

**Draft Minutes  
Crystal Lake Township Planning Commission  
Special Meeting on Committee Reports  
June 26, 2013 @ 7:00 P.M.  
Crystal Lake Township Hall**

**Call to Order** at 7PM

**Pledge of Allegiance**

**Roll Call of Officers:** T. May, Herd, Wright, Laarman, S. May

**Staff:** Dave Neiger

**Recognition of Visitors:** Monica Schultz, Jessica Carland, Doug Van Meter, Kent and Ann Stewart, Cathy Morris.

**Quorum Present**

**Motion to Approve Agenda** moved May, seconded Wright, all ayes, motion passed.

**Motion to Approve Minutes of Regular Minutes of April 24, 2013** moved Sharron, seconded Laarman, all ayes, motion passed.

**Motion to Approve Minutes of Special Meeting of May 29, 2013** moved T.May, seconded Laarman, all ayes, motion passed.

**Letters of Correspondence:** Natural Features Inventory from Jim Laarman; Letter from Dave Neiger regarding Conflict of Interest

**Discussion on correspondence** - Important items should be attached to minutes. Minor correspondence can be mentioned during announcements. Amy Ferris suggested that Planning Commission considers having their own email account. We will put on next meeting agenda.

**Public Input**

**Doug Van Meter** - why don't you create an account and have a password and that way all the emails are saved.

**Tammy May** - the township website is frozen right now because the webmaster died and it's tied up in legal matters.

**Monica Schultz** - asked for a general idea of how many Planning Commissioners want to take the Citizen Planner Course this fall.

**Tammy May** - our bylaws say that we have to do it or when your term is up, you're all done.

**Reports to the Commission**

**a. Chair Report, Jim Laarman**

Laarman read a list of the different types of businesses in Crystal Lake Township. Discussion included Right To Farm Act/GAAMPS (Generally Accepted Agricultural Management Practices); signage process; conflicts of interest. Laarman recommended "Everyday Ethics For Practicing Planners" by Carol Barrett, FAICP.

**b. Zoning Administrator Report, Dave Neiger**

1. **Conflict of Interest** discussion - Neiger discussed two types of Conflict of Interest: a pure conflict (financial) and publicly stated strong views that have the appearance of a conflict of interest that may give the applicant a way to appeal a decision. Dave provided some background information and references from other organizations. The PC is supposed to be unbiased. Wright referred to the bylaws that spell it out. Discussion over roles. See Article XIV of the Zoning Ordinance.

2. **Update on RV Park** - Wright received an anonymous letter about a conversation overheard where Mix indicated he would be opening on the 4<sup>th</sup> of July no matter what. Neiger met with Mix, Trustee Tammy May

and Supervisor Ferris earlier today. Assuming he has all of his permits, Mix is only behind on the Landscape plan and two bathhouses he has yet to construct. For the landscape plan, Neiger needs an itemized list of the trees to determine what the escrow fund, bond or letter of credit amount needs to be. Then Mix will need to put cash money in an escrow account or provide a letter from the bank stating that the money is in a separate account that won't be released until the final landscape installation is approved. Neiger is expecting the Landscape plan next Wednesday (July 3). He explained that there is one set of conditions for the Planning Commission and another set of conditions for the consent agreement. Discussion about whether the bathhouses need to be completed as indicated on the site plan and safety issues while under construction (handled by the construction permit). Neiger stated that any party to the agreement has the ability to enforce the agreement but the township will only be enforcing the township's requirements. Herd - the Planning Commission spent a lot of time with this and hearings. If all we are asking for is more drawings on paper and nothing actually constructed, this has just been a waste of everybody's time. Neiger replied that if what's on the ground doesn't meet the site plan or if he's in violation, we will have to go to court. S. May added that, of course, we hope that this won't be an issue, that there will be compliance. Wright questioned if the PC should make a motion requiring strict compliance. S. May suggested that as a courtesy to Mr. Mix, a certified letter could be sent that clearly states the Planning Commission's expectations for compliance.

**Motion that Neiger send a certified letter to Roger Mix by July 1, 2013 indicating Planning Commission expectations for full compliance prior to occupancy moved Wright, seconded Herd, all ayes, motion passed.**

**Discussion: T. May-** the other big thing is do we need alternates on the PC to be unbiased if it is determined that there is a conflict of interest? **Herd** - I don't think there's a conflict because I'm not opposed to RV Parks. You might want Planning Commissioners to be unbiased on the issue but they should not be unbiased or neutral as to whether things should adhere to the township zoning. I've never been opposed to an RV Park, I think it's probably reasonable. Does it fit with the zoning? Does the size fit, etc? Neiger stated that the only thing that Mix is not in compliance with is the escrow account. Ferris met with Mix because she was getting phone calls. Neiger responded "if he's met the requirements of the site plan that were approved by the PC, I'm not going to shut him down just because people don't want a RV Park. As long as things are going forward, I don't want to make it difficult for him". Wright felt that the PC should take a firm approach to compliance of all plans submitted, not just the RV Park.

**c. Zoning Board of Appeals, Greg Wright** - no meeting but Wright attended training in Traverse City. There was a section on Conflict of Interest. He thought there were supposed to be 4 ZBA meetings a year but there are no scheduled meetings. Regarding permits and variances, he thought that maybe some issues should be coming to the PC. Neiger referred to Administrative section XIV. The ZBA does dimensional variances and interpretations of the Zoning Ordinance

**d. Capital Improvements Committee** - no meeting. Tammy May sent a contractor to Amy to look at improvements. The audit says the building is depreciated enough so that it is not an asset.

**e. Master Plan Committee Report**

**a. First meeting report, Sharron May (attached).** The purpose of the committee is to determine the remaining tasks and a schedule for working on those tasks between Planning Commission meetings. Discussions included a suggestion box at the township hall for those who don't have emails and other ways to get input in an organized way so that it's easy

to match the input with the section it relates to. The newsletter that is going out with summer taxes will temporarily redirect residents to the L2L website where Crystal Lake Township has a tab. This will provide online access to all our documents until a new webmaster is found.

b. **Draft Timeline**, Monica Schultz submitted a timeline:

**Wednesday, July 10 Master Plan Committee Meeting** review of Future Land Use Map.

**Thursday July 18 Master Plan Committee Meeting** to complete the Future Land Use Map and begin the Zoning Plan and Action Plan.

**Wednesday July 24 Regular Planning Commission Meeting** to present completed Master Plan draft for review (one week).

**Wednesday, July 31 (proposed) Joint Special Meeting** to approve the draft Master Plan for a 65 Day Public Comment period.

c. **Priority Share Meeting** - brief discussion of format.

**Motion to schedule a Special Meeting (and propose that it be a Joint Special meeting with the Township Board) on July 31<sup>st</sup> to review the draft Master Plan moved Laarman, seconded Wright, all ayes, motion passed.**

**Discussion:** if the board can't make it, we will still have a meeting. Wright asked about the recent grant for writing ordinances and whether Our township needs to apply. The proposal is that we look to see if there is common language for ordinances based on shared priorities. The dollars will go for crafting common language that we all need. Neiger and Laarman suggested the need for common language for the Medical Marihuana Ordinance. Tammy May thought the budget might need to be amended to include lawyer fees for the Master Plan (MP) and Zoning Ordinance. Neiger suggested that L2L might put some money aside to educate municipal attorneys, similar to what happened in TC regarding Medical Marihuana.

**Action Item: Tammy will verify that Amy signed and sent in the resolution signed by CLT.**

f. **Article 10 Review & Update Committee Report** - Herd and Wright have not had a meeting but are studying the section and background info.

#### **Public Input**

**Kent Stewart** - urged the PC to have access to and refer to the Consent Judgment. That litigation involved the township, all of whom entered into an agreement that was finalized in court. That consent judgment incorporates certain things including a mediation agreement. What that means is that all these folks have consented to that judgment and all the documents. Everyone involved is bound and obliged to those terms. It defines the responsibilities of each party.

**Cathy Morris** - with the escrow, is that amount going to include possible labor if Mix is planning to do the work and injures himself?

**Neiger** - yes

**Morris** - It seems that he should have it (the letter) no later than Monday. I am kind of upset because what I heard some of you say it would be okay if he didn't meet the requirements. This is setting a precedent for any other development. He really needs to have all of these consent agreements enforced. And it hasn't always been that way. All he has to do is meet the agreement he has agreed to.

**Discussion of Next Meeting Agenda topics** - no formal discussion; the following topics were mentioned during the meeting.

a. PC Email account

- b. Discussion about Alternates on the PC in the event of a conflict of interest.
- c. Discussion of Administrative Section XIV
- d. Draft Master Plan Presentation

**Motion to adjourn moved S. May, seconded Laarman, all ayes, motion passed.** Meeting adjourned at 9PM.

**Next Meeting:**

Regular Meeting: Wednesday, July 24, 2013 7PM

Special Meeting Wednesday, July 31, 2013 7PM

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**Commissioner Handouts:** Planning Commission Minutes of April 24 and May 29, 2013. Master Plan Committee Meeting Reports and Schedule; Consent Agreement; Minutes of the Crystal Lake Township Planning Commission Special Meeting on RV Campground Final Site Plan Approval on October 5, 2011; Crystal Lake Township Mission Statement