

Whitefish Township Planning Commission Minutes Special Meeting June 4, 2025

- Special Meeting Called to Order by Chairman Robert Hughes at 6:02 pm.

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

- 6 public attendees present.

- Minutes: Motion by Ferguson to approve the Minutes of April 29th. 2nd by Bowden. Discussion: None. All in Favor: Four Ayes, Zero Nays. Motion carried.

- Public Comment: Resident Bryan Bain stated that during a site visit by Zoning Administrator West today he became aware that his intended operation of Sonny's Tahquamanon River Boat Rentals - a pontoon boat, jet ski, and skiff boat rental business - from his parcel # 016-610-014-00, 33615 W Tahqua Trail, (Lot 14, Bow-Cla-Bon Plat of Tahquamanon River, within Recreational Forest Zoning District, in the area known as Snug Harbor) requires Township approval as a Special Land Use, per Zoning Ordinance Article 4.05 B. He said he has begun the Application for Special Land Use Approval provided to him today, and he is here to give the commission an informal preliminary introduction of his intended land use, and answer any questions. He described specifics of the planned operation, stating there would be five boats, and several jets skis to be used primarily for recovery operations in emergency situations. Three of the boats are pontoon boats, one a Carolina skiff, and one a four way open bow. He detailed his recent and ongoing inspection, licensing, and other regulatory requirements underway through the Coast Guard, DNR, and Chippewa County Sheriff's Department. Responding to questions from several commissioners, he stated operating hours would be through one half hour after sunset with no nighttime or overnight operations. Gomery stated that one requirement for any approval will be adequate parking on site to accommodate his customers, with no parking-on or obstructing of traffic on Tahqua Trail. Zoning Administrator West gave Mr Bain the zoning ordinance ARTICLE 8 SPECIAL APPROVED USE REVIEW, and read aloud SECTION 8.07 REQUIRED STANDARDS AND FINDINGS, stating that the application must address and demonstrate how each of the following Required Standards will be met:

"The Planning Commission shall review the particular circumstances and facts of each proposed use in terms of the following standards and required findings, and shall find and record adequate data, information and evidence showing that such a use on the proposed site, lot or parcel meets the following standards:

- A. Will be harmonious, and in accordance, with the objectives and regulations of this Ordinance.
- B. Will be compatible with the natural environment and existing and future land uses in the vicinity.
- C. That the proposed use will be served adequately by essential public facilities and disposal, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service.
- D. That the proposed use will not be detrimental, hazardous, or disturbing to the existing or future neighboring uses, persons, property or public welfare.
- E. That the proposed use will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.
- F. Will be compatible with the Township's Master Plan.

If the facts do not establish that the findings and standards set forth in this Ordinance will apply to the proposed use, the Planning Commission shall not grant a special use permit.

A request for approval of a land use or activity shall be approved if the request is in compliance with the standards stated in the zoning ordinance, the conditions imposed under the zoning ordinance, other applicable ordinances and state and federal statutes.

No application for a special use permit which has been denied wholly or in part by the Planning Commission shall be resubmitted for a period of three hundred and sixty-five (365) days from the date of such denial, except on grounds of new evidence or proof of changed conditions found by the Planning Commission to be valid.

- 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, March 28th, and June 4th meetings, and publicly heard at the March 28th public hearing. Hughes stated that at the last meeting this application was tabled with the motion

(reading from minutes) "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." ZA West pointed out the flagged new pages in the application that have been provided by the applicants in response: Libre page recorded easements, deeds, plats, etc from the County, stating that he believes the right of passage along that stretch of Beaver Rd from W M123 to the parcel is clearly demonstrated. As well the requested Title Report is in the packet, also demonstrating easement and right of passage documentation. Motion by Gomery to Approve With two Conditions: This Special Land Use Permit is not effective until receipt of the \$200 "Upon Issuance" fee. And, This Special Land Use Permit is subject to all provisions in 2024 Zoning Ordinance Section 6.10, including annual renewal and water test reporting. Second by Ferguson. Discussion: None further. Roll Call Vote: Bowden yes, Ferguson yes, Gomery yes, Hughes yes. Motion carried.

- The finding of Facts page of the application was updated, showing it Approved With Conditions, (specifying the two conditions shown above,) on June 4, 2025, and the signature of Chairman Hughes.

New Business:

Hughes introduced a petition / application to commissioners from resident Timothy Domeier, seeking an amendment to the zoning district map, restoring his parcel on Timberlost Rd to Recreational Forest from it's present zoning of Residential. Timothy detailed his plans to restart the operation of Shivering Timbers Camp, describing it's historical past, and his underway efforts to revive the campground, including upgrades to its infrastructure, sites, and such. He stated that he and family are residents since 2024 and will be operating the campground as owners on site. ZA West noted that this agenda item, a zoning map amendment, is up for the PC to accept and acknowledge receipt of this rezone petition by property owner, per ZO Article 13.02 – AMENDMENT PROCEDURE, and act on it over the next few meetings, and to expect that in this process there may be other amendments proposed by my office, the board of trustees, the planning commission, and residents, to be included in a package of proposed zoning ordinance amendments to be proposed along with this to, and approved or not by the PC. Many will be simple edits to correct punctuation and spelling errors. I expect the process of achieving PC approval of a final amended document and map for recommendation to the board of trustees will take at least three months, likely many more. One recommendation I'm making is the restoration of Recreational Forest Zoning to all the parcels (about 13) within that very small R1 zone at the corner of W M123 and Timberlost Rd. including the petitioners Domeiers parcel. I recommend the PC start the ball rolling in the process of amending the ZO this meeting by accepting the Domeiers petition and scheduling a public hearing.

For commissioner's info regarding Domeier's parcel, no PC action is called for, as, being a grandfathered land use it is not subject to special land use approval. As well, the campground permitting is not dependent upon any rezoning. The Domeier's parcel being a Legal Non-Conforming Land Use, demonstrated in township records, and by the applicant etc., Shivering Timbers Camp can be properly permitted and regulated through the office of the zoning administrator, per *SECTION 3.03 APPLICATION FOR LAND USE PERMIT C. Non-Conforming Uses, Lots or Structures. An approved Application for Land Use Permit shall be issued for a legally non-conforming use or structure. An Application for Land Use Permit shall not be approved for any illegal non-conforming use or structure.* Through that section of the zoning ordinance I'll assist the Domeiers with the Land Use Permit process, with conditions as to number of sites, water testing, trash disposal, signage, etc and any approvals required from regulators like the county and DNR.

Commissioner Mandeville joined the meeting at 6:52

Motion by Hughes to accept the Domeier petition for rezone, add this item to the agenda of the next meeting, and schedule a public hearing for this matter at the September 17th regular meeting. Second by Gomery. All in favor four Ayes, one abstain. Motion carried.

Gomery presented a document from the foundation Community Heart and Soul. Supervisor Forrester spoke from the audience giving a history of the process underway to get what will be a third party, unbiased, and statistically accurate survey to see exactly what our citizens want to see for the township. There is a maximum cost of \$10,000 and we are working to share that cost between other local organizations. Gomery asked the breakdown. The township has committed \$4500. \$3500 of that is the budgeted \$3500 for the EUP Planning survey we chose not to do. The Tourism Council, Chamber of Commerce and Paradise area Foundation have all pledged but have not specified amounts. A notice will be going out with summer tax bills talking about Community Heart and Soul, and a Community

Presentation by Heart and Soul on Saturday August 2nd will be held here. Our recently finalized master Plan did not include a survey and this will address that. Mike Hobbs has been appointed with the Paradise Area Foundation as liaison. The last presentation by them here in the community center was very well attended, bringing together every different department, and residents of all kinds. The survey program will have an online presence for interaction with the people.

Gomery stated there is a meeting at 10 am on the 17th regarding this. He asked if there will be further funds required from the township beyond this \$4500 the township has committed? Forrester responded with some further specifics.

Motion by Gomery, 2nd by Mandeville to Affirm Planning Commission Support of the Community Heart and Soul project, Discussion: None further. Roll Call Vote: Bowden yes, Ferguson yes, Gomery yes, Hughes yes. Mandeville yes. Motion carried.

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

Special Meeting adjourned at 7:09 pm.

Approval Signatures: