

WHITEWATER TOWNSHIP PLANNING COMMISSION
MINUTES FOR REGULAR MEETING
w/ public participation via Zoom
June 1, 2022

Call to Order at 6:04 p.m.

Roll Call: In person: Darrow, Jacobson, Keaton, Mangus, Wroubel

Absent:

Unfilled seat: One commission member and the Township Board Representative

Also in attendance: Zoning Administrator Hall, Recording Secretary MacLean and 13 participants via Zoom

Set / Adjust Agenda: Set

Declaration of Conflict of Interest: None

Public Comment:

In person:

Vicky Beam: development pressures; rural character; developer choice; campgrounds; Baggs Road.

Randy Mielnik, 9304 Wheeler Oaks: campground; setbacks; equine clinic approval.

Comment: Baggs Road proposed project; land divisions; rural character; listen

Comment: Marihuana ordinance; Special Use Permits; GAAMPs (Generally Accepted Agricultural Management Practices); right to farm.

Vern Gutknecht: PC is fighting fires; strategic plan; rural nature; development; Acme management plan; listen.

Zoom:

Connie Hymore, Baggs Rd.: Baggs Road proposed project; moratorium requested; Grobbel letter.

Public Hearing: None

Approval of Minutes:

MOTION by Jacobson, second by Keaton to approve May 4, 2022, special meeting minutes.

Roll call: Jacobson-yes; Keaton-yes; Mangus-yes; Wroubel-yes; Darrow-yes. All in favor. Motion carried.

MOTION by Wroubel, second by Keaton to approve May 4, 2022, regular meeting minutes.

Roll call: Keaton-yes; Mangus-yes; Wroubel-yes; Darrow-yes; Jacobson-yes. All in favor. Motion carried.

Correspondence: (Included in packet) Mangus read a note from Kim Elliott.

Reports:

Zoning Administrator Report, Hall: Personal policy – respect.

Training, relevant right now: zoning districts use by right and special uses, example manufacturing needed special utilities appropriate for the specific site.

Master Plan with the zoning ordinance: The MP is looking into the future, a goal, and the zoning ordinance is the here and now.

The ZA observes and make recommendations – what’s really important on your agenda: Marihuana provisions because the Board has opted in through the General Ordinances for Marihuana and Article 25 and the Master Plan.

Chair’s Report, Mangus: Requested materials are available tonight. Hard copies of the zoning ordinance to come.

Public Hearings: Keaton, PC Secretary, to follow-up and verify that public hearing notices get noticed.

Township Board Rep., None assigned.

ZBA Representative, Wroubel: No cases in May. Communication needed when there is not a ZBA meeting. Request that someone put cancelled on the calendar.

Committee Reports: None.

Additional Items: None.

Unfinished Business:

1. Article 25, Site Plan Review Amendment #82 discussion and notations: font changes; few verbiage changes; application fees, escrow, expert/consultants (question for attorney regarding consultants); consensus on the initial application – impact statement; 300’ vs 1 mile notification to other townships or entities (consensus to ask the attorney why is the 1 mile designation included); receive input from the general public; “the township shall draft a

written special use permit report and be signed by PC Chair or Secretary and applicant.” (Bob or attorney input); applicant shall provide the ZA with documentation of registration with the County Register of Deeds (attorney / Bob); Special Use Permit (SUP) and security deposit, if any, runs with the land; SUP expiration time frame. Schedule another public hearing with the adjustments and questions.

MOTION by Jacobson, second by Keaton to set a public hearing on Article 25, Amendment #82, for the July meeting.

Roll call: Jacobson-yes; Keaton-yes; Mangus-yes; Wroubel-yes, Darrow-yes. All in favor. Motion carried

2. Article 25, Special Use Permit Amendment #82. Included above.

3. Article 1, Preamble- review attorney’s notes: Remove “purpose” as it is covered in Article 2.

MOTION by Jacobson, second by Keaton to set a public hearing on Article 1 for the July meeting.

Roll call: Mangus-yes; Wroubel-yes, Darrow-yes; Jacobson-yes; Keaton-yes. All in favor. Motion carried.

4. Article 12, Setback – review attorney’s notes: housing; high water mark, including in Article 14; campground – ask the attorney to make recommendations on campground guidelines – leave what we have already.

MOTION by Jacobson, second by Darrow to set a public hearing for Article 12 for the July meeting.

Roll call: Wroubel-yes, Darrow-yes; Jacobson-yes; Keaton-yes; Mangus-yes. All in favor. Motion carried.

5. Medical Marihuana proposed Zoning Ordinance amendments discussion: consensus on the following: waste disposal, number of days security recordings are kept, loading/unloading hours, setbacks, nuisances verbiage, to limit the number of locations in Ag, shall include landscape buffers, facility building to neighboring property line setbacks (include a graphic), include the minimum 5 acre lot size, drop the variance condition on existing buildings, “may require a traffic study”.

MOTION by Darrow, second by Keaton to forward document as amended to attorney and set for a public hearing for the July meeting.

Roll call: Darrow-yes; Jacobson-yes; Keaton-yes; Mangus-yes; Wroubel-yes. All in favor. Motion carried.

6. Article 5, Zoning Districts – Rules of Interpretation - postponed

7. Master Plan review – Looking to get professional input.

New Business: None

Next Regular Meeting is scheduled for July 6, 2022, 7 p.m.

Next meeting agenda: Master Plan review and public hearings on Articles 1, 12, 25 and Medical Marihuana zoning ordinance.

Public Comment:

Comment: Public input on MP; building blight

Randy Mielnik: medical marihuana building distance; traffic impact; suggest a subcommittee to work on the zoning ordinance.

Sue Mielnik, 9304 Wheeler Oaks: definition of rural character; definitions are important; work on the zoning ordinance and the Master Plan at the same time; equine clinic; planner; live stream meeting.

Vicky Beam: work together; conflict of interest; ZBA meeting communication; marihuana and site condos – start small and grow big.

Tom McElwe, Lakeside Trail: PC is working with the best of intentions; marihuana; master plan drives zoning ordinance; moratorium requested: Mangus notes that the PC had requested the moratorium until Article 25 is complete.

Vern Gutknecht: impressed with the PC transparency; holes in the zoning ordinance; definitions for clarity.

Karin Boyd: looking for education on what, how and why the PC makes specific decisions; Baggs Road proposed project; boards and the community need to come together; rural character; willing to help and serve.

Comment: marihuana lot sizes; utility notification

Zoom:

Connie Hymore: a lot got accomplished tonight; marihuana and site condo should start small; PUD and Site Condo.

Commission Discussion/Comments: Site condominium act is a state law.

Wroubel appreciates the comments and input on the campground. The living quarters/apartments in the equine clinic are legal per the zoning.

Jacobson thanks Mr. Mielnik for input.

Continuing Education: Township Law from the township attorneys regarding Adult Use Marihuana Establishments.

Adjournment: 9:36 p.m.

Respectfully Submitted
Lois MacLean,
Recording Secretary