

PENINSULA TOWNSHIP

13235 Center Road, Traverse City MI 49686

Ph: 231.223.7322 Fax: 231.223.7117

www.peninsulatownship.com

PENINSULA TOWNSHIP

PLANNING COMMISSION MEETING AGENDA

TOWNSHIP HALL

February 24, 2020, 7:00 p.m.

1. **Call to Order**: 7:00 p.m. by Hornberger
2. **Pledge**
3. **Roll Call**: present: Dloski, Couture, Shipman, Hornberger, Oosterhouse, Hall; absent: Wunsch
also present: Mielnik, Deeren;
4. **Review for Conflict of Interest**: None
5. **Brief Public Comments**: None
6. **Additions to Agenda/Approval**: Under reports, add d. Zoning Ordinance Update (Mielnik)
7. **Consent Agenda**:
 - a. Approval of Meeting Minutes: Planning Commission Meeting, January 27, 2019
**Moved by Hall to approve consent agenda as presented, seconded by Dloski
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8. **Reports**:
 - a. Zoning Board of Appeals (Couture)
Couture: No meeting was held, therefore no report
 - b. Master Plan Update (Mielnik)
Mielnik: The master plan steering committee has a meeting scheduled a week from today where they will work through several key planning issues for the township. Issues will be discussed using the survey. The meetings will be the first Monday of every month.
 - c. Winery Committee Update (Dloski)
Dloski: The winery committee subcommittee met this afternoon and there were several issues, raised by an agricultural industry representatives, brought forth that need further review. One more meeting is planned. Planning on having a draft ordinance on the agenda for the April planning commission meeting.
 - d. Zoning Ordinance Update:
Mielnik: The zoning ordinance draft is on the township's website and currently the public is invited to submit comments in writing to the township.
9. **Business Items**:
 - a. Public Hearing – Hawthorne Vineyards – Winery Chateau

Hornberger: There is a letter submitted by Al Herceg, 9343 Rolling Ridge Drive, included in the packet (addition #2) pertaining to Hawthorne Vineyards.

Hornberger closes the regular meeting and opens the public hearing

Mielnik: Hawthorne Vineyards gave an introduction during the last meeting; their application is to change from a 139 winery to a winery chateau. This is to take advantage of guest privileges and have less restrictive sourcing requirements offered by the winery chateau status.

Ann Pettyjohn, General Manager, Hawthorne Vineyards: Presents a PowerPoint presentation of the project explaining the switch to a winery chateau. In summary, the vineyard has been operating as a 139 winery since 2012. There are no plans for guest rooms. The change to a winery chateau is to take advantage of guest activities and less restrictive sourcing requirements. Presents site maps showing agricultural areas (dating back to 1996) meeting acreage requirements for a winery chateau including 55.48 acres zoned agriculture (meets 50 acre requirement) with 30.64 acres in estate grapes, 5.52 acres planted in cherries, and finally, 5.62 acres, as a cold air drainage area (41.78 acres in agriculture meets the 75% requirement for a winery chateau). Explains benefit of cold air drainage area. Shows slide showing the approved outdoor MLCC service area of 17.3 acres and future outdoor site for the pavilion which is to be 40'x60' (in the MLCC area) with rain sides and exit lights. Finally, a slide of the parking configuration is shown with a change from thirty-three spaces, currently, to 78 additional overflow, to equal 111 spaces. The fire chief has visited the property and is awaiting input. The planned parking is over forty feet wide to allow for parked cars and fire trucks.

Jennifer Anderson, 9501 Rolling Ridge Drive: Resides by Hawthorne Vineyards. Strongly opposes Hawthorne Vineyards change from a 139 winery to a winery chateau. Presents reasons such as: it against Peninsula Township's master plan and survey, will disrupt the quiet enjoyment of the residences, and will further increase traffic. Also, the music and event noise will impact the quiet enjoyment of the homes. Finally, it is zoned agricultural, not commercial.

Chris Baldyga, 9707 Montague Road: Hawthorne Vineyards property touches his property. The winery is a great neighbor and agricultural entity. Supports the change of Hawthorne Vineyards to a winery chateau.

Jay Berger, 9740 Peninsula Drive: Lives on the west side of the vineyard and opposes the request for Hawthorne Vineyards to be a winery chateau. Traffic from the winery turns around in his driveway and has become a problem.

Marie Dalese, 527 Second Street: Received a letter from Mimi Lemanski, 550 Camino Maria Drive. She reads the letter of support for Hawthorne Vineyards to become a winery chateau and the building of an outdoor pavilion. Also, Dalese stated that the winery will not host weddings, maximum is 111 people, no outdoor amplified music, and all guest use activities will conclude at 9:30 p.m. The property is zoned agriculture and is taxed commercially. The entrance to the winery is marked, but may not be as visible as needed, but complies with the township's ordinance.

Hornberger closes the public hearing and reopens regular meeting.

Mielnik: Poses several concerns about the parking for the winery: the parking calculations do not include the pavilion, would like to see a revision. Also, does the bus parking include spaces for larger buses, is there a turnaround at the end for cars in the overflow parking area, and is there a secondary access for the property?

Pettyjohn: The turnaround area for the buses is shown on an enlarged slide in the PowerPoint presentation; and there is no secondary access.

Discussion of spaces for bus and car turnaround in the parking area.

Mielnik: Requests a change in the site plan to designate the bus space turnaround. Secondly, if the planning commission approves the pavilion in this SUP, when will it be built?

Dalese: This year or next year.

Mielnik: The code limits 111 at an event.

Dalese: We are prepared for 111 guests. The events will be wine education seminars; wine pairing dinners with wines on site within the hours allowed.

Dloski: Why is the MLCC is defined as seventeen acres?

Dalese: Allowed to serve alcohol to people over twenty-one years old. Would like to allow guests to tour the vineyard with a tour guide.

Dloski: Confirms the pavilion will be 40'x60'

Dalese: The current mindset is to build a pavilion of that size. Would like to include it on this SUP.

Dloski: If the dimensions of the pavilion were changed, for example, 100'x200', it is understood that they would have to come back for approval. Has the winery been in touch with the neighbor who is concerned about traffic?

Dalese: Happy to amend the entrance for better visibility, or to provide signs for the issues of trespassing. A wine dinner would be about forty people, with little increase in traffic, as it is not that much different from a busy day at the winery.

Couture: What section of the zoning ordinance are you relying on for the approval of the pavilion?

Dalese: Within our outdoor MLC service area. Currently, guest use is only inside tasting use.

Shipman: To understand traffic, a walk-thru of the site would be helpful.

Hornberger: Confirms that there are no plans, at this point, for a guest rooms for this site.

Hall: Concerned about the hours of operation under the current ordinance, what are the current limits?

Mielnik: 9:30 p.m.

Hall: Is it possible it could be a later time with the re-write?

Dloski: Currently reviewing under the current ordinance, a change could impact surrounding properties. You cannot hold up the application for this change.

Hornberger: We are deciding on the current rules and regulations.

Board discussion of the possible changes in time for wineries in the township.

Couture: Troubled by the pavilion, looking at the ordinance section five, it refers to requirements for guest activity uses, no outdoor food beverages or temporary structures are allowed, by 8-C.

Mielnik: On page 130, there was an amendment, *notwithstanding, the previous section, guest activities can be approved.*

The application meets the conditions for consideration for SUP approval, there will be conditions in the findings of fact and conclusions.

Hornberger: The public hearing has been held, Randy can move forward on the finding of fact and conclusions for the March 16, 2020 meeting.

b. Public Hearing – Special Open Space Use – Mapleton Farms

Hornberger closes regular meeting and opens public hearing.

Mielnik: During the last meeting, the discussion included condition rezoning for this site. In discussion with the township attorney, it was decided that a special use was appropriate for a septic system, for the parcel of 3.7 acres. This parcel will subsequently be added to the Mapleton Farms property.

Doug Mansfield, Mansfield Land Use Consultants, 830 Cottage Drive, Suite 201,

Traverse City: For the Mapleton site, the market and grill have been on individual septic fields for each building. Now, there is a need for a reserve field. The septic field for the grill is by the southwest parking lot and the septic field for the market is to the west. Both fields have been tested by engineers and are operating. There is no place on this property for a reserve septic field. The proposed adjacent property is acceptable for a reserve field, and the owners are asking for a special use permit for the 3.7 acres; and the use would only be for a reserve septic field, and pertinences such as an access road, electrical transmitter and pump.

Hornberger: No public comment

Hornberger closes public hearing and reopens regular meeting.

Dloski: There is no prohibition with attaching the special land use parcel to the commercial parcel?

Mielnik: No, the result will be a property that will be split zoned.

Hall: Confirming it would be one tax ID number.

Deeren: The property would be dual zoning. Poses concern about the driveway across the property, upon construction, for drainage, would you bore under the driveway for the septic area.

Mansfield: The road would be removed.

Hornberger: Randy will work on findings of fact and conclusions for the March meeting.

c. Discussion of PDR Viewshed Map and Agricultural Land Preservation Area Map

Mielnik: Referring to the maps in the packet, the PDR program will likely be up for renewal in the future. Work is underway to update the ordinance for the PDR program. There are two maps: the first is the agricultural land preservation area, and the second is

the viewshed map. In order to be in the PDR program, you need to be in the agricultural land preservation area. Asking the members of the planning commission to study, and review for possible changes to the boundaries. The second map is a viewshed map which describes where the views are in the township, additional points are given if in the viewshed area. Again, asking members to review for potential changes.

Board discussion of key points when reviewing maps for accuracy, as ultimately the planning commission will be asked to approve the maps.

10. **Public Comments:** None

11. **Other Matters or Comments by Planning Commission Members:**

Dloski: Will be absent for the March 16th meeting.

12. **Adjournment:**

Moved by Couture to adjourn, seconded by Dloski

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Adjournment at 8:10 p.m.