

WHITEWATER TOWNSHIP PLANNING COMMISSION  
MINUTES FOR REGULAR MEETING  
February 5, 2020

Call to Order at 7:01 p.m.

Roll Call: Dean, Hooper, Lawson, Mangus, Savage

Absent: Jacobson, Render

Also in attendance: Recording Secretary MacLean

Set / Adjust Agenda: Set

Declaration of Conflict of Interest: None.

Public Comment:

Dee Prabhaker, 6925 Cook Rd., read public comment from the attached letter (page 4)

Ron Bachi, 6987 Cook Rd., read public comment from the attached letter (page 5-6)

Janet Bachi, 6987 Cook Rd., comments in opposition to event barns.

Heidi Vollmuth, 8371 Winnie Lane, comments in opposition event barns.

Engler 240 Island View Dr., comments in opposition to the RC five acres.

Vern Gutknecht, 6801 Bunker Hill Rd., comments in opposition to the RC five acres.

Heidi Vollmuth, 8371 Winnie Lane, comments in opposition to the RC five acres.

Public Hearing: None

Approval of Minutes:

**MOTION** to approve January 8, 2020, Special Meeting Minutes by Savage, second by Lawson.

All in favor. Motion carried.

**MOTION** to approve January 8, 2020, Regular Meeting Minutes by Hooper, second by Dean.

All in favor. Motion carried.

Correspondence: None

Reports:

*Zoning Administrator Report, Hall:* NA.

*Chair's Report, Mangus:* Recodification status update. The township board had 3 bids for recodification. It will be coming up on their next regular meeting to look at. The bids that came in this time do not resemble the bids that came in three years ago. As an individual I am uncomfortable with all three of the proposals. They appear to give them the copy rights of the zoning ordinance and require they do the web posting. I am uncomfortable. Encourage everyone to take a look, encourage you to be aware of the proposals.

*Township Board Rep., Lawson:* Event barns are coming back to the PC for research and recommendation. The board is looking at the recodification proposals.

*Hooper:* The board asked us to look at event barns. The board asked us to look at the RC five acres. The PC is not creating ordinances just giving recommendations at this point.

*ZBA Representative, Hooper:* Regular, annual business meeting, no appeal case.

Mangus notes that the reason the PC is having open houses is to allow interactive communication. Interactive conversation with the public is not part of the regular meeting.

*Committee Reports:* None.

*Additional Items:* None.

Unfinished Business

1. Review of By-laws: Discussion: ZA, by-laws are an internal document. Ordinance adoption process – ZA Hall has brought up the technical legality. The board can always weigh in but by sending it to the board before a public hearing, it can be interpreted as not giving the public their opportunity to weigh in. It puts us on shaky ground. We don't want to create any shaky ground. The PC needs to make sure things are handled properly and legally.

Discussion – read through of the bylaws:

Section 1, Membership – consensus to leave as is.

Section 2, Officers – consensus to leave as is.

Section 3, Meetings – consensus to leave as is.

Section 4, Duties of the Planning Commission – consensus to leave as is.

Section 5, Absences and Removals – consensus to leave as is.

Section 6, Conflict of Interest – consensus to adjust verbiage in #3. Add to the end of the sentence “...or property within a notification zone.”

Section 7, Compensation – consensus to leave as is.

Section 8, Education – consensus to adjust verbiage. Second sentence to be changed to “Training will be provided when available at regular meetings. ...”

Section 9, Agenda – consensus to leave as is.

Section 10, Amendments – consensus to change adoption to notification.

2. Resolution #PC20-01, 2020/2021 Regular Meeting Schedule. Consensus to not include Special Open House meetings on the schedule.

MOTION by Lawson second by Savage to approve Resolution #PC20-01 Regular Meeting Schedule without the added Special Meeting times. Upon roll call vote: Dean – yes; Hooper – yes; Jacobson – NA; Lawson – yes; Mangus – yes; Render – NA; Savage – yes. Motion carried.

3. Event Barn, status update: The subject of event barns has been turned over to the Planning Commission. Lawson has let the Board know that it will likely not get back to them until summer.

Discussion: Include event barn survey questions with the RC five acres survey? We can get more specific.

Savage: Do we have to have an event barn ordinance? *NO* Can we take it before a vote of the people? *NO*.

Dean: The PC is not creating an ordinance. There is no request before the Township Board or the Planning Commission. There have been no applications. There was never an active request that was made to the Planning Commission. Is there any draft language that is being considered by the PC or the Board? *NO*

The PC is to send a recommendation to the board with or without an ordinance. The vote for the recommendation comes from us. We have been tasked by the board to address these two subjects, event barns and RC five acres.

We will formulate a recommendation to the board.

An ordinance can be permitting or preventing.

Savage: The PC can draft a motion to recommend to the Township Board that they drop any future drafting of an event barn ordinance.

Hooper: The fact is we do have one barn in our township that does hold events. We have to have a discussion about how we are going to address this. I saw positive and negative in the survey of event barns and things that would need to be addressed.

Mangus: There are fine points of things that need to be addressed. We can send a recommendation to the Board to drop it or to work on it or to delay discussion.

Dean: The board has already done an event barn survey. Do we need more survey data? Dean says personally, no. It's all interpretive. Tabling the issue for a couple months to get our input, come back later in the summer.

Hooper: Address the two subjects separately, one at a time. Start with the RC five acres.

Consensus to stay away from surveys on event barns and discuss after the RC issue has been addressed and recommendation made to the board.

Hooper: The board can tell us what they want to do after we give them our recommendation.

Mangus: My read on what the board requested was that they wanted an event barn ordinance.

Consensus that we will address this later in the summer.

4. RC – Survey: Postpone. Will need to discuss who would receive, a build out analysis. Mickey will work with Kim on coming up with some questions.

#### New Business:

1. Planning Commission 2020/2021 budget: Discussion: Consensus to send the budget to the board.

Next Regular Meeting is scheduled for March 4, 2020.

Regular meeting agenda items: Continue topics

#### Public Comment:

Ron Bachi, 6987 Cook Rd.: regarding event barn survey and future RC five acres survey.

Sue McCraven, 9435 Fairview Rd.: PC remains independent of the township board. Comments in opposition to event barns.

Bob Levine, 8114 Cram Rd., Is there any value to public opinion? Public comment?

Janet Bachi, 6987 Cook Rd.: regarding event barn ordinance discussion in July 2018. Mangus: The Williams' came in here after we had already started the discussion of event barns.

Heidi Vollmuth, 8371 Winnie Lane,: Reminds PC to read previous surveys, data and input.

Vern Gutknecht, 6801 Bunkerhill Rd.: comments in opposition to the RC five acres.

Commission Discussion/Comments:

Continuing Education: Binders from ZA presented to commissioners

Adjournment: 9:32 p.m.

Respectfully Submitted  
Lois MacLean,  
Recording Secretary

Good Evening. One of tonight's agenda items is Event Barns. From a draft of the January 14th Township Board's meeting minutes:

*"we turn this event barn question over to the planning commission and ask them to take it up, using the results from the survey, to give us a recommendation moving forward."*

As a concerned resident who has been involved in this dialogue for the past 18 months, I am asking the Planning Commission to recommend abandoning the Event Barn ordinance on these grounds:

- (1) The majority of residents who care about this topic are against it.
- (2) Nobody is publicly asking for this.

The original intent, at the Board level, was to explore the possibility of allowing farmers with existing structures to have special permission, on a limited use, to earn supplemental income. Unfortunately, the survey questions and results failed to gather public input on this. But the overwhelming message from the comments was clear: **Our residents have significant concerns about the devastating impact this could have on our quality of life and safety.**

Here was a suggestion from our Township Supervisor, as documented in the meeting minutes:

*"Popp suggested, before any additional public input is garnered, we should define what this thing is and where we think it should be located."*

**In my opinion, these are the critical questions: what are we really talking about here, and where should it be located.**

If an Event Barn ordinance was focused and legally written in a way to help a farmer out a few times each year on a site that was truly in the middle of nowhere, I would respond very differently than if you told me the site might be close to residences and might be run as a primary commercial enterprise by someone who might not be a farmer.

Dee Prabhaker  
6925 Cook Road

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Ronald Bachi 6987 Cook Rd

I ask that you record to the minutes Verbatim.

Everyone here knows where I stand, when it comes to the Event Barn Ordinance. An event barn or event center is a commercial entity, and therefore should only be located on commercial land. We live on Agricultural and residential land. An event barn ordinance would allow A functioning commercial business to fully operate, literally, in our back yards.

Right now I would like to talk about our planning commission And our township board. Comments and statements that have been made. Last month during the planning commission meeting, there was an open house. When I wanted to discuss the issue of the event barn ordinance, Kim Mangus stated the it was a nonissue, and therefore no reason to discuss it. That it hadn't been on any agenda for two years . Lets Rewind: December 4<sup>th</sup> planning commission. Intense discussion over the results of the event barn ordinance survey. I raised my hand and asked why they were discussing the event barn, its not on the agenda. Kim Mangus stated that it was ok to discuss the event barn ordinance, that they were putting together survey questions for another survey. ~~Same meeting, planning commission was discussing the open house.~~ Glen Savage made a statement referencing the event barn ordinance, if people don't show up then they just don't care about their township. There were no objections to that statement, yet Kim Mangus called it a nonissue. Even though it was on the townships agenda as well. As the night went on, the event barn ordinance became a joking matter. Once by Mickey Dean then once by our zoning administrator. The entire PC joined in with a laugh. It may be a joking matter to the PC, but the citizens of Whitewater Township, take this issue very seriously.

So last month at the township board meeting, the Event barn survey was on the agenda. As the board began to discuss the survey, Ron Popp, our supervisor, pointed out that the comment sections were overwhelmingly negative toward the event barn ordinance. Della Benak

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was quick to respond. Stating that we should remove the comment sections in future surveys. Wow, she wants to eliminate the section that tells the township how they feel about the questions, because it didn't fit her narrative. This is disturbing. During the meeting she also made the comment, she's not worried, she has other skills, indicating she doesn't need this job. This is not what I want to here from our elected decision makers for Whitewater township.

As they looked over the survey, Cheryl Goss was quick to put all her eggs in one basket. It was question number one. In what district of the township would an event barn be most suitable? Select that apply. This was an obvious leading question. The survey summary stated that event barns are agricultural. Yet most people selected Commercial along with other districts. Only 11% stated that they oppose it in any district. So Cheryl Goss stated, that meant that 89% were for an event barn ordinance. This train of thought is insulting to the intelligence of the people of Whitewater township. She then stated that this was the peoples one opportunity to oppose the ordinance. It was our out. Its clear, the survey was a waste of time and taxpayer money. The boards have gone total rouge. I asked Kim Mangus what she thought of Cheryl's interpretation of the survey, Kim replied, it was a stretch at best. As you all know it was sent to the planning commission. Kim stated that she had a full slab of work and may not get to it for up to 6 months. Just imagine people, 3weeks ago, Kim Mangus said the event barn ordinance was a non issue. Yet here we are!

The court of public opinion has spoken, over and over again. We the people of Whitewater Township demand to be represented by you, the Board. Thank You.

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