

**PENINSULA TOWNSHIP
SPECIAL MEETING PLANNING COMMISSION MINUTES**

13235 Center Road Traverse City, MI 49686
October 17, 2016 7:00 PM Township Hall

Meeting called to order at 7:00 pm.

Present: **Leak, Peters, Rosi, Serocki, Couture, Wunsch, Hayward, Peter Wendling,** and Rachel Mavis (recording secretary).

Absent: **Hornberger**

Approve Agenda

MOTION: Couture/Serocki to approve amended agenda. MOTION PASSED.

Brief Citizen Comments - for items not on the Agenda

None

Conflict of Interest

Serocki - conflict of interest with SUP #127.

Consent Agenda

Serocki - requested to give minor corrections on the minutes from July 13 and October 3. On July 13, at the bottom of the first page, last paragraph, it needs to be corrected to either “Young stated” or “Young said.” On October 3, Serocki asked if we could talk to Sloan about the cost for additional drafts outside of contract and Hayward would look into it. This was requested to be added to the final page of the minutes.

**MOTION: Couture/Peters to amend consent agenda to reflect changes in meeting minutes.
MOTION PASSED.**

Business

SUP #127 – Vineyard Ridge – Remove consideration of the 10-3-16 plans and discuss proposed changes to the site plan per Mansfield letter of 10-13-2016.

Dusty Christensen from Mansfield Land Use Consultants presented an update on the proposed Vineyard Ridge Planned Unit Development.

Since the last meeting in September, multiple discussions have occurred between Mansfield LUC and township staff and supervisors, as well as the township engineer, and as a result, Mansfield requested to remove previously submitted documents and came with a revised site plan to further discussion and bring everyone up to speed regarding the project over the past month. Mansfield spoke with township planner and supervisor over a number of issues (including traffic and safety). Updated 11x17 maps were handed out - but are still tentative, as they will potentially be tweaking them some more before they come back to the board.

One of the focuses of change was on Vineyard Ridge Road and Center Road, regarding traffic / safety issues. Schmidt (the developer) agreed to allocate additional right of way in the NE corner to allow for future considerations of road improvements.

Additionally, safety measures for pedestrians (and any other non-motorized travel) was a concern. A 42' wide easement on the perimeter has been added to the proposed plan to allow for a future 10' wide trail to be designed.

The updated plan also includes a change in the open space allowance. With the new plans, over 10% is open space for the township to use for public recreational use. (The 65% private open space option is no longer a part of the plan.)

An additional concern was the potential for people to use Vineyard Ridge as a cut-through from Mathieson Rd. to Center Rd. The new plan has adapted the road to weave and added a roundabout to allow emergency vehicles through, but also prohibit people from cutting across.

As a result of the changes and the additional tweaking still to come, a public hearing is necessary. Christensen's request tonight is to have another public hearing scheduled.

Couture asked if any lots were lost in the new plan. - No, they still have 47 lots. The southwest corner lots shifted, but none were lost. A pedestrian path was also added to provide access to the pool house. The 90' buffer between boundaries of property and proposed development also remains unchanged.

Couture asked if the trail would be paved. - It's not part of the proposal to pave it, because that is part of a future project. **Couture** said that he was very impressed with the changes and thinks that Mansfield has done an outstanding job to take township concerns into consideration and be creative with a solution.

Rosi asked if this will be phased. - In the previous plan, there were 3 development phases. In this one, there will be 2-3 development phases, but they will be revealed with the official project proposal. They will amend all of the documents and provide new drawings. **Rosi** also asked if the space between houses could be clarified - how will it be described? - It will be a common area, but no referred to as “open space.”

Peters asked **Hayward** and **Wendling** if the dedicated easement meets the requirements. **Wendling** said that the 10% net acreage dedicated to the township should meet the requirement. Hayward and Wending will look into it and make sure it’s in compliance.

Leak asked about the options on Center Road regarding a turn lane. Has it been discussed with MDOT whether or not it could be done with painting and the ability to go around cars that are turning? - At a meeting with MDOT, the idea of a bypass flare was discussed. Because there are existing driveways, it’s considered unsafe and impractical and was removed as an option by MDOT.

Christensen said said that by the December meeting, they should be ready to meet again regarding the proposal. Also, all documents would be ready and submitted prior to the meeting by then.

Consider scheduling a December public hearing for the revised SUP #127 Project.

MOTION to wait until next month to schedule a December public hearing. **Peters/Wunsch.**

MOTION PASSED.

Zoning Rewrite Process

Peters reported that the material from McKenna came in today, which is a summary of their review and the remaining items. By the end of October, they will be sending a new, updated draft. **Hayward** was directed to make sure that the pictures and hyperlinks are available as soon as possible. The board is looking at having a additional 5:30 p.m. meeting in November to look at definitions, PUD, and subdivisions. (Chateaus will be addressed at a different point).

September 19, 2016 7:00 Regular (Peters 10-12-2016 memo)

Peters’ comments on Vineyard Ridge were left out of the minutes. On page 2, about 2/3 of the way down the page, after the paragraph where Leak, Reardon and Couture spoke about turn lanes, **Peters** would like the following added: “Peters spoke about classifying the narrow ‘canyon-like’ common spaces between the houses as Open Space. She has calculated over 66,000 square feet (over 1 1/2 acres) of property that is in these canyon-like areas which are 15, 20, or maybe 25 feet wide. The definition in the zoning ordinance of Open Space does not define shape; she believes this does not meet the intent for Open Space.”

MOTION to add comments. **Peters/Wunsch. MOTION PASSED.**

Citizen Comments

Margaret Achorn, 11284 Peninsula Drive - has addressed escrow accounts with this board and township board. This is a major change and the taxpayers are footing the bill for engineers, attorneys, and other professionals. Because this is a practically a brand new application, she asks that a new substantial escrow act be opened, so that the taxpayers will not continue to pay.

Andrew Valdmanis, 1484 Chimney Ridge Drive - Will the McKenna packet be on website?
Hayward confirmed that it will be available on the website.

Board Comments

Peters - Hayward, Wendling, what do we need to do in terms of escrow? When/what?

Wendling - Any time you anticipate a development that will take up more time than a standard meeting. That's when you decide. He believes there was one taken initially, but will have **Hayward** look into it. **Couture** - where is that? Zoning ordinance? **Wendling** affirmed that yes, **Hayward** confirmed that it was amendment 190.

Wunsch - do we need to make a motion to put escrow into effect? **Wendling** - Yes, but there is some time. We may want to wait until next month, since the first public hearing will be in December. There may already be a vote for it to have an escrow, so **Hayward** will look into it. It will be handled through township treasurers office.

Serocki - on PUD, when the 10% is public, does the town board have to vote on accepting it?
Hayward - yes. **Serocki** - will that have to be done before PC public hearing? **Hayward** - The sooner the issue is brought up and a decision is made, the better. **Hayward** would prefer to look with attorney at what form the document should be in and take that to board. **Wendling** - two additional standards that will have to be voted on. The attorney will work with developer to make sure the format of the type of dedication is ready to go.

Wunsch - ZBA report. There were two items were on the agenda. Both were removed, so the meeting lasted 17 minutes.

Hayward updated on the issue with the Bowers Harbor roadside stand. The issue was the seasonality of the stand. It was originally set up as a farm processing / facility combination. Tasting was allowed in roadside stands at the time it was issued. Seasonality was resolved because the Right to Farm Act allowed the DOA to establish management practices appropriate

to different uses. One was created for farm markets and roadside stands, as long as the farmer complies with standards of the GAAMP (Generally Accepted Agricultural Management Practices), they are exempt from local zoning regulations. In that, they differentiated between agricultural products and processed agricultural products. The town board accepted that as the basis for removing the limitation on seasonal sales of products for Bowers Harbor, so she can apply for the addition to her structure. Based on the attorney's recommendation, they will look into amending ordinance to allow for GAAMP. **Serocki** - in their SUP, it states they're seasonally opened. Should that be removed? **Hayward** - no, because in reality, it can't be enforced. As long as she's compliant with the national practice, it's allowed.

Peters - Bonobo update from town meeting. **Rosi** shared that Bonobo found additional acreage that they were unaware of. There was a long conversation with the Bonobo people (not on the agenda) so the board wasn't fully prepared. The township drew a line in the sand to get the issue resolved. **Peters** updated that the Bonobo farm will now have apples (instead of pumpkins). The town board has tabled any decision at this point. **Rosi** shared that since the apples will take an additional two years, this puts Bonobo two more years out from coming into compliance, which is a concern for the town board.

MOTION: Couture/Serocki to adjourn at 7:58 p.m. **MOTION PASSED.**