

Minutes
Regular Meeting & Public Hearing
Crystal Lake Township Planning Commission
7:00 PM September 25, 2019
Crystal Lake Township Hall

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, Tammy May, Mike Pasche.

Absent: Commissioner Bill Herd

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

Visitors: (As listed on the Sign-Up Sheet):
Steve Stephens, Crystal Lake Watershed Association
Linda Kucera, Visitor

3. CALL FOR CONFLICT OF INTEREST: None presented.

4. CORRESPONDENCE: Chairman Wright had received a note from an individual. In response, Chairman Wright asked to add "Zoning Permit Fees" to the Agenda under Other Business.

5. APPROVAL OF MINUTES OF REGULAR MEETING OF AUGUST 28, 2019:

Wright moved that the Minutes of the Regular Meeting of August 28, 2019, be approved. Pasche seconded, all ayes. Minutes approved.

6. APPROVAL OF AGENDA:

Pasche moved that the proposed Agenda with Chairman Wright's proposed addition of an item in Other Business be approved. Ewing seconded, all ayes. Agenda as amended approved.

7. PUBLIC COMMENTS: Chairman Wright asked if anyone wished to speak; no one did.

8. REPORTS TO THE COMMISSION:

A. Chair Report:

Chairman Wright and Commissioner May announced several upcoming meetings of interest: a Housing Summit coming up in October, and bulletins had been sent out of continuing education through MTA, with the closest one October 1st in Thompsonville, and the Benzie County Summit at Grow Benzie from 8-12 noon on October 25. Chairman Wright also announced that the Benzie County Planning Commission has been suspended due to budget cuts throughout the County budget because the County is having serious financial issues right now, and so the County Planning Commission will not be meeting until further notice.

B. Zoning Administrator Report:

Zoning Administrator Kucera said he has gotten a couple of permits in, the most major was a new home on the South Shore where trees were cut down prior to submission of or approval of the necessary permit. He is looking into the Ordinances and will later on bring his findings to the Planning Commission because, in his study so far, he can find no Penalties in the Ordinances in

situations where individuals proceed with their intentions prior to submitting or receiving a permit for work that requires a permit. The individual later applied for such permit but after the fact. The Zoning Administrator said that he had a conversation with the County as the individual had, besides removing trees, torn down the structure that had been there in order to bring in a manufactured home. He asked the County how the County had issued their permit for him to tear down a building since the individual had received no zoning permit from the Township. The Zoning Administrator said that subsequently, he, along with Planning Commissions of all the townships in Benzie County, had received an email from the Benzie County Building Department who announced they are refreshing their guidance to themselves about proceeding without a zoning permit where one is required.

Zoning Administrator Kucera next reported that State Representative Jack O'Malley is holding a coffee hour at Almira Township Hall in Lake Ann at 10:30 am Saturday, September 28th, and that among the issues expected to be addressed is the fact that there is a movement in the area to oppose a business that plans to open a sand/gravel quarry pit in or near Honor. Administrator Kucera reported that concurrently, there is a bill in the State Legislature aimed at taking away from local control the ability to prevent the establishment of quarry pits. Kucera said there are also similar bills that aim at taking away local control, such as from regulating short term rentals, and another bill that may have already passed that would strengthen lumbering interests' ability to lumber, and also some realtors are complaining against local authority requiring a point of sale inspection of septic systems prior to property sale closures, with some realtors complaining that it takes too long as local inspectors may be understaffed and that sales are getting held up. Chairman Wright commented that lake associations have actively advocated for the necessity of septic system inspections, and that Benzie was one of the leaders in requiring septic system inspections prior to sales.

Administrator Kucera next reported that the Kullenberg suit is in the court system, and that nothing will happen until the attorney for the appellant files his first brief, which is not expected to start to happen until mid to late October, and then the township attorney has a 14 or 21 day response period to file briefs. He does not expect much action until mid to late October.

C. Zoning Board of Appeals: Included in Zoning Administrator's Report above.

9. SOLAR ENERGY ORDINANCE WORK SESSION

Commissioners discussed with Zoning Administrator the Work Sheet he had prepared. Commissioners looked at the Work Sheet's comparisons of solar ordinances already created by other jurisdictions, some of which they liked and some of which they felt were not applicable to Crystal Lake Township. Zoning Administrator Kucera said the biggest solar operator in the area is CBS Solar of Copemish. He offered to ask CBS if they would be available next month to answer questions.

10. UNFINISHED BUSINESS:

A. Budget/Tablet Computers

There was discussion that the amount of paperwork generated by the Planning Commission may not be sufficient to justify the cost of purchasing tablet computers, that the idea is good in concept but may not be something they wish to deal with at this time.

11. NEW BUSINESS: None.

12. PUBLIC COMMENTS:

Visitors commented that use of tablet/computers by the Commissioners among themselves during public meetings may create a few problems, or the perception of problems.

13. OTHER BUSINESS:

A. Zoning Permit Fees

An individual is planning on submitting a resolution to the Township Board of Trustees, and had communicated such to the Planning Commission, and had asked that the Planning Commission make recommendations concerning the current pricing of permit fees for cottage industries and home-based occupations, as that individual planned to bring the subject up at the Oct. 8th Township Board Meeting. Zoning Administrator Kucera answered Commissioners' questions about the amount of the fees, their categories in various situations, and difficulties that arise in application. It was mentioned that encouraging home occupations is in the Township's Master Plan. Discussion that if the Township were to waive such fees, then the Township would be left with the expense of handling those permits without reimbursement.

Commissioner Pasche moved that the Planning Commission does not support the proposed resolution but the Planning Commission and Zoning Administrator will undertake a revision of the fee schedule and forward it to the Board of Trustees for approval.

14. ADJOURNMENT

Chairman Wright adjourned the meeting with the Commissioners' consensus at 8:00 pm.
Next regularly scheduled meeting: 7 pm, Wednesday, October 23, 2019.

Respectfully submitted,
Jeannette Feeheley, Recording Secretary