

**Whitewater Township Planning Commission
Minutes of Meeting held on March 4, 2009**

Call to Order

Chairperson Zakrajsek called the meeting to order at 7:02 p.m. at Whitewater Township Hall, 5777 Vinton Road, Williamsburg, Michigan.

Roll Call

Members Present: Boyd, Courtade, Lyons, Mangus, Miller, Savage, and Zakrajsek.
Also Attending: Planning/Zoning Administrator Meyers, Planning/Zoning Intern Akers, Recording Secretary Pulver, and 5 others.

Set/Adjust Agenda

The meeting agenda was adjusted as discussed.

Approval of Minutes of 02/04/09 Regular Meeting

Moved by Boyd, seconded by Savage, to approve the 02/04/09 minutes. **Motion approved 7-0.**

Declaration of Conflict of Interest

None.

Public Comment

None.

Public Hearing

None.

Reports

Correspondence

Meyers distributed a copy of a public notice and background information for the proposed underground injection control well for O.I.L. Energy Corp. (copy attached to minutes). The proposal has been published due to a request to change from Class II to a Class I permit. Concerns regarding the success/failure rate of the well, and whether outside sources will be allowed to dump at the site were raised. After discussion, Zakrajsek asked Meyers to draft a request for public hearing on behalf of the Planning Commission. Sandy (William) Rennie from the audience stated he will also request a public hearing and he noted that he knows of another resident in the area that may also request a hearing. Boyd suggested to Meyers that the request include mention of the gas well blowout incident from the 1970's as well as the company's recent history.

Zoning Administrator – January Report

Meyers presented her report dated 02/23/09 (copy attached). Meyers also stated that Planning/Zoning Intern Akers is working on directions for using Skype for webcasting meetings.

Township Board Representative

Boyd reported on the 03/03/09 Township Board budget work session. He stated funding for a full-time fire chief position, including a vehicle, is under discussion. Various funding alternatives were discussed. The Planning Commission and the public were encouraged to attend future meetings and provide input.

Chair

Zakrajsek stated the proposed point-of-sale inspection program in Grand Traverse County for septic and well was a good program and should be encouraged to protect the environment. Discussion regarding exemptions for government-held or foreclosed bank-held properties as they would tend to be the most neglected properties. Courtade clarified difference between exemption and disclosure. Courtade stated the Association of Realtors may go on record in protest because of another imposed mandate. Cost is estimated in the \$600-\$750 range, which includes pumping plus inspection by county; seller usually has to absorb the cost. Inspections would not be required within two years of a current permit.

New Business

1. Creative Canine Solutions--Tara Colby Preliminary Presentation

Tara Colby stated she is considering purchasing the property at 8890 E M-72 for use as a commercial kennel for dog-training, grooming, dog day care and overnight stays. Meyers included a memo dated 02/24/09 and an aerial view of the property and Ms. Colby provided an aerial view with the individual outdoor kennels and run area marked (copies attached to minutes). A special use permit will be required because the proposal is not a permitted use under the Zoning Ordinance.

Discussion regarding fencing/side lot screening for noise and view of the dog runs. Screening on the property lines as far back as the business will be conducted for view and sound issues was suggested. Ms. Colby was welcomed and encouraged to pursue her new business venture in the Township and to take the necessary next steps to submit a request for a special use permit.

Old Business

1. Open House Discussion

- Open house will be held at Township Hall on 03/19/09 from 5:00 p.m. - 9:00 p.m.
- Announcements/publication will go into Elk Rapids News as letter to the editor from the Planning Commission as a whole; Record-Eagle will publish as time allows; will also send as letter to editor to Insider; Meyers will also distribute to e-mail list of 100+ recipients.
- Township Hall will be set up with separate tables for individual Planning Commissioners based on a particular topic.
- Meyers will greet public and direct them to appropriate Planning Commissioner.
- Meyers will provide name tags and table tents or small signs for the tables.
- Informational sign can be set up on Monday, 03/09/09; cost is \$100 for two weeks which includes delivery, set-up and removal.
- Mangus will finalize flyer and poster to distribute to local business owners.

Moved by Boyd, seconded by Miller, to secure a sign for the closest possible private property location. **Motion approved. 7-0.**

TC/TALUS

Meyers provided a summary of the 02/11/09 meeting (see memo dated 02/25/09 attached to minutes). She stated the entire meeting was devoted to the Grand Vision project and the lessons learned were timely as they relate to this Township's planning process. Meyers would like to discuss in more detail at 04/01/09 Planning Commission meeting.

2. Bylaws Review

Meyers provided a memo explaining changes made to the Bylaws. She incorporated the suggestions made by Lynn Delong as well as the Planning Commission (see memo dated 02/23/09 and draft amended Bylaws attached to minutes).

Discussion and areas of agreement:

- Sec. 1.F. Township Board Representation: Supervisor is not eligible to serve based on a 1996 Attorney General Opinion; suggest change to note this.
- Sec. 2.A. Selection and Tenure of Officers: Delete "from its membership."
- Sec. 3.A. Regular Meetings: add to be posted on website.
- Sec. 6. Public Hearing: replace "shall" with "may" in second sentence.
- Sec. 8. Education: Keep first sentence only and replace remainder to note that the continuing education portion of each regular meeting by the Planning/Zoning Administrator will qualify as acceptable training and that additional training should be explored.
- Sec. 9. Order of Business: Last item prior to Adjournment will be Education (Item 13).
- Sec. 10. Amendments: Suggestion that Bylaws may be amended at any meeting.
- Meyers will make edits and bring back for review and approval.

3. Sign Ordinance

Meyers provided a memo dated 02/25/09 entitled Proposed Sign Ordinance Modifications (see memo attached to minutes). Meyers explained that the draft she has presented includes the current ordinance and added some of the "band-aid" changes that have recently been discussed. Meyers also presented the concept of a Sign Review Board which would be comprised of the Planning Commission. This would give the Planning Commission the authority to permit additional signage, square footage and alternatives to standard requirements of the Sign Ordinance.

Discussion:

- Property owners who allow someone to put a sign on their property should not have to take their own sign down.
- Make the size requirements consistent from section to section where applicable; specify requirement per side.
- Temporary Signs: Suggest five rather than four; depends on how many directional signs are needed to get a customer to the intended location.

Sandy (William) Rennie was provided an opportunity speak regarding some of his issues and concerns with signs.

- Problems arose when he was told he had too many signs; he deals with 3 different townships.
- Difficult to find a good location for a sign because of private property, right of ways, seasonal equipment, etc.

Mr. Rennie was encouraged to review the draft and comment

Discussion:

There should be no limit to number of signs; however, some may take advantage and be obnoxious about it. Need some parameters (sign review board would determine). Would need to have property owner's permission for other's signs for liability purposes. Allow a maximum number of signs by right; go to sign review board for different number.

Tabled for review of draft and further discussion; will also consider what residents may have to say at the open house. Comments and suggestions should be provided to Meyers and she will incorporate into another draft for discussion. Consider assembling a subcommittee after more feedback is received and then present to the Township Board.

Township Newspaper of Record

Savage moved, seconded by Lyons, to recommend to the Township Board that Whitewater Township's Newspaper of Record be changed from the Traverse City Record-Eagle to the Elk Rapids News based on the following findings:

1. The Elk Rapids News qualifies as a Newspaper of Record as it has both a bona fide list of paying subscribers and is published at not less than weekly intervals in the same community without interruption for at least two (2) years;
2. The Elk Rapids News has been published and is of general circulation at not less than weekly intervals without interruption for at least one year in Whitewater Township;
3. The Elk Rapids News annually averages at least 25% news and editorial content per issue;
4. The Elk Rapids News cost for legal publications is approximately 50% less than the Traverse City Record-Eagle;
5. The Elk Rapids News has recently begun distribution of the paper at Whitewater Township Hall and Mill Creek Elementary, with plans to add several boxes at local businesses;
6. The Elk Rapids News plans to increase free delivery to areas south of M-72 beginning this summer;
7. The Elk Rapids News currently delivers to 5,600 homes with 964 delivered to Williamsburg.
8. Notices are easier to find in a weekly paper.

Motion approved 7-0.

Citizen Planner Attendance

Meyers stated the training is set to start on April 16 in Antrim County. The cost is \$350/person and half can be reimbursed through the Grand Traverse Regional Community Foundation. The cost goes down to \$290 if 4-9 residents attend. Meyers requested the Planning Commission consider approval of a recommendation to approve and pay for Planning/Zoning Intern Akers to take the Citizen Planner course. Miller, Mangus and Lyons plan to attend. A suggestion was also made to invite other residents to participate at their own expense.

Boyd moved, seconded by Mangus, to recommend that the Township Board cover the cost of the Citizen Planner Program for Ron Akers, Whitewater Township Intern, with the monies coming from the Planning Commission training budget.

Roll call vote: Boyd, yes; Zakrajsek, yes; Lyons, yes; Courtade, yes; Miller, yes; Mangus, yes; Savage, yes. Motion approved.

Zoning Ordinance Site Plan Section Modifications

Meyers stated she would like to work on this section because a minor amendment is needed to internally handle certain requests for site plan reviews. Some circumstances call for surveys and topographical work, but not all. Meyers would like to have the Planning/Zoning Administrator have the authority to waive a site plan in lieu of a plot plan under limited conditions.

Boyd moved, seconded by Mangus, to allow Meyers to work on amendments to this section and bring back to the next meeting for review and discussion. **Motion approved 7-0.**

Meeting Dates for 2009-2010

Resolution #09-01, Resolution for Whitewater Township Planning Commission Meetings for the 2009/2010 Fiscal Year

Moved by Courtade, seconded by Boyd, to adopt Resolution #09-01, Resolution for Whitewater Township Planning Commission Meetings for the 2009/2010 Fiscal Year.

Roll call vote: Zakrajsek, yes; Lyons, yes; Courtade, yes; Miller, yes; Mangus, yes; Savage, yes; Boyd, yes. Motion approved.

A true and complete copy of said resolution is attached to the minutes.

Public Comment

Sandy Rennie, 7700 Timberline

- Sign regulation enforcement sometimes held to different standards.
- Sign is a small price to pay for a viable farm.
- Need to support agri-tourism.
- Concept of family farm is being lost to larger entities; need to allow some concessions.
- He has to deal with 3 different townships.

Marty Dillon, 8325 Hawley Road

- Currently working in alternative energies (wind, solar, solar thermal, biodiesel) through NMC.
- Recommends that 100' be included in ordinance for height of wind turbines.
- Many farms in area can make energy and sell back to power companies; this is an ideal area for wind turbines.

Meyers asked if he would attend a future meeting to address options, including the issue of percentage of company buy-back.

Adjournment

Boyd moved, seconded by Miller, to adjourn the meeting at 9:58 p.m. **Motion approved 7-0.**

Respectfully submitted,
Patricia Pulver, Recording Secretary