

WHITEWATER TOWNSHIP PLANNING COMMISSION
MINUTES FOR REGULAR MEETING
April 3, 2019

Call to Order at 7:01 p.m.

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

Absent: None

Also in attendance: Recording Secretary MacLean, Zoning Administrator Lindsey Wolf + 3 in audience

Set / Adjust Agenda: Reverse B & C under new business

Declaration of Conflict of Interest: None.

Public Comment: None.

Public Hearing: None

Approval of Minutes:

MOTION to approve March 6, 2019, Regular Meeting Minutes by Savage, second by Jacobson as adjusted. All in favor.
Motion carried.

Correspondence: None

Reports:

Zoning Administrator Report, Wolf: Bios needed.

Board comments on the stand alone storage units during the meeting.

PA33 & 110 information (new business).

Environmentally Sensitive Ordinance 27 (new business)

Article 11, RC District, 5 acre information. Clerk requested ZA to review, pull together all of the information.
(unfinished business).

Master Plan five year plan review (new business)

Discussion with the Supervisor and the Treasurer regarding a survey about the review of the Master Plan for the July tax bills. (June 11 board meeting)

Free training in Cadillac – redevelopment community allows for state funding.

Chair's Report, Mangus: We have a lot coming up, like the Master Plan review, and the five acre minimum review and environmentally sensitive areas review.

Township Board Rep., Lawson: Down to one meeting per month at the board. Not sure about the joint meeting. Budget for 2019/2020 set. Training monies available.

ZBA Representative, Hooper/Wolf: There was one in March. Expand the foot print of an already non-compliant property. It will be ADA compliant, bringing it into compliance size wise and up to county sanitation requirements. There will be a ZBA meeting April.

Committee Reports: None.

Additional Items: None.

Unfinished Business

1. Joint meeting with Township Board – not scheduled. It will be announced when the people can come in from the recodification service company.
2. Update on stand-alone storage buildings text amendment. Previous ZA, Habedank, noted that this is the most requested item to come to the ZA. Wolf: Read through the board minutes.
Opening language include more descriptive wording. Verbiage regarding aesthetics. Definition of a buildable area. Size limitation – let the lot size determine the structure size. Twenty townships contacted 18 of the 20 do not allow. Specific regulations by the two that do allow it.
Several people would like to build a barn to use for storage while the home is being built.
The interpretation of this ordinance has been changing with each zoning administrator.
Recreation property to be used for recreation and wanting to store recreational toys.
Planning commission is just trying to clarify.
ZA clarification language.
Accessory structures and stand-alone storage buildings. We have properties that have stand-alone storage buildings. We are going to allow it or we are not. If we are not going to allow then the current stand-alone structures need to be removed.
It is the number one item that comes before the ZBA.

Need to give a line by line explanation of reasoning/rationale.

Go around the township and see how many there are. Could become a "hit list" (sadly). Can check the tax rolls.

Differentiation between accessory structures and stand-alone structure seems to be a problem for the Board.

Incorporate the language/definition and make it very clear and straight forward.

Lawson, Board Rep, and Wolf, ZA, need to take the information to the board.

ZA will look into other townships for their language and reasoning.

Can understand the board being reluctant based on the other GT county townships.

History: popularity of the ordinance came from late '70's when there were club houses, pot growing, etc.

People were coming up from down state but now every lake lot has been built out on so part of the past reasoning has been eliminated.

Outside storage is part of a different ordinance.

ZA feels that there could be a working version, also feels it will be a tough sell for some of the board members.

Mangus proposes that we work on verbiage and rationale.

ZA gets several requests each week.

Consensus to work on the verbiage and take it back to the board.

Wolf will do more research via tax rolls and other townships.

Will bring back next month.

3. Article 11 Recreational (RC) district 5 acre minimum discussion:

It appears, with the documentation that has been found, that specific legal aspects of making the change have not been found. This will go to the attorney to go through and check for legalities. We will have to do community outreach.

Do we want this in the summer tax newsletter survey?

At this point it is the legalities. Do the due diligence that is required. If it is found to not have been put into place legally we will have to make a plan to address and get information from the community.

Middle income housing is a large issue throughout the country.

What do we do to make it right?

Wolf will be putting her findings together to send to the attorney. Once the information comes back from the attorney we will address it and communicate with the community.

Contact the people that it affects as a notification like a zoning ordinance change within the 300' range of the change.

New Business:

1. Short review of process and procedure for zoning changes: Review of PA 33 and 110. How everything is supposed to work together – looking for a "Cliff Notes" version of the Zoning Enabling Act (ZEA). Yellow, spiral bound book has a nice summary of the ZEA. Summary is available in this month's meeting packet.

PC writes or amends or clarifies, comes up with draft language, prepares for public hearing, if approved it would go to the board for review and approval. Currently we get to "prepares for public hearing" then the board sends it to the attorney for review and language changes, then it should or could come back from the attorney or it could go to the board then back to the PC for review and discussion (then it may go back to the board). Then the PC can do a public hearing and finally sent back to the board for their approval.

The "red line version" of the zoning changes can be very confusing. Wolf will look for a way to bring all of the information together and present it to the board and the PC.

One person should be making the changes from the PC and the lawyer.

We will work to improve communication.

Point to what the law requires.

2. Review Environmentally Sensitive Ordinance #27. There are multiple interpretations of various areas. Needs to be adjusted before or during recodification. There are rules dictating things that we do not even have in our township (dunes).

Asking the members to read through Ordinance #27. DNR and DEQ have regulations and they have the professionals to address things like the flora and fauna.

Wolf will consult with the county and DNR to go over and review what is necessary or redundant or relevant.

3. Five year Master Plan review: Wolf supplied a Land Use Series for all to study/review. Wolf connect with a PC member, ZBA member and board member for questions. Will present the question ideas to the PC next meeting.

The board has the final approval of surveys.

Zoning implementation plans are a requirement.

Next Regular Meeting May 1, 2019, Agenda items: stand-alone storage buildings, Article 11 RC District, survey questions review, Article 27 update information from county drain commissioner and the DEQ.

Public Comment: Ron Bachi, 6987 Cook Rd. Lindsey you are a huge asset to this community. Article 11: Put it to a vote –you can never go wrong when you put it to a vote. Every issue should be addressed by the whole township. Stand-alone structures, lots of grey area. I am about land owner rights. The township board is easily confused. Enforcing the ordinance is going to be the biggest advocate to if this belongs in our township. Benak is against it. Needs to be addressed from all angles. Cannot punish good people for what bad people do. We need to separate what needs to be grandfathered in. Cannot fix the past, only what happens on our watch. Social status with a stand-alone structure can be an issue too. Cannot create a social status. It is not about winning, it is about compromise.

Commission Discussion/Comments: None.

Continuing Education: Discussion of Robert's Rules of Order.

Adjournment: 9:09 p.m. (Continued discussion regarding agenda items and continuing education.)

Respectfully Submitted
Lois MacLean,
Recording Secretary