

**Minutes  
Regular Meeting  
Crystal Lake Township Planning Commission  
7:00 PM January 27, 2021  
Held By Telephone Conference**

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

2. ROLL CALL AND RECOGNITION OF VISITORS

Present: Commission Chairman Greg Wright  
Commissioners Lee Ewing, Bill Herd, Dr. Bill Northway, and Mike Pasche

Also Present: Zoning Administrator Tom Kucera  
Recording Secretary Jeannette Feeheley

Recognition of Visitors: The phone conference number and password had been made available to the public. No visitor called.

3. CALL FOR CONFLICT OF INTEREST: None presented.

4. CORRESPONDENCE: Chairman Wright reported no correspondence. Wright mentioned that former Commissioner Tammy May, who was not present, had not sought an additional term past 2020. He expressed gratitude for her fine service as a Planning Commissioner. Wright welcomed Dr. Bill Northway as a new member of the Planning Commission.

5. APPROVAL OF MINUTES OF REGULAR MEETING OF AUGUST 26, 2020

**Wright moved that the Minutes of the Regular Meeting of August 26, 2020, be approved. Herd seconded. Roll Call Vote. Four Commissioners voted aye. None voted nay. Commissioner Pasche temporarily unable to be heard. Minutes approved.**

6. APPROVAL OF AGENDA

Chairman Wright asked that an additional item be added to the agenda: election of the Secretary of the Planning Commission. Also, Zoning Administrator Kucera asked two additional items be added: Discussion of the Flood Plain Ordinance, and Notice of the Upcoming Request of Mr. Jim Barnes.

**Wright then moved that the proposed agenda, with the addition of the aforementioned items, be approved. Ewing seconded. Roll Call Vote. Four Commissioners voted aye. None voted nay. Commissioner Pasche temporarily unable to be heard. Agenda as amended approved.**

7. PUBLIC COMMENTS: No public in attendance.

8. REPORTS TO THE COMMISSION

Commissioner Pasche phoned into the conference again and explained he had resolved the problem he had been having of being heard.

A. Chair Report: Chairman Wright had nothing to report.

B. Zoning Administrator Report:

Zoning Administrator Kucera reported that the Kullenberg legal case keeps moving through the Court of Appeals and is awaiting scheduling. He reported the next step would be for the plaintiff to produce new legal briefs as to why their appeal should be heard.

Zoning Administrator Kucera said he has been replying to requests for permits and to lots of inquiries from people interested in buying properties and wishing to know what can and cannot be done on those properties.

- C. Zoning Board of Appeals: Zoning Administrator Kucera said he had nothing report regarding the Zoning Board of Appeals.

## 9. ESTABLISH ANNUAL MEETING SCHEDULE

### A. Elect Planning Commission Secretary

Dr. Bill Northway graciously accepted Chairman Wright's request that he fill this role, should he be elected.

**Wright moved and Pasche seconded that Dr. Bill Northway be named Secretary of the Planning Commission. Roll call vote – all Commissioners voting aye. Motion approved.**

### B. Planning Commission Meeting Schedule

Chairman Wright asked for Commissioners' thoughts on holding the same meeting schedule as before, that is, 7 pm the fourth Wednesday of every month with adjustment in November for Thanksgiving, and no meeting, as usual, in December. He said he wants to aim for beginning to hold public hearings in April, if possible, given circumstances at the time. Some discussion.

**Wright moved, Herd seconded, that the Meeting Schedule suggested by Wright be approved, that is, 7 pm on:**

**Feb. 24, March 24, April 28, May 26, June 23, July 28, Aug. 25, Sept. 22, Oct. 27, Nov. 17, 2021, and Jan. 26, 2022.**

**Roll call vote; all Commissioners voting aye. Motion approved.**

## 10. CAPITAL IMPROVEMENT PLAN 2021

Wright said there is nothing currently outstanding to address in the Plan, and that traditionally Commissioner Herd and himself meet with Superintendent Amy Ferris about the Plan and he suggested they do so again this year. Consensus was expressed by the Commissioners to this approach.

## 11. UNFINISHED BUSINESS

### A. Watershed Overlay Plan:

Zoning Administrator reported that the Plan is in hiatus and the next step is to start the public hearing process but that with a current 25-in-person maximum per public health authorities, it presents a problem. Conference phone call-ins as a public hearing are possible but he's not sure that gives the public an adequate voice. He's open to suggestions and feels it important to wait till summer residents are back before initiating public hearings. Discussion. Kucera suggested probably a work session to bring Commissioners up to speed would be helpful, then maybe a public forum no sooner than May to be followed by a public hearing in June. Pasche suggested meeting outside once summer weather arrives. Wright suggested the 7<sup>th</sup> Street Beach location may lend itself well, not only for pandemic purposes, but also to highlight the new proposals to public in the area even beyond Crystal Lake Township. Kucera asked that, if such would be the

Commissioners' desire, someone would help him contact audio-visual companies in the area for the necessary equipment. Discussion also that a preliminary meeting between Kucera and new Commissioner Northway to bring him up to date might include at least one other Commissioner. Discussion that an informational forum the middle of May could be a precursor to the June 23<sup>rd</sup> Planning Commission meeting or hearing.

Herd said he still has strong objections to some sections of the new Overlay as currently proposed and he prefers not to be rushed. Wright suggested perhaps a meeting before the February Planning Commission meeting with new Commissioner Northway, Commissioner Herd or another Commissioner and Zoning Administrator Kucera, might make it possible for all then to meet on the topic at the February Planning Commission meeting. Herd said he had met with the Watershed people, was supportive of the effort but has expressed to them some concerns. He asked aren't we waiting now to see a revised proposal to the issues I've mentioned to them, including some very serious restrictions proposed on people who reside quite a distance from the lake? Discussion ensued about seeing possible revisions that the Watershed Association may have made or will make to Herd's concerns and then getting to the next step.

B. Solar Energy Ordinance: Wright proposed not taking up this subject at this time.

12. PUBLIC COMMENTS: No public in attendance.

13. OTHER BUSINESS:

A. Flood Plain Ordinance

Zoning Administrator Kucera had earlier emailed the Commissioners a memo on the subject. Kucera reported that FEMA has been doing a flood plain insurance study for several years all over Michigan, including Benzie County, and since the Federal Government is the only provider of flood insurance for property owners, the resulting flood plain ratings maps that will be produced will be of impact here. The rate that a property owner pays is dependent on the Insurance Study, and the Study has to be adopted by the relevant legal jurisdiction in order for people to be enabled to apply for flood insurance. Kucera reported that the County approved the Study Tuesday and it is scheduled to be taken up by the Board of Trustees of Crystal Lake Township at their February meeting. In addition, the Michigan Department of Environment, Great Lakes and Energy (EGLE) says there are items in our Ordinance which need to be revised and thus will have to go through a Zoning Ordinance public hearing. Kucera reported we are obligated to make this revision and I'm bringing this to your attention. The Planning Commission would make the recommendation and the Crystal Lake Board of Trustees would have to approve. He said it is mostly a legal matter. He was asked if he would have a draft of the revisions by the February meeting, and Kucera replied he has asked the attorney to draft the appropriate documents.

B. Notice of Upcoming Request from Jim Barnes

Zoning Administrator Kucera earlier had emailed a hand-out of a Site Plan sketch of property on the south side of River Road away from the Betsie River. He expects the owner, Jim Barnes, to be soon submitting a request for a Special Land Use Permit to build a campground as a rallying point for adventure trips in the area. The circles on the map represent yerts. There would be twelve to eighteen campsites, an interpretive center, a central well and septic system, central bathrooms, and central parking. He was asked about the size being only seven acres with the township ordinance for campgrounds requiring at least ten acres. Kucera said Mr. Barnes is

negotiating with an adjoining landowner to acquire more acreage or perhaps an easement. Discussion ensued that Mr. Barnes may end up very close to the minimum required, and that if so, a variance might be the best way to go rather than attempting to change anything in the Ordinance. Northway commented that it sounds like a good project and that the owner intends to install showers with hot water utilizing solar energy as much as possible, and that he would like to hear more from Mr. Barnes about the actual acreage. Kucera commented that Mr. Barnes needs to provide a lot more specificity for the Planning Commission to be able to consider the project. A concern was also expressed about the number of campfires that might be involved and the adequacy of the septic system. Kucera said he was just alerting the Commission at this time to the potential request that may be submitted in the near future.

C. Activity at Roger Mix's RV Park

Kucera said he forgot earlier to suggest an additional item to the agenda but that he needs to let the Commissioners know of some activity going on at the Recreational Vehicle Park owned by Roger Mix. He reported that Mr. Mix has already graded the area and is drawing up additional site plans. He said the activity may be in violation of a court order. He also said eventually another Special Land Use Permit Application will have to be submitted to the Planning Commission at some point.

14. ADJOURNMENT: Chairman Wright adjourned the meeting at 8:00 pm.

Next Regular Meeting: 7 pm, Wednesday, Feb. 24, 2021.

Respectfully submitted,  
Jeannette Feeheley, Recording Secretary