

**Minutes of Regular Monthly Meeting & Public Hearing**  
**Crystal Lake Township Planning Commission**  
**7:00 PM Nov. 16, 2022**  
**Crystal Lake Township Hall**

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

2. ROLL CALL AND RECOGNITION OF VISITORS

Chairman Wright called the roll of the Planning Commission:

Present: Commission Chair Greg Wright  
Commission Vice Chair Bill Herd  
Commissioner Mike Pasche  
Commissioner Lee Ewing

Excused: Commissioner Dr. William Northway

Staff present: Zoning Administrator Tom Kucera  
Recording Secretary Jeannette Feeheley

Visitors: Jill Marble  
Barb Perry  
Mike Perry

3. CALL FOR CONFLICT OF INTEREST: None.

4. CORRESPONDENCE: More correspondence has been received from Barbara Perry on the George Street proposal. That correspondence is attached to these Minutes.

5. APPROVAL OF MINUTES OF REGULAR MEETING OF OCTOBER 26, 2022

**Wright moved approval of the draft Minutes of October 26 2022. Ewing seconded. All ayes. Minutes approved.**

6. APPROVAL OF AGENDA

**Wright moved approval of the draft Agenda. Herd seconded. All ayes. Agenda approved.**

7. PUBLIC COMMENTS:

Jill Marble asked for clarification as she had heard that one of the Commissioners might have expressed an opinion that the only public correspondence that matters on the George Street proposal were ones that cited the Master Plan because it talks about rural preservation. Marble said she strongly agrees the Master Plan is super important, but a lot of constituents put a lot of time into their letters, and the developer had tried to make his plans look good because he claimed they would help with affordable housing, but she believes a lot of constituents had many valid points. She hopes Commissioners aren't disregarding constituents' letters. *(The Agenda Item "Public Comments" does not afford Commissioners opportunity to respond, but only to listen.)*

Mike Perry said he was disappointed that, at the last meeting, the Commission gave the petitioner another thirty days instead of rejecting the proposal for rezoning since all the Commissioners did not seem to endorse rezoning for the petitioner's purpose. So why not reject it and force the developer to come back with a different proposal?

Chairman Wright thanked the speakers for their comments.

## 8. REPORTS TO THE COMMISSION

### A. Chair Report:

Chairman Wright had nothing to report.

### B. Zoning Administrator Report

Zoning Administrator had nothing to report. He will have a year-end summary at the January 2023 meeting.

### C. Zoning Board of Appeals

Zoning Administrator reported nothing pending before the Zoning Board of Appeals.

## 9. UNFINISHED BUSINESS

### A. George Street Proposal: Consider Recommendation to Twp Board

Zoning Administrator said he emailed the Draft Oct. 26<sup>th</sup> Meeting Minutes to the developer, pointed out the Planning Commission's schedule, and has heard nothing further from the developer. He researched the Ordinances about next steps. One direction would be for the Commissioners to accompany their recommendation to the Township Board with a report by him containing findings. An alternative would be simply to consider it withdrawn and if the developer wants to re-apply, he would be required to start over.

Discussion among Commissioners that technically, the application is complete and that if the Township Board rejects it, the petitioner would have to wait a year before resubmitting the same proposal but that he would not have to wait a year to submit a new, different proposal. Further discussion that the developer has the ability right now to build two houses or four houses, but that the Planning Commission has not been asked to deal with those issues or any affordable housing issues, only a proposal for rezoning, and that they are not weighing judgment on any possible building proposal, only whether a strong enough case has been made to rezone that property.

**Wright moved that the Planning Commission recommend to the Township Board that the request for rezoning be denied. Herd seconded. Roll call vote: Wright, aye; Herd, aye; Pasche, aye; Ewing, aye. Motion passed. Recommendation is that the Township Board deny the application for rezoning.**

Zoning Administrator was asked if he would do a report for the Township Board. He responded that he will draft a report for the Planning Commission's review at their January Planning Commission meeting, and that subsequently, the Township Board would have it for the February meeting.

Chairman Wright said he wished to make some comments. He said that the past three years have been difficult for the Planning Commission. He understands that in past years there were not many difficult issues to deal with but that is no longer the case. Now there are lots of people wanting to come here from elsewhere and we just have to become comfortable saying no. He then listed a number of townships who have had to do such recently. He said people here value their zoning and rural preservation and the Planning Commission has to be really careful and

learn to be comfortable saying no.

### B. Short Term Rentals Work Session

Commissioners discussed that the lame duck State Legislature probably will not now pursue previously introduced legislation to override local jurisdictions' historical authority in matters such as this. Also, it is too late for the Planning Commission to put a "place-holder" in place against that possibility which now seems moot anyway. Commissioners expressed reluctance to approve anything in the dead of winter when so many residents are gone, but, in the meantime, they plan to keep working on the issue over the winter.

#### 10. PUBLIC COMMENTS:

Zoning Administrator said the Benzie Leelanau Health Department has announced hearings on their proposal to revise their code. One part of that proposal involves a 50 foot setback from lakes for holding tanks. Crystal Lake Watershed Association is working on these matters, but the Health Department proposed revised code crept up on everyone and that agency is not giving much time for public input.

Commissioner Ewing mentioned he would not be here for the January 25<sup>th</sup> Planning Commission meeting.

Mike and Barbara Perry said thanks. It has been good to observe the process and they appreciate what the Commissioners do.

Jill Marble asked when the George Street issue will come before the Township Board. The response is that it is probably going to happen in February. She also thanked Chairman Wright for the comments he made.

11. OTHER BUSINESS: None.

12. ADJOURNMENT: Wright adjourned the meeting at 7:29 pm.

Respectfully submitted,

Jeannette Feeheley, Recording Secretary

Next Regularly Scheduled Meeting:

7 pm, Wednesday, January 25, 2022, at Crystal Lake Township Hall.

Attachments:

- Additional letter regarding George Street proposal from Barbara Perry