

VILLAGE OF BEULAH PLANNING COMMISSION
Tuesday, April 18, 2023
Beulah Village Hall
7228 Commercial Street
Beulah, MI 49617

I. Call Meeting to Order

Chairman Behm called the meeting to order at 4:04 p.m. with the Pledge of Allegiance.

Present: Keith Behm, Chairman; Annie Browning, Village Council Rep; Barb Skurdall, Secretary; Debbie Smith, Member

Excused: Ed Popour, Member

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

Guests: Phil Downs, Village Council Trustee

II. Approval of Agenda (additions/subtractions)

Chairman Behm asked for a motion to approve the April agenda as presented. **Browning moved to approve the April agenda as presented; Smith 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: February 21, 2023

Skurdall requested an addition to the February minutes. On page 2, item VI, the third sentence will now read: "Skurdall stated that the trail will run from Beulah to Thompsonville and that it ends in Beulah; the surface will be compatible with snowmobile use". Hubley-Patterson will make this change prior to asking the Village Clerk to post the approved minutes on the website.

Chairman Behm asked for a motion to approve the February 21, 2023 minutes as amended. **Smith moved to approve the February 21, 2023 minutes as amended; Skurdall seconded. All present in favor; motion carried.**

V. Correspondence - none

VI. Public Comment – (limited to three minutes per person unless extended by chair)

Mr. Phil Downs shared a copy of the survey questions and responses that were used to develop the Master Plan in 2009. Hubley-Patterson will scan and email the document to all PC members for their review.

VII. Area Reports

Cypher stated that his monthly report was sent out. He is currently working with Mr. Peter Maris, the owner of the former Brookside Inn. The owner would like to pursue having condominiums on the first floor of the building. Cypher sent the owner information as to the process that must be followed and let him know that part of the process will be handled at the Village Council level. Condominiums were developed on the second floor of the building approximately 12 years ago but these units have not yet sold. The current project will allow for condominiums on the first floor where the restaurant used to be. There will be a separate homeowner's association (HOA) for the units on the first floor.

Cypher and the Building Department issued a cease-and-desist order because demolition had begun. Cypher first heard of the activity at the site from the builder.

Skurdall asked if the focus will be on short- or long-term rentals. Cypher stated that he is not sure but added that we will know more once he receives an official application. Browning asked for clarification of the configuration on the first floor and Cypher explained. Skurdall also inquired if Mr. Maris is currently working with the Village Council but Cypher replied, "Not yet"; Cypher and Mr. Maris are working together at this point. Smith asked how much property there is on this site and Cypher replied that there is about three acres. Smith also inquired if there was farming taking place on this lot but Cypher stated that we will not have additional information until the application is received. He added that the zoning ordinance is very clear as to site plans and stated that he has not yet seen any plans that were professionally prepared.

Cypher reiterated that one's lack of knowledge is not a defense for not taking proper action. He discussed the zoning ordinance and sprinkling with Mr. Marris, as well as the sewer ordinance.

VIII. NEW BUSINESS

A. Sample Motion Language – review

Hubleby-Patterson reviewed the sample motion language that was put together for the PC members in an effort to assist them when formulating a motion. This sheet of motions will be provided for each PC meeting. Cypher asked the PC members to note that all motions were written in a positive tone; this is the best approach when formulating a motion. Motions can always be tweaked as they are being made.

Browning asked about the role of the Zoning Administrator when it comes to issues of the environment, etc.; she was curious as to whether this comes under the responsibilities of a ZA or is it regulatory. Cypher discussed a few areas where the ZA may get involved, such as the Crystal Lake Watershed Overlay District, blight issues and Brownfield issues.

IX. OLD BUSINESS

A. Planning Commission education materials – see binder

Hubleby-Patterson explained the education documents that have been provided to the PC members in their red binders. Staff will continue to keep the members updated as to educational opportunities and will bring resources in the future that can be added to the binder.

Cypher stated that Michigan State University (MSU) has their finger on the pulse with regard to training opportunities. He also mentioned that MSU did a lot with “placemaking” and “form-based zoning”; these were hot topics in the past but have gone somewhat by the wayside at this point.

B. Village of Beulah Planning Commission Bylaws – review draft language

Discussion ensued regarding the draft Bylaws that were distributed to all PC members prior to the meeting. Browning inquired if, as both a PC member and a Village Council member, she is violating any per diem laws. Cypher stated that she is not unless there is language in the Village Council Bylaws which state that she is already paid for attending meetings such as the PC meeting.

Cypher reminded Browning that she is not permitted to chair a PC meeting in the absence of the Chairman.

Hubleby-Patterson was asked to email the Village Clerk the respective dates for all PC meetings in 2023 so that they can be put up on the website.

Cypher stated that the PC should make a motion for the Village Council to approve the Bylaws. He added that if the PC were to make any changes to their Bylaws, the Village Council may not know about these but could potentially disagree with the proposed changes.

Cypher also explained to Browning that she cannot vote twice; she is not permitted to vote at the PC level and at the Village Council level on a matter that comes before both groups. He explained that some PC members choose to recuse themselves at the PC level since the PC is a recommending body, as the individual would prefer to reserve their vote for the final say; this would be at the Village Council level.

Cypher stated that projects will still go before the Village Council for the time being since the PC is just getting started again.

With regard to the Bylaws, Cypher discussed "Conflict of Interest" which is an important section of the Planning Commission Bylaws. He explained the term "immediate family member" which is suggested by the Michigan Township Association (MTA) in their sample Bylaws and which has been used in the Village of Beulah Planning Commission Bylaws, too.

Cypher went on to explain that there can be a reasonable appearance of a conflict of interest. Conflict of interest can be both actual or perceived.

Cypher addressed the gift policy and explained that it is important to not even accept the offer of a cup of coffee purchased on the PC member's behalf as this could lead to a potential conflict of interest, whether it be actual or perceived.

Mr. Downs suggested a change to Section 5D and asked that the language, "but not limited to" be inserted into the sentence in this section.

Cypher discussed that there should be a spokesperson for the PC and indicated that, in most cases, he will serve in this capacity. However, depending on the topic or matter before the PC, the spokesperson may be the Chair or another member of the PC. Cypher also cautioned the PC members to be careful when speaking to reporters as they may attempt to put a spin on what is being discussed.

Cypher and Hubley-Patterson will check to see whether the PC members should be sworn in by the Village Clerk.

Chairman Behm asked for a motion to recommend approving the amended Village of Beulah Planning Commission Bylaws subject to Village Council approval. **Skurdall moved to recommend approving the amended Village of Beulah Planning Commission Bylaws subject to Village Council approval; Smith seconded. All present in favor; motion carried.**

C. Property Owner's Survey – review example from Solon Township and discuss Village of Beulah Survey

Cypher discussed the Property Owner's Survey that was conducted in Solon Township and the survey questions and results were distributed to the PC members for review and consideration. He explained that the survey was very short and was distributed to property owners with the tax bill in 2021. Chairman Behm inquired about certain demographics that the Village of Beulah may wish to target when conducting their property owner's survey. Cypher explained that some questions are helpful because they will provide information that is over and above what the Census results offer. He added that the Village Council and PC members would be well aware of the hot topics in Beulah. He also explained that when the survey is distributed, we must be careful about tax bills that go to escrow accounts at banking institutions; mailing addresses will need to be checked.

Cypher and Hubleby-Patterson will review the survey questions and responses distributed by Mr. Downs and will do a comparison between the Village of Beulah survey and the Solon Township Property Owner's Survey. Every attempt will be made to present some suggestions at the May meeting regarding conducting the next survey in Beulah. The summer tax bill for the Village of Beulah is mailed out in August.

Discussion ensued regarding other methods that can be used to collect data from property owners such as Survey Monkey or LIAA, which is located in Traverse City. Cypher noted that LIAA is a very expensive service but added that the company will plan and distribute the survey, tabulate the results and send a final report. Mr. Downs commented that he and his wife attended many events in Beulah and distributed copies of the survey to people. He added that it is important to not have leading questions on the survey tool and to ensure that it is not too lengthy.

D. Master Plan – distribution of written review of Master Plan / discuss next steps

The staff review of the Village of Beulah Master Plan was distributed to all PC members. Discussion ensued as to what the next steps should be with regard to the Master Plan. Cypher asked the PC members if they would like to begin from scratch with writing a new document or do they wish to find something from another village that can be used as a template. He noted that the Master

Plan should be reviewed every five years and stated that it is a good idea to use a foundation that is successful and that works, if possible. Skurdall concurred with Cypher and stated that if we have a good foundation already, we can use this in conjunction with another good model that we may find along the way. It was discussed that the hot topics in the village will have changed but history does not change. Cypher added that the philosophy of the community may have changed during the past 25 years, too.

Cypher stated that conducting another survey would be helpful as this will help with the Master Plan. The Plan has not been updated since 2009. Mr. Downs commented that there was a review period in 2009 but no action was taken. He noted that the former Village Council did not respond well to having an outside agency tell the Village what action should be taken; Cypher added that this can happen as some want grass roots comments. Going forward, Cypher stated that the PC can review survey results and work on the Master Plan and then make recommendations to the Village Council.

As a homework assignment, Cypher asked all PC members to take a look at the Master Plan for the Village of Benzonia and be prepared to discuss the document at the May PC meeting. Smith stated that it might make sense to put our information together with the Master Plan for the Village of Benzonia. Cypher asked if there were enough similarities between the Village of Beulah and the Village of Benzonia. The PC members responded that the two villages are actually very different; Benzonia has quite a bit of farmland whereas Beulah has Crystal Lake.

Skurdall commented that she was aware that Popour is interested in locating grant funding. She added that everyone is interested in grants at this time and stated that the Village of Benzonia is looking at hiring someone in-house to do grant writing.

Cypher explained the notification process to other townships or villages where property lines touch; this is a requirement when the governmental entity plans to begin working on revising their Master Plan. He stated that we would need to notify other relevant communities about our intent to work on the Master Plan, not just the Village of Benzonia.

Chairman Behm moved to table the rewriting of the Village of Beulah Master Plan for the purpose of considering the Master Plans of other communities. Browning seconded. All present in favor; motion carried.

Mr. Downs stated that he will invite his wife to the next meeting so that she can also provide comments on the survey from 2009.

X. Zoning Administrator Comment

Cypher inquired if Popour called any of the PC members to indicate that he would be absent from tonight's meeting.

XI. Planning Commission Comment

Chairman Behm stated that he would like to make a motion to formally excuse Popour from tonight's meeting since the Village of Beulah Planning Commission Bylaws have not been finalized. Cypher stated that a motion is not needed. Popour will be marked as "Excused" for tonight's meeting.

Skurdall stated that she will be in Nebraska at the time of the May meeting. Cypher stated that, if any PC member will be absent from a meeting, it is helpful to submit an email with comments regarding the various agenda items. This is good practice as PC members must also understand that they cannot vote if they are absent from the meeting.

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

XIII. Adjournment

Chairman Behm asked for a motion to adjourn the meeting. **Skurdall moved to adjourn the meeting at 5:54 p.m.; Browning seconded. All present in favor, motion carried.**

The next scheduled meeting will be held on Tuesday, May 16, 2023 at 4:00 p.m. at the Village of Beulah Office.

Respectfully submitted,

Allison Hubley-Patterson
Recording Secretary