WHITEWATER TOWNSHIP PLANNING COMMISSION
Whitewater Township Hall, 5777 Vinton Road, Williamsburg, MI 49690
231-267-5141 Phone / 231-267-9020 Fax

REGULAR MEETING
APPROVED MINUTES
Wednesday, September 9, 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: 5 (approximately)
YouTube Live Stream View: 6 (approximately)

ROLL CALL: Secretary Peltonen called Roll.

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

A quorum was established.

Absent: Scott Trumbull, Member (excused)

ALSO PRESENT: Recording Secretary Kay Held

SET/ADJUST AGENDA:
Add to New Business:
"Zoning Ordinance Amendment #21.03 D"
"Giffels Webster Bundle #2"

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

DECLARATION OF CONFLICT OF INTEREST: None.

PUBLIC COMMENT: None.

APPROVAL OF MINUTES – 8/5/26 Regular Meeting, 8/17/26 Special Meeting:

Regular Meeting of 8/5/26: Amendments: None.
Ms. Stratton made a motion to approve the Regular Meeting Minutes of 8/5/26 as presented. Mr. Sherman seconded the motion. VOTE: YEAS: All. NAYES: None. Motion carried.

Special Meeting of 8/17/26: Amendments: None.
Mr. Mielnik made a motion to approve the Special Meeting Minutes of 8/17/26 as presented. Ms. Merchant seconded the motion. VOTE: YEAS: All. NAYES: None. Motion carried.

CORRESPONDENCE:
Mr. Gaurav Chadha – STR Survey Results / Next Steps. Chair Stratton read aloud Mr. Chadha's letter.

REPORTS/PRESENTATIONS/ANNOUNCEMENTS/COMMENTS:

Zoning Administrator: Report in meeting packet. Zoning Administrator Deb Graber additionally reported 17 Land Use Permits were issued in the month of July and 21 in August. Three Land Divisions are pending. A new Assessor has been hired in Whitewater Township.

Northwoods Soda was alerted by the County regarding multiple violations at their current site. The Building Department has given them 60 days (deadline of 10/19/26) to become compliant. They have added 3,000 sq. ft. of space with no permits or mechanical/electrical inspections. If non-compliant by the deadline, the County Prosecutor will be involved. Ms. Graber has met with Northwoods Soda twice. They may amend their Site Plan.

AIS would like to amend their Site Plan in the next 30 days. Ms. Stratton, Mr. Mielnik and Mr. Rebant will assist ZA Graber in review of the preliminary Site Plan application.

Concerns have been expressed by businesses regarding the $150 fee for seasonal tent sales. She advised they approach the Planning Commission to add/amend Conditions to Site Plans.

She attended "Hot Topics in Planning and Zoning" continuing education, presented by attorney Catherine Kaufman, who will be appearing at the Township Board meeting tomorrow. Topics included Renewable Energy, Data Centers, Moratoriums, Short-term Rentals, Ordinance Enforcement and Land Division Act Amendments. Ms. Graber forwarded a sample Data Center Ordinance created by an MTA attorney.

Many seasonal outdoor events are taking place without permit applications being filed.

A Referendum is being brought forward. She recommended the PC remove fines from the Violations Ordinance and replace it with a Compliance Order, which is issued by a judge. She spoke with the Township Attorney, who is supportive of this idea and is in contact with the Township Supervisor. There was discussion between ZA Graber and PC Members regarding topics in her report.

Planning Commission Chair (Ms. Stratton): No report.

Township Board Representative (Mr. Mielnik): The Township Board meeting will be held Thursday, 9/10/26. Zoning Amendments approved by the PC will be on the Agenda for Board consideration. They are Zoning Amendment #2026-05, to move Article 13 to Article 5 and Zoning Amendment #2026-06, the repeal of Article 6 (COPUD District) and rezoning of four parcels.

The proposed Private Road Ordinance will be discussed; the draft of this was approved by the Planning Commission and has had legal review.

The Board will discuss the upcoming State of Michigan changes to the Land Division Ordinance, effective 3/27. Material on this is in the meeting packet. Township Assessor Michael Beach is also consulting on this matter with the Board.

The Township Clerk received a Notice of Intent to form a Referendum on the recent Board-approved Article 22 Amendment related to Civil Infraction. This process is defined in the Zoning Enabling Act, which he briefly outlined.

ZBA Representative (Mr. Trumbull): No report. ZA Graber reported there was no ZBA meeting in August; nor is there a meeting in September. There is still an opening on the ZBA for an Alternate Member.

ROWG (Mr. Rebant): The ROWG began collecting asset information from the Fire Department and Parks & Rec; however, has temporarily paused those efforts in order to create a work flow for the 2027 budget's capital request.

Additional Items: None.

UNFINISHED BUSINESS:

STR Ordinance Update: The Michigan Court of Appeals has reiterated that STRs are illegal/not allowed in Whitewater Township because they are commercial in nature. Chair Stratton included in the meeting packet a summary of STR Ordinance research and survey information with a focus on the Zoning Ordinance requiring licensure, potential STR districts and definitions.

For the benefit of newer Planning Commission Members, Mr. Mielnik shared the recent history of the resident-proposed amendment regarding STRs, which was ultimately rejected by the PC. The ROWG was created, a public workshop was facilitated by MSUE and a professional survey was commissioned through EPIC-MRA. He briefly reviewed key results of the STR survey.

He noted Elmwood Township and others have a licensing mechanism and the suggestion that Zoning fees should be in line with administrative costs, which was supported in the survey. There are concerns about outside entities purchasing properties for short-term renting.

There was PC discussion about STR overlays, special use, zoning classifications, licensing and STR caps, and possibly case-by-case consideration on waterfront properties. They will also be researching whether there is an abundance of STRs in a specific area.

Chair Stratton asked that EPIC-MRA further breakdown data for licensing specifics. Ms. Peltonen noted concerns about long-term rental options as related to Mill Creek Academy enrollment.

Mr. Rebant would like to see hard data on what STRs exist today and whether there are any clusters. Ms. Merchant, affirmed by others, noted this would be unlikely to determine as listings have been removed from rental sites, others are rented privately or promoted by word of mouth, etc.

ZA Graber clarified the Commercial District allows for short-term rentals; i.e., motels, bed & breakfasts.

Mr. Mielnik stated the Ordinance should be tied to the survey results. The PC discussed collaborating with planning consultants Giffels Webster on an STR Ordinance draft review.

PC Members were asked to review the draft STR Ordinance, the STR survey report, ROWG White Papers, MSUE Workshop data, and Elmwood Twp. information related to STRs. They will provide their input at the next meeting.

Wineries and Cideries Ordinance Update: Ms. Jill Bahm of Giffels Webster joined the meeting remotely. She and the PC reviewed the text, content changes and additions discussed at the last meeting. There was detailed review and conversation with Ms. Bahm including: Definitions, Tiered Events, Brand Events, Non-winery Events, Permitting, Site Plans, Special Use Permits, Occupancy Restrictions, Lot Coverage, Parking and Noise Ordinance.

The PC discussed the 30-day requirement for securing permits and involvement of other agencies; however, Members agreed this timeframe was not generally feasible in most circumstances. This will be further reviewed.

ZA Graber reiterated a Special Use Permit remains with the property, not the owner.

There was extensive discussion about Tier 2 Events and other redline notes throughout the document's proposed changes. The section regarding Tier 2 Events was struck from this version of the draft for the time being.

There was PC consensus to for revisions reviewed this evening to be made by Giffels Webster.

Board Action: Mr. Sherman made a motion to hold a Public Hearing at the October 7, 2026, Regular Meeting, on the Wineries and Cideries Ordinance language. Ms. Stratton seconded the motion.
VOTE: YEAS: All. NAYES: None. Motion carried.

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

Note: A five-minute break was taken at 9:58 p.m. The meeting resumed at 10:03 p.m.

Amendment to Article 20 – Zoning Board of Appeals: A letter from Attorney Wendling with his review of Article 20 was in the meeting packet. The PC discussed in detail the Use Variance and recommended elimination of this option in the Article, referencing the Michigan Zoning Enabling Act. They also discussed appealable items. Ms. Jill Bahm of Giffels Webster supported Mr. Mielnik's opinions and recommendations. ZA Graber noted the functions and authorizations of the ZBA. There was consensus among the PC that additional language revisions will be made by the attorney and it will be returned to the ZBA for final review prior to advancing again to the PC and a Public Hearing.

Draft Amendment ZOA #2026-07 Moratoria by Resolution: Chair Stratton explained the previously proposed Zoning Amendment of creating a moratorium by Resolution by the Township Board. The moratorium extends the amount of time from 12 to 18 months to conduct research. This information was in the meeting packet. Chair Stratton has consulted with the Township attorney and will present this material to the Township Board at their meeting on 9/10/26. The PC will revisit this information at their October 7 meeting and determine plans for a Public Hearing.

NEW BUSINESS:

Zoning Ordinance Amendment #21.03 D: This information was in the meeting packet. Typically the Township Board is authorized to approve or deny a recommendation from the Planning Commission on an amendment. This document adds verbiage to enable the Board to amend an Amendment. There was concern among the Planning Commission that the Board would have the ability to change an Amendment from the PC without requiring a Public Hearing. The spirit of this proposal is to allow the Board to make minor changes; however, the PC noted small changes can have a large impact. This matter will be further discussed with the attorney.

Giffels Webster Bundle #2: Ms. Jill Bahm of Giffels Webster provided an overview of the five topics for review in Bundle #2 of the Zoning Amendment process. There was discussion about moving forward with Special Meetings for this process rather than during a Regular Meeting resulting in excessive meeting lengths.

The PC scheduled a Special Meeting to begin review of Bundle #2 of the Zoning Ordinance amendments with Giffels Webster on Monday, 10/19/26, 6:00 p.m. at the Township Hall.

NEXT MEETING:

Regular Meeting: Wednesday, 10/7/26, 7:00 p.m. Whitewater Township Hall.

PUBLIC COMMENT: None.

PC DISCUSSION/COMMENTS: None.

CONTINUING EDUCATION: None.

ADJOURNMENT:

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

The meeting adjourned at 10:39 p.m.

Submitted by: Kay Z. Held, Recording Secretary