

**Clearwater Township**  
Planning Commission  
Public Hearing - Special Meeting of May 21, 2012  
As approved June 4, 2012

**Call to Order, Pledge of Allegiance:**

Chair Parzych called the meeting to order at 11:55 a.m., and opened with the Pledge of Allegiance.

**Roll Call of Members and Recognition of Visitors:**

Commissioners present: Backers, Fields, Johnson, Parzych, Von See.

Township officials: Zoning Administrator Molby

Public: Stuart McKinnon (Kalkaska County Board of Commissioners), Stuart McKinnon II, Al McShane, Steven Mangus, Cheryl Walton, Bruce Belanger.

**Approval of Agenda:**

**MOTION** by Johnson, second by Backers, to accept the agenda as presented. Motion carried.

**Approval of Minutes:**

**MOTION** by Johnson, second by Backers, to accept the minutes of the meeting of May 7, 2012 as presented. Motion carried.

**Public Comment for Matters Not on the Agenda:**

Tom Backers – gave a brief introduction of Cheryl Walton, who will be making a presentation later in the meeting, regarding the UN Agenda 21. He commented that since our Master Plan review is coming up, it would be good for us to have the information she is presenting.

Al McShane – commented that he purchased a home in 1999 on Aarwood Road, which is a residential district. In 2001, a motor vehicle repair garage was opened up across the street. While McShane was Zoning Administrator, he issued a notice of violation, but the Township Board did not support him, and on February 17, 2004, accorded the garage non-conforming status – which would have been appropriate for a business begun before 1976 when zoning was adopted, but this business was built in 2001. McShane declared that his property rights are being violated by allowing the continuation of this commercial enterprise in the neighborhood that is zoned residential. By right, one may live in a commercial area, but one may not, by right, operate a commercial enterprise in a residential area. He is distressed that people are speaking of this commercial garage as setting a legal precedent for allowing future violations of the zoning ordinance. He concluded by saying that he expects the township's official boards to protect his property rights.

**Public Hearing: Proposed Amendment to Zoning Ordinance 22, Article 12:**

To amend Article 12 – Signs, Section 12.01 – Signs permitted in all districts, by adding:

12.01 I. Two off-premise advertising display signs. Such signs must meet the standards found in 12.03.B and 12.04.B.

The five standards were read aloud. The rationale for the change is that we do have legitimate small businesses that are not within either of our two commercial districts. At this time, none of them may have an off-premise sign to let the public know how to find them.

***Speaking for:***

Nobody from the public spoke in favor.

***Speaking against:***

Al McShane – said he thought we should enforce the current ordinance. Fields responded that under the current ordinance the owner of a business located in either of our two commercial districts has the right to find an appropriate location within three miles of the business, make an agreement with the landowner, and put up a sign, but a legitimate business owners located elsewhere, such as in the agricultural district, do not have the same right. After this clarification, McShane no longer opposed.

Chair Parzych closed the public comment portion of the hearing.

***Commission deliberations***

Johnson – this is one way that businesses located off the main drag can get attention from the public – this is the right thing to do.

Von See – people do have businesses way off the beaten path, like the Boat Works – support.

Backers – in favor as long as people are in compliance.

Parzych – the small businesses outside our commercial districts need to advertise their presence.

Fields – concur for the reasons already stated.

**MOTION** by Fields, second by Johnson, to recommend to the Township Board approval of the proposed amendment to Article 12 of the Zoning Ordinance (Ordinance 22) as follows:

To add under 12.01 – Signs permitted in all districts:

I. Two off-premise advertising display signs; such signs must meet the standards found in Sections 12.03.B and 12.04.B.

Motion carried unanimously.

**Old Business:**

Cheryl Walton – is a resident of Whitewater Township, and a representative of Northern Michigan Community Network. She came to speak to us on the UN Agenda 21, and what its implementation would mean to Americans’ constitutionally-guaranteed private property rights. The root of concern is found in a statement issued in 1976 at the UN Conference on Human Settlements, which she read to us:

“Land, because of its unique nature and the crucial role it plays in human settlements, cannot be treated as an ordinary asset controlled by individuals and subject to the pressures and inefficiencies of the market. Private land ownership is also a principal instrument of accumulation and concentration of wealth, and therefore contributes to social injustice.”

In the video presentation, it was explained that in order to hide the true purpose of Agenda 21, other terms that sound better and are likely to appeal to concerned citizens, have been used. These include “smart growth,” “sustainable development,” “walkable communities,” and others.

The presentation makes the claim that the true purpose of Agenda 21 is, specifically, to lower the standard of living of Americans and transfer our wealth to other populations.

The video presenter suggested eight specific actions for community officials to take in order to insure the protection of their citizens' private property rights:

- 1- place individual property rights first in all planning negotiations and actions;
- 2- refuse federal or state money for new sustainable development programs and transition out of existing ones;
- 3- do not accept grant money without examining all of the attached stipulations;
- 4- avoid consortia for the purpose of obtaining grant money;
- 5- avoid partnerships with the federal government, HUD, NGOs, foundations, and corporations that advance the sustainable development agenda;
- 6- be certain any plan you implement can be repealed if it is found to infringe on individual property rights;
- 7- work with citizens to create a property rights council; and
- 8- work with planners who will protect citizens' property rights.

Cheryl Walton's comments included the quoted assertion from ICLEI that our own Northwest Michigan Council of Governments is its "first regional affiliate pilot in the mid-west." She reminded us that as a planning commission, we have the responsibility to know what plans we are implementing and to be vigilant about the rights of our citizens. She recommended that we take care to include in our Master Plan, the language from both the federal and state constitutions that protect private property rights (U.S. Constitution, Amendment 5; State of Michigan Constitution, Article X, Section 2).

Discussion on the ultimate purpose of Agenda 21 distilled down to the statement that the UN wishes to gain global control of the three E's: equity, economy, and environment.

### **Report of Township Representative:**

Report from Trustee Johnson. The Aarwood Road bridge construction is underway; it will cost less than anticipated. Chair Parzych inquired about why the crew works only from 9 a.m. to 3 p.m. instead of from 7 a.m. to 5 p.m. While nobody had an absolute answer, we reasoned that it was probably to accommodate the neighbors. The Township Board has approved the revision of the Cemetery Ordinance, with updated definitions. The Fire Ordinance now includes a listing of all the services for which the fire department may charge. A bid has been received for a generator for the fire department, in the amount of \$18,600. Lucy Gerlach has been reappointed to the Zoning Board of Appeals. Assessor Guthrie wants his contract renewed.

### **New Business**

There was none.

### **Closing Public Comment:**

There was none.

### **Adjournment:**

**MOTION** by Johnson, second by Backers, to adjourn. Adjournment at 1:15 p.m..

**Assignments:**

- Fields to advise the Township Board of the Commission's recommended amendment of the Zoning Ordinance (22), Article 12 – Signs.

**Next Meetings:**

Regular meeting: June 4, 2012;

Public hearing: June 18, 2012

Both meetings to be held at 12 noon, in the Clearwater Township Community Center (aka the Little Red Schoolhouse).

Respectfully submitted,

A handwritten signature in cursive script that reads "Tina Norris Fields".

Tina Norris Fields  
Secretary