

PENINSULA TOWNSHIP

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Planning Commission Special Meeting

Township Hall

June 25, 2019

7:00 p.m.

Meeting Minutes

Corrections made on 07/16/2019 by Beth Chan

1. **Call to Order:** 7:00 p.m. by Hornberger
2. **Pledge**
3. **Roll Call:** Present: Alan Couture, Larry Dloski, Donna Hornberger, Todd Oosterhouse, Susan Shipman, Isaiah Wunsch
Also present: Randy Mielnik, Christina Deeren, Jennifer Hodges
Present by phone: Attorney Meihn
4. **Review for Conflict of Interest:** None
5. **Brief Public Comments:** None
6. **Additions to Agenda/Approval:**
Couture: Revise to add e. under item 10 to include zoning rewrite update
Hornberger: Bowers Harbor Winery Chateau SUP should be #132 not #139
Moved by Diloski to add additions to the agenda, seconded by Wunsch
Pass unan
7. **Conflict of Interest:** None
8. **Consent Agenda:**
 - a. Approval of Meeting Minutes/Notes: PC Meeting Minutes-05/20/19, Bowers Harbor Subcommittee Notes-05/14/19, Bowers Harbor Subcommittee Notes-06/06/19
Hornberger: correction to May 20, 2019 minutes on page six from “does not want to see this” to “does not want to see this become the norm” Second correction on page two under Public Hearings, A. I. from Harbor Winery Chateau SUP to Bowers Harbor Winery Chateau SUP
Moved by Couture to accept consent agenda, seconded by Dloski
Pass unan
9. **Reports**
 - a. Zoning Board of Appeals (Couture)
Couture: the zoning board meeting was on May 21, 2019, where a variance request was considered for a residence on Peninsula Drive for an outside stairway access to an upper deck. It was denied because it encroached on the side setback.

- b. Bowers Harbor SUP Committee (Hornberger)
- c. MTA Training (Mielnik)
See material in the packet pertaining to the MTA training coming up soon
- d. Master Plan Steering Committee:
Mielnik: the first meeting is tomorrow night, **Suzanne SUSAN** and Isaiah from the planning commission are members on this committee. The first order of business will be to work on the community survey with the hired consultant with plans to have it out by the end of summer. Beyond the survey, next steps include public workshops. The meetings will be broadcast on Streamspot.

10. Business Items

- a. Bowers Harbor Winery Chateau SUP #132
Mielnik: A May 20, 2019 public hearing was held (last meeting) and there was a site visit with Bowers Harbor officials. On June 2, materials were received on these issues: parking, easement to the west and cold air drainage; more material was received from the applicant on June 19 and is in the packet. The packet material is up to date. Exhibit 11a was missing and is now in the packet. The list of proposed conditions of approvals and safeguards are provided, and have been partially addressed with new submitted material (such as the illustration of the property lines to the west). Favorable action from the Planning Commission means that this matter could go to the township board for consideration at their July 23, 2019 meeting for a potential public hearing.
Hornberger: asked if the applicant like to address the board at this time and go over changes since the May meeting
Sarah Kiever, Northview 22, P.O. Box 3342, Traverse City: Plans to go over the changes from the May meeting. Addendum C 1.0 proposes a three-car garage is now shown and it is for residential usage and will match exterior of the house, maintaining a twenty-five-foot set back. On C 1.1 shows the sixteen by sixteen-foot deck and is elevated with stairs for the use of the patrons. Updated the signage noted in C 1.1 and shows that some of the signs were removed due to relocation of the access drive and they were not needed. The updated pavilion expansion was originally two expansions and is now one expansion ten by one hundred and forty-six foot on the north side of the building. The sparkling wine facility will be built in the future but is now formally removed from the plan and application. The wine tasting setback with the township park is on the plan shown on 1.1 and 1.2, and is twenty-five feet, with concern to the township park. The limited agricultural equipment access easement brought up by the committee is not defined by a legal description and is limited to agricultural equipment use and it follows an existing two track road. It is showing up on the plan, but does not relate to a legal description. It is on C 1.0 and is not a secondary access. There is an update on C 1.1 to the parking plan. There was concern that there was not

enough parking. Going through review and analysis, and there was consensus on both sides for one hundred and fifty-three spaces utilizing existing parking, using farm roads for employee parking, a proposed row ~~on~~ NEAR the township park and additional parking on cold air drainage land. As an applicant, we will do what the ordinance allows, and provide parking for activities and events. Those are the changes from the last meeting.

Dloski: questioned the overflow parking area, and the associated twenty-six-foot elevation change, suggesting it is a long walk to the tasting room, and it seems that area would not be utilized. Would it be better to double load parking on the island by the residence?

Kiever: parking would not be achieved; it would be congested; the cold air drainage area would be utilized on occasion to not congest a well-traveled area. A grade of ten percent slope is acceptable, subject to subsequent review by Jennifer.

Milenik: there were also other comments about adding gravel at the turn around parking area

Hodges: with the steep slope, the transition from unpaved overflow to paved should be identified to ensure the ten percent. For the employee parking, there should be sufficient gravel for the parking turnaround. Suggested more review from the township engineer, as a condition of approval.

Kiever: The area along our main driveway will be widened and proposed to be paved. There is a provision for a paved surface to get on the overflow route. The farm access roads will be maintained as needed; they are currently hard pack.

Mielnik: the statement for compliance with township engineer's recommendation still stands

Shipman: this should be added with the conditions

Mielnik: it is there, it is number twelve

Hornberger: should the vote be handled item by item?

Mielnik: that is not necessary are there any findings that are of concern?

Shipman: encouraged the township to look into the buffer zone between the vines and the park and Devil's Dive, there is no buffer. That is an issue for the township to look at. Under item O is where it comes up, that is what the township should look at on page thirteen

Meihn: (via phone) agrees with that point and will be prepared for that

Hornberger: we do not need to add this to our recommendation

Shipman: the buffer is an item worth noting. The existing two track has no legal description; it is an access easement but there is no defined location. Asks Jennifer about this easement.

Hodges: I have not looked at it in my review

Meihn: (via phone) it is important to consider that in the future as it relates to Bowers Harbor Park.

Mielnik: Greg has copies of this information and the description of the easement

Meihn: stated he has a copy of the description of the easement

Shipman: the easement is not defined

Kiever: shows the location of the two track and reads legal description to Shipman and Mielnik

Meihn: (via phone) needs to look at the photos

Shipman: that clarifies the easement

Couture: has a question for Meihn, is this not something we are setting as a precedent, this is a unique situation and it is something to formalize so that a precedent will not be set and will not apply to all

Mielnik: Condition number thirteen addresses that point

Meihn: (via phone) full agreement, nothing else needs to be expanded

Hornberger: reads number thirteen that explains that it is not a precedent

Diloski: thanks Attorney Meihn for the memorandum on the Michigan Liquor Control issue

Hornberger: is there a motion to approve the Bowers Harbor SUP #132 to send on to the township board?

Moved by Dloski to approve Bowers Harbor Winery application #132 subject to the conditions and standards on page fifteen, supported by Couture

Roll Call: pass unan

- b. 81 Development-SUP #123 Amendment 1-Introduction

Kyle O’Grady, 81 Development: everyone has a copy of the first site plan approved. Introducing an amendment. The curbs are eighty-five to ninety percent in and the asphalt will go in in the next week. The first change is the emergency access road on the NW access road; neighbor Wells originally granted the easement, and in the original area he had planted grapes and asked that the easement be put on the southern part of the property. The second change is on the eastern road called Snug Harbor twenty-five feet to the west and that will affect lots number six through ten. Move it further from the water and the lot sizes would be bigger. References the blue spaces on the packet addition, the changes to remove portions of the lots, adding blue portions to common space: moving lot eleven to the north part of the property highlighted in yellow. Those are the proposed changes. Explained conversation with Mansfield on the changes to increase open space. Would like to proceed with the changes.

Hornberger: this is a first look at the changes, asks for questions

Wunsch: commented that the applicant has been asked that the plans be provided ahead of time, asked to table amendment until more information is provided

Mielnik: there is a window to schedule a public hearing and if the plans are to come in tomorrow; at that time we can schedule a public hearing for the July 15 meeting, our zoning code does not provide for an abbreviated process for amending an SUP.

Hodges: this is my first look, was involved in the first PUD. Wanted to suggest that findings of fact to ensure that compliance for storm water, private road, and open space. The township engineer should review. Asked O’Grady if they have done construction on Snug Harbor Court.

O’Grady: just the first thirty feet of curb has been installed

Hodges: per the original PUD for every home a storm water application would be required with each land use application; each lot would be reviewed every time

O’Grady: the goal for today was an introduction and plans to submit tailed PDF’s to Jennifer and will leave drawings

Hornberger: we will plan a public hearing for July 15 and a possible vote depending on how extensive the changes are and subject to engineering review.

c. Update on Winery Chateau/B&B Amendments-Discussion

Hornberger: at the last meeting we tabled the discussion on the Chateau/B&B amendments and now wish to un table the Winery Chateau/B&B amendments and we are not ready to discuss at this time

Mielnik: will continue discussion and will revisit and discuss

Hornberger: at this time, we will re table Winery Chateau/B&B amendments until July

Moved by Wunsch to retable the Winery Chateau/B&B amendments until July, seconded by Shipman pass unan

d. Election of Vice-Chairperson

Hornberger: we need a Vice-Chairperson

Shipman: states she would be Vice-Chairperson

Couture: nominates Shipman for the Vice-Chairman position

Moved by Couture to nominate Shipman for Vice-Chairperson, seconded by Wunsch pass unan

e. Zoning Re-write

Mielnik: there are a number of issues related to and changes to the ordinance; continue to look at issues and there are a few things to address

Dloski: based on the Bowers Harbor SUP, there is a need to look at the Winery Chateau ordinance very carefully

Hornberger: as we were doing the rewrite, there were red flags with some of the things on the Winery Chateau and Bed & Breakfast amendments, wants the community questionnaire to come back before a decision is made; a zoning re-write was not something to fix all of the issues related to this

Mielnik: goal to fix the structural elements, requirements and cross references and will add definitions, etcetera, because it hadn’t been updated in a long time

Discussion among the members about the parts that should be considered at in in-depth level

Couture: we did not get into this area purposely

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Beth Chan, Recording Secretary

Dereen: there was a lot of structure, and skipping around to make it a better document

Discussion among board members on objectives to clarify

Mielnik: this is to build a foundation for future additions

11. **Public Comments:** None

12. **Other Matters or Comments by Planning Commission Members:** None

13. **Adjournment:**

Moved by Wunsch to adjourn, seconded by Shipman

Pass unan

Adjournment time: 7:50 p.m.