

# PENINSULA TOWNSHIP

13235 Center Road, Traverse City MI 49686

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[www.peninsulatownship.com](http://www.peninsulatownship.com)

## PENINSULA TOWNSHIP PLANNING COMMISSION MEETING AGENDA TOWNSHIP HALL

13235 Center Road

Traverse City, MI 49686

June 15, 2020

7:00 p.m.

1. **Call to Order**
2. **Pledge**
3. **Roll Call**
4. **Review for Conflict of Interest**
5. **Brief Public Comments**
6. **Additions to Agenda/Approval**
7. **Consent Agenda**
  - a. Approval of Meeting Minutes: Planning Commission Meeting, February 24, 2020
8. **Reports**
  - a. Zoning Board of Appeals (Couture)
  - b. Winery Committee Update (Dloski)
  - c. Master Plan Update (Mielnik)
9. **Business Items**
  - a. Special Open Space Use – Mapleton Farms, SUP #136
  - b. Hawthorne Vineyards – Winery Chateau, SUP #135
  - c. Bella Vue PUD, SUP#137
  - d. Peninsula Shores (81 on East Bay), PUD Condo. Subdivision, SUP #123 (Amend. #2) - Introduction
  - e. PDR Viewshed Map and Agricultural Land Preservation Area Map
  - f. Zoning Update
10. **Public Comments**
11. **Other Matters or Comments by Planning Commission Members**
12. **Adjournment**

Peninsula township's coronavirus action plan and return to work protocols are included at the end of the meeting packet.

Peninsula Township has several portable hearing devices available for audience members. If you would like to use one, please ask the clerk.

# Minutes

# PENINSULA TOWNSHIP

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**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  
pass unan**
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 16<sup>th</sup> meeting.

12. **Adjournment:**

**Moved by Couture to adjourn, seconded by Dloski**

**pass unan**

Adjournment at 8:10 p.m.

**Mapleton Farms, LLC**  
**SUP # 136**

## **PENINSULA TOWNSHIP BOARD**

Applicant: Mapleton Farms, LLC  
121 E. Front Street  
Traverse City, Michigan 49684

Hearing Date(s): February 24, 2020 - Planning Commission  
TBD – Township Board

## **PROPERTY DESCRIPTION**

Parcel ID#: 28-11-122-020-30

## **GENERAL INTRODUCTION AND BACKGROUND**

Mapleton Farms, LLC proposes to utilize a portion of the subject property for future septic fields to serve the existing commercial development on an adjacent parcel. This adjacent parcel is the site of an existing market and restaurant uses. The subject property would be used solely for the following:

1. The installation and maintenance of septic system(s) and inclusive appurtenances (including parking as may be required to install and maintain such system(s));
2. Installation and maintenance of public and private utilities;
3. Installation and maintenance of vehicular and non-vehicular means of ingress and egress;
4. Paved and non-paved surfaces as allowed by ordinance;
5. Retaining walls, land manipulation and restoration
6. Planting and installation of crops, forests and field maintenance.

Upon approval, the subject property (3.77 acres) will be transferred and joined with the parcel to the east (28-11-112-025-02), which is zoned C-1. This parcel is the site of an existing market and restaurant uses. The 3.77-acre subject property (28-11-122-020-30) is zoned A-1. The future combined parcel will be “split zoned” A-1 to the west and C-1 to the east. The subject property (3.77 acres, 28-11-122-020-30) is illustrated on **EXHIBIT 3**.

Pursuant to sections 6.7.3 (2) and 8.7.3 (3) of the Peninsula Township Zoning Ordinance, a “special open space use” is a special use in the A-1 zoning district.

## SECTION 8.1.3 BASIS FOR DETERMINATIONS

### FINDINGS–SECTION 8.1.3 (1) GENERAL STANDARDS

*General Standards.* The Peninsula Township Board of Trustees shall review each application for the purpose of determining that each proposed use meets the following standards, and, in addition, shall find adequate evidence that each use on the proposed location will:

- a) Be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed. **The character of the area surrounding the project site is generally agricultural in nature, with commercial (market and restaurant) uses located to the east of the subject parcel.**

**The subject parcel is currently vacant with existing open fields and scattered trees. The proposed future septic field uses are harmonious in appearance with the existing and intended character of the general vicinity as the character of the site will not change substantially following the construction of the proposed improvements. The proposed septic fields will result in vacant open space on the subject parcel–no change from the current conditions. See EXHIBIT 4 for an illustration of existing land use conditions from air photos.**

- b) Not be hazardous or disturbing to existing or future uses in the same general vicinity and will be a substantial improvement to property in the immediate vicinity and to the community as a whole.

**The proposed septic field uses on the subject parcel will not be hazardous or disturbing to existing or future uses in the vicinity as very little physical change on the site will be noticeable following construction. The proposed future septic field uses provide a substantial improvement to property in the vicinity and the community as a whole by providing the necessary space for the continued use and improvement of the commercial properties located to the east of the subject parcel in compliance with county health department regulations.**

- c) Be served adequately by essential facilities and services such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, or schools.

**The proposed uses will be served adequately by essential services as the proposed uses do not place any additional burden on adjacent roadways, public emergency services, public utilities, or schools.**

- d) Not create excessive additional requirements at public cost for public facilities and services.

**The proposed uses do not create excessive additional requirements at public cost as all uses are private and do not increase the need for public facilities or services.**

- e) Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by fumes, glare, or odors.

**The proposed uses will not generate fumes, glare, or odors and will not be detrimental to property, persons, or the general welfare.**

## **FINDINGS–SECTION 8.1.3(3) SPECIFIC REQUIREMENTS:**

*Specific Requirements.* In reviewing an impact assessment and site plan, the town board and the planning commission shall consider the following standards:

- (a) That the applicant may legally apply for site plan review. **The applicant owns, and has paid all property taxes on, the subject parcel.**
- (b) That all required information has been provided. **The applicant believes that all required information is provided as part of this application (EXHIBIT 1).**
- (c) That the proposed development conforms to all regulations of the zoning district in which it is located. **The proposed septic system area uses are allowed as a special use within the agricultural zoning district and conform to all relevant regulations within the zoning ordinance.**
- (d) That the plan meets the requirements of Peninsula Township for fire and police protection, water supply, sewage disposal or treatment, storm drainage, and other public facilities and services. **The proposed special use meets the relevant requirements of the township and other local and state permitting agencies.**
- (e) That the plan meets the standards of other governmental agencies, where applicable, and that the approval of these agencies has been obtained or is assured. **The proposed uses, along with plans and relevant information, have been supplied to the necessary governmental agencies for review and approval. Communication with the Grand Traverse County Health Department is provided (EXHIBIT 2). A land use permit will be required for any future retaining walls and/or above-ground septic system appurtenances.**
- (f) That natural resources will be preserved to a maximum feasible extent and that areas to be left undisturbed during construction shall be so located on the site plan and at the site per se. **The natural, open-space character of the subject site will remain, as the proposed uses will result in minimal change to the existing open fields.**
- (g) That the proposed development property respects floodways and floodplains on or in the vicinity of the subject property. **There are no floodways or floodplains in the vicinity of this site.**
- (h) That the soil conditions are suitable for excavation and site preparation and that organic, wet, or other soils that are not suitable for development will either be undisturbed or modified in an acceptable manner. **The existing soils on site are identified as Kalkaska sand, Leelanau-Kalkaska loamy sand, and Richter loams according to the USDA Soil Survey. These soils are suitable for**

**construction activities. Wetlands or other wet soils are not known to be present on this site.**

- (i) That the proposed development will not cause soil erosion or sedimentation problems. **Soil erosion prevention measures standard to the industry are included in this proposed site design. The area of disturbance for the northernmost drain field is around one-quarter acre. Other drain field locations are reserve field locations and would only be utilized in the future should the primary field fail. The maximum disturbance area in total is less than a half-acre and therefore a stormwater and erosion review not required. All disturbed areas will be seeded promptly upon the completion of construction work.**
- (j) That the drainage plan for the proposed development is adequate to handle anticipated stormwater runoff and will not cause undue runoff onto neighboring property or overloading of water courses in the area. **The proposed uses will not cause any increase in storm water runoff on, or adjacent to, the site as the proposed uses do not increase on site impervious surface quantities.**
- (k) That grading or filling will not destroy the character of the property or the surrounding area and will not adversely affect the adjacent or neighboring properties. **The proposed grading is what is required in order construct the proposed septic systems. The proposed grading fits in with the existing character of the landscape and will not impact neighboring properties, as the general character of the site will remain essentially unchanged.**
- (l) That structures, landscaping, landfills, or other land uses will not disrupt air drainage systems necessary for agricultural uses. **Proposed grading as part of this project will not change the general cold air drainage flow of the site.**
- (m) That phases of development are in a logical sequence so that any one phase will not depend upon a subsequent phase for adequate access, public utility service, drainage, or erosion control. **This project is intended to provide primary and reserve septic system areas for the adjacent commercial uses to the east of the site. Septic system components will be permitted and installed as they are needed, and none of the proposed site improvements are reliant upon any other improvement for construction or future use.**
- (n) That the plan provides for the proper expansion of existing facilities such as public streets, drainage systems, and water sewage facilities. **No expansion of public streets, drainage systems, or utility systems is proposed.**
- (o) That landscaping, fences, or walls may be required by the town board and planning commission in pursuance of the objectives of this ordinance. **As the site will remain relatively unchanged due to the proposed uses, it is not anticipated that any landscaping, fencing, or other screening will be required by the township.**
- (p) That parking layout will not adversely affect the flow of traffic within the site or to and from the adjacent streets. **No on-site parking is proposed, as the proposed uses do not require such facilities.**
- (q) That vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks serving the site, shall be safe and convenient. **No public vehicular or pedestrian traffic is proposed on the site,**

**as proposed uses are limited to future septic system areas.**

- (r) That outdoor storage of garbage and refuse is contained, screened from view, and located so as not to be a nuisance to the subject property or neighboring properties. **No outdoor storage of garbage or refuse is proposed as part of this application.**
- (s) That the proposed site is in accord with the spirit and purpose of this ordinance and not inconsistent with, or contrary to, the objectives sought to be accomplished by this ordinance and the principles of sound planning. **The proposed development meets the objectives of the ordinance and the principles of sound planning by maintaining the existing character of the subject parcel while providing necessary infrastructure for the continued use of the existing commercial uses on the adjacent property.**

### **FINDINGS–SECTION 8.7.3 (3) SITE DEVELOPMENT REQUIREMENTS- SPECIAL OPEN SPACE USES**

- (a) The proposed site shall be at least two (2) acres in area. **The site is 3.77 acres and will be combined with the larger parcel to the east.**  
**This standard HAS been met.**
- (b) The proposed site shall have at least one (1) property line abutting a major or secondary thoroughfare. All ingress and egress to the site shall be directly from said thoroughfares. **The site will abut M-37 when combined with the parcel to the east.**  
**This standard WILL BE met with approval condition #5.**
- (c) All buildings and structures shall be set back at least two hundred (200) feet from any property or street line. Whenever the installation abuts upon property within a residential district, this two hundred (200) foot setback shall be landscaped with trees, grass, and structural screens of a type approved by the Township Board to effectively screen the installation from surrounding residential properties. **No buildings and structures are proposed.**  
**This standard HAS been met.**
- (d) No more than twenty-five (25%) percent of the gross site shall be covered by buildings. **No buildings are proposed.**  
**This standard HAS been met.**

### **COMPLIANCE WITH GOVERNMENTAL REGULATIONS:**

The petitioner shall comply with all state, county, township, and other governmental regulations relative to the establishment of the special use for a parcel zoned A-1, which includes meeting the requirements of the Michigan Department of Transportation (MDOT), the Grand Traverse County Drain Commissioner (GTCDC), the Grand Traverse County Road Commission (GTCRC), and the Grand Traverse County Health Department (GTCHD). Zoning compliance is based on the governing special land use document, approved site plan, and articles 6 and 8 of the Peninsula Township Zoning Ordinance.

## APPROVAL CONDITIONS AND SAFEGUARDS:

Pursuant to Section 8.1.3 (2), the board may require such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights, and for ensuring that the intent and objectives of the ordinance will be observed. The breach of any condition, safeguard, or requirement shall automatically invalidate the permit granted. Specific conditions and requirements for a land use permit include:

- 1) Continued compliance with permitting necessary with the Grand Traverse County Health Department **(EXHIBIT 2)**.
- 2) Secure land use permits for any future retaining walls and/or above ground septic system appurtenances.
- 3) All disturbed areas will be seeded promptly upon the completion of construction work.
- 4) In the event that the total wastewater generation reaches 10,000 gallons/day, a Groundwater Discharge Permit would be required to be obtained from the Department of Environment, Great Lakes & Energy (EGLE).
- 5) Combination of the 3.77-acre lot and the parcel to the east occurs within 3 years.

## COMMENCEMENT AND COMPLETION

The commencement and completion of special land uses are governed by Section 8.1.2(5) of the Peninsula Township Zoning Ordinance. Violations of the special land use permit and accompanying site plan are enforceable, and remedies are available under Section 3.2 of the zoning ordinance.

## EFFECTIVE DATE OF SPECIAL LAND USE:

The special land use shall be effective when the application has been approved by the Peninsula Township Board of Trustees, subject to the above conditions. The board approves by a vote of:

AYES	_____
NAYS	_____
ABSTAINING	_____
ABSENT	_____

The undersigned hereby certifies that she is the clerk for the Township of Peninsula, Grand Traverse County, Michigan, and that the foregoing special use permit was approved by the Peninsula Township Board of Trustees on \_\_\_\_\_.

The undersigned further certifies that a quorum was present at said meeting and that said meeting complied with all applicable laws and regulations.

\_\_\_\_\_  
Rebecca Chown, Peninsula Township Clerk

Approved by the Peninsula Township Board on \_\_\_\_\_

---

Rob Manigold, Peninsula Township Supervisor

THIS PERMIT SHALL BE ATTACHED TO THE SITE PLAN AND BECOME A PART THEREOF.

I hereby acknowledge that I have received a true copy of the special land use permit and I have been informed of said requirements of this special land use permit and of the requirements of the Peninsula Township Zoning Ordinance.

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Mapleton Farms, LLC

DRAFT

**Exhibit 1**

**Mapleton Farms Application**

**PENINSULA TOWNSHIP APPLICATION FOR SPECIAL USE PERMIT NO. \_\_\_\_\_**

Parcel Code/s #28-11- 122-020-30 (Portion of parcel)

Property Address: 3177 Bowers harbor Road, Traverse City, MI 49686 (Portion of parcel)

Applicant Address: Mapleton Farms, LLC 121 E. Front Street, Traverse City, MI 49684

Shari A Chouinard  
Applicant's Signature

Review Fee \_\_\_\_\_  
Check No. \_\_\_\_\_ Date \_\_\_\_\_

for Mapleton Farms LLC

APPLICATION REQUIREMENTS

1. Each application is submitted through the Zoning Administrator, and shall be accompanied by a fee as established by the Peninsula Township Board.
2. The applicant will assume direct costs for any additional professional review determined necessary by the Planning Commission or the Township Board, subject to prior review and approval of the applicant.
3. No part of any fee is be refundable and no portion of the fee covers the cost of any individual land use permit that may be issued on any of the building sites located in a Planned Unit Development.
4. Requirements for documents and information filled out in full by the applicant:
  - (a) A statement of supporting evidence showing compliance with the requirements of Section 8.1.3.
  - (b) Site plan, plot plan, development plan, drawn to scale (preferable 1"=50'), of total property involved showing the location of all abutting streets, the location of all existing and proposed structures and their uses, and the location and extent of all above ground development, both existing and proposed.
  - (c) Preliminary plans and specifications of the proposed development.
5. This application, along with all required data shall be submitted to the Zoning Administrator.
  - (a) Upon receipt of a completed application and the required data by the Zoning Administrator, it is transmitted to the Township Planning Commission for review.
  - (b) The Planning Commission may hold a public hearing on the application.
  - (c) Following a study by the Planning Commission it is transmitted to the Township Board for consideration.
  - (d) The Township Board may deny, approve, or approve with conditions, a request for special land use approval.

6. Specific Requirements: In reviewing an impact assessment and site plan, the Town Board and the Planning Commission shall consider the following standards:

**Ordinance Reference - Section 8.1.3**

**Include a statement of HOW the proposed project meets the standards:**

Section 8.1.3 Basis for Determinations: Before making recommendation on a special use permit application, the Town Board shall establish that the following general standards, as well as the specific standards outlined in each section of this Article, shall be satisfied.

- (1) General Standards: The Town Board shall review each application for the purpose of determining that each proposed use meets the following standards, and in addition, shall find adequate evidence that each use on the proposed location will:
  - (a) Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.
  - (b) Not be hazardous or disturbing to existing or future uses in the same general vicinity and will be a substantial improvement to property in the immediate vicinity and to the community as a whole.
  - (c) Be served adequately by essential facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, or schools.
  - (d) Not create excessive additional requirements at public cost for public facilities and services.
  - (e) Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by fumes, glare or odors.
- (2) Conditions and Safeguards: The Town Board may impose such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights, and for insuring that the intent and objectives of this Ordinance will be observed. The breach of any condition, safeguard or requirement shall automatically invalidate the permit granted.
- (3) Specific Requirements: In reviewing an impact assessment and site plan, the Town Board and the Planning Commission shall consider the following standards:
  - (a) That the applicant may legally apply for site plan review.
  - (b) That all required information has been provided.
  - (c) That the proposed development conforms to all regulations of the zoning district in which it is located.

- (d) That the plan meets the requirements of Peninsula Township for fire and police protection, water supply, sewage disposal or treatment, storm drainage and other public facilities and services.
- (e) That the plan meets the standards of other governmental agencies where applicable, and that the approval of these agencies has been obtained or is assured.
- (f) That natural resources will be preserved to a maximum feasible extent, and that areas to be left undisturbed during construction shall be so located on the site plan and at the site per se.
- (g) That the proposed development property respects floodways and flood plains on or in the vicinity of the subject property.
- (h) That the soil conditions are suitable for excavation and site preparation, and that organic, wet or other soils which are not suitable for development will either be undisturbed or modified in an acceptable manner.
- (i) That the proposed development will not cause soil erosion or sedimentation problems.
- (j) That the drainage plan for the proposed development is adequate to handle anticipated stormwater runoff, and will not cause undue runoff onto neighboring property or overloading of water courses in the area.
- (k) That grading or filling will not destroy the character of the property or the surrounding area, and will not adversely affect the adjacent or neighboring properties.
- (l) That structures, landscaping, landfills or other land uses will not disrupt air drainage systems necessary for agricultural uses.
- (m) That phases of development are in a logical sequence, so that any one phase will not depend upon a subsequent phase for adequate access, public utility service, drainage or erosion control.
- (n) That the plan provides for the proper expansion of existing facilities such as public streets, drainage systems and water sewage facilities.
- (o) That landscaping, fences or walls may be required by the Town Board and Planning Commission in pursuance of the objectives of this Ordinance.
- (p) That parking layout will not adversely affect the flow of traffic within the site, or to and from the adjacent streets.
- (q) That vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks serving the site, shall be safe and convenient.

- (r) That outdoor storage of garbage and refuse is contained, screened from view and located so as not to be a nuisance to the subject property or neighboring properties.
  - (s) That the proposed site is in accord with the spirit and purpose of this Ordinance and not inconsistent with, or contrary to, the objectives sought to be accomplished by this Ordinance and the principles of sound planning.
7. A public hearing on a special land use request is held by the Township Board if:
- a. A public hearing is requested by the Township Board, the applicant for special land use authorization, a property owner, or the occupant of a structure located within three hundred (300) feet of the boundary of the property being considered for a special land use.
  - b. The decision on the special land use request is based on discretionary grounds.
8. Complies with Section 7.7 Developments Abutting Agricultural Lands.

Page 4 of 4

Mapleton Farms, LLC  
Proposed Reserve Septic System Area  
Special Use Permit Application

Submitted to

**Peninsula Township**

as

**a Special Open Space Use in the  
Agricultural Zoning District**

February 3, 2020

**Mansfield**  
  
Land Use Consultants

830 Cottageview Drive  
Traverse City, MI 49684  
p 231.946.9310  
f 231.946.8926  
i [www.maaeps.com](http://www.maaeps.com)

February 3, 2020

Peninsula Township Planning Commission  
c/o Randy Mielnik, Director of Planning and Zoning  
13235 Center Road  
Traverse City, MI 49686

Dear Planning Commissioners,

Mansfield Land Use Consultants is pleased to present the following submission for site plan review of a proposed special open space use in the agricultural zoning district.

It is proposed that a portion of the subject property (see attached information) be utilized for future septic fields that serve the existing commercial development on the parcel adjacent to the east side of the subject parcel which is home to existing market and restaurant uses. The SUP application proposes that the portion of subject property in question be used solely for: the installation and maintenance of septic system(s) and inclusive appurtenances; installation and maintenance of public and private utilities, Installation and maintenance of vehicular and non-vehicular, ingress/egress and parking (paved and unpaved as allowed), retaining walls, land manipulation and restoration, as well as crop, forest and field maintenance. Should the SUP be approved, the portion of the subject property where the proposed uses lie will be transferred to the parcel to the east (PID: 28-11-112-025-00).

The subject property lies adjacent to the west of the property at 14111 Center Road with the PID of 28-11-122-025-00, which is better known as the Mapleton Market property. This property is also owned by the applicant. The existing site conditions (soils, topography, etc.) on the Mapleton Market property prevent the construction of septic drain fields for the continued use of the existing market and restaurant uses. The most logical and practical resolution to this situation is to locate future primary and reserve drain fields for these uses on the adjacent property (the subject property) owned by the applicant.

Preliminary site investigations and designs for the primary and reserve drain fields was used to determine the necessary size of the proposed area to be rezoned. The proposed request ensures that future use of the subject property will only involve the construction, maintenance, access to, and use of septic systems, leaving the property as open space and complying with the intent and goals of the Township Master Plan's Rural Agriculture future land use designation that encompasses the subject property.

We look forward to the opportunity to present this project to you. Please feel free to contact us with any comments or questions.

Sincerely,



Dusty Christensen, LLA  
Mansfield Land Use Consultants

## **SPECIAL USE PERMIT NARRATIVE**

The following is the special use permit basis for determination language from the Township Zoning Ordinance (shown in bold text) and statements related to the proposed use's compliance with relevant standards (shown in italic text).

### **SECTION 8.1.3 BASIS FOR DETERMINATIONS:**

**Before making recommendation on a special use permit application, the Town Board shall establish that the following general standards, as well as the specific standards outlined in each section of this Article, shall be satisfied.**

**(1) General Standards: The Town Board shall review each application for the purpose of determining that each proposed use meets the following standards, and in addition, shall find adequate evidence that each use on the proposed location will:**

**(a) Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.**

*The character of the area surrounding the project site is generally agricultural in nature, with commercial (market and restaurant) uses located to the east of the subject parcel..*

*The subject parcel is currently vacant with existing open fields and scattered trees. The proposed future septic field uses are harmonious in appearance with the existing and intended character of the general vicinity as the character of the site will not change substantially following the construction of the proposed improvements. The proposed septic fields will result in vacant open space on the subject parcel – no change from the current conditions.*

**(b) Not be hazardous or disturbing to existing or future uses in the same general vicinity and will be a substantial improvement to property in the immediate vicinity and to the community as a whole.**

*The proposed septic field uses on the subject parcel will not be hazardous or disturbing to existing or future uses in the vicinity as very little physical change on the site will be noticeable following construction. The proposed future septic field uses provide a substantial improvement to property in the vicinity and community as a whole by providing the necessary space for the continued use and improvement of the commercial properties located to the east of the subject parcel in compliance with County Health Department regulations.*

**(c) Be served adequately by essential facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, or schools.**

*The proposed uses will be served adequately by essential services as the proposed uses do not place any additional burden on adjacent roadways, public emergency services, public utilities, or schools.*

**(d) Not create excessive additional requirements at public cost for public facilities and services.**

*The proposed uses do not create excessive additional requirements at public cost as all uses are private and do not increase the need for public facilities or services.*

**(e) Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by fumes, glare or odors.**

*The proposed uses will not generate fumes, glare or odor and will not be detrimental to property, persons or the general welfare.*

**(2) Conditions and Safeguards: The Town Board may impose such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights, and for insuring that the intent and objectives of this Ordinance will be observed. The breach of any condition, safeguard or requirement shall automatically invalidate the permit granted.**

**(3) Specific Requirements: In reviewing an impact assessment and site plan, the Town Board and the Planning Commission shall consider the following standards:**

**(a) That the applicant may legally apply for site plan review.**

*The applicant owns, and has paid all property taxes on, the subject parcel.*

**(b) That all required information has been provided.**

*The applicant believes that all required information is provided as part of this application.*

**(c) That the proposed development conforms to all regulations of the zoning district in which it is located.**

*The proposed septic system area uses are allowed as a special use within the Agricultural zoning district and conform to all relevant regulations within the Zoning Ordinance.*

**(d) That the plan meets the requirements of Peninsula Township for fire and police protection, water supply, sewage disposal or treatment, storm drainage and other public facilities and services.**

*The proposed special use meets the relevant requirements of the Township and other local and state permitting agencies.*

**(e) That the plan meets the standards of other governmental agencies where applicable, and that the approval of these agencies has been obtained or is assured.**

*The proposed uses, along with plans and relevant information, have been supplied to the necessary governmental agencies for review and approval. Proposed improvements will be permitted by the relevant agencies prior to issuance of any land use permit and construction.*

**(f) That natural resources will be preserved to a maximum feasible extent, and that areas to be left undisturbed during construction shall be so located on the site plan and**

**at the site per se.**

*The natural, open space character of the subject site will remain, as the proposed uses will result in little change to the aesthetic of the parcel, which is currently open fields.*

**(g) That the proposed development property respects flood ways and flood plains on or in the vicinity of the subject property.**

*There are no flood ways or flood plains in the vicinity of this site.*

**(h) That the soil conditions are suitable for excavation and site preparation, and that organic, wet or other soils which are not suitable for development will either be undisturbed or modified in an acceptable manner.**

*A USDA soils map has been provided as part of this submittal package.*

*The project site consists of soils suitable for septic system construction and use.*

**(i) That the proposed development will not cause soil erosion or sedimentation problems.**

*Soil erosion prevention measures standard to the industry are included in this proposed site design. All disturbed areas will be seeded promptly upon the completion of construction work.*

*The County Soil Erosion Control Office will review and permit the site plans for compliance with the applicable erosion control standards prior to construction.*

**(j) That the drainage plan for the proposed development is adequate to handle anticipated stormwater runoff, and will not cause undue runoff onto neighboring property or overloading of water courses in the area.**

*The proposed uses will not cause any increase in storm water runoff on, or adjacent to, the site as the proposed uses do not increase on site impervious surface quantities.*

**(k) That grading or filling will not destroy the character of the property or the surrounding area, and will not adversely affect the adjacent or neighboring properties.**

*The proposed grading is what is required in order construct the proposed septic systems.*

*The proposed grading fits in with the existing character of the landscape and will not impact neighboring properties, as the general character of the site will remain essentially unchanged.*

**(l) That structures, landscaping, landfills or other land uses will not disrupt air drainage systems necessary for agricultural uses.**

*Proposed grading as part of this project will not change the general cold air drainage flow of the site.*

**(m) That phases of development are in a logical sequence, so that any one phase will not depend upon a subsequent phase for adequate access, public utility service, drainage or erosion control.**

*This project is intended to provide primary and reserve septic system areas for the adjacent*

*commercial uses to the east of the site. Septic system components will be permitted and installed as they are needed and none of the proposed site improvements are reliant upon any other improvement for construction or future use.*

**(n) That the plan provides for the proper expansion of existing facilities such as public streets, drainage systems and water sewage facilities.**

*No expansion of public streets, drainage systems, or utility systems is proposed.*

**(o) That landscaping, fences or walls may be required by the Town Board and Planning Commission in pursuance of the objectives of this Ordinance.**

*As the site will remain relatively unchanged due to the proposed uses, it is not anticipated that any landscaping, fencing, or other screening will be required by the Township.*

**(p) That parking layout will not adversely affect the flow of traffic within the site, or to and from the adjacent streets.**

*No on-site parking is proposed, as the proposed uses do not require such facilities.*

**(q) That vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks serving the site, shall be safe and convenient.**

*No public vehicular or pedestrian traffic is proposed on the site, as proposed uses are limited to future septic system areas.*

**(r) That outdoor storage of garbage and refuse is contained, screened from view and located so as not to be a nuisance to the subject property or neighboring properties.**

*No outdoor storage of garbage or refuse is proposed as part of this application.*

**(s) That the proposed site is in accord with the spirit and purpose of this Ordinance and not inconsistent with, or contrary to, the objectives sought to be accomplished by this Ordinance and the principles of sound planning.**

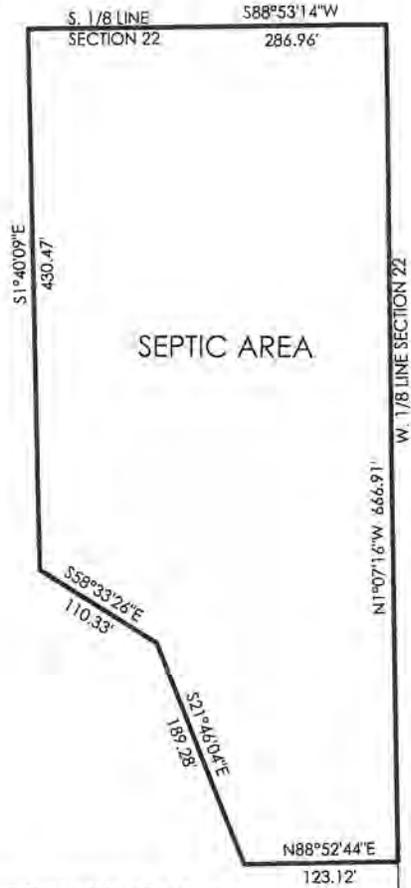
*The proposed development meets the objectives of the Ordinance and the principles of sound planning by maintaining the existing character of the subject parcel while providing necessary infrastructure for the continued use of the existing commercial uses on the adjacent property.*





# Exhibit 3

# Survey Sketch



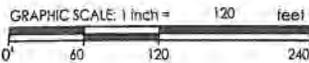
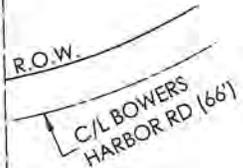
**SEPTIC AREA**

PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 22, TOWN 29 NORTH, RANGE 10 WEST, PENINSULA TOWNSHIP, GRAND TRAVERSE COUNTY MICHIGAN, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 22; THENCE N88° 43' 23"E, 1331.61 FEET ALONG THE SOUTH LINE OF SECTION 22 TO THE WEST EIGHTH LINE OF SAID SECTION 22; THENCE ALONG SAID WEST EIGHTH LINE, N01° 07' 16"W, 662.30 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID EIGHTH LINE N01° 07' 16"W, 666.91 FEET TO A POINT ON THE SOUTH EIGHTH LINE OF SAID SECTION; THENCE ALONG SAID EIGHTH LINE S88° 53' 14"W, 286.96 FEET; THENCE S01° 40' 09"E, 430.47 FEET; THENCE S58° 33' 26"E, 110.33 FEET; THENCE S21° 46' 04"E, 189.28; THENCE N88° 52' 44"E, 123.12 FEET TO THE POINT OF BEGINNING.

S1°07'16"E 1329.21'

N1°07'16"W 662.30'



SW CORNER

**Exhibit 2**  
**GT Health Department**

## Dusty Christensen

---

**From:** Michael Kolbusz <mkolbusz@gtchd.org>  
**Sent:** Thursday, February 13, 2020 9:25 AM  
**To:** Dusty Christensen  
**Cc:** Brent Wheat  
**Subject:** Mapleton Farms LLC Conceptional Review

Mr. Christensen,  
Brent Wheat asked that I review the plan submitted for the above future development concerning the wastewater plan for the property.

Soils test logs vary from loamy sands to sandy clay loam layers in proposed drainfield areas that can be utilized for the systems. Soil removal and replacement with clean sands would be required in some areas. Conceptually the sizing(area) proposed is satisfactory for the existing uses and potential future commercial use as presented in the submittal. In the event that the total wastewater generation reaches 10000 gallons/day, a Groundwater Discharge Permit would be required to be obtained from the Environment, Great Lakes & Energy(EGLE).

Currently the market and restaurant are supplied with a Type II water well. Increased water use would require additional capacity to be expanded in this system.

Permitting would have to be secured from this office prior to any construction. Exact sizing of field areas would have to be addressed at that time. Also, a permit for soil erosion may be required for this property.

--

Mike Kolbusz, R.S.  
Environmental Health Coordinator  
231-995-6024

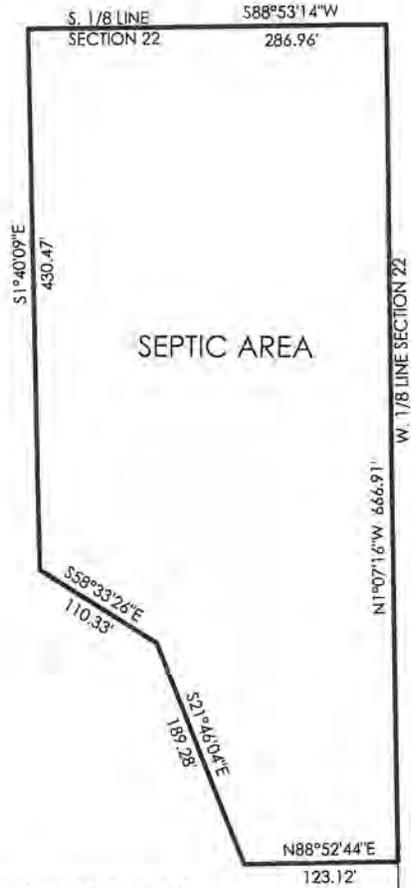
CONFIDENTIALITY NOTICE: This message including any attachments is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged and/or confidential. If you are not the intended recipient, you are hereby notified that you have received this document in error and that any unauthorized review, use, disclosure, distribution, or the taking of any action based on the contents of this information is strictly prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy any and all copies of the original message. Thank you.

**Exhibit 3**

**3.77 Acre Subject Parcel**

# Exhibit 3

# Survey Sketch



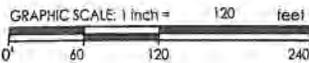
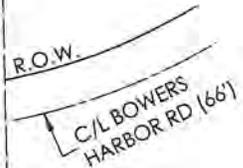
**SEPTIC AREA**

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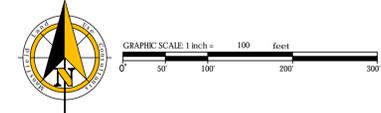
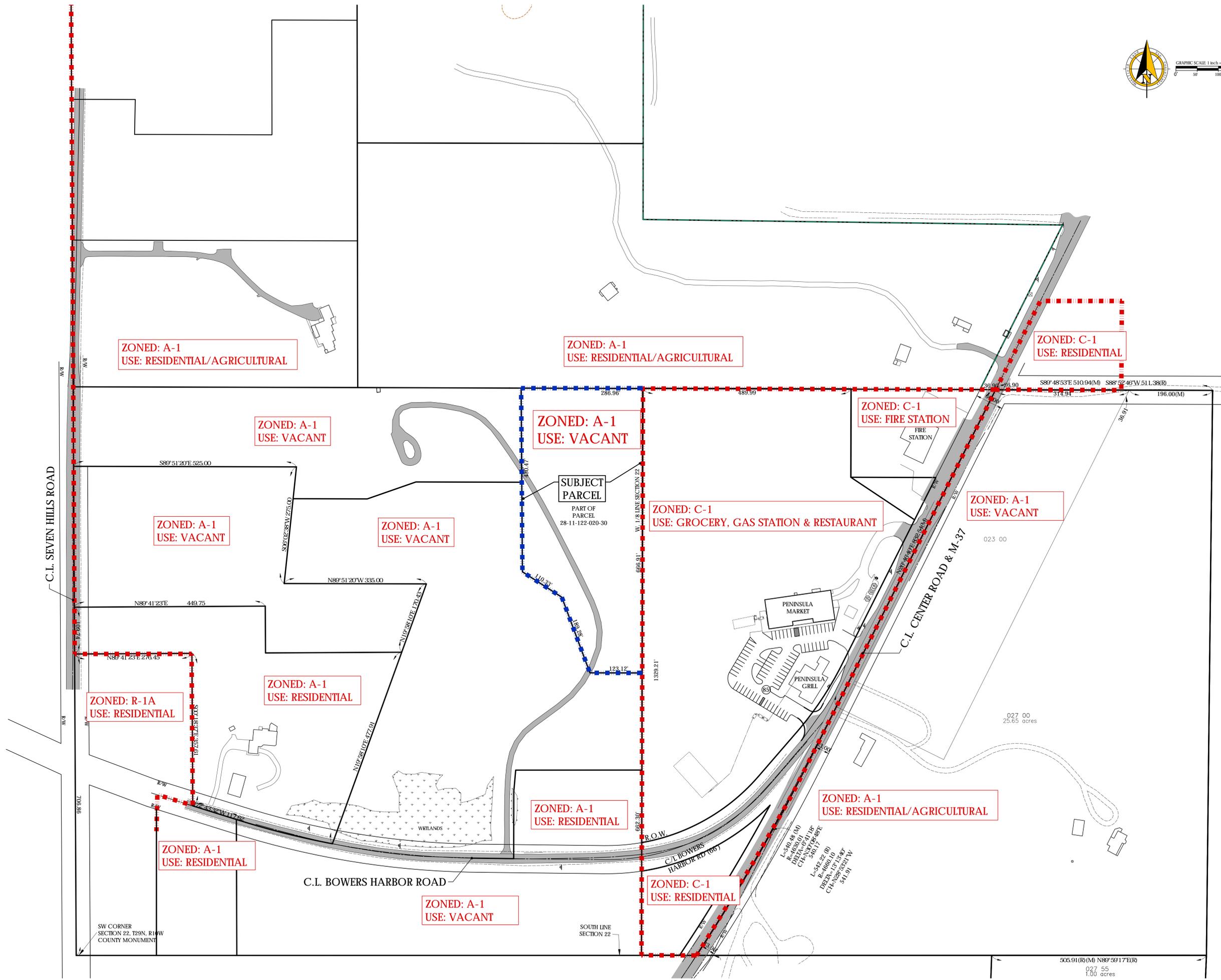
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SW CORNER



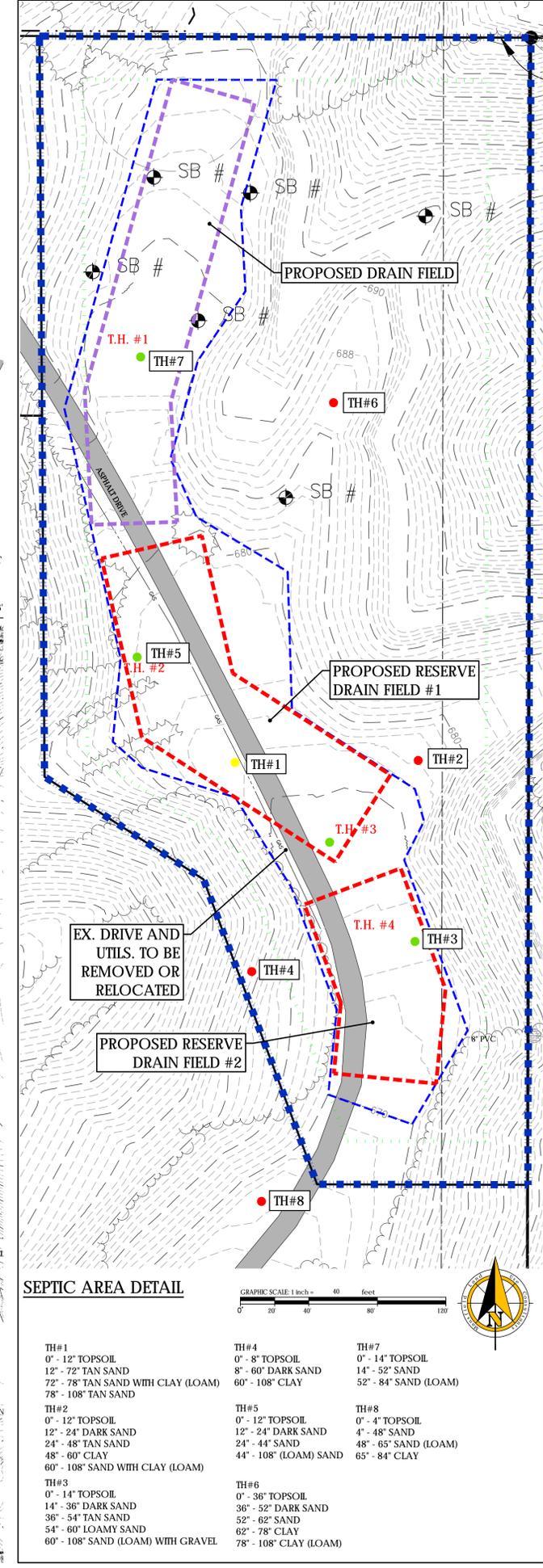
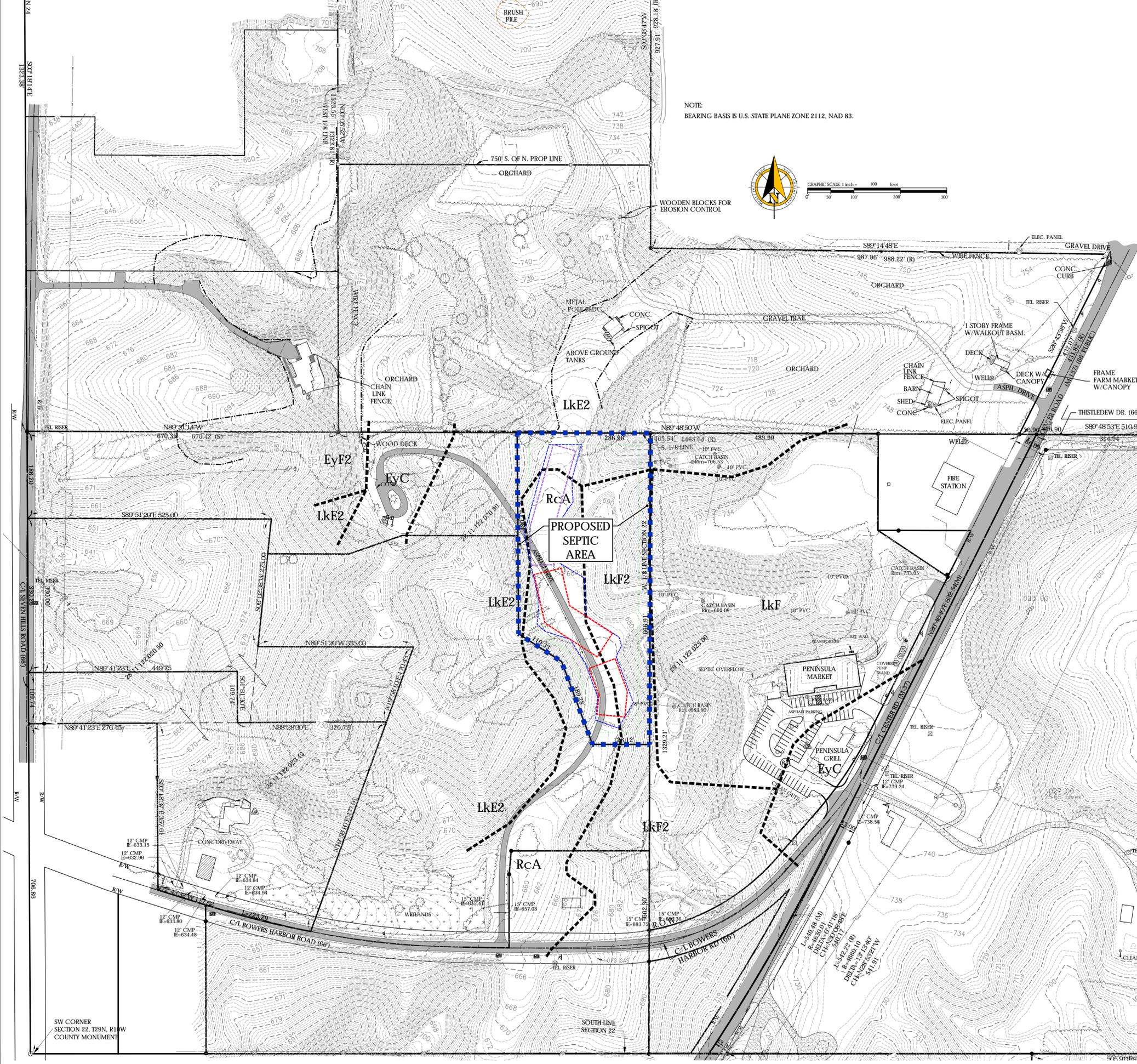
830 Cottageview Dr., Ste. 201  
 P.O. Box 4015  
 Traverse City, MI 49685  
 Phone: 231-946-9310  
 www.maeaps.com  
 info@maeaps.com

# Mansfield

Land Use Consultants

REV	DATE	BY	CHK	DESCRIPTION
01	15.04.15	jch	mm	Initial
02	16.02.28	jch	mm	Additional 1.5 acres area to S.E.C. Plan Submittal
03	19.06.27	jch	mm	Septic System
04	19.10.16	jch	mm	Reopening Exhibits
05	20.02.03	jch	mm	Reopening Exhibits

Mapleton Farms, LLC  
**Septic Area Site Plan**  
**EXISTING CONDITIONS AND ZONING**  
 Section 22, Town 29 North, Range 10 West  
 Peninsula Twp., Grand Traverse County, Michigan



830 Cottageview Dr., Ste. 201  
P.O. Box 4015  
Traverse City, MI 49685  
Phone: 231-946-9310  
www.maepps.com  
inf@maepps.com

# Mansfield

Land Use Consultants

REV	DATE	BY	CHK	DESCRIPTION
01	12/11/15	jeh	dm	S.E.C. Plan Submitted
02	12/22/15	jeh	dm	Additional 1.5 acres area to S.E.C. Plan Submitted
03	12/22/15	jeh	dm	Septic System
04	12/22/15	jeh	dm	Revised Exhibits
05	12/22/15	jeh	dm	Revised Exhibits

Mapleton Farms, LLC  
Septic Area Site Plan  
SEPTIC AREA SITE PLAN  
Section 22, Town 29 North, Range 10 West  
Peninsula Twp., Grand Traverse County, Michigan

PRELIMINARY

DATE: jeh, cad, cbeand, 19.06.27

JOB NO: 14127

SHEET 2 OF 2

# **Exhibit 4**

# **Area Site Conditions**



M-37

Bowers Harbor Rd



M-37

Bowers Harbor Rd



**M-37**

**Bowers Harbor Rd**



**Bowers Harbor Rd**

**M-37**

# **Hawthorn Vineyards**

## **SUP # 135**

Peninsula Township Planning & Zoning Department  
13235 Center Road  
Traverse City, MI 49686

SPECIAL USE PERMIT (SUP)  
FINDINGS OF FACT AND CONCLUSIONS  
**SUP #135 \_ Hawthorne Vineyards**  
**June 15, 2020**

---

### **PENINSULA TOWNSHIP BOARD**

Applicant: Montague Development, LLC  
1000 Camino Maria Dr.  
Traverse City, Michigan 49686

Hearing Date(s): February 24, 2020 - Planning Commission  
\_\_\_\_\_ Township Board

### **PROPERTY DESCRIPTION**

Parcel ID#: 28-11-018-006-01, 28-11-018-008-00, 28-11-017-036-00

### **INTRODUCTION AND BACKGROUND**

Hawthorne Vineyards is currently approved as a Farm Processing Facility (also often referred to as a "139" or use by right winery) in accordance with the Peninsula Township Zoning Ordinance. Approval is sought as a winery-chateau given the size of the existing facility. A winery-chateau is a special use. There are no planned guest houses or single-family residences proposed as part of this application. Hawthorne seeks to upgrade to a Winery Chateau to take advantage of event privileges and less restrictive sourcing requirements. Construction of a 40' x 60' outdoor pavilion for guest use activities is proposed as part of the plans to become a winery-chateau, but construction is not anticipated for two years from the date of SUP approval. A copy of the original written application is provided in **EXHIBIT 1**. The proposed site plan is provided proposed in **EXHIBIT 2**.

WHEREAS, an application for a SUP has been filed by Montague Development, LLC to create SUP #135 permitting a winery-chateau to be established upon three existing parcels of land in Peninsula Township (28-11-018-006-01, 28-11-018-008-00, 28-11-017-036-00).

WHEREAS, after due notice as required by law, the Peninsula Township Planning Commission held a public hearing and recommended approval to the Peninsula Township Board on \_\_\_\_\_, 2020.

THEREFORE, BE IT RESOLVED, after consideration of the request, the following findings and statement of conclusions specifying the basis for decision and conditions imposed and the special land use document outlining standards of development and approval conditions were adopted by the Peninsula Township Board on \_\_\_\_\_,2020.

## PERMITTED ACTIVITY

The petitioner is hereby permitted to make the following physical improvements, vehicular circulation changes, signage changes, and engage in the following activities as depicted on a site plan (1.1) prepared by Northview 22 dated XXXX.

- 1) **Physical Improvements**
  - Construct one open-sided permanent pavilion (approximately 40 x 60) that includes side rain protection and lighting. **EXHIBIT 1.**
- 2) **Vehicular Parking and Circulation**
  - Add overflow parking (approximately 62 spaces) and vehicular circulation as shown on Drawing C1.1
- 3) **Activities & Events**
  - Wine tasting, limited to tasting room and the outdoor service area from the MLCC covers (17.3 acres of the property). **EXHIBIT 3**
  - Retail sale of non-food items that promote the winery or Peninsula agriculture.
  - Guest activities and events (proportionate to growing or purchasing Old Mission grapes per Zoning Ordinance Section 8.7.2 (10), up to a maximum of 111 per Section 8.7.2 (10))

All activities are located upon parcels (28-11-018-006-01, 28-11-018-008-00, 28-11-017-036-00).

## SECTION 8.1.3 BASIS FOR DETERMINATIONS

### FINDINGS - SECTION 8.1.3 (1) GENERAL STANDARDS

*General Standards.* The Peninsula Township Board of Trustees shall review each application for the purpose of determining that each proposed use meets the following standards, and, in addition, shall find adequate evidence that each use on the proposed location will:

- a) Be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and so that such a use will not change the essential character of the area in which it is proposed. **Hawthorne Vineyards has been open since 2012, with a vineyard planted since 1996 (nearly 25 years). It is currently designated as a 139 winery within the township. The physical setting of Hawthorne Vineyards would not change significantly with the change to a winery-chateau.**
- b) Not be hazardous or disturbing to existing or future uses in the same general vicinity and will be a

substantial improvement to property in the immediate vicinity and to the community as a whole. **The proposed use will not dramatically differ from current operations, which have been successful and have not impacted neighbors. Parking, lighting, and noise will comply with the Peninsula Township ordinances. The parcels have significant acreage to buffer adjacent properties from the use.**

- c) Be served adequately by essential facilities and services such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, or schools. **The primary entrance to the property is from Peninsula Dr. to the west. Access also exists from Montague Rd. on the east. Plans have been reviewed by the Peninsula Township Fire Chief, and comments are provided in EXHIBIT 4. These comments indicate the need for subsequent compliance steps and are conditions for approval. Plans have also been provided to the Grand Traverse County Sherriff's department, and there are no know issues related to drainage, refuse disposal, or water and sewage facilities. No direct impacts to local schools are expected.**
- d) Not create excessive additional requirements at public cost for public facilities and services. **The board finds that there will be virtually no additional requirements at public cost for public facilities and services. This existing facility/site is not proposing any additions that are expected to incur public costs related to public facilities/services.**
- e) Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by fumes, glare, or odors. **Existing operations at Hawthorne Vineyards have not been known to contribute fumes, glare, or odors detrimental to area residents. The proposed change to a winery-chateau is not expected to add activities, processes, materials, and equipment or conditions of operation that will represent a material change such that they would represent conditions detrimental to area residents.**

### **FINDINGS - SECTION 8.1.3(3) SPECIFIC REQUIREMENTS:**

*Specific Requirements.* In reviewing an impact assessment and site plan, the town board and the planning commission shall consider the following standards:

- (a) That the applicant may legally apply for site plan review. **The applicant has provided ownership documentation. The board finds that the applicant may legally apply for the site plan review.**
- (b) That all required information has been provided. **The board finds that the applicant has provided all required information to review the proposed SUP. This includes all written materials and drawings provided (EXHIBITS 1 AND 2).**
- (c) That the proposed development conforms to all regulations of the zoning district in which it is located. **The proposed building and site conform to all regulations, including minimum lot size, structure height, setbacks, and lot coverage for the A-1 zoning district. A small portion of the site is zoned R-1A.**

- (d) That the plan meets the requirements of Peninsula Township for fire and police protection, water supply, sewage disposal or treatment, storm drainage, and other public facilities and services. **Hawthorne Vineyards has been and will continue to comply with all fire department regulations. Water and sewer are private and have been approved by the health department, with the winery wastewater system being monitored by EGLE. There are no current building plans to affect soil erosion and storm water management at this time. The pavilion setbacks meet the 150 feet from the road fire requirements.**
- (e) That the plan meets the standards of other governmental agencies, where applicable, and that the approval of these agencies has been obtained or is assured. **The board finds the following circumstances with respect to other approvals necessary from other governmental agencies:**
- o Grand Traverse County Road Commission/MDOT – No permit required for existing driveway(s)
  - o Grand Traverse County Drain Commissioner – N/A
  - o Grand Traverse County Health Department for private systems – N/A (EXHIBIT 1, PAGE 20,21)
  - o State and federal agencies for wetlands, public sewer, and water – N/A (EXHIBIT 1, PAGE 19,20)
- (f) That natural resources will be preserved to a maximum feasible extent and that areas to be left undisturbed during construction shall be so located on the site plan and at the site per se. **The existing/proposed uses will not disrupt the natural resources.**
- (g) That the proposed development property respects floodways and floodplains on or in the vicinity of the subject property. **The board finds that the proposed plan amendments do not impact floodways and floodplains.**
- (h) That the soil conditions are suitable for excavation and site preparation and that organic, wet, or other soils that are not suitable for development will either be undisturbed or modified in an acceptable manner. **There are no wetlands on the site, and the only proposed construction involves the pavilion.**
- (i) That the proposed development will not cause soil erosion or sedimentation problems. **The proposed construction area of the pavilion limits is small and will not require a permit from Grand Traverse County Soil Erosion and Sedimentation Control.**
- (j) That the drainage plan for the proposed development is adequate to handle anticipated stormwater runoff and will not cause undue runoff onto neighboring property or overloading of water courses in the area. **Stormwater runoff generated from this project will be minimal and will only be associated with the new pavilion.**
- (k) That grading or filling will not destroy the character of the property or the surrounding area and will not adversely affect the adjacent or neighboring properties. **Proposed site grading is limited to that which will be necessary to build the new pavilion.**
- (l) That structures, landscaping, landfills, or other land uses will not disrupt air drainage systems necessary for agricultural uses. **The board finds that the proposed plan amendments will not**

**disrupt air drainage systems necessary for agricultural uses.**

- (m) That phases of development are in a logical sequence so that any one phase will not depend upon a subsequent phase for adequate access, public utility service, drainage, or erosion control. **The board finds that the elements of the proposed project do not include phasing.**
- (n) That the plan provides for the proper expansion of existing facilities such as public streets, drainage systems, and water sewage facilities. **The board finds that the proposed plan will not materially change plans to expand existing facilities such as public streets, drainage systems, and water sewage facilities. No public utilities requiring expansion, now or in the future, are necessary.**
- (o) That landscaping, fences, or walls may be required by the town board and planning commission in pursuance of the objectives of this ordinance. **The board finds that the proposed plan will not change fences or walls. The site is well vegetated with vineyards, cherries, trees, and landscaping.**
- (p) That parking layout will not adversely affect the flow of traffic within the site or to and from the adjacent streets. **The board finds that the parking provided is appropriate in amount, flow on site, and access from adjacent roads. All parking is contained far from public roads on the site as indicated on the site plan. The overflow parking that is aligned in a north/south direction dead-ends at the north property line.**
- (q) That vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks serving the site, shall be safe and convenient. **Vehicular traffic, including shuttle bus routes, and pedestrian flows are laid out to safely allow maneuvering of all. One-way routes are designated and marked to allow for dropping off customers and then moving on to designated parking areas. "No parking" signs will be installed to ensure that guests do not park in the driveway but instead park in overflow lots.**
- (r) That outdoor storage of garbage and refuse is contained, screened from view, and located so as not to be a nuisance to the subject property or neighboring properties. **Outdoor storage will be located in designated trash receptacles that are not visible to surrounding neighbors.**
- (s) That the proposed site is in accordance with the spirit and purpose of this ordinance and not inconsistent with, or contrary to, the objectives sought to be accomplished by this ordinance and the principles of sound planning. **The board finds that the proposed plan amendments are in accord with the spirit and purpose of this ordinance.**

### **SECTION 8.7.3 (10) WINERY-CHATEAU REGULATIONS:**

The board finds that under Section 8.7.3 (10), the presented site plan and special use permit request meets the conditions associated with said provision as explained within the following:

- (a) It is the intent of this section to permit construction and use of a winery, guest rooms, and single-family residences as part of a single site subject to the provisions of this ordinance. The developed site must

maintain the agricultural environment, be harmonious with the character of the surrounding land and uses, and shall not create undue traffic congestion, noise, or other conflict with the surrounding properties.

**Hawthorne Vineyards has been open as a winery since 2012 and continues to be harmonious with the character of the surrounding land and uses. The facility is located high on a ridge, out of sight from any public road. There are no guest rooms or residences planned at this time.**

**This standard HAS been met.**

- (b) The use shall be subject to all requirements of Article VII, Section 8.5, Food Processing Plants in A-1 Districts, and the contents of this subsection.

**This standard HAS been met.**

- (c) The minimum site shall be fifty (50) acres, which shall be planned and developed as an integrated whole. All of the principal and accessory uses shall be set forth on the approved site plan.

**The site is 55.48 acres in three adjacent parcels.**

**This standard HAS been met.**

- (d) The principal use permitted upon the site shall be winery, guest rooms, manager's residence, and single-family residences shall be allowed as support uses on the same property as the winery. In addition to the principal and support uses, accessory uses for each such use shall be permitted provided that all such accessory uses shall be no greater in extent than those reasonably necessary to serve the principal use.

**The primary use on the property is the existing winery production facility and tasting room, including activities that take place in a winery tasting room. There are no planned guest room or additional residences.**

**This standard HAS been met.**

- (e) For purposes of computation, the principal and each support use identified in sub-section (d) above shall be assigned and "area equivalent" as set forth herein. The total "area equivalent" assigned to the principal uses shall not exceed the actual area of the site.
- (f) "Area equivalents" shall be calculated as follows:

Winery with tasting room: five (5) acres.

Manager's residence: five (5) acres;

Single-family residences: five (5)

Guest rooms: N/A

Area equivalents provided:

Use	Required	Provided
Winery	5 Ac	50.48 Ac
Managers Residence	5 Ac	5 Ac
Single Family Residences	N/A	
Quest Rooms	N/A	
Total	10 Ac	55.48

**This standard HAS been met.**

- (g) The number of single-family residences shall not exceed six (6). The manager's residence shall not contain or be used for rental guest rooms. The number of guest rooms shall not exceed twelve (12).

**There is a manager's residence currently located on the lower level of the winery building.**

**This standard HAS been met.**

- (h) Not less than seventy-five percent (75%) of the site shall be used for the active production of crops that can be used for wine production, such as fruit growing on vines or trees.

**Hawthorne Vineyards meets this requirement with 75.3% of the parcels planted to grapes, cherries, and a small amount of cold air drainage, broken down as follows:**

Area	Total Ac.
Estate Grapes	30.64
Cold Air Drainage Area	5.62
Cherries	5.52
	41.78 (75.3% of 55.48 Ac)

Documentation with respect to cold air drainage areas is found in [EXHIBIT 5](#).

**This standard HAS been met.**

- (i) The facility shall have at least two hundred (200) feet of frontage on a state or county road.

**There are 850 feet of frontage on Montague Rd.**

**This standard HAS been met.**

- (j) The winery-chateau shall be the principal building on the site and shall have an on-site resident manager.

**The winery building is the principal building on the site and the general manager, Ann Pettyjohn, occupies the on-site resident manager apartment on the lower level of the building.**

**This standard HAS been met.**

- (k) All guest rooms shall have floor areas greater than two hundred fifty (250) square feet. Maximum occupancy shall be limited to five (5) persons per unit. No time sharing shall be permitted.

**No guest rooms are proposed at this time.**

**This standard HAS been met.**

- (l) All lighting shall conform to the requirements of Section 7.14.

**This standard will be met with Approval Conditions and Safeguards (page 15).**

- (m) Accessory uses such as facilities, meeting rooms, and food and beverage services shall be for registered guests only. These uses shall be located on the same site as the principal use to which they are accessory and are included on the approved site plan. Facilities for accessory uses shall not be greater in size or number than those reasonably required for the use of registered guests.

**The board finds that the application does not include facilities for registered guests or accessory uses.**

**This standard HAS been met.**

- (n) Proof of evaluation of the well and septic system by the Grand Traverse County Health Department and conformance to that agency's requirements shall be supplied by the owner.

The board finds evidence of steps to comply with the Grand Traverse County Health Department **(EXHIBIT 1, PAGE 21).**

**This standard HAS been met.**

- (o) All transient lodging facilities shall conform to the Michigan State Construction Code section regulating fire safety. An onsite water supply shall be available and meet the uniform published standards of the Peninsula Township Fire Department. A floor plan drawn to an architectural scale of not less than 1/8" = 1 foot shall be on file with the fire department. Each operator of a transient lodging facility shall keep a guest registry that shall be available for inspection by the zoning administrator at reasonable times and police and fire officials at any time. Master keys for all rooms shall be available at all times.

**No transient lodging is planned.**

**This standard HAS been met.**

- (p) In the event that the township board determines that noise generation may be disturbing to the neighbors or that the establishment is in an area where trespass onto adjacent properties is likely to occur, then the township board may require that fencing or a planting buffer be constructed and maintained.

**The winery building is surrounded by acres of vineyard and woods, acting as the buffer to neighboring homes. No additional buffering appears to be necessary.**

**This standard HAS been met.**

- (q) Rental of snowmobiles, ATVs or similar vehicles, boats, and other marine equipment in conjunction

with the operation of the establishment shall be prohibited.

**No rental of snowmobiles, ATVs or similar vehicles, boats, and other marine equipment is proposed.**

**This standard HAS been met.**

- (r) Activities made available to registered guests shall be on the site used for the facility or on lands under the direct control of the operator either by ownership or lease. Outdoor activities shall be permitted if conducted at such hours, and in such manner, as to not be disruptive to neighboring properties.

**No guest rooms (with registered guests) are proposed.**

**This standard HAS been met.**

- (s) Signs shall be in accordance with Section 7.11, which governs signs in the A-1 agricultural district.

**No new signs are proposed.**

**This standard HAS been met.**

- (t) A two hundred-foot (200') setback shall be maintained between guest accommodations and facilities and agricultural crops unless it is demonstrated that a lesser setback can be maintained that will provide for an equal level of protection from agricultural activities to residents, visitors, and guests of the winery-chateau. Upon such demonstration, the township board may permit a lesser setback.

**No guest rooms (with registered guests) are proposed.**

**This standard HAS been met.**

- (u) The township board may approve guest activity uses (activities by persons who may or may not be registered guests) as an additional support use, subject to the following: The winery-chateau section of the ordinance requires seventy-five percent (75%) of the site to be used for the active production of crops that can be used for wine production such as fruit growing on vines or trees. It does not require that any of the wine produced on the site be made from wine fruit grown on Old Mission Peninsula. However, the maximum number of participants at guest activities is related to wine fruit production on Old Mission Peninsula if guest activity uses are allowed to take place at a winery-chateau facility.

**Hawthorne Vineyards provided documentation that it has purchased 141 tons of purchased from other OMP farms in 2018. The maximum number of guests at events is 111.**

**This standard will be met with Approval Conditions and Safeguards (page 15).**

## **COMPLIANCE WITH GOVERNMENTAL REGULATIONS:**

The petitioner shall comply with all state, county, township, and other governmental regulations relative to the establishment of the special use for a parcel zoned R-1C, which includes meeting the requirements of the Michigan Department of Transportation (MDOT), the Grand Traverse County Drain Commissioner (GTCDC), the Grand Traverse County Road Commission (GTCRC), and the Grand Traverse County Health Department

(GTCHD). Zoning compliance is based on the governing special land use document, approved site plan, and Articles 6 and 8 of the Peninsula Township Zoning Ordinance.

### **APPROVAL CONDITIONS AND SAFEGUARDS:**

Pursuant to Section 8.1.3 (2), the board may require such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights, and for ensuring that the intent and objectives of the ordinance will be observed. The breach of any condition, safeguard, or requirement shall automatically invalidate the permit granted. Specific conditions and requirements for a land use permit include:

- 1) All future lighting associated with the proposed pavilion shall conform to the requirements of Section 7.14.
- 2) Compliance with requirements articulated by the Peninsula Township Fire Chief in a letter dated 2-25-20 (**EXHIBIT 4**).
- 3) Required overflow parking provided as shown on the site plan (approximately 62 spaces).
- 4) Application for a land use permit to construct the pavilion received within three years.

### **COMMENCEMENT AND COMPLETION**

The commencement and completion of special land uses are governed by Section 8.1.2(5) of the Peninsula Township Zoning Ordinance. Violations of the special land use permit and accompanying site plan are enforceable, and remedies are available under Section 3.2 of the zoning ordinance.

### **EFFECTIVE DATE OF SPECIAL LAND USE:**

The special land use shall be effective when the application has been approved by the Peninsula Township Board of Trustees, subject to the above conditions. The board approves by a vote of:

AYES	_____
NAYS	_____
ABSTAINING	_____
ABSENT	_____

The undersigned hereby certifies that she is the clerk for the Township of Peninsula, Grand Traverse County, Michigan, and that the foregoing special use permit was approved by the Peninsula Township Board of Trustees on \_\_\_\_\_.

The undersigned further certifies that a quorum was present at said meeting and that said meeting complied with all applicable laws and regulations.

\_\_\_\_\_  
Rebecca Chown, Peninsula Township Clerk

Approved by the Peninsula Township Board on \_\_\_\_\_

---

Rob Manigold, Peninsula Township Supervisor

THIS PERMIT SHALL BE ATTACHED TO THE SITE PLAN AND BECOME A PART THEREOF.

I hereby acknowledge that I have received a true copy of the special land use permit and that I have been informed of said requirements of this special land use permit and of the requirements of the Peninsula Township Zoning Ordinance.

---

Montague Development, LLC

DRAFT

# **Exhibit 1**

# **Application**

**Owners/Applicant:**

Montague Development, LLC  
1000 Camino Maria Dr.  
Traverse City, MI 49686

231-929-4206

ann@hawthornevineyards.com

Planning Consultant:

Sarah Keever  
Northview 22, LLC  
PO Box 3342  
Traverse City, MI 49685  
sarah@northview22.com

**Introduction:**

Hawthorne Vineyards is currently approved as a 139 winery on Old Mission. We are seeking approval as a winery-chateau given the fact we meet the current regulations for this upgrade. There is no planned guest house or single-family residences as part of this application. Hawthorne seeks upgrading from a 139 winery to take advantage of event privileges and less restrictive sourcing requirements. The only item of possible construction is a 40x60 outdoor pavilion for guest use activities. There is no schedule for construction at this time. The Fire Chief has been at the property to meet with us and review these plans. He awaits your input before writing a letter of recommendation, but sees no issues with the current plans.

**Proposed Land Use:**

*Winery-Chateau: Hawthorne Vineyards*

**Parcel Acreages: 100% owned by Montague Development, LLC**

Parcel Acreages in Ag. District:

28-11-018-006-01	43.00 acres
28-11-018-008-00	9.67 acres
28-11-017-036-00	2.81 acres
<b>Total</b>	<b>55.48 acres</b>

**Zoning:**

*A-1, Agricultural*

**Parking:**

Tasting Room (1 per 150 sf)	1840	square feet	12.3	spaces
Guests / Pavilion (max) (multiply by .4)	111	people	44.4	spaces
Staff (max)	8	people	8.0	spaces

Total  
 64.7 spaces Required  
 111 spaces Provided

**Use Area Equivalentents:**

	<b>Required</b>	<b>Provided</b>
<b>Winery</b>	<b>5 acres</b>	<b>50.48 acres</b>
<b>Manager's Residence</b>	<b>5 acres</b>	<b>5 acres</b>
<b>Single Family Residence (1)</b>	<i>n/a</i>	
<b>Guest Rooms</b>	<i>n/a</i>	
<b>Total</b>		<b>55.48</b>

**Capacity for Guest Activity Use per Ordinance – not to exceed 111 guests**  
 Based on Peninsula Township grapes

2018 Harvest  
 (Tons of grapes harvested)

	OC	Hawthorne	Pontes	Pen. Vnyrd	Jaroh	Ochs	Lardie	D Johnson	W Johson	Rigan	St.Joseph	Manigold
Riesling	17.970	9.087	3.1	4.51	2	8.87	4.96	1.244	5.11		2.690	10.130
Chard	15.580	6.710								1.88		3.88
P Noir	20.27	8.360	5.980	1.170			2.440	0.152		1.710		
P Gris/Grigio	5.41	6.530			4.2		3.870			2.370		
Gew	1.890	1.130	1.500				6.120	1.707				3.750
Gamay		4.110									1.670	
Merlot	5.46	3.750								1.170		
Cab Franc	1.480	3.680								1.570		
P Blanc		9.430								1.380		
Lemberg		1.290										
Meunier	0.630	1.260										
GM318-57	3.940					8.31						5.120
Auxerrois										5.51		
Other	0.040									0.770	0.530	17.350
<b>Total</b>	<b>72.85</b>	<b>55.32</b>	<b>10.58</b>	<b>5.68</b>	<b>6.20</b>	<b>17.18</b>	<b>17.39</b>	<b>3.10</b>	<b>5.11</b>	<b>16.16</b>	<b>4.89</b>	<b>40.03</b>

Total OMP tons other than HV Estate 141.883  
 Divided by 1.25 tons/person 114

**Crop Calculations**

Area	Acres	Block Name
A1	0.29	ESTATE GRAPES
A2	1.40	CHERRIES
A3	3.84	ESTATE GRAPES
A4	7.60	ESTATE GRAPES
A5	5.14	ESTATE GRAPES
A6	4.22	CHERRIES
A7	11.53	ESTATE GRAPES
A8	1.71	ESTATE GRAPES
A9	0.53	ESTATE GRAPES
A10	2.57	COLD AIR DRAINAGE
A11	2.45	COLD AIR DRAINAGE
A12	0.50	COLD AIR DRAINAGE
<b>Total</b>	<b>41.77</b>	<b>75.3%</b>

**Section 8.1 General Standards and Requirements**

- a. Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.

Hawthorne Vineyards has been open since 2012, with a vineyard planted since 1996. They are currently designated as a 139 winery within the township. The use meets the essential character of the area in which it is located. The proposed pavilion will continue in character with the current winery building.

- b. Not be hazardous or disturbing to existing or future uses in the same general vicinity and will be a substantial improvement to property in the immediate vicinity and to the community as a whole.

The proposed use will not dramatically differ from current operations which have been successful and not impacted neighbors. Parking, lighting and noise will comply with the Peninsula Township ordinances. The parcels have significant acreage to buffer adjacent properties from the use.

- c. Be served adequately by essential facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, or schools.

The site contains two entryways to both public roads, Peninsula Dr and Montague Rd, providing ample access and currently approved county/fire/facilities use. Additional overflow parking is over 40 feet wide, allowing both parked cars and fire trucks to access the lot.

- d. Not create excessive additional requirements at public cost for public facilities and services.

This existing facility/site is not proposing any additions that will incur public cost to public facilities/services.

- e. Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by fumes, glare or odors.

Hawthorne Vineyards use, processing, or activities do not contribute any fumes, glare or odors and are regulated by Township ordinance and the Right to Farm act.

- a. \_\_\_\_\_ That the applicant may legally apply for site plan review.

Applicant has already provided ownership deeds for this property to the township for the 139 application.

- b. \_\_\_\_\_ That all required information has been provided.  
**Site plans and exhibits have been included to show necessary information.**
- c. \_\_\_\_\_ That the proposed development conforms to all regulations of the zoning district in which it is located.  
**The site meets all applicable setbacks, parking, lot coverage and size requirements, as shown on the attached site plans.**
- d. \_\_\_\_\_ That the plan meets the requirements of Peninsula Township for fire and police protection, water supply, sewage disposal or treatment, storm drainage and other public facilities and services.  
**Hawthorne Vineyards has been and will continue to comply with all fire department regulations. Water and sewer are private and have been approved by the health department with the winery wastewater system being monitored by EGLE. There are no current building plans to affect soil erosion and storm water management at this time. Pavilion set-backs meet the 150 ft from road fire requirements.**
- e. \_\_\_\_\_ That the plan meets the standards of other governmental agencies where applicable, and that the approval of these agencies has been obtained or is assured.  
\_\_\_\_\_ Grand Traverse County Road Commission  
\_\_\_\_\_ Grand Traverse County Drain Commissioner  
\_\_\_\_\_ County DPW standards for sewer and water if public.  
\_\_\_\_\_ Grand Traverse County Health Department for private systems  
\_\_\_\_\_ State and Federal Agencies for wetlands, public sewer and water.  
**Hawthorne Vineyards will apply for all applicable permits at the time of any expansion. The applicant is in compliance with the Michigan Liquor Control Commission for the outdoor service area outlined on the site plan.**
- f. \_\_\_\_\_ That natural resources will be preserved to a maximum feasible extent, and that areas to be left undisturbed during construction shall be so located on the site plan and at the site per se.  
**The existing/proposed uses will not disrupt the natural resources.**
- g. \_\_\_\_\_ That the proposed development property respects floodways and flood plains on or in the vicinity of the subject property.  
**There are no flood plains on subject parcels.**
- h. \_\_\_\_\_ That the soil conditions are suitable for excavation and site preparation, and that organic, wet or other soils which are not suitable for development will either be undisturbed or modified in an acceptable manner.  
**There are no areas considered wetlands, there are no current plans to expand the existing building. Soil conditions are found to be suitable for excavation should future plans require.**
- i. \_\_\_\_\_ That the proposed development will not cause soil erosion or sedimentation problems.

At the time of construction for future additions/building, a soil erosion permit will be applied for confirmation.

- j. \_\_\_\_\_ That the drainage plan for the proposed development is adequate to handle anticipated stormwater runoff and will not cause undue runoff onto neighboring property or overloading of water courses in the area.  
All stormwater is maintained and managed onsite.
- k. \_\_\_\_\_ That grading or filling will not destroy the character of the property or the surrounding area, and will not adversely affect the adjacent or neighboring properties.  
There is no proposed grading that will affect the parcel or surrounding areas.
- l. \_\_\_\_\_ That structures, landscaping, landfills or other land uses will not disrupt air drainage systems necessary for agricultural uses.  
Air drainage is not impeded by existing usage of the site or proposed pavilion.
- m. \_\_\_\_\_ That phases of development are in a logical sequence, so that any one phase will not depend upon a subsequent phase for adequate access, public utility service, drainage or erosion control.  
Hawthorne Vineyards currently operates as a winery and tasting room with the necessary infrastructure to support it.
- n. \_\_\_\_\_ That the plan provides for the proper expansion of existing facilities such as public streets, drainage systems and water sewage facilities.  
No additional services or facilities are needed or anticipated on or off site to accommodate the use.
- o. \_\_\_\_\_ That landscaping, fences or walls may be required by the Town Board and Planning Commission in pursuance of the objectives of this Ordinance.  
The site is well vegetated with vineyards, cherries, trees and landscaping.
- p. \_\_\_\_\_ That parking layout will not adversely affect the flow of traffic within the site, or to and from the adjacent streets.  
All parking is contained far from public roads on our property as indicated on the site plan.
- q. \_\_\_\_\_ That vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks serving the site, shall be safe and convenient.  
Vehicular traffic, including shuttle bus routes, and pedestrian flows are laid out to safely allow maneuvering of all. One-way routes are designated and marked to allow for drop-off of customers and then move on to designated parking areas. No parking along road signs are installed to ensure guests do not park in the driveway, but in overflow lots.
- r. \_\_\_\_\_ That outdoor storage of garbage and refuse is contained, screened from view and located so as not to be a nuisance to the subject property or neighboring properties.  
Outdoor storage will be located in designated trash receptacles. They are not visible by surrounding neighbors.

- s. \_\_\_\_\_ That the proposed site is in accord with the spirit and purpose of this Ordinance and not inconsistent with, or contrary to, the objectives sought to be accomplished by this Ordinance and the principles of sound planning.

Hawthorne Vineyards has been an agricultural site for over 30 years and has over that time been expanded to allowable agricultural uses similar to those found in this district. The site is regulated by the Federal TTB and State MLCC as well as MDARD for food service. The operation has met those regulations with no violations. The site plan and use is consistent with the rules of the ordinance.

**Section 8.7 Miscellaneous Special Uses:**

(10) Winery-Chateau

- a. It is the intent of this section to permit construction and use of a winery, guest rooms, and single family residences as a part of a single site subject to the provisions of this ordinance. The developed site must maintain the agricultural environment, be harmonious with the character of the surrounding land and uses, and shall not create undue traffic congestion, noise, or other conflict with the surrounding properties.

Hawthorne Vineyards has been open as a 139 winery since 2012, with every aspect of this agricultural property supporting the ag environment. The facility is located high on a ridge, out of sight from any public road. There are no guest rooms or residences planned at this time.

- b. The use shall be subject to all requirements of Article VIII, Section 8.5, Food Processing Plants in A-1 Districts and the contents of this subsection. Data specified in Section 8.5.2, Required Information, shall be submitted as a basis for judging the suitability of the proposed plan. Each of the principal uses shall be subject to the terms and conditions of this ordinance except as specifically set forth herein.

- c. The minimum site shall be fifty (50) acres which shall be planned and developed as an integrated whole. All of the principal and accessory uses shall be set forth on the approved site plan.

55.48 acres over three adjacent parcels meets this requirement.

- d. The principal use permitted upon the site shall be a winery. Guest rooms, manager's residence, and single family residences shall be allowed as support uses on the same property as the winery.

- i. In addition to the principal and support uses, accessory uses for each such use shall be permitted provided, that all such accessory uses shall be no greater in extent than those reasonably necessary to serve the principal use.

The primary use on the property is the existing winery production facility and tasting room, including activities that take place in a winery tasting room. There is no currently planned guest room or additional residences.

- ii. Sales of wine by the glass in the tasting room is allowed pursuant to the

minimum requirements of the Michigan Liquor Control Commission rules and related Michigan Department of Agriculture permits regarding the sales of food for on-premises consumption. The Liquor Control Commission and the Michigan Department of Agriculture shall control licenses and compliance. **(REVISED BY AMENDMENT 181)**

e. For purposes of computation, the principal and each support use identified in sub-section (d) above shall be assigned an "area equivalent" as set forth herein. The total "area equivalent" assigned to the principal uses shall not exceed the actual area of the site.

f. "Area equivalents" shall be calculated as follows:

- Winery: five (5) acres or the actual area to be occupied by the winery including parking, whichever is greater;
- Manager's Residence: five (5) acres;
- Single Family Residences: five (5) acres;
- Guest Rooms: five (5) acres for each 3 rooms, not to exceed a total of twelve (12) guest rooms.

**Use Area Equivalents:**

	<b>Required</b>	<b>Provided</b>
<b>Winery</b>	<b>5 acres</b>	<b>50.48 acres</b>
<b>Manager's Residence</b>	<b>5 acres</b>	<b>5 acres</b>
<b>Single Family Residence (1)</b>	<b>n/a</b>	
<b>Guest Rooms</b>	<b>n/a</b>	
<b>Total</b>		<b>55.48</b>

g. The number of single family residences shall not exceed six (6). The manager's residence shall not contain or be used for rental guest rooms. The number of guest rooms shall not exceed twelve (12).

**There is a manager's residence currently located on the lower level of the winery building.**

h. Not less than seventy-five (75%) percent of the site shall be used for the active production of crops that can be used for wine production, such as fruit growing on vines or trees.

**Hawthorne Vineyards meets this requirement with 75.3% of the parcels planted to grapes, cherries and minimal cold air drainage.**

i. The facility shall have at least two hundred (200) feet of frontage on a state or county road.

**850 feet of frontage are on Montague Rd.**

j. The winery-chateau shall be the principal building on the site and shall have an on-site resident manager.

The winery building is the principal building on the site and the General Manager, Ann Pettyjohn, occupies the on-site resident manager apartment on the lower level of the building.

- k. All guest rooms shall have floor areas greater than two hundred fifty (250) square feet. Maximum occupancy shall be limited to five (5) persons per unit. No time sharing shall be permitted.

No guest rooms are proposed at this time.

- l. All lighting shall conform to the requirements of Section 7.14. **(REVISED BY AMENDMENT 175B)**

Lighting conforms to section 7.14

- m. Accessory uses such as facilities, meeting rooms, and food and beverage services shall be for registered guests only. These uses shall be located on the same site as the principal use to which they are accessory and are included on the approved Site Plan. Facilities for accessory uses shall not be greater in size or number than those reasonably required for the use of registered guests.

Hawthorne Vineyards will comply with this requirement.

- n. Well and septic system: Proof of evaluation of the well and septic system by the Health Department and conformance to that agency's requirements shall be supplied by the owner.

Well and septic permits have been provided for this facility at the time of it's opening. Copies attached.

- o. Fire safety:

- i. All transient lodging facilities shall conform to the Michigan State Construction Code section regulating fire safety.
- ii. An on-site water supply shall be available and meet the uniform published standards of the Peninsula Township Fire Department. A floor plan drawn to an architectural scale of not less than 1/8" = 1 foot shall be on file with the Fire Department.
- iii. Each operator of a transient lodging facility shall keep a guest registry which shall be available for inspection by the Zoning Administrator and police and fire officials at any time.
- iv. Master keys for all rooms shall be available at all times.

No transient lodging currently planned.

- p. Fencing or Planting Buffer: In the event that the Township Board determines that noise generation may be disturbing to neighbors or that the establishment is in an area where trespass onto adjacent properties is likely to occur, then the Township Board may require that fencing or a planting buffer be constructed and maintained.

The winery building is surrounded by acres of vineyard and woods, acting as the buffer to neighboring homes. If additional buffering is required, Hawthorne Vineyards will meet those requirements.

- q. Rental of Recreation Equipment: Rental of snowmobiles, ATVs or similar vehicles, boats and other marine equipment in conjunction with the operation of the establishment shall be prohibited.

Hawthorne Vineyards will comply.

- r. Activities and Outdoor Gatherings: Activities made available to registered guests shall be on the site used for the facility or on lands under the direct control of the operator either by ownership or lease. Outdoor activities shall be permitted if conducted at such hours and in such manner as to not be disruptive to neighboring properties.

Hawthorne Vineyards will comply. There are no neighbor complaints to date after operating since 2012.

- s. Signs as allowed by Section 7.11.

Hawthorne Vineyards will comply with section 7.11.

- t. A two hundred (200) foot setback shall be maintained between guest accommodations and facilities and agricultural crops, unless it is demonstrated that a lesser setback can be maintained which will provide for an equal level of protection from agricultural activities to residents, visitors and guests of the winery-chateau. Upon such demonstration, the Township Board may permit a lesser setback.

Guest accommodations are not a use proposed at this time.

- u. Guest Activity Uses. The Township Board may approve Guest Activity Uses (Activities by persons who may or may not be registered guests) as an additional Support Use, subject to the following: **(ADDED BY AMENDMENT 141)**

- 1. Intent

- a. The current Winery-Chateau section of the ordinance requires 75% of the site to be used for the active production of crops that can be used for wine production such as fruit growing on vines or trees, but does not require that any of the wine produced on the site be made from wine fruit grown on Old Mission Peninsula. To assure that, in addition to the minimum parcel size required for a Winery-Chateau, there is additional farm land in wine fruit production in Peninsula Township if Guest Activity Uses are allowed to take place at a Winery-Chateau facility.

Hawthorne Vineyards currently has 36 acres in grapes and cherries, with 141 tons purchased from other OMP farms in 2018. There are 1,840 sf of tasting room/event space to reach the max of 111 guests (actual number is 122, which exceeds what is allowed by ordinance).

- b. Guest Activity Uses are intended to help in the promotion of Peninsula agriculture by: a) identifying "Peninsula Produced" food or beverage for consumption by the attendees; b) providing "Peninsula Agriculture" promotional brochures, maps and awards; and/or c) including tours through the winery and/or other Peninsula agriculture locations.

Guest use activities will comply with the promotion of peninsula agriculture.

Guest use activities will comply with the below rules as they pertain to the

**Federal and State regulations also imposed upon the winery.**

- c. Guest Activity Uses are limited to (2) below.
- d. Guest Activity Uses do not include wine tasting and such related promotional activities as political rallies, winery tours and free entertainment (Example - "Jazz at Sunset") which are limited to the tasting room and for which no fee or donation of any kind is received.
- e. Guest Activity Uses are in addition to accessory uses for registered guests that are otherwise allowed.
- f. Overnight stays at the Winery-Chateau are not required for these Guest Activity Uses.
- g. Fees may be charged for these Guest Activity Uses.

2. Uses Allowed Notwithstanding Section 8.7.3 (10) (m); The following Guest Activity Uses may be approved with a Special Use Permit by the Township Board:

- a. Wine and food seminars and cooking classes that are scheduled at least thirty days in advance with notice provided to the Zoning Administrator. Attendees may consume food prepared in the class.

- b. Meetings of 501- (C)(3) non-profit groups within Grand Traverse County. These activities are not intended to be or resemble a bar or restaurant use and therefore full course meals are not allowed, however light lunch or buffet may be served.

- c. Meetings of Agricultural Related Groups that have a direct relationship to agricultural production, provided that:

- i. The meetings are scheduled at least one month in advance with the Zoning Administrator given adequate advance notice of the scheduling so that the Zoning Administrator can give prior approval;
- ii. The Zoning Administrator shall use the following types of Agricultural Related Groups as a guide for determining "direct relationship to agricultural production";
- iii. Food/wine educational demonstrations;
  - 1. Cooking show showcasing Peninsula produce and wine;
  - 2. Farmer's conferences;
  - 3. Regional farm producers;
  - 4. Cherry Marketing Institute and Wine Industry Conference
  - 5. Farm Bureau Conference

6. Future Farmers of America and 4-H;
  7. Michigan State University/agricultural industry seminars.
  - iv. These meetings may include full course meals to demonstrate connections between wine and other foods.
  - v. An appeal of the Zoning Administrators determination can be made to the Township Board.
- d. Guest Activity Uses do not include entertainment, weddings, wedding receptions, family reunions or sale of wine by the glass.
  - e. No food service other than as allowed above or as allowed for wine tasting may be provided by the Winery-Chateau. If wine is served, it shall only be served with food and shall be limited to Old Mission Peninsula appellation wine produced at the Winery, except as allowed by Section 6. below.
3. Relation to Agricultural Production in Peninsula Township. In order to offer Guest Activity Uses, the owner of the Winery-Chateau shall, in addition to the agricultural production on the minimum acreage required for the Winery-Chateau, grow in Peninsula Township or purchase grapes grown in Peninsula Township for the previous growing season equal to 1.25 tons of grapes for each person allowed to participate in Guest Activity Uses up to the maximum number approved by the Township Board in a Special Use Permit. If the amount of grapes cannot be documented by the Zoning Administrator, the numbers of persons allowed to participate in Guest Activity Uses shall be reduced proportionally.

Documentation of current and proposed Hawthorne grapes have been provided in this application. The areas used to determine the number of attendees for guest use activities are defined on the attached site plan. Hawthorne meets the requirements to host the maximum 111 guests. Parking is outlined on the site plan and meets the requirements.

4. The number of persons allowed to participate in Guest Activity Uses shall be determined as follows:
- a. The Township Board as part of the Special Use Permit approval process shall determine the room(s) provided and a maximum number of attendees for Guest Activity Uses.
    - i. The maximum number of attendees shall not exceed one attendee for each fifteen (15) square feet of the room or rooms provided for Guest Activity Uses. These rooms shall exclude guest

rooms, rest rooms, hallways, stairways, entries, spaces used in the normal operation of wine making and storage, out of doors areas and any other spaces not usual for guest assembly. In no case will the number exceed one hundred-eleven (111) or the Fire Marshall maximum occupancy, whichever is less.

- ii. The maximum number of attendees may be less than, but not more than, the maximum number described in (i) above at the discretion of the Township Board based on possible adverse impacts on adjacent properties, lack of parking spaces or other site specific conditions.
- iii. A building floor plan showing spaces for all approved uses including the maximum capacity of each shall be attached to the site plan.

5. Requirements for Guest Activity Uses

- a. All Guest Activity Uses shall include Agricultural Production Promotion as part of the activity as follows:
  - b. Identify "Peninsula Produced" food or beverage that is consumed by the attendees;
  - c. Provide "Peninsula Agriculture" promotional materials;
  - d. Include tours through the winery and/or other Peninsula agricultural locations.
  - e. Hours of operation for Guest Activity Uses shall be as determined by the Town Board, but no later than 9:30 PM daily.
  - f. No alcoholic beverages, except those produced on the site, are allowed with Guest Activity Uses.
  - g. Sales of wine by the glass or sales of bottles of wine for ON PREMISES consumption are NOT ALLOWED except as provided in Section 2 (e) above.
  - h. No outdoor food, beverages or temporary structures are allowed except as allowed by 8 (c) below.
  - i. No sounds related to the guest activity shall be

discernable at the property lines.

- j. No amplified instrumental music is allowed, however amplified voice and recorded background music is allowed, provided the amplification level is no greater than normal conversation at the edge of the area designated within the building for guest purposes.
- k. No outdoor displays of merchandise, equipment or signs are allowed.
- l. Kitchen facilities may be used for on-site food service related to Guest Activity Uses but not for off site catering.
- m. No lighting, except the minimum required for safety and sign lighting as allowed by the ordinance.
- n. The Township Board may consider seasonal weighting of the frequency and/or a maximum number of Guest Activity Uses during the year.

**For 5 (a-n): All appropriate federal, state and local laws/regulations/ordinances will be followed as well as wine industry standard practices.**

- 6. If crop conditions or natural disaster result in a shortage of locally-grown fruit for a particular year; the Township Board may reduce the requirement for the amount of grapes for that particular year, provided that verification of such conditions are presented to the Township Board by a public organization representing the fruit growers of northwest Michigan that is duly recognized by the Township Board.
- 7. Documentation The owner of the Winery-Chateau shall provide data and records on an annual basis to the Zoning Administrator showing that:
  - a. In addition to the agricultural production on the minimum acreage required for the Winery-Chateau, the winery has grown grapes in Peninsula Township or purchased grapes grown in Peninsula Township equal to 1.25 tons of grapes for each person allowed to participate in Guest Activity Uses.
  - b. That all the grapes from (a) above plus the production on the minimum acreage required for the Winery-Chateau have been processed in the winery.

Hawthorne Vineyards will comply.

8. Additional Conditions

- a. Special Use Permits approved under this section may list any number of restrictions or requirements approved by the Township Board such as additional set back requirements, days of the week restrictions, number of guest activity days per year or other requirements deemed beneficial to the township or its residents.
- b. Nothing in this section shall prohibit the Township Board from approving a larger special community event such as Blessing of the Blossoms, harvest days or other community event for which no fee is charged the participants, except as specifically approved by the Township Board and is open to the public.
- c. No temporary structures including tents or canopies are allowed except that the Township Board may approve the reasonable use of temporary structures tents or canopies in conjunction with community events approved in (b) above.
- d. Any violation of the Special Use Permit issued for this use shall, in addition to the provisions of Section 4.2.1 Violations and Penalties, serve as grounds for closing the Guest Activity Uses use by the Township Board. In the event any such alleged violation is made in writing to the Township Board, the Township shall give written notice of such alleged violation to the Applicant at the last address furnished to the Township by the Applicant. The notice shall state that unless the violation is corrected or resolved to the satisfaction of the Township Board within 30 days from the date of the notice, the Township Board shall require the Owner to close all Guest Activity Uses on the premises, after hearing, until such time as the Township Board removes the restriction. In the event a hearing becomes necessary, the Township Board shall establish the notice requirements and such other conditions with respect to the hearing as the Township Board shall deem appropriate.

Attachments:

1. Potential pavilion design/style, measuring 40X60 ft.
2. Hawthorne Vineyards 139 winery permit
3. DEQ/EGLE Groundwater Discharge Permit
4. Current septic design for 200 guests, 5 employees and 1 residence require a 1,325 gallon tank, currently equipped with 2,000 gallon tank allowing up to 335 guests, beyond the maximum allowable 111. The winery maintains a separate winery wastewater septic system.
5. Well permit
6. MLCC permit/MDARD extended food retail establishment permit

1. Possible style for outdoor pavilion, with rain sides and exit lights



2.

Peninsula Township  
**FINAL FARM PROCESSING PERMIT**  
No. 3

**Hawthorne Vineyards**  
**1000 Camino Maria**  
**Traverse City, MI 49686**

To: Marie-Chantal Dalese  
Manager, Hawthorne Vineyards  
Chateau Chantal  
15900 Rue de Vin  
Traverse City, MI 49686

Re: Hawthorne Vineyards  
1000 Camino Maria  
Traverse City, MI 49686  
Parcel ID: 28-11-018-006-01

The above referenced property is permitted to be used in accordance with the standards set forth in Section 6.7.2 (19) Farm Processing Facility of the Peninsula Township Zoning Ordinance.



Elise Crafts  
Peninsula Township Zoning Administrator

10/30/2013

Date

PERMIT NO. GW1110580

**STATE OF MICHIGAN**  
**DEPARTMENT OF ENVIRONMENTAL QUALITY**

**GROUNDWATER DISCHARGE PERMIT**

In compliance with the provisions of Part 31, Water Resources Protection; and Part 41, Sewerage Systems, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA).

**OWNERS/PARTNERS:**  
Montague Development, LLC  
7438 Platte Road  
Beulah, MI 49617-9231

**FACILITY:**  
Hawthorne Vineyards  
1000 Camino Maria Dr.  
Traverse City, Michigan 49686

Chateau Operations, LTD  
15900 Rue de Vin  
Traverse City, Michigan 49686

is authorized to discharge 300 gallons per day, 90,000 gallons per year of winery process wastewater from the Hawthorne Vineyards located at

1000 Camino Maria Dr.  
Traverse City, Michigan 49686

designated as Hawthorne Vineyards

to the groundwater of the State of Michigan in accordance with effluent limitations, monitoring requirements, and other conditions set forth in this permit.

<b>Rule Authorization:</b>	Rule 2211(e)
<b>Wastewater Type:</b>	Winery Process Wastewater
<b>Wastewater Treatment Method:</b>	To Be Determined
<b>Wastewater Disposal Method:</b>	Land Disposal

The issuance of this permit does not authorize violation of any federal, state, or local laws or regulations, nor does it obviate the necessity of obtaining such permits, including any other Michigan Department of Environmental Quality (Department) permits, or approvals from other units of government as may be required by law.

This permit is based on an original application submitted on September 11, 2017, as amended through March 1, 2018.

This permit takes effect on August 1, 2018. The provisions of this permit are severable. After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term in accordance with applicable laws and rules.

This permit and the authorization to discharge shall expire at midnight, August 1, 2022. In order to receive authorization to discharge beyond the date of expiration, the permittee shall submit an application that contains such information, forms, and fees as are required by the Department by February 2, 2022.

Issued July 18, 2018



Rick D. Ruz, Supervisor  
Groundwater Permits Unit  
Permits Section  
Water Resources Division

4.

**Hawthorne Winery  
 Tasting Room Flow Estimation**

	Design Criteria			Gallons per Day	Loading Rate for Soils	Drainfield S.F.
Tasting Room	200	patrons	5 gpd	1,000 gpd		
Employees	5	employees	35 gpd	175 gpd		
Apartment	1	bedroom	150 gpd	150 gpd		
<b>Tasting Room Total</b>				<b>1,325 gpd</b>	<b>0.75</b>	<b>1,767</b>

Total Drainfield = 1,800 sf of low pressure, bed-type system

**Septic Tank Calculations**

Total Gallons to Treat            1,325 gallons  
 Retention time                        24 hours  
 Total tank capacity required       1325 gallons  
 Tankage Provided                    2000 gallons  
 Retention provided                  36.2 hours

**Pump Dosing Specifications**

Est. daily usage                      1,325 gallons  
 Daily dose rate                      16 doses per day per zone  
 Number of zones                      1  
 Number of doses                      14 doses per day  
 Volume of each dose                95 gallons  
 Inside tank dimensions              7.5 ft  
     3.5 ft  
 Float on / float off setting (min)   5.8 inches  
 Pump flow rate (estimated)        70 gpm  
 Pump run time                        81 seconds

5.

ISSUED/POSTED  
 DATA ENTRY  
 FINALS ENTERED

**Grand Traverse County Health Department**

2650 LAFRANIER RD  
 TRAVERSE CITY, MI 49686  
 231-995-6051

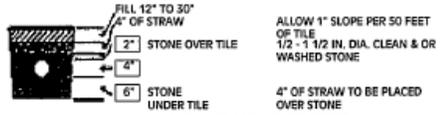
GT #: 32987

OWNER BRUCE HAWTHORNE  
 CURRENT MAILING ADDRESS 7406 S. PLATTE RD  
Benzonia, MI 49616 PH. 231-882-9524  
 TYPE OF ESTABLISHMENT Residential NEW  EXISTING   
 PROPERTY ADDRESS 9580 PENINSULA DR  
 SUBDIVISION \_\_\_\_\_ LOT # \_\_\_\_\_  
 CITY TRAVERSE CITY, MI 49686  
 TOWNSHIP Peninsula Twp. SECTION 18

SOIL: \_\_\_\_\_  
 SOIL TYPES TO A DEPTH OF 6" \_\_\_\_\_  
 DEPTH TO GROUND WATER \_\_\_\_\_

SEPTIC TANK SIZE _____	NUMBER OF BEDROOMS _____
PUMP CHAMBER _____	NUMBER OF BATHS _____
EFFLUENT FILTER _____	LAUNDRY <u>No</u>
DRAIN BED _____	DISHWASHER <u>No</u>
LINEAL FEET _____	GARBAGE DISPOSAL <u>No</u>
SQUARE FEET _____	OTHER _____
TILE LINES ON _____	
TILE FIELD _____	
TRENCH WIDTH _____	
LINEAL FEET _____	
OTHER _____	

SEE REVERSE SIDE FOR DRAWING AND CONSTRUCTION DETAILS



ISOLATION DISTANCES FOR PRIVATE HOMES  
 SEWAGE DISPOSAL SYSTEM SHALL BE LOCATED AT LEAST 50 FEET FROM ANY POTABLE WATER SUPPLY, WELL, SPRING, OR UNPROTECTED WATER SUCTION LINE. BURIED OR UNEXPOSED SEWERS OR PIPES THROUGH WHICH SEWAGE MAY BACKUP MAY NOT BE LOCATED CLOSER THAN TEN (10) FEET FROM ANY POTABLE WATER WELL OR SUCTION PIPE. SUCH SEWERS OR PIPES SHALL BE CONSTRUCTED OF SCHEDULE 40 OR OTHER APPROVED (HEALTH DEPT.) MATERIAL.

CERTIFICATION OF INSPECTION  
 PERMIT TO COVER

SEWER \_\_\_\_\_ SEPTIC TANK \_\_\_\_\_ PUMP CHAMBER \_\_\_\_\_  
 MANUFACTURER OF SEPTIC TANK \_\_\_\_\_  
 FINAL DISPOSAL \_\_\_\_\_ ISOLATION DIST. \_\_\_\_\_

NOTES \_\_\_\_\_  
 INSPECTION BY \_\_\_\_\_ DATE \_\_\_\_\_  
 CONTRACTOR \_\_\_\_\_  
 SEPTIC \_\_\_\_\_  
 WELL \_\_\_\_\_

APPROVAL OF A PLAN AND THE INSTALLATION CANNOT BE CONSIDERED BY THE OWNER AS A GUARANTEE THAT SUCCESSFUL OPERATION IS ASSURED. THERE ARE MANY WAYS A SYSTEM CAN BE ABUSED CAUSING FAILURE.

SEWAGE PERMIT   
 WELL PERMIT

PROPERTY TAX # - 281101800601

**WATER SUPPLY INFORMATION**

CITY \_\_\_\_\_ WELL   
 WELL TYPE Test Well  
 DEPTH \_\_\_\_\_  
 OLD WELL TO BE ABANDONED \_\_\_\_\_  
 APPROVED \_\_\_\_\_

*SEE COMMENTS ON REVERSE SIDE*

**WATER SAMPLING REQUIREMENT**

(1) Before placing a new, repaired, or reconditioned water supply system into service, and after all traces of chlorine have been flushed out, 1 or more water samples shall be collected from the sampling faucet. Organisms of the coliform group shall not be present in the sample or samples.  
 (2) The water supply owner shall be responsible for collecting the water sample or shall arrange for the owner's designated representative to collect the sample. The well drilling contractor or pump installer shall notify the water supply owner of the owner's responsibility for collecting the water sample.

**WATER SAMPLE RESULTS**

BACTERIOLOGICAL \_\_\_\_\_ DATE SAMPLED \_\_\_\_\_  
 NITRATES \_\_\_\_\_ PPM DATE SAMPLED \_\_\_\_\_

**AGREEMENT**

I HEREBY AGREE TO COMPLY WITH REQUIREMENTS OF THE SANITARY CODE FOR THE COUNTY OF GRAND TRAVERSE, AND THE APPLICABLE LAWS OF THE STATE OF MICHIGAN IN THE INSTALLATION OF A SEPTIC TANK SEWAGE DISPOSAL SYSTEM & /OR WELL INSTALLATION ON THE ABOVE DESCRIBED PROPERTY, AND TO CONSTRUCT THE SAME ACCORDING TO THE PLANS AND SPECIFICATIONS AS DESCRIBED AND APPROVED ABOVE; OTHERWISE I UNDERSTAND, THE PERMIT WILL BE VOID.

THE FINAL INSPECTION REQUIRED BEFORE COVERING. ONE DAY NOTICE SHALL BE GIVEN FOR INSPECTION.

SIGNED [Signature] DATE 5-5-06

THE SPECIFICATIONS AS STATED ON THIS PERMIT MEET WITH MINIMUM REQUIREMENTS OF THE SANITARY CODE. THE OWNER SHOULD BE ADVISED THAT ADDITIONAL CONSTRUCTION OPTIONS MAY BE AVAILABLE WHICH COULD EXTEND THE LIFE EXPECTANCY OF THE SEWAGE SYSTEM. CONSULT WITH THE HEALTH DEPARTMENT REGARDING THESE OPTIONS.

**PERMIT TO INSTALL, CONSTRUCT OR REPLACE  
 EXPIRES 2 YEARS AFTER DATE OF ISSUE  
 PERMIT IS NON-TRANSFERABLE TO PERSON OR PLACE**

ISSUED TO BRUCE HAWTHORNE  
 DATE 5/10/06 BY [Signature] HEALTH DEPT. REPRESENTATIVE

RECEIPT # 28523 DATE 5/5/2006  
 RECEIVED \$121.00 WELL PERMITS

6.

**STATE OF MICHIGAN - LIQUOR CONTROL COMMISSION**

This is to certify that a License is hereby granted to the person(s) named with the stipulation that the licensee is in compliance with Commission F 436.1003, which states that a licensee shall comply with all state and local building, plumbing, zoning sanitation, and health laws, rules, and ordinances determined by the state and local law enforcement officials who have jurisdiction over the licensee. Issuance of this license by the Michigan Liquor Control Commission does not constitute a requirement. The licensee must obtain all other required state and local licenses, permits, and approvals for this business before using this license to sell or dispense alcoholic liquor on the licensed premises.

This License is granted in accordance with the provisions of Act 58 of the Public Acts of 1998 and shall continue in force for the period designated, suspended, revoked, or declared null and void by the Michigan Liquor Control Commission. Failure to comply with all laws and rules may result in revocation of this license.

**THIS LICENSE SUPERSEDES ANY AND ALL OTHER LICENSES ISSUED PRIOR TO APRIL 2, 2019**

**BUSINESS ID: 226015** FILE NUMBER: G226015

**CHATEAU OPERATIONS, LTD.**

15900 RUE DE VIN  
 TRAVERSE CITY, MI 49686-9310

GR TRAVERSE COUNTY  
 G-142  
 TRAVERSE CITY

**LICENSE #**      **LICENSE:**      **ACT:**

18280      Small Wine Maker

19775      Direct Shipper

00417799      On-Premises Tasting Room Permit

**TOTAL BARS:**      **OUTDOOR SERVICE AREA:** 1      **ROOMS:**

**DIRECT-CONNECTIONS:**      **PASSENGERS:**

**PERMIT**  
 Outdoor Service Area(1), Sunday Sales (AM)

**IN WITNESS WHEREOF**  
 this License has been duly issued and sealed by both the Michigan Liquor Control Commission and the Licensee(s).

**LIQUOR CONTROL COMMISSION**

**LICENSEE(S) SIGNATURE:**  
 Marie Dalese

**2019**  
**2020**

**LICENSE EFFECTIVE MAY 1, 2019 - EXPIRES APRIL 30, 2020**

**STATE OF MICHIGAN**  
 Department of Agriculture & Rural Development  
 Food and Dairy Division  
 Expires: 04/30/2020

**FRE111251**

**EXTENDED RETAIL FOOD ESTABLISHMENT**

**ISSUED TO:**  
 HAWTHORNE VINEYARDS  
 1000 CAMINO MARIA  
 TRAVERSE CITY, MI 49686

**Responsible Party and Mailing Address:**

**DISPLAY PROMINENTLY**

MARIE DALESE  
 CHATEAU OPERATIONS LTD  
 15900 RUE DE VIN  
 TRAVERSE CITY MI 49686

**Gary McDowell**  
 Director

This license is not transferable and is only valid for the establishment owner and address listed above. This license is issued in accordance with provisions of Act 92 of 2000, as amended and Act 184 of 1913, as amended.

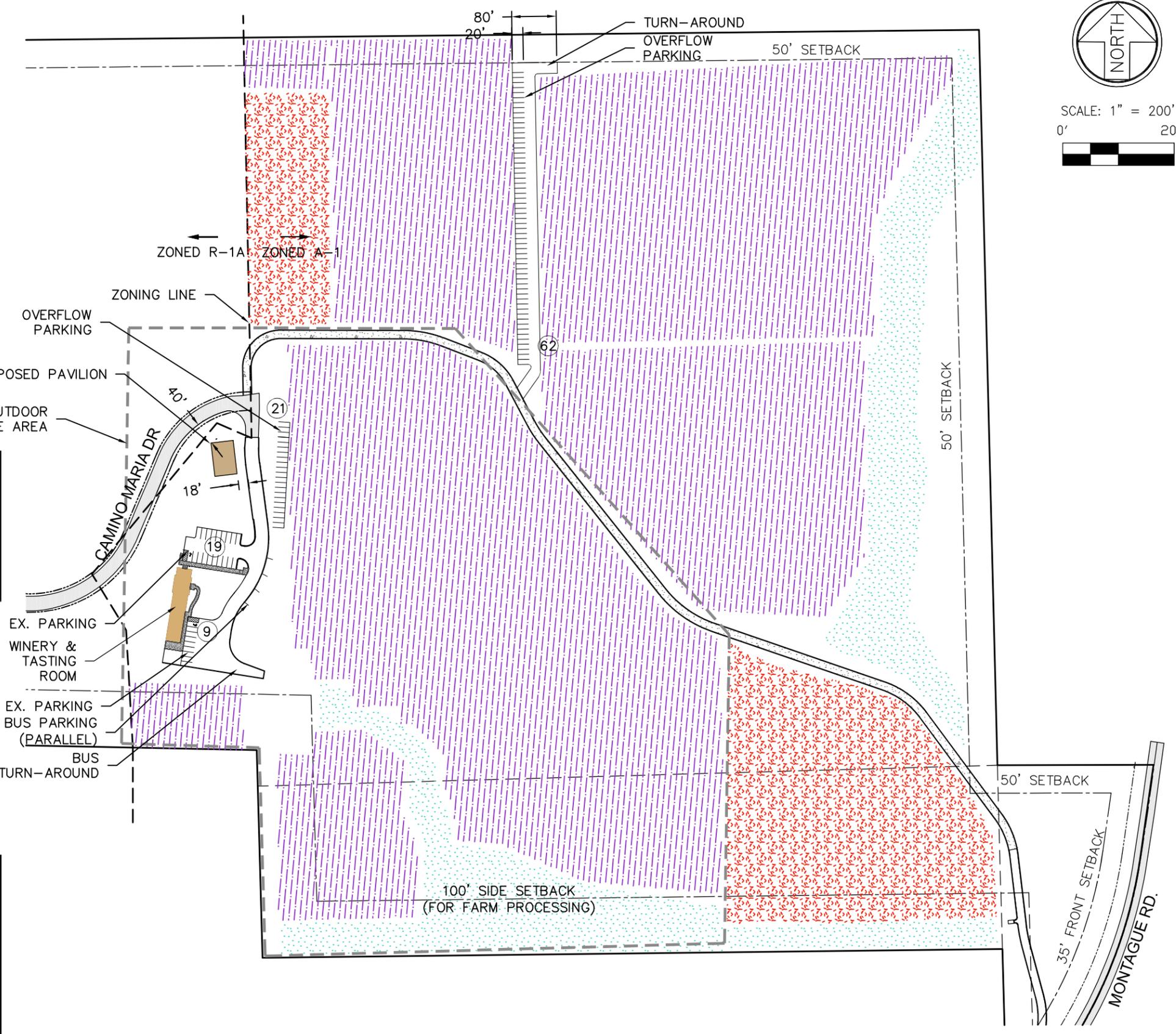
# **Exhibit 2**

# **Site Plan**





SCALE: 1" = 200'  
0' 200'



Tasting Room (1 per 150 sf)	1840 square feet	12.3 spaces
Guests (max) (multiply by .4)	111 people	44.4 spaces
Staff (max)	8 people	8.0 spaces
	Total Required	64.7 spaces
	Provided	111.0 spaces

**PARKING**

Parcel Acreages in Ag. District:

28-11-018-006-01	43.00 acres
28-11-018-008-00	9.67 acres
28-11-017-036-00	2.81 acres

Total 55.48 acres

**AREAS**

	ESTATE GRAPES	30.64 ac.
	COLD AIR DRAINAGE	5.62 ac.
	CHERRIES	5.52 ac.
	TOTAL:	41.78 ac. (75.3%)

**CROP CALCULATIONS**

**SITE PLAN**

**Northview**

22

PO Box 3342, Traverse City, MI 49685 // 231.342.4016

ISSUE DATE: 11-21-19  
REVISIONS: 2-27-2020

**Hawthorne Winery**

Sections 17&18, T28N, R10W, Peninsula Township,  
Grand Traverse County, Michigan

JOB NO.:  
**2010-104**

1.1

# **Exhibit 3**

## **MLCC Area**



# Outdoor Space

**MLCC Approved Outdoor Service Area:** Hawthorne's approved outdoor service area from the MLCC covers 17.3 acres of the property.

The site for the proposed outdoor pavilion falls within our current service area.

# **Exhibit 4**

# **Fire Chief Letter**



Peninsula Township Fire Department  
14247 Center Rd.  
Traverse City, Michigan 49686  
PH: 231-223-4443  
[firechief@peninsulatownship.com](mailto:firechief@peninsulatownship.com)



Re: Hawthorn Vineyards

February 25, 2020

Dear Randy,

After review of the plans for the proposed pavilion addition for Hawthorn Vineyards, I see the following issues that must be complied with-

- The pavilion must be at its farthest point no more than 150 feet from the access drive. The drive must maintain a minimum width of at least 20 feet at all points.
- The pavilion must meet all egress codes.
- A minimum of a 2A20BC fire extinguisher must be properly mounted with signage when the pavilion is in operation.
- If at any time the pavilion is altered or renovated, the Peninsula Township fire department must be notified of the proposed change and approve it.

Respectfully,

Fire Chief Fred Gilstorff

# **Exhibit 5**

# **Cold Air Drainage**

**MICHIGAN STATE** | **Extension**  
**UNIVERSITY**

1791 Hillandale Rd  
Benton Harbor, MI 49022  
February 7, 2020

To: Peninsula Township Planning Commission  
Peninsula Township  
13235 Center Rd  
Traverse City, MI 49686

To the Peninsula Township Planning Commission,

I am writing in support of the need for cold air drainage areas for successful winegrape production in northwest Michigan.

Cold air drainage is necessary for production of *Vitis vinifera* winegrapes, especially in cool climate viticultural regions. This includes the growing areas of northwest Michigan. As *V. vinifera* is relatively cold sensitive, during periods of radiative frost, pooling of cold air at low spots in vineyards can result in damage to buds and wood. This can result in loss of crop, or in extreme cases, vine death. This is often why we recommend planting vines on sloped ground, as it allows the coldest air to flow downhill. The difference in temperature from the top of a hill to adjacent depression can be as large as 6 to 8°C, depending on slope. Having an adjacent area not planted to wine grapes at the lowest part of the slope allows for the movement of cold air out of the vineyard and functions as a reservoir. Impediments to air movement may reduce the effectiveness of a cold air drainage area, and should be managed accordingly.

I can be contacted with any questions at eastkath@msu.edu or at 269-944-1477 ext 206.



**MSU EXTENSION**

Southwest Michigan  
Research and  
Extension Center  
1791 Hillandale Rd  
Benton Harbor, MI  
49022

269-944-1477 ext 206  
eastkath@msu.edu

Regards,

A handwritten signature in black ink, appearing to read "Katherine East".

Katherine East, PhD

Viticulture Production Specialist  
Michigan State University Extension