud during both ZBA hearings on 2 Feb 2022:

- The 100-foot setback for structures from the lake is also to protect the Shoreland Protection Strip, which is 50 feet landward from the lake. The buffer zone itself needs a buffer zone from structures.
- The whole purpose of a setback of structures is to keep the structure away from the water.
- A building over the water of Lake Charlevoix violates a 100-foot setback.
- The Army Corps and State of Michigan emails about Ordinary High Water Mark are convincing evidence and in keeping with definitions of Hayes Township ordinance.
-
- Further, the Laws and their representatives have publicly expressed their intentions to create an uncoordinated arrangement of buildings and structures of several functions, uses and occupancies (aviation, assembly, target shooting, hunting, public/private events, large boat occupancy, many homes, event center, etc). A larger overlay district should be considered, similar to the Bay Harbor Community in Petoskey. Sewer, water, power, gas, traffic/roadways, lake, schools and environmental impact studies should be required before all these uses are approved for construction. If not, is this setting up precedent for the next one and the next one, etc?. And at what point will this Board actually consider the impact to the lake and the residents for the long term betterment of the area..
- Please reject the application by the Laws until more detailed and robust impact studies are completed by appropriate professional engineers, not landscape contractors.

Thank you,
Scott Boal
09290 Boyne City Road
Charlevoix, MI 49720



LuAnne Kozma <luannekozma@gmail.com>

Fwd: concerns about Lake Charlevoix

1 message

marylee pakieser <mlpakieser@gmail.com>

Mon, Jan 31, 2022 at 5:21 PM

To: LuAnne Kozma <luannekozma@gmail.com>, Ellis Boal <EllisBoal@voyager.net>

Forgot to send a copy. Will forward Bill's letter. MLP

Sent from my iPhone

Begin forwarded message:

From: marylee pakieser <mlpakieser@gmail.com>**Date:** January 31, 2022 at 10:40:12 AM EST**To:** clerk@hayestownshipmi.gov**Cc:** marylee pakieser <mlpakieser@gmail.com>**Subject:** concerns about Lake Charlevoix

Dear Kristin Baranski and ZBA members:

Please read my comments aloud during both ZBA hearings on 2 Feb 2022:

I have been coming to Lake Charlevoix since 1972 . I married Bill Fowle whose family has had a vacation home on the lake since 1951. This lake is fragile and needs care to stay beautiful . I oppose the changes the Laws are requesting for the following reasons :

- ***The 100-foot setback for structures from the lake is also to protect the Shoreland Protection Strip, which is 50 feet landward from the lake. The buffer zone itself needs a buffer zone from structures.***
- ***The whole purpose of a setback of structures is to keep the structure away from the water.***
- ***A building over the water of Lake Charlevoix violates a 100-foot setback.***
- ***The Army Corps and State of Michigan emails about Ordinary High Water Mark are convincing evidence and in keeping with definitions of Hayes Township ordinance.***

Thank you,

MaryLee Pakieser MSN,RN,FNP-BC

1230 Randall Court Traverse City MI 49686

9370 Boyne City Road ,Charlevoix MI

cell :231-313-3817



LuAnne Kozma <luannekozma@gmail.com>

Fwd: Opposing the Laws' Request to change Lake Charlevoix

1 message

William Fowle <fowlewilliam@gmail.com>

Mon, Jan 31, 2022 at 5:23 PM

To: LuAnne Kozma <luannekozma@gmail.com>, Ellis Boal <ellisboal@voyager.net>

my letter . WCF

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

From: **William Fowle** <fowlewilliam@gmail.com>

Date: Mon, Jan 31, 2022 at 10:54 AM

Subject: Opposing the Laws' Request to change Lake Charlevoix

To: <clerk@hayestownshipmi.gov>

Cc: William Fowle <fowlewilliam@gmail.com>

*Dear Kristin Baranski and ZBA members:****Please read my comments aloud during both ZBA hearings on 2 Feb 2022:***

My parents bought a home and land on Lake Charlevoix in 1951. I spent the majority of my childhood summers up north along with my many cousins who own land next to our place . We are 1/4 of a mile south of the Laws' land . We have been disturbed by their helicopter flying over our land , raucous music from a wedding on June 21 2021 , and semi automatic gunfire this past summer. And now they want to ruin a part of Lake Charlevoix . These are only a few of my concerns :

- ***The 100-foot setback for structures from the lake is also to protect the Shoreland Protection Strip, which is 50 feet landward from the lake. The buffer zone itself needs a buffer zone from structures.***
- ***The whole purpose of a setback of structures is to keep the structure away from the water.***
- ***A building over the water of Lake Charlevoix violates a 100-foot setback.***
- ***The Army Corps and State of Michigan emails about Ordinary High Water Mark are convincing evidence and in keeping with definitions of Hayes Township ordinance.***

Thank you.***William C.Fowle II******1230 Randall Court , Traverse City , MI 49686******9370 Boyne City Road , Charlevoix ,MI***



clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Comments for Hayes Township ZBA Hearings on 1/26/2022 and 2/2/2022

1 message

wlboal@gmail.com <wlboal@gmail.com>

Wed, Jan 26, 2022 at 4:21 PM

To: clerk@hayestownshipmi.gov

Please provide these comments to the Hayes Township Zoning Board of Appeals Kozma/Hicklen/Fowle Interpretation Hearing on 1/26/2022 and the Hayes Township Zoning Board of Appeals Public Hearing Kozma Appeal on 2/2/2022.

The Hayes Township Zoning Ordinance dated 3/24/2012 states on pages III-7 and III-8, Section 3.14 Waterfront Regulations:

- "The shoreland protection strip shall include all of the land area located within fifty (50) feet of the high water mark of a lake or a stream abutting or traversing the property in question. The purpose of the strip is to protect the lake by preventing soil erosion, providing a filter for the removal of pesticides, fertilizers and other potential water pollutants, and to maintain a visual barrier."
- "No structures, except for launching ramps and docking facilities including steps and retaining walls, shall be allowed within one hundred (100) feet of the shoreline on Lake Michigan and Lake Charlevoix..."
- "The shoreland protection strip shall not be altered under any condition, except to remove dead trees or shrubs or to remove invasive species."
- "The waterways and lakes in and adjacent to the lands of Hayes Township are invaluable assets to the economy and quality of life, and therefore must be preserved in a natural fashion to maintain health of these waterways as well as the natural beauty of Northern Michigan."

It is clear to me that the proposed shoreline development by Scott and Debra Law at [10034 Anglers Cove, Hayes Township](#) (15-007-132-005-25 and 15-007-133-005-30), to dredge an artificial channel 130 feet into Lake Charlevoix, and dredge an artificial 30 ft by 50 ft channel in the shoreland protection strip, excavate and construct a boat basin in the shoreland protection strip, and build an enormous 4,500 square foot structure over the lake that they call a "boathouse" (but with separate toilets for men and women, an elevator, and a kitchen, is obviously more of a commercial event space than a simple boathouse) flagrantly violates the Hayes Township Zoning Ordinance Waterfront Regulations. The Laws have described the project as a corporate retreat center. This "boathouse" event/retreat space is not appropriate for property zoned residential. I'm sure this project violates other provisions of the Zoning Ordinance, and it should not be permitted. The welfare of Lake Charlevoix and of Hayes Township residents is threatened by this project. This proposed project violates the language of the Ordinance to preserve the lake in a natural fashion and to maintain the natural beauty of Northern Michigan.

Sincerely,

Winnie Boal

wlboal@gmail.com

231-547-6859



clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

January 26th ZBA public hearing comment

1 message

Jessica Catt <cattjessica@gmail.com>

Wed, Jan 26, 2022 at 12:54 PM

To: clerk@hayestownshipmi.gov

I'm writing this email as a resident of Hayes Township. After reading through the Hayes Township Zoning Ordinance and the Waterfront Protections, including the Shoreland Protection Strip, the proposed project and already completed waterfront construction at 10034 Anglers Cove is in violation of our township's rules and regulations.

The artificial channel would remove a 30'x50' portion of the required Shoreland Protection strip, which is necessary to filter harmful pollutants into the lake. How and why would this property be exempt?

The zoning ordinances have not allowed the construction of boathouses since 1979. Why is this large (2 story, 90'x60') boathouse exempt?

Thank you for your time and consideration in this matter.

Best-

Jessica Catt

cattjessica@gmail.com

(PLEASE READ into Record)

*Hand Delivered
1-26-2022 WMC*

January 24, 2022

Dear Hayes Township Zoning Board of Appeals,

We ask that you carefully review the Hayes Township Ordinance as a whole, while justly interpreting The Shoreland Protection Strip, the Ordinary High Water Mark (OHWM) and the defined setbacks for all structures, in light of the potential for irreparable harm to the waters of Lake Charlevoix and the numerous lake-front residents located in multiple townships surrounding it.

We understand that Jim Anderson built a boathouse in/on Round Lake which was "approved". We also understand that Oyster Pointe built "a channel" for boat slips (limited number) with specific provisions to protect the waters of Lake Charlevoix, including "density" factors with green zones/buffers which must remain uninhabitable forever. We also know that the "channel" at Oyster Pointe continues to be free-flowing, clean and clear of harmful contaminants/byproducts from its use. We are not certain if these safeguards have been implemented and mandated in this process since there have been no public hearings with full disclosure of what is "actually" being contemplated, intended and promised. We are also not aware of the "studies conducted" to ensure compliance with the Ordinance. A 4000+ sq foot "boathouse" suggests more than a few boats and a few guests, which must be properly analyzed by the resident taxpayers in Hayes Township.

Since the Zoning Administrator/Township Supervisor made a decision in his capacity, we believe that "the decision" does not, in and of itself, either make that decision correct or lawful. It is a decision which will be required to pass careful review from a legal perspective and by a legal interpretation of the current law, to wit: the Hayes Township Zoning Ordinance, in effect at the time of "the decision", including the State of Michigan (perhaps Eagle, Tip of the Mitt Watershed, etc.) and the Army Corps of Engineers.

We ask that your decision be based on accurate information set forth in the Ordinance, not simply an opinion from a long-standing (ranking) member of the Township Administration.

We are alarmed that a channel or basin could be "approved" into the waters of Lake Charlevoix by Hayes Township elected officials. Will the channel or basin be a free flowing body of water with ingress and egress (meaning a flow of Lake Charlevoix water in and a flow of Lake Charlevoix water out)?

From reading the Ordinance, it appears that a 4,000+ sq foot "boathouse", under any interpretation of the Ordinance, would be unlawful and contrary to the spirit and intent of the Hayes Township Ordinance. Please be mindful, in these days of virtually no enforcement of laws, rules and local ordinances because the "cost of such enforcement" outweighs the benefit to be gained, this "boathouse" could easily turn into a commercial enterprise in a residential district, without passing necessary and sufficient legal review, with proper notice.

Was there an application of a Special Use Permit? If so, what was the decision? If not, then why not?

Since there is a provision in the Ordinance for a 50 foot Shoreland Protection Strip, defined as "all of the land area 50 feet landward from the Ordinary High Water Mark", how can an Application "approved" by the Zoning Administrator avoid that clear provision, unless "new definitions" are given historically used/accepted definitions?

Since there is a 100 foot setback for all structures, how can the application for a "boathouse" over and presumably in the waters of Lake Charlevoix, be approved without an application for a Variance of the Shoreland Protection Strip or from the 100 foot setback requirement?

Would not a channel or basin into the waters of Lake Charlevoix, with some form of walls (containment), be considered a structure under the Ordinance?

We trust that you will not be convinced that this boathouse structure could in any way be considered or interpreted as an "extension of their house/dwelling place/residence.

We trust that you will look very closely at the Site Plan which was or should have been submitted with the Application for a "boathouse" or in any of its Amendments.

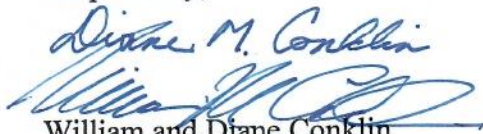
We trust that you will look very closely at the Application for a Permit to build the requested "boathouse", with its final design, site plan and intended use. Further, we hope that the ZBA, ZA and Township official will implement mandated restrictions upon future use!!

Please take record notice that we strongly oppose the application for a channel/basin into the waters of Lake Charlevoix. We strongly oppose any building permit for a 4000 sq ft "boathouse" in, above or over the waters of Lake Charlevoix, located within Hayes Township.

Furthermore, we urge the Zoning Board of Appeals to enforce the 50 foot Shoreland Protection Strip and the 100 foot setback provisions of the Ordinance, in the spirit (with well-defined definitions historically recognized) in which the Ordinance was drafted; not by new definitions or new interpretations that might suggest that such provisions can be altered for any purpose beyond clearing vegetation to allow a view of the lake from one's own property.

Thank you for your consideration.

Respectfully,



William and Diane Conklin
9290 Fairway View
Charlevoix, Michigan 49720

Date: January 24, 2022

To: Tom Darnton, Chair, Hayes Township Zoning Board of Appeals, Kristin Baranski, Secretary for the ZBA and all members of the ZBA

From: Bill Henne, Hayes Township Resident

Subject: ZBA Hearing of January 25, 2022

Tom, Kristin and ZBA Members,

I request that Kristin read the following comments into the minutes of this meeting.

I am making these comments as a former chair of the ZBA. I am very concerned about recent decisions of Zoning Administrator, Ron VanZee, with regard to the Shoreline Protection Strip (SPS). I feel that the permit Ron issued to Scott and Debra Law for construction in the SPS of a channel, boat basin and large building violates the rules of the SPS. Those rules (Section 3.14, 2) are very specific that no construction shall be allowed within 100 feet of the Ordinary High Water Mark (OHWM) of Lake Charlevoix.

Ron has apparently made the determination that the OHWM would not move if a channel and boat basin were constructed in the shoreline. However, the US Army Corp of Engineers (USACE) and the Michigan Department of Environment, Great Lakes and Energy (EGLE) has determined that the OHWM would move into the channel and basin. The determination by Ron to the contrary is irresponsible and wrong.

These are grave and unacceptable errors on the part of the Zoning Administrator, and I request that the ZBA correct them tonight by finding that the SPS rules of the Zoning Ordinance must be interpreted as I have indicated above.

Bill Henne



clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

For January 26, 2022 ZBA Hearing - re: Interpretation Requests

1 message

Margie Marks <margie0058@gmail.com>
To: clerk@hayestownshipmi.gov

Tue, Jan 25, 2022 at 9:30 AM

Please read my comments into the record at the hearing regarding Interpretation Requests. Thank you!

To Hayes Township Clerk and Zoning Board,

I am writing regarding the zoning ordinance and interpretation requests on Lake Charlevoix which is being discussed at your meeting. I am unable to be in attendance and appreciate your reading and recording my comments.

At a time when preservation of our lakes and shorelines is at its most needed, I find it unsettling and irresponsible that a proposal to work against such preservation would even be considered. Hayes Township is one of many which is gifted with natural beauty. Ordinances were put into place in order that citizens of the state, visitors, wildlife, and ecological balance would be attended to.

It is clear that the purpose and language of the Shoreland Protection Strip disallows misinterpretation - its meaning is NOT to allow destruction. 20% of vegetation removal in the Shoreland Protection Strip is acceptable. 20%. Nothing more. Do not confuse 20% vegetation removal allowance with 20% destruction and removal of the land!

All waterfront owners are required to protect the lakes with setbacks. The Zoning Ordinance points to this fact. A building over the water of Lake Charlevoix violates a 100 foot setback! If you allow this setback violation and destruction of the Shoreland Protection Strip, why would anyone care about complying with the Zoning Ordinance? They wouldn't! A domino effect would be the destruction of more and more of our shorelines.

Please act in accordance with the Zoning Ordinances and in concert with being responsible stewards for the Township and the State of Michigan.

Thank you,
Marjorie Marks
818 Arbor Street
Harbor Springs, MI 49740



clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Shoreland Protection Strip

1 message

Lin Larsen <blueberrymom@gmail.com>

Sun, Jan 23, 2022 at 9:14 PM

To: clerk@hayestownshipmi.gov

Dear Zoning Board of Appeals:

We object to the development that Scott and Debra Law have proposed at Angler's Cove on Lake Charlevoix in Hayes Township. Building a commercial building in a residential zone is illegal. They propose a boathouse which has not been allowed by the zoning ordinance for over 40 years. The artificial channel and boat basin structures excavated into the shoreline and the boathouse over the lake all violate the 100-foot setback in the zoning ordinance. And a 30-foot by 50-foot section of the "Shoreland Protection Strip" which the ordinance states is "all of the land area 50 feet landward from the Ordinary High Water Mark" would be removed. The purpose of this Shoreland Protection Strip is to act as a filter and prevent pollution of the waters of Lake Charlevoix.

Please refuse to permit these illegal actions to harm our precious lake shore.

Sincerely,

Linda and Kent Larsen
Hayes Township residents since 1984



LuAnne Kozma <luannekozma@gmail.com>

Fwd: Letter to Zoning Board of Appeals re Boat House Project

sgdamm2002@gmail.com <sgdamm2002@gmail.com>

Sun, Apr 17, 2022 at 4:51 PM

Reply-To: sgdamm2002@gmail.com

To: LuAnne Kozma <luannekozma@gmail.com>

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

From: <sgdamm2002@gmail.com>

Date: Sun, Apr 17, 2022 at 2:50 PM

Subject: Letter to Zoning Board of Appeals re Boat House Project

To: <clerkhayestownshipmi@gmail.com>

TO:

Hayes Township ZBA, Trustees, Planning Commission, and Zoning Administrator:

While I cannot argue the details of the Laws' Boat House plans, I can say from my experience on the Planning Commission and my knowledge of Lake Charlevoix, that the scope of this project is absolutely not in line with Hayes Township Zoning Ordinances and that it will be dangerous to the health of the lake.

In addition this project is not in anyway of benefit to Hayes Township nor Lake Charlevoix. This project, if fulfilled, will be a net negative to the lake and set a dangerous precedent.

The Hayes Township Long Range Plans and the Zoning Ordinance were written and modified over the years with a major focus of protecting the lake and the rural ambiance of our township.

It is the health of the lake that is essential to the local economy. Please do not sell it out.

I urge the ZBA and other officials to strictly enforce the Hayes Township Zoning Ordinance and observe the spirit of the long range plan.

It is appalling that there is even a hint that big money can buy the right to degrade the lake and the surrounding lands.

The ZBA and all officials must follow the law and act ethically. That is their public trust.

Sincerely,
Sara Gay Dammann

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