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

REGULAR MEETING
APPROVED AMENDED MINUTES
Wednesday, May 6, 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 at Township Hall: 9 (approximately)
YouTube Viewing (in real time): 3 (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:
Zoning Administrator Deb Graber
Recording Secretary Kay Held

SET/ADJUST AGENDA: Remove "Joint Meeting Dates" item under Unfinished Business.

Board Action: Mr. Mielnik 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. Tim Lederer: Speaking as a representative of the property owner of 8434 M-72 East. He inquired if a decision will be made tonight regarding the development zoning overlay district. Chair Stratton responded this matter will be part of the Public Hearing. There will be discussion; however, not necessarily a vote tonight. He inquired if property owners were contacted. Chair Stratton was unaware if they were contacted or not.

Mr. John Fitzgerald: He has an owner-occupied short-term rental on Church Street. At the last meeting, the EPIC-MRA representative stated the phone survey was being conducted to avoid self-selection bias. He believes the STR phone survey is a flawed method of getting unbiased community input. Contacting 5-10 people to acquire one survey is a method of self-selection. An online survey of all residents would yield more responses.

Mr. Mike Jacobson: He is disappointed with the leadership of the PC. A Public Hearing on so many issues at one time is a poor way to conduct business and take public opinions seriously. It appears the PC is attempting to push things through with little notice to citizens, making people feel their input is not valued. The way the STR issue has been handled does not

consider public input as Public Comment is not allowed at the sub-committee meetings and there is a time limit for commenting at the PC meeting. The public has right and duty to express their views, and the PC should not discourage this. Many meetings of the current and past administration run way too long. A meeting should be two hours long.

Ms. Kim Mangus: Agrees with Mr. Jacobson. A 60-page Agenda is way too much material to put to the public to process. Nothing in the packet material indicates the changes that were made. Letting people know what was changed would improve credibility and trust. It would be helpful to the community to have Zoom.

PUBLIC HEARING:

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

Repeal and Replacement of Article 7 – Planned Unit Development (PUD),
Amendments to Article 8 – Condominium Development,
Amendments to Article 12 – Site Plan Review,
Amendments to Article 13 – Special Land Uses,
Amendments to Article 19, Administration, and
Amendments to Article 2 – Definitions.

Open Public Hearing:

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

Note: The Public Hearing opened at 7:12 p.m.

Request Those Attending Sign Attendance Sheet:
Chair Stratton instructed members of the public to sign the Public Hearing Attendance Sheet.

State Date of Public Hearing Notice Publication and Newspaper Published In:
The notice for this Public Hearing was published in the Traverse City Record Eagle on 4/18/26.

State Purpose of Public Hearing: Chair Stratton stated the purpose of the Hearing was to receive public comments on the proposed amendments to the Zoning Ordinance. She also stated the effects of each article; detailed information is in the meeting packet. They include amendments to the following Articles:

Article 7 - Planned Use Development	Article 13 – Special Land Uses
Article 8 – Condominium Development Regulations	Article 19 – Administration
Article 12 – Site Plan Review	Article 2 - Definitions

Brief Introductory Presentation (Zoning Administrator, Applicant/Agent, etc.)
Mr. Andy Aamodt, Consultant with Giffels Webster, joined the meeting via Zoom. Reviews with the Planning Commission were held on 10/1/25, 11/24/25, 2/4/25, 3/4/25 and 4/1/25. Multiple prior meetings highlighted changes, deletions and additions made through the review process.

Mr. Aamodt identified the edits made in each section of the first bundle since the 4/1/26 in the Articles listed above.

PUD Section Memo and Amendment:

Public Comment:

Ms. Kim Mangus:
Section 7.02 Conventional Development: Disagrees with the language of discouraging conventional developments and only encouraging PUDs. Regular development should not be discouraged in favor of another type of development.

Section 7.04 B6 Qualifying Criteria: the sidewalk and parking design suggested is not in character with the Township's existing development.

Page 12/13 E(b): regarding completion of a PUD within one year of approval, she disagrees that this is a reasonable timeline, particularly when not knowing the size of the project. The timeline should be extended.

Section 7:06 Use, Yard, Density and Lot Arrangement Standards: the Subdivision Control Ordinance approval process needs much work.

Regarding individual lot requirements for subdivisions does not state in what district these requirements reference. More specificity is needed when referring to "larger lots" in item #5.

Section 7.07 Minimum Preserved Open Space: The 50% requirement for open space is an unrealistic and impractical standard. The Planner's recommendation of 15% is more reasonable. The RC district states 80%. This is also unrealistic and ensures there would be no PUDs.

Section 8.05 C.2.d: It was difficult to realize this refers to Cluster Development Standards. She doesn't understand why it is in this section. It is also not practical for either Clustered or Non-clustered.

Page 17 – appears to be an amendment to the Subdivision Control Ordinance. This terminology is not used and should be corrected.

Mr. Mike Jacobson: He agrees with Ms. Mangus and supports his statement that there are too many issues in one Public Hearing.

Condominium Development Regulations Memo and Amendment:
Mr. Aamodt stated no additional changes were made since the April meeting. He briefly summarized prior changes.

Public Comment:

Ms. Kim Mangus:
Section 8.05 B15a and b - Standards and Design for Site Condominium Developments: Tree requirements are excessive. Sub-section C - Residential Cluster Options: Restrictions on what land does or does not count are problematic as are utility line easements, storm water pond requirements and gross parcel acreage right-of-way standards. Under Environmentally Sensitive Areas, there are no definitions of water bodies.

Mr. Mike Jacobson: He agrees with Ms. Mangus. Developers should be involved in Ordinance development, not just the Planner and the PC.

Development Process Memo and Text Amendment:
Mr. Aamodt provided a summary of changes from the 4/1/26 meeting. The most significant change from that date was about the concrete slab in trash enclosures.

Definitions were edited; he addressed the comment about water bodies being more defined. The Site Plan Review Ordinance will not be repealed or replaced in the full Article form but edited in various sections. Pre- and post-development Fire Department reviews were clarified.

Section 12.04 Standards for Decisions was repealed and replaced. Section 12.06 Modifications to Approved Site Plans includes new language. Key changes were made to Section 12.07 Site Plan Approval Validity. A development extension beyond one year was added. There were additional changes to this area.

Additional changes were made under Section 12.10 ZA Approval, Article 13 Special Land Uses, Article 19 Administration as well as formatting corrections.

Public Comment:

Mr. Randy Steelman: He addressed Section 13.14 Transfer of Special Use Permit. The Use should remain with the property, not the owner, in the event of a property sale.

Ms. Kim Mangus: This is a historically complicated section and should be separated in different Articles for clarity.

She commented on Site Plan Review accessory buildings, Definitions of Site Plan Review/Plot Plan Review, Land Changes and a requirement for acreage limitations.

Section 13.13 Amendment of Special Use Permits: The ZA should be required to provide minor text amendments in writing, not verbally, and recorded in the Zoning office.

Section 13.15 Construction Code Permits: this paragraph does not make sense.

Section 13.17A Bed and Breakfasts: these should be Owner or Manager occupied at all times. G: limiting the number of sleeping rooms and guests is overly restrictive. I: requiring blueprints is very expensive. N: a 7-day restriction to stay at a B&B is unreasonable. D3: only states "permanent cabins." It appears information is missing.

Section 19.06 F2: the Land Use Permit expiration if not occupied in one year is overly restrictive.

Mr. Mike Jacobson: He agrees with Ms. Mangus and Mr. Steelman. There are many obstacles to building; i.e., materials, labor, emergencies, schedule, etc. He is confused why there is a Public Hearing as it appears the Planning Commission has not discussed these changes as a group, at an open meeting. This would help the public understand better.

COPUD Memo and Text Amendment:
Mr. Aamodt provided a summary of changes from the 4/1/26 meeting. No changes have been made since that meeting. He stated the COPUD section will be retitled M-72 Corridor Overlay and explained the district. Some rezoning will be required.

Receive Public Comment:

Mr. Tim Lederer: Asked for the courtesy to be contacted about rezoning activity.

Mr. Jim Maitland: His rezoning request was recently approved. He inquired if other split-zoned properties in the area have been addressed yet. Chair Stratton responded they have not. The PC should contact affected property owners so they have an opportunity to comment. He agrees with the Planner the Overlay District needs more directed focus.

Mr. Randy Steelman: The people who live in the Overlay Corridor should have some say in the rules placed on those properties.

Ms. Kim Mangus: In reference to her prior comment on Section 13.17, she agreed with the Planner's notation regarding future text amendments. Regarding COPUDS, a prior PC attempted to do a complete overlay and pass a new Zoning Ordinance. The Whitewater Watch group was formed and met weekly because the proposed changes were devastating. The Corridor Overlay District is not ready to be in the Public Hearing, nor is the map. The PC's requirements for Landscaping and Design Standards are not feasible.

Mr. Mike Jacobson: People have made many common sense opinions and suggestions. There was too much information at one time in this meeting, causing audience confusion.

Zoning Administrator Deb Graber: She stated as ZA, she enforces what is on the books. No written correspondence was received related to the Public Hearing.

Ms. Michelle Loeffler-Rohraff (as read aloud by Ms. Kim Mangus): There is far too much material to be adequately addressed in a single Public Hearing. These changes span several major sections, each of which merits its own examination and discussion. This approach may be a strategy to push the entire package through without sufficient scrutiny and public input. She requested separate Public Hearings be held.

Read Any Written Comments Received: None.

Close Public Hearing:

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

Note: The Public Hearing closed at 8:18 p.m.

PC DISCUSSION:
Mr. Aamodt referenced Ms. Mangus' comment about the separation of specific standards for Special Uses, the memo recommends pulling out use specific standards, and he gave examples, stating they would be moved to their own section rather than being presented in the Special Land Use section (Bed & Breakfasts, Sexually-oriented Business, Camps and Campgrounds, Home Occupations).

He also addressed the recommendation of setting a threshold for the corridor overlay, stating it is a good idea. The PC and Giffels Webster should take dedicated time to go over the overlay. He noted members of the public provided positive input.

He acknowledged ZA Graber's comment about the two-year timeframe once a Land Use Permit is issued. Ms. Graber was asked to speak; she explained the Land Use Permit application process and documents required with that application. She also noted factors that may impact re-issuing the permit.

There was extensive additional discussion among the Planning Commission about each section of Bundle #1.

PUD Section Memo and Amendment:

Ms. Peltonen: A minor typo was noted.

Mr. Mielnik: Mr. Mielnik stated there were many Public Comments that were not correct and others that he will look further into.

Mr. Sherman: He would like this Hearing to be constructive. The leadership wants dialogue, transparency and public interaction which includes utilizing public consultants. A Hearing does not mean formal action will be taken immediately. He does not believe the PC is attempting to push anything past the public. He would like to more clearly understand the goal in adopting language. Chair Stratton verified the PC is not required to take action tonight, and it was evident the COPUD is not ready. The PC clarified an additional Public Hearing is not required in the event no action is taken tonight.

Ms. Stratton: She referenced the sidewalk and parking design comment, agreeing this may not be appropriate. She agrees the ~~subdivision~~ Overlay District' should have been properly noticed. Mr. Aamodt stated the subdivision ordinance would be under the Township Board's purview.

Mr. Rebant: He agrees with several comments made. He does not understand the priority of the PUD and associated Ordinances in Bundle #1. He heard tonight a 40-acre parcel may only produce six lots to build on, which is confusing if correct. This requires more clarity. He has concerns about other statements made. The PC has been heavily involved in this review; contrary to a public comment, this is not the first time the PC is discussing this information. Good work takes time.

Mr. Trumbull: He is one of three relatively new PC Members and expressed appreciation for comments from the public as well as professional assistance from Giffels Webster.

Mr. Mielnik: The way the Zoning Ordinance is currently written is problematic which stems for a variety of past issues. The PC's objective is to get it to a level where it will perform the way it needs to. The Master Plan was adopted and gives specific direction regarding the Ordinance. The PC ranked issues it is dealing with in Zoning at the direction of the Township Board. Subsequently, professional assistance was sought and the bundles were broken out to make the task more manageable. Resolving any problems expediently ensures preparedness for the Township.

Ms. Peltonen: She appreciated that many comments were from former Planning Commission members.

No action was taken on this matter tonight.

Condominium Development Regulations Memo and Amendment:

Mr. Trumbull: No comments.

Mr. Rebant: Needs more time.

Ms. Merchant: She appreciated Mr. Mielnik's explanations. The PC has been working on this review openly and publicly since 10/25 and is not trying to push it past the public. Nowhere in the Ordinance does it state a requirement for 40-acre parcels. Overall, the revisions look sound.

Mr. Sherman: He is not prepared to adopt any of the packets this evening. We received good feedback. The PC needs to adopt good language, which may not be perfect. However, it will be much better than what currently exists. He would like to incorporate constructive comments into PC actions.

Mr. Mielnik: He would like to review comments again before voting. The draft of this Bundle is very close.

Ms. Peltonen: She agrees it is a good idea to look more into comments. There is not much she would change.

Ms. Stratton: She agrees there may be some additional changes, other than minor corrections, it is wise not to move forward without addressing the changes.

There was additional discussion with Mr. Aamodt.

No action was taken on this matter tonight.

Development Process Memo and Text Amendment:

Ms. Peltonen: Regarding Final Decision, the County's GIS office handles addresses. The County would like the Fire Department to handle this and verify address information. She suggested the review of addresses might be included in the Ordinance regarding emergency response.

Mr. Trumbull: A concrete slab under a trash receptacle is not necessary.

Mr. Rebant: The language regarding the transfer of a Special Use Permit is confusing. He believes it should transfer with the land. Regarding the Bed & Breakfast section, further group discussion is needed on these restrictions and requirements. Additionally, there is no enforcement mechanism in place.

No action was taken on this matter tonight.

COPUD Memo and Text Amendment: Land owners will be notified. No action was taken on this matter tonight.

APPROVAL OF MINUTES:

Regular Meeting Minutes of 4/1/26: Amendments: Minor changes were noted.

Board Action: Ms. Merchant made a motion to approve the Regular Meeting Minutes of 4/1/26 as amended. Mr. Trumbull seconded the motion.
VOTE: YEAS: All. NAYES: None. Motion carried.

Special Meeting Minutes of 4/20/26: Amendments: A minor change was noted.

Board Action: Ms. Stratton made a motion to approve the Special Meeting Minutes of 4/20/26 as amended. Mr. Sherman seconded the motion.
VOTE: YEAS: All. NAYES: None. Motion carried.

CORRESPONDENCE:
Mangus: STR Survey

REPORTS / PRESENTATIONS / ANNOUNCEMENTS / COMMENTS:

Zoning Administrator – Deb Graber: ZA Graber's report was in the meeting packet. She additionally reported 10 new permits were issued, bring the total YTD to 26. There are many new builds underway. She included a redacted copy of the court order from Judge Stepka signed 4/2/26 regarding the STR case. The Motion to Dismiss the Zoning Citation was denied.

She included an MSUE article in the meeting packet "The Uncompromising ZA is Not a Bad Person." This article was authored by Ms. Mary Riley who served as the STR community workshop facilitator.

Planning Commission Chair – Rene Stratton: The Joint Township Board/Planning Commission meeting will be held on Thursday, 5/14/26, at 6:30 p.m. at the Township Hall. The PC will be present for a portion of this meeting with the Board's Regular Meeting directly following.

Topics for the Joint Meeting will be:

-STR Survey Question Review	-Winery and Cidery Ordinance
-March, 2027, State land Division	-5-year Capital Plan

Township Board Representative – Randy Mielnik: The Township Board approved the rezoning near M-72 and Broomhead Roads at their 4/13/26 meeting. The Board will be working with Clerk Hoeksema and ZA Graber on the Zoning Map to reflect the rezoning. The County puts out a new map annually.

The Board is working with the Township attorney on the draft Road Ordinance verbiage. A Township newsletter will be distributed to the community shortly.

ZBA Representative – Scott Trumbull: No report. A Public Hearing will be scheduled at the May 25, 2026, Regular Meeting.

ROWG (Resident Outreach Work Group) – Rod Rebant: No April meeting. The next meeting will be Tuesday, 5/12/26, at 7:00 p.m. The ROWG will be reviewing components of the Capital Improvement Plan (CIP) implementation per the State's requirement. They would like to be hands-on in creating a Township asset inventory. Five of six ROWG members who worked on the STR project will continue with the CIP.

Additional Items: None.

UNFINISHED BUSINESS:

Giffels Webster Bundle #2 Schedule:
Mr. Aamodt stated Giffels Webster and the PC will focus on completion of Bundle #1 prior to advancing to Bundle #2 review.

Winery and Cidery Ordinance:

Giffels Webster Review: The current draft of the Winery/Cidery Ordinance is in the meeting packet. Chair Stratton reported legal review is expected in June.

Giffels Webster has worked on structural organization of the draft Ordinance. The PC had extensive discussion among themselves and with Mr. Aamodt regarding content and suggested edits in many areas including:

-Zoning language	-Distance and landscape buffers
-Parcel size and setbacks	-Noise mitigation
-Site plan requirements and review	-Promotional and event activity
-Permanent and temporary structures	-Entertainment
-Maximum structure size	-Attendance caps
-Building coverage and lot size	-Health and fire requirements
-Food service, food trucks, retail sales	-Agritourism and maintaining rural character
-Facility requirements	-Microbreweries and micro distilleries

Board Action: Ms. Peltonen made a motion to extend the meeting beyond the three-hour mark and requested a break after review of the Cidery Ordinance section. Ms. Merchant seconded the meeting.
VOTE: YEAS: All. NAYES: None. Motion carried.

A tier-based approach is being taken with additional focus on safety. Giffels Webster will revise the Wineries Draft Text Amendment based on this evening's discussion and Ms. Merchant's edits.

Giffels Webster also provided a sample draft Noise Ordinance with detailed language for the PC and Township to consider.

Review of Short-term Rental (STR) Questions – Draft #2:
Mr. Bernie Porn of EPIC-MRA joined the meeting via Zoom to discuss edits implemented after discussion on the first draft of the questionnaire. The PC reviewed each question again and discussed concerns or questions with Mr. Porn. There was input from each Commissioner.

Short-term Rental Timeline Update: In meeting packet.
Chair Stratton developed a detailed timeline outlining the steps anticipated in finalizing the Short-term Rental Ordinance. She anticipates a second workshop being held in August based on survey results.

Discuss Joint Meeting Dates (Whitewater Township/Planning Commission): Removed from Agenda.

NEW BUSINESS: None.

NEXT MEETING:
Given the length and late hour of recent meetings, Mr. Trumbull suggested the PC consider scheduling Special Meetings for Ordinance Reviews and discussion of each bundle from Giffels Webster.

Ms. Peltonen suggested changing the time of the June meeting to an earlier time as meetings have run long. There was group discussion.

Board Action: Mr. Trumbull made a motion to change the time of the June 3, 2026, Regular Meeting from 7:00 p.m. to 6:30 p.m. Ms. Merchant seconded the motion.
VOTE: YEAS: All. NAYES: None. Motion carried.

Note: This meeting will be scheduled as a Special Meeting due to the time change.

Next Planning Commission Meeting: **Wednesday, June 3, 2026, at 6:30 p.m., Township Hall**

PUBLIC COMMENT:

Mr. Randy Steelman: He appreciates the PC's work on the Agenda items. He attended a Township Hall meeting elsewhere where back and forth discussion was very helpful and productive. He would like Whitewater Township to consider this practice. Because survey questions are limited, he believes Question #39 on the survey regarding administrative costs is unnecessary as the answer is obvious.

Ms. Kim Mangus: As a past Planning Commission member, when there was too much on the Agenda, a Special Meeting was scheduled from 6-7 p.m. for one topic. The Regular Meeting immediately followed at the normal 7:00 p.m. time.

Regarding the survey, the question about where people live needs to be simplified, and the quadrant questions are too confusing. Regarding Secretary Peltonen's comment about concrete slabs under dumpsters, rodents prefer concrete over gravel. She commended the PC for the volume of work tackled tonight. Regarding existing verbiage, much of it has been there for a long time and does need to be addressed. There is a long way to go yet.

Mr. Mike Jacobson: The time limit on Public Comments is unacceptable. Prior Township Boards and Planning Commissions have operated shadily, making meetings go long on purpose so that people will leave and they can approve things quickly or illegally. If he sees anything like this happening, he will speak up.

Part of the reason we continue talking about problematic verbiage in the Ordinance is because it has been there for a very long time, often by prior Boards/PCs.

He agrees with Ms. Peltonen's comment about excessive meeting lengths – over four hours already. He has seen every person at the meeting table be affected by it in the last hour.

No business owner who purchases property on M-72 wants a barrier to hide their business; they want visibility and access. A foundation against the building is not desirable to businesses or restaurants that sell food could be a rodent problem.

PC DISCUSSION / COMMENTS:

Ms. Peltonen: Grand Traverse County Clerk Bonnie Scheele is retiring effective 6/18/26.

Mr. Mielnik: On past Zoning Ordinance updates, a chapter at a time was updated, each as a standalone document. The Zoning Ordinance is an entire document. There have been some misunderstandings how Ordinances are inter-related. The approach to updating the Ordinance is proper and correct.

Mr. Sherman: Appreciates comments and passion from the public. He is committed to good faith, honesty and transparency.

Mr. Trumbull: He would support a one-hour, one-top Special Meeting just prior to a Regular Meeting.

Mr. Rebant: The PC covered a lot tonight and made tangible progress.

Ms. Merchant: The PC has a lot on its plate. Progress is being made, and the PC is addressing large issues. She supports the PC return to Special Meetings dedicated to the Giffels Webster reviews. This seemed to be effective and kept meetings from becoming excessively long.

Ms. Stratton: It is not the PC's intent to motivate members of the public to leave a meeting due to a heavy Agenda, but for the PC to work through items and make progress.

CONTINUING EDUCATION:
Three Commissioners are participating in the Citizen Planner training in Alden: Mr. Trumbull, Ms. Merchant and Ms. Stratton.

ADJOURNMENT:

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

The meeting adjourned at 11:29 p.m.

Submitted by: Kay Z. Held, Recording Secretary