

Whitefish Township Planning Commission Minutes Regular Meeting and Public Hearing – July 10, 2024

- Regular Meeting Called to Order by Chairman Robert Hughes at 7 pm.

- Role call: Commissioners Carol Bowden, Linda Ferguson, Robert Hughes, Don Mandeville, Present. Glenn Gomery (BOT Liaison) Absent with prior notice.

- Approximately 8 public attendees present.

- Minutes: Motion by Ferguson to approve the Minutes of May 22, 2024 as presented. 2nd by Mandeville. Discussion: None. All in Favor: Four Ayes, Zero Nays. Motion carried.

- Statement of the purpose of this Regular Meeting and Public Hearing: Hughes read aloud the published and posted June 25, 2024 Notice of Regular Meeting and Public Hearing, and the parcel number and address of the five Applications for Special Land Use Approval.

- 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 attendee Bridgette Nordurf spoke regarding the Master Plan. One attendee spoke regarding the Special Land Use Application on N Whitefish Pt Rd. One attendee spoke of law enforcement and fire risk issues that he believes Short Term Rentals present, as well as the process for complaints.

- Written Public Comment Received: Hughes summarized the received written Public Comments, noting that they will be acknowledged again in the Public hearing to follow.

- Old Business:

- Review of, and Applicant parcel #s and addresses read into the record for five Applications for Special Land Use Approval for which the PC Initial Review was performed at the May 22, 2024 Special 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 also stated that four Applications are for Short Term Rental, and one is for the keeping of goats, and will 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 and Development Commission regarding the status of this matter, and recommendations for future action by the Planning Commission. Ferguson presented the report of the Committee, noting the draft Master Plan document and email communications with Jeff Hagan, CEO, EUP Regional Planning and Development Agency are in Commissioner's packets. Motion by Mandeville, to accept the draft and recommend it to the Board of Trustees. 2nd by Ferguson. Discussion: None. All in Favor: Four Ayes, Zero Nays. Motion carried.

- Motion by Hughes, second by Bowden, to recess the Regular Meeting until the close of the Public Hearing. Discussion: None. All in Favor: Four Ayes, Zero Nays. Motion carried.

- Special Meeting Adjourned at 7:17 pm.

- Public Hearing Called to Order by Chairman Robert Hughes at 7:18 pm.

- Roll call: Commissioners Carol Bowden, Linda Ferguson, Robert Hughes, Don Mandeville, Present. Glenn Gomery (BOT Liaison) Absent with prior notice.

- Statement of the purpose of the Public Hearing: Hughes read aloud the published and posted June 25, 2024 Notice of Regular Meeting and Public Hearing, stating that the purpose of this Public hearing is hear Public Comment regarding these matters.

- 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 five 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 four are for Short term Rental, and one for the keeping of goats.

- One Applicant's agent spoke briefly, stating the Applicant's information regarding their Application.

- Public Comment: Bridgette Nordurft spoke regarding enforcement of the Zoning Ordinance, the Application for Short Term Rental adjacent to her parcels, and specifics of the Tahquamanon Paradise Subdivision, recommending conditions that she requests be specified should this Application be approved, as well as stating that she is opposed to any short term rental in residential zoning districts. She also spoke of one other Application that has proximity to what she referred to as a Superfund Site – the old abandoned dump on Farm Truck Road.

- Written communication received by the Planning Commission regarding this matter: Hughes summarized each of the received written Public Comments, noting all were related to STRs, with some in opposition of STRs being allowed in Whitefish Township, emphasizing the need to ban, restrict, or limit STRs, especially in residential Zoning Districts, and Subdivisions.

- **Close Public Hearing: Public Hearing Closed at 7:32 pm.**

- **Call to Order Regular Meeting from Recess: Regular Meeting called back to order from recess by Chairman Robert Hughes at 7:33 pm.**

- Roll call: Commissioners Carol Bowden, Linda Ferguson, Robert Hughes, Don Mandeville, Present. Glenn Gomery (BOT Liaison), Absent with prior notice.

- Commissioner's discussion and review of Public Comment received: The written received Public Comments were read aloud and reviewed by the Commissioners. Additional time for additional Public Comment by Bridgette Nordurft was given. She noted her objection to the N Whitefish Point Rd Application.

- Commissioner's discussed and reviewed the five SLU /STR Applications heard during the Public Hearing.

- 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. The five Applications for Special Land Use Approval were discussed and voted on individually by Motion and Roll Call votes. Two STR Applications were Approved with Conditions by all four Commissioners voting Yes votes. One "keeping of goats" Application was Granted without Conditions by four Commissioner's Yes votes, One STR Application was denied, citing the reasons as: Deed Restrictions prohibiting commercial use, Public Comment received, and potential negative impacts on the neighborhood. One STR Application was Approved with Conditions by three yes votes, with mandeville voting no.

(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 Hughes.

Motion by Mandeville to adjourn Regular Meeting, 2nd by Bowden. All in Favor: Four Ayes, Zero Nays. Motion carried.

- **Special Meeting adjourned at 8:04 pm.**

Approval Signatures and Date Signed:

Hughes: _____

Ferguson: _____

Bowden: _____

Mandeville: _____