WHITEWATER TOWNSHIP PLANNING COMMISSION
Whitewater Township Hall, 5777 Vinton Road, Williamsburg, MI 49690
231-267-5141 Phone

SPECIAL MEETING
APPROVED MINUTES
Wednesday, August 14, 2025, at 7:30 a.m.

CALL TO ORDER:
Chair DeYoung called the meeting to order at 7:30 a.m.
The Pledge of Allegiance was recited.
A microphone check was done.

ROLL CALL:
Secretary Peltonen called Roll.

Present:
Keith DeYoung, Chair
Rene Stratton, Vice Chair
Denise Peltonen, Secretary
Sadie Merchant, Member
Carl Wroubel, Member
David Boesler, Member
Randy Mielnik, Township Board Trustee

A quorum was established.

Absent: None.

ALSO PRESENT:
Zoning Administrator Deb Graber
Recording Secretary Kay Held

SET/ADJUST AGENDA:
-Add Minutes of 8-6-25 Regular Meeting for approval (from brief meeting that was adjourned due to over capacity).
-Under Correspondence heading, section "a" "STAs" should read "STRs."
-Under Adjournment heading, delete "(Roll call vote)" notation.

Board Action:
Mr. DeYoung made a motion to approve the Agenda as amended. Mr. Boesler seconded the motion.
VOTE: YEAS: All. NAYES: None. Motion carried.

DECLARATION OF CONFLICT OF INTEREST: None.

Note: Chair DeYoung explained the purpose of the Special Meeting today. Because of the early adjournment of last week's Regular Meeting due to fire code occupancy, this Special Meeting was scheduled to take care of existing Agenda items from that meeting.

FIRST PUBLIC COMMENT:

Ms. Barbara Dean, 8778 Carns Road, Williamsburg, MI 49690:
Ms. Dean asked for clarification of the process for commenting on multiple topics. There seems to be differing information explained on the Agenda portion regarding rules for Public Comments.

Ms. Dean recently applied for the ROS (Resident Outreach Sub-committee) and hopes it is open, fair and comprised of members with differing positions and with multiple methods for meeting and gathering information. Last winter she was told it was unlikely she would be considered as she traveled and would need to participate via Zoom. This summer she

was informed a PC Member would contact her regarding her current application; however, there has been no contact to date. Her schedule has changed and she may be available locally. There is much confusion regarding the allowance of Zoom participation.

Regarding STRs (Short-term Rentals), she supports STRs with regulations. Those opposed to STRS have had negative experiences due to absentee owners, disruptive renters, and lack of respect for property. The proposed STR Ordinance before the PC addresses these and other issues. A brochure/checklist is also available for renters.

The PRAC hopes to attract larger groups for events/tournaments, natural areas have been improved, and they hope to have a town gathering center. There has been discussion of wineries, tasting rooms and events with regulations. These ideas help diversify the area and support farmers, wineries and shop owners. Closing STRs and wineries will not stop tourists. Support STRs with regulations.

Ms. Rachel Steelman, 7315 Crisp Road, Williamsburg, MI 49690:
Ms. Steelman expressed her concerns about the prioritization of Agenda items relative to Master Plan goals. She conducted a keyword analysis in the 2/5/25 adopted Master Plan with regard to "Wineries," "Event Barns," "Enforcement" and "Short-term Rentals," providing statistics as to their occurrence in the Master Plan.

She submitted a proposed Short-term Rental Ordinance in April. It was on the May Agenda; however, there was no substantive discussion despite numerous Public Comments and Correspondence submitted. Discussion on Wineries and Event Barns has dominated discussion in multiple meetings.

Ms. Steelman is concerned that PC resources and expenses have been allocated to lower priority topics while the documented STR priority remains unaddressed. She urged the Planning Commission to refocus its efforts on the Master Plan's priorities, particularly STRs.

Ms. Heidi Vollmuth, 8388 Winnie Lane, Williamsburg, MI 49690:
Ms. Vollmuth asked the PC to stop adding additional items to its workload until a Civil Infraction Policy and Private Road Ordinance is addressed. The PC is considering Wineries now, with no protection for the people who may be affected regarding public health and safety. She continues to wait for Definitions she previously requested.

Ms. Kim Mangus, Brown Bear Trail, Williamsburg, MI 49690:
Ms. Mangus stated that two months ago there was one pending lawsuit against the Township. One month ago there were two pending lawsuits. In reviewing the packet, she understands there are currently seven pending lawsuits for STRs. Five years ago the PC passed an agreement to wait for the State Legislature to finish the bill before them. She realizes Ordinances take time; however, these issues are current and action is needed immediately, without the luxury of waiting two years to develop an Ordinance. She encouraged the PC to approve the proposed STR Ordinance after Public Hearings as there are seven pending lawsuits. An immediate moratorium on the prosecution of STRs is needed. Developing an Ordinance to allow STRs while actively seeking prosecution is a massive waste of Township resources. No STR owners are going to stop until they know what happens.

Mr. Steve Radditz, 7282 Crisp Road, Williamsburg, MI 49690:
Mr. Radditz has utilized Short-term Rentals. All of them have a Noise Ordinance with ramifications. If this is violated, the rental agreement is terminated with loss of all funds. Noise Ordinances, when fulfilled, are a good thing. Every STR has had parking regulations; if violated, the same ramifications apply. STRs are not the problem; enforcement is what can help all of the issues.

Mr. Mark Krinock, 2341 Fairview Road, Williamsburg, MI 49690:
Mr. Krinock has heard from many pro-STR individuals. STRs need to be looked at in a balanced manner, and he referenced Mr. Radditz' comment about Noise Ordinance enforcement. The controversy is because the Township has failed to create an Enforcement component. Ms. Steelman's proposed amendment has no penalty nor does it create a vehicle for the degree of responsibility for the renter. It's a letter/slap on the wrist and there are typically multiple infractions before there are penalties. The loss of a deposit doesn't matter to many people and does not encourage individuals to be more responsible.

As a neighbor of Short-term Rental properties, he should not suffer for owning his property and supporting the community. A mechanism needs to be created where there is a responsibility on the owner. Current lawsuits exist because of enforcement issues. Two former Planning Commission Members are already breaking the Township rule; he asked what

is to prevent them from continuing to violate it in the future if it doesn't hurt them in some way. The Enforcement component needs to be undertaken.

Note: Secretary Peltonen called for a Point of Order stating the Planning Commission is not allowed to respond to Public Comments during this period. Chair DeYoung noted the PC can ask speakers questions. There was discussion with the public regarding Zoom comments. Chair DeYoung noted there has been some confusion on this matter but clarified that the Township has taken formal action to allow Public Comments via Zoom during Public Hearings; however, not during the Public Comment portions of a meeting that are listed near the beginning and end of a meeting's Agenda. Mr. Mielnik verified the PC's Agenda states "Public Comment In-house."

Ms. Kim Mangus, Brown Bear Lane, Williamsburg, MI 49690:
Ms. Mangus stated at the last Township Board meeting, there was discussion to open all Public Comment for all Public Hearings and that it was at the discretion of the Planning Commission if they wanted to open Public Comment by Zoom for their meetings. She encouraged the Planning Commission to reinstate Public Comment via Zoom.

Mr. Mielnik stated at the Board meeting, it was not clear whether the Township Board could direct the PC one way or the other regarding Zoom Comments. He verified action was taken by the Board to allow Public Comment on Zoom during Public Hearings during Township Board meetings. Chair DeYoung will look into this matter.

Ms. Connie Hymore, Baggs Road, Williamsburg, MI 49690:
Ms. Hymore stated many people have notified her today that it has been very difficult to log on to Zoom, and there was no link to copy or click onto log in. She drives 300 miles one way to attend meetings and requested that Zoom Comments be reinstated.

PUBLIC HEARING: None.

APPROVAL OF MINUTES:

Regular Meeting of 7/2/25: Amendments: None.

Board Action:
Mr. DeYoung made a motion to approve the July 2, 2025, Regular Meeting Minutes as presented. Ms. Peltonen seconded the motion.
VOTE: YEAS: All. NAYES: None. Motion carried.

Regular Meeting of 8/6/25: Amendments: None.

Board Action:
Ms. Stratton made a motion to approve the August 6, 2025, Regular Meeting Minutes as presented. Mr. Boesler seconded the motion.
VOTE: YEAS: All. NAYES: None. Motion carried.

CORRESPONDENCE:

See Attached Excel Spreadsheet with Correspondence Information Regarding Short-term Rentals (STRs)
In meeting packet.

REPORTS/PRESENTATIONS/ANNOUNCEMENTS/COMMENTS:

Zoning Administrator – Deb Graber: Report in packet. Ms. Graber additionally reported:
She is preparing the 62nd Zoning Permit year-to-date. There is a lot of activity at this time with new builds.

She clarified there are not seven pending lawsuits, but rather one. Vice-chair Stratton inquired about this; ZA Graber stated the Township attorney is sending letters but no additional suits have been filed. The only legal matter she is working on is regarding Denise Heidish on Elk Lake Trail.

As Zoning Administrator, her goal is Ordinance compliance. Nowhere in the current Ordinances does it state that short-term rentals are an Allowed, Permitted or Special Use, except in designated areas. The Township attorney is reviewing five additional Short-term Rental properties with complaints.

She distributed a packet for the Planning Commission on an upcoming hearing with Grand Traverse Plastics; this will be held during the PC Regular Meeting of 9/3/25. Subsequent to their rezoning application approval, they will be moving forward with their build. Gourdie Fraser is reviewing storm water; she should have their report in the next few days.

Mr. Mielnik referenced the Grand Traverse Plastics project and if Gourdie Fraser has a site plan in reviewing the storm water aspect of the project. Ms. Graber stated Gourdie Fraser noted the Zoning Map shows the property is zoned Commercial, not Industrial. She informed them this was changed last month. Gourdie Fraser has all of the information she received from Grand Traverse Plastics and Peninsula Construction, who will be doing the build. Through this discussion, it was determined this would be a Site Plan Review, not a Public Hearing.

Ms. Stratton inquired about the Broomhead Road project, the demo/reconstruction of a barn and the dimensions of the new construction. Ms. Graber stated they are removing and replacing an existing barn, and that it is in compliance with setbacks.

Chair DeYoung inquired about Short-term Rental precedents and the enforcement activities of other townships. Ms. Graber is unaware of other municipality's practices. Additionally, with regard to past comments about a moratorium, there is nothing in the Ordinance on which to place a moratorium.

Mr. Wroubel suggested all Members read the Ordinances of adjacent Townships (East Bay, Acme and Milton). Short-term Rentals are not permitted in Whitewater Township; he doesn't understand how someone has filed a suit against the Township for something we do not have. Other townships have had STR issues. The proposed STR Ordinance submitted to the Whitewater PC is not acceptable and should be reviewed by the ROS. PC Members and Ms. Graber stated this subject will be heard from all viewpoints at the 8/26/25 Special Meeting.

Ms. Graber reiterated she is enforcing what is in place and defined as of today. Therefore, because nothing is on the books to enforce, people are not in compliance. If attorneys are sending letters to gain compliance, that is not a lawsuit. It is an attempt to achieve compliance with members of the community who are not complying with our existing Ordinances. The proposed Amended Ordinance/Police Power Ordinance coming before the PC on 8/26/25 is a proposal for something that does not exist; therefore, technically is it not an Amendment.

Chair – Keith DeYoung: No Report.

Vice Chair – Rene Stratton: No Report.

Secretary – Denise Peltonen: No Report.

Township Board Representative – Randy Mielnik: No Written Report. Mr. Mielnik gave a brief verbal report:
He stated we should be hearing this week on the Rural Prosperity Grant.

The Township Board has moved to a twice per month schedule of meetings. They are held on the 2nd Thursday of the month at 6:30 p.m. and the fourth Thursday of the month at 9:30 a.m. (Note: Recording Secretary edit – the Township Board fourth Thursday meetings are at 9:00 a.m.)

The Township Board will be scheduling a hearing for Civil Infractions.

The new Zoning Map, with the two recent zoning changes, will be updated.

The year, the State Planning Conference will be held in Kalamazoo and the National Planning Conference will be held in Detroit. They will both be held in the fall. Information will be forthcoming.

ZBA Representative – Carl Wroubel: No Report

UNFINISHED BUSINESS:

ROS (Resident Outreach Sub-committee Status):

Applicants – Rene Stratton:

Vice-chair Stratton reported 11 applications for the ROS were received and forwarded to all PC Members. The ROS will be comprised of five resident Members and two individuals from the Planning Commission, one as a Member and one as the Chair. The Township Supervisor indicated ROS Members need to be present in person at ROS meetings. The ROS will cover multiple topics, concurrently. The Chair may change throughout the process, and their will likely be some attrition of Members.

Ms. Stratton specified the ROS will be responsible for data collection and forwarding information to the Planning Commission. The ROS does not write Ordinances.

Mr. Mielnik reiterated the ROS is not a forum for convincing, advocating or promoting a topic one way or the other. The focus is to find out what residents think. The Master Plan survey indicated 1/3 of respondents supported STRs without regulations, 1/3 didn't want STRs at all and the remaining 1/3 supported STRs with regulations. Short-term Rentals and the Capital Improvement Plan are the most significant issues for the ROS' immediate future.

PC Discussion Regarding the Applicant List:
There was group discussion among the Planning Commission, with each Member indicating their applicant recommendations. This information was evaluated prior to any decision making.

There was additional discussion. Mr. Mielnik expressed a concern that an applicant has proposed an STR Ordinance. The PC has specified it is seeking a balanced and unbiased ROS.

Ms. Merchant stated some of her selections were based on individuals who have already invested time and energy into researching the subject, which demonstrates their commitment. Ms. Steelman has shown the ability to take on a large task independently and is committed to the subject, regardless of whether or not her proposal is adopted. Mr. DeYoung supported Ms. Merchant's comments regarding Ms. Steelman's existing research on the topic but also understands Mr. Mielnik's point of view.

Mr. Mielnik stated regulatory approaches need to be considered in how Short-term Rentals are dealt with. This should be driven by what residents are telling the ROS through survey, workshop, etc., and this should drive the formation of the content.

Mr. Boesler reiterated the ROS is not solely about STRs but also Capital Improvements. Ms. Peltonen stated a prior ROS had five members, with 15 additional individuals who assisted. Ms. Stratton noted the ROS does not operate under the Open Meetings Act. While the public is welcome to attend ROS meetings, there will not be a Public Comment portion. The place for those comments will be during open houses and workshops.

Board Action:
Ms. Stratton made a motion to appoint Mr. William Clark, Ms. Debbie McKeon, Mr. Rodney Rebant, Ms. Heidi Vollmuth and Ms. Barbara Dean as Members of the Resident Outreach Sub-committee (ROS) and Ms. Rene Stratton from the Planning Commission as ROS Chair and Mr. David Boesler from the Planning Commission as ROS Member. Ms. Rachel Steelman will be the First Alternate; Mr. Mark Krinock will be the Second Alternate. Mr. DeYoung seconded the motion.

ROLL CALL VOTE: Peltonen-Y, Wroubel-Y, Merchant-Y, Mielnik-Y, Stratton-Y, DeYoung-Y. Motion carried.

The Planning Commission thanked all applicants. The Chair will coordinate ROS meetings and workshops, and she will record and submit information at PC meetings.

Draft Structure Document:
PC Members discussed the Whitewater Township ROS Purpose, Organization, Support and Conduct document, which has been presented previously. Mr. DeYoung will edit minor changes to the document.

Wineries and Tasting Rooms (Ordinance next steps):

Outside Vendor Ordinance:
Chair DeYoung spoke with Fire Chief Morgan about outside venues with regard to support by Fire/Police/EMS for safety concerns. He suggested the PC consider an Outside Venue Ordinance over addressing each instance through a one-time Special Use Permit. This is important going forward as the PC starts looking at event barns, wineries and other outside venues.

There was general, preliminary discussion about outside venues, including GAAMPS regulations, and types/sizes of businesses that may fall under "outside venue." Other aspects to consider include occupancy, parking, Fire, EMS, public safety, sanitation, enforcement and more.

Winery Ordinance:
The Planning Commission held an extensive discussion regarding the proposed Winery Ordinance. They reviewed each portion of the document. After lengthy discussion, the following adjustments and clarifications will be made to the Proposal:

Adjustments to the proposed Winery Ordinance included in Section 1. b – remove the word "each" and "building." It should state "the tasting room." There was consideration to remove this portion altogether to be less restrictive.

The PC addressed Parking and referenced changes to Article 9.07 (Schedule of Off-street Parking Requirements / Residential) to change the category from "residential" to "business/commercial." Remove the word "anticipated." The PC debated if parking requirements should be dictated by fire code or building capacity. There was a request to add an additional line to address event overflow parking. The PC opted not to add anything about party busses. More research will be conducted on what local townships are using and to discuss with the Zoning Administrator and Fire Chief their input on how this may be regulated.

Regarding Section 13.17 (Additional Conditions of Special Uses) E. 2 a – The PC discussed at-length how to clarify the 50-acre ownership standards. Additionally, the words "Grand Traverse County" should be removed.

There will be an attorney review of a final draft Ordinance.

NEW BUSINESS:

Discussion of Possible New Zoning Ordinance for Outside Venues:
Discussed earlier under Wineries and Tasting Rooms Ordinance heading. Tabled to next meeting.

NEXT MEETING:
-Planning Commission Special Meeting with two Public Hearings will be:
Tuesday, August 26, 2025, at 6:00 p.m. – at Woodland Hills School.

-Planning Commission Regular Meeting will be: **Wednesday, September 3, 2025, at 7:00 p.m., Township Hall.**

Board Action:
Mr. DeYoung made a motion to extend the meeting beyond the three-hour mark. Ms. Stratton seconded the motion.
VOTE: YEAS: All. NAYES: None. Motion carried.

PC DISCUSSION / COMMENTS:

Action Items for PC Members Reviewed (Discussion):
Secretary Peltonen would like to pursue the Private Road Ordinance. Mr. Mielnik stated Gourdie Fraser can provide a draft of a basic Private Road Ordinance for the Township to consider adopting. They are available to attend a PC meeting to discuss. The Township has not had a Private Road Ordinance for many years. It is possible the ROS may be involved in this process.

Ms. Merchant addressed Public Comments from this evening. She understands and respects Ms. Steelman's comments, those struggling with STRs and the time it is taking for an STR Ordinance. Ms. Merchant noted the Planning Commission is working on multiple items, each of which is time-intensive.

Ms. Merchant continued, stating the PC is relatively new and has taken on numerous challenges, some of which have consumed many meetings, including the AIS situation. Last week's meeting was adjourned due to the fire occupancy issue. Recognizing the PC could benefit from additional resources, the ROS is now formed, and the PC plans to move forward on the STR issue, among others. There are many important issues in the Master Plan to address; i.e., Private Roads, Agritourism, Short-term Rentals, Wineries, etc. Nothing is being intentionally stalled. The Planning Commission Members are working diligently on numerous projects.

Mr. Mielnik appreciates Ms. Merchant's work on the proposed Winery Ordinance. He addressed her comments, clarifying the AIS situation explaining that based on Conditional Zoning regulations the Conditions needed to come from the Applicant, who is essentially offering a restriction on their property's Use. Their attorney was involved, and AIS was aware of the process. This took multiple meetings. Ms. Merchant apologized, stating she misspoke and meant the process was time consuming.

Chair DeYoung called a Point of Order due to the late hour of the meeting.

Board Action:
Mr. DeYoung made a motion to proceed to finish up with Public Comment. Ms. Stratton seconded the motion.
VOTE: YEAS: All. NAYES: None. Motion carried.

SECOND PUBLIC COMMENT:

Ms. Rachel Steelman, 7315 Crisp Road, Williamsburg, MI 49690:
Ms. Steelman responded to Commissioner Merchant's comments. She agrees the last few years have had numerous priorities that needed to be identified. Community members contacted her with their own priorities as well, and she has worked diligently to that end. She stated things need to first be re-codified, understand what we do have and understand what the whole Township wants.

The ROS application process was intended to reflect diverse perspectives on Short-term Rentals; there was an extension in July on the selection process. Today, the PC appointed four lakefront property owners and three residing within steps of each other on Elk Lake Trail. This appears to favor one viewpoint, particularly as compared to page 9 of the meeting packet. She will attend ROS meetings to monitor for fair, unbiased research and recommendations.

Ms. Heidi Vollmuth, 8388 Winnie Lane, Williamsburg, MI 49690:
Ms. Vollmuth suggested the PC refer to the MTA's Authorities and Responsibilities (red book), Chapters 5 and 6, and then compare it to the PC's By-laws. The PC has an MTA membership and participates in their trainings. The PC cannot pick and choose which rules they follow from the MTA book. She also requested the PC read the Ethics portion of the new, 2025, MTA book.

She cautioned about Advisory Committees, Sub-committees, Executive Sub-committees, Ad Hoc Committees, Sub-committee Operations and Ad Hoc Membership. She requested a definition of what type of Committee they selected today. Some follow OMA (Open Meetings Act). There is conflicting information regarding payment.

She stated people are still having trouble with Zoom today including getting kicked off and coming back on.

A citizen approached Ms. Vollmuth, upset that a person could sit on the Planning Commission and submit their own Ordinance proposal. She also asked the PC to determine how they break a tie and referenced an individual who shouldn't be here and unable to vote but can be the tie-breaker vote.

Ms. Connie Hymore
Ms. Hymore encouraged and cautioned PC Members to remain neutral to issues regardless of personal opinions.

Ms. Hymore stated again she is willing to assist in troubleshooting the Zoom problems, and many people are frustrated. She wants Zoom to remain operational, and it is important to residents in their homes. Regarding microphones, PC Members must speak directly into them to be heard and demonstrated the loss of sound when turning their heads away from the microphone. PC Members can hear each other, but the audience and Zoom viewers cannot.

Ms. Kim Mangus, Brown Bear Lane, Williamsburg, MI 49690:
Ms. Mangus advised the PC the Winery Ordinance equates to doing events which subsequently equates to doing Event Barns. These are indoor and outdoor events.

She elaborated on Ms. Vollmuth's comments about the ROS, stating there is a legal problem in the way it is being approached. It is a Resident Outreach Sub-committee; a Sub-committee is subject to the Open Meetings Act the way it is currently structured. While it may be a simple terminology issue, the description of the job and name are subject to OMA.

She confirmed people are still having Zoom problems; i.e., cut out, kicked off, freezing up. She doesn't want to lose Zoom.

Ms. Heidi Vollmuth, 8388 Winnie Lane, Williamsburg, MI 49690:
In reading the Ordinances, she saw that alcohol is not allowed in Recreation. She will research where she found that information.

CONTINUING EDUCATION:
TA Online Learning Center Premium Pass Subscription from Clerk Hoeksema is in the meeting packet.

ADJOURNMENT:

Board Action:
Mr. DeYoung made a motion to adjourn the meeting. Ms. Merchant seconded the meeting.
VOTE: YEAS: All. NAYES: None. Motion carried.

The meeting adjourned at 10:44 a.m.

Submitted by: Kay Z. Held, Recording Secretary