

VILLAGE OF BEULAH PLANNING COMMISSION
Tuesday, May 16, 2023
Beulah Village Hall
7228 Commercial Street
Beulah, MI 49617

I. Call Meeting to Order

Chairman Behm called the meeting to order at 4:03 p.m. with the Pledge of Allegiance.

Present: Keith Behm, Chairman; Annie Browning, Village Council Rep; Ed Popour, Member; Debbie Smith, Member

Excused: Barb Skurdall, Secretary

Staff: Tim Cypher, Zoning Administrator; Allison Hubley-Patterson, Recording Secretary

Guests: Phil Downs, Village Council Trustee; Vickie Carpenter, Mark Heniser, Village Council Trustee

II. Approval of Agenda (additions/subtractions)

Chairman Behm asked to move Phil Downs and Vickie Carpenter up on the agenda. Chairman Behm then asked for a motion to approve the May agenda as amended. **Smith moved to approve the May agenda as amended; Browning seconded. All present in favor; motion carried.**

III. Conflicts of Interest

This agenda item was not addressed because the updated Bylaws are not in place at this time.

IV. Approval of Minutes: April 18, 2023

Chairman Behm asked for a motion to approve the April 18, 2023 minutes as presented. **Browning moved to approve the April 18, 2023 minutes as amended; Popour seconded. All present in favor; motion carried.**

V. Correspondence - none

VI. Public Comment – (limited to three minutes per person unless extended by chair) - none

VII. OLD BUSINESS

Citizen Survey – discussion of history of survey from Phil Downs and Vickie Carpenter; discuss comparison between Solon Township Property Owner’s Survey and Village of Beulah Survey

Ms. Carpenter led the PC through a discussion of her experience with previously working on the survey that was distributed in 2009. She explained that Parks and Recreation had been asked to review and update the Master Plan because there were many available grants for which the Village of Beulah could apply. Ms. Carpenter and others were not able to update the Master Plan because they were informed that they did not have the appropriate credentials; however, the survey was updated and distributed to many people in the area.

Ms. Carpenter stated that they decided to focus on parks, streets and the waterfront area; they wanted to go for the “low-hanging fruit”. The Village supported tackling many little projects that were readily visible and grant funding was obtained to address things such as signage.

Ms. Carpenter explained the many projects that were completed and/or considered such as having buildings evaluated for energy efficiency, Streetscape, and even considering whether to have a high entrance arch to the Village similar to what greets visitors to Frankfort.

Ms. Carpenter also discussed some of the comments that respondents shared on the 2009 survey, including a comment that growth in the Village would be limited unless the infrastructure is updated. Discussion ensued regarding the water tank, intersections in the Village, markings for Streetscape, the number of restaurants in the Village, the previous concern of possibly losing the Post Office, loss of the bowling alley and additional parking that was added to the Village. With regard to parking, both angle parking and parallel parking were discussed and it was noted that the Village lost 17 parking spots when angle parking was discontinued. It was also discussed that some available parking is not used as people do not like to walk too far to get to their destination.

Cypher stated that normally best practices will prevail and added that it might be worth rekindling the relationship with MDOT and the Road Commission. Cypher and Ms. Carpenter discussed some additional questions that should be addressed by the Sheriff and also addressed how some laws are state laws that are not enforced inside the Village. Ms. Carpenter provided an example of a standard where no one has yet been killed so the particular standard is not currently being enforced. Popour mentioned that, according to the most recent Census, there are approximately 10,000 cars each day on US-31.

Ms. Carpenter continued the discussion and addressed changes to the waterfront, bike lanes, the drop-off point, docks at the beach and the exploration of possibly adding a marina. A site was discussed that would be a good location for a marina; however, Popour stated that this property was gifted to the Village and added that it came with conditions. Ms. Carpenter noted that they are now looking at updating the bathhouse.

Popour inquired as to where the fees generated from campers go. Ms. Carpenter stated that the VC determines all fees each year and indicated that the fees collected are used to operate this area. They are currently looking at raising camping rates in order to be commensurate with other areas.

Along the lines of discussing the various topics that Ms. Carpenter addressed, Popour stated that he would like to see an agenda item each month that the PC could work on for that meeting.

Discussion turned to the timing of sending out the next survey in August with the tax bills. Smith stated that she would feel a little "crunched" for time. Cypher agreed that the PC would have some heavy lifting to do in order to have the survey ready for distribution by August.

Cypher reminded the PC that they will want to include questions that pertain to land use on the next survey, too. Cypher stated that the history that Ms. Downs has provided is very beneficial. He asked the group what they could accomplish at today's meeting in terms of comparing the previous survey with a new survey that must still be written. Smith concurred that the historical information that Ms. Carpenter has provided is very beneficial and added that this information should go to everyone.

Popour stated that the Village of Beulah office does not look good and added that the aesthetics of the office and the downtown area are not appealing; comments were made by respondents regarding this in the previous survey. As part of this discussion, Cypher mentioned that the Planning Commission will normally stick to planning and zoning issues and stated that the Village Council normally addresses capital improvement matters.

Mr. Phil Downs explained the process for how the survey was conducted in 2009 and added that the hardest part is writing appropriate questions; all PC members concurred with this statement. Cypher stated that the information that is obtained from the next survey will be used when the PC begins their work on amending the Master Plan. Popour asked if the PC can hold additional meetings to work on the survey. Cypher replied, "Yes", but added that this can only be done if they are not deliberating on any topic that is before the PC. Cypher stated that comments can also be sent back and forth

between staff and the PC members as a way to work on the survey tool over the next month.

The next survey could be distributed with the August tax bills. It was mentioned that perhaps the survey could also be distributed with the newsletter in June; however, the timing of preparing the survey for this distribution format might be too aggressive. Cypher stated that the PC most likely wants to hear from property owners on the survey and not necessarily renters. He added that taxpayers should not be excluded from having the opportunity to complete a survey. Ms. Carpenter informed the PC that the population of the Village of Beulah has recently declined from 340 to 320; however, the population still swells during the summer months.

Smith complimented Ms. Carpenter for her knowledge and work on the previous survey, as well as the follow-up work that was completed once the survey results came in. Mr. Downs noted that individuals who were long-time residents did not want changes to take place; younger people who have not resided in the area as long did want to see change implemented.

VIII. NEW BUSINESS

A. Swearing in of PC Members

All PC members have been sworn with the exception of Skurdall who is currently out-of-town. She will be sworn in at the Village of Beulah office upon her return.

B. Presentation of area reports at future meeting

Chairman Behm stated that he would like to have all PC members give a verbal report at future meetings regarding the area that they are responsible for; this will allow all PC members to remain informed of what is happening in the Village. It was determined that these reports would be given under the "Planning Commission Comment" agenda item.

Note: At this time, the PC returned to the remaining items under "OLD BUSINESS".

Village of Beulah Bylaws – continue discussion

Cypher stated that it is the fiduciary responsibility of Ms. VanDePerre to set the agenda for the Village Council meetings. He suggested that the PC ask her to please add the Village of Beulah Planning Commission Bylaws as an agenda item for the next Village Council meeting. Cypher added that it is good for the elected officials to understand what the appointed officials are doing.

Citizen Survey – continue discussion

Chairman Behm stated that the PC heard an excellent presentation from Ms. Downs. Cypher stated that it would be helpful to look at the Survey Comparison and SWOT Analysis that Hubley-Patterson prepared and added that staff would prepare some sample survey questions prior to the next meeting in order to keep the ball rolling. These will be distributed via email.

Browning asked if the PC members would violate the Open Meetings Act if they discussed the proposed survey questions back and forth via email. Cypher replied that this will not be a violation if PC members do not “reply all”. When making comments on the survey questions, all PC members should reply to only Cypher and Hubley-Patterson.

Cypher stated that the format of the Solon Township Property Owner’s Survey is timeless and would be a good format to follow. Smith mentioned that Ms. Downs stated that they focused on parks, streets and the waterfront area and asked if these should be the areas of focus again. Cypher replied that the heavy lifting was done by Parks and Recreation because many of the grant opportunities were available for these areas. Cypher reiterated that some survey questions should focus on land use since this will be addressed in the Master Plan.

Discussion ensued regarding grants that may be available for which the Village could apply. Cypher listed several organizations that offer grant funding, including the Michigan Department of Agriculture and Rural Development (MDARD). Smith inquired about Beulah obtaining funding from Benzie County since Beulah pays taxes to Benzie; she was particularly interested in the funding that has come in from the dispensaries. Popour asked if this is contingent on the location of the dispensary. Browning noted that there are no dispensaries in the Village of Beulah.

Discussion ensued regarding short-term rentals. Cypher explained where things currently stand with the State of Michigan regarding short-term rentals and indicated that, if this is mentioned in the zoning ordinance, this can create grandfather status. Villages and townships practice police power with regard to their ordinances, but police power does not create any grandfather status. This rests with the Village Council and not the Planning Commission.

Browning discussed how the Village of Honor has handled short-term rentals and stated that she believes there is value in surveying people about these rentals. Cypher explained the approach that the various townships he works for are taking while they wait to see what the State of Michigan will do regarding short-term rentals. If short-term rentals are permitted, all people

must be treated the same. Short-term rentals are not considered commercial; they are intended for single family use.

Browning asked about Brookside and inquired if a site plan is needed. Cypher replied, "Yes" but added that no official application has yet been received. Popour stated that they are building each day and indicated that there are piles of lumber out front which diminish regularly; a dumpster has also been placed on the property. Cypher stated that he spoke to Building Safety and added that the business was told they could do demo work. Popour asked Cypher if the site had been inspected; Cypher replied "No" and reiterated that no application has been received yet.

Cypher explained that the Brookside was going to have separate HOAs for condominiums that are on both the first and second floor; the first floor condos are what is being proposed. Cypher stated that their attorney advised them not to pursue this option. Popour stated that there is no parking for this business. Cypher indicated that the Village of Beulah Zoning Ordinance required two parking spaces per unit. Smith asked where this matter goes from here. Cypher replied that it will go before the Village Council.

Cypher stated in the General Commercial zoning district (Brookside is not a part of) that the first floor can consist of retail space and office space but it cannot be residential; this is pursuant to the zoning ordinance. He added that the Master Plan will support the zoning ordinance. Popour discussed an office building and a house that are next door and asked, "Where did we lose track"? Cypher replied that some places are grandfathered.

Smith asked how Brookside can do this work without an inspection. Cypher stated that he does not have the authority to go on site. Cypher has spoken to Mr. Jim Zimmerman with the County Building Department; Cypher has already issued a stop work order. Cypher explained to the PC that the hands are tied for those individuals who work in zoning enforcement. Cypher added that Brookside is on his radar. Mr. Heniser asked Cypher to follow up again with Mr. Zimmerman. Cypher will do this and proposed that he will find out if Mr. Zimmerman will allow him to accompany him on the next walk-through of the site. Cypher stated that the builder was ready to begin work but he told the builder that he could not begin construction.

Chairman Behm stated that the current issue of the sewer plant needing to be replaced is an issue but added that he does not want this matter to prevent the PC from distributing the survey with the tax bills in August. Cypher reiterated that staff would develop some survey questions for the PC members to review as soon as possible. He advised the PC to be cautious regarding how much weight is given to non-residents who respond to the survey.

Popour stated that business owners do not feel that they have a say in matters. Cypher asked if these individuals own the building where their business is located or do they rent space. Popour stating that they would still be paying taxes as business owners. Chairman Behm stated that he feels it is important to obtain the opinion of business owners, too. Smith proposed having two categories on the survey—one for residents and one for business owners. An idea was proposed and discussed to hand deliver the survey to business owners in the Village so they will understand how important their feedback is to the PC. Cypher asked how the PC would control the process to ensure that someone does not make several copies of the survey and submit more than one response. This would skew the data; however, all PC members understood that it is important that no one is missed. Another idea was proposed to have the business owners come to the Village of Beulah office to pick up a survey.

Master Plan – discussion regarding review of Village of Beulah Master Plan and Village of Benzonia Master Plan.

Discussion ensued regarding amending the Master Plan and Chairman Behm inquired how soon information is needed to work on this project. Cypher reiterated that the existing Master Plan has a good foundation, but the document needs updating. The consensus was to use the current Master Plan as the basis for a new document and to not begin from scratch.

IX. Zoning Administrator Comment

Cypher stated that this was a good meeting that included lots of great discussion regarding the survey.

X. Planning Commission Comment

Chairman Behm informed the PC members that they will be paid for their service on the PC at the end of the year. Browning confirmed that this payment will be made in December; she also maintains a spreadsheet as to which PC members are present or absent from each meeting.

Chairman Behm stated that he will be absent from the June meeting. Smith stated that she may also be absent. Cypher reminded the PC that three members must be present at the June meeting to take action on an agenda item.

Chairman Behm encouraged all PC members to continue to read the articles that have been provided to them in the red binder and to look for any additional educational opportunities. Staff will continue to send out information as it becomes available.

APPROVED

- XI. Public Comment – (limited to three minutes per person unless extended by chair) – none
- XII. Adjournment

Chairman Behm moved to adjourn the meeting at 6:21 p.m.; Smith seconded. All present in favor, motion carried.

The next scheduled meeting will be held on Tuesday, June 20, 2023 at 4:00 p.m. at the Village of Beulah Office.

Respectfully submitted,

Allison Hubley-Patterson
Recording Secretary

APPROVED

**VILLAGE OF BEULAH
ZONING ADMINISTRATOR'S APRIL 2023 REPORT**

Village of Beulah
Zoning Administrator's
APRIL 2023 REPORT

To: Village Council & Planning Commission

From: *Timothy A. Cypher* 5/6/2023

Land Use Permits Issued:	0	YEAR TO DATE 1
Signs / Home Occupation	0	
Single Family Residences (SFR)	0	
Additions to SFR	0	
Garages / or additions to	0	
Decks & Porches / MISC.	0	
Accessory Buildings	0	
Commercial Construction	0	
Stairs & Landings	0	
Demolitions	0	
Boat houses	0	
Solar Panels	0	
Renewal of / Change of use	0	
Z.B.A. proceedings	0	0 INQUIRY
Special Land Use Permits	0	1 INQUIRY
Lot Consolidations	0	0 INQUIRY
Land Divisions	0	0 INQUIRY
Property Line Adjustments	0	0 INQUIRY
Driveways	0	0 INQUIRY
Zoning / Site Plan Reviews	0	1 INQUIRY
Construction Inspections	1	
Violations/Investigations	0 **VIOLATIONS**	
	0 INVESTIGATIONS PENDING	
	RESOLVED SETBACK MATTER - 239 LEONARD ST	

I supplied information via 36 phone calls & 15 emails to Village residents & others.
I briefly attended the Village Council mtg. and attended the Planning Commission mtg.
Please feel free to contact me with any questions.

staff@allpermits.com

Phone 231-360-2557

APPROVED

VILLAGE OF BEULAH - ZA'S MONTHLY SUMMARY (APRIL 2023)

VILLAGE OF BEULAH - ZA'S MONTHLY SUMMARY

Period: APRIL 2023

DATE	PERMIT #	NAME	USE	REC. #	CK.#	AMOUNT
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NO LAND USE PERMITS WERE ISSUED IN MARCH

TOTAL \$ -

SIGNED:

TIMOTHY A. CYPHER

DATE: 5/6/2023

TIMOTHY A. CYPHER
VILLAGE OF BEULAH ZONING ADMINISTRATOR
231-360-2557