

WHITEWATER TOWNSHIP PLANNING COMMISSION  
MINUTES FOR REGULAR MEETING  
October 2, 2019

Call to Order at 7:07 p.m.

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

Absent:

Also in attendance: Recording Secretary MacLean and Zoning Administrator Hall

Set / Adjust Agenda: Set

Declaration of Conflict of Interest: None.

Public Comment: None

Public Hearing:

- a. Open Public Hearing at 7:10 p.m. on Amendment #77 on Article 3, Definition and Article 27, Environmentally Sensitive Areas  
Published in the Record Eagle September 15, 2019.
- b. Zoning Administrator Presentation – Rationale regarding Article 27: There are two weaknesses with Article 27: 1. Not supported by the Master Plan and 2. There are other county and state entities that cover Environmentally Sensitive Areas.  
Plus the site plan review process addresses this.
- c. Correspondence: None
- d. Public Speaking in Favor of Amendment - None
- 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 7:19 p.m.
- h. Discussion of Appeal: We can send it to the board for adoption
- i. Findings of Fact:

\*The planning commission found that all relevant items which this ordinance purports to regulate are currently addressed by our existing land use process.

\* Our township does not have staff or resources to enforce these guidelines. These items are addressed by other agencies which have the experience, education, and resources to do so.

\*Upon review of the text, the planning commission determined that this Article is attempting to replicate or restate existing guidelines which are provided and managed by a several state and county agencies.

\*It is impossible to accurately replicate and address changes in the standards and guidelines set forth by multiple other agencies. We found that it is more appropriate to refer individuals to the proper governing body for each instance as appropriate.

\*The planning commission found that while most of the standards within this ordinance are being enforced, they are being enforced by others. The township has never actively enforced this ordinance.

\*Retaining these items leaves the township open to legal challenge for both overreach of authority and under-enforcement.

\*This ordinance is not supported by the four goals stated in the 2015 Master Plan.

\*Clarification of the definition of “Accessory Building” specifies that this use is allowed when concurrent with the permit for a primary dwelling.

- j. Decision: Based on the Findings of Face the PC will send Amendment #77 to the Board with a recommendation to adopt.
- k. Motion by Jacobson, second by Savage to forward Amendment #77 regarding Article 27, Environmentally Sensitive Areas and Article 3, Definitions, to Board with a recommendation to approve. Roll call vote .  
Dean-Yes; Hooper-Yes; Jacobson-Yes; Lawson-Abstained; Mangus-Yes; Render-Yes; Savage-Yes  
Motion Carried.

Approval of Minutes:

**MOTION** to approve September 4, 2019, Regular Meeting Minutes as adjusted by Savage, second by Hooper. All in favor. Motion carried.

Correspondence: None.

Reports:

*Zoning Administrator Report, Hall:* Brought in some reading material for you, sharing copies of Planning & Zoning News. The PC can subscribe to this for less than \$400 per year for each member to receive it.

Pretty much caught up with things in the zoning office.

I've never seen so many people in the kitchen trying to stir the same pot of soup. There seems to be a cross-over of duties between the Board and the PC.

Should document in the minutes that you are starting to review the Master Plan.

Next month Hall will give the PC what he sees how the Master Plan meets or does not meet the check list supplied.

*Chair report, Mangus:* I know the board is working on the repeal of the private road general ordinance.

*Township Board Rep., Lawson:* Not much right now.

*ZBA Representative, Hooper:* We had a meeting for a lot of record in the five acre minimum area for lot line adjustments and the right to build in the future. It was approved. Accessibility improved. Made all of the non-compliant lots less non-compliant.

*Committee Reports:* None.

*Additional Items:* None.

Unfinished Business

1. Condominium Subdivision, Ordinance #28: Postpone to November
2. Master Plan review– It is the plan of the Planning Commission to begin a review of the 2015 Master Plan. Open House held prior to this meeting. Citizen engagement: Schedule a January 8, special meeting at 6 p.m. Send out a township email blast. Include info in the December newsletter. Put it in the ER Community Calendar. Put an ad in the Record Eagle. Check into the Traverse City Ticker. Survey to go into the newsletter 5-10 questions. Ted's question for the survey: Do we need five acre minimum lot size in Whitewater Township? Lawson and Mangus will review the 2009 survey questions.

New Business:

1. Direction / Next project discussion. Working on the Master Plan review. The Zoning Administrator will bring forth to the PC anything he notes that needs addressing in the zoning ordinance as he comes across it.

Next Regular Meeting is scheduled for November 6, 2019.

Regular meeting agenda items: Condo Guidelines. Survey questions. Review of what areas need a tune up in the Master Plan: needs and recommendations, requirements and suggestions.

Public Comment: None

Commission Discussion/Comments: None

Continuing Education: Determine if you would like the Planning & Zoning News. October 14, is the zoning training 5:30 – 8:30 in Leelanau. Contact the clerk if you would like to go.

Adjournment: 8:54: p.m.

Respectfully Submitted  
Lois MacLean,  
Recording Secretary