

**Regular Town Board Meeting
Tuesday, January 8, 2019, 7:00 pm
Peninsula Town Hall
Minutes**

1. **Call to Order** by Manigold at 7:00pm
2. **Pledge**
3. **Roll Call** Present: Manigold, Chown, Achorn, Sanger, Wahl, Wunsch
Bickle – Excused.
Also present, Randy Mielnik
4. **Citizen Comments for items not on the agenda**; None
5. **Approve Agenda** Wunsch moved to accept the agenda; Wahl seconded **Passed unam**
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.

1. Reports and announcements (*as provided in packet*)
 - A. Peter Dougherty Society Reports: 2018 Accomplishments and 2019 Objectives
 - B. Monthly Fire Department Report
 - C. Grand Traverse Sheriff Department Calls for Service Statistics Report
2. Correspondence
 - A. Sally Akerley
3. Edit list of Invoices (recommend approval)
4. Transcribed minutes from regular and special Peninsula Town Board meetings on August 28, September 11, September 25, October 4, October 9, October 11 and October 23 (2018) (recommend approval)

Moved by Achorn to approve the consent agenda as presented, Sanger seconded
Roll Call vote.

Passed unam

Manigold; Informed Board and audience that there were a few items set for this agenda but were removed as the Attorney was not able to be present. Special Meeting has been published for Thursday, January 10, 2019. Upcoming Board meeting on January 22, 2019, will include discussion on distributing the re-write of the Zoning Ordinance, Master Plan, Corridor Study.

8. Business

1. Zoning Ordinance Amendment #197 – Farm Processing Facility (Mielnik)

Manigold; closed regular scheduled meeting and opened public hearing for Zoning Ordinance Amendment #197. Presentation by Mielnik; Proposed amendment that has been in discussion for some time has been presented before the Planning Commission, public hearing (amendment was published in the Record Eagle), was held by the Planning Commission, recommendation made on November 19, 2018, from Planning Commission to present to Township Board. There were some additional clarifying elements to the amendment suggested talking about this after the public testimony.

Monnie Peters, 1425 Neahtawanta Road; Representing Planning Commission, concerned that the information being presented to the Township Board had a miscalculation in the ordinance language proposed change verses what was presented before the Planning Commission. Concerned about the second line of the proposed ordinance change; 250 square feet, per acre of land owned. Current language allows for a building of six thousand square feet per the basic 20 acre requirement in the winery by right grouping, multiplying 250 by 20 acres equals five thousand. Peters contest this 250 square foot calculation and stated that it should be 500 square feet. Contesting that the sentence was re-written from what the Planning Commission passed on November 19, 2018. PC tweaked language but did not tweak the numbers, at 250 if you have a 20 acre parcel only allows for a 5,000 square foot building. In the PC's version which was 10,000 square feet, reiterates that this was not what the Planning Commission passed. Monnie presents Planning Commission version to Randy Mielnik for review and comparison. Discussion between Wunsch, Mielnik and John Wunsch over the minimum size of the structure. **Peters**; this language was not what was passed at the Planning Commission level and stated that the numbers had changed. Feels that the language presented to the Board is unclear. **Mielnik**; Stated that the information handed to him was from the November 7th and it does state 250 square feet. This is an earlier version that Peter's was referring to. The last version presented to the Planning Commission did contain the 250 square feet per acre of land owned. **Peters**; apologizes for the misunderstanding.

Nancy R. Heller, 3901 Blue Water Road; Questioned the revision section number two on the handout. Under the existing; questioned what 20 acre parcel was being referenced, the basic 20 or the additional 20 acres. Heller is interpreting this as the basic 20 acres. **Mielnik**; Clarifies that this is the additional 20 acres. **Heller**; Questions where this information can be found to confirm that this is correct. **Mielnik**; Page 44 of the Zoning Ordinance under numbers four and five. **Heller**; Expresses concern on obtaining the additional 20 acres, allowing one acre, five acre parcels to be included in this calculation to make up the additional 20 acres. **Meilnik**; Reads the current ordinance language; the 20 acre parcel maybe one parcel or two contiguous parcels and the contiguous parcels maybe separated by a road. **Heller**; Basing concerns on the language, on the specific language of one or more parcels, that her concern is the additional acreage. Is under the impression that this acreage requirement maybe made up with as many parcels as necessary to get to the additional 20 acre requirement, does not feel that this is wise.

John Wunsch, 17881 Center Road; In support of the ordinance change. Was the Co-Chair of the Committee that created this original ordinance language along with Bern Kroupa, both have resisted any changes to this ordinance in the past. Language is clear and fair to those who have concerns and those that use this ordinance. However, over the years this ordinance has limited the growth of operations under this language and forced entities to move into chateaus for bigger operations of wine production. Adding to the chateaus adds to the burden of the Township for enforcement because it is more involved and more complicated, also increases the number of uses in the Township which is a concern to the residents. If the size of the facility is allowed to

expand then we are allowing growth to occur without having to increase to a chateau. This does not change the essence of the well-structured and well written ordinance but it does allow an appropriate increase in size as an operation grows. Supporting this change from that point of view, and encouraging the Township Board to move forward with this amendment, clarifies that the calculations do allow ten thousand square feet to start with instead of five thousand this doubles the initial amount for these operations to work with a ceiling of thirty thousand square feet but at that amount it would require a hundred or more acres of land to be retained. The scale is similar to the chateaus.

Manigold; Closes public hearing and opens the regular scheduled Board meeting. Attorney has reviewed the information as in support of the new language.

Meilnik; Clarifies that an earlier version was submitted to the Planning Commission, changes were made after consultation but confirms that the information provided to the Township Board is the same as what was presented and passed at the Planning Commission level prior to this meeting.

Wunsch; Stated his involvement at the Committee level and Planning Commission level. Worked with the committee and Meilnik to come up with the initial proposal the changes have been researched and this meets the needs of the industry relative to the grapes being grown.

Sanger; Was involved as a member of the Planning Commission back in 2002 when amendment 139 was proposed and passed. Has carefully reviewed the language as presented and feels that the changes are appropriate, contacted Bern Kroupa, Mr. Kroupa stated to Mr. Sanger that he supports this as well.

Manigold; Reads for the audience statement on third page of the proposed ordinance language changes; If accepted, the Motion would be to approve the following revisions to the Peninsula Township Zoning Ordinance as follows:

Revise Section 6.7.2.19.b.4 II of the Peninsula Township Zoning Ordinance to read:

II. The forty (40) acres shall be located within Peninsula Township and shall be owned or leased for the specific farm operation by the same party owning the specific Farm Processing Facility.

Revise Section 6.7.2.19.b.6.V of the Peninsula Township Zoning Ordinance to read:

V. The remaining parcels associated with a farm processing facility to the meet only the minimum 40-acre requirement, may be one or more contiguous parcel (with each other) and those contiguous parcels may be separated by a road.

Revise Section 6.7.2.19.b.6 of the Peninsula Township Zoning Ordinance to read:

6. Farm processing Facility Size: A farm processing facility may include a retail space. The total floor area of a Farm Processing Facility (above finished grade) shall equal 250 square feet per acre of land owned or leased for the specific farm operation, but may not exceed 30,000 square feet of total floor area (above finished grade). The facility may consist of more than one building, however all buildings shall be located on the 20-acre minimum parcel that contains the Farm Processing Facility. Retail space may be a separate room in a farm processing facility and shall be the lesser of 1500 square feet in area or 25% of the total floor area of the Farm Processing Facility (above finished grade). Underground facilities used only for processing or packaging of

agricultural produce may be in addition to the permitted square footage of floor area provided it is entirely below pre-existing ground level and has no more than one loading dock exposed; Moved by Wunsch to approve Section 6.7.2.19.b.6 Amendment 197 as presented, Sanger supports. Roll Call. **Passed unam**

2. Budget Amendment request from Fire Department (Gilstorff)

Gilstorff; The Township Board had in a previous meeting approved the purchase of two new trucks for the Fire Department (Chief truck and plow truck). Request that monies in the budget be moved to cover the fees of these new vehicles. Moving money from wages of full and part-time staff, due to Paramedics not starting until three months after the projected date this increased the monies set aside for these positions, which has allowed money in the budget to pay for these vehicles instead of leasing and making monthly payments, thus saving money in the interest fees associated with leasing. Gilstorff, is requesting that eighty thousand dollars be moved from the part-time wages to capital outlay and twenty-five thousand from the full-time wages to be moved to capital outlay as well. The twenty-five thousand dollars will also help to cover the sprinkler system installation cost for Station 2. Gilstorff stated that the Treasurer's office is aware of the budget and he stays on top of the budget and where the monies are distributed, asked for approval of this so that these items may be tracked in the appropriate line item within the budget which would be the capital outlay.

Manigold; Clarifies that this money is already within the budget and that this does not increase monies collected by the Township to move from one-line item to another to cover the expense of the vehicles.

Achorn; States that there are ample funds, so this is not an issue.

Moved by Achorn to move eighty thousand from 709 wages to 970 Capital Outlay, to pay for vehicles ordered, and to move twenty-five thousand from 704 wages to 970 Capital Outlay, Wunsch supports. Roll Call. **Passed unam**

9. Citizen Comments

Nancy R. Heller, 3091 Blue Water Road; Questioned if the public hearing for this amendment was published correctly or if the Board should amend the way it was presented on the agenda. Did not feel that this was clear for people researching these changes.

Monnie Peters, 1425 Neahtawanta Road; Thought it was interesting to see the pages of transcribed minutes. Understands why they were transcribed as she had been following through the fall meetings, but questioned if anyone read all of the pages (200 plus) of minutes contained in the packet. One or two people may have read all of those pages thinks a better use in the future would be within the Stream Spot, which she feels is a much better way to understand the meetings and content of the meetings verses reading the transcriptions of the meetings. Stated that the Stream Spot videos should be archived and memorialized for the future as it is a much easier way to hear and see the meetings.

Manigold; Explains the reasoning behind the transcripts being created due to pending litigation. Township will look at best practices and suggestions from MTA regarding meeting minutes along with direction from Township Attorney Meihn regarding keeping recordings until meeting minutes are approved by the appropriate Boards. We have a new Clerk and conversation has begun on a new format within the minutes.

10. Board Comments:

Manigold; Stated that the next meeting will be in two days and on the 22nd or fourth Tuesday, a joint meeting with the Planning Commission is proposed to be held on the Zoning Ordinance re-write, Master Plan and the Corridor Study.

Wunsch; Clarified that the transcripts would continue until January of 2019.

Manigold; Until January 1, 2019, the minutes that you see from this meeting will be back to the normal minutes.

11. Adjournment

Wunsch moved to adjourn the meeting; Wahl seconded the motion.

Passed unam

Adjournment: 7:35 p.m.