

PENINSULA TOWNSHIP

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Planning Commission Meeting and Joint Township Board/Planning Commission Meeting

Township Hall

April 15, 2019

7:00 p.m.

Meeting Minutes

Planning Commission

1. **Call to Order:** 7:00 p.m. by Peters

2. **Pledge**

3. **Roll Call:**

Present: Al Couture, Larry Dloski, Donna Hornberger, Monnie Peters, Susan Shipman, Isaiah Wunsch

Absent: Todd Oosterhouse

4. **Brief Citizen Comments:** None

5. **Approve Agenda:**

Moved by Dloski to approve agenda, seconded by Wunsch

Pass unan

6. **Conflict of Interest:** none

7. **Consent Agenda:** any member of the board, staff, or the public may ask that any item on the consent agenda be removed and placed elsewhere on the agenda for full discussion.

a. Approval of meeting minutes for the joint PC/township board meeting 1/22/19

Ahorn: For those minutes, "Paradise" is misspelled on page 3 under Jennifer Hodges' comments and "Wahl" is misspelled.

b. Approve FY 2019-2020 meeting date schedule

c. Master plan update/steering committee appointments

Moved by Hornberger to accept consent agenda with minutes amended, seconded by Wunsch

Roll call:

Pass unan

8. **Reports**

a. **Zoning Board of Appeals (Couture)**

Couture: Bowers Harbor Vineyards has withdrawn the second part of the variance: the required 75% requirement for active production for a winery-chateau to 26.8% for active production for a winery-chateau. The first request of a variance from the required 50-acre minimum for a winery-chateau to 45.77 acres was approved unanimously.

Mielnik: the variance now allows a special use permit with the normal process of a public hearing; expecting the SUP soon. Suggested the public hearing for the May meeting be scheduled. This will require a complete packet to be submitted if it is to be considered for the May meeting and conform to the 15-day public notice requirement.

Hornberger: it is a public hearing and they will not vote that evening.

Peters: they will need a SUP with everything included before a public hearing is set.

Discussion among the board on details of when SUP should be submitted and what details should be expected to be submitted and the issue of a timeline.

Moved by Wunsch to set a public hearing for Bowers Harbor Vineyards SUP in May if all documents are turned in for the SUP application before required posting date, seconded by Shipman

Pass unan

Township Board

9. **Call to Order:** Manigold

10. **Roll Call:** Marge Achorn, Brad Bickle, Becky Chown, Dave Sanger, Isaiah Wunsch;
Absent: Warren Wahl

11. **Brief Citizen Comments:** none

12. **Approve Agenda:**

Motion by Bickle to approve agenda, seconded by Wunsch

Pass unan

13. **Conflict of Interest:** none

14. **Consent Agenda:** any member of the board, staff, or the public may ask that any item on the consent agenda be removed and placed elsewhere on the agenda for full discussion.

Moved by Bickle to approve Consent agenda, seconded by Wunsch

Roll Call:

Pass unan

15. **Business (joint township board and planning commission business)**

a. **Master plan update and presentation**

Mielnik presented a master plan update via PowerPoint. The presentation highlighted the process that is envisioned for a modern master plan with an emphasis on vision and implementation. Covered the five goals for the plan update: update our understanding of community attitudes, establish a vision, refresh existing land use policy, create an actionable master plan, and build stronger collaborative relationships between the public, community leaders, the planning commission, and the township board. He presented information on the steering committee and their roles and explained that it is a diverse group of non-elected persons and includes representatives from the township board and planning commission for strong communication channels. Explained the committee process: developing a survey with focused questions for the residents, the gathering of community input with topical sessions to build dialogue, and the creation of the framework for the updated master plan draft, the desired outcomes, and, finally, the timetable. The strength of a master plan is public consensus. The timetable will include three to four months for

community survey results, three to four months for recording community input from workshops and meetings, and two to three months for a draft policy to be created. The role of the planner is to guide the process and the master plan content and best practices and the planning commission has statutory responsibilities and will follow the state law. Must hold at least one public hearing. The town board will distribute for public comment and approve or reject the master plan.

Peters: would like to see monthly committee reports to both township board and planning commission and the public will be informed of the process, possibly through StreamSpot.

Discussion among board regarding members from each board on the steering committee to allow overlap and communication with the master plan process.

b. Winery Chateau Amendment-Brief Discussion

Delayed due to John Wunsch's absence

c. Bed and Breakfast Amendment-Brief Discussion

Mielnik: there is a request to revisit the bed and breakfast ordinance and make changes; recently went through the SUP. The Grey Hare Inn discussion took place in February (Feb. 25 planning commission meeting), but the town board is waiting for the community-wide survey to decide on bed and breakfast ordinances and short-term rentals. The change would be to the number of guest rooms, one acre to three guest rooms, and it was suggested to go to five rooms with substantially more acres. It was suggested to go from three units for five acres and the addition of one unit for each additional five acres. The planning commission will look into it and report to the town board. In the past the discussion was about the guest rooms was woven into activities. Looking at the one amendment for now.

Dloski: we did not want to go forward if the board wanted to look at it

Board discussion on revising the bed and breakfast ordinance based on number of rooms per acre

Wunsch: this topic was discussed last year. The current bed and breakfast business model is not viable. Expressed concerns of large homes with more than five bedrooms being converted back into single family homes

Bickle: The planning commission has done these studies and can they come forward with suggestions?

Wunsch: no action was taken last year; expressed reservation on opening the issue again; may reach the same conclusion because it was looked at completely last year.

Sanger: it is a public request and should be looked at and suggested that the ordinance can be changed if resident driven and the planning commission can determine if it is consistent with master plan.

Wunsch: an analysis was done a year ago and it was decided to take no action.

Board discussion about the recent history of short-term rentals as they relate to bed and breakfasts, adding rooms, changing the ordinance, adding language, and the issue of specially built homes to serve as a bed and breakfast or short-term rental.

- Manigold:** Cindy of the Grey Hare Inn Bed and Breakfast made a request of the planning commission and it should be looked at.
- Mielnik:** the planning commission will take a look at this request and offer findings to the town board
- b. Winery Chateau Amendment-Brief Discussion (John Wunsch)**
- John Wunsch, 17881 Center Road:** the chateau winery ordinance was first formed as a way of using development rights for something besides houses; the chateau winery ordinance refers to an area of five acres. An area equal to one in five acres for a winery or as in one house to five acres. One can separate development rights from those five acres, it is a reference to a development right. Most farms still have at least one development right. The question is how these two ordinances can be brought into alignment; looking at the chateau winery ordinance and PDR could help avoid future problems.
- Peters:** Randy will look into this
- d. Marijuana Ordinance-Introduction/Discussion**
- Manigold:** police powers are to the town board. The marijuana ordinance could go either way. This is zoning and the police power goes directly to the town board. Suggested the township opt out of everything until the State of Michigan puts laws together. Then hold a public hearing. For medical marijuana there are five tiers each township can go into. The recreational marijuana topic also entails the growing of hemp and that could be beneficial. The matter will go to the planning commission at that time to find out which categories it falls into. At this time we will opt out and do it as a police power at the town board.
- e. Blight Ordinance-Introduction/Discussion**
- Manigold:** this is a police power ordinance and it will be dealt with at the town board and public hearings.
- Peters:** the blight ordinance draft needs to have the language reworked and condensed
- Dloski:** asked how to comment on this proposed ordinance.
- Manigold:** put it in writing and come to the meetings; this will go through public hearings.

16. Citizen Comments:

Harold Edmondson, 12414 Center Road: commented on farms in the township that have relics and a collection of materials and expressed concerns that if this ordinance goes into effect, it is subject to interpretation and the ordinance should be specific to this community. Also, he expressed that the ZBA's decision was unfair and did not stand up for the ordinance regarding the Bowers Harbor Winery decision.

John Dolton, 10862 Eagles Landing Dr.: asked about the process and procedure regarding the zoning ordinance rewrite and how it coordinates between the existing master plan.

Hornberger: the purpose of rewriting the zoning ordinance is making it consistent within itself and more easily read.

Mielnik: the rewrite is districts, policy issue, and will be done after the master plan.

Manigold: the zoning ordinance was originally written in 1968 and adopted in 1972.

Comparing the zoning ordinance versus the master plan, the law is what makes it happen, and what the citizens want will be determined by the survey. The master plan comes first.

17. Board/Planning Commission Comments:

Peters: thank you to the civics student for attending tonight's meeting

18. Adjournment:

Moved by Bickle, seconded by Wunch

Moved by Dloski, seconded by Shipman

Adjournment time: 8:09 p.m.