

Minutes
Regular Meeting & Public Hearing
Crystal Lake Township Planning Commission
3:00 PM July 8, 2020
Crystal Lake Township Hall

1. CALL TO ORDER at 3:00 pm by Chairman Greg Wright.

2. ROLL CALL AND RECOGNITION OF VISITORS

Present: Commission Chairman Greg Wright

Commissioners Lee Ewing and Mike Pasche

Commissioner Tammy May arrived at 3:30 PM

Also Present: Zoning Administrator Tom Kucera

Recognition of Visitors:

Representing the Crystal Lake Watershed Association (CLWA)::

Tassie Basher

Mary Ferens

Sue Kirkpatrick

Elizabeth Rodgers

Greg Wright
8-26-20

3. CALL FOR CONFLICT OF INTEREST: None presented.

4. CORRESPONDENCE

Chairman Wright reported no correspondence.

6. APPROVAL OF AGENDA

Pasche moved that the proposed Agenda be approved. Ewing seconded, all ayes.
Agenda approved.

7. PUBLIC COMMENTS: None offered at this time.

8. REPORTS TO THE COMMISSION

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

B. Zoning Administrator Report: Zoning Administrator Kucera had nothing to report at this time

C. Zoning Board of Appeals:

Zoning Administrator reported that oral arguments in the Kullenberg suit were still scheduled for July 23rd at 9 AM at Benzie County Courthouse.

9. UNFINISHED BUSINESS

A. Watershed Overlay Work Session

Zoning Administrator Kucera highlighted the five big changes being made in the proposed ordinance:

1. No structures allowed in the 35' buffer at the water's edge of the Lake. Existing structures can be maintained but not enlarged in either footprint or volume.

2. The proposed ordinance requires structures to be setback 100' from the Lake's OHWM. This change will only effect development on the west end of the Lake and along the edge of the Lake that parallels Shorewood Drive. All other areas in the Township have structures that would be "grandfathered" in – that is, they can be maintained and may be enlarged in a proscribed manner.
3. Building structures on slopes greater than 15% would be prohibited without a variance. The current ordinance restricts the size of structures built on slopes greater than 15% but does not prohibit them.
4. Better defines the concept of slope zones (areas of similar sloping topography) contained in the current ordinance. The proposed ordinance adds graphics and examples to better explain slope zones and how they effect the square footage of vegetative cover that must remain, and the square footage of impervious surfaces allowed.
5. The proposed ordinance adds Sections on Forestry and Forest Management to better define the removal of trees within the watershed. The proposed ordinance requires landowners to provide management plans developed by accredited professionals when removing large numbers of trees, particularly on sloped areas.

ZA Kucera also handed out proposed additions and changes to Article 2, word definitions, that need to accompany the proposed changes to the overlay Article 24. These clarify certain terms used in the proposed ordinance primarily concerning forestry and forest management. ZA Kucera asked Commissioners to review these and let him know of any questions, comments, corrections, etc they might have.

Commissioner Pasche asked for more clarification of the changes to clear-cut openings at the beach in the 35' buffer zone. The current ordinance allows a 25' opening for every 100' of lot frontage on the lake. The proposed ordinance allows 10' opening for every 50' of lot frontage because 50' lot widths are most common. So, for 100' of lot frontage, the proposed ordinance change will allow 20' of clear-cut opening – a reduction of only 5'. However, for a lot with 100' of frontage, the proposed ordinance requires each of the two 10' clear openings allowed to be separated by some distance of vegetative buffer. The two 10' clear opening would not be allowed to be contiguous. It was pointed out that the 10' clear opening is supported such documents as the State's Shoreline Stewardship Guides. Lake Charlevoix's overlay allows only a 6' clear opening for every 50' of shoreline.

Commissioner Pasche asked more clarification of ridgeline requirements. The proposed ordinance is essentially the same as the current ordinance. The major difference is in how a ridgeline is defined. The proposed ordinance will rely on the Slope Map that the current ordinance requires the Township to maintain on file. Ridgelines will be shown on the Slope Map by a defined symbol such as a dashed line of a particular color as shown in the Slope Map's legend of symbols. The current ordinance relies on a word-based definition requiring someone to measure slopes over certain distances to determine breakpoints – those breakpoints are then defined as "ridgelines."

ZA Kucera discussed the new sections proposing ordinances to control tree cutting. Commissioner asked why a 6" tree diameter was used in a couple of the new sections. T. Boshier explained that the 6" diameter specification was brought forward from Article 22. Further, the 6" diameter was favored by the Benzie County Conservation District's Forestry expert.

ZA Kucera provided 10 "Scenarios" of illustrating development situations that compare how the current ordinance and the proposed ordinance change would affect those situations.

These were discussed in detail. Commissioner Pasche stated that these “scenarios” should be required to remain on file in the Zoning Office (like the Slope Map) to help landowners, architects, landowners and developers interpret the ordinance. They should not be incorporated into the ordinance but should be supplement the ordinance.

B. Solar Energy Ordinance: Not taken up at this time.

10. PUBLIC COMMENTS: None offered at this time.

11. OTHER BUSINESS: Meeting Dates Set.

Next Regular Meeting: 7 pm, Wednesday, July 22, 2020 at Township Hall. It is hoped that a finalized version of the proposed amendments to the Crystal Lake Watershed Overlay will be taken up by the Planning Commission at this meeting so that they can go for Public Hearing in August.

12. ADJOURNMENT: Chairman Wright adjourned the meeting at 5:30 pm.

Respectfully submitted,
Tom Kucera, Zoning Administrator

ATTACHMENTS:

- A. Changes to word definitions
- B. Ordinance application scenarios