

Minutes
Regular Meeting
Crystal Lake Township Planning Commission
& Public Hearing

7:00 PM June 27, 2018
Crystal Lake Township Hall

1. The meeting was called to order at 7:00 pm.
2. Present: Ewing, Pasche, Wright, May, Herd. Also present: T. Kucera as Zoning Administrator and approximately 20 members of the public.
3. Purpose of the meeting: to allow public input on proposed revisions to the Zoning Ordinance and to conduct some Commission business.
4. Call for Conflict of Interest: None.
5. Correspondence: Later in agenda.
6. Motion to Approve Minutes of Regular Meeting of May 23, 2018 by Ewing; Second by Herd. Motion Passed.
7. Public Comments on non-agenda items: None.
8. Reports to the Commission:
 - A. Chair Report: None.
 - B. Zoning Administrator Report: Kucera reported there had been two permit requests, one for a shed and another for a garage.
 - C. Zoning Board of Appeals: A hearing was held earlier on June 27 in which the bylaws were reviewed.
9. Public Hearing: proposed amendments have been reviewed by Planning Commission and public comment will be received in this meeting, prior to recommendation to the Township Board of Directors..
 - A. Lighting Requirements – Dark Sky Ordinance 21.2 (update)

Kucera: this Ordinance limits upward exterior lighting and sets standards for lighting fixtures according to international guidelines; purpose is to permit reasonable uses of outside lighting, curtail degradation of nighttime visual environment, minimize excessive glare and obtrusive lighting, conserve energy, protect natural environment and ability to see nighttime stars and to define light fixtures that contain a fixture seal of approval from the International Dark Skies Association (IDSA).

Public:

- Is new fixture without IDSA seal prohibited? *Exemptions include low voltage landscape lighting.*
- Will this affect Dollar General lighting and signs? *Lighting was addressed when permit was approved and the signage ordinance will be addressed soon.*
- As a small business owner, would like exterior lights to stay on until at least 10 or 11 at night and not have to shut down one hour after closing.
- If not many complaints were raised about lighting, sees no need for restrictions. *Other municipalities and electrical businesses are moving to adopt these standards.*
- Will these amendments affect existing lights and if so, how will they be enforced? *They will be grandfathered in.*

B. Home Occupation/Cottage Industry Ordinances 15.2 and 10.2 (new)

Kucera: Commission wants to encourage Cottage Industries, which are not currently defined in Ordinance, but would now be added as special land use in RP districts, and parts of Home Occupation section were not clear, so reviewed and adopted language from other townships. Home Occupation is primarily a business conducted in home, usually some type of professional service, e.g., accounting, hair dressing, real estate, with few customers at a time and rarely more than one employee. Cottage Industries occur in R-1, R-2, R-3, R-4, and RP districts, which are throughout Township; may produce a product, may have multiple employees, may be in building separate from residence, may have some form of raw material delivered to house and stored. Both are provided by the land owner and do not rise to level of commercial enterprise. Since Cottage Industries require a Special Land Use Permit, neighbors would have a chance to comment.

Public:

- What would be cost for permit? *A onetime cost of \$350.*
- Permits require a site plan, which can cost up to \$1,000 if done by a professional.
- Suggest clearly identify Home Occupation as “an accessory use by right in all residential districts under the following conditions ...”; some definitions are too narrow, such as type of allowable structures.
- Would a cottage industry look the same as a home occupation to a passing driver, i.e., both look like a home? *A cottage industry may need to operate in a separate building like a pole barn and potentially have more traffic due to employees, customers, deliveries, etc. A home occupation should occupy no more than 30% of ground floor of a home or a garage.*
- May need to define these more broadly so as not to add cost and complexity for young and lower income residents.
- Would this affect those who sell eggs, wood or fruit in front of their homes? *These would be considered agriculture and allowed by right in the RP districts.*
- Not enough clarity about what types of activities deserve merit.

- Why not avoid restrictions of cottage industry and include everything under home occupation? *Neighbors could be more affected by a cottage industry if it were allowed in residential districts like home occupations are; need to protect rural nature described in our master plan.*
- Corner of M-115 and Shorewood was zoned commercial, but is now residential; when and how was that changed? *That will be investigated.*

C. Temporary Building and RV Ordinance Revisions 3.13, 3.14 and 14.8

Kucera: Section 3.13 added new paragraph that all dwelling units located outside of mobile home parks must comply with this section and State Building Construction Code. Section 3.14 currently allows owners to put an RV on a vacant property for 15 days, total of 60 days/year; R-1 and R-2 beachfront properties are too small for continuous use, but RP districts would now allow continuous use of RV for 63 days by owner; guest RVs are limited to 5 by state law; requestor needs to describe in writing how they would handle water supply, waste, noise, fires, etc. Section 4.8 revises permitting portion accordingly.

Public:

- Shouldn't there be an exception for someone who wants to use an RV as an Air B&B to supplement her income, especially if it is nicely done and not visible from the road?
- Aren't there already laws to deal with septic and fire issues?
- Correspondence read by Kucera objected to RVs on private property: said they should be required to pay taxes to cover their share of municipal costs; do not contain noise as well as most homes; how will this be enforced; if approved, should consider fees and potential fines. *These concerns are similar to other short-term rental issues being raised around the area.*
- Vote of public on proposed amendments showed mixed results.
- Are we talking about storing an RV or living in it? *We are talking about using it as a dwelling, as a house would be.*
- Even if RV dwellers don't pay property taxes, they do bring in paying visitors and hire local service providers.
- Before dismiss Air B&Bs, look at whether owners live on property or just rent to others and consider that 35% of our residents are high income and 25% are low income and that it is important for low income residents to have opportunities for generating supplemental income.
- How would this be enforced? *The permitting process is the primary enforcement and if permit is being violated and complaint is raised, a citation could be issued. Can an owner stay in an RV for one year? Yes, but after one year, they can get a one year extension, but then they must put up a building.*
- Is there anything in the Ordinance that would allow a dwelling to be rented as an Air B&B? *Anyone who has more than 5 acres can put up two buildings and one can be rented, but we need to define short and long term.*
- What if you have a neighbor who constantly complains?
- Could end up spending a lot on legal fees related to RV rental issues.

Public Hearing closed at 8:18 p.m.

Commission members agreed that they would like time to think about the issues raised by the public and not vote on anything at this time. May invited the public to attend regular Planning Commission meetings. The Commission could, but is not required to conduct another public hearing before submitting amendments to the Board; given the length of the amendments, the proposed changes will be posted on the Township website in full detail and summary will be published in the newspaper. It was announced that deliberations will resume at the next Planning Commission meeting 7/25/2018, 7:00 p.m. at the Township Hall.

10. Unfinished Business: Solar Energy Ordinance will be addressed in the near future.
11. New Business: Capital Improvement Plan for Township will be presented for public input next month; road improvements, building improvements, and cemeteries will be considered.
12. Public Comments: Members of the public complimented the Commission on the amount of work they had done to protect residents; reminded them to consider unintended consequences; approved the way they considered public input; and requested that greater outreach be done to solicit resident involvement; meeting notices are usually on front page of website and on building bulletin board.
13. Other Business: None
14. Adjournment: The meeting was adjourned at 8:30 p.m.

Submitted by S. Sullivan.