

Whitefish Township Planning Commission Minutes Special Meeting April 29, 2025

- Special Meeting Called to Order by Acting Chairman Don Mandeville at 7 pm.

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

- 3 public attendees present.

- Motion by Ferguson to amend the agenda, adding under new business the possible rescheduling of the Regular Meeting scheduled for May 7th. 2nd by Bowden. Discussion: None. All in Favor: Three Ayes, Zero Nays. Motion carried.

- Minutes: Motion by Mandeville to approve the Minutes of March 28 with the one correction noted. 2nd by Ferguson. Discussion: None. All in Favor: Three Ayes, Zero Nays. Motion carried.

- Mandeville announced that the two Public Hearings (one for the master plan update, one a short a term rental application) not held March 19th due to lack of quorum will be held during this meeting.

- Public Comment: None spoken. Mandeville summarized the one written public comment received, stating that it is about the Master Plan Update and will be acknowledged again during the Master Plan Update Public Hearing.

- Old Business:

- Vicente – Kurek special land use application: Commissioners discussed the location, access to the property from W M123, adjacent landowners, and again reviewed the application documents that were initially reviewed at the January 8th and March 28th meetings. Mandeville stated that the public hearing for this application will be held later during this meeting.

- Zoning Administrator West presented short term rental information, stating that since the STR Moratorium ended in 2024, 19 applications for short term rental permits by special land use approval were considered by the planning commission. 18 were approved with conditions, 1 was denied. There are 9 STR permits that were approved prior to the two year 2022 Moratorium, bringing the total of permitted STRs to 27. One permit holder requested that their special land use permit for short term rental be approved as abandoned as they have ceased renting. Their formal Notice of Landowner Intent to Cease/Abandon their Special Land Use that was Approved with Conditions May 22, 2024 - Krause Special Land Use Permit / Short Term Rental Operating License – p/n 16 660 019 00 12530 N Superior Drive was addressed at the March 28th meeting, approved as abandoned by the commission, bringing the present number of permitted STRs to 26. Annual renewal applications and fees have been received from 18 permit holders. 4 permits approved in January 2025 require no 2025 annual renewal, 1 permit issued in 2020 was abandoned by change of ownership in 2022, and 4 are delinquent. Water test reports have been received from all permit holders other than those with winterized homes, to be provided later. The number of unapproved advertised and operating STRs is unknown.

- Motion by Mandeville, 2nd by Bowden to endorse as approved the annual renewals received. Roll call vote: Bowden, yes Ferguson, yes Mandeville Yes. Motion carried.

New Business:

- Mandeville stated that it appears there will be no business for the commission to attend to at the scheduled May 7th Regular Meeting, due to this April 29th Special Meeting. Motion by Ferguson, 2nd by Bowden to suspend the scheduled the May 7th Regular Meeting, to be rescheduled to a later date when the commission has business to attend to. Roll call vote: Bowden, yes Ferguson, yes Mandeville Yes. Motion carried.

- Motion by Mandeville, 2nd by Bowden to recess the Special Meeting. Discussion: None. All in Favor: Three Ayes, Zero Nays. Motion carried. Special Meeting recessed at 7:22.

Public Hearing for Special Land Use Permit Application called to order by Mandeville at 7:22

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

- Statement of the purpose of this Public Hearing: Mandeville read aloud the Notice of Public Hearing and stated the purpose of this Public Hearing is to receive Public Comment regarding the Vicente & Kurek Application for Special Land Use Approval, the Applicant Name, Parcel # and Parcel Address: Vicente & Kurek p/n 16 222 085 50 - 8347 N Beaver Trail.

Public Comment: Neighboring property owner Mike Hobbs spoke, stating that he opposes approval of the application, recounting past efforts by the Township to accommodate, by creation of the "Tourist District Overlay," the existing (at the time) commercial short term rental uses in residential zoning districts when the zoning ordinance first regulated short term rentals, "grandfathered" as legal non conforming land uses. He stated that short term rentals, being a commercial land use, are incompatible within the residential zoning districts, and when approved as a special land use are in effect spot zoning. The Township hasn't done that for years, other than these short term rentals, and I'm opposed to that land use. Compared to past land uses for that parcel a STR wouldn't be much of a bother to me, but I'm sure no neighbor anywhere would like that next door. I'm opposed to short term rentals in other than commercial districts. Mike also spoke of concerns for access to the parcel on Beaver Road.

Commissioners and two public attendees discussed the access to the parcel from W M123, reviewing the Hiawatha Subdivision map, the Parcel Map, OnXmaps imagery, GIS info, and the applicant's Site Plan, as well as an easement document provided by the applicant, attempting to determine if legal right of passage exists from 123 to the parcel. It was noted that the document appears to be a lumbering easement, granting the lumber company the right to cross land that they have sold.

- Written communication received by the Planning Commission regarding this matter: None. Motion by Mandeville, 2nd by Ferguson to close the Public Hearing. Discussion: None. All in Favor: Three Ayes, Zero Nays. Motion carried. Public Hearing Closed at 7:52

Public Hearing for Master Plan 2024 Update called to order by Mandeville at 7:38.

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

- Statement of the purpose of this Public Hearing: Mandeville read aloud the Notice of Public Hearing, stating the purpose of this Public Hearing is to receive Public Comment regarding the Master Plan 2024 Update.

- Public Comment: One written Public Comment received from Bridgette Nordurf was read aloud by Mandeville. It addressed her concerns, among others, about more public input needed before the plan is approved by the commission, affordable housing, emergency services, law enforcement, blight enforcement, lakeside park, parking and other community issues, citing an "informational public pole conducted January 2025", detailing percentages of respondents to various questions. The letter states that the proposed plan document cites 20 year old data from a survey done then. The letter refers to "Whitefish Township community vision of the future."

Mandeville noted that no other written public comment was received during the required 63 day comment period. Attendee Edson Forester, speaking as the Supervisor spoke, detailing efforts underway to do a census and acquire information about the township and it's residents involving the organizations Community Heart and Soul, Chamber of Commerce, and Tourist Council. It's an individual style survey conducted one on one with residents... May take a couple years to accomplish... I'd like to see this update adopted by the Board to then proceed with this more detailed survey so we can have up to date input from the community rather than the info we're working with now which is from the 2004 survey. Bill West noted one correction needed – on page 7 it states the Township has a seven member Planning Commission, the correct number is 5. Reading from the website, "Community Heart & Soul is a resident-driven process that engages the entire population of a town in identifying what they love most about their community, what future they want for it, and how to achieve it. Developed and field-tested

over a decade in partnership with over 120 small cities and towns across America, Community Heart & Soul is a proven process for engaging a community in shaping its future,” he stated that he'd like to see the Planning Commission approve and recommend that the Board of Trustees adopt this update so we can begin the process of the next update with up to date input from the community.

Motion by Mandeville, 2nd by Bowden to close the Public Hearing. Discussion: None. All in Favor: Three Ayes, Zero Nays. Motion carried. Public Hearing Closed at 7:58

Special Meeting called back to order by Mandeville at 7:58

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

- Commissioners discussed and reviewed Public Comment received. Mandeville wrote in a summary of public comment received on the draft letter to the Board, “Master Plan 2024 Update – Summary of Public Comment and Recommendation to Board of Trustees”, and read aloud the proposed Recommendation: The Whitefish Township Planning Commission at a meeting duly convened on April 29, 2025, held a Public Hearing duly published on: December 26, 2024 to receive Public Comment regarding the Master Plan Update of 2024.

WHEREAS, at said Public Hearing all who desired to be heard had the opportunity, and their written testimony and public comment was recorded, and, WHEREAS, all testimony has been carefully considered and the pertinent facts noted: NOW, THEREFORE BE IT

RECOMMENDED, by the Whitefish Township Planning Commission that: The Board of Trustees adopt the draft Master Plan Update of 2024 (A cooperative effort by the Whitefish Township Planning Commission and the Eastern U.P. Regional Planning and Development Commission) -in it's entirety with only the following one change: Correct the number of Planning Commission Members shown on page 7 from 7 to 5. As well he wrote in, “Efforts will be underway to gather additional feedback from the community.”

- Motion by Bowden to endorse and transmit to the Board of Trustees the letter “Master Plan 2024 Update – Summary of Public Comment and Recommendation to Board of Trustees.” 2nd By Ferguson. Roll call vote: Ferguson, yes. Bowden, yes. Mandeville, yes. Motion carried. Mandeville signed the letter as acting chair.

- Commissioners reviewed the Vicente & Kurek Application heard during the Public Hearing, discussing the easement issue, public comment received, a GFL truck on the road each week, the commercial nature of that and renters traffic, rather than the present use of Beaver Trail by residents, and considering requesting supplementary information from the applicant clearly demonstrating easements or permissions from the possible two private parcels Beaver Trail crosses between M123 and the subject parcel – possibly Boyle p/n 16 222 085, and Bebow p/n 016-222-085-05. Mandeville noted the zoning ordinance Section 8. 06 Planning Commission Action specifies “*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.*”

Motion by Bowden to: Table the application, requesting additional information it deems necessary to make a decision, specifically, ““Provide further documentation of legal access for ingress and egress to parcel 16 222 085 50 8347 N Beaver Trail, across adjacent private lands, and provide a Title Report for the parcel.” 2nd by Mandeville. Motion carried.

- The finding of Facts page of the application was updated, showing it tabled April 29th, and the motion.

Motion by Ferguson to adjourn, 2nd by Bowden. All in Favor: Three Ayes, Zero Nays. Motion carried.

Special Meeting adjourned at 8:16 pm.

Approval Signatures: