

DRAFT

Whitewater Township Planning Commission Minutes of 8/5/09 Regular Meeting

Call to Order

Chairperson Zakrajsek called the meeting to order at 7:04 p.m.

Roll Call

Members Present: Boyd, Courtade, Mangus, Miller, Savage, Zakrajsek

Members Absent: Lyons (excused)

Also Attending: Planning/Zoning Administrator Meyers, Planning Intern Akers
Recording Secretary MacLean and six others, including
Heather McPhail, rep. from McKenna Assoc., helping with the survey.

Set/Adjust Agenda

No adjustments to Agenda.

Approval of Minutes

Page 3 under New Business, Site Plan Review, first paragraph, Mangus questioning the wording regarding location availability, third sentence, decision made to strike everything after the semi-colon.

Mangus moved for approval – pending alteration, seconded by Boyd, to approve the 7/1/09 Regular Meeting Minutes.

Motion Approved 6-0.

Conflict of Interest

None

Public Comment

James Snider of 8316 Old M 72, Williamsburg, MI, expressed concerns with township record retention, Article 16 of the Zoning Ordinance and FOIA requests.

No Public Hearing

Correspondence

Leslie Meyers:

1. Michigan Townships Association E-letter. Asked commissioners to pay particular attention to page 3, variance standards.
2. See attached

ZA Report – June report is attached.

Meyers also noted that this is Intern Ron Akers' last Planning Commission meeting as his internship ends 8/19/09. He has been a great asset to the Township.

TC TALUS: Concerns with some of the Grand Vision studies being submitted in a timely manner. A timeline is being established which will be submitted to the TC-

DRAFT

TALUS Board for approval. It is Akers' understanding that MDOT has cut off regular payments to the consultants until the studies have been received.

Township Board report: Another household waste collection is scheduled for September. Boyd offered thanks to Intern Akers for his time spent with the Township. Regarding the concerns raised at call to the public, Boyd stated that it is his understanding that anonymous complaints are not addressed or saved.

Old Business

1.) Zoning Ordinance Article 18

Meyers reported that she had made the following changes to the proposed Ordinance based on comments from the previous meeting: Section 18:30 (B) clarified voting requirements; use variances require 4 of 5 votes for affirmation and all others require 3 of 5 votes. 18:60 addresses the requirements for granting use variances. Section 18:70 was eliminated; 18:80 addresses the ZBA having the ability to classify/interpret uses not listed, i.e. wind turbines, heliports, etc.

Boyd expressed concern about a member of the ZBA having too much influence on decision making. He doesn't wish to create problems or issues. If a member is an attorney, there is a possibility of their profession allowing their interpretation being considered a judgment or a legal interpretation?

Mangus stated that the Supervisor is in charge of appointments and if one person is having undue influence, he is the go to man.

Meyers added that we all need to be aware of conflict of interest, malfeasance, misfeasance or nonfeasance.

Courtade stated that we all bring the perspective of our jobs. A builder, for example, will influence me in architectural issues. He would have credibility because of his profession and, hopefully, we recognize that it is an opinion and we all draw our own opinions based on what we hear.

Hearing no further comments from the Planning Commission regarding the proposed Article 18, Meyers requested a motion to recommend Article 18 for consideration by the County Planning Commission and further to the Township Board.

Motion by Boyd, supported by Savage to recommend the adoption of Article 18 of the Whitewater Township Zoning Ordinance to the Grand Traverse County Planning Commission and the Whitewater Township Board. (Formal Amendment to be written)

Motion Carried Unanimously.

DRAFT

2.) Site Plan Review, Section 25:

Attached is a draft for discussion. The need for review was brought to our attention when requests made for minor expansions are requiring them to go back before the board with a public hearing process and new site plan. It seemed excessive, cost and time prohibitive, deterring possible growth.

Landscaping and parking are usually supplemental additions.

Wording such that the zoning administrator and planning commission can approve or deny and when one or the other can do it.

Procedures and requirements for site plan and optional pre-application conference. Pre-application conference with preliminary site plan is for information only, no promises, no guarantees. For your consideration, there is no fee to the applicant for the pre-application conference, should there be? Possibly a stipend, for minimum costs?

Standards for decisions, storage tanks, what goes to whom for decisions?

Change performance guarantee from 100% to 125% so the township is not left holding the bag on incomplete projects. Dollars would be refunded at job completion.

Question by Mangus, section 25:11, F, 2, n, page 56, location of utilities. What is steam? Meyers: Language from original Site Plan Review. Will Review.

Eliminated Surety Bonds option as performance guarantee. Letter of credit from bank is allowed / included in the list.

The Planning Commission or Zoning Administrator MAY require a Performance Guarantee. Need to establish standards, large scale project, possible dollar amount or size. Health, safety and welfare issues are the biggest concern. County requires Performance Bond, does township really need to?

Section 25.17, Zoning Administrator Approval, specifics listed (1-13). Use of the word MAY vs. Shall. All administrative approvals made by Zoning Administrator shall be reported to the Planning Commission. Gives the Planning Commission the opportunity to "tweak". Looking for flexibility.

Section 25.19 Plot plans in lieu of site plan for listed (can add to the list) and what the plot plans shall include. Primary features need to be indicated.

Section 25.20 Special use permit shall require public hearing.

Bring Section 25 Site Plan Review back for review at next meeting.

DRAFT

New Business

Road Plan Update, Township Board says review every 5 years. It's been since 8/2004. Serious issues with what is currently in there. May be part of Master Plan or not, however, it will work with county, city and state agencies and meet all requirements. Next meeting – establish a sub committee for Road Plan for early October to help determine if the Road Plan is going to be a component of the Master Plan or a separate document.

Public Comment

James Snider: (1) Regarding consistent zoning enforcement. Talk to people who are in possible violation before sending notification of being turned over to prosecuting attorney. Work with the people on violations. (2) Zero set backs in downtown Williamsburg and parking. Looking for ways to deal with developing downtown Williamsburg.

Survey will include questions regarding desire of a downtown area and parking.

Introduction of Heather McPhail, representative from McKenna Associates, helping with the survey. Appreciate the time you've given us.

Zakrejsek asked for an update of the survey sub-committee at the next meeting.

Courtade excused at 8:40 p.m.

Continuing Education:

Meyers presented "Lake Issues."

Motion to adjourn by Boyd, seconded by Savage. Adjourned at 9:18 p.m.