

WHITEWATER TOWNSHIP PLANNING COMMISSION
MINUTES FOR REGULAR MEETING
In-person and via ZOOM
August 4, 2021

Call to Order at 7:00 p.m.

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

No Board Representative or ZBA Representative available

Also in attendance: Zoning Administrator Hall and Recording Secretary MacLean

Set / Adjust Agenda: Set

Declaration of Conflict of Interest: None.

Public Comment: Mangus explanation of public hearings and public comment

Glenn Savage, 9833 Pineneedle Lane, Williamsburg, notes that the tabled items, RC district event barns, were brought up three years ago. (Mangus indicates that event barns and RC district have been moved to the Master Plan review.)

Heidi Vollmuth, private citizen, 8388 Winnie Lane, Williamsburg, concerned with this ordinance for home occupation, there is nothing in here about marihuana. It should be treated like alcohol. Would like something added to home occupation regarding marihuana.

Linda Slopesma, 9693 Miami Beach Road, Williamsburg, there is concern in the community about the last minute cancellation of the election. It is the second time it has been taken from them. There is a lot of concern about impending change to the community. Should we even proceed with these proceedings? Marihuana is not a regular agricultural product. Encourage everyone to resist being in a hurry.

Michelle Mueller 7482 Cook Rd. Williamsburg, notes there has been childish behavior regarding signs and name calling. Township needs to protect our area to the best of our ability. The goal of the Citizens Action Group is to educate the community and bring a decision to a vote. Letter of the law to fit client narrative. Marihuana industry is huge and here to stay. The township boards have a ground floor opportunity to set it up properly. Do we need a processing facility? Is there an understanding of a processing facility? Feels this is for one person at the expense of everyone else here.

Aaron Grenchik, 5729 Williamsburg Rd., Williamsburg, owner operator of Williamsburg Construction and TC Hemp and Great Lakes Treats. We have a farm, we do agricultural hemp. Registered with the FDA. Everything is state certified. The last three years has been a lot of research, testing and development. Open minded about this conversation. It is a medicinal plant, cancer fighter. Licensed to sell cannabis under .03 THC. Have been operating a farm in Fife Lake for three years and indoor grow in Williamsburg for three years. 2015 and 2018 there were agricultural bills decriminalizing low THC hemp. Feels there is a lot of misinformation that has gone around. It can be good for the community. It is an industry. It can be healthy for our community. It is occurring with or without us. It is a privilege to be part of the process. Maybe we should have a further reach out of the community. Marijuana was decriminalized in the state. It is a medicinal plant giving people relief from physical issues. Would like to stress, change is inevitable. It is unfortunate there is so much slander. It doesn't help anyone. I am a business owner and grow. I sell. Thank you. I look forward to you making a conscientious decision. It takes one individual to ruin it for the community.

Jessica Mangus, 1214 Cerro Dr. TC, I have many friends in this area. I have been watching this issue for a while. While democracy is a beautiful thing to come to a decision together to move forward, it is American that it is upheld fairly. This isn't about marihuana. It is about the politics and about the people. People can voice the opinion freely.

Vern Gutknecht, via Zoom, 6801 Bunker Hill, Williamsburg. We live in a very envious community. Pledge of allegiance, Republic is a form of government which the power is held by the people. I've stated before, there is self-serving interest in government – what is best for me, not the people. How can a senator increase their net worth by a million dollars each year? What is best for the people? I live in a community that is part of a republic. The board moved their meetings to 9 a.m. Attendance has diminished dramatically. People cannot attend because they work. I am impressed with the PC, you try to learn and understand the issues. There are people who do not understand what a

community is or what a republic is. There are three people on the board who do not understand what a community or a republic is. I ask that the PC continue to leave self-serving interests at the door. Thank you.

Public Hearing:

Amendment #79, Medical Marihuana

- a. Open Public Hearing on Zoning Ordinance Amendment #79 on Medical Marihuana at 7:26 p.m.
Notice for the meeting was published in the Record Eagle on July 18, 2021.
Rules, standards, definitions and guidelines for special use permit in the Industrial, Commercial and Ag districts and general rules primarily mimicking the state law on residential home grow and caregiver cultivation.
Separated medical and recreational into amendments #79 and #80 to make it easier. Amendment #80 includes adult use, using the same special use permits as in #79. Allowed us to look at the two separately. Special use provisions are under #79.
- b. Zoning Administrator Presentation, received no additional communications.
- c. Correspondence – public comment received: Included in the packet. The township attorney voiced some concern regarding registration licensing on home cultivation. We took that out. Stated that use within commercial was not addressed but commercial would be appropriate.
Letters received:
Kim Elliott, 7692 Crisp Rd., Williamsburg, opposed to proceeding at this time until there is a vote.
Dee Prabhaker, 6925 Cook Rd., opposed, stating concerns about community, children and safety.
- d. Public Speaking in Favor of adopting Amendment #79, Mike Corcoran, attorney for Northpoint Farms.
Comments are regarding both zoning ordinance amendments. The Planning Commission (PC) Chair did a nice job on the overview. Notes that the PC is not deciding if it will be allowed. It is allowed by law of the township. The PC is making zoning ordinance recommendations via Special Use Permit (SUP). Applicants can be required to add additional stipulations. It is very detailed with protections. More can be added, even at the board level. I resent the personal attacks on myself and my client earlier. Notes that there have been multiple public hearings regarding marihuana.
- e. Public Speaking in Opposition to Amendment:
Denny Fox, 10423 Elk Lake Rd., Williamsburg, I live in close proximity to the proposed facility.
Concerned with odor issues, security, negative effects in the community and potential for criminal activity.
Would like it to come to a vote of the community.

Brad Boals, 10991 Munro, Williamsburg, don't know if I am against. Concerned about light glare, odors, 300 ft. set back. Does the business in an existing business building make those rules null and void? (Mangus notes that the restrictions are still in place even if closer to a property line and it would have to be a variance through the ZBA.)

Heidi Vollmuth, private citizen, 8388 Winnie Lane, Williamsburg, nothing against the medical. Found the biggest complaint in the public education is that we need someone to police it and deal with complaints.

Renee Savage, 9833 Pineneedle Lane, Williamsburg, concerned about temporary events, the organizer, lighting, hours, locked vaults, policing, environmental testing, spillovers, odors. Mr. Corcoran, the board did vote but the public said no in a public vote. Our vote was taken away on Tuesday. If the public says yes, if the public says no, with a vote, then it needs to be reevaluated.

Vicky Emerson, 8785 Park Rd., Williamsburg, is concerned about policing resources and about conflict of interest.

Glenn Savage, 9833 Pineneedle Lane, Williamsburg, judge decided to not allow the vote yesterday. The

people voted for the medical marihuana. In 2018, the community voted against recreational. Three members of the board made the decision and one of those has a conflict of interest. People are against recreational not medical marihuana. Once we get it in here we cannot get it out.

(Point of order)

This needs to go back to the people for a vote. The judge is limited on what he can do.

Don Bailey, via Zoom, live in TC, retired state police sergeant, attended as a guest at a previous meeting. Inaccuracies addressed. Recreational and medical marihuana are the same thing. Lawsuits in TC. Money will be made in recreational, medical will go away. People should have the right to vote. Notes the 2017 survey done in the township. Concerned about conflict of interest of the township board member, enforcement by police, black market, lighting, odors and wastewater treatment. Concerns are about medical and recreational, both.

f. Anyone Wishing to Speak on the Amendment Who Has Not Already Commented

Jessica Mangus, 1214 Cerro Dr., Traverse City, I am an observer. Notes that laws should be as fluid as the peoples' choice, not locked in. Recommends people make comment, discuss and share opinions

g. Close Public Hearing at 8:04

Commission discussion: Mangus: Statement to the board (commission) that this is not the situation we expected to be in. We thought we would have the vote of the people, more community input to work with. We will need to be very accurate in our findings of fact and our decision. It does not mean that everything is done at this meeting. We can make adjustments, minor amendments, think it over and bring it to a vote at the next meeting. I don't think we will get to everything on our agenda. We have flexibility. Not rush, not stall – we will take our time and do it right.

Dean notes that the majority of his comments will be withheld until the public hearings are complete. He is surprised that there is no discussion of the specifics regarding controls and setbacks, etc. Is that because we have done a good job deliberating the details or is the fervor of the evening? This is the time for input on the details.

Mangus notes that a public hearing does not make it a done deal. Will make the best effort that we can to put out the best ordinance in a timely manner.

Amendment #80, Recreational Marihuana

a. Open Public Hearing on Amendment #80 on Recreational Marihuana at 8:10 p.m.

Noticed published in the Record Eagle on July 18, 2021. This is pertaining to zoning ordinance amendment #80, specifically, inclusion of recreational grow and process to be allowed as outlined in #79 in our Industrial, Commercial and Agricultural Districts.

b. Zoning Administrator Presentation

c. Correspondence, letters received:

Kim Elliott, 7692 Crisp Rd., Williamsburg, opposed to proceeding at this time until there is a vote.

Dee Prabhaker, 6925 Cook Rd., opposed, stating concerns about community, children and safety.

Jessica Ziecina, - opposed. I have empathy for the farmer who wants to sell. Allow this gain on the backs of all of the other citizens.

Concerns are odor, crime, impaired drivers, pollution, small community, saturation, number of permits, property values, ease and availability to our children, taxpayer dollars being spent on attorneys. Vote, the citizens already said no. Who will want to buy my house?

Jim & Shelly Rybarsyk, 9543 Palaestrum, Williamsburg, opposition to recreational marihuana. Who is truly benefiting, children, old people, farmers, outside entities? Whitewater Township rejected legalization of recreational marihuana. Would like a fair and legal vote. Concerns are pollution of land, water and air,

odor, setbacks, number of permits, availability to our children.

- d. Public Speaking in Favor of Amendment: Chris Hubbell 8055 Angell Rd., Williamsburg, over a year ago came to the township for the possibility of a special use permit to use a business building. Concerned about number of permits. Did not set out to disrupt the community. Looking for best use of the building / property. It is all indoors. I do not understand all of the misconceptions. Lots of inaccurate things have been said about me and my family.
- e. Public Speaking in Opposition to Amendment: Linda Slopesma, 9693 Miami Beach Rd., Williamsburg, regarding the detail of #79 and #80, have read the draft zoning ordinance, have followed this closely. Concerned with the site plan review, waste, waste disposal, understanding of the rules, security, crime, light (measurability), hours of operation, overnight trucks, footprint, the term “normal senses”, litigation, setbacks, property value, property owner protections, variances and number of permits. Feels there is a need to schedule a second public hearing. (Mangus: clarification, are the concerns specific to Ag or all of the districts? Slopsma indicates that it is for all but based on the size and setback requirements most will end up in Ag.)

Glenn Savage, 9833 Pineneedle Lane, Williamsburg, reiterate, when I was on the PC, we were working on event barns. Three years later you are still working on event barns. Concerned about the speed of pushing the ordinance through, number of permits, PC needs to work on the fine details, PC needs to think about the township as a whole. Don't care what people do in their homes. Disappointed in the turnout of citizens of Whitewater Township.

Heidi Vollmuth 8388 Winnie Lane, Williamsburg, concerned about a board member changing her mind. Wants a vote, wants simple and humble. Approves of use in Industrial and Commercial, not Ag. Concerned about policing, odor, number of permits, what the Fed is going to do with marihuana, grow agricultural hemp and opening “Pandora's Box” for something you may not want. Concerned with the provisioning center next to Family Dollar (not in our township). Vote was taken away.

Tom Slopsma, 9693 Miami Beach Road, Williamsburg, concerned about toxic pollution, setbacks, property rights, residents' recourse, odor (subjective metrics), cleaning systems, protection of non-marihuana growers and a superfund for financial recourse.

Jessica Mangus, 1214 Cerro Dr., Traverse City, speaking up against what I see. Indicates concerns: harm to children, weed as a pacifier for adults, dealers, safety, security, will not help the township. Questions: who are we going to call? Being caught up in politics, leaves collateral damage. Will the odor seep into all of the produce? Is this all about one farmer?

Randy Jorgensen 10565 Elk Lake Rd., Williamsburg, adjoining property owners to this proposed potential disaster where they have a track record. Concerned about property values, safety, deterioration of this township and conflict of interest.

Renee Savage, 9833 Pineneedle Lane, Williamsburg, concerned about commercial zone setbacks and odor. Do not want that kind of establishment next to my quilt shop. Would like to see that the commercial district cannot be grandfathered in or further setbacks.

Don Bailey, via zoom, recreation and medical are one in the same as far as opposition. This is not traditional farming. This is industrial processing. Support putting it to the vote. Signs were taken down and destroyed. Concerned about real time monitoring, inspections, safety and lack of policing.

- f. Anyone Wishing to Speak on the Amendment Who Has Not Already Commented:

Janice Austin, 9991 Miami Beach, Williamsburg, concerned about the board member conflict of interest. Feels the ballot language was done in a way to confuse citizens.

Mike Lehnert, 10610 Elk Lake Rd., Williamsburg, chose Whitewater Township after career in the Marine Corp. because of the people and the beauty. I have served where people could not vote. Vote. Conflict of interest needs to be addressed.

g. Close Public Hearing at 8:56 p.m.

Will need to end the meeting before we get to the rest of the agenda. Zoning Administrator recommends completing Amendment #81.

Consensus of Commissioners to continue past the 9 o'clock time for amendment #81.

Amendment #81, Major Home Occupations

- a. Open Public Hearing on Amendment #81 on Major Home Occupations at 9:00 p.m.
Notice published in the Record Eagle on July 18, 2021, addressing the yearly review of home occupations.
- b. Zoning Administrator (ZA) Presentation: concerns that were relayed to the attorney. Attorney: (per correspondence received) Re-evaluate in five years. ZA indicates that it is not a trial and error basis. A change in use would need to be evaluated.
- c. Correspondence - none
- d. Public Speaking in Favor of Amendment: Heidi Vollmuth, 8388 Winnie Lane, Williamsburg, no problem as long as the last line stays in it.
- e. Public Speaking in Opposition to Amendment - none
- f. Anyone Wishing to Speak on the Amendment Who Has Not Already Commented - none
- g. Close Public Hearing at 9:04 p.m.

Approval of Minutes:

MOTION by Jacobson, second Wroubel by to approve July 7, 2021, Meeting Minutes.

Roll call: Dean-yes; Jacobson-yes; Mangus-yes; Wroubel-yes

All in favor. Motion carried.

Correspondence: Email thread from Township attorney for discussion during public hearings discussions.

Reports:

Zoning Administrator Report, Hall: The board has approved working with Grobbel. Board is reviewing the contract.

Chair's Report, Mangus: Not at this time.

Township Board Rep.,: Not Available

ZBA Representative,: Not Available

Committee Reports: None.

Additional Items: None.

Unfinished Business:

1. Master Plan Review: Review contract with Mr. Grobbel, book at our next meeting.

Suspend the rest of the unfinished and news business meeting agenda items.

Public Comment: Linda Slopsema, 9693 Miami Beach Rd., Williamsburg – thank everyone for listening and everyone caring about their community.

Continuing Education: None.

Commission Discussion/Comments: .

Next Regular Meeting is scheduled for September 1, 2021.

Agenda: Continue with this agenda plus Grobbel.

The Zoning Administrator notes that it is critical to keep the public involved in the Master Plan review.

Please sign in on the Public Hearing sheets if you have not.

Adjournment: 9:11 p.m.

Respectfully Submitted
Lois MacLean,
Recording Secretary