

DRAFT  
WHITEWATER TOWNSHIP PLANNING COMMISSION  
SPECIAL MEETING – MASTER PLAN  
MINUTES OF MARCH 21, 2012, SPECIAL MEETING

Call to Order by Zakrajsek at 7:00 pm

**Roll Call:** Boyd, Zakrajsek, Link (late), Mangus, Dean, Lyons, Recording Secretary-MacLean, Zoning Administrator-Meyers, + 23 audience  
Absent: NONE

**Set/Adjust Agenda:** None

**Conflict of Interest:** None declared

**Public Comment:** John Mater, 302 Island View Dr., TC, would like the letters read before the Land Use Presentation. Did the land map get corrected regarding State Land? Meyers: No changes made on the Draft Map but we are aware of the changes.  
Phil Groesser: 692 Island View Dr., have lived for 18 years. There was a situation with a developer. Property south of M72 is rural in character with environmental issues. Watched as that issue went to court. It appeared both sides were satisfied, nothing else came from that. We participated with our own funds for legal fees. The matter was decided without appeal. Later there was a survey that addressed the lot size issue. The people thought the 5 acre lots were okay. It appeared as though the court had spoken. There were environmental issues. Hope the board remembers they represent us, down there also. Money being spent on this issue does concern us. Another concern, if we continue to have court actions regarding these issues will it raise liability insurance? Don't understand change: who is being served by these changes? What is the purpose of this? I understand that there is a way people can do higher density housing, PUD's. Why has this issue come forward at this time? Don't see a lot of development in the area, poor economy. Thought everyone was satisfied. I don't think this area is prepared for the kind of growth we could see with houses on small lots. The roads are in pretty sorry shape. It doesn't appear the state or county are prepared to bring the roads up to better condition. These are considerations we have. What is the need for expediency? Zakrajsek: you understand we are not changing the ordinance? We were having a discussion on options for density. No change is immediately in place. It is a look in regards to the Master Plan. You will have more time for input.

**Special Meeting Business:**

1. Land Use Presentation: Cheryl Walton, 1163 Top View Dr. United Nations Agenda 21.

2. Letters presented for reading at meeting. Zakrajsek: Commission has been working on a Master Plan rewrite. The township needs to have a plan. We are not changing ordinances. It could be said we are writing guidelines for possible changes. It is excellent that citizens have taken the time to be heard.

Letters presented and read by Chairman Zakrajsek, attached:

Jankowski: 714 Island View Dr.

Johnson: 398 Island View Dr.

Drummond: 338 Island View Dr.

Hill:

Lutz: 190 Island View Dr.

Marco: 198 Island View Dr.  
Smith, 326 Island View  
Nied: 416 Island View Dr.  
Haver: 184 Island View  
Tobola: 268 Island View Dr.  
Gordon: 224 Island View  
Sandra and Candace Goetz, 672 Island View Dr.  
Randazzo: 72 Island View Dr., (not a WWT property owner.)  
Monks: 422 Island View Dr.  
Michael & Anne Gordon: Island Lake property owner, Lot IL-08)  
Jim & Pat Begin: 30 Island View Dr., (not WWT property owner)  
Rod & Marilyn Rebant: 648 Island View Dr.  
David & Mary Beth Mitchell: 226 Island View Dr.  
John Mater: 302 Island View Dr.  
Kirk & Risa Vuillmot: 400 Island View Dr.  
Lynn & Mary DeLong: 722 Island View Dr.  
Stan & Jill Jankowski, 8 Island Lake, (not WWT resident)  
Karen Ferguson of Island Lake Dr. for The Island Lake Association

Zakrajsek: This was lengthy but it is good to see that the community is responding and indicating their interests. Meyers offered options, discussion will be continuing, density issues will continue to be looked at. Commission questions:

Link: Directly around the lake is R1, around that area is RC1.

Meyers: Can run the numbers on RC1, there are about 273 parcels in RC-1, 45 are state owned. Island View Drive properties are adjacent to the RC-1, surrounded by.

Mangus: What makes it clear is that we have had communications about getting more input from the RC-1 and Island Lake peoples. There is a lot of miscommunication based on information in the letters. We need to clarify things. We discussed having a meeting for that / those districts.

Let people know why this has come up.

Link: Underlying: "why"

Zakrajsek: We've had discussion and the citizens have responded.

Mangus: Misinformation is a concern

Zakrajsek: Possible confusion on the area the survey showed a very small margin of a majority.

Link: There was a significant % that also said no opinion

Dean: What did the specific RC-1 people say?

Mangus: We do not have that break down, we need more information.

Dean: Let people know about why and what the process is to change.

Mangus: Island Lake Assoc. knows about the strength of the Master Plan.

Lyons: Mobile home park in RC-1. There are things that need to be dealt with. M72 is not the boundary.

Zakrajsek: This has just been a discussion and we're taking input. LDSFR and MDSFR had not even been decided.

Mangus: Future land use map did not pass when brought up for a vote.

Link: In the survey, "describe where your property / land is", 27% says forest/wooded.

Dean: Small lot sizes, 100 foot lots, are the whole Island Lake area.

Boyd: People want to know Why we are doing this? Why this discussion? It would be in violation of our duties if we did not discuss this. Legally settled means Rogers dispensed his judgment based on zoning written at the time. Thus validating the Planning Commission and Township making the decision.

Mangus: Multiple perspectives have been presented, this is why we are looking at both sides. Looking for a compromise.

Boyd: If you are going to come to the party and say no, come with a solution Harshfield “quote”. We are discussing as we are duty bound to do on this commission. There will be more public hearings.

Mangus: Not looking to satisfy any particular group, looking for a compromise.

Zakrajsek: We will continue to review all the information. We are in a discussion stage. It is premature.

Dean: Put this in context, response, we are in the middle of a Master Plan review.

Zakrajsek: Not comfortable with specific responses. A general note to all.

Mangus: Thank you for your input we are not done with gathering information.

Link: We stopped at the density, we need to talk about acreage later after we decide on language, there is a majority, we need to address why.

Zakrajsek: We got input and we need to evaluate. We will send a blanket letter.

### 3. Master Plan - Table

Next meeting: Wednesday, April 4, 2012, at 7 p.m.

Public Comment: Leelanau County, previous township supervisor, cherry farmer, Stan G: relating to Walton presentation the new Leelanau Supervisor said she would only appoint people who believe in the principles of smart growth, we spent more than 2 years and 238,000 dollars on information, the ordinance was run off the road. Could not build a new home within site of a public highway or lake. Wanted to issue tickets, regulate the number of pets you could have, couldn't display a flag a certain way. Couldn't have more than 4 vehicles without violation fees, light bulb wattage. Personal property issue not just land issues. Lots of money spent on the issues. Town board held public hearing, 28 opposed, 1 spoke in favor. You have to have people appointed to your boards and commissions from various areas and economic walks of life, diversity also look at the backgrounds, question them. If you get a stacked deck like Leelanau got it will be the interests of a stacked deck. It will cost your township a lot of money. Four positions were voted out at the next election. Third generation fruit grower, I was not happy.

Cheryl Walton: Island Lake residents operating under a misconception on the survey. Surveys do not determine our property rights, better go out and ask the property owners who are affected by the 5 acres and find out what they think of the minimum. None of the people in the Island Lake Assoc. are part of the 5 acre minimum. They do not have a problem subjecting others with it. Most of the people didn't know what the RC-1 issue was back when it was rezoned. The farmers, north of M72 opposed the 5 acre minimum. Give back the people who had the option taken away, give them theirs back to Ag, people who did not want it. These people did not ask for RC-1, give it back. One sentence. Island Lake residents want the ability to control what goes on around them, want to control that if they can buy it and then they can have a party with, they have no right to impose their wants.

Link: To Cheryl Walton, do you own property in the RC or RC-1 area?

Goss: 11613 Top View: I could write you a book on what this has done on my property where I cannot develop but the developer could. The board needs to look at more lines. I own 30 acres, many people own property and cannot split it off. I think we need to look at the lines better, this affects a lot of people.

Snider: 8316 Old M72, live downtown Williamsburg. I am being sued by Whitewater Township all due to zoning. Trespassing on property, took photos of my possessions. Last time, with Judge Phillips, I won. Because I have lots of stuff, they are taking away my rights. They rezoned me. Took away use of my fence, cannot use my property the way I want to. They want downtown Williamsburg to look like the township building. Nobody in the area wanted it changed but they did it. They have spent a lot of money; I have spent a lot of money fighting this. I help people. There are no junk yards, they call my place a junk yard, they say, they have all the documents. I

will give you copies of everything. This is where the zoning goes, this is what it does. I have to list everything in my yard. Because of zoning we have right here, they are taking away my rights and my property. Everyone wants what they want. I spoke up for the people on the rural septage plant, we are stuck with, we have to stop letting them do that. Think of the township as a whole.

Mater: Proposed subdivision of the of Weber property back in 2004, serious environmental issues. You could take out 2 out of 3 and it is still a lot of density. Concerned with that happening again. Weber could have agreed on a PUD up by Supply Road. I do not pay attention to the zoning issues that do not affect me, I apologize. Can you move the line; M72 is a business corridor, with Meijer it is going to build. Everything is going to come with Meijer. Don't know how strict it has to be regulated. Roof design is a bit of a stretch on rules. We really love the privacy down there. President of the association, Lynn DeLong, can be contacted. People may not have seen the map; it can be hard to get to.

Zakrajsek: Our discussion ended at that point. Other than the area you all live in, it is a good 2 to 3 miles from the area you have discussed.

Mater: We did have first dibs on the property from the school and it got done under the table, we were not offered it. The school went with Weber. He went bankrupt, seems he paid too much for the property. I feel bad for him, he went in blind, he made some bad business decisions.

Zakrajsek: I was not here during litigation.

Mater: We spent a lot of money supporting the township's position on the 5 acres. It may be difficult to change it. Is the May meeting approximately when the vote may be?

Zakrajsek: There will have to be a minimum of two public hearings. I don't see May. We will discuss it at the April meeting.

Boyd: When the public hearing happens it is at the point to hear what the public has to say, we then take it back, work on it some more, then another public hearing at the Planning Commission level, adjustments, repeat, then to the Township Board and they will have a public hearing. We do our due diligence.

Mangus: Keep in mind one of our goals is to find a compromise for people who have had property rights taken away; we are looking for a middle ground.

Mater: You have a lot of work, have fun.

**Motion to adjourn at 9:20 p.m. by Boyd, seconded by Lyons . MOTION CARRIED.**