

**Minutes  
Regular Meeting  
Crystal Lake Township Planning Commission  
7:00 PM March 24, 2021  
Held By Zoom Conference With Zoom Link Available to Public**

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: Ann Kullenberg, Cathy Morris. Catherine Bosher joined soon after the meeting began.

3. CALL FOR CONFLICT OF INTEREST: None presented.

4. CORRESPONDENCE: None presented.

5. APPROVAL OF MINUTES OF REGULAR MEETING OF FEBRUARY 24, 2021

**Pasche moved that the Minutes of the Regular Meeting of February 24, 2021, be approved. Ewing seconded. Roll call vote: all ayes. Minutes approved.**

6. APPROVAL OF AGENDA

Zoning Administrator Kucera asked that "Internet Proposal" be added under New Business.

**Wright moved that the proposed agenda, with the addition of the aforementioned item, be approved. Northway seconded. Roll call vote: all ayes. Agenda as amended approved.**

7. PUBLIC COMMENTS:

Wright had received an email from Ann Kullenberg and asked if she wished to speak. Ms. Kullenberg brought to the Commission's attention the garbage situation at the property next to hers. Zoning Administrator responded that he is meeting with the zoning enforcement officer and the management company of the property mentioned. Chairman Wright responded that the Township has recently hired a new zoning enforcement officer to help with such matters.

Cathy Morris thanked all for allowing their faces visible for Zoom meetings. She provided comments about a Recreational Vehicle Park near her property.

8. REPORTS TO THE COMMISSION

A. Chair Report: Chairman Wright reported he has taken care of some of the administrative tasks related to last year's business that had been put on hold due to COVID restrictions.

B. Zoning Administrator Report:

Zoning Administrator Kucera has received only six permit applications so far, two for demolition purposes, and has received no application for a Special Land Use Permit this year.

C. Zoning Board of Appeals: Zoning Administrator reported no appeals pending.

## 9. CAPITAL IMPROVEMENT PLAN 2021

Wright reported that the Plan has been updated for 2021. He had met with Commissioner Herd and Township Supervisor Amy Ferris to go over priorities and all are in agreement with the updated 2021 Plan. Discussion that the Planning Commission's only authority and duty is to give the Commission's ranking of priorities of proposed capital improvement projects as the Township Board makes all decisions, including any on spending money.

**Wright moved that the updated Capital Improvement Plan be passed on to the Crystal Lake Township Board for their consideration. Ewing seconded. Roll call vote: all ayes. Motion approved.**

## 10. UNFINISHED BUSINESS

### A. Watershed Overlay Plan

Commissioner Herd became unavailable on Zoom. Zoning Administrator Kucera reported that Commissioner Herd had raised a lot of issues about the Plan as currently proposed, that Commissioner Herd, the Watershed people and himself had met and all sides now have better understanding. MDNR has provided a forest management person to assist the Watershed Association to develop appendices of the Plan of templates to let homeowners self-evaluate their properties. Three templates will be added to the proposed Ordinance to reduce the research cost to a property owner when they want to do something to their property. MDNR is contributing a grant to assist the Watershed Association, and the Association is going to put out bids to foresters to develop these plans. Much study has already been done on local soils, including a 1,100 page Manistee/Benzie County Soil Management Plan. Association may perhaps get something to the Planning Commission before the April meeting. Current ordinance requires a Special Land Use Permit (SLUP) for building on a slope greater than 25%; consideration is underway to suggest changing that to 18%. Plans are to suggest Standards for the Ordinance and Guidelines for granting an SLUP. Zoning Administrator is working with an engineer to see about updating current slope maps and what the price would be for this and other townships. Question whether slope maps would be a township or Watershed Association expense, as the area being studied is strictly in the watershed. Zoning Administrator put a screen shot of a slope map or maps of the area onto the Zoom screen for all attendees to see. 80% of the land in the Township within the watershed has slopes above 18%. Discussion.

### B. Article 22 Flood Plain

Zoning Administrator had provided the Commissioners an update made by the township attorneys in concert with MDEQ to make the township's ordinance consistent with new FEMA maps. The document will be presented at a public hearing. Two related ordinances have already been passed by the Township Board. They are numbered 7 and 8 and were passed in January or February. Commissioner Herd was able to resume on Zoom.

### D. Solar Energy Ordinance

Zoning Administrator had provided the township's current ordinance proposal and also Frankfort's new ordinance regarding residential solar arrays inside Frankfort. Commissioner Herd had also provided the Frankfort ordinance, suggesting its simplicity was perhaps something the township might use instead of the more complicated one currently being proposed. It appeared Commissioner Herd may again have lost his Zoom connection. Zoning Administrator said the Frankfort Ordinance allows no ground mounted solar arrays in residential areas, only on the roof, while in the township's draft ordinance proposal, riparian and non-riparian properties are addressed as to how ground mounted arrays could be reasonably allowed. Discussion of keeping lake vistas free of ground mounted arrays similarly to rationale on fences. Discussion

whether allowing flexibility and freedom for people to have or not have ground mounted arrays is a reasonable course to take. Zoning Administrator asked that before the next meeting, Commissioners look at the last page of the proposal, subsections D and E, which would provide recourse to the Township should one neighbor block the sunlight of another's array after installation.

## 11. NEW BUSINESS

### A. PC Minutes

Wright reported confusion had arisen about posting draft Minutes on the Internet. Zoning Administrator and Commissioners agreed that Open Meetings Act does not require Minutes to be posted on the Internet, but that Approved Minutes must be made available upon request, and that any revisions made to the draft by Commissioners at a subsequent Planning Commission meeting should show on the Final Approved Minutes. Consensus that while Internet posting of Approved Minutes is not a requirement, it can be rendered as a courtesy. Consensus that procedure should be to wait till the next month when draft Minutes are approved and then post the Final Approved Minutes on the Internet. Agreement that posting of the Planning Commission's Agenda prior to a meeting is, indeed, required.

### B. Internet Proposal

Wright reported the Township Treasurer had sent the problem of poor Internet connection within the Township to the Commission for consideration. Discussion what the role of the Planning Commission could be, as it is up to the Township Board whether to add such a capital expense as Broadband improvement to the Capital Improvement Plan. Zoning Administrator asked for the ability for himself and Chairman Wright to report back to the Township Board that they had considered the request and what their response should be. Comment whether they should even say they had discussed it, as deciding expenditures for Capital Improvement are well beyond the capacity or the purview of the Planning Commission. Comment that County Government already has a group looking at this topic.

12. PUBLIC COMMENTS: Ann Kullenberg commented on the Commissioners' discussion of solar arrays.

13. OTHER BUSINESS: None presented.

14. ADJOURNMENT: Wright adjourned the meeting at 8:32 pm.

Next Regular Meeting: 7 pm, Wednesday, April 28, 2021.

Respectfully submitted,  
Jeannette Feeheley, Recording Secretary