

APPROVED ON JUNE 14, 2017

Watersmeet Township Planning Commission

April 12, 2017

Regular Meeting Minutes

Location: Watersmeet Community Center

Meeting called to order by Chairman Pete Peterson at 6:30 p.m.

Pledge of Allegiance was given.

Roll Call: Members Present: Jeff Zelinski, Giiwegiizhigookway Martin, Jeff Wasson, Pete Peterson, John Cestkowski, Mark McGrath, Paul Kemppainen, Roy D'Antonio.

Members Absent: Michelle Hazen

Approval of Minutes of Public Hearing and Regular Meeting Meetings on March 8, 2017. Motion by Jeff Zelinski, 2nd by Roy D'Antonio. Motion carried.

Approval of Agenda: Motion made by Roy D'Antonio and 2nd by Mark McGrath, to approve agenda. Motion Carried

Public Comment:

Peggy Tuttle asked if the township had a Blight Ordinance. At the present time there is not one in effect.

Steven Roth expressed concerns relating to rescinding the Medical Marijuana Ordinance presently in effect. He attended a workshop on March 28 concerning the possible changes coming concerning marijuana. He claimed that it could be a "cash cow" for the County or local units of government in the future. Mr. Tim Dean, the attorney for the township addressed this later in the meeting.

Several residents expressed concerns again concerning the request for a Special Use Permit by Bob Pachmayer. Among those commenting were Bob and Jane Cascarano, Russ Diethert, Pat Peterson, Yvonne Clark, Vickie Holbrook, William and Ursula Charaf, Greg Clark, Mike Brennan and Steven Tinti. Mr. Tinti again claimed that the due process in submission of the permit had not been done, namely, informing residents within 300' and drew distinction between the terms personal structures and dwelling in the Zoning Ordinance. The majority of the comments other than Mr. Tinti's were directed at the fact that what Mr. Pachmayer was proposing to do entailed a commercial enterprise in violation of the L1 classification. Additionally, water quality was a concern and the competition that local resorts, who have to pay the taxes associated with being a commercial enterprise, would be up against. Some residents also felt that their property values would suffer as a result of implementation of the permit. The question was raised as to whether the permit would apply only to the use of the dwelling and not that of the lake and the other structures on the property. A letter was also given to the commissioners from Joseph and Elena Techet expressing their opposition to the Pachmayer request.

Pestka Special Use Permit: A Public Hearing was not required as none of the neighbors falling within the 300' guideline expressed concerns as to the permit. A motion was made by Jeff Zelinski, 2nd by Jeff Wasson, to grant Norm Pestka's request for a special use permit for his property at 24575 US2 East, NW ¼ of NE ¼ Sec. 35, T45N, R39W in Watersmeet Township for a temporary portable asphalt plant for a period of up to 5 years by Mathy Construction. The roll call vote was as follows: Pete Peterson Yes, John Cestkowski Yes, Mark McGrath Yes, Roy D'Antonio Yes, Giiwe Martin Yes, Jeff Zelinski Yes, Jeff Wasson Yes, Paul Kemppainen Yes. Unanimous Yes.

Mr. Pestka thanked the commission and assured them that he had worked with Mathy Construction on numerous occasions and that they would be operating the plant as environmentally safe as possible.

The Township will be informed by Math Construction as to when the plant will begin operation.

Medical Marijuana Ordinance: Township Attorney, Mr. Tim Dean, recommended to the commission not to rescind the current ordinance but to make a couple of amendment changes. Namely, modify the ordinance so that it would provide opportunity for medical care usage between patient and caregiver without allowing commercial use. This would give the Township control as to how it is used and where it is used in the future and could be later changed to allow commercial use in the future should the Township decide. Additionally, "primary caregiver operation" should be substituted in the present ordinance wherever "medical marijuana clubhouse" appears. Motion by Jeff Zelinski, 2nd by Mark McGrath, to send the attorney's recommendations to the Watersmeet Township Board board for action at its next meeting. The roll call vote was as follows: Pete Peterson Yes, John Cestkowski Yes, Mark McGrath Yes, Roy D'Antonio Yes, Giiwe Martin Yes, Jeff Zelinski Yes, Jeff Wasson Yes, Paul Kemppainen Yes. Unanimous Yes

Pachmayer Special Use Permit: Mr. Dean stated that the special use permit was allowed by the ordinance with the commission's approval as a single family dwelling for a period of 27 days or less. In his opinion, the application process was done correctly and requirements were met for its consideration by the commission. Chairman Peterson asked whether the correct procedures for the 300' notification had been met and he said they had been. He is also considered the term dwelling to be appropriate in its use in terms of the conditions of the special use permit. In his opinion, if all the requirements of the special use permit application are met then it must be approved by the commission. He also advised the commission that any conditions that should be attached to the permit be made when the permit was granted. A motion was then made by Jeff Wasson, 2nd Jeff Zelinski, that the special use permit be granted with a maximum limit of eighteen guest occupancy and the use of one pontoon boat during their stay. The roll call vote was as follows: Pete Peterson Yes, John Cestkowski No, Mark McGrath Yes, Roy D'Antonio Abstained, Giiwe Martin Yes, Jeff Zelinski Yes, Jeff Wasson Yes, Paul Kemppainen No. Five Yes, Two No, and One Abstention.

Master Plan – Updates:

Motion by John Cestkowski, 2nd by Mark McGrath, to table until May 10th regular meeting

Members will be emailed an editable version of original master plan and will bring their changes to May 10, 2017 meeting at 6:30 PM at the Watersmeet Community Center.

Recreation Plan – Updates:

Members will also address this item at the May 10, 2017 meeting.

Zoning Administrator's Report: Mr. Dave Neumann stated that there was one zoning permit for a garage issued. Additionally, a Zoning Board of Appeals meeting will have to be set, upon the return of Chairman Casey, to discuss the building of a structure within 35' of the shoreline.

Adjournment: Motion by John Cestkowski, Jeff Zelinski 2nd. All in Favor. Approved. Meeting adjourned at 7:55 PM.

Next regular meeting on Wednesday, May 10, 2017

Submitted by: Paul D. Kempainen – Planning Commission Secretary.