

VILLAGE OF BEULAH PLANNING COMMISSION

Keith Behm, Chair – term expires 10/2025

Annie Browning, Village Council Rep - term expires 12/2024 Ed Popour – term expires 10/2026

Barb Skurdall - Secretary - term expires 10/2026 Debbie Smith – Vice Chair – term expires 10/2024

PLANNING COMMISSION MEETING
Tuesday, January 16, 2024 – 4:00 p.m.
Darcy Library of Beulah
7238 Commercial Ave, Beulah, MI 49617

WORKING SESSION INSTEAD OF FORMAL MEETING AS MEETING LOCATION CHANGED TOO SOON TO NOTIFY THE PUBLIC GENERAL DISCUSSION ABOUT SOME AGENDA TOPICS

- I. **Introductions:**

Tim Cypher: Zoning and Planning, since last February
Debbie Smith – on PC for about 6 months
Ed Poupour - member
Elizabeth Rodgers – public participant but part of land use committee
Keith Behm – chairperson of the planning commission, they have been working on establishing a commission under ZA Cypher. Working on a Master Plan together. Looking at long term planning. The PC has also completed a citizen survey last fall, ZA Cypher will consolidate and present results to the commission.
Tom Waring – citizen
Barb Skurdall – on the commission.
Annie Browning – on the commission.
Tom Kucera – chair of the Crystal Lake and Watershed, ZA in Crystal township. Here to assist us in any way he can.
Andria Bufka – new recording secretary
- II. **Approval of Agenda (additions/subtractions)** – cannot be officially followed without 18 hour public notification of meeting location change. PC will discuss some items so that they are prepared to go through them at the February meeting.
Keith – several items we cannot do. (agenda, minutes)
Would like to have public comments if anyone is interested.
- III. **Declaration of Potential Conflicts of Interest - NA**
- IV. **Approval of Minutes: October 17, 2023 NA**
- V. **Correspondence NA**
- VI. **Public Comment** - (limited to three minutes per person unless extended by chair)
Tom Waring: questioning what is being done with the master plan and how long ago it was updated. Last Master Plan was done in 1992. PC discusses in more detail later in the discussion.
Tom Kucera: Provided background and history on the PC in the Village of Beulah and also about initiatives in various townships around the lake. Kucera communicated that there was a planning commission that was disbanded a few years ago.
The Village along with areas to the East and around the lake are all in the Crystal Lake

watershed. They all have a land use committee and zoning ordinances. Previously planning and zoning was done at the county level but in 2010 they gave responsibility back to the townships. All the townships adopted the ordinance as it was already written by the county. (adopted in 1994) The Land Use Committee started looking at it and they found that the ordinance had aspects that were poorly defined – no clear definition on things like calculations. They spent 2.5 – 3 years researching what was in and making updates to the ordinance. They also made presentations to the various townships in 2020 and 2021. Crystal Lake TWP accepted and adopted the recommendations. Benzonia also decided to incorporate the proposed updates. The city attorney is supposed to deliver language to adopt new ordinance. Lake Twp they sidelined to do a master plan, then worked on STR ordinances. They want to put together a cross-jurisdictional group to make sure ordinances as adopted by entities around the lake are consistent with each other. They invited each of the townships to participate and start studying it. They are trying to meet at Benzonia town hall on Feb 6th or 7th for the first meeting. Kucera requests emails for those who want to attend. It is a study group, can't have too many members. In general, looking for one PC member and ZA. Mary Pitcher is coordinating. Browning: Do they want attendees?

Kucera reiterates that they want a PC member and the ZA.

Browning: after meeting in Feb there will be a regular meeting being scheduled to participate?

Lake twp PC is organizing this. Other than a mission statement to make sure ordinances are consistent, not much more is known (intent). Watershed has presentations showing where differences are between former and updated ordinances. They have provided this multiple times. There is a working draft out there. ZA Cypher: Redline? Not for the Village of Beulah. The last time they put this together there wasn't a PC for VoB. Can provide a redline version for VoB.

Behm: should it be Cypher? ZA states he is very busy juggling 8 organizations. Both Browning and Skurdall are interested in participating.

Cypher: Leelanau has tried to have consistencies with watershed but have been unsuccessful. Sometimes it's hard to get uniformity. If they can get uniformity in Benzie, it would be a good thing. Recommends having VoB representative participate. Kucera is willing to have watershed people meet with ZA one on one. ZA would like to see what they've got done so far and requests documentation. Contact information was exchanged to provide any information that is relevant.

Kucera: any PC they've talked to members didn't realize there was an overlay between different townships, etc. so the first meeting is typically educational.

Popour: How much overlay is there with DNR? None – this is land use planning under the MI Zoning Enabling Act given to the local townships.

ZA clarifies that EGLE is a governing body. Permits that are required need to be filed and in place before ZA gets involved. No Building Permit should be issued unless zoning permit has been issued. Kucera recommends this and ZA agrees, but states sometimes these can slip through the cracks. Consistency and going by the book is how ZA approaches these things. Tried to get 4 townships to adopt watershed overlay in Leelanau, but only 1 would adopt. The others want to do something more environmentally sensitive.

Proposed language watered down and now in a soil erosion category. (Cypher)

Smith: it's wonderful that someone is looking at this and not doing 20 different things. There are so many ways to educate the community about how critical this is.

Kucera: at the last meeting there was interest in background, handouts available for each member. Articles in handout authored by organization. They have stacks of research information. These are good reference docs when looking at Master Plans. Village of Benzonia – Sarah Kirk is excellent at developing Master Plans.

Popour: has been living on the lake a long time. In Clarkston – fertilizers were a problem. With new developments and new homes they want to look their best and have green lawns. Lots of turnover in the area, it would be nice to provide homeowners with requirements. Kucera: police power vs zoning ordinances. Zoning – how land is used. Fertilizer doesn't fit in zoning. Most people think they are grandfathered in. A fertilizer ordinance is an upcoming priority to develop for around the lake and as a police

ordinance. Would take effect as soon as approved by each jurisdiction. 2018 they did a drone survey and are sophisticated in what they can see. Can see pollution around the lake. Primarily for invasive milfoils and grasses, and aquatics. They have found the DNA of quagga mussels around the lake, but the mussels haven't been seen yet. Quagga mussels can be quite deep compared to the Zebra mussels.

Rodgers: fertilizer can be addressed, need to have native plants that don't need fertilizer (xeriscape)

Smith: The Watershed does a great job communicating at local art fairs. Don't need fertilizer if you use the water from the lake.

Kucera: last piece of info is a brochure that is handed out.

VII. **Presentation of Area Reports - NA**

VIII. **NEW BUSINESS**

a. **Meeting dates for 2024**

Keith - Typically 3rd Tuesday of the month. Is this a problem for anyone? ZA Cypher – time for 4 pm OK? Create list of dates – meeting schedule (Bufka), in next meeting they will adopt the dates. Discussing whether or not there needs to be a special meeting to make up for this meeting. Master Plan needs to be read through. But most items should be able to get through quickly in February meeting.

b. **Election of Officers**

If the members are satisfied with the job everyone is doing, most PC's just roll over existing members. Smith is Vice Chair? Skurdall is Secretary. Debby IS vice chair. Confirm at the next meeting. Keep this on the agenda for next month.

c. **Noise / Nuisance ordinance discussion – ZA**

Browning has a question about noise, and Smith about blight (junk).

Nuisance ordinance: Browning – PC village of Benzonia has an ordinance that semi trucks shouldn't jack brake if they are going down the hill, and would like to integrate that here. ZA how could they gear down? Who will enforce? Evidence needed so it's difficult to manage. If it's on state trunk line, Michigan State Police would have to enforce. Kucera might have a different opinion.

Browning to send copy of Village of Benzonia ordinance via email. Everyone should read it and they should be prepared to discuss how it could be enforced.

ZA you have to be careful about nuisance, an enforcement activity has to have legs to stand on. Some covenants aren't covered by the township or village.

IX. **OLD BUSINESS**

a. **2023 Village of Beulah Owner/Resident Survey – ZA comments on processing results**

ZA Cypher: has gone through comments. A staff member is processing these right now, they will put together pie charts and organize results. There will be a working draft available at the next meeting. Villages or townships with sewer systems can have challenges with the rules and regulations. State mandates that can't be controlled by the Village. Popour: should have applied for grants each year to manage it.

Waring: infrastructure audits every 5 years? ZA Village responsible to keep up with the standards. Normally there's a sewer administrator in other villages. Sometimes you need professional help too. It's not inexpensive to do this.

b. **Master Plan update from ZA**

Version distributed was the latest version. Be familiar with it for the next meeting. ZA

should have more completed by the next meeting.

Behm: would like to do research on comments in survey as they relate to the Master Plan. ZA: can have a separate meeting to go through results. Need to get info out there – can have a special meeting with the public. Community member here to hear about survey results. A lot of summer people responded vs year round residents. ZA suggests having pie charts and visuals for a public meeting. Survey is a percentage who responded, so not representative of all. We should be able to extrapolate comments to integrate into the Master Plan discussion. Behm: Respondents seem to have taken the time to give good input.

X. **Zoning Administrator Comment**

ZBA matter coming up with Village Council. It may be an interesting activity for the PC to observe. Will send public notice and publish in the newspaper. Letters and Notice required 15 days prior to hearing date. We'll work on that too. Need support from Village for this.

Dimensional variance on setbacks. Another one received today. Lot coverage requirement and dimensional variance on this new request.

ZA provides findings on how the ordinance is being met or not, ZBA can override ordinance. Must do a thorough job in the process to get the best findings available.

Behm: it is serious, and some are spending a lot of money to be there.

XI. **Planning Commission Comment**

Good to get input from members as they live in the Village and know what's going on.

XII. **Public Comment** - (limited to three minutes per person unless extended by chair)

Kucera: Thanks for letting me speak at your meeting.

Waring: Survey: Village has a hotlink to agenda. Unsure about why we don't have it.

Redline doc exists but not online. Existing master plan is online, not redline doc. Census information exists too.

Rodgers: Thank you for including the public and all need to work together. (language committee) Use them to help as ordinances are updated.

Skudall: was called by Steve Stevens had gotten the idea from others about how the board works. And it was incorrect. She had to clarify that they work together. ZA – want the PC to concentrate on the Master Plan right now.

XIII. Adjournment – meeting concluded at 5:45 pm

NOTE: No Village of Beulah Council business will be conducted at this meeting.