

PENINSULA TOWNSHIP

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PENINSULA TOWNSHIP PLANNING COMMISSION MEETING TOWNSHIP HALL

January 27, 2020, 7:00 p.m.

1. **Call to Order**: 7:15 p.m. by Oosterhouse
2. **Pledge**
3. **Roll Call**: Present: Oosterhouse, Dloski, Hall, Couture; also present: Mielnik, Deeren
Absent: Wunsch, Shipman, Hornberger
4. **Review for Conflict of Interest**: None
5. **Brief Public Comments**: None
6. **Additions to Agenda/Approval**:
Moved by Dloski to approve agenda, seconded by Couture **pass unan**
7. **Consent Agenda**:
a. Approval of Meeting Minutes: Planning Commission Meeting, December 16, 2019
Moved by Dloski to approve consent agenda as presented, seconded by Couture **pass unan**
8. **Reports**:
 - a. Zoning Board of Appeals (Couture)
Couture: The last meeting included a brief discussion of policies and procedures, with an official change in the meeting time to 7:00 p.m.
 - b. Master Plan Update (Mielnik)
Mielnik: The Master Plan Steering Committee is planned for February 3rd to discuss survey information and the next steps for community engagement.
 - c. Winery Committee Update (Dloski)
Dloski: The last subcommittee met last Thursday and the discussion was about proposed amendments to the current ordinance regarding wineries and winery-chateaus. There will be further revisions. The next meeting in February will result in revisions, which will be included in the March packet.
9. **Business Items**:
 - a. Introduction – Hawthorne Vineyards – Winery Chateau
Mielnik: Hawthorne Vineyards has submitted an application, which is included in the packet, requesting to change from a use by right winery/farm processing status to a winery-chateau. This will be presented as an introduction. Consideration for a public hearing will be given for February 24, 2020.

Ann Pettyjohn, General Manager, Hawthorne Vineyards: Hawthorne Vineyards is seeking a change from a 139 winery to a winery-chateau status. With reference to the application, the winery meets the requirements for a winery-chateau. In summary, there are 88 acres, with 55.48 acres zoned agriculture; 41.77 acres are planted in agriculture. There are 111 parking spaces, and there are no plans to build a guest or single-family residences as part of the application. The only proposed structure is a 40'x60' outdoor pavilion. The fire chief has been to the property for a preliminary inspection, he is awaiting input.

Dloski: Why move from a winery as of right to a winery-chateau, where you will be governed under the conditions of a special land use permit?

Pettyjohn: We have been looking to do this for a while, we want to be able to hold more events on the property.

Mielnik: The normal practice of considering a special land use permit is to have a scheduled public hearing with a fifteen day notice, and to notify the adjacent property owners. This also gives the planning commission time to review the application.

Dloski: Poses a question for use area equivalents, can addition residential dwellings be constructed on the property? The application is requesting a single family residence?

Pettyjohn: No

Mielnik: They can come back and amend the SUP and add the units at that time; a manager's residence and an additional five units can be added.

Moved by Couture to hold a public hearing for the Hawthorne Vineyards application for a winery-chateau on February 24, 2020, seconded by Hall pass unan

b. Introduction – Conditional Rezoning Request – Mapleton Farms

Mielnik: An application has been received from Mapleton Farms for a request for conditional rezoning. There are some issues to explore to see if this is the correct path.

Doug Mansfield, Mansfield Land Use Consultants, 830 Cottage View Drive, Suite 201, Traverse City: When the Mapleton Market property was developed many years ago, the health department requirements were different from today's requirements. The septic systems currently serving the property were tested two years ago and are in working order. There is a need for a reserve field (references the past history of attempts to find land for the reserve field on the east side; the infrastructure needed to be in the zoning district). The site conditions on the commercially zoned Mapleton Market property prevent the construction of the reserve septic field. The site would not perc. The reserve field needs to be in the same zoning district (Commercial) as the original property is located, but that could not be met. A portion of the property to the west was tested, and an area was found that would allow a septic field. The health department requires the restaurant septic to be separate from the market. With Conditional Zoning, the property to the west, an area of three acres with a fifty-foot boundary (isolation distance) would be rezoned from Agricultural (A-1) to Commercial (C-1). This could serve as an area for the reserve septic field. If rezoned, this property would be solely used for the installation and maintenance of the septic system and associated structures. This allowance would be good for three years

and incorporated into the documents for the Mapleton Market and restaurant. If nothing is done during this time, it will revert back to agricultural zoning.

Dloski: Would anything be constructed above ground?

Mansfield: Retaining walls, transformers and an electric panel. There will be two separate systems.

Mielnik: In conversation with the township attorney about conditional rezoning, alternatives were discussed to avoid a rezoning to commercial, even on a conditional basis. In the zoning ordinance, sewage treatment and disposal facilities, as well as special open space uses are a special uses in the agricultural district. It is a viable alternative to consider a special use permit, as opposed to conditional rezoning. There is reservation to use conditional zoning for this parcel.

Dloski: Conditional rezoning can be problematic. It could also be spot zoning. It should go to special land use.

Board discussion about infrastructure in the same zoning district, as well as, conditional zoning, spot zoning, verses a special land use permit. Discussion on the mechanism to make it work. No action was taken, but a preference for an SUP was expressed by several planning commission members.

c. Introduction – Belle View (Coldwater Development)

Mielnik: This is a proposed development near Center Road and Bluff Road, brought before the planning commission several months ago.

Dan Leonard, representing Coldwater Development: The site, just south of Eagle's Landing, is vacant and is on a bluff. It is densely forested and there is a drop of 110 feet from the top of the site to the base. The slope with vegetation will remain. In the new site design, the six homes are reconfigured so there is less impact on the soils and the stability of the terrain. The roundabout and the private road off Center Road will meet the guidelines of the private road ordinance. Storm water management will be maintained on site. There is a common septic field and there will be a reserve septic field. Also, the revised plan has removed the stairway to the water. The homeowners using the bay front will drive to a small parking lot and it will be maintained as a grassy area with vegetative buffers. Currently, the two parcels are a mix of zoning; R1-A/R1-C zoning. There will be six clustered homes and this will be going through the PUD process. All of the sites meet the code, any vegetation removed will be put back. The hillside is composed of red pines, which will be removed, and the area will be replanted with deciduous trees and evergreens. The powerlines will be realigned, as they are connectors, and the power poles will be relocated to fall along the roadway. Requesting a public hearing next month.

Dloski: How will the storm water management and the on-site septic be maintained after the build is complete?

Leonard: A homeowners association will have a master deed and each home will connect to the common septic field.

Deeren: How many floors will the homes have?

Leonard: Two and a half stories with the garages built into the hillsides.

Deeren: The lower level will be exposed, how are you going to take the storm water runoff from the structures?

Leonard: Gutters, going into the storm water system.

Dloski: What is the dockage on the lake?

Leonard: There are no plans at this time, there is 110 feet of frontage. There can be two shore stations and a dock. It will be left up to the residents.

Mienik: To review, the turning radius on the cul-de-sac meets the township requirements. The number of homes is unchanged from the last request. The common area is maintained by the homeowners.

Deeren: Will the homes have the same character?

Leonard: The homes will have the same character. The developer has spoken with MDOT, and is in conversation with the soil erosion department and the health department. There are plans to sit down with the fire department and EMS. The neighbors have been contacted and in an informal discovery, there was concern about the headlights from the traffic to the north. In addition, there was talk of screening the waterfront areas.

Mielnik: The township engineer has seen the plans and will give an estimate of the time it will require to review the plans to verify the private road ordinance and the storm water review. The public hearing can be scheduled for next month with necessary fees and application materials provided.

Moved by Dloski to hold a public hearing for Belle View (Coldwater Development), on February 24, 2020, seconded by Couture.

pass unan

d. Complete Survey Report – posted on township website.

Mielnik: The survey results are contained in a more in-depth report found on the township website.

e. Zoning Ordinance Update – process forward

Mielnik: A draft zoning ordinance is ready for review. There is a memo in the packet that summarizes the process of updating the zoning ordinance. Presented a Power Point titled “Why Update Zoning?” found in the packet. The zoning update will be made available to the public and written comments will be collected.

Moved by Hall to make the draft zoning ordinance available to the public for comment, seconded by Couture.

pass unan

f. Planning Commission Annual Report – Draft for review/comment

Mielnik: The planning commission draft annual report is in the packet, it is a requirement of the state planning act to present a report to the township board.

Moved by Dloski to approve the Peninsula Township Planning Commission Annual Report and recommend to the township board, seconded by Couture. pass unan

g. 2020-2021 Meeting Dates

The schedule is now available for the meetings.

h. Michigan APA Training

Mielnik: Information is included in the packet for upcoming training opportunities.

10. **Public Comments:** None

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

12. **Adjournment:**

Moved by Dloski to adjourn, seconded by Couture

Meeting adjourned at 8:28 p.m.

pass unan