

WHITEWATER TOWNSHIP PLANNING COMMISSION
MINUTES FOR REGULAR MEETING
In-person and via ZOOM
July 7, 2021

Call to Order at 7:00 p.m.

Roll Call: In person: Dean, Jacobson, Mangus, Wroubel

No Board Representative or ZBA Representative available

Also in attendance: Zoning Administrator Hall and Recording Secretary MacLean

Set / Adjust Agenda:

Declaration of Conflict of Interest: Wroubel: With full disclosure Wroubel notes that he was part of the group of people who sued Williamsburg Receiving years ago regarding an odor issue. Consensus of the members that it is not a conflict.

Public Comment: Renee Savage, 9833 Pineneedle. There is a lot of stuff in here. Who is going to pay for enforcement? My property line is within 50' of a property that can be included.

Public Hearing: None

Approval of Minutes:

MOTION by Dean, second by Jacobson to approve June 2, 2021, Meeting Minutes.

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

Correspondence: Information regarding fire department rules was sent in as correspondence, presented in packet as continuing education.

Reports:

Zoning Administrator Report, Hall: Building permits are not down even with the higher construction prices.

Even a perceived conflict of interest is important to acknowledge.

Calls with the supervisor and The Tribe regarding development growth pressure and future water and sewer. PC needs to keep growth in mind while working on the Master Plan.

One pre application conference regarding a development project.

Zoning department is staying busy.

Attorney supplied their versions of the draft marihuana ordinances and the confidential information (for your eyes only).

Chair's Report, Mangus: The Board will have everything they need so they can make a decision at the July Board meeting regarding hiring Grobbel for the Master Plan review.

Township Board Rep., Not Available

ZBA Representative,: Not Available

Committee Reports: None.

Additional Items: None.

Unfinished Business:

1. Major Home Occupation amendment verbiage discussion: Simply a removal of Item 7. We have held off on this only because it is not a major item and can just be included with the next Public Hearing.
Hall notes that zoning runs with the land. It is not subject to annual review.
Consensus to address this at the next public hearing date.
2. Master Plan consultant: We are still looking at having Grobbel and it is on the Board agenda for their July meeting.
3. Marihuana amendment: Mangus offers explanation of the multiple versions of the draft ordinance. Feels there were no specific answers given or at least not given with reference to the questions.
Dean does not feel the draft ordinance that came back from the attorney resembles anything that we sent them.
Does not have a problem with working through the ZA through the attorney. It doesn't feel like the attorney is working with the PC rather, it seems like he is writing directly for the Board.
Mangus notes that we have a formal request from the board to present to the attorney however, we do not have to

use the attorney version.

Hall notes that he has some of the same feelings as expressed by Dean. There is more progress that needs to be made with the Zoning Administrator communicating with the attorney and being a liaison to the PC.

This is not the first time this has happened.

It doesn't help us for tonight but, Matt Kuschel will make himself available for discussion during the meeting. Mangus does not feel that would be beneficial at this point. Genuinely would like to work with an attorney who will work with what we have rather than completely rewrite it and then rewrite it again rather than answering questions.

Dean asks if we can have a five minute conversation with the attorney next time something has to go through them so we do not go through this again. This work product is that of the PC not the Board. This needs to be very clear.

This draft from the attorney is not what we wanted.

Worksheet represents a combination of the attorney version and the PC version.

Some townships let a Planner go through a zoning ordinance / amendment as a consultant. It would likely be more cost effective.

Hall, why are you paying attorney rates to do a planner job? The attorney should be looking at it being defensible rather than "dotting I's and crossing T's".

Discussion of the draft ordinances:

Make marihuana definitions generic so they fit both the medical and recreational use.

Add the full spell out of the MMFLA and MRTMA.

Consensus on definition changes discussed.

Run through of the rest of the draft ordinance.

Mangus will put it together as discussed.

Final format should be presented to the board.

Go to public hearing or see again first? Set the public hearing for August 4. Does the PC want to have two separate amendments for the medical and adult-use? There would be three separate PH at the next regularly scheduled, two on marihuana and the major home occupation change.

MOTION by Jacobson, second by Wroubel to set three public hearings for the regular August 4, 2021, meeting on the Major Home Occupations, adult use marihuana and medical marihuana amendments.

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

New Business

1. Article 5, Zoning Districts discussion as related to the Industrial Development District as it is being presented at the Board meeting on the 13th. The Industrial District map / maps do not match. There are several parcels that are in question.

We may need to address the Industrial District only for the Board to move forward.

Hall can bring it together and call a public hearing to add to the August meeting.

The board has not requested information or input from the PC at this time.

Fast track this or wait for the Board to request? It is coming our way sooner or later.

We do need to address maps and districts in the future for the Master Plan.

ZA indicates that the state only recognizes maps so it must be addressed.

There are discrepancies in the district / district maps.

Public Comment:

Ron Rebandt, 648 Island View Dr., Traverse City: Recognize Kim in defense of the PC at the board meeting. Appreciate the work Kim is doing. When you have the PH would like you to invite the board members to come for the comments. You will likely need a larger facility. People need to understand what will be changing.

Renee Savage, thank all of you. It has been a very difficult task. Thank you!

Zoom: Heidi Vollmuth, 8388 Winnie Lane, private citizen and board member. I will be voting no. The message we get out must be correct. You guys are doing a great job.

Continuing Education: Information in packet.

Commission Discussion/Comments: When we put our recommendation forward would it be appropriate that they back off the number of licenses? We can send a corresponding statement. We are required to hold a public hearing at the PC level and the Board can do a public hearing also.

What was the resolution on the Master Plan consultation? The Board has now been given all the information and steps taken to get to our decision of wanting to work with Grobbel.

Next Regular Meeting is scheduled for August 4, 2021.

Agenda: the three public hearings possibly four if the ZA brings forth the information for the Industrial District map.

Adjournment: 9:42 p.m.

Respectfully Submitted
Lois MacLean,
Recording Secretary