WHITEWATER TOWNSHIP PLANNING COMMISSION
Historic Elk Rapids Township Hall, 401 River Street, Elk Rapids, MI 49629
Whitewater Township Hall 231-267-5141 Phone / 231-267-9020 Fax

REGULAR MEETING
APPROVED MINUTES
Wednesday, August 5, 2026, 7:00 p.m.

CALL TO ORDER:
Chair Stratton called the meeting to order at 7:00 p.m.
The Pledge of Allegiance was recited.
A microphone check was done.

Public Attendance On-site: 6 approximately)
YouTube Live Stream View: 8 (approximately)

ROLL CALL: Secretary Peltonen called Roll.

Present:
Rene Stratton, Chair
Denise Peltonen, Secretary
Scott Trumbull, Member
Michael Sherman, Member
Rod Rebant, Member
Randy Mielnik, Township Board Trustee

A quorum was established.

Absent: Sadie Merchant, Vice Chair (excused)

ALSO PRESENT: Recording Secretary Kay Held

SET/ADJUST AGENDA:
-Under "Next Meeting" add "Special Meeting on 8/17/26 at 6:00 p.m., Township Hall"
-Under "New Business" add "Discussion of Public Hearings for ZOA #2026-05 and ZOA #2026-06"

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

DECLARATION OF CONFLICT OF INTEREST: None.

PUBLIC COMMENT:

Ms. K. Mangus: There were four Whitewater Township public notices published in the Elk Rapids News the week prior to the Planning Commission's Special Meeting held in Elk Rapids; the PC's meeting and Public Hearing was not one of them. Whitewater Residents believe the Elk Rapids News is the publication of record to locate notices. The Record Eagle notice lacks transparency. She asked the PC to also publish in the ER News.

PUBLIC HEARINGS:

PUBLIC HEARING #1:

ZOA #2026-05 Amendments to Article 13 – Special Uses and Article 5 – Supplemental Development Standards and Provisions:

Open Public Hearing: Mr. Mielnik made a motion to open the Public Hearing. Mr. Trumbull seconded the motion.
VOTE: YEAS: All. NAYES: None.

Note: The Public Hearing opened at 7:06 p.m.

Request those attending sign attendance sheet.

State Date of Public Hearing Notice Publication and Newspaper Published in:
The Notice was published in the Traverse City Record Eagle on 7/18/26.

State Purpose of Public Hearing: Consideration of ZOA #2026-05 Amendments to Article 13 – Special Uses and Article 5 – Supplemental Development Standards and Provisions.

Brief Introductory Presentation (Andy Aamodt):
Mr. Aamodt of Giffels Webster explained the proposed Amendment is moving existing Section 13.17 currently in the Special Land Use Section to Article 5, the Supplemental Development Standards and Provisions for General Uses with standards regulating use.

Brief statements have been added to each sub-section: 5.09 Home Occupations, 5.13 Bed and Breakfast Establishments, 5.14 Sexually Oriented Businesses and 5.15 Commercial Campgrounds.

Reference to an annual permit for administrative review by the Zoning Administrator was deleted. Minor punctuation and grammatical corrections were made. Chair Stratton clarified that Article 13.17 would subsequently be deleted.

Read Any Written Comments Received: None received.

Receive Public Comment:

Ms. K. Mangus: Recognized the amount of work done by the PC in conjunction with a Planner. She appreciates the PC reaching out to the affected local businesses in the COPUD and simplifying the Commercial District.

Close Public Hearing: Ms. Peltonen made a motion to close the Public Hearing. Mr. Sherman seconded the motion. VOTE: YEAS: All. NAYES: None.

Note: The Public Hearing closed at 7:16 p.m.

PUBLIC HEARING #2:

ZOA #2026-06 Repeal of Article 6 – Corridor Overlay Planned Unit Development (COPUD) Zoning District and Rezoning of Four Properties Along M-72:

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

Note: The Public Hearing opened at 7:17 p.m.

Request those attending sign attendance sheet.

State Date of Public Hearing Notice Publication and Newspaper Published in:
The Notice was published in the Traverse City Record Eagle on 7/18/26.

State Purpose of Public Hearing: Consideration of ZOA #2026-06 Repeal of Article 6 – Corridor Overlay Planned Unit Development (COPUD) Zoning District and Rezoning of Four Properties Along M-72.

Brief Introductory Presentation (Andy Aamodt):
Mr. Aamodt of Giffels Webster explained the proposed Amendment and the PC's efforts to revise the language, repeal Article 6, not having an Overlay District and rezoning the four COPUD properties in the M-72 District for consistency. The PC held a public workshop on 7/1/26. Subsequently, Article 6 would be repealed.

Read Any Written Comments Received: None received.

Receive Public Comment:

Ms. C. Hockin: As Board Member and Director of Operations of the thrift store and food pantry as well as a property owner in the COPUD, she supports this proposal. Businesses should follow the same zoning.

PC Member Rebant addressed Ms. Hockin to ask for her input on facilitating dialogue between the PC and businesses in the District. There was brief discussion.

Ms. R. Savage: As owner of Renee's Quilt Shop which is in the COPUD, she thanked the PC for reaching out to explain this proposal and asking for business owners' opinions.

Ms. K. Mangus: Noted that her earlier comment, meant for this Public Hearing, still stands.

Close Public Hearing: Mr. Rebant made a motion to close the Public Hearing. Mr. Sherman seconded the motion. VOTE: YEAS: All. NAYES: None.

Note: The Public Hearing closed at 7:25 p.m.

APPROVAL OF MINUTES – 7/1/26 Special Meeting, 7/1/26 Regular Meeting, 7/22/26 Special Meeting:

Special Meeting of 7/1/26: Amendments: Yes.
Mr. Trumbull made a motion to approve the Special Meeting Minutes of 7/1/26 as amended. Ms. Stratton seconded the motion. VOTE: YEAS: All. NAYES: None. Motion carried.

Regular Meeting of 7/1/26: Amendments: Yes.
Mr. Sherman made a motion to approve the Regular Meeting Minutes of 7/1/26 as amended. Mr. Trumbull seconded the motion. VOTE: YEAS: All. NAYES: None. Motion carried.

Special Meeting of 7/22/26: Amendments: No.
Mr. Mielnik made a motion to approve the Special Meeting Minutes of 7/22/26 as presented. Mr. Trumbull seconded the motion. VOTE: YEAS: All. NAYES: None. Motion carried.

CORRESPONDENCE:
Correspondence from Mr. Lance Miller was not received until 7/23/26 as it was not sent to the posted email address. He opposes the Article 22 Violations Amendment.

REPORTS/PRESENTATIONS/ANNOUNCEMENTS/COMMENTS:

Zoning Administrator: Report in meeting packet. Zoning Administrator Deb Graber additionally reported she will modify the writing of her monthly report to the end of the month.

Between June 23 and July 1 there were 16 new Land Use Applications; one was denied. There were two Land Divisions; one was approved, one is pending. The recent ZBA appeal on 7/23/26 was approved. No appeals are scheduled for the August meeting. Code Enforcement complaints are included in her report.

The Township's STR trial was rescheduled to 9/29/26.

The PC is moving forward with development of a Private Road Ordinance. The Storm Water Ordinance needs to be evaluated.

Township Assessor Dawn Kuhns previously delivered a presentation about changes coming in March, 2027, to Michigan's Land Division Ordinance. This topic should be a priority for the Township.

Planning Commission Chair (Ms. Stratton): A presentation by Mr. Kelly Sullivan of EPIC MRA will be delivered at a Special PC Meeting on Monday, 8/17/26 at 6:00 p.m. at the Township Hall. He will be presenting the results of the recent Short-term Rental (STR) Survey.

Township Board Representative (Mr. Mielnik): The Township Board is interviewing candidates for Assessor and Treasurer, both of whom have resigned. The Board is also focusing on the Land Division Ordinance and Private Road Ordinance. Chair Stratton asked Mr. Mielnik to deliver a presentation on the Land Division matter at the next PC meeting.

ZBA Representative (Mr. Trumbull): The ZBA heard an appeal at the 7/23/26 meeting. After deliberation, the variance request as unanimously approved regarding building a deck section from a residence to the water on Island Lake. The ZBA reviewed Article 20 and made suggestions for verbiage changes.

ROWG (Mr. Rebant): The ROWG (Resident Outreach Work Group) is working on data collection and tracking of assets in all departments. He has been in touch with East Bay Township, who also utilizes the BS&A software and has a Capital Improvement Plan (CIP) in place. The ROWG will communicate with them on their methods of discovery.

Two ROWG Members will be focusing on Parks & Recreation asset inventory, buildings and cemetery. The entire ROWG is working on the Fire Department's inventory.

A C2AE engineering and design study was done some time ago on Whitewater's infrastructure and projects (parks, fire department, water). The ROWG will review that data. They will continue to move forward; however, he is uncertain whether they will complete this project by the December objective.

Additional Items: None.

UNFINISHED BUSINESS:

Amendment to Article 22 – Violations Section 22.01 Penalties:
PC Chair Stratton, Township Supervisor Slopsema and Trustee Mielnik met with the Township attorney to discuss feedback on this proposed Amendment. Some verbiage was revised, and that copy is in the meeting packet for public review. Chair Stratton and Mr. Mielnik noted some of these changes including the matter of fees.

Mr. Mielnik read aloud and expounded on Findings of Fact:
-Consistency with Master Plan
-Need to eliminate junk and blight within Whitewater Township
-Consistency with the basic intent and purpose of the Zoning Ordinance

There was PC discussion.

Board Action: Ms. Stratton made a motion to approve proposed Amendments to Article 22 based on the Findings of Fact as stated as related to Section 21.05. Mr. Rebant seconded the motion.
ROLL CALL VOTE: Mielnik-Y, Rebant-Y, Sherman-Y, Trumbull-Y, Stratton-Y, Peltonen-Y. Motion carried.

Wineries and Cideries Ordinance Update:
Mr. Aamodt of Giffels Webster reviewed the enclosed GW memo outlining efforts to date and key discussion points. These topics include discussion about split-zoned lots, zoning lots, Michigan Control Liquor Commission, brand promotional events, blanket occupancy caps, large event permits, standalone tasting rooms, Definitions, meal services, parking, location of installations (tents), Tier 1 and Tier 2 events, farming community concerns and verbiage to include "wineries, microbreweries and micro-distilleries." The Fire Department will review Site Plans prior to PC review.

No text was changed from the 7/1/26 meeting, and this matter will be revisited. There was extensive discussion between the PC and Mr. Aamodt.

STR Survey Report Update: Chair Stratton reported that Mr. Kelly Sullivan of EPIC MRA will present the results of the recent STR survey. There were 475 valid responses received. A Special Meeting will be held on Monday, 8/17/26 at 6:00 p.m. at the Township Hall for this presentation. The public is welcome to attend; it will also be livestreamed on YouTube.

Residents may send inquiries in advance, make public comments at the meeting or send correspondence to Chair Stratton. It is anticipated an Open House or Public Workshop will be held after the draft of the Ordinance. Secretary Peltonen will investigate available dates at Mill Creek Academy to accommodate attendance. There was additional discussion about the process moving forward for public input, Ordinance preparation, etc. Mr. Mielnik stated the PC will have consultant support in drafting an Ordinance.

NEW BUSINESS:

DISCUSSION - ZOA 2026-05 Amendments to Article 13 – Special Uses ad Article 5 – Supplemental Development Standards and Provisions: There was discussion among Members on readiness to forward the PC's recommendation for adoption to the Township Board. Mr. Aamodt stated Bundle #2 of the Zoning Ordinance review will be discussed at the next meeting with a plan moving forward.

Board Action: Ms. Stratton made a motion to submit ZOA #2026-05 Amendments to Article 13 – Special Uses and Article 5 – Supplemental Development Standards and Provisions based on findings previously stated for approval to the Township Board. Mr. Rebant seconded the motion.
ROLL CALL VOTE: Rebant-Y, Sherman-Y, Trumbull-Y, Sherman-Y, Mielnik-Y, Peltonen-Y. Motion carried.

DISCUSSION - ZOA #2026-06 Repeal of Article 6 – Corridor Overlay Planned Unit Development (COPUD) Zoning District and Rezoning of 4 Properties Along M-72:
Mr. Mielnik stated Findings of Fact:

Consistency with the Master Plan, specifically related to support for the M-72 corridor.
Residents' desire for commercial business along M-72.
Favored development standards within building footprints.
Access to adjacent properties.
Shortcomings to existing COPUDS.
COPUD should be eliminated and four parcels rezoned to original zoning to better align with objectives.
Master Plan supports economic opportunities.
Traffic and utility services already developed.
Conditions have changed and best practices evolved since the Ordinance adopted in the 1970's.
Will not create exclusionary zoning.
Rezoning is requested.
Compatibility with physical, hydrological and geological attributes.
Compatibility with intentional uses in the District.

He expounded on many aspects of these.

ZA Graber noted on the map the Ginops property is a split parcel and may need to be considered for rezoning to 100% Commercial. This will be addressed separately.

Board Action: Ms. Stratton made a motion that ZOA #2026-06 Repeal of Article 6 – Corridor Overlay Planned Unit Development (COPUD) Zoning District and Rezoning of 4 properties along M-72:

8434 East M-72 to N1
8925 East M-72 to C1
8995 East M-72 to C1
S9040 and 9036 East M-72 to C1

The motion also calls for the PC's recommendation for approval to be forwarded to the Township Board. Mr. Trumbull seconded the motion.
ROLL CALL VOTE: Sherman-Y, Rebant-Y, Stratton-Y, Mielnik-Y, Trumbull-Y, Peltonen-Y. Motion carried.

Amendment to Article 20 – Zoning Board of Appeals: Mr. Trumbull reported the ZBA conducted a review of language and context of Article 20, particularly as it was originally drafted in the 1970's. The draft highlights proposed edits. The ZBA recommends forwarding this to legal for review and feedback. PC Members discussed the suggested edits. There was PC consensus to forward to legal counsel for review.

Introduction to Amendment of Article 1: Moratoria: Chair Stratton explained the Zoning Ordinance currently has no language referring to moratoria. There is concern about data centers; a moratoria by Resolution would provide the Township time to consider such matters. The attorney suggested creating an Amendment to allow the Township to create a moratorium. Mr. Andy Aamodt included a memo in the meeting packet outlining state moratoria and aspects for Township consideration. He has provided model language based on other municipalities.

NEXT MEETING(S):

Special Meeting: Monday, 8/17/26, 6:00 p.m., Whitewater Township Hall, Re: STR Survey Results

Next Regular Meeting:

Wednesday, 9/9/26, 7:00 p.m. Whitewater Township Hall.
Note: The September, 2026, Regular Meeting date was moved to the second Wednesday (rather than the typical first Wednesday) when the annual Meeting Schedule was approved.

PUBLIC COMMENT:

Mr. T. Lederer- Heights Machinery: Regarding the importance of M-72, the PC has cleaned it up and done a good job.

Mr. M. Jacobson: Asked the website to be revised as he could not find tonight's Agenda online. He appreciates Mr. Rebant's comments to slow things down and think them through. He felt PC Member Sadie Merchant was disrespected by Mr. Aamodt in addressing her as "Ms." rather than "Mrs." and that the PC should have corrected him.

Ms. K. Mangus: It is confusing when most posts are in the Elk Rapids News yet there is an impression items the Township doesn't want the public to be aware of are posted in the Record Eagle. She asked the PC to encourage the Clerk to post notices in the ER News.

She realizes the Township website is under construction; however, the home page meeting announcement does not link to the meeting packet but only the Agenda. Chair Stratton stated the meeting packet is not always posted the same time as the home page meeting notice.

PC DISCUSSION/COMMENTS: None.

CONTINUING EDUCATION:
EGLE Webinar: "Renewables Ready Communities Award: Program Overview and Guidance"
Tuesday, August 25, 2026, 2:00-3:00 p.m.

ADJOURNMENT:

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

The meeting adjourned at 9:23 p.m.

Submitted by: Kay Z. Held, Recording Secretary