

Whitewater Township Board
Minutes of Special Meeting held July 19, 2022 at 9:00 a.m.

Call to Order

Supervisor Popp called the meeting to order at 9:00 a.m. at the Whitewater Township Hall, 5777 Vinton Road, Williamsburg, Michigan.

Roll Call of Board Members

Board Members present in person: Popp, Goss, Benak, Glenn, Vollmuth

Board Members absent: None

Others present in person: 4

Others present via Zoom: Up to 8

Set/Adjust Meeting Agenda

There were no adjustments.

Declaration of Conflict of Interest

None

Public Comment

Public comment began at 9:01 a.m.

Bob Hall, Zoning Administrator, commented that he wants to make it very clear that Whitewater Township has a zoning administrator. Zoning has checks and balances through the Zoning Board of Appeals. The zoning administrator is charged with enforcing the zoning ordinance. No individual board member or collective is charged with administering the zoning ordinance beyond the zoning administrator. Hall made it clear that the applicant on Baggs Road has not expressed interest in a Planned Unit Development (PUD). A PUD is different than a site condominium. Hall reads the zoning ordinance to be that a site condo development is not subject to PUD rules and regulations. Thinks it is great that the board is taking the opportunity to look at this. Wishes the board would have a liaison on the planning commission. Article 25 is very clear; site plan reviews and special uses are not the same thing, and they are not subject to the same standards.

Vern Gutknecht submitted a letter and read through the letter.

Karin Boyd, 6303 Baggs Road, commented on rural character, roads in the development, zoning ordinance, listen to the residents, shared a picture of the development plan and the need of having someone on the PC from the board.

Vicki Beam, 6847 Baggs Road, read a statement, commented regarding development, master plan, property rights, rural character, water concerns, Grobbel statement, Hall statement, moratorium, and zoning ordinance confusion.

Amy Haskell, 6699 Baggs Road, commented on the proposed Baggs Road development, building a home and local government.

Connie Hymore, Baggs Road, disagrees with Bob Hall, commented on moratorium, zoning ordinance, passed out part of an email thread with Bob Hall, PUD, site condominiums, zoning ordinance, roads, special use permit and master plan.

Frank Hymore, Baggs Road, commented on the moratorium, planning commission work on zoning ordinance, flow charts, available resources and master plan.

Heidi Vollmuth, 8388 Winnie Lane, Trustee, recommended that the board should read documents that she handed out prior to the meeting.

Jhc3 commented on Baggs Road development, road use and traffic.

Popp read a comment from Mark Rickey regarding Baggs Road development, rural character and zoning.

Popp read a comment from Kim Elliott regarding direction of Whitewater Township, Baggs Road development, marihuana and surveys.

Public comment ended at 9:43 a.m.

Board discussion followed:

- Glenn and Popp noted there may be questions that need to be addressed outside of this meeting. Glenn would like to open it up like a public forum.
- Goss feels the ordinance is being followed by the zoning administrator. Does not have questions and is not in favor of an open forum meeting. Questions can be sent to the attorney.
- Benak feels that an open forum meeting should include the zoning administrator and planning commission chair.
- Popp would like to reach out to the public and noted that Ordinance #16 is a general ordinance.

REVIEW WHITEWATER TOWNSHIP ZONING ORDINANCE ARTICLES (9:44 a.m.)

Discussion ensued.

Glenn noted that Bob Hall and Kim Mangus noted deficiencies in Article 25.

Benak noted that the planning commission has addressed Article 25, made legal and zoning administrator recommended changes and should be coming from the PC for approval after their next meeting.

Specific zoning ordinance article information read, questioned and discussed.

Mangus, via Zoom, noted that recommended changes in Article 25 have been addressed and will be presented to the board for approval.

Discussion continued on specific zoning ordinance article information.

At 11:04 a.m., Goss left the meeting.

REVIEW PUBLIC ACT 59 OF 1978 CONDOMINIUM ACT

Discussion ensued.

Benak recommended questions go to the attorney.

REVIEW OTHER PUBLIC ACTS/MICHIGAN COMPILED LAWS AS NEEDED

Not specifically addressed.

Board Comments/Discussion (11:20 a.m.)

Benak noted that the planning commission is working on the zoning ordinance. We hire professionals with expertise. Noted that the codification process was supposed to address many of today's discussed concerns.

Popp recommended that we follow the process and place questions of interpretation before the Zoning Board of Appeals who may go to legal for assistance. Site development, land division process needs to be addressed and feels that it all comes back around and references General Ordinance 16.

Vollmuth noted that it all seems circular.

Glenn noted that there is confusion and there may be things that were eliminated that we may need to have addressed. General Ordinance 16 needs to be addressed. The process needs to be addressed.

Popp would like to send a question to the attorney to find out if things should be sent through the Zoning Board of Appeals (ZBA). Who is responsible to interpret? Can the board go through the ZBA?

Benak suggested that we get information through the zoning administrator, get an opinion of the concerns brought up today, and then possibly take the questions to the attorney.

Vollmuth would like to address the interpretation question.

Public Comment

Public comment began at 11:49 a.m.

Vern Gutknecht commented on strategic plans, hire professional and issues need to be addressed.

Kim Mangus commented that comments from the audience were not heard on zoom, review what the planning commission is sending forward, place all ordinances online, special use permit rules, planning commission access to professionals, lack of planning commission

members, board liaison to the PC, and using the current process, zoning ordinance changes timing is a minimum of six months.

Connie Hymore commented on appreciation of the meeting, referenced a planning guide and board and PC communication.

Vicki Beam commented on an appreciation of the meeting, site condo split, PC training, more PC meetings, private roads, additional resources, legal resources and zoning administrator.

Karin Boyd commented on an appreciation of the meeting.

Public comment ended at 12:03 p.m.

Adjournment

Motion by Vollmuth to adjourn; second by Popp. Roll call vote: Popp-yes; Goss-n/a; Benak-yes; Glenn-yes; Vollmuth-yes. Meeting adjourned at 12:04 p.m.

Respectfully submitted,
Lois MacLean
Recording Secretary