

**BAY TOWNSHIP PLANNING COMMISSION**  
**Regular Meeting Minutes**  
**August 3, 2022**  
**Bay Township Hall**

**CALL TO ORDER**

Dave Skornia (Chair) called the meeting to order at 7:05PM and led with the Pledge of Allegiance. Also, in attendance were, Steve Van Dam (Board of Trustees Rep), Jamie Shepherd, Joe Jones (Secretary), Nancy Blandford (ZBA Rep), Also present: Ron Van Zee (Zoning Administrator), Kristin Baranski (Recording Secretary)

Barb Mathes-Alguire (PC Vice-Chair and Parks and Rec Rep) excused absent.

**PLEDGE OF ALLEGIANCE**

**AGENDA AND**

**PRIOR MEETING MINUTES**

**MOTION BY Blandford, seconded by Shepherd, to approve the amended June 7, 2022 regular Planning Commission meeting minutes and the presented August 3, 2022 agenda passed upon unanimous affirmation vote of the Board Members.**

***Yeas: Skornia, Blandford, Shepherd, ~~Mathes-Alguire~~, Van Dam, Jones***

***Nays: None***

**PUBLIC COMMENTS**

Public comments opened and closed at 7:11 pm with no comment on non-agenda items.

**ARTICLE 17.2 RESPONSE FROM BRI**

Discussion on Article 17.2 included:

- Addition of history and intent would be a help to the ZBA in making future decisions
- Non-conformity is created by the Ordinance (not property owner) when established in 1974
- Zoning Board of Appeals requested Planning Commission to work on Article 17
  - ✓ Footprint of non-conforming; set backs
  - ✓ Is foundation a structure?
  - ✓ Non-conforming new build with same footprint acceptable?

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- 17.2 MCL 1.52.286 was repealed in 2006 and replaced with 110 yet is still in Bay Township Ordinance
- Restoration vs Reconstruction: need to be defined
- How to advise new owners if property is conforming or non-conforming (Surveyor, realtor, closing company)
- Planning Commission came to consensus to have BRI review Article 17
- Van Dam and Skornia will review notes to provide additional direction to BRI (expand beyond 17.2)
- Reference back to Zoning and Enabling Act for language
- Source from several sources not just BRI (Emmett County Planner)
- Intent is a top priority to guide ZBA

**ARTICLE 6 DRAFT LANGAUGE REVIEW**

Tip of the Mitt and Lake Charlevoix Association are talking with all local communities to establish a uniform approach to shoreline protection. Planning Commission will add to October agenda

PC reviewed an EGLE violation letter shared by clerk. PC discussed how this example relates to Article 6 and language that needs to be in draft.

EGLE is willing to review proposed language. (New Representative)

Planning Commission discussed what is considered a shoreline and Ordinary High Water Mark (OHWM)

- Where water hits the shoreline
- Inland lakes determined by visual/Great Lakes an established number
- Surveyor can identify the OHWM

Skornia attended an open house at Tip of the Mitt and will work with Bay PC on draft language.

- Greenbelt
- Stormwater ~~roll-off~~ run off
- Soil erosion
- Illustrations

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- Sync Ordinance language with permit language

**ZONING ADMINISTRATOR REPORT**

Van Zee presented an oral report.

**ZONING BOARD OF APPEALS REPORT**

Discussed previously (Article 17).

**BOARD OF TRUSTEES REPORT**

Van Dam presented a Board of Trustees report.

**OTHER** N/A

**CORRESPONDANCES**

N/A

**PUBLIC COMMENTS** Public comments opened and closed at 9:06 pm with no comment.

**ADJOURNMENT**

**MOTION by Van Dam, seconded by Blandford, to adjourn at 9:07 pm,  
passed upon unanimous affirmative vote of the Board Members.**

***Yeas: Skornia, Blandford, Shepherd, Van Dam, Jones, ~~Mathes-Alguire~~***

***Nays: None***

Respectfully Submitted,

Kristin Baranski  
Recording Secretary