

Minutes
Regular Meeting & Public Hearing
Crystal Lake Township Planning Commission
7:00 PM June 26, 2019
Crystal Lake Township Hall

1. CALL TO ORDER at 7:00 pm by Chair Greg Wright.

2. ROLL CALL AND RECOGNITION OF VISITORS

Present: Commission Chair Greg Wright, Vice Chair Bill Herd, Members Lee Ewing, Mike Pasche, Tammy May.

Also Present: Zoning Administrator Tom Kucera; Recording Secretary Jeannette Feeheley.

Visitors (*listed in order of sign-up*):

Ted & Trish Skierski
Steve Stephens with the Crystal Lake Watershed Association
Hal Straubel
Susan Steadman
Sue Brown with the Crystal Lake Watershed Association
Lisa Roszell
Jeff Roszell
Courtney Bowen
Jon Zickert with Real Estate One
Steve Roszell
Cindy Roszell
Ann Kullenberg
Corey Campbell, Architect with White Cap Shores Condo project
Aaron Mason, Developer with White Cap Shores Condo project
Brian McAndrews, Developer with White Cap Shores Condo project
Steve Roszell
Todd Whitman
Karen Whitman
Nancy Meek
Phil Meek
Dave Wynn with the Crystal Lake Watershed Association
Elizabeth Rodgers with the Crystal Lake Watershed Association
Susan Kirkpatrick with the Crystal Lake Watershed Association

3. CALL FOR CONFLICT OF INTEREST: None presented.

4. CORRESPONDENCE: None presented.

5. APPROVAL OF MINUTES OF REGULAR MEETING OF MAY 22, 2019:
Wright asked that page 2, line 6, be corrected to say “June 26, 2019”. Pasche moved, Lee seconded, all ayes, Minutes as Corrected Approved.

6. APPROVAL OF AGENDA:

Agenda item 9.A. Hahn Special Land Use Application corrected to say Public Hearing, as had been noticed. Herd moved agenda as corrected, Ewing seconded, all ayes. Agenda as Corrected approved.

7. PUBLIC COMMENTS: None at that time.

8. REPORTS TO THE COMMISSION:

A. Chair Report: Chairman Wright reported his attendance at the Blight Forum recently held at the County Government Center. He brought back material for those interested.

B. Zoning Administrator Report: Administrator Kucera reported receipt of fourteen applications so far, mostly for sheds, only one new house in construction at 1355 Shorewood, and doing research on various matters.

C. Zoning Board of Appeals: Administrator Kucera reported that the Board of Appeals on May 30th upheld the Zoning Permit issued by the Zoning Administrator on the Casey Road property. The Board of Appeals held an administrative meeting on June 10th to approve the Board’s Minutes of May 3rd.

Chairman Wright asked Administrator Kucera to introduce the topic regarding the Haan’s Special Land Use Permit Application. He reported he was not sure of the status as he had asked for further information and received no response, so the application is incomplete. He provided copies of a couple of emails he had received from neighbors of the Haan’s. He reported that the applicant is not in attendance at this meeting.

9. A. HAAN SPECIAL LAND USE PERMIT APPLICATION PUBLIC HEARING

Chairman Wright opened the Public Hearing on this application at 7:10 pm.

Susan Steadman of 1026 Pilgrim Hwy spoke to say both her home and the Haan’s were built by the same family, and the Haan’s driveway is an easement that runs through her front yard. Has lived there two years with constant disruption of her privacy. Wants to get along with her neighbors. Understands about teenagers but when she asks for quiet between 10 pm and 6 am, is met with threats of which she has appraised her attorney. She would want to know about any traffic increase through her front yard if day care is allowed at the Haan’s. If they do get a land use permit for a day care facility, she will seek legal

redress to remove that easement from her property.

Hal Steadman said his Uncle Jack built both houses and he lives right down from Mrs. Steadman. He fears for Mrs. Steadman's safety. Bad words are said loudly and constantly by the people in the Haan's home. They didn't take good care of their own kids. The Sheriff's car comes two-three times a week, sometimes twice a day.

Chairman Wright reminded those in the audience that the Public Hearing is on a potential land use permit, and that the problems being expressed are not within the authority of the Planning Commission to address, but for other authorities.

Commissioner Herdman had questions about the easement driveway.

With the applicant not being present, and the questions that the Zoning Administrator had sent to the applicant having no response, Chairman Wright closed the Public Hearing at 7:20 pm for deliberations among the Commissioners.

Commissioner May said she saw signs posted around town for the Haan's "Angel Day Care" and wondered if the applicant was ignoring the need for a permit.

Commissioner Herd said that that the Planning Commission has not received a completed application.

Commissioner Herd moved that the application be denied. Commissioner May seconded. All ayes. Permit denied.

9. B. WHITE CAP SHORES CONDOMINIUM PRELIMINARY REVIEW:

Chairman Wright asked the Zoning Administrator to speak on the next agenda item.

Administrator Kucera explained that this is not an item for action at this date but rather a preliminary review in order to allow the Planning Commission to talk with the developers. He provided the Commissioners his Staff Review and Report.

The developers provided a multi-document "Preliminary Condominium Subdivision Plan".

Developer Aaron Mason said he and his partners are planning to build 7 small single family homes on a 6.8 acre lot. Regulations require them to call it a site condo.

Developer Brian McAndrews said they want to cut down as few trees as possible to put up some cozy cottages. Not all would have direct access to Crystal Lake. He has relatives in the area and wants a cabin for himself. Aaron also wants a cabin. Corey Campbell would take another cabin. The purpose is for them to have property up here. Profit is not the major incentive.

Todd Whitman said his house is at 479 East South Shore Drive right next to that Park they want to develop. Having a walkway down there is an issue with him, as well as noise.

Elizabeth Rodgers asked about mowed lawns and number of trees.

Aaron Mason replied no mowed lawns and few trees to be removed.

Unidentified audience member asked what experience they had with real estate development?

One of the developers spoke about another project with which he had been involved. Also architect Corey Campbell responded that, in his view and experience, the developers did a good job staging the houses. He said there is a lot of space up there. He had walked across the property that day.

Unidentified audience member asked how far east does the proposed development go? Discussion followed trying to identify who lives nearby.

Elizabeth Rodgers said her main concern is run-off. If you maintain as much vegetation as you say, it won't be a concern, but any increase into the culvert would be a concern.

Commissioner Ewing commented that if we could get a map showing the surrounding properties, it would help.

Chairman Wright commented that we do not wish to try to solve all these problems today; it is just preliminary at this point.

Steve Roszell said the protection of Crystal Lake is his objective. In his view, it is far too dense a project on ground that is hilly. Septic fields of houses below already exist right below the property. He's going to do all he can to block the project and will ask his neighbors to do the same.

Unidentified audience member asked if they could hear about state condo law?

Administrator Kucera said currently the property is zoned R-1. Said the State's Land Division Act is extremely complex. Over time, whoever owns that land could sell off the parcels one at a time, if they wished to do so, whereas these developers are proposing buying the land in total. Because the proposal is a special kind of subdivision, he recommends much more research needs to be done by the township as to what the requirements should be.

Chairman Wright asked about the advantage, if any, of a condo project?

Developer responded that seven homes was a number that would work for them, a good balance at $\frac{3}{4}$ to 1 acre parcels each, and providing privacy for each.

Commissioner Pasche asked if the Land Division Act allows it, could it be even denser?

Administrator Kucera answered yes and no, as the property is also governed by the Crystal Lake Watershed Overlay. It's an undulating property and the Developers have avoided all the steeply sloped areas. He read from portions of a preliminary review he had performed of all the many laws and regulations pertaining.

Ted Skierski asked if the Watershed Overlay has size limitations?

Administrator Kucera responded that such is covered by our zoning.

Ted Skierski said previous allowance had been made on a matter involving Knapp Lane and Treetop Lane, which was taken to satisfy the Fire Department for construction of a previous road, and that many trees had been removed in the process.

Discussion of footage involved in that road; Administrator Kucera mentioned that 66 feet is required for a county road, and that the developers want only a 20-foot road.

Dave Wynne of the Crystal Lake Watershed Association said Mr. Roszell's concern is ours: complete adherence to the Crystal Lake Watershed Overlay; keep the water from running down. He asked if there would be individual septic systems or one serving the entire condo development? Vegetation is a concern. Also number of docks.

Developer responded there would be one dock with two slips.

Dave Wynne said it would be right next to the public swimming area.

Mr. Roszell again expressed his opposition.

Commissioner Pasche advised the developers that concerns regarding the proposal would be sent to them in a letter. He advised that storm water is one thing you'll want to look at soon.

Developer said yes in agreement.

Commissioner Pasche said you're proposing this from the perspective of your living there, but we, as Commissioners, have to look at it from the view of potential future owners. That's why we have to be picky and get it all written down.

Administrator Kucera said he does not think there has yet been a condo project within the Township, and he recommends the Township hire an experienced consultant regarding

condo development and relevant law and regulations.

Commissioner Herd said first the topography has to be figured out and how it would affect the density.

Discussion between Commissioner May and Administrator Kucera on slopes affecting density, footage and footprint of the houses.

Developer said the septic and wells would go with each condo – no common system anticipated.

Commissioner Herd commented that the developer should pay for any consultant the Township would need.

Commissioner Herd also commented that developing the property as a total unit has a lot of advantages compared to developing it as individual lots, and that they will be looking at that.

Chairman Wright said that concludes today's review. He appreciates the developers' and attendees' participation in the discussion. He called for a break in the meeting at 8:05 pm so that those who had no further business or interest there could leave.

10. UNFINISHED BUSINESS

Chairman Wright resumed the meeting at 8:10 pm and took up the next item.

A. Solar Energy

Zoning Administrator asked the Commissioners to start looking at the solar issues he presented in a worksheet. He also mentioned he had received an application and had approved a permit for a 7.8 kw solar array on a roof. Discussion about the 28 foot maximum height except for gables and mansards, and whether the Commission wants to look at recalculating for solar arrays. Discussion whether the Commission wants to develop an ordinance for solar.

11. NEW BUSINESS

A. Master Plan: Zoning Priorities Discussion

A list was provided of the Master Plan's recommendations five years ago for the Planning Commission to tackle. A number were checked off for having been accomplished. Chairman Wright said when he became involved seven years ago, they were worried they would encounter a lot of new development before being ready, but that the Planning Commission had accomplished much since then.

Zoning Administrator Kucera said he did not have a chance to look at the Master Plan in regard to the condo development preparatory review on the agenda that day. He said the fellows have an option on the property and that they had come to him last November, at which point he suggested to them that they get a good topographical study, and that since then, they've addressed many of the issues. He said that looking at the possibilities of what could be developed on that property, their proposal might end up being a good plan.

Commissioner Pasche returned to the work sheet of the Master Plan's issues. He suggested that the Commissioners eliminate the issues in the Master Plan that have been addressed by the Planning Commission, and put newly arisen priorities on the Master Plan list.

12. PUBLIC COMMENTS

Ann Kuhlenberger asked that the Commission do a noise ordinance, that such would solve a lot of problems. She handed one copy of a paper she had prepared on that subject to the Commissioners. She was told that noise is within the purview of the Township Board and that the Planning Commission really doesn't get to recommend legislation to the Board. Ms. Kullenberg pushed that the Planning Commission do so, never-the-less.

Chairman Wright mentioned that the Township now has a very good Enforcement Officer.

Zoning Administrator Kucera said that the reality is that the County Sheriff has complained numerous times of being understaffed, and that being understaffed, noise and fireworks are not the top priority. He said Homestead Township has a noise ordinance.

Ms. Kullenberg said it might be pertinent to her situation for an upcoming July 24th Public Hearing. She feels there should be no RVs allowed on the Casey Road multi-dwelling property near her where she said the density already exceeds the current density ordinance.

Ms. Kullenberg asked questions about the condo development proposal, whether further subdividing could occur over time.

Zoning Administrator Kucera said he thought the Master Deed would cover that. He said Master Deeds are registered with the Register of Deeds.

13. OTHER BUSINESS

Chairman Wright mentioned the various terms of office of the Planning Commissioners and possible upcoming needs for re-appointment.

Commissioner May mentioned that a Citizens Petition will go before township voters soon asking that there be zero marijuana establishments within the township. She mentioned she and Sue Sullivan had recently attended a very informative Networks Northwest

meeting on marijuana issues and that webinars are available. Discussion.

14. ADJOURNMENT

Chairman Wright adjourned the meeting with the Commissioners' consensus at 8:59 pm, and mentioned that the next meeting will be July 24th with a Public Hearing attached.