

Whitefish Township Planning Commission Minutes
Special Meeting and Public Hearing – May 22, 2024

- Special Meeting Called to Order by Chairman Robert Hughes at 7 pm. *Adjourned*
- Role call: Commissioners Carol Bowden, Linda Ferguson, Glenn Gomery (BOT Liaison), Robert Hughes, Don Mandeville, Present.
- Approximately 52 public attendees present.
- Minutes: (see below) Motion by Gomery to approve the Minutes of April 3, 2024 as presented. 2nd by Hughes.. Discussion: None. Roll Call Vote: Gomery, yes. Ferguson, yes. Hughes, yes. Bowden, yes. Mandeville, yes. Motion carried.
- Statement of the purpose of this Special Meeting and Public Hearing: Hughes read aloud the published and posted May 7, 2024 Notice of Special Meeting and Public Hearing.
- Statement of the status of the amended 2024 Zoning Ordinance, affirming that the Township is presently operating according to the 2018, amended 2019, Zoning Ordinance, pending resolution of this matter via the Ballot Referendum scheduled for August 6, 2024: Hughes stated: "Whitefish Township is presently operating according to the 2018, amended 2019, Zoning Ordinance, pending resolution of this matter via the Ballot Referendum scheduled for August 6, 2024."
- Public Comment: Public Comment was asked for. Public attendee Scott Erickson pointed out that the April 3rd Minutes had not yet been approved by the Commission. The April 3rd Minutes were then approved per above and Public Comment was continued. 28 Public attendees offered Public Comments regarding the Master Plan, the Proposed Amended 2024 Zoning Ordinance, Short Term Rentals, and other concerns about the future development and preservation of the Whitefish Township community.
- Written Public Comment Received: Gomery summarized each of the ten received written Public Comments, noting all were related to STRs, and that 7 were in opposition and three were in support of STRs being allowed in Whitefish Township, with those opposed emphasizing the need to ban, restrict, or limit STRs, especially in residential Zoning Districts, and Subdivisions.
- Old Business:
 - Review of, and Applicant parcel #s and addresses read into the record for ten Applications for Special Land Use Approval for which the PC Initial Review was performed at the April 3, 2024 General Meeting, to be heard at the Public Hearing to follow: Hughes read aloud the parcel #s and addresses of each Application for Special Land Use Approval, stating that the Zoning Ordinance Article 8 specifies the required process regarding this matter, and that document is in Commissioner's hands at this meeting and is available to the public on the township website. Hughes read aloud the parcel numbers of each application, stating that all ten were seeking Special Land Use Approval to operate a STR, and are to be heard in the Public hearing to follow.
 - Master Plan: Update from the committee of Commissioners Hughes and Ferguson as to communication with Eastern UP Planning Agency regarding the status of this matter, and recommendations for future action by the Planning Commission. Ferguson presented the report of the Committee, noting the document and email communications with Jeff Hagan, CEO, EUP Regional Planning and Development Agency are in Commissioner's packets, section 8. Gomery spoke of efforts past to update the Master Plan. Motion by Gomery, to accept the report and it's recommendations. 2nd by Ferguson. Discussion: None. Roll Call Vote: Gomery, yes. Ferguson, yes. Hughes, yes. Bowden, yes. Mandeville, yes. Motion carried.
 - Planning Commission Bylaws – Review of final document with redline additions by Township legal counsel. The draft was approved by the Planning Commission on April 3, 2024. Motion by Hughes to accept the document in it's entirety as presented, and it's recommendation to the Board of Trustees for BOT approval. 2nd by Ferguson. Discussion: None. All in favor vote: 5 yes, 0 no. Motion carried.
- New Business:
 - Five recent Applications for Special Land Use Approval, for PC Initial Review and discussion of the five Applications, Applicant's presentations, and Commissioner's queries to Applicants (if present): Initial Review was performed with each application parcel # and address read aloud by Hughes noting that four are for Special Land Use Approval to operate a STR, and one is for the keeping of goats. Motion by Gomery to schedule a Public Hearing for July 10, 2024 7 pm, to be held in conjunction with the Regular Meeting already scheduled for that date and time, for the hearing of the five applications. 2nd by Hughes. Discussion, none. Roll call vote: Gomery, yes. Mandeville, yes. Ferguson, yes. Hughes, yes. Bowden, yes. Motion carried.
 - Motion by Hughes, second by Gomery, to recess the Special Meeting until the close of the Public Hearing. Discussion: None. Roll Call Vote: Hughes, yes. Ferguson, yes. Gomery, yes. Bowden, yes. Motion carried.
- Special Meeting Adjourned at 8:27 pm.
- Public Hearing Called to Order by Chairman Robert Hughes at 8:27 pm.

- Roll call: Commissioners Carol Bowden, Linda Ferguson, Glenn Gomery (BOT Liaison), Robert Hughes, Don Mandeville, Present.
- Statement of the purpose of the Public Hearing: Hughes read aloud the published and posted May 7, 2024 Notice of Special Meeting and Public Hearing.
- Statement of the status of the Amended 2024 Zoning Ordinance, affirming that the Township is presently operating according to the 2018, amended 2019, Zoning Ordinance, pending resolution of this matter via the Ballot Referendum scheduled for August 6, 2024: Hughes stated: "Whitefish Township is presently operating according to the 2018, amended 2019, Zoning Ordinance, pending resolution of this matter via the Ballot Referendum scheduled for August 6, 2024."
- Commissioner's review and discussion of the ten Applications for Special Land Use Approval. Applicant's presentations and Commissioner's queries to Applicants (if present): Hughes read aloud the parcel #s and addresses of each Application for Special Land Use Approval, stating that the Zoning Ordinance Article 8 specifies the required process regarding this matter, and that document is in Commissioner's hands at this meeting and is available to the public on the township website. Each application was reviewed by each of the commissioners as Hughes read aloud the parcel numbers and addresses of each application, stating that all ten were seeking Special Land Use Approval to operate a STR. Hughes stated: "Due to a potential conflict of interest on my part regarding two of the ten Applications, I will not be participating in the discussion or vote regarding those two Applications."
- Public Comment: Approximately 18 Public Comments were received, with Public attendees offering Public Comments regarding the Master Plan, the Proposed Amended 2024 Zoning Ordinance, Short Term Rentals, and other concerns about the future development and preservation of the Whitefish Township community. One Applicant spoke briefly, stating the Applicant's Public Comment regarding their Application.
- Written communication received by the Planning Commission regarding this matter: Gomery summarized each of the ten received written Public Comments, noting all were related to STRs, and that 7 were in opposition and three were in support of STRs being allowed in Whitefish Township, with those opposed emphasizing the need to ban, restrict, or limit STRs, especially in residential Zoning Districts, and Subdivisions.
- Close Public Hearing: Public Hearing Closed at 8:52 pm.

- Call to Order Special Meeting from Recess: Special Meeting Called back to Order from recess by Chairman Robert Hughes at 8:53 pm.
- Roll call: Commissioners Carol Bowden, Linda Ferguson, Glenn Gomery (BOT Liaison), Robert Hughes, Don Mandeville, Present.

- Commissioner's discussion and review of Public Comment received: The ten written received Public Comments were read and reviewed by the Commissioners.
- Commissioner's discussion and review of the ten SLU /STR Applications heard during the Public Hearing: Hughes stated: "Due to a potential conflict of interest on my part regarding two of the ten Applications, I will not be participating in the discussion or vote regarding those Applications."
- Planning Commission decision on each Application for Special Land Use Approval: Parcel #s and addresses of each Application were read aloud as each Application was voted on by the Commission. Eight Applications for Special Land Use Approval were discussed and voted on individually by Roll Call vote. Eight were Approved with Conditions by all five Commissioners voting Yes votes. One was Approved with Conditions by three Commissioner's Yes votes, with Hughes and Ferguson having recused themselves from the discussion or vote regarding that Application, due to a potential conflict of interest. One Application was Approved with Conditions by four Commissioners voting Yes, with Hughes recusing himself from the discussion or vote regarding that Application, due to a potential conflict of interest.

(Reference: WT Zoning Ordinance: SECTION 8.06 PLANNING COMMISSION ACTION)

"The Planning Commission shall review the application for a special use permit in reference to the standards and findings required herein and in relation to the information provided at the public hearing. The Planning Commission may request additional information it deems necessary to make a decision. The Planning Commission shall grant, approve with conditions or deny the application for a special use permit."

- Finding of Facts entered on each application Finding of Facts page, signed and dated: Each Application Finding of Facts page was filled in by Secretary Gomrey.

- Adjourn Special Meeting: Special Meeting adjourned at 9:20 pm.

Approval Signatures and Date Signed:

Hughes: [Signature] Gomery: _____
 Ferguson: [Signature] Bowden: [Signature]
 Mandelville: [Signature]