

Whitefish Township Planning Commission Minutes Special Meeting August 6, 2025

- Special Meeting Called to Order by Chairman Jason Hughes at 6 pm.

- Role call: Commissioners Carol Bowden, Jason Hughes, Glenn Gomery Present. Lynda Ferguson, Don Mandeville Absent with prior notice.

- Approximately 15 public attendees present.

- Minutes: Motion by Gomery to: Approve the Minutes of June 18. 2nd by Hughes. Discussion: None. All in Favor: Three Ayes, Zero Nays. Motion carried.

- Hughes announced the Public Hearings to be held later during this meeting for three Applications for Special Land Use Approval: Bain boat rental (marina). Sluis STR, and Steuer STR.

- Public Comment: Applicant Brian Bain spoke describing his proposed boat rental business. Josh Johnson spoke in support of the Bain application being approved, stating, "It's a good thing for our community, I support." A neighbor of the Bain parcel spoke in support of approval and presented recent photos. Another neighbor stated she is a summer resident and opposes approval of the Bain application, citing concerns about commercial land use in a residential zone, traffic, impacts on property values, shoreline erosion, wildlife, and respect for the environment, stating, "There's a better location for this kind of operation." A neighbor of the Bain parcel spoke in support of approval stating, "We need people who run businesses," and spoke about no wake zones on the river. STR Applicant Rod Sluis spoke, describing his riverfront property 7 ½ miles up river from the rivermouth, stating he is against adding to the river boat traffic, there are boats racing up and down the river, not caring about damage to my boat or boat bumpers, I like the suggestion of no wake at the rental location but that does me no good, don't know how we'd protect the taxpayers along the river, how would you enforce things other than someone like me take a picture of them, boats come by every day, a boat labeled Sonny's has passed, creating a big wake, I couldn't get a picture, boats come by every day, adding more boats will not be good, keep the river pristine. Josh Johnson asked to speak again and stated, "These described issues on the river happen whether from the boat rental business or not, and will always be an issue." A neighbor who already objected spoke again, stating that the rental of boats has been going on asking why it's operating without approval. A resident asked if there is a board of review for this. Gomery responded that this is a planning commission hearing for special land use approval in the recreational forest zone. A resident spoke regarding river boat traffic, dead heads, accidents, operating hours, and concerns of the river becoming commercialized. Mr Bain spoke as applicant, addressing alleged issues along the river, stating he has not received any complaints and welcomes anyone with a concern to call him. Another attendee spoke again about parking at the DNR Rivermouth launch. Bain neighbor Terry Humphrey commended Mr. Bain for the good job he did on his house, noting that the other Bain parcel on Tahqua Trail with the boat rental has only 49 feet of road frontage and he has concerns about the existing crowding of the road by a dumpster and vehicle in the setback and right of way, with traffic having to come close to that, and the road commission vehicles, plows, recommending any approval address that concern.

- Old Business:

- Master Plan Update of 2024: Motion by Gomery, 2nd by Bowden, to: Instruct EUP Planning and Development Commission to finalize the Master Plan Update document by correcting the number of Planning Commissioners shown on page seven from 7 to 5, and not including as an appendix the one written public comment received. Discussion: None. All in Favor: Three Ayes, Zero Nays. Motion carried.

- Motion by Hughes, 2nd by Gomery to: Discharge the Master Plan Update Committee of Hughes and Ferguson. Discussion: None. All in Favor: Three Ayes, Zero Nays. Motion carried.

- Zoning Ordinance Amendments: Motion by Hughes to: Cancel the Public Hearing regarding this matter scheduled for September 17th to be rescheduled at a later date. Discussion: None. All in Favor: Three Ayes, Zero Nays. Motion carried.

- New Business:

- Motion by Gomery, 2nd by Bowden to: Approve Planning Commission Bylaws Amendment:

"Section 10. Members. The Planning Commission shall consist of 5 members. Members shall be appointed by the Township Supervisor of Whitefish Township with the approval of the Township Board. The term of each member shall be for three years.

a. All members must be qualified electors of the Township. b. One member of the Township Board must be appointed to the Planning Commission. c. One member of the Township Zoning Board of Appeals must be appointed to the Planning Commission. However, the person who is the Planning Commission member-Zoning Board of Appeals member may not vote on the same matter voted on as a Planning Commission member."

Discussion: None. All in Favor: Three Ayes, Zero Nays. Motion carried.

- Motion by Gomery, 2nd by Bowden to: Recess the Special Meeting. Discussion: None. All in Favor: Three Ayes, Zero Nays. Motion carried.

Special Meeting Recessed at 6:47 pm

Public Hearing called to order by Hughes at 6:47

- Roll call: Commissioners Carol Bowden, Jason Hughes, Glenn Gomery Present. Lynda Ferguson, Don Mandeville Absent with prior notice.

- Approximately 15 public attendees present.
- Hughes read aloud the Notice of Public Hearing including applicant's names, parcel numbers and parcel addresses:

Stueur p/n 16 133 016 00 33212 West North Road
 Sluis p/n 16 373 008 00 2152 North Spring Trail

Bain p/n 16 610 014 00 33615 West Tahqua Trail

stating: "The purpose of this Public Hearing is to receive spoken Public Comment and to acknowledge written Public Comment regarding these three Applications for Special Land Use Approval." Gomery stated that the previous Public Comment given during this meeting has been heard, and will be considered in the commission's decisions, and any additional Public Comment is welcome during this Public Hearing.

Two attendees spoke again, reinforcing their previous comments detailed above.

- Gomery read aloud all written Public Comment received:

- Bain application: Gomery read aloud the seven written Public Comments received. Comments included: This would be a service to our community there is interest in renting a boat. I work at the Falls and people are always asking; This would be good for our tourist economy; Bains are good neighbors and have worked hard to make this a fun and safe activity; I am a neighbor and will be greatly impacted by the noise, pollution, and other inconveniences, it will destroy the peace and quiet we enjoy; As a neighbor there 4th of July I saw junk and metal and a dumpster right near the road and cannot support his use of the property for commercial enterprise, would be detrimental to public safety, there are problems with the appearance of the property documented in my photos, I object to approval. Gomery noted there were several letters from the same neighbor stating substantially the same objections. One in support from another neighbor, and two stating no objection.

- Sluis application: Gomery read aloud the two written Public Comments received, from neighbors on Spring Trail, both without objection, one specifying he wants no multiple rentals - only one dwelling on the parcel being rented, and one noting that access to the parcel crosses his land.

- Steuer application: Gomery stated no written comments were received.

- Motion by Gomery, 2nd by Bowden to: Close the Public Hearing. Discussion: None. All in Favor: Three Ayes, Zero Nays. Motion carried.

- Public Hearing Closed at 7:05

- Special Meeting Called Back to Order from Recess by Chairman Jason Hughes at 7:05 pm.

- Role call: Commissioners Carol Bowden, Jason Hughes, Glenn Gomery Present. Lynda Ferguson, Don Mandeville Absent with prior notice.

- Approximately 15 public attendees present.

- Motion by Gomery 2nd by Hughes to Approve the Steuer application for STR Annual Operating License, per ZO Section 6.10. Discussion: Gomery noted no public comment was received, the Steuer's are present, the application is complete. Roll call vote: Bowden yes, Hughes yes, Gomery yes. Motion carried. *Steuer Special Land Use Permit Granted.*

- Motion by Gomery to Approve the Sluis application for STR Annual Operating License, per ZO Section 6.10. 2nd by Bowden. Discussion: Gomery noted two public comments were received, the Sluis' are present, the application is complete. Roll call vote: Bowden yes, Gomery yes, Hughes yes. Motion carried. *Sluis Special Land Use Permit Granted.*

- Motion by Gomery to approve the Bain application. Hughes suggested perhaps tabling the application, and conditions of approval should be specified. No 2nd was received, and Gomery retracted his motion.

- Motion by Gomery to: Table this to the September 17th Regular Meeting. Commissioners again looked through and discussed the application and public comment documentation. ZA West read from minutes and notes from the June 18th meeting initial review commissioner's discussion of possible conditions that can be specified in any approval noted on the application finding of facts page.

Gomery withdrew his motion and moved to: Approve or disapprove this application. Hughes noted the motion has to be one or the other, Gomery withdrew his motion. Motion by Hughes 2nd by Bowden to: *Approve with Conditions: Maintain PortaJohn of site, No more than six rental boats, No personal watercraft rentals, Relocate the dumpster or shield from public view, Operating hours: 1 hour after sunrise to one hour before sunset, Two signs on parcel – one on the Tahqua Trail frontage, one on the riverfront, not to exceed six sq ft each per ZO Section 1.01 and 5.08 (h), Instruct boat renters about no wake zones. Maintain the property in a clean and orderly fashion.* Discussion: Insurance, DNR, comments received were discussed. Roll call vote: Bowden yes, Gomery yes, Hughes yes. Motion carried, *Bain Special Land Use Permit Approved with Conditions.*

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

Special Meeting adjourned at 7:27 pm.

Approval Signatures: