WHITEWATER TOWNSHIP PLANNING COMMISSION REGULAR MEETING

September 9, 2026 7:00 pm

Whitewater Township Hall 5777 Vinton Road, Williamsburg, MI 49690

Phone: 231-267-5141 / Fax: 231-267-9020

Click this link to view the meeting live: https://www.youtube.com/@whitewatertownship/live

At this time, the PC invites everyone to silence their electronic devices

Whitewater Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities upon reasonable advance notice. Contact the Township Clerk at clerk@whitewatertownshipmi.gov at least 5 days in advance of the meeting.

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Microphone check**
4. **Roll Call of PC Members**
5. **Set/Adjust Meeting Agenda**
6. **Declaration of Conflict of Interest pertinent to agenda items**
7. **Public Comment – In house: Any person shall be permitted to address a meeting of the PC.**

   Public comments shall be carried out in accordance with the following rules and procedures.

   a. There are two opportunities for public comment: now and at the end of the meeting.
   b. Comments shall be directed to the PC with questions directed to the Chair.
   c. Any person wishing to address the PC shall speak from the lectern and state his/her name and address.
   d. Persons may address the PC on matters that are relevant to Township planning and zoning issues.
   e. No person shall be allowed to speak more than once on the same matter, excluding the time needed to answer a PC member's questions.
   f. Public comment shall be limited to 3 minutes per person.
   g. In order to avoid unscheduled debates, the PC generally will not comment or respond to public comment. Silence or non-response from the PC should not be interpreted as disinterest.

8. **Approval of Minutes of Previous Meeting:** Regular Meeting August 5, 2026 and Special Meeting August 17, 2026

9. **Correspondence:**
   a. Gaurav Chadha email

10. **Reports/Presentations/Announcements/Comments**
    a. Zoning Administrator
    b. Planning Commission Chair
    c. Township Board Representative
    d. ZBA Representative
    e. ROWG
    f. Additional Items

11. **Unfinished Business**
    a. STR Ordinance Update
    b. Wineries and Cideries Ordinance Update
    c. Amendment to Article 20 – Zoning Board of Appeals
    d. Draft Amendment 2026-07 Moratoria by Resolution

12. **New Business**

13. **Next Meeting:** 10/7/2026

14. **Public Comment – In house: Any person shall be permitted to address a meeting of the PC. Public comments shall be carried out in accordance with the rules and procedures as stated at the first public comment period.**

15. **PC Discussion/Comments**

16. **Continuing Education:**

17. **Adjournment**

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
DRAFT 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

DRAFT

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

DRAFT

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

SPECIAL MEETING / WORKSHOP
DRAFT MINUTES
Monday, August 17, 2026, 6:00 p.m.

CALL TO ORDER:
Chair Stratton called the meeting to order at 6:00 p.m.
The Pledge of Allegiance was recited.
A microphone check was done.

Public Attendance On-site: 7 (approximately)
YouTube Live Stream View: 10 (approximately)

ROLL CALL: Secretary Peltonen called Roll.

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

A quorum was established.

Absent: None.

ALSO PRESENT: Recording Secretary Kay Held

SET/ADJUST AGENDA: Correction: Add "Approval of Agenda" as Item #5 on Agenda.

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

DECLARATION OF CONFLICT OF INTEREST: None.

PUBLIC COMMENT:

Mr. M. Jacobson: Appreciates the addition of a large screen tv for the public to watch the presentation; however, the placement is poor as it blocks the audience from seeing PC Members.

PRESENTATION OF SHORT-TERM RENTAL (STR) RESULTS BY MR. KELLY SULLIVAN OF EPIC-MRA:
Mr. Kelly Sullivan, VP and CEO of EPIC MRA joined the meeting to deliver a slide presentation summarizing the results of the recent Short-term Rental (STR) survey in Whitewater Township.

He explained the survey topics/questions process, participant demographics and analysis of results. He also explained the sources of resident databases. Question sets were rotated to avoid any bias. Mr. Sullivan reported on the percentages of property owners surveyed, property size owned, voter registration status and personal use and experience with STRs (using, owning, neighboring).

Mr. Sullivan reported that 25% of people said STRs are allowed, when in fact they are not allowed. Nearly 60% responded they are not allowed and 20% did not know.

A live operator telephone survey of 100 residents was initially conducted, 78% of which were by cell phone. This initial survey represented a control group. A wider postcard survey with unique user IDs was distributed to 475 households with 563 total responses among the two datasets. The margin of error was 4 points.

He reported the following results of the 'first ask":
42% of respondents supported allowing STRs in with restrictions
19% respondents supported allowing STRs without restrictions
38% of respondents opposed allowing STRs with entirely

Results of the "second ask" at the end of the survey about allowing STRs changed very little.

He reported responses regarding rules, regulations, enforcement, housing availability concerns, occupancy, parking, property rights, fire and septic inspections, support of local businesses/property owners, property upkeep, attracting businesses, enforcement and fines, Township registration, property management and limit of rental days. The costs of managing/enforcing STRS, types of properties, ownership and Zoning Districts were also asked. Additionally, open-ended questions were asked. Mr. Sullivan specified multiple demographics of participants by percentage.

Regardless of respective views, main concerns were management, accountability, upkeep of rental properties, Ordinance enforcement limiting occupancy to two per bedroom and concerns about investment groups purchasing homes with the intent of creating STRs as a business were also noted. Perceived benefits were supporting local business and improving the upkeep and appearance of Township properties.

He closed by stating:
6 in10 support STRs in some form
4 in10 support STRs with restrictions
2 in10 support STRs with no restrictions
4 in10 opposed STRs in any form

He noted the more supportive residents are consistently business owners, parents, residents under the age of 50, property owners with two or more acres and those residing in agricultural areas.

Those opposed in any form are identified as Township residents for 20+ years, age 65 or older, those south of M-72 and west of Williamsburg Road, and those along shoreline areas.

All pre-determined and approved survey questions had been previously presented to residents. Survey results in their entirety will be available on the Township website. The Township will also receive survey raw data, with redacted identifiers.

There was extensive discussion between PC Members and Mr. Sullivan regarding total number of responses versus number of residents, Township demographics, cross-tabulation of data, EPIC MRA's survey experience (municipal, election, etc.) and metrics of this survey.

CORRESPONDENCE: None.

NEXT MEETING:
Planning Commission Regular Meeting: **Wednesday, September 9, 2026, at 7:00 p.m., Township Hall**
Note: this is scheduled for the second Wednesday of September, rather than the usual first Wednesday.

PUBLIC COMMENT:

Mr. J. Fitzgerald: Owns an STR, is pleased with results and happy the online/phone responses were combined and reflective of community sentiments. He noted he did not receive a survey postcard nor did several other STR owners.

Mr. M. Jacobson: The data presented is similar to that collected during the Master Plan survey. The community was then and is now in favor of STRs, with restrictions. There was good information on the types of restrictions desired. He is pleased to hear the confidence level of Mr. Sullivan's data and why. He hopes the Township resolves STR problems for owners and non-owners.

Ms. K. Mangus: The support of STRs from business owners and younger families is no surprise, as is the opposition from waterfront and older residents. The Township needs to move forward getting an Ordinance in place. There were no violations in 50 years of zoning until now. The biggest concerns are addressed by General Ordinance; if they were enforced, the majority of concerns would be resolved.

PC DISCUSSION:
Chair Stratton asked Mr. Sullivan to explain the process of postcard distribution and its application in the survey process. He did so, stating there was no selection criteria, they were all sent on the same day and method, and less than 20 were returned as undeliverable.

Chair Stratton reiterated the process to date and addressed next steps in the process. Mr. Sherman asked for an overview of the January, 2026, public workshop as he was not yet seated on the PC. Ms. Stratton noted the detailed report provided by MSUE as a result of that workshop. An ROWG was created with several meetings and much fact finding as well as the availability of White Papers summarizing information.

Mr. Mielnik noted the Master Plan survey had one question about STRs, with close to the same result as the STR survey; however, we now have a more detailed, complete picture.

Some PC Members agreed to move forward with a draft Ordinance followed by a public workshop, public input and a Public Hearing. Several Members disagreed with this path, stating the PC has already gathered public input through many exercises and now has a formal survey completed.

Secretary Peltonen stated Ms. Rachel Steelman submitted an Ordinance Amendment request 4/25. The case was assigned a number 6/25 and a Public Hearing was held 8/25. The PC has spent much time on this and agrees the PC should start writing a proposed Ordinance.

Chair Stratton will distribute pertinent information to PC Members to review in anticipation of discussing the Ordinance content at the next meeting.

At the next meeting, the PC will discuss Bundle #2 of the Zoning Ordinance review and consider returning to dedicated Special Meetings in an effort to reduce the length of Regular Meetings.

ADJOURNMENT:

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

The meeting adjourned at 7:15 p.m.

Submitted by: Kay Z. Held, Recording Secretary

From: Gaurav Chadha [redacted]
Sent: Thursday, August 20, 2026 2:40 PM
To: Rene Stratton [redacted]; Randy Mielnik [redacted]; Wendy [redacted]
Cc: Adrienne Green [redacted]
Subject: STR Survey Results/ Next Steps

Hello All,

My name is Gaurav and I along with my wife Adrienne own property in WWT.

I had some comments and questions for the next board meeting related to the STR survey results.

My comments-

I appreciated Mr. Kelly's presentation and also the township team decision of using Epic MRA. I had concerns regarding spending money on yet another survey but the professionalism in the survey and its presentation in my mind was well worth our tax dollars.

I am a pro STR owner and the 60% result is identical to the 2024 MP survey with 66% support with even higher response rate. So my concern now is that if this is not a proof of the will of the community not sure what is. Even with the margin of error it's over 50% support so I'll strongly urge the board and the PC to adopt an ordinance that supports the data.

My question-

During summer of 2025 it was discussed in a board meeting that the WWT team will try to make a plan to address this issue before 2026 rental season opened up which spurred the RWOG.

That obviously didn't materialize and so I'd like to request avoiding a repeat of this for the 2027 season.

Are there any plans for next steps that you are able to share with me via email or through a future meeting.....I understand it's a sensitive topic and you need to keep a lot of people happy, however I can confirm that this season alone I had to refuse over 20 separate guests who wanted to rent for less than 30days and many expressed surprise when we educated them on the current prohibition of STRs in our area.

I appreciate your efforts to get this and many other things cleaned up and look forward to your response.

Thanks

Gauarv

WHITEWATER TOWNSHIP

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267-5141 • FAX (231) 267-9020

www.whitewatertownshipmi.gov zoning@whitewatertownshipmi.gov

Zoning Administrator Report
as of August 31, 2026

Planning and Zoning

Twenty one new land use permit applications received; 3 pending payment:

DATE	ZONE	LU PERMIT #	TAX ID #	OWNER NAME	ADDRESS	PROJECT DESCRIPTION
8/3/2026	A1	2026-53	28-13-136-017-02	Boyd, Shawn	6393 Baggs Rd	Event 9/13/2025 Hayfield Shootout
8/3/2026	A1	2026-54	28-13-005-016-13	Williams, Gerard	5363 Moore Rd	Replace Deck & Pergola
8/3/2026	R1	2026-55	28-13-332-004-00	Conklin, Barbara & Darren	9890 Cushman Court	10'x20' Shed
8/3/2026	R1	2026-56	28-13-332-004-00	Conklin, Barbara & Darren	9890 Cushman Court	Linear Fence around property
8/3/2026	A1	2026-57	28-13-675-004-00	Huron, Sam	9084 Merrill Ridge Dr	40'x60' Barn
8/5/2026	R1	2026-58	28-13-800-020-00	Bacci, John & Jeanette	11075 French Ct	48'x56' New home & garage
8/10/2026	A1	2026-59	28-13-109-010-02	Merchant, Sadie	10981 Elk Lake Road	Myrtle & Maude Outdoor Event
8/10/2026	A1	2026-60	28-13-136-001-07	Northridge Farm LLC	6761 Baggs Road	50'x80' Ag Barn
8/17/2026	A1	2026-61	28-13-002-015-50	Gehman, Dale	10028 Deal Rd	10'x32' Addition to Barn Ag EX
8/17/2026	A1	2026-62	28-13-134-001-01	Williams, David	Markenwood Ln/Cook	3'x6' Sign
8/17/2026	R1	2026-63	28-13-230-009-00	Peach, Terry	9821 Elk Lake Trl	45'x13' deck replacement
8/24/2026	A1	2026-64	28-13-003-019-60	Casey, Christopher	5140 Brown Bear Ln	26'8"x66' New Home; full basement
8/17/2026	A1	2026-65	28-13-001-004-02	Bruner, Blake	11268 Watson Rd	Convert Barn to House
8/17/2026	A1	2026-66	28-13-001-004-02	Bruner, Blake	11268 Watson Rd	Temp Camping Permit
8/24/2026	A1	2026-67	28-13-770-007-00	Weckstein, Janis (Sheren)	5400 Glendenning Trail	24'x36'x13' Shed
8/24/2026	A1	2026-68	28-13-003-020-50	Leedy, Karen/Dennis	5325 N Broomhead	30'x30' garage
8/24/2026	R1	2026-69	28-13-350-011-00	Steffes, Bob Innovative	9454 Elk Lake Trail	30'x48' garage
8/24/2026	A1	2026-70	28-13-128-007-00	Ryan Rieck	8081 Hawley Rd	14'x32' addition (2024-61)
8/31/2026	A1	2026-71	28-13-104-012-02	Hubbell, Paul	8055 Gay Road	40'x60' Barn
8/31/2026	R2	2026-72	28=13-830-004-00	Isenhart, Cara	8656 Church Street	20'x24' garage - DENIED
8/31/2026	R1	2026-73	28-13-114-003-10	Geers, Parish & Constance	9113 Skegemog Pt	10'x20' shed

Land Division – Three land divisions are pending. Listed below:

ZONE	LAND DIVISION #	TAX ID #	OWNER NAME	ADDRESS	DESCRIPTION
A1	**LD 2026-06**	28-13-104-008-02	Bratschi, Greg & Jennifer	8096 Townline Rd	**3 Splits**
A1	**LD 2026-07**	28-13-002-015-50	Gehman, Dale	10028 Deal Rd	**property line adjustment**
R1	**LD 2026-08**	28-13-031-006-06	Island Lake LLC	Island View	**2 Splits**

Zoning Board of Appeals – No appeals pending.

Additional Items:

Heidisch jury trial set - 9/29/2026.

A couple complaints regarding noise, but no no complaints filed in writing.

New complaint regarding an ATV/UTV rentals in the township. Any assistance from the public would be appreciated.

Sincerely,

Deb Graber
Whitewater Township, Zoning Administrator

memorandum

DATE: August 27, 2026

TO: Whitewater Township Planning Commission

FROM: Andy Aamodt, Giffels Webster

SUBJECT: Bundle 1.F. Wineries Memo and Amendment

Introduction

At the May 6 meeting, we provided an audit of the drafted wineries ordinance amendment, starting our role with the wineries amendment task.

Amendment History

- **2025-2026** – The Planning Commission developed a draft of the wineries ordinance. This work culminated in a draft ordinance dated 3/10/2026. After this, the Planning Commission then asked us (Giffels Webster) to audit the draft ordinance.
- **May 6, 2026** – The Planning Commission discussed our wineries ordinance audit. Planning Commission then suggested we rewrite the ordinance based on some of the larger suggested changes, and that we present it at an upcoming meeting. Substantial points of Planning Commission discussion included the following suggestions/direction:
    - Create a more realistic maximum building coverage standard based on percentage of lot coverage.
    - Be more prescriptive in what kind of accessory uses are permitted in the 100 foot setback.
    - Agreement that provisions to ensure the winery's food service and retail portion don't turn into full scale restaurants and grocery stores would be important. However, Planning Commission seemed favorable towards the promotional activities' allowance to have full service food events, which the Planning Commission articulated that the Michigan Liquor Control Commission limits to three a month. An all-day full-service restaurant should not be allowed.
- **July 1, 2026 –** The Planning Commission discussed the draft ordinance amendment, focusing on the following areas:
    - Desire to prohibit split-zoned lots from being a winery with tasting room. The lot should be entirely zoned A-1 agricultural.
    - Desire to consider all contiguous properties as part of one site/ownership to be recognized as one "zoning lot" to base the broader building coverage calculation on.
    - There should be a more descriptive list of what "brand promotional events" could mean. Additionally, there was some discussion about the Michigan Liquor Control Commission's regulation on brand promotional events.

- There was discussion about blanket occupancy caps and how this threshold could be inconsistently applied.
- Desire to not move forward with the “Large Events Permits” draft general code ordinance and permit process. Instead, the desire was to allow an administrative review zoning process for special/flexible events where outdoor tents, equipment, overflow parking, etc. can be approved by the Zoning Administrator and the Fire Department. With this, however, there was a desire to require more static or permanency in the manner the site design/layout for flexible areas should be approved. For example, on a winery with tasting room’s initial site plan review, an area for special event temporary tents should be laid out clearly so that the Zoning Administrator/Fire Department special event permitting is in alignment with what had been approved and where it was approved for.
- A Planning Commissioner asked how standalone “tasting rooms” would be permitted in other districts. It would be reasonable to permit tasting rooms (also known as a variety of terms, including “tap rooms” or “tap houses” – a place that might serve beverages produced off premises) in certain districts. Planning Commission should consider if these standalone tasting rooms for wine, cider, spirits, or beer, should be permitted C-1 and perhaps in V-1 as well. It may also be worth considering if micro-breweries and micro-distilleries – which don’t grow their grains/barley/wheat/hops/etc. on the premises but may still brew or distill on the premises – should be permitted in C-1 and perhaps V-1.

- **August 5, 2026** – To ensure we are taking due care in reviewing this language, we revisited the same draft language as was previously presented at the July 1 meeting. This August meeting discussion centered around the following key points:
  - Planning Commission’s consensus on events was that a tiered approach should be taken rather than occupancy thresholds.
  - Catering allowances should be made more clear.
  - Two Planning Commissioners brought up they are also confused about the “brand promotional events” terminology and how it relates to the food service allowances. Research has been conducted and it seems like the brand promotional events pertain to advertising events where a salesperson or vendor representative of a brand can come sell/advertise products at another facility (in this case, the subject winery/microbrewery/micro-distillery). Brand promotional events are regulated by MCL 436.1609-436.1610 of the Michigan Liquor Control Code (Public Act 58 of 1998), the Michigan Liquor Control Commission’s Administrative Rules, and the October 27, 1999 Michigan Liquor Control Commission’s Administrative Order. None of these regulations include a guarantee or preemption that food service should be tied to brand promotional events, therefore I believe food service/ full service meals can be regulated. We make clear that brand promotional events are permitted, but that full service meals do not need to be attached to these.

A key consideration in this draft is the inclusion of “**wineries, microbreweries, and micro-distilleries**.” Based on the definitions in the previous drafts, it is my understanding that the intent was to include all three of such uses (and cideries – which appear to have always been under “wineries” based on the definition) in these regulations. Because these uses are rather similar in nature, it is sensible to include the three similarly so that the regulations are not seen to be exclusionary towards any such use.

We provide a draft Special Event Permits Ordinance and draft Noise Ordinance attached to this memo as well. The draft Noise Ordinance was shared with the wineries audit in May. The Special Event Permits Ordinance came from our audit recommending this strategy to govern large events, as well as comments

MSU Extension made on the draft ordinance as well. It is our thought that it will be easier to regulate these through a general code ordinance where the applicant seeks a permit through the Township Board on an individual basis. **As outlined above, the Planning Commission was less favorable towards the large events permit during discussion at the July meeting. However, at the August meeting, after deliberating on the merits of "tiers," Planning Commission saw a potential benefit to this ordinance again for "Tier 2" usage.**

Next Steps

We revised the text from the August meeting July meeting. At this September meeting, we can go over all of these points in more detail.

We want to be clear that **this is a working draft for discussion only**. Planning Commission may wish to consider all of the policy impacts of this draft text amendment in detail.

Items for Consideration in a Later Text Amendment

If Planning Commission desires more continued flexibility for agricultural lands, a broader agri-tourism ordinance could be an item to work on in a later text amendment. This could include the implementation of "tiered activities," which was discussed briefly in the May meeting. Currently, it is our understanding that Planning Commission desires to take care of this wineries ordinance amendment in the immediate future.

Proposed Zoning Text Amendments

Largely new language, but some kept from previous Planning Commission draft, including the definitions. Please note: text that was updated from the July 1, 2026 and August 5, 2026 discussions is symbolized in blue underline. Some deleted text is symbolized in ~~strikethrough~~ when relevant. Giffels Webster annotations are provided in ***green bold.***

DEFINITIONS

Cidery: A state-licensed facility – see Winery.

Lot, Zoning: A single tract of land, not separated by a public or private road right-of-way, at the time of applying for a zoning permit, is designated by its owner or developer as a tract to be used, developed, or built upon as a unit, under single ownership or control and which tract satisfies the applicable requirements of this Ordinance in every respect and is entirely located within a singular zoning district on the zoning map. A zoning lot may, therefore, not coincide with a lot of record, but may include one (1) or more lots of record.

Micro-brewery: A state-licensed small-scale beer-making facility that uses agricultural products (grains, hops, fruits, honey, or other farm ingredients) where the production of beer; beer and/or other fermented malt beverages are brewed, processed, and sold at wholesale or retail to the public with or without the use of a tasting room or taproom facility.

Micro-distillery: A state-licensed facility where agricultural products (grains, fruits, sugar, or other fermentable materials) are fermented and then distilled to produce spirits (e.g., whiskey, vodka, rum, brandy); distilled spirits are bottled, processed, and sold at wholesale or retail to the public with or without the use of a tasting room or on-site retail facility.

Tasting Room: A room located on the same parcel as a winery, micro-brewery, or micro-distillery where a) tasting of wine, fruit wines, and nonalcoholic fruit juices takes place and b) the retail sales of winery products, incidental merchandise, and incidental retail sales of non-food items and packaged food items are allowed as provided herein.

Winery: A state-licensed facility where agricultural fruit production is maintained; wine and/or cider is processed; and sold at wholesale or retail to the public with or without the use of a wine tasting room. All further references to wineries shall also include cideries, micro-breweries, and micro-distilleries.

SECTION 5.16 – WINERIES, MICROBREWERIES, AND MICRO-DISTILLERIES

A. Intent. It is the intent of this section to encourage the growing of crops and production of wine, beer, and distilled spirits as an integral component of the rural and agricultural ambiance of Whitewater Township, and to maintain the viability of farming through the value-added processing and direct sales of wine, beer, distilled spirits, and related beverages made from locally grown crops. It is also the intent of this section to promote the growth of agritourism as economic development, as set forth by the Master Plan by allowing construction of a winery, micro-brewery, or micro-distillery with a tasting room, with events and gatherings, and with retail sale of winery, microbrewery, or micro-distillery products, in the Agricultural A-1 district subject to this Ordinance.
B. Permitted Uses. Wineries, micro-breweries, and micro-distilleries with tasting rooms are permitted on a zoning lot entirely located within the A-1 agricultural district; split-zoned lots or zoning lots consisting of different zoning districts shall not be permitted. The use shall be subject to approval of a special use permit in accordance with Article 13 of this Ordinance. Site plan review in accordance with Article 12 of this Ordinance is required, and the Planning Commission shall find that the site plan complies with the requirements of this section before approving any site plan.

C. Requirements for All Wineries, Micro-breweries, and Micro-distilleries with Tasting Rooms. All wineries, micro-breweries, and micro-distilleries with tasting rooms shall comply with the following requirements.
   1) The use shall be licensed by all applicable state and federal regulatory authorities.
   2) The total building coverage for all buildings on the zoning lot shall not exceed more than five percent (5%) of the total area of the zoning lot in which the use is located.
   3) Setbacks.
      a. All new principal or accessory buildings, and accessory structures including decks, patios, and all outdoor seating areas, shall be set back at least 100 feet from any lot line. Principal or accessory buildings in existence prior to the effective date of the amendment that created this section that do not meet this setback requirement may also be used for winery, micro-brewery, or micro-distillery purposes, subject to the provision of additional landscaping and buffering features being required by the Planning Commission. Such additional landscaping and buffering features may include plant material, mounding, or other decorative landscape elements that serve to abate potential noise impacts and light spillover along property line(s). The Planning Commission shall consider Article 10 of this Ordinance when making such determination.
      b. All accessory uses and parking areas shall be set back at least 100 feet from any lot line.
   4) Sales of food and merchandise. Retail sales of food and beverages produced on the premises, and incidental merchandise associated with the tasting room and/or farm are permitted. The sale of general retail consumer goods is prohibited.
   5) Food service. Food service is permitted, subject to the following requirements:
      a. Food prepared by the tasting room shall be restricted to hors d'oeuvres, seasonal small plates, soups, and snacks.
      b. Food service shall be completed by 10:00 pm.
      c. All necessary permits for food service shall be obtained.
      d. Catering service is permitted in conjunction with a permitted event in accordance with Subsection D.
      e. ~~Brand promotional events, subject to the Michigan liquor control code and administrative rules/orders, are permitted to provide full service meals, subject to the following additional requirements:~~
         i. ~~There shall be no more than three events per month.~~
         ii. ~~A commercial kitchen shall be provided on the premises, constructed in compliance with the county and state building and health codes.~~
         iii. ~~The event shall follow the additional use-specific requirements for events in subsection D below.~~ **[Food service is being eliminated as an automatic guarantee with brand promotional events, therefore we move brand promotional events to the "Events" subsection D]**
   6) Parking
      a. Parking for the winery, micro-brewery, or micro-distillery processing and production areas shall comply with the requirements of Section 9.07 for 'industrial or manufacturing establishment, research and testing labs.'
      b. Parking for tasting room areas shall comply with the requirements of 9.07 for 'restaurants, taverns, bars, nightclubs.'
      c. Parking for retail areas shall comply with the requirements of 9.07 for 'supermarket, self service food or beverage shop.'
   7) Noise
      a. Noise shall comply with the requirements of the Township Noise Ordinance #XXXX **[proposed noise ordinance]**.
   8) Location Buffer. To preserve the rural character of the Township, prevent the concentration of similar commercial uses, minimize traffic on lightly travelled roads, and minimize noise and land-

use conflicts, wineries, micro-breweries, or micro-distilleries with tasting rooms shall be subject to the following buffering requirements.

a. No winery, micro-brewery, or micro-distillery with a tasting room shall be established within one (1) mile of another such winery, micro-brewery, or micro-distillery with a tasting room, measured in a straight line from property line to property line.
b. A waiver or reduction from the buffer requirement in C.8.a. may be granted by the Planning Commission upon finding of all of the following criteria are met:
    i. Road capacity is sufficient and traffic impacts on rural roads are minimized.
    ii. Potential cumulative impacts from events, noise, and lighting are mitigated.
    iii. The property and use is compatible with surrounding agricultural and residential uses.
    iv. The property and use preserves rural character and scenic viewsheds.

D. Events. Events are permitted in conjunction with a winery, micro-brewery, or micro-distillery tasting room, and shall be defined and regulated as follows:
1) ~~'Small events' shall be defined as events containing a maximum occupancy of 100 people or fewer, excluding employees.~~
2) ~~'Large events' shall be defined as events containing a maximum of occupancy of greater than 100 people, excluding employees.~~
3) Intent. To protect the health and safety of event goers, and the surrounding community, as well as to mitigate traffic, noise, and other nuisance factors, the Township regulates events in conjunction with a winery, micro-brewery, or micro-distillery tasting rooms with a tiered approach. "Tier 1" events are generally recognized to be lower in land use intensity, with layout of facilities or activities generally following the original site plan and/or special use permit approval and no additional nuisance factors anticipated. "Tier 2" events are generally recognized to be broader in scale and may incorporate more intensive accessory land uses or activities, or may involve more variable space or temporary layouts in addition to what had been previously documented in the original site plan review and/or special use permit approval.
4) General requirements for all events:
    a. Events unrelated to the principal use of the winery, micro-brewery, or micro-distillery shall not be held on the premises unless granted the ability to hold events by way of site plan review and special use permit approval. As part of the site plan review process, the Fire Department may restrict maximum occupancy for all future events.
    b. A maximum of four events per any 30-day period shall be permitted.
    c. The event shall not include overnight sleeping accommodations for attendees.
    d. Event operations shall occur only between the hours of 10:00 am and 10:00 pm.
    e. Parking for Events. If the tasting room is closed to the public for the duration of the event, the event shall provide the amount of parking as required in Section 9.07 for 'restaurants, taverns, bars, nightclubs' or 'dance and union halls, civic clubs, fraternal orders, conference rooms, exhibit halls, ball rooms or any similar type of use,' whichever is greater. However, if the tasting room remains open to the public during the event, the event shall provide the aggregate of the parking required for both the tasting room and the event.
    f. Brand promotional events, subject to the Michigan liquor control code and administrative rules/orders, are permitted, but there shall be no more than three such events per month.
        [This D.6.e was moved from above]
5) Requirements for Tier 1 Events.
    a. A Tier 1 event shall follow the layout of the approved site plan and special use permit, with all accessory uses and activities, even those temporary in nature, taking place in the delineated areas on the plan.
    b. Tents or temporary structures shall not exceed 100 square feet in area and shall locate within the delineated area as specified on the approved plan.
    c. Food trucks are permitted within delineated area as specified on the approved plan.
    d. Amplified sound is not permitted outdoors.
    e. The minimum lot area for a tasting room holding a Tier 1 event is 10 acres.

6) Requirements for Tier 2 Events.
   a. In addition to the Tier 1 events above, any event incorporating any of the following accessory uses or activities shall be a Tier 2 event, and shall be subject to a Special Event Permit in Special Events Ordinance XXXX.
      i. Tents or temporary structures greater than 100 square feet.
      ii. Overflow parking. Overflow parking shall comply with the dimensional requirements of zoning ordinance section XXXX and shall be located at least 50 feet from any abutting property.
      iii. Outdoor amplified sound, subject to the Noise Ordinance XXXX.
      iv. The use of Tier 1 accessory uses or activities outside of the delineated areas on the approved site plan or special use permit.
   b. Tents or temporary structures shall meet the setbacks principal structures in the A-1 district.
   c. The minimum lot area for a tasting room holding a Tier 2 event shall be 20 acres.

Proposed General Code Ordinances

GENERAL CODE ORDINANCE #XXXX: ~~LARGE~~ SPECIAL EVENT PERMITS

[New Language]

A. Intent. The intent of this Ordinance is to protect the public health, safety and general welfare of Whitewater Township residents by establishing regulations relating to the operation, control and management of special events, which can be large in comparison to the normal everyday use on the property ~~events~~, including to regulations to ensure adequate provisions for traffic circulation, parking, services and facilities including potable water and sewage disposal, and nuisance abatement; to provide penalties for violations of said Ordinance; and to repeal all ordinances or parts of ordinances inconsistent therewith. Nothing in this Ordinance shall be construed to affect in any way the Township's governmental immunity as provided by law.

~~B.~~ Applicability. ~~Large events containing a maximum capacity of more than 100 people, excluding any applicable staffing for the event, shall comply with the requirements of this Ordinance.~~ Tier 2 events, as set forth and regulated in Zoning Ordinance Section 5.16.D.6 shall comply with the requirements of this Ordinance.

C. Exemptions. The following shall not be construed to be ~~large~~ Tier 2 events and are exempt from the provisions of this Ordinance.
   1) Township, county and state sponsored events and assembly places.
   2) Public and private schools and accessory uses/events.
   3) Funeral processions and gatherings.
   4) Garage sales, yard sales, estate sales, and private property auctions excluding the auctioning of items transferred to the property for the principal purpose of sale, including what are commonly referred to as “consignment auctions.”
   5) Private gatherings such as weddings, graduation parties and similar events occurring entirely on a residentially-used property or common area of a multi-family residential development, provided the event is not open to the general public and not for pecuniary gain or profit.
   6) Activities conducted within a building designed for assembly use and permitted by the zoning ordinance, such as places of worship, banquet facilities, halls, fraternal organizations, libraries, schools and recreational facilities.
   7) The outdoor temporary sale of seasonal goods including, but not limited to, Christmas trees, fire wood, and fireworks.
   8) Civic sponsored outdoor sale events comprised of multiple vendors displaying and selling predominately agricultural products and commonly referred to as “farmers markets.”
   9) Other activities of a similar character to those identified in this section.

D. Procedure for Obtaining Permit.
   1) At least 30 days prior to the intended event, the owner or operator shall file a permit application with the Township Clerk. The permit application shall contain the following:
      a. Completed application form
      b. Description of large event, including music/sound amplification plans/equipment and food service or catering details.
      c. Copy of approved site plan on file.
      d. Sketch plan including dimensions and setbacks, of any additional accessory uses or temporary structures pertinent to the special event, such as overflow parking, game/amusement locations, portable restrooms, solid waste storage or disposal, or other similar uses or activities.
      e. Fee as required by the Township fee schedule.
      f. If the operator is not the property owner, the operator shall provide notarized authorization from the property owner that they may act on the property owner’s behalf.

g. Dates. Proposed date(s) of the large event, including starting and ending times for each date and any additional time required for set-up, tear-down and cleanup.
h. Insurance Policies. Copies of insurance policies naming the Township as an additional insured for one million dollars ($1,000,000) and indicating that the policy applies to the large event. Nothing in this Ordinance shall be construed to affect in any way the Township's governmental immunity as provided by law.
i. Indemnification Agreement. A signed agreement included with the application to defend, indemnify, and hold harmless Whitewater Township from any claim, demand, suit, loss including death, cost of expense or any damage which may be asserted, arising from or as a result of the large event. Covered damages shall include, at a minimum, damage to property, personal or bodily injury including death, and all costs and attorney fees. Such indemnification shall apply regardless of whether such alleged claim, demand, damage, loss, or cost or expense is caused in whole or in part by the negligence of Whitewater Township or by third parties or by the agents, servants, employees or factors of any of them.

2) The Township Clerk shall route the application and materials to relevant Township or County authorities, including the zoning administrator, the Fire Department, County Building Department, and County Road Commission to obtain any advisory comments in relation to the application. Any such comments shall be forwarded to the Township Board for their review.
3) The Township Board shall review and may approve the large event permit. In reviewing the permit, the Township Board may require conditions for compliance. The Township Board shall find that the application meets the requirements of this Ordinance before approving the permit.
4) The applicant shall be notified in writing of the action on the application, which may include the copy of the meeting minutes at which the action was taken. Notice to the applicant shall specify the basis for any denial of the application.

E. Requirements. All large events shall comply with the following requirements.
1) Zoning Compliance. Special Events shall comply with all applicable zoning regulations for the zoning district in which it is to be located according to the Township Zoning Ordinance, including requirements pertaining to lot size, building height, setbacks, off-street parking and signage.
2) Temporary Tents, Food Trucks, and Structures. All temporary tents, food trucks, and structures erected or used for a large event shall comply with the following:
a. Shall be of such sizes and locations so as not to have a substantial negative impact on surrounding properties due to such matters as visibility, accessibility, traffic flow, parking and other site issues.
b. Shall be installed, constructed, used, occupied and maintained in compliance with the provisions of federal, state and local rules and regulations.
c. Shall be installed, constructed, used, occupied and maintained in compliance with the manufacturer's specifications for such structures.
d. Shall be removed at the conclusion of the Special Event or upon the expiration of the Special Event Permit, whichever occurs first, or as otherwise specified on the permit.
3) Environmental Protection.
a. Operations shall meet federal, state and local environmental health requirements, including those of the County Health Department, pertaining to adequate and safe supply of potable water; restroom facilities; food and beverage storage, handling and servicing; disposal of solid waste; and all other operations having bearing on environmental health.
b. The establishment and operation of a large event shall conform to federal, state and local rules and regulations regarding the protection of environmental resources including the soil erosion and sedimentation requirements of the County Drain Commissioner and the Michigan Department of Energy, Great Lakes, and the Environment (EGLE) requirements regarding wetlands, stream crossings and water quality protection.
4) Lighting. If the Special Event is to occur after daylight hours, sufficient lighting shall be provided and in such manner so as to shield or eliminate direct and nuisance illumination beyond the boundaries of the large event property’s lot lines.

5) Parking and Traffic.
    a. There shall be provided one (1) or more parking areas of sufficient total area and which support safe and orderly circulation for the maximum number of people to attend the large event at any single time.
    b. Traffic control measures shall be provided to ensure safe and orderly vehicular and pedestrian circulation including on-site circulation and the flow of vehicular and pedestrian traffic onto public or private road rights-of-way.
    c. A plan for temporary overflow parking is required.
6) Emergency Services. Adequate emergency services shall be provided as may be directed so by the County Sheriff and the Fire Department, including adequate facilities for communication with emergency service providers.
7) Event noise shall conform to Whitewater Township's Noise Ordinance #XXXX **[proposed noise ordinance]** and applicable state and local law along with all standards set forth by this ordinance.
8) Occupancy shall conform to regulations set forth by the inspection of the Health Department and Whitewater Township Fire Department Inspection Code. In the circumstance that septic capacity or occupancy capacity are in conflict, the more restrictive requirement shall apply. The Fire Department may restrict maximum occupancy for a special event.
9) Public Health, Safety and Welfare. The application shall demonstrate that within the context of the subject property and surrounding area, all operational aspects of the proposal are practical and clearly capable of being implemented as presented, and support the protection of public health, safety and welfare, including parking, circulation, location of gathering areas and temporary and permanent structures, lighting and noise levels.
10) Performance Bond. The Township Board may require the owner or operator to post a performance bond with the Township in a form acceptable to the Township Treasurer and in an amount that will guarantee the restoration of any public property to a like condition as existed before the event. This may include, but is not limited to, costs associated with sign removal and litter/garbage collection and disposal. A bond may also be required to cover the costs for services provided by the Township or its designated agents to mitigate any health, safety and welfare issues caused by the large event, including emergency services, traffic and/or crowd control.

F. Violations and Enforcement.
1) Authority and Basis: the Township Board may revoke, cancel, suspend or modify a Large Event Permit after determining that one (1) or more of the following conditions is true:
    a. Error. The Large Event Permit or any portion thereof was issued in error.
    b. Inaccurate. The Large Event Permit application and/or supporting information is incorrect, inaccurate or false in any manner, including in the case where the applicant knowingly or unknowingly made a false, misleading, or fraudulent statement in the application materials.
    c. Noncompliance with Permit. There exists noncompliance with the terms or conditions of the Large Event Permit.
    d. Public Welfare. The Large Event substantially threatens the public health, safety or welfare.
    e. Other Laws. There exists a violation of federal, state or local law in connection with or related to the Special Event.
2) Suspension: If the Township Board suspends a Large Event Permit, the Person holding the Large Event Permit shall address the violation(s) to the satisfaction of the Township Board before continuing with the preparation for and/or conducting of the Special Event.
3) Grounds for Future Denial: Revocation and/or suspension of a Large Events Permit may be grounds for the denial of any and all future applications for similar events where the owner and/or operator are the same applicants. Violation(s) of this Ordinance or the Large Event Permit shall be kept on file and may be grounds to for the denial of any and all future applications for similar events where the owner and/or operator are the same applicants.
4) Good Standing. The property on which the Large Event Permit is to be conducted is not subject to delinquent property taxes and shall not contain any unresolved violations of this Ordinance or the Township Code of Ordinances.

GENERAL CODE ORDINANCE #XXXX NOISE ORDINANCE

[New language; this was presented with the wineries audit in the May meeting]

A. Intent. The intent of these noise regulations is to provide a safe and peaceful environment for wildlife and people in Whitewater Township, including residents, visitors, and workers. This section intends to limit the emission of noise from its sources that could be considered obnoxious by those on neighboring properties, including transient noise, intermittent noise, and constant sound, including infrasound below 20 Hz.

B. The emission of measurable noise from any use shall comply with the following:
   1. In general. Objectionable sounds of an intermittent nature or characterized by high frequencies, even if falling below the maximum decibel limits set forth in this section, shall be controlled so as not to become a nuisance to adjacent uses.
   2. A-weighted decibels. Between 7:00 A.M. and 10:00 P.M., noise shall not exceed fifty-five (55) dB(a) as measured at the boundary property lines, except that where normal street traffic noises exceed fifty-five (55) dB(a) during such periods, the measurable noise emanating from premises may equal, but not exceed, such traffic noises. Between 10:01 P.M. and 6:59 A.M., noise shall not exceed forty-five (45) dB(a) at the property line. In the [industrial] district the following maximum noise levels may be permitted:
      a. 7:00 A.M. to 10:00 P.M. Noise not to exceed seventy (70) dB(a)
      b. 10:01 P.M. to 6:59 A.M. Noise not to exceed forty-five (45) dB(a).
   3. C-weighted decibels. Noise shall not exceed seventy (70) dB(c) as measured at the boundary property lines, except that where normal street traffic noises exceed seventy (70) dB(c) during such periods, the measurable noise emanating from premises may equal, but not exceed, such traffic noises.
   4. G-weighted decibels. Infrasound at any property line shall not exceed eighty (80) db(G) LGeq,10-minute.

Proposed Amendment 2026-07 to Whitewater Township Zoning Ordinance

Section 1. Addition of New Section ___ to the Zoning Ordinance.

A new Section ___ is added to the Zoning Ordinance and reads in its entirety as follows:

Section ___ - Moratorium by Resolution

The Township Board may, by resolution, impose a temporary moratorium on the review or issuance of any applications, permits, rezonings, licenses, or approvals for existing, new, or emerging land uses in the Township if the Township Board determines that a temporary moratorium is necessary to review, enact, or amend provisions of the master plan or zoning ordinance to address land uses that may impact the health, safety, or welfare of Township residents or property. A temporary moratorium may also be imposed by the Township Board upon the recommendation of the Planning Commission when the Planning Commission determines that a moratorium is needed to allow it sufficient time to review and recommend amendments to the master plan or zoning ordinance concerning existing, new, or emerging land uses that may adversely affect the health, safety, or welfare of Township residents or property. The resolution must state the purpose of the moratorium and include findings of the Township Board or Planning Commission in support of the moratorium and why the Township Board has determined that the temporary moratorium is necessary and in the best interest of the public health, safety, or welfare.

Any resolution adopted pursuant to this Section must specify the length of the initial moratorium which shall not exceed twelve (12) months. In addition to the initial moratorium, the Township Board may extend the temporary moratorium if the Township Board determines that more time is necessary to review, enact, or amend provisions of the master plan or zoning ordinance to regulate land uses. Any extension shall not exceed six (6) additional months. Notice of the resolution must be published within fifteen (15) days of its adoption. The notice must include the following:

1. A summary of the resolution's effect.

2. The length of the moratorium and whether an extension is possible.

3. Where the public may inspect the resolution enacting the moratorium.

Section 2. Validity and Severability.

If any portion of this Ordinance is found invalid for any reason, such holding will not affect the validity of

the remaining portions of this Ordinance.

Section 3. Repealer.

Any ordinances or parts of ordinances that conflict with this Ordinance are repealed, but only to the extent

necessary to give this Ordinance full force and effect.

Section 4. Effective Date.

This Ordinance takes effect upon the expiration of seven (7) days after its publication pursuant to law.