

WHITEWATER TOWNSHIP PLANNING COMMISSION
MINUTES FOR REGULAR MEETING
October 7, 2015

Call to Order at 7:00 p.m.

Roll Call: Hooper, Link, Lyons, Mangus, Miller, Dean

Absent: Lawson

Also in attendance: Recording Secretary, MacLean

Set / Adjust Agenda: Set

Declaration of Conflict of Interest None.

Public Comment: Kim Halstead, 7923 Cook Rd., Williamsburg, the agenda does not have the on-hold list of items. They need to be on the agenda, those are important items need to be addressed.

Public Hearing: None.

Approval of Minutes:

September 2, 2015, Regular Meeting Minutes: Mangus questions that the Board is choosing to enforce Article 27 through the ZA. Change Old Business #1, second sentence to: The Township Board enforces...Motion to approve by Lyons, as changed, second by Hooper. All in favor. Motion carried.

Correspondence:

Reports:

Zoning Administrator Report, Vey: Report: 5 LUP's, one for a new home, for storm damage repair and 2 for accessory structures. Steady flow of land divisions. Two ZBA cases set for October 22, sign set back and a patio retaining wall.

Chair's Report, Link: East Bay Township Master Plan, taking input. Awards banquet for the county. It has been brought to Link's attention that he has been accused of "running a meeting", he calls it facilitating a meeting. Not looking for favoritism. Look for honest input each issue. Encourage everyone to thoroughly and honestly review each issue. If anyone feels differently please indicate at the time that it is happening. We will debate each issue to the extent that we feel necessary to get all sides.

Township Board Representative, Lawson: N/A

ZBA Representative, Lyons: Two cases coming in October. No cases in September.

Committee Reports: None

Additional Items: None

Old Business

1. Article 17, 25 and 27: Discussion: Hoping to have a discussion with Vey regarding the LUP application process. LUP's are always necessary before getting building permits from the county. It has to meet the township zoning for the LUP to be approved. Is there a disconnect between our application process and getting an LUP and/or building permit? Sometimes the ZA will be able to issue the LUP immediately and sometimes he needs to check issues. What do we want in the application? Do we need the ZA to deal with the health department issues or does he only deal with actual zoning issues.

Question/statement from Halstead: If the health department says yes but the ZA says no, they will go with the health department, it is not the ZA's call.

The question is should we be addressing this (health department issues) in our ordinance? Is there are reason to do it at the township level? Wet land and flood plain is where the issue comes in. Does the ZA go to the site to determine the wetland and flood plain issue? We need to write the article to the "worst case scenario". Example: Dentist office near a creek or flood plain. Most of these issues are dealt with in the site plan. The ZA would have the maps and can make the determination based on the information and site plan. A check list based on the type of building and where it would go would be a great way to go. Standard guideline is already there. What is missing on the current application? Article 17 calls out a list of things that need to be submitted (as needed) Article 25 is a very complicated list of what is needed and Article 27 is another list. How do we approach this article? What do we want on the application? For homework, look through these articles and cross out what you think we don't need. The three different sections are not necessarily controlling the same things. "It may have

this and may also require this.” These may all belong in one article. Article 17 is the administration of the job. Article 25 and 27 are the guidelines. Article 25 is egregious. It can be streamlined. Article 17, conduct normal business and Article 25/27 would be the additional. Section 25 should state simply when a site plan review is necessary. Special LUP is another procedure. ZA looks to the articles to enforce, right now 25 and 27 is confusing. Requirements for site plan review, requirements for special use. What are the triggers? Carefully define what this body wants. Right now it is confusing – it needs to be streamlined. Dean: Can we make 27 defensible? One article is the ZA duties. The other two are the details. The applicant is responsible. How are we going to move forward on this? Mangus has come up with a proposed Article 17.

New Business:

1. Agenda to meet with the Township Board to discuss direction. Recommended at the training that the PC and the Board have a joint meeting at least once a year to discuss the direction the Board wants the PC to go. A Planner has been proposed. We need a planner first not just someone to review after. Ask the Board: Are we to rewrite this ordinance? A professional to facilitate is what is needed. Roger Williams is familiar with our Ordinance. We can ask for him to be here. We need to get him engaged. Do we have a budget? Will he work by the hour? He can teleconference January – March. Do we want someone younger with fresher ideas? Encourage to have him (Roger Williams) at a meeting. Been told he is at \$30 per hour. Mangus notes the general New vs. Old, a lot of newer ordinances are such that unless we say it is okay, it is disallowed whereas the old are generally everything is okay except what is specifically disallowed. We need to decide the direction. Performance spec needs to be very well written. It will take a very sharp person to write a performance based article, then reviewed by the attorney. How do WE (the PC) want to get a Planner, or do we just go with who the Board wants? Remaining education funds could be used by bringing in a Planner for educational purposes. We can write a request, an RFP, to bring people in to talk to us. We are looking for a specific type of Planner. Direct the RFP to ordinance writing. Don't want to just hand it off. Ideas and intent need to come from this body. Looking for opinions and a sounding board. People, in general tend to be looking for “this is what you want” not “what do you want?” We have to know what we want. We may have to meet more often than once a month. Set up subcommittees to go through the articles and bring ideas back. Start with the whole body to get the direction and then break up into subcommittees. Keep going with our process and then ask for confirmation and input. Mangus can give a sample, we can work on a couple simple chapters so a Planner can see the direction we are going, wanting to go. The PC has to be familiar with the ordinance. Details vs. the big picture. What do we want it to look like? We were going to start with the Table of Contents and then we were derailed being instructed to address Article 27. We need to let the Board know what the PC wants to do. Maybe get some sections straightened out.
Public input: Halstead: What comes to the ZBA are accessory structures, a lot. We can't change rules in the middle. Organize by working on the Table of Contents, plug items in the more appropriate areas and recodify. Surveys are great, people don't have to come to a meeting for input. Then we've got the statistics and the 80/20 rule. Or do we pick a few issues and engage the public via open house meetings. The approach can be similar as the Master Plan in inviting people in for open houses for the specific “contentious” issues. We should start by tackling some of the less contentious sections. The business of administration should all be in one section, one chapter. Make headway on the Table of Contents then we can know what we are getting into before we look for a Planner.

Ask the Township Board: Do you want us to go through the entire ordinance? Do you want us to recodify the ordinance or review the whole ordinance? How is the Board going to support us, with a Planner? Can the PC have input with who the Planner would be? We can request that the ZA be at each meeting. Can we do an RFP? That process will take several months. We can work on our part before that happens – we have a window of time to make headway before. We were going to start with Table of Contents but were instructed to do Article 27. Are we going down the right road or do you have a different idea? How long do you think it ought to take?

Are we, the PC, willing to start meeting twice each month? - Yes.

Start on Table of Contents, understand the different sections, administration, land use maps, commercial. Compare the sample with ours and come back with input. Mangus will share her sample of Chapter 1.

Link will get on the agenda for:
Access to a Planner.

Additional meetings.
Backing on recodifying.
Then ask for a joint meeting and request budget information.

2. **Special meeting on October 21:** Start on Table of Contents, understand the different sections, administration, land use maps, commercial. Compare the sample with ours and come back with input. Mangus will share her sample of Chapter 1.
Next regular meeting November 4, 2015.

Public Comment: None.

Commission Discussion/Comments:

Continuing Education: Affordable Housing education. HUD funding ideas. Federal regulations for those that receive Federal Grants for housing.

Adjournment: 9:05 p.m.

Respectfully Submitted
Lois MacLean,
Recording Secretary