WHITEWATER TOWNSHIP PLANNING COMMISSION
WOODLAND SCHOOL
7224 Supply Road, Traverse City, MI 49696
231-267-5141 Phone

SPECIAL MEETING
APPROVED AMENDED MINUTES
Tuesday, August 26, 2025, at 6:00 p.m.

CALL TO ORDER:
Chair DeYoung called the meeting to order at 6:01 p.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
Carl Wroubel, Member
Randy Mielnik, Township Board Trustee

A quorum was established.

Absent:
Sadie Merchant, Member (Excused)
David Boesler, Member (Excused)

ALSO PRESENT:
Zoning Administrator Deb Graber
Recording Secretary Kay Held

SET/ADJUST AGENDA:

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

DECLARATION OF CONFLICT OF INTEREST: None.

PUBLIC COMMENT:

IN THE AUDITIORIUM:

Mr. Gorden Friese, 7943 Skegemog Point Road, Williamsburg, MI 49690:
Mr. Friese is opposed to Short-term Rentals (STRs). There is one next door to him, there have been confrontations and there is no enforcement. There should be fines.

Ms. Heidi Vollmuth: 8388 Winnie Lane, Williamsburg, MI 49690
Zoom service needs to be figured out. Citizens deserve better. People cannot always attend in person and deserve the choice.

ZOOM COMMENTS: None.

PUBLIC HEARING:

HEARING #1:

Application for Amending the Whitewater Township Zoning Ordinance: Case #ZA 2025-03 - Proposed Short-term Rental Ordinance:

Open Public Hearing / State Time:

Board Action: Mr. Mielnik made a motion to open the Public Hearing. Ms. Stratton seconded the motion.
VOTE: YEAS: All. NAYES: None. Motion carried.

Note: The Public Hearing opened at 6:10 p.m.

Request those attending to sign attendance sheet.

The Public Hearing was Published in the Traverse City Record Eagle on Saturday, August 9, 2025.

State Purpose of Public Hearing:
Chair DeYoung announced the Case Number and Title of the Public Hearing, which will include presentations and Public Comments.

Brief Introductory Presentation (Zoning Administrator, Planner, Applicant/Agent, etc.):

Zoning Administrator Deb Graber:
Zoning Administrator Graber stated this Public Hearing is related to an Amendment to either the Whitewater Township Zoning Ordinance or the General Ordinance/Police Power. It was not defined in the Application. Currently, Whitewater Township does not have a Zoning Ordinance that allows a Permitted or Special Use for short-term renting. A past Township survey included a question whether the Township should consider Short-term Rentals (STRs).

This proposed Amendment is new and not cross-referenced to any current Ordinances is not in Definitions Article 2 and is not correcting anything in Article 4. Anyone short-term renting is not in compliance with any current Ordinances. She requested they comply with Ordinances on the books today.

Applicant Rachel Steelman:
STR Amendment Applicant, Ms. Rachel Steelman presented a slideshow and verbal presentation.

She covered her personal history and purchase of property in Whitewater Township. She has been operating a licensed, five-star Short-term Rental (STR) property in East Bay Township with zero complaints. She has served on the Planning Commission, worked on the Master Plan and gained knowledge of Ordinance development.

When STRs became a focal point in April, a group of individuals conducted extensive research and prepared a proposed Ordinance. It is meant to address STR related issues while protecting property rights.

Ms. Steelman narrated her slideshow presentation which included:

-Purpose of the Ordinance	-Application Process	-Local Contact Person 24/7
-Regulated Operation of STRs	-Site Plan Requirements	-Enforcement and Penalties
-Registration and Permitting	-Safety Measures	-Noise Ordinance Compliance
-Compliance and Transparency	-Resident Protections	-Property Handbook

Ms. Steelman stated the proposal balances fairness with accountability. Most STR hosts are inherently responsible, driven by platform ratings.

She encouraged the PC to incorporate a simple modification before forwarding it to the Township Board. This change would mandate that lakefront property STR hosts provide guests with educational materials on lake safety, etiquette, invasive species prevention and lake protections.

Ms. Steelman stated the Township is facing several lawsuits related to STRs. They arise from the existence of STRs rather than specific issues. Implementing clear Ordinance guidelines can address community concerns and significantly reduce litigation costs. Poor management of STRs can be effectively handled through Permit termination.

STRs boost local businesses, provide convenient guest housing, offer families opportunities to enjoy the area and play a key role in reducing blight.

Ms. Steelman introduced Mr. Eric Johnson, an Island Lake homeowner. Mr. Johnson shared his personal story of his family's vacation property. His property has not been listed this season due to the nature of this evening's conversation.

The property was purchased and renovated to the standards of other lake owners' properties. They anticipated sustaining the investment would need to be offset by rentals. Mr. Johnson explained his family's approach in responsibly renting to others. He presented a detailed vetting and rental process, established rules and has had zero complaints or negative experiences. A responsibly managed STR builds strong opportunities for families and neighbors. Unfortunately, there is an STR on Island Lake in Union Township that has caused problems. He shares the same concerns and frustrations of his Island Lake neighbors.

Ms. Steelman resumed the presentation.

She found that most concerns are not related to STRs themselves but to poor management. She referred to the Master Plan survey question on STRs which showed that 1/3 of the Township supports STRs without regulation. She believes there should be a balanced approach, with regulations.

The next steps include the Planning Commission's recommendation to the Township Board for approval or denial of the proposed Ordinance Amendment. If the Township should deny the Amendment, it may be placed on a ballot for voter approval through referendum.

She is asking the Planning Commission to recommend approval to the Township Board with the caveat earlier mentioned about lake education. This would enable implementation for the 2026 season.

Following implementation, the PC or Resident Outreach Sub-committee (ROS) should monitor effectiveness and propose Amendments where needed. Neighboring townships have refined their STR Ordinances post-implementation.

Ms. Steelman thanked the Planning Commission and Zoning Administrator for hosting this Public Hearing.

Read Any Written Comments Received:
Due to the volume of written comments received and the time constraint, Chair DeYoung announced they will not be read aloud at the meeting, have been posted on the Township website and are available for viewing.

Receive Public Comment:

IN THE AUDITORIUM:

Ms. Sue Mielnik, 9304 Wheeler Oaks Drive, Williamsburg, MI 49690:
Ms. Mielnik stated her comments are not necessarily those of her husband, Randy Mielnik, who is on the Planning Commission. She is not for or against Short-term Rentals. Ms. Steelman's proposed Amendment it is inherently biased, assuming all residents want STRs with a few exceptions, and we only need to make a few changes. She suggested a proposal opposing STRs would also be wrong. The ROS was created to conduct research to find out what residents want. Erecting STR signs stating "Short-term Rules" is misleading and is false representation of its meaning – Short-term Rentals. She looks forward to the work of the ROS.

Mr. John Fiebing (address not clear audibly or on sign-in sheet):
Mr. Fiebing stated no one knows if they could receive a serious diagnosis and, even if you didn't think it was a good idea, it might make STRs a necessity in order to retain ownership and keep a generational property in the family. Tourist rentals may become a necessity.

Mr. Steven Hall, 434 Island View Drive:
Mr. Hall lives on Island Lake and is a Precinct Delegate for the Democratic Party in Whitewater Township. The solution to losing our homes due to a catastrophic illness is not a Zoning issue; it is unfortunately, an issue with the medical system. He receives post-cards from a company who will manage STRs on his property. Private equity will turn his home into a commodity. He understands the allure of STRs, the possibility of earning a great amount of money and the desire of those wanting to set rules allowing STRs. Commercial activity would fundamentally change the Zoning designation. Property rights are defined by Zoning. To change R-1 is a violation of rights.

Mr. John King, 9160 Skegemog Point Road:

Mr. King opposes STRs. There are increased people, noise, traffic, speeding vehicles and the potential for accidents, weapons, alcohol, loud music and unintended wildfires through campfires. STR traffic is a danger to pedestrians. There are strangers on the property. Most Skegemog Point residents are seniors whereas most renters are younger, creating late evening noise. The negative impact on the community, neighborhood character and property values are borne by property owners. STR owners pocket their income with other residents' losses.

He asked that Township representatives respect taxpayers' vision of no STRs. Rules sound good but also list potential problem areas. Renters using an STR are not as invested in the community as the property owners. Communities don't permit other businesses; an STR is a business. Instead of an ROS, ask and let the taxpayers vote.

Mr. Robert Reider, 9435 Fairview Road, Williamsburg, MI 49690:
Mr. Reider is against STRs for the very reasons Ms. Steelman is trying to justify them---to protect the peace, safety, and rural character of the Township. Environmental quality would be impacted by STRs. Seasonal homes turned into STRs create increased traffic on streets and a danger to the safety of walkers and bikers. This is seen on Skegemog Point Road. Failure of septic systems is also a concern. A row of STRs will decrease property values of residential homes. They are a bad idea and the proposed Amendment should be rejected.

Mr. Jeff Zenas, 9373 Skegemog Point Road:
Mr. Zenas opposes the STR Zoning Amendment. STRs should not be permitted in R-1 zones. Residents are invested socially, economically and civically, and are the ones attending schools, supporting businesses year-round and volunteering in organizations in ways that transient visitors cannot.

Approving this Amendment would blur the lines between community and commerce, turning residential neighborhoods into business zones with a revolving door of strangers and where civility is sacrificed for short-term gain. If STRs are allowed in other zones, they should be strongly regulated. Reasonable fees should be put in place to cover enforcement costs. STRs are not currently allowed in the Township, yet there are those who are advocating for this change even though they are knowingly violating the existing Ordinance. He stated the Township Treasurer declared a conflict of interest regarding STRs, which suggests that she is operating one, despite the current Ordinance. If Elected Officials are not following the law, it undermines public trust and credibility of enforcement efforts. He urged the PC to reject the Amendment and preserve existing restrictions on STRs, particularly R-1 zones.

Mr. Vern Gauthier, 10233 Deal Road:
Mr. Gauthier supports STRs and long-term rentals. He lives in his home most of the year and rents it for a very short time, referencing the horse show near him. When the PC was elected, they campaigned on conservative values, which means limited government. However, the first thing that happens is more rules and regulations. More government costs everyone more.

Mr. Lynn DeLong, 722 Island View Drive:
Mr. DeLong is against STRs. Island Lake is zoned R-1. It is a private lake, with a private road maintained by property owners. The deed restrictions are for residential use only. Courts have ruled that STRs are commercial. If the PC approves the Amendment, it will be open to the public and the Township will likely find itself in court. Do not approve this Amendment.

Mr. William Clark, 9436 Elk Lake Trail:
Mr. Clark is against STRs. An earlier speaker talked about the ROS; he is on it but they've never met. This Public Hearing is jumping the project without the PC having the benefit of the ROS research. Ms. Steelman's slide presentation was nice, but it is filled with many vague areas that would be unenforceable. An attorney would be able to rip it apart before it gets done. Administration of STRs puts the own-ness on the Township. He suggested an STR application should require a bond be posted and Social Security numbers be included. There is no middle ground; you are either against it or for it.

Regardless of how much money he's been told he could make, his property and stewardship to his neighbors and the lake are worth more. Water quality is declining. There is a difference in the definitions of residential and commercial purposes. Ms. Steelman's presentation stated litigation would be reduced; as a retired trial attorney, this would be giving them new business.

Mr. Ron Popp, 6237 Elk View Drive:
Mr. Johnson's story as an STR landlord is the exception, not the norm. It is not the community's responsibility to help people pay for purchases they could otherwise not afford. The Township provides two things: EMS and Zoning. The

State of Michigan Court of Appeals has heard several cases on STRs, some in Garfield Township. Each decision indicates the Use is not compatible with Zoning Districts found in rural communities like Whitewater Township. If this Use is allowed, he asked why there is Zoning of any type and what purpose the Board serves.

The proposed Use relies heavily on neighbors for the first step of enforcement; no one signed up for that. He has had personal negative experiences with STRs. The Township allows Bed & Breakfast lodging; it is self-policing as the property owner is expected to be onsite. If additional lodging is needed, consider the commercial corridor, not a residential setting.

Mr. Dennis Dean, 8778 Carns Road:
Mr. Dean described his family's farm operation with two additional homes, which were renovated. They live on the property. Mr. Dean has had an incredible experience with short-term renters, half of whom are repeat renters. Mr. Dean believes regulation is key, including limiting the number of guests. Ms. Steelman's plan sounds reasonable. With the proper Ordinance, STRs should be allowed.

Ms. Patricia Bluman, 616 Island View Drive:
Ms. Bluman stated STRs are not desirable, and she opposes STRs. It results in the loss of permanent housing through conversion of residential dwelling to transient use. STRs are not compatible with the residential character of neighborhoods. An unhosted STR is a commercial use. Concerns include noise, late night disturbances, disorderly conduct, inadequate parking and infrastructure, septic concerns, private roads, traffic, safety and increased calls for law enforcement.

The Township doesn't have adequate staff to provide enforcement. As a Land Use Planner for 35 years, she has extensive experience in Code Enforcement. There are many expenses in the enforcement process. While many people may be good hosts; STRs have also become a way for private equity investors who never see it and have someone else run it. Penalties will not be a deterrent and diverts law enforcement to nuisance calls.

She urged the Planning Commission to deny the Ordinance.

Mr. Jason Rojewski, 2005 North Broomhead Road, Williamsburg, MI 49690:
Mr. Rojewski supports regulated STRs and is against any type of private equity. He understands conflicting issues including generating income to provide something for their family. He agrees a non-local owner will not respond. He does not want to see absentee landlords. Rules and Regulations or self-policing is necessary.

Ms. Heidi Vollmuth, 8388 Winnie Lane:
Ms. Vollmuth stated Zoning and Police Power Ordinances should not be mixed together according to MSU. She cited other details related to Operations, Planning and Zoning. Ms. Vollmuth is not for or against STRs. She would like to see caps on STRs. The ZA needs better tools.

Ms. Kim Mangus, 5105 Brown Bear Lane, Williamsburg, MI 49690:
The Agenda specifically stated letters would be read at the meeting. Announcing now that they won't be read aloud doesn't build trust. Two people reached out to her certain this would be the case and asked her to read their letters.

The 1st letter was from Mr. Matthew Sterling, who supports STRs. A properly designed Ordinance with guidelines and an application fee structure would benefit the Township and residents. Countless communities in Michigan have embraced the economic benefits of an STR program. He specified multiple ways it allows taxpayers to benefit financially for their families and support local businesses. There should be a reasonable standard of an Ordinance with enforceable parameters to prevent them from being a burden to neighbors. He asked the PC to vote in favor of STRs in Whitewater Township.

The 2nd letter was from Ms. Vicki Beam. Ms. Beam supports STRs with guidelines. Ms. Steelman's Ordinance is a great start. She has rented in the past and had been informed by the previous Supervisor and ZA it was allowed. She has had zero issues. STR owners maintain their homes. Renters add revenue into the community. For those property owners on the water, perhaps stricter rules can be applied.

Ms. Beam stated a concern regarding an email sent out by PC Member David Boesler stating he is against STRs. He should not be allowed to vote on this issue if there is a conflict of interest.

Ms. Mangus' comment:

Ms. Mangus stated her past experience when an Amendment was put forth by a citizen the PC discussed it, made adjustments and went to Public Hearing. Having a Public Hearing on an Ordinance the public has not seen the PC discuss would have helped.

She is in favor of STRs and basic guidelines. She has seen many properties renovated, which has had the greatest impact on blight. There is a difference between short- and long-term renters. Both can have issues. Like the casino, STRs are here to stay. The Ordinance will give the Township the ability to focus on the properties with the biggest problems and enforce the Ordinance.

She agrees with a prior comment this issue should go to a vote. She encouraged the PC to put this forward, and give the community something to work with.

Mr. Tom Washburn, 536 Island View Drive:
Mr. Washburn stated people who bought property in Whitewater Township knew or should have known its zoning. Commercial activity is in violation of residential uses. Of the 46 cases reported in Michigan that mentioned STRs, every case found they violated Residential Use zoned areas. When changing the Use by amending it, you are taking away from a legal existing Use that most people care about and paid deeply for.

Ms. Jess Wagner, MISTRA
Ms. Wagner is a resident of Leelanau County and supports fair permitting for STRs in Whitewater Township. The standing ban on STRs is not mentioned in the current Zoning Ordinance. Michigan has ruled STRs as a Commercial Use. She believes differently. It violates the Michigan Zoning Enabling Act, MCL 125.327. Whitewater hosts the largest horseshow in the country; the Township is putting itself at risk of violating the MZEA. Peninsula Township allows STRs in Agricultural areas.

The purpose of an Ordinance is to set rules and identify the consequences when not followed. She gave several examples of concerns and their resolutions. A community should check in with its residents, which is happening tonight. She has not seen business owners here. Business owners and renters are putting money into the community. Ms. Steelman has provided a very good example of an Ordinance. MISTRA is happy to assist and represents fair Ordinances for owners, renters and the community. She referenced the success of the Pure Michigan campaign.

Ms. Wagner also gave a brief personal history which includes operating a property management company. Places that don't allow rentals hurt residents and the community.

Mr. Mike Fowler, 11490 (illegible/inaudible) Court
Mr. Fowler owns the Williamsburg Animal Hospital with his wife. It is difficult for the younger population to live in this community. Many supplement by renting their homes. He has not seen private equity.

He is a regulatory agent for the State of Michigan, regulating automotive repair and sales. In his experience as a regulatory enforcement officer, it is much easier to deal with licensed clients than those who are not. STRs and the horseshow are here. He shares valid concerns about the composition of neighborhoods. In practice, the best way to address concerns is to adopt some variation of an Ordinance.

Mr. Mark Krinock, 2341 Fairview, Williamsburg, MI 49690
Mr. Krinock is opposed to R-1 placement of STRs. He has heard from people who have STRs; he would like to hear from people who have STRs next to them. There are seven properties on Skegemog Point that are problematic. One party dropped many people off in front of a residence, violating riparian rules. He understands people having a dream. He did as well, and planned for it 25 years ago. The Ordinance proposes to do the right thing; however, there is no enforcement behind it.

Ms. Steelman's proposal closely follows MISTRA's website. There is not enough staff for enforcement. He does not want a commercial property in an R-1 zone. Utilizing an ROS should be utilized before approving any Amendment. There are conflicting statistics on how many residents approve of STRs. He is an Alternate on the ROS. He respects the need for some people to supplement with short-term renting. People violating the current Ordinance should not be tolerated. The majority of STRs do not have an on-site or on-call contact person to resolve issues.

Mr. Mark Williams, Watson Road, Williamsburg, MI:
Mr. Williams noticed an ongoing theme of people from Whitewater are good and those who come here to do STRs are bad. He thinks the majority of people are good and so are those traveling here. There is no possibility he would rent his

house. However, those who want to should be able to. In the U.S., everyone has an opportunity to own and govern their piece of property, including if that involves renting out a house to pay for it. He is in favor of STRs including unregulated STRs.

Mr. Randy Steelman, 7315 Crisp Road, Williamsburg, MI 49690:
Mr. Steelman supports STRs and will compromise to "with regulations." There is no denying it is more difficult to afford a property today than those who saved for it 25 years ago. Times have changed. STRs are a way for young people to make it. If you own your home, you should be able to do what you want.

This is not personal attack toward ZA Graber, but he felt her statement was unprofessional saying STRs are not allowed. It felt intimidating. Some people may be less inclined to speak. There should be a moratorium while things are worked out. Calling STRs a Commercial Use is ridiculous as are some of the examples stated tonight. There are some commercial STRs, but those in this area and others are very nice and family-owned and operated.

Lake property owners do get worse renters than others; he does not know how to fix that. It's not quite fair that the rules are for everyone, but we need something to stand on and get it organized. There are no legal protections whether STRs are legal or not. We are better off with the proposed Ordinance than without anything.

He doesn't believe the government should have the right to say what we can do with our property if we are not hurting anyone. Regulating rentals allows he and his small town friends to use their assets to pay bills and get ahead while it gives some neighbors control on how to do it.

Jim Snider, 8310 Old M-72:
Mr. Snider is more confused than before after watching both sides. Both have great points. A proposal has been made. He doesn't know how to regulate this issue. He suggested taking what the applicant has, talk with the Acme Township resident who called in and write a Whitewater Ordinance. It's already difficult enforcing the existing one. Don't worry about the 2026 season. Maybe the ROS needs more input. Look at the townships that have had success with STRs.

Mr. Shawn Fox, 9875 Miami Beach:
Mr. Fox asked if there's an Ordinance proposal, why the PC can't just say no STRs to make it even more clear. The comment made about the pontoon boat that hauled 20+ people to the lake was in front of his neighbor's home. There was no recourse for his family or his neighbor's guests. Propose that the ROS look into this but in the interim make it clear STRs are not allowed.

Mr. Steve Radditz, 7282 Crisp Road:
Mr. Radditz supports STRs with a proper Ordinance. He does mid-term rentals, all over 30 days. He lives across the street from an STR, with no issues. If there was a problem, he knows who to talk to. Neighbors work with each other. Rentals are not all year long. His renters are quieter than his own family and drive slower than the golfers who speed by. The STR people are not the problem. The PC has a proposal; there are options to modify it and get something done.

Mr. Mike Jacobson, 7031 Skegemog Point Road:
Mr. Jacobson supports STRs and this draft of the Ordinance. He has heard many statements saying STRs are illegal; no one cited an Ordinance saying it was. A prior administration told people it was ok to do it and now they are being told they can't. There have been short-term rentals in R-1 zones since the 1950's. He has letters from his two daughters who are in favor of STRs and the opportunity it would provide.

The Master Plan supports STRs. As a long-time PC Member, he was involved in drafting the Master Plan. Data collected indicated 1/3 of residents wanted STRs with regulations, 1/3 wanted them without regulations, and 1/3 didn't want them.

He disagrees with the Chair's comment about not reading letters due to a time constraint. Most people do not want to speak publicly but do want their voice heard. This is a violation of Constitutional rights.

The Master Plan supports it. The PC hasn't handled this ongoing issue well. There is an ROS on this that has never met. The PC should have deliberated the issue before going to Public Hearing. The Master Plan is the guiding tool; why isn't it being used?

At the 8/6 PC meeting, there were 20 letters sent to the PC but were not with the group of letters there. This draft may need to be tweaked, but is a strong starting point. It is ridiculous Ms. Steelman is being charged for this Special Meeting. She didn't ask for it to be fast tracked or for a Special Meeting. They knew the turnout would be more than the Township

Hall could accommodate. The PC should have found a venue in advance. Woodland School is more expensive than the venue the Board will use for the 9/9 meeting, making it harder on Ms. Steelman.

Ms. Brenda Baker, 5982 Cook Road:
Ms. Baker is on the Township Board of Review. She supports adopting STRs with guidelines. 95% of her rentals are long-term, with some short-term. She stays on-property and has never had a complaint. Most of the pushback is from lakefront property owners. She would like to know how any STR complaints have been directed toward lakefront versus rural owners. She has short-term rented lakefront STRs previously. Perhaps lakefront owners might consider an HOA to dictate what owners can and cannot do. Many owners are doing it right; those who are not should be held accountable. Many of us were told years ago short-term renting was ok. An Ordinance will protect neighbors who choose to short-term rent. The Ordinance provided may need slight adjustment and still offer the opportunity to rent and protect the neighbors. She asked the PC not to choose the easiest decision and to do its due diligence.

Ms. Kim Mangus, 5101 Brown Bear lane:
Ms. Mangus held up a stack of letters people submitted to the PC who thought they would be read. She provided them to the PC again, agreeing with Mr. Jacobson that people are not comfortable public speaking. There is a difference between a letter being on record and being read at a public meeting.

Ms. Patricia Bluman, 616 Island View Drive:
Ms. Bluman has heard people ask to see the code that shows them if STRs are allowed or not. She referenced Article 4 – Use Regulations, Section 4.02 – Principal Use Regulations identifies principal Land Uses permitted in each zone district. No land use shall be established on a lot or parcel except in conformance with the Use regulation provided herein. STRs are not listed under R-1 as an allowable Use. Therefore they are not permitted.

ZOOM COMMENTS:

Mr. Gaurez Chadha, Fairview Lane
Mr. Chadha and his wife support STRs. They live in SE Michigan and owns a property in Whitewater Township where they stay two weeks a year. Requiring a minimum 30-day stay limits their ability to rent their property. Many townships allow short-term renting. He has read the correspondence, agrees with the concerns but strongly disagrees with the presumptions. The increase in traffic is because it's a public road near Skegemog Point. He asked the PC what guarantees they have that limiting rentals to 30 day minimums equates to quality renters.

Mr. Brian Kelly, Acme Township:
Mr. Kelly offered his perspective from Acme Township's process, enforcement and challenges. Acme Township allows owner-occupied tourist homes and vacation homes that are allowed in Commercial districts and Ag properties of at least five acres. The number of permits for each of these is restricted. Once STRs are allowed, the genie can't be put back in the bottle. Per their Zoning Administrator, it used to be manageable; however, the equestrian festival has made it overwhelming to enforce. The proposed $100 fee is not at all sufficient for investigation and enforcement. The PC is naïve to think an Ordinance will solve issues. He spoke of several compliance issues and the logistics of ensuring a 24/7 contact person. STRs do not generate income for infrastructure.

Board Action:
Mr. DeYoung made a motion to extend the meeting past the three hour time frame. Ms. Stratton seconded the motion.
VOTE: YEAS: 4 (DeYoung, Stratton, Peltonen, Mielnik), NAYES: 1 (Wroubel). Motion carried.

ZOOM COMMENTS (continued):

Ms. Jill Koester (address not provided)
Ms. Koester is on the Township Board. She is speaking as a Whitewater Township private citizen and property owner. She supports allowing STRs subject to clear, fair and enforceable regulations. STRs help support property costs, support the local economy and bring visitors who spend money at local businesses. People who own STRs often hire local businesses for maintenance. Well-intentioned Ordinances can become bad laws if they cannot be applied fairly or consistently.

A recent example of this is Peninsula Township and the wineries of Old Mission Peninsula. The Township had vague and inconsistent Ordinances that severely restricted the winery operations. The courts recently ruled these Ordinances were unconstitutional and a judgement of $50m was awarded because wineries were operating in good faith under unclear rules. This shows the risk to municipalities when rules are ambiguous or retroactively enforced.

Many Township residents have operated STRs for years without anyone prohibiting them. If the Township were to declare those rentals illegal, those owners could serve legal, non-conformity use rights and could argue they reasonably relied on the Township's long-standing practice. Sudden enforcement can be seen as unfair or deemed in violation of due process

A responsible approach is to adopt a balanced Ordinance that clearly defines STRs and allowable use, sets reasonable limits, requires registration, establishes enforcement standards and grandfathers existing rentals operating responsibly.

Close Public Hearing / State Time:

Board Action: Mr. DeYoung made a motion to close the Public Hearing. Ms. Peltonen seconded the motion.
VOTE: YEAS: All. NAYES: None. Motion carried.

Note: The Public Hearing closed at 9:27 p.m.

HEARING #2:

Application to Amend Whitewater Township Zoning Ordinance Article 21, Section 21.04 Cost: Case #ZA 2025-04:

Open Public Hearing / State Time:

Board Action: Mr. DeYoung made a motion to open the Public Hearing. Ms. Stratton seconded the motion.
VOTE: YEAS: All. NAYES: None. Motion carried.

Note: The Public Hearing opened at 9:28 p.m.

Request those attending to sign attendance sheet.

The Public Hearing was Published in the Traverse City Record Eagle on Saturday, August 9, 2025.

State Purpose of Public Hearing:
Chair DeYoung announced the Case Number and Title of the Public Hearing.

Brief Introductory Presentation (Zoning Administrator, Planner, Applicant/Agent, etc.):
Zoning Administrator Graber explained this Hearing is about Article 21 of the Zoning Ordinance related to when an individual comes forth with an Amendment proposal for the Planning Commission. It explains the costs for proposing a Zoning change in the amount of $300. This has been in place since 1972.

The inconsistency relates to the Planning and Zoning Fee Schedule, updated 4/25, where the cost is $750. The verbiage needs to be consistent. The change is being recommended because the Ordinance did not support the Fee Schedule.

Read Any Written Comments Received: None.

Receive Public Comment:

IN THE AUDITORIUM:

Ms. Kim Mangus, 5101 Brown Bear Lane:
Ms. Mangus opposes this Amendment. Historically, it was tradition for the public to bring forth Ordinance change proposals. The proposal is to change the Ordinance so the Township can change the fee any time it wants; in this case, double the fee. If this Ordinance is changed, a second Amendment needs to be made. Ms. Steelman did not request tonight's meeting. Ms. Mangus would like the PC to put protective language in the Ordinance to allow a resident to be able to stop the process. There is no opportunity for this in the current Ordinance.

Mr. Mike Jacobson, 7031 Skegemog Point Road:
Mr. Jacobson does not support this Amendment. There seems to be a theme with the new PC in trying to quell the public's ability to speak. The Township Board recently limited Public Comment to three minutes. Not reading letters in public is a way to quell people's opportunity to speak.

Raising the fee is another way to deter people from coming forward. More than doubling fees will take people out of it. The government is supposed to be for the people, by the people, and this is trying to prevent the public from speaking. He asked the PC to revisit this with the community in mind not the administration.

Ms. Rachel Steelman, 7315 Crisp Road;
Ms. Steelman stated "Ditto."

Ms. Sue Mielnik, 9304 Wheeler Oaks Drive, Williamsburg, MI 49690
Ms. Mielnik disagrees with Mr. Jacobson as he talks about the public's voice being squelched as he is standing here speaking about the inability to express himself. He had ample time to speak. Ms. Steelman spoke for 20 minutes on her proposal, which Ms. Mielnik believes to be incomplete. She does not believe people's opportunity to talk is being squelched. She took exception to Ms. Mangus' comment about tradition with regard to Ordinance Amendments.

ZOOM COMMENTS: None.

Close Public Hearing / State Time:

Board Action: Mr. DeYoung made a motion to close the Public Hearing. Ms. Stratton seconded the motion.
VOTE: YEAS: All. NAYES: None. Motion carried.

Note: The Public Hearing closed at 9:44 p.m.

PLANNING COMMISSION DELIBERATION ON HEARINGS:
Chair DeYoung responded to comments that the PC did not deliberate prior to the Hearing. There was nothing to deliberate on before a Hearing. They have a great deal of material, letters and comments to review. The next Regular Meeting is in one week. He anticipates the PC will deliberate at the October meeting or a Special Meeting before that.

Ms. Peltonen noted the ROS will be meeting shortly. Ms. Stratton confirmed the ROS formed on 8/14/25 will be meeting before the September PC meeting.

Mr. Mielnik would like to correct inaccurate statements. He has heard at several meetings there are multiple lawsuits filed by the Township; he verified with ZA Graber there are zero active suits at this time. She stated one misdemeanor citation was filed on 7/3/25 in District Court; she has not received a case number or hearing date. There is a possibility it may settle.

Mr. Mielnik stated the proposed Amendment for the second Hearing (Case ZA #2025-04) simply says that it is referring to the Fee Schedule the Township Board adopted in April. The fees are effective as of that date. The PC is not changing the fee.

It is common practice that fees are not specifically in the Ordinance but rather in a Fee Schedule that the Township periodically amends. Fees stated in all documents, with the exception of the Ordinance, were moved to the Fee Schedule.

Ms. Stratton inquired when a citizen wrote and submitted an Amendment and paid a deposit if there was a point they could withdraw. Mr. Mielnik stated yes. Mr. Mielnik noted it is uncommon to have a complex Zoning Amendment of this size proposed by a resident. He has many other comments; however, will make those during the deliberations.

There was Board discussion about the $750 application fee, how it is applied and to what expenses. Ms. Peltonen noted the $750 does not cover the cost of one meeting at this location and related expenses; i.e., newspaper publication, recording secretary, personnel costs. Ms. Stratton noted the $750 includes but is not limited to costs of Special Meetings, legal fees, etc. Mr. Mielnik confirmed it is not unusual to pass costs to an applicant who is proposing an Amendment. There are costs associated with the process; i.e., Special Meetings, reviews by engineers or planners, etc.

Mr. Wroubel has read East Bay, Acme and Milton Townships' STR Ordinances; he suggested the PC read them if they haven't. Mr. Wroubel referenced parts of Ms. Steelman's proposal that he does not agree with. It needs to be rewritten; its current format is not an Ordinance. The caller from Acme Township was helpful in relating his experience with an STR Ordinance and enforcement in Acme Township. The Whitewater ROS needs to do research so the PC can make decisions whether STRS are permissible in R-1 districts.

PUBLIC COMMENT:

IN THE AUDITORIUM:

Ms. Deb Graber:
Ms. Graber stated all comments and letters sent to her were scanned, with personal information redacted, and sent to the Township Clerk. Every email she received was also sent to every Member of the PC, and she replied to those emails informing them of this.

Mr. Mike Jacobson, Skegemog Point Road, Williamsburg, MI
He feels like he is being squelched. It has happened in the past. He's been told Public Comments at meetings are limited to three minutes.

Both the PC and Township Board have daytime meetings. He and others work and cannot attend those. He would like to speak at every meeting. In all of his years on the PC, nothing was ever sent to Public Hearing until it was deliberated on. He believes there will be another Public Hearing on this issue.

He understands the fee change is an application fee, but asked why Ms. Steelman is being charged for this Special Meeting. It isn't her fault the Township Hall wasn't big enough. The same thing happened with the Township Board.

Ms. Kim Mangus, 5101 Brown Bear, Williamsburg, MI 49690
Board discussion made it obvious she was not clear on her concern on the 2nd Public Hearing. Ms. Mangus was previously Chair of the Planning Commission, and they missed something. Most applicants are going to surpass their initial fee in the escrow account. Ms. Steelman was billed over $1k for this meeting. If she had asked for this Special Meeting, that is fair; however, she did not. That was her concern.

Another concern is the way the Ordinance is written; there is nothing in it that required the PC to ask the applicant if they wanted an extra meeting to speed it along. She would like the PC to consider an out-clause or allow the person footing the bill to have input to say they would wait until the next Regular Meeting.

Note: Mr. Mielnik responded the Planning Commission already has a full agenda next week and there was an urgency expressed by the applicant to move this forward, both of which were factors that needed to be considered.

Ms. Rachel Steelman, 7315 Crisp Road, Williamsburg, MI 49690:
When she originally submitted the application, she made it known she was providing a draft to start the conversation. She expected deliberation, information be put in meeting packets and Public Comments listened to. Because of the behaviors and things that have happened, her goal changed to get something on the books. She never asked for a Special Meeting. She asked to be included and be part of the process. She's been silenced and ignored in emails. She wants to help and work with the PC, not be difficult. She feels like the difficulty is coming at her. She would like to work together going forward.

ZOOM COMMENTS: None.

PC DISCUSSION / COMMENTS: Discussion was covered earlier and is recorded above.
The next Regular Meeting of the Planning Commission will be held Wednesday, September 3, 2025, 7:00 p.m., at the Township Hall.

ADJOURNMENT:

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

The meeting adjourned at 10:15 p.m.

Submitted by: Kay Z. Held, Recording Secretary