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

SPECIAL MEETING (due to time change)
APPROVED MINUTES
Wednesday, June 3, 2026, 6:30 p.m.

CALL TO ORDER:
Chair Stratton called the meeting to order at 6:30 p.m.
The Pledge of Allegiance was recited.
A microphone check was done.

Public Attendance On-site at Township Hall: 8 (approximately)
YouTube Viewing (in real time): 1 (approximately)

ROLL CALL: Secretary Peltonen called Roll.

Present:
Rene Stratton, Chair
Sadie Merchant, Vice Chair
Denise Peltonen, Secretary
Scott Trumbull, Member
Michael Sherman, Member

A quorum was established.

Absent:
Rod Rebant, Member (excused)
Randy Mielnik, Township Board Trustee (excused)

ALSO PRESENT: Recording Secretary Kay Held

SET/ADJUST AGENDA: No changes.

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

DECLARATION OF CONFLICT OF INTEREST: None.

PUBLIC COMMENT:

Mr. Tom Slopsema: Short-term rentals take away the property rights of residents who purchased homes in an R-1 District, believing that commercial run businesses would not be there. Zoning should protect property rights. STRs bring noise, traffic and speeding as well as hurt property values. Question #5 on the STR survey should be removed; the District Court judge ruled STRs are prohibited in Whitewater Township.

Questions #10 and #42 would be confounded, with a mixed result. Questions #11-16 omitted protecting property rights of residents, the problems of excessive noise, light, litter, trespassing, neighborhood overcrowding, decreased property values and investors exploiting the area and its natural resources.

Question #17 is problematic; running a prohibited property is not a right.

Questions #29-38 regarding regulations; the Township fails to enforce current STR prohibition; he questioned how it would enforce 10 new proposed rules. He outlined numerous disturbances from STRs as early as April including an event that did not seek a permit. Fines need to be substantially increased. The Zoning Administrator needs clear enforcement power.

APPROVAL OF MINUTES:

May 6, 2026, Regular Meeting of the Planning Commission: Amendments: Yes.

Board Action: Ms. Merchant made a motion to approve the Minutes of the May 6, 2026, Regular Meeting as amended. Mr. Trumbull seconded the motion.
VOTE: YEAS: All. NAYES: None. Motion carried.

May 14, 2026, Special Joint Meeting of the Township Board and Planning Commission:
Amendments: None.

Board Action: Mr. Trumbull made a motion to approve the Minutes of the May 14, 2026, Special Joint Meeting of the Township Board and Planning Commission as presented. Ms. Merchant seconded the motion.
VOTE: YEAS: All. NAYES: None. Motion carried.

CORRESPONDENCE:
K. Mangus – Bundle #1 of Zoning Ordinance Review
J. Zenas – STR Survey
G. Chadha – STR Survey

REPORTS / PRESENTATIONS / ANNOUNCEMENTS / COMMENTS:

Zoning Administrator – Deb Graber: ZA Graber's report was in the meeting packet. She additionally reported:
Nine permits have been issued from April 30 to May 14. Permit activity is busy. Many complaints have come in. The ZBA heard an appeal at their 5/28 meeting; Mr. Trumbull will include this in his report.

The Township Board has scheduled a Special Meeting on Tuesday, June 30, 2026, at 6:00 p.m. It will be held at the Elk Rapids Governmental Center on the subject of Civil Infractions Ordinance and Enforcement Policy. The Township attorney will be present to answer questions.

ZA Graber stated Municipal Civil Infractions, if not resolved, may result in issuance of a misdemeanor citation and criminal record. She strives to aid residents in meeting compliance over escalation to law enforcement.

Planning Commission Chair – Rene Stratton: Chair Stratton attended a meeting on data centers hosted by the Northern Michigan Chamber Alliance. There was discussion about impacts, benefits and risks as well as prospective Ordinance content with regard to data centers.

Township Board Representative – Randy Mielnik: Absent, no report.

ZBA Representative – Scott Trumbull: Mr. Trumbull reported the ZBA heard a variance request at its 5/28/26 meeting. The applicants asked for a variance for a non-conforming garage to be built after demolition of an existing, non-conforming garage. The application was denied.

The ZBA drew from non-use variance questions from the Zoning Ordinance and will be reviewing the content, making recommendations for improved ease of understanding and presenting them to the Planning Commission. It will then be sent to the Township Board for consideration of verbiage amendments. The content under review is part 20.07 B, Questions 1-7 from the Zoning Ordinance.

Mr. Trumbull stated neither ZA Graber nor Clerk Hoeksema will be in the office 100% of the time to provide paper STR surveys in exchange for post card notifications if desired.

ROWG (Resident Outreach Work Group) – Rod Rebant: Absent; no report.

Additional Items: None.

UNFINISHED BUSINESS:

ZOA-2026-03 Repeal and Replacement of Article 6 – Corridor Overlay Planned Unit Development (COPUD) Zoning District with New Overlay District Named M-72 Overlay District,

Repeal and Replacement of Article 7 – Planned Unit Development (PUD),
Amendments to Article 8 – Condominium Development,
Amendments to Article 12 – Site Plan Review,
Amendments to Article 13 – Special Land Uses,
Amendments to Article 19, Administration,
Amendments to Article 2 – Definitions,
Amendments to Article 5 – Supplemental Development of the Relocation of Use-specific Details from Article 13

The repeal and replacement of Article 6 – Corridor Overlay Planned Unit Development will be retitled the M-72 Corridor Overlay District and is postponed until July. Planners Giffels and Webster are creating material showing the existing and proposed items for the new M-72 Overlay District. This information will be available mid-June at the Township Hall and mailed to M-72 impacted parcels. There will be a public workshop on this matter on July 1, at 6:00 p.m. immediately prior to the Planning Commission's 7:00 p.m. Regular Meeting. Members of the Planning Commission will be present at this workshop.

Mr. Andy Aamodt of Giffels Webster joined the meeting via Zoom. The Planning Commission, with the expertise of Mr. Aamodt, has reviewed, discussed and made revisions to the following portions of the Zoning Ordinance (Bundle #1 of the review process) at October 1, 2025, November 24, 2025, February 4, 2026, and May 6, 2026 (also a Public Hearing) meetings. Mr. Aamodt reviewed the revisions made since the last the meeting in each of these sections. There was additional discussion about portions of the material.

Planned Unit Development (PUD) Section Update
This is for the repeal and replacement of Article 7, Planned Unit Development, for the purpose of Master Plan alignment, procedural plan updates, density allowances and other minor changes for clarity and readability.

Condominium Development Standards
Amendments to Article 8 are to provide for residential cluster development options, to encourage open space preservation and update requirements including landscaping as well as minor changes for clarity and readability. No additional changes were made to this section after the May 6 meeting.

Development Process
This affects the relocation of use-specific details such as home occupations, B&Bs, etc., from Article 13 to Article 5. The existing text from Article 13 will be retained; Article 5 will be amended with updates suggested from the Public Hearing. There are also amendments to Article 12 to improve the Site Plan review process, clarify approval details and minor changes to improve readability and clarity.

Amendment to Article 13 Special Land Use – delete redundant language, clarify approval details and minor changes for clarity and readability.

Amendment to Article 19 – Administration – clarify language and permit process.

Amendment to Article 2 – Amend definitions to accompany the preceding amendments.

Board Action: Ms. Stratton made a motion based on specific findings and conclusions discussed pursuant to Article 21 of the Whitewater Township Zoning Ordinance, the Whitewater Township Planning Commission recommends that the Whitewater Township Board act to approve repeal and replacement of Article 7 – Planned Use Development, amend Article 8 – Condominium Development, amend Article 12 – Site Plan Review, amend Article 13 – Special Land Uses, amend Article 19 – Administration, amend Article 2 – Definitions and amend Article 5 – Supplemental Development Standards based on the attached material. Mr. Trumbull seconded the motion.

Chair Stratton read aloud Findings of Fact on the following criteria prior to the PC vote:

Criteria A: Consistency with the goals, policies and objectives of the Township's Master Plan and any sub-area plans:

Response: The Whitewater Township Master Plan was adopted in 2025. The proposed amendments are consistent with this Plan in the following specific ways:

a. PUD Section Amendment – Article 7: Page 73 of the Master Plan identifies preserving Whitewater Township's rural character as Planning Principle #2 and specifically identifies the need to create an improved PUD Zoning District. This consideration is similarly identified in Goal 2-A (page 81) and is further discussed in the Land Use Strategy and Implementation Chapter (pages 94-95) and in the required Zoning Plan (page 106).

b. Condominium Development Regulations – Article 8: In a similar manner to PUD provisions above, the need for updates to the Condominium Development Regulations is discussed in the Master Plan (page 94).

c. Development Process – Article 5, Article 12, Article 13, Article 19: the Master Plan addresses the need to encourage economic opportunities. The Master plan links this principle to MEDC's RRC program and the specific need for clear Zoning regulations and a predictable, efficient development review process (page 75) and Goal 4-A (page 86). When regulations and procedures are unclear or vague, impediments to economic opportunities are evident.

Criteria B: Consistency with the basic intent and purpose of this Zoning Ordinance.

Response: The purposes of the Whitewater Township Zoning Ordinance are described in Section 1.02. The proposed amendments are consistent with all eight purposes. Specifically, the updates to PUD and Condominium Development provisions directly help encourage the use of the Township's lands and resources in accordance with their character and adaptability. These updates also similarly support the purpose of protecting fish and wildlife resources, water quality, scenic and aesthetic qualities, and historical and recreational values. Further, the purpose of promoting the Township's economic progress and protecting and enhancing its property values is supported by the proposed updates to the development – process - related provisions. These updates add clarity to development standards and review procedures, which help avoid arbitrary and inconsistent decision-making.

Criteria E: The conditions have changed since the Zoning Ordinance was adopted or there was an error in the Zoning Ordinance that justifies the amendment.

Response: White there have been about 90 Zoning Amendments since the Zoning Ordinance's original adoption in the 1970's, some provisions have been in place for decades. Many conditions have changed, including the evolution of best land-use practices for Planned Unit Developments and the general increase in growth pressures across the region. Conditions have also changed with regard to the adoption of the recent Master Plan, which articulates a more up-to-date, complete, and comprehensive vision for the future, with recommended regulatory measures needed to achieve community goals.

Criteria F: That the amendment will not be expected to result in exclusionary Zoning.

Response: The proposed amendments are not expected to result in exclusionary consequences or impacts. Proposed improvements to the PUD provisions may in fact reduce the potential for exclusionary impacts by improving the means to facilitate mixed-use development.

ROLL CALL VOTE: Sherman-Y, Stratton-Y, Merchant-Y, Peltonen-Y, Trumbull-Y. Motion carries.

Repeal and Replacement of Article 6 – Corridor Overlay Planned Unit Development District with New Overlay District Named "M-72 Corridor Overlay District" – postponed until July, 2026

PC Discussion: None.

Winery and Cidery Ordinance – update:
Chair Stratton forwarded the draft Ordinance to Mr. Ryan Coffey of the MSUE who is a right-to-farm specialist. Giffels Webster will make revisions for review at the July PC meeting. The draft has also been sent to the Township attorney for legal review.

Review of Short-term Rental (STR) Survey Questions – Draft #4:

Chair Stratton noted points of clarification from correspondence received from Mr. Chadha which were discussed and relayed to Mr. Bernie Porn of EPIC-MRA, who joined the meeting via Zoom. There was also discussion among the PC and with Mr. Porn regarding additional edits.

Board Action: Mr. Trumbull made a motion to approve the Short-term Rental survey with amendments to Draft #4 as a final version. Ms. Merchant seconded the motion.

ROLL CALL VOTE: Merchant-Y, Peltonen-Y, Trumbull-Y, Sherman-Y, Stratton-Y. Motion carried.

Chair Stratton stated the telephone survey will commence shortly after receipt of the approved survey questions. She referenced a prior comment from Ms. Zenas and stated she spoke with Mr. Kelley Sullivan of EPIC-MRA regarding the procurement process of phone lists. Mr. Porn also noted they utilize a statewide phone list as well as voter registration records.

There was additional clarification of minor details in the survey, which will be forwarded to Mr. Bernie Porn of EPIC-MRA to execute. This resulted in another motion:

Board Action: Ms. Merchant made a motion accept the Short-term Rental survey with the additional changes adding "Whitewater Township residents" to the final draft. Mr. Sherman seconded the motion.

ROLL CALL VOTE: Peltonen-Y, Trumbull-Y, Sherman-Y, Stratton-Y, Merchant-Y. Motion carried.

Short-term Rental Timeline Update:
The timeline process was detailed by Mr. Porn regarding the telephone and online survey process. There had been some confusion about the option for residents to respond by paper survey, which will be made available. There was discussion about the availability of in-office staff to exchange a paper survey from postcard notification.

There was additional discussion regarding verbiage and conflicting instructions of the postcard. There was consensus to modify the information for improved clarity and generate a QR code.

NEW BUSINESS: Secretary Peltonen suggested the PC consider the prospect of changing the start times of its Regular Meetings or schedule Special Meetings focused solely on bundle reviews with Giffels Webster. A new bundle review of the Zoning Ordinance is anticipated to commence in September. ZA Graber read aloud the previously determined timeline of Ordinance review activity.

NEXT MEETING: Next Planning Commission Meeting(s):

Special Meeting Wednesday, July 1, 2026, at 6:00 p.m., Township Hall
Public Workshop to discuss the M-72 Overlay District.

Regular Meeting Wednesday, July 1, 2026, at 7:00 p.m., Township Hall

Board Action:
Ms. Stratton made a motion to schedule a Special Meeting/Workshop on the Overlay District on Wednesday, July 1, 2026, from 6:00-7:00 p.m. at the Township Hall. Mr. Trumbull seconded the motion. VOTE: YEAS: All. NAYES: None. Motion carried.

PUBLIC COMMENT:

Ms. Julie Zenas: Appreciated the PC considering the questions she submitted regarding the STR survey. She agrees with Mr. Slopsema's comments and referenced nuisance issues she experiences with nearby STR properties. The ZA's comments surrounding civil infractions are key. She opposes QR codes; if they are used, they must be encrypted to ensure security. Timing of mail receipt is a real issue; she never received the postcard for the 1/26/26 workshop. She appreciates the PC is tackling many large projects and allowing the public's voices to be heard.

Ms. K. Mangus: Inquired how the consultant knew which changes were to be made to the STR survey before a meeting was held. Chair Stratton responded that information was discussed during the meeting. Ms. Mangus is concerned the PC approved amendments this evening that are not entirely legal; i.e., Article 5 verbiage and adopting an entire packet all

together. If this was not noticed in a Public Hearing, it is not a legal change. She encouraged the PC to consult with the attorney to ensure procedural correctness.

PC DISCUSSION / COMMENTS:
Chair Stratton noted if the resident does not have the survey number on their postcard, Mr. Kelley Sullivan of EPIC-MRA has the information. His contact information will be posted in-house and on the Township website.

Civil infractions will be handled by the Township Board, not the Planning Commission. Ms. Stratton will look into the comment made by Ms. Mangus regarding Article 5.

ZA Graber forwarded the revision for the Enforcement section of the Zoning Ordinance which speaks to municipal civil infractions that will be coming before the Planning Commission to Chair Stratton.

CONTINUING EDUCATION:

Citizen Planner Report:
Chair Stratton reported that she, Mr. Trumbull and Vice-chair Merchant have completed the Citizen Planner training. MSUE and MTA have a number of free online courses available; Commissioners should let her know if there are any costs associated with training in which they may wish to participate.

ADJOURNMENT:

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

The meeting adjourned at 8:23 p.m.

Submitted by: Kay Z. Held, Recording Secretary