

**Minutes
Regular Meeting
Crystal Lake Township Planning Commission
7:00 PM September 26, 2018
Crystal Lake Township Hall**

1. CALLED TO ORDER by Wright at 7:00 pm.

2. ROLL CALL AND RECOGNITION OF VISITORS

Present: Chairman Greg Wright, Bill Herd, Tammy May, Mike Pasche.

Excused: Lee Ewing for Planning Education Course.

Also present: Zoning Administrator Tom Kucera,

Clerk Sue Sullivan, Recording Secretary Jeannette Feeheley
and

Joel Hutchison, Applicant for Special Land Use Permit

3. CALL FOR CONFLICT OF INTEREST

None.

4. CORRESPONDENCE

Chairman Wright received an email announcing a Benzie Summit to be held 9-4 on Oct. 30 at Grow Benzie. Reported this is an annual gathering of county departments and organizations on things happening in the county. There will be a panel discussion on housing initiatives, a capital improvement workshop, and networking. Chairman Wright plans to attend. Repeat of times and date requested and given.

5. APPROVAL OF MINUTES OF REGULAR MEETING OF AUGUST 22, 2018

Amendments offered: None.

Wright moved, May seconded, all ayes. Minutes approved as written.

6. APPROVAL OF AGENDA

Amendments offered: None.

Wright moved, Pasche seconded. All ayes. Agenda approved as presented.

7. PUBLIC COMMENTS: None.

8. REPORTS TO THE COMMISSION

A. Chair Report:

Wright reported that Lee Ewing is in Citizen Planner Training for six weeks on Wednesday nights and will probably have to miss next month's Commission meeting. He said the Course has 27 people registered, a really good turnout. Discussion.

Wright reported that Lee Ewing and Mike Pasche were reappointed for another three year term at the last CLT Board of Trustees meeting.

B. Zoning Administrator Report

Permits: Kucera provided a two-sided sheet of charts showing updates of permits processed to date. On back are special land use or zoning appeals. Reported that public often asks what can be built on their property but rarely bring any request in. There may be a couple of issues for the Zoning Board of Appeals having to do with height and number of dwellings.

1355 Shorewood: Kucera reported on this recently purchased property that is 25% steeply sloped towards Crystal Lake. The new owners want to have a year round home on the property, and there are already a number of dwellings. The Watershed Overlay requires a permit for a slope 25% or more. The purchasers have applied for the permit, and this subject will be on next month's meeting agenda. Kucera encouraged all Commissioners to view the property. He has not yet made up his mind how to handle the issues. Much discussion on number and state of current buildings. Owners propose to remodel the buildings and not tear them down. Kucera said the owners have several options: split the property and keep the cottage on the beach; tear down one of the older cottages, or divide the property into two pieces and there's enough land to do that, or ask for a variance. It is near Crystallaire, and there is an old road there that he doesn't know if it is a platted road or not. Herd said it was the road that was used before Shorewood and it may have easements. Kucera said it's treated as a private road. Herd said he thought it became private when Shorewood was put in. Kucera said he's talked with the purchasers quite a bit, and learned they've relocated the proposed main house in their planning three times to try to accommodate the issues, including the necessity to have an elaborate retaining wall built. Purchasers have hired an engineer for water studies, drainage, water retention pool, etc. Family's application said they were unaware of township ordinances when they bought.

Casey Road property: Kucera provided a Site Plan and Prospective Views of proposed apartment buildings. Reported that he has gotten complaints about the site and its current usage, but that the site is under new ownership who propose to tear down the existing blue building and build two new units, and there's already a number of dwellings on the site. Said it is a very deep property. Kucera discussed PUDs and R1s and R2s and a conflict of ordinances, and he will be talking with the attorney, and might call a Zoning Board of Appeals meeting, as they are the arbiters for interpretation. Wright commented it would be nice to see the property improved. Kucera reported it has already been improved some. Further discussion.

Creation Farm's Building: Kucera reported the building is up for sale, technically single family use, and not matching our current ordinance. Discussion.

C. Zoning Board of Appeals

None.

9. A. HUTCHISON SPECIAL LAND USE APPLICATION

Kucera reported all adjacent land owners were notified by letter of the pool Mr. Hutchison wants to build on his property, and Wright noted that no member of the public (outside the applicant) showed up to speak regarding this application. Kucera noted that Mr. Hutchison has no objections to the conditions attached, such as fencing, etc.. Herd

said it appeared all fencing, gate, sight line, setback, etc., conditions had been addressed in application, so we don't need to add anything further. Applicant said he wants to start construction the end of summer or next spring.

Wright moved, Herd seconded, for approval of land use application for permit as presented. All ayes. Motion carried.

Kucera informed applicant of next steps required, including filing the permit with the county register of deeds. Applicant asked if it was good for six months? Kucera said, forever. Applicant asked if fee was \$60, \$80, or now \$100, and that he had paid \$80. Kucera confirmed fee was \$80.

9. B. SHOREWOOD DR SLUP APPICATION

Topic already initiated during Zoning Administrator's verbal report. The application has not yet been given to the Commissioners. Kucera plans to get it out for consideration at next month's Commission meeting. Pasche had questions regarding this Special Land Use Permit, asking if Kucera would make recommendations or is it up to the Commissioners? Further questions regarding process. Kucera said he will lay out options for their consideration. Kucera reported the Crystal Lake Watershed Association might be very interested in this, and it is the Watershed Overlay that forces this application into a Special Land Use Permit. Many questions asked regarding the decision-making that would be expected of the Commissioners. Pasche asked why is this on the Crystal Lake Watershed Overlay, if they are taking out the slope, building walls, etc., why is this different from a flat piece of land regarding run-off? Much discussion on how and why the ordinance is written. Amount of revegetation potential also a concern, not just the house. Further discussion on Watershed Overlay and CLT ordinances. When we get an application like this, how are we to judge what might be "reasonable alternatives" and if the owner has considered them? Further discussion. Pasche asked are the Commissioners bound to say yes or no at the next meeting? Kucera said no, you may ask the applicant more questions, ask for more time and decide later.

10. UNFINISHED BUSINESS

A. 425 Plan Update

Kucera said he has not been contacted by anyone recently. Reported that the City of Frankfort committee makeup is not yet determined but will be five in number. There is no action to date. CLT's own committee said they are under no obligation to design anything or change our zoning, that the burden is on the developer to provide a conceptual site plan, but it is not expected to be provided.

Wright said he also wanted to report that the CLT Board of Trustees accepted the Planning Commission's CIP.

B. Solar Energy Ordinance Status

Kucera asked if the Board is still interested in a solar ordinance, and was informed yes. Solar farm now at Cherryland Electric site. Herd said there is a Benzie County group promoting

residential solar and we might want to talk with them.

C. Temporary Building and RV Ordinance 3.14 and 14.8 Status

Discussion on storage, and Herd and Kucera are working to alleviate concerns that Herd had, including upping to ten consecutive weeks for a storage unit or RV, and he might consider fifteen, no more than twenty, or the days involved. Herd said Kucera will write up the language for the temporary ordinance, Herd will look it over, and they will send it to the Commissioners before the next meeting.

Also pertaining to the same ordinance section, Kucera brought up the difference between 3-day or less yard/garage sales and those that are like cottage industries occurring all season long, and that those need to be controlled. Kucera said question becomes do you need a permit in the RP districts. Discussion. Wright said much of the townships is residential. Pasche said traffic, clutter, parking, hours of operation, etc., all need to be considered. Discussion about commercial enterprises in residential areas. Temporary permit required if more than three days. Discussion ensued. Wright offered that just because we get one complaint, it doesn't mean we have to rewrite our ordinances, that it is pretty simple and clear that more than three days requires a permit. Pasche said we could just clarify it to say "all" residential districts. May suggested the temporary permit say how long and then, after that, no more. Kucera said he only mentioned it because they are working on revising that whole section of the ordinances, and that now would be the time to roll it into whatever next public meeting we have on ordinance revisions. May said that made sense. Kucera and Herd will continue working on language and will send out before next meeting.

11. NEW BUSINESS

None.

12. PUBLIC COMMENTS

None.

13. OTHER BUSINESS

None.

14. ADJOURNMENT

Meeting adjourned at 8:00 pm.

Next two meetings: November 14, 2018 and January 23, 2019.

No meeting in December, 2018.

Respectfully submitted,

Jeannette Feeheley
Recording Secretary