

WHITEWATER TOWNSHIP PLANNING COMMISSION  
MINUTES FOR REGULAR MEETING via ZOOM  
February 3, 2021

Call to Order at 7:00 p.m.

Roll Call: Via Zoom: Dean in Williamsburg; Mangus in Traverse City; Wroubel in Williamsburg  
In person: Jacobson

Also in attendance: Recording Secretary MacLean

Set / Adjust Agenda: Set

Declaration of Conflict of Interest: None.

Public Comment: Linda Slopsema 9693 Miami Beach Rd., draft zoning ordinance for marihuana facilities, specifically the overlay district. Would this overlay district be fair and objective? Would this appear to be spot zoning? Surprised there is a particular parcel noted.

Public Hearing: Amendment #78 regarding Article 28, Condominium Regulations and Article 3, Definitions. Public Hearing notice was published in the Traverse City Record Eagle January 17, 2021.

Open public hearing at 7:10 p.m.

Presentations / Notes: Same public hearing as was scheduled in December.

Public Speaking regarding Amendment #78: None.

Close public hearing at 7:13 p.m.

Discussion: Spelling and typographical errors.

Decision – Rationale: Including Master Plan goals will be included.

MOTION by Jacobson, second by Wroubel to approve to forward Amendment #78 regarding Article 28, Condominium Regulations and Article 3, Definitions, as adjusted, including the rationale to the Township Board for approval.

Discussion: Include the adjustments and rationale.

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

Approval of Minutes:

MOTION by Dean, second by Jacobson to approve January 6, 2021, Meeting Minutes as amended.

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

Correspondence: None

Reports:

*Zoning Administrator Report, Hall:* Via Mangus: Expect a couple of site plan reviews and special use permits next month. Potential campsite on Moore Road and one major home occupation review.

Sought out information on who could go over the Master Plan. Mangus will forward it to all commissioners. One offered to run through free of charge. One offered to go through and then go through it with the PC for \$850.

The Board has not come to a consensus on a Township Board Rep. for the PC.

Hooper has resigned from the PC so he is no longer the ZBA representative either. The PC can present a name for the PC Representative to the ZBA to the supervisor for board approval. Wait until the PC has a full commission.

Discussion of Hooper's decision to resign immediately after requesting to remain on the PC and then not being brought forward for reappointment by the Supervisor.

*Chair's Report, Mangus:* For the annual report. Run through a list of items the PC discussed and did in 2020.

Consensus to forward to ZA, Hall.

*Township Board Rep.,* Not Available

*ZBA Representative,:* Not Available

*Committee Reports:* None.

*Additional Items:* None.

Unfinished Business

1. Master Plan Review:

Discussion of outside input: Wade Trim will offer a written report and a zoom meeting for a flat fee of \$850. Grobel is another that is willing to go through it and discuss with the PC for free. Consensus to go with the free offer.

Discussion of organization structure/Table of Contents: Get input first

2. Marihuana Zoning Ordinance: The draft ordinance was requested by the board. What came from the attorney is not something that needs to be rubber stamped by the PC. This is a starting point. The Board approved grow and process. It is the PC's job is to place it appropriately get it in the zoning ordinance. The PC needs to add specific criteria for special use permit. The attorney indicates making changes to the care giver rules. Attorney Fahey has sent an article regarding the rule changes regarding care giver rules.

Discussion on adding care giver law to the zoning ordinance: Re: home occupation, leave it the way it is. We do not need to create problems where there have been no problems. Unenforceable. We do not need to regulate it. List it as a home based business.

Consensus to add as a home based business.

Grow and Process: Approval for the industrial district, medical is specifically legal.

Recreational could be an overlay district. Take out specifics of any individual properties. The attorney put forward the minimum that would need to be put in place without any criteria / standards / guidelines. The PC needs to come up with criteria / standards / guidelines. The township has an option for recreational to open up other districts like Ag, village, commercial, etc.

Kalkaska has a good ordinance that we can look at.

Consensus to NOT rubber stamp the attorney proposal.

Consensus to allow in the industrial district.

No farmer should be not allowed to grow their ag crop.

An overlay district with specific guidelines such as distances from residences, schools, etc.

Does anyone want to add commercial?

Does anyone want Rec, village, residential? Consensus – no, at least for now. Maybe in commercial.

An overlay district, the way it is presented, appears to be very close to spot zoning.

Consensus to allow in Ag with criteria as a special use. Everyone gets to play by the same rules.

Come up with a list of criteria for the special use process.

Introductory discussion and educational options. Maybe Bob can find someone who is willing to come in and speak with / discuss with the PC.

Tentatively drop the overlay district. Place in industrial-permitted use, potentially commercial and Ag with guidelines. Come up with criteria and see if it fits with commercial.

Different standards for recreational and medical? Different standards for grow vs process?

Kim can bring in some other zoning ordinances from other/local townships and will forward the info from the attorney regarding care giver information.

New Business:

1. Election of officers:

**MOTION** by Jacobson second by Dean to keep the slate of officers the same: Mangus as Chair, Dean as Vice Chair and the Jacobson as Secretary.

Roll call vote: Mangus-yes; Wroubel-yes; Dean-yes; Jacobson-yes. All in favor. Motion carried.

Next Regular Meeting is scheduled for March 3, 2021.

Agenda: Master Plan Review; Marijuana facilities / ordinances

Tabled items: RC District review and Event Barns review;

Public Comment: Linda Slopsema: Thank you to the PC members. Thoughtful comments.

Commission Discussion/Comments: Carl does not understand why the person presented for the PC was not approved, seemed qualified.

Dean: Bring the ZA up to speed with what was discussed tonight. Get any more insight from him.

Continuing Education: None  
Adjournment: 8:45 p.m.

Respectfully Submitted  
Lois MacLean,  
Recording Secretary