

PENINSULA TOWNSHIP

13235 Center Road, Traverse City MI 49686
Ph: 231.223.7322 Fax: 231.223.7117 www.peninsulatownship.com

PENINSULA TOWNSHIP PLANNING COMMISSION MINUTES October 1st, 2024, 7:00 p.m.

1. **Call to Order by Hall at 7:00 p.m.**
2. **Pledge**
3. **Roll Call**

Present: Beard, Hall, Hornberger, Alexander;

Absent/Excused: Dloski, Shipman, Shanafelt;

Attending Virtually: Chris Patterson, Legal Counsel for Peninsula Township

4. **Approve Agenda**

Motion to approve by Beard, second by Alexander.

Motion passed by

consensus

5. **Brief Citizen Comments (For Agenda Items Not Scheduled for Public Hearing)**: Hall notes that in the absence of any public hearings on this particular agenda that it would be appropriate to take any comments about anything on the agenda at this point. However, the preference of the Planning Commission would be to provide the opportunity for public comment after each individual agenda item is discussed.

None.

6. **Conflict of Interest: none**

7. **Consent Agenda:** Two corrections are needed to the minutes from the September 3rd meeting of the Planning Commission, including a revision of public comment by resident George Weber and additional written public comment submitted by Rose Sickel. The minutes will be edited to reflect these changes and made part of the public record.

Motion to approve the consent agenda as corrected to include edits to minutes taken and public comment added by Hornberger, seconded by Beard.

Motion passed by consensus

Cram notes that correspondence from Mr. Lagina was included in the packet. A request was made by the aforementioned resident to amend the zoning ordinance. Cram informed Lagina that zoning ordinance amendments always begin with the Planning Commission.

8. **Business:**

- a. Special Use Permit (SUP) #138 - Old Mission Lavender Farm, Amendment #1 – Continued Discussion

Jenn Cram, Director of Planning and Zoning, Peninsula Township: Provided Planning Commission a summary of the request for amendment. Noted that the applicant has narrowed her request for amendment significantly, and that the findings of fact and conditions for approval have been revised accordingly. Additional information has also been provided by the applicant, including: a draft brochure detailing the science of aromatherapy, as well as health benefits and information on how lavender products

can be utilized in the sauna, further information on Hearth Sauna and the science behind the benefits of sauna itself. Cram then walks Commission through the analysis made by staff in order to demonstrate the connection between the aromatherapy sauna and the production and processing of lavender into essential oils using Section 8.1.3 - Basis for Determination.

Staff details:

- the character of the area surrounding the subject property is generally agricultural in nature and the nearest single-family residence is over 600 ft away from the existing farm shop. The aromatherapy sauna and cold plunge are approximately 140 ft from the edge of the right of way on Carroll Road and over 200 ft away from the western and eastern property lines, which is mentioned to show scale, clarify setbacks and show how possible negative impacts from certain accessory uses can be mitigated by reasonable setbacks and buffers. The aromatherapy sauna is sited similarly to the required setbacks for a Farm Processing facility and is consistent with the required setbacks for a special open space use within the A-1 zone district.
- applicant has represented that the requested aromatherapy sauna and cold plunge will always use dried lavender, lavender essential oils or lavender hydrosol spray which are farm products produced on the subject farm. The aromatherapy sauna will be branded and marketed as such and evidence is provided by the owner of Hearth Sauna, confirming that a proposed condition of approval has been included.
- parallel drawn between the accessory use of tasting rooms offered by wineries which give visitors an opportunity to experience the farm products in the form of wine and the accessory use of an aromatherapy sauna which gives visitors an opportunity to experience the farm products in the form of lavender essential oils.
- condition of approval proposed based on information provided by the applicant that limits the hours of operation to seven (7) days per week from 8:00 a.m. to 8:30 p.m., as previous statements by the Planning Commission clearly requested hours of operation. Another condition of approval further limits the capacity of group aromatherapy sauna sessions to ten (10) in the sauna plus four (4) in the cold plunge for a total of 14 participants at a time. Cram notes that each session takes approximately seventy (70) minutes, which, given the proposed hours of operation, there could be approximately ten (10) aromatherapy sessions per day. This limits capacity, unlike other accessory uses in the A-1 district (there is no limit on the number of people that could come to a tasting room, e.g.).
- the use of dried lavender, lavender oils, and hydrosol sprays within the aromatherapy sauna may be considered accessory or incidental to the production and processing of lavender because it helps to educate people on the many uses for lavender, helps the farm operation to experiment with the science of aromatherapy and the development of lavender based products.
- the proposed aromatherapy sauna and cold plunge may be harmonious and appropriate with the intended use of the district if the Planning Commission finds that the aromatherapy sauna and cold plunge are a limited use that is compatible with agricultural and open space uses and accessory or incidental to growing and processing lavender.
- the requested aromatherapy sauna and cold plunge accessory to active production and/or processing of lavender will not be hazardous or disturbing to existing or future uses in the same general vicinity as its 600 ft away from any existing residential structure and any new residence developed after this use would know the use existed and had been established with appropriate conditions of approval to limit negative impacts on the surrounding properties and to ensure conformity with the intent of the A-1 Agricultural district.
- the aromatherapy sauna use may be considered a substantial improvement to the property and community as a whole by providing a healthy experience incidental to, and supportive of, the active

production of lavender and other field crops and the approved processing of lavender. It also helps to educate users on how dried lavender, lavender essential oils, etc... may be used generally as well to improve health since lavender has been shown to have many medicinal uses.

- the aromatherapy sauna and cold plunge provide educational opportunities for the farm operation to experiment with the development of different lavender based products.
- the proposed use will be served adequately by essential facilities and services such as highways, streets, police fire protection drainage, etc. Input from the Grand Traverse County Health Department was received, and it was noted that the one portable toilet and handwashing station was sufficient for the use provided there was no food involved. Staff specifically asked if there was any issue with using the well water for the steam in the sauna, and it was stated that the well would have to be tested. A condition of approval proposed that the applicant continue to comply with Health Department requirements. The applicant is willing to switch out the existing portable toilet for an ADA accessible toilet to make the experience more accessible.
- there is no additional landscaping, fencing, or other screening proposed, as the closest residential structure is more than 600 ft away, but would like input from the Planning Commission on whether screening for the aromatherapy sauna and cold plunge area via the planting of vegetation or erection of a privacy fence could create additional privacy for users and the neighboring property owners.
- parking layout will not adversely affect the flow of traffic within the site or to and from adjacent streets. Section 7.6 - off-street parking and loading regulations - there are no specific requirements for nurseries or greenhouses. The closest similar use is retail. The original approval required six parking spaces, yet retail stores require one space for 150 ft. of floor area while parking for farm stands requires a minimum of five (5) parking spaces located outside of the right-of-way. Applicant has proposed to increase the number of parking spaces to twenty (20). The parking area will be gravel or grass. The zoning ordinance doesn't require that they be paved but it does say that they have to be a durable, smooth, and dustless surface and shall be graded and drain all water. Included an additional condition of approval that the applicant would be required to treat any gravel parking area to mitigate dust as needed.

Cram states that there are fourteen (14) conditions of approval proposed and welcomes questions. Reminds the Planning Commission that discussion on this amendment has been ongoing since May of 2024, when this application was introduced. A public hearing was held on July 2nd, continued discussion took place on August 21st and again this evening, so if the Planning Commission felt comfortable, action could be taken.

Hall: Clarifies his understanding that though the proposed use may qualify as an activity under the Right to Farm Act/Farm Market GAAMPs, that the Planning Commission is not being asked to determine that.

Cram: Agrees that it is not the purview of the Planning Commission but determined by MDARD. The Planning Commission's responsibility is to determine whether or not the proposed amendment meets the standard within the zoning ordinance. There may be GAAMPs protection regardless, but it is not relevant to the decision before the Commission. The applicant is seeking an extra level of certainty offered by a special use permit amendment issued by the Township because it would grant her a vested right. This is valuable as the GAAMPs are updated from year to year so she could be compliant one year and not another. Having that vested right through a special use permit approval is thus beneficial to the applicant, and it also benefits the township because we have the ability to influence hours of operation, setbacks, and buffers, for example.

Hall: Highlights the importance of Commission members understanding that their responsibility is to look at the zoning ordinance only and asking if it qualifies as an accessory or incidental use on agriculturally zoned property. States that he brings it up because it is an example of the need for the Township to develop policy

to support the agricultural community, allowing flexibility for new uses and entrepreneurial activity so they may find ways to be profitable.

Beard: About the potential for requiring some screening: I visited the site and it sits in a swale. It is not readily visible from any of the surrounding properties as it is sited today unless there's development at the boundaries of the property line. It shouldn't require any additional screening or plantings based on what I observed.

Hall: Request that the applicant approach the podium and respond to the question of additional screening being put in place.

Erin Hafeli, 13387 Blue Shore Drive (Sole Owner, Lightwell Lavender Farm): I would love to see this project approved and if it was a condition of approval, we would certainly see to it. I love planting, as you might guess. I have some ideas in mind of hedgerows that I'd like to plant around my property to protect from drift from other farms and that type of thing, so I've done some research on hedgerows. I would prefer not to have a screen unless there was a specific complaint that we need to address from any neighboring property or individual. I think part of the experience of the lavender aromatherapy sauna is also getting to see out onto the lavender farm and I would be concerned that we'd be obscuring that view and part of that educational experience of viewing the plants.

Hall: Requests that the applicant explain how the process works once customers drive up to the establishment, to alleviate concern that the public might be exposed to various states of undress.

Cram pulls up the site plan to aid the applicant/owner of Hearth Sauna in explaining the process.

Hafeli: I will say that, you know, there is a concealed space. Most people would probably be coming, especially in the winter, with clothes on, and then once they enter the enclosed sauna unit, there is a space where they can hang up their belongings and go into the private sauna area - the group sauna area - without exposing the world to their Speedo outfit. However, the outdoor kind of cool off zone, as you'll see, does have an area for people outside of the sauna. The general process is that people may go in and out. They may do a cold plunge or sit outside, as you're not supposed to be in the sauna for a full seventy (70) minutes.

Cram shows Commission the layout of the sauna and cold plunge as they relate to the existing farm structures, and that the view from/of the road from the former is blocked by the existing farm shop.

Hafeli: The primary use of the farm is obviously agriculture in use, and the retail farm shop is the first thing that you experience - kind of an 'exit through the gift shop', if you will. This is also helping to create a destination and experience where people can actually pick up some of the hydrosols or essential oils that they just experienced in the sauna. They can actually purchase it right on site.

Cram: There are field crops and lavender planted, so you could be in the sauna/cool off zone, looking out to the lavender.

Hall: Requests elaboration on the cold plunge area.

Nick Olson, Owner of Hearth Sauna: So they (the cold plunge tubs) are larger. They're probably 2 ft wide, a couple feet tall and six to seven ft. long. It's just a single person tub that you can get in. The water is filtered and cleaned and all of that.

Hall: It's all enclosed?

Olson: The two plunges are outside. The sauna unit itself is enclosed.

Hall: We're not going to have naked people running from the sauna to the cold plunge and back?

Olson: Absolutely not. Clothing's required. Inside the sauna unit there's a dedicated changing room so people are expected to come in their clothes, to be able to do the changing, protected in that space.

Hornberger: I actually visited when the farm shop was going to be built and it's pretty isolated.

Hafely: Yes, that is a benefit to having a private farm, but also a challenge in terms of people finding us.

Hall: Inquires as to the potential use of amplified music.

Olson: We generally kind of shy away from music. It's supposed to be a quiet, peaceful experience for

people.

Hafeli: I have one other comment. We did provide a lot of scientific information, not just on the sauna, but on the aromatherapy, but I want to make a comment so it's not a precedent for other farmers to have to produce medical journal studies as it relates to accessory uses of the farm. I say that kiddingly, but also, it's hard to be a farmer, and if someone comes up with another creative use, I'm cautious to put a hurdle in place that other farmers may have to jump over.

Alexander: I'm still struggling with the accessory use. Also, do you (Hafeli) own the sauna or do you (Olson) own the sauna? With a special use permit, the sauna will go with the land, right?

Cram: The use will.

Alexander: The use will go with land. I'm just kind of having an issue with that, too.

Cram: Right now Erin has partnered with Nick. He would own the sauna but the use of that sauna on the land would be part of the special use permit, so it would run with the land. In the future, if Nick and Erin parted ways, as long as Erin continued - maybe she wants to purchase her own sauna - as long as she continues to operate in compliance with her approval she would be able to do that. It's important for us to understand the details of it.

Hafeli: I did hear your comments at the last meeting with respect to the educational component. We have leaned in heavily on that. I've drafted a narrative that would be included in a brochure. One thing I mentioned to Jenn is I didn't have time to put it into a pretty format for production but you can see some of the content there that would take people through the experience to further connect the ability to actually produce lavender essential oil and hydrosol on site and take it directly into the sauna for people to experience and then educate them on that part of it as well.

Cram: In talking to Chris Patterson, our legal counsel, he favored the experimentation that this allows and the science behind it. Having this experience allows Erin, as the farmer, to know what hydrosol is working best, what variety of lavender is the most aromatic, those types of things...so, in addition to the education there is science that helps the farm to develop more farm products.

Hafeli: We have made the confirmation that it will incorporate lavender at all times. I think that, frankly, it's a hindrance to his business model to have that restriction at my site but it is something that he's agreed to in partnership for this location.

Olson: We've been working together for six or so months, at other locations, using essential oils from time to time, and I've been able to say "hey, this one was a little sweeter, this one made some people feel this way" so, we have been able to really work together and experiment. It has been educational for us, too.

Olson: There's lots of businesses that you could try to bring out here and say "hey, we're going to use lavender in some scones and open a coffee shop" and then I can see where that's like really pushing this but lavender is a huge part of the experience for people so we're not just tossing a product in here to be able to get a business approved on a farm. This is an experience for people where lavender is already an essential part of - pun intended on essential - but I think that's a huge difference to make clear that this really is an accessory use supporting the farm and selling more farm products for her.

Hall: Requests that Alexander develop her point regarding her concern about accessory use qualification.

Alexander: I'm looking at the economic benefit and I'm trying to reconcile it with our ordinance too. The percentage of the finished product that is involved in the processing - all of the lavender is coming from you, so that's 100% of the lavender. How much of the economic benefit do you anticipate coming from the lavender versus the sauna?

Hafeli: I don't have those financial projections prepared for you today, but again, I am Right to Farm certified. My primary business is you-pick which provides over 80,000 square feet of retail sales area under the state of Michigan definition of retail floor space during peak production. I am more than compliant with the standards that are in my existing special use permit with regard to the 50 %, so I would assume that it doesn't need to be on every individual line item if we're talking about some of the GAAMP standards. On

the other hand, I'm not sure that the lavender essential oils needs to be 50 % of the revenue for marketing the sauna experience and advertising associated with that.

Alexander: Asks Cram for clarification regarding what percentage of sales is required by the ordinance to be of farm product itself.

Cram: (Amendment) 201 talks about, under Retail Farm Processing Facility, at least 50% of the ingredients as measured by weight of any processed product sold at the retail farm processing facility shall be derived from raw produce grown on land that is exclusively operated and controlled by the specific farm. Other limits are that 65% of the acreage has to be in active production.

Alexander: What is your acreage?

Hafeli: There are 10.3 acres presently. If I could also point to the vested sales in (section) 8.1.3. conditions and safeguards where it talks about the retail sales, there are clearly items in here that don't contain 50% lavender. Especially as we're talking about agricultural products - potting soil, prepackaged agrichemicals - those are all vested so I have trouble coming to a meeting of the minds on that.

Cram: There could be a condition of approval added. Under the Statement of Intent for Farm Processing Facilities it says 'it is the intent of this subsection to promote a thriving local agricultural production industry and preserve the rural character within the township by allowing the construction and use of a retail farm processing facility only where and when accessory to a minimum dedicated acreage of a farm operations land and active production, and that accessory use does not predominate over the farm operations active production.' this could address concerns. I would like to say from a scalability standpoint, we do require larger acreages for the retail farm processing facility because there is no limit on the number of people that can visit the tasting room. There is outdoor seating associated with that use as well. These uses are generally more intense. A processing facility of that size produces noise, smells, etc. I think from a scale perspective that the limited use of the sauna with ten participants in its square footage is similar and also has similar setbacks as well.

Alexander: What was the acreage required for the retail space, required by 201?

Cram: In order to have a retail farm processing facility with indoor tasting room it is 50 acres.

Hafeli: This vested use predates amendment 201, is that correct? The 10 acres?

Cram: Yes, it predates that. You were approved under a completely different process. And there is no alcohol associated with the uses approved.

Hall opens public comment portion, as Commission members are not ready for further discussion.

Louis Santucci, 12602 Center Road : First of all, I want to commend the Planning Commission for even thinking about this because this is a big step. You saw my comments, but I just want to make a couple of points that some of you may or may not be aware of. I have a very good friend - old, old farming family here - a hundred, a thousand pounds of his Spy apples are going on the ground because less than a month ago, he was told by his long-time buyer, they don't have any use for his apples anymore. You know about tart cherries, or you should know. Everybody's taking their tart cherries out. The grape industry that everybody thought was gonna be the savior - I have another friend who basically has just been told that over 80 tons of her grapes are not gonna be bought by the people that used to buy her grapes. Now, you can't even imagine how much money that is. That's like \$160,000. Those are all going on the ground, unless you can, in two weeks, find a market for them. What I'm trying to say here is the farm community is changing rapidly, and it's under attack. The fact that you are willing to think forward with something like this, to me, will be sending a message to all the farmers that, if they can be as creative as Erin, they might have ways to save their farms. But honestly, I don't want to sound like, you know, the sky is falling, but for those farmers, the sky has fallen. So, I encourage you, I just can't say it any stronger. I encourage you to give this a chance. And it'll send a strong message to the farmers. Again, I commend you for at least thinking about it, and I hope you can take the next step. Thank you.

Hafeli: I have one final comment, as it relates to that, I have engaged in this process to dutifully follow the procedure as an example to other farmers to work collaboratively, to come to an agreement for something that follows safeguards and conditions despite any MDARD or Right to Farm protections. I've gone through this process to create an accessory use that supports production on my farm and meets zoning ordinance standards. My hope is that this can be an example for the agricultural community and address concerns of the greater peninsula community.

Alexander: Voiced concerns that this is very close to other things that the Township is currently in litigation over. States that they are being sued for certain things that are very similar to this and bringing in GAAMPs/Right to Farm as part of the defense, leaving her uncomfortable with this proposed amendment. In her opinion, the sauna is still the primary use, and not the limited agricultural use that she would like to see.

Cram: I respect your concerns, but the township is being sued because the wineries felt that our zoning ordinance wasn't flexible enough and violated the Constitution. We're doing our best to defend ourselves. It's been painful for everyone. It has divided our community. However through the litigation we came together as a community, we organized a group of farmers and residents, and we heard "we want to have other opportunities, we want things to be equitable for all types of farming". This community adopted Amendment 201 that allows for tasting rooms, allows for entertainment in the tasting rooms, and I would not have felt comfortable in my analysis of this request if this were just a sauna. If it were the same sauna that Nick has behind his climbing facility in Traverse City, then yes, that would absolutely be commercial. It's not related to agriculture whatsoever, but they are making it so that this sauna is about using lavender, and educating people about the product and the process. That's why I was able to make that leap for it to be incidental and accessory and only because of that. It's a condition of approval that it always operates that way. I don't know if that's helpful or not just to look at other things we've learned in this process. Hopefully, in the years to come we can heal. We will find other creative ways to support our farmers that everybody feels comfortable with. I want to echo Erin's courage for coming forward and following our process because there are other farms out here that are doing things that they didn't come forward to get approval for.

Chris Patterson, Fahey Schultz Burzych Rhodes: I think it's an interesting concern and it is one that Jenn and I have worked through in the process. In listening to the public comments, I don't really think that this step is a revolutionary step. I don't think that it's a new trend or path, or is expanding any portion of what the zoning ordinance has otherwise already approved. (Regarding) the cases that you're referring to related to the Right to Farm Act, those defenses would exist for this applicant if she were to pursue them. I don't know if that makes a difference in the analysis under the zoning ordinance because ultimately a position under the Right to Farm Act is a position that no zoning ordinance provision applies. That they're preempted and that they're allowed to carry out that activity. As the ordinance is interpreted now, that analysis does not change the way that we would look at this application. The way that it was discussed by the Chair and by the Director of Planning at the outset of the meeting is how we've looked at it, as well. Which is: to the extent there are any Right to Farm protections, those would have to be pursued. There's always risk with that because the rules can change, and their activities can change, as it relates to protection. We're looking at this to the extent that it satisfies their special use permit approval and if she gets approval of an amendment she doesn't have to worry about the Right to Farm Act because she can operate consistent with the accessory use under the SUP approval. The difference with some of the cases currently being litigated is that those are primarily being litigated based not only on the scope of the principal use but of support uses, as well as particular accessory use provisions within them. It's a little bit more complicated because of the way that that winery-chateau principal use exists, or did exist, within the ordinance that formed the basis of those lawsuits. In looking at the way this application has been presented, particularly after it's been amended and narrowed by the applicant, they have a principal use, and a special use and it's not one that's been approved as a special use consistent with any other farming

activities that you're thinking of related to litigation. You have here farm activities that have already received special use approval, and it's merely an amendment to that. The real question to grapple with is the extent that it would be considered accessory. The applicant has attested to a couple of things: not only the fact that the approval itself relates to the materials that are being grown, cultivated, and processed on the farm but in addition to that the actual activity that she proposes will be subordinate to the principal use. To the extent that you have concerns about the sauna or the cold plunge exceeding that principal activity that she's currently engaged in, her application says the opposite. The recommendation that would go to the Board would be subject to those parameters and constraints of accessory use. That provision is limited and the guardrails are in place from the ordinance itself. We've talked about the different sort of features of the use that make it related to the actual cultivation and processing of the lavender that's occurring on the property. The amount of data and information that's been shared about the general and constant relationship of the sauna as it relates to the use of lavender means that we've already established that it's "subordinate". That's also in the documents that are before you, as the recommendation. Next, is it "customarily incidental", meaning that if you're processing and cultivating lavender, is it customary and incidental that you would then conduct this type of activity. They've talked about the educational pieces. They've talked about developing different protocols and methods allowing customers to experience it for purposes of sales. That's how we've looked at it over the months since it's been filed. The narrowing of the special use permit to remove some of the other activities makes it a little bit easier to see and understand the relationship to the current special use permit. I do think the litigation related to the Right to Farm Act pieces are unrelated, but even if you are concerned about that, that's really a question of preemption. It's not a question (related to) the findings you make here this evening, as we're not asking you to make any decision as it relates to the Right to Farm Act.

Alexander remains on the fence.

Hall states a lack of understanding of what concern remains after legal counsel opinion.

Alexander states concern that only four members of the Planning Commission are in attendance. She appreciates the time and effort spent on the proposal, but will not be voting in favor if a vote is called.

Beard suggests that a motion to deliberate be made if further discussion is intended.

Cram notes that, according to the by-laws, four out of the seven (7) member Planning Commission are required for a quorum for transacting business, and that an affirmative vote of the majority of the members in attendance is required. Thus, three of four members present must vote in favor in order for the amendment to be recommended to the Board.

Beard As far as the parliamentary question. It is not uncommon to have these discussions more informally. But it is recommended by all parliamentarians that if you're going to debate and discuss something, that you have a motion on the table. That would be the best way to handle it. Doesn't mean anybody's doing anything improper here, but the best way to handle it would be to have the motion that we could deliberate on, and if you're not comfortable casting a vote, someone could make a motion to defer action on it to a date, certain, which would probably be our next meeting if we get to that point.

Cram Thank you. Do you want me to go through the findings of fact chapter and verse?

Beard I've read through this and listened to the discussion and the testimony that we heard. It's clear to me that the principal, or primary use of this is the growing and processing of lavender, creating a variety of products. And this accessory use, the sauna, is incidental in that it uses the products produced on the farm in this particular application, and that location. I believe that the conditions that staff has included with the voluntary limiting of hours and voluntary limiting of the number of people that may take part in the sauna gives me a level of comfort that it will stay a controlled situation. I also think it is a very creative way to take what you're producing on your farm and incorporate it into something that your customers will value and can experience that farm product in a unique way. I'm very appreciative of the research that was done, pointing out the clinical and medicinal benefits. I know that was kind of an off the wall question when I

posed it, but there's so much snake oil out there, and it gives me a level of comfort that there are clinical studies and research demonstrating that this can be effective for some people. I'm personally comfortable with adding this accessory use to this SUP.

Hall I think Kevin and Donna have been articulate and persuasive. I agree with their comments. Julie, you had a comment.

Alexander Is there a parity? If one farmer does this, are we expecting that it will extend to other farms?

Cram They would have to go through the Special Use Permit process to be approved for processing lavender. They would also have to have similar limitations and demonstrate that it is an accessory use. And so, yes, someone else could propose something of this nature, but they would have to go through the process, and there would be the same, or similar limitations and conditions of approval that make the experience accessory to the principal use of production agriculture and processing of farm products.

Motion to recommend approval of Special Use Permit (SUP) #138, Amendment #1 for Old Mission Lavender Farm dba Lightwell Lavender, subject to the fourteen (14) conditions as detailed in the October 1st finding of facts and conditions to the Township Board made by Beard, seconded by Hornberger.

Roll Call Vote: Alexander: No; Hall: Yes; Hornberger: Yes; Beard: Yes **Motion passed by majority**

9. Reports and Updates:

a. Special Meeting October 10, 2024 – Special Use Permit (SUP) #35, 7 Hills Development, Amendment #3 – Public Hearing

Cram thanks Commission for making themselves available for the special meeting and details the following:

- The request includes adding a microbrewer license, small winemaker license, and tasting for beer and wine. It doesn't increase capacity. Applicant has agreed to stay below the full extent of manufacturing allowed by these licenses. Applicant would only be blending, mixing, bottling, capping, etc....to be consistent with allowed uses in C-1 district.
- Timeline would be up to Planning Commission, as by-laws state that action is generally not taken the night of a public hearing, but due to cumbersome nature of existing process and the minor scale of the proposed amendment, Planning Commission could take action at the October 10 special meeting.
- Planning Commission will have access to draft findings of fact and conditions, hear public comment at meeting

b. Planning and Zoning Workload and Priorities

Cram updates the Commission on:

- the progress of newly hired Zoning Administrator, Tori Wolever, and states that she plans to recommend to the Township Board at the October 8th that they make a motion to officially allow her to act as Zoning Administrator, as she concludes the 90-day probationary period. As soon as the November meeting of the ZBA, Wolever will act as staff liaison to that Board with Cram continuing to participate/guide
- new policy to make everything that occurs in the Planning and Zoning departments as a result of a team effort in order to speed the process of permits and determinations of the zoning ordinance
- first priority is to speed the process of issuing permits, in order to save time and money for contractors and property owners, the second priority is moving special use permits and variances through the process, and other priorities include Master Plan implementation, shoreline regulations, police power ordinance for stormwater control, and a comprehensive rewrite of the zoning ordinance, etc...
- another priority based on what has been learned from Peninsula Shores, is a small study group that has been developed to work on the substantial improvement component of our zoning ordinance. Hall will likely lead that sub-committee, joined by Beard and Shipman.

c. Shoreline Regulations Study Group Pause

Cram states that :

- the work of the study group has been paused, not terminated
- much work was done on single and shared waterfront ownership regulations, as well as a policy direction that will move drafting language forward.
- due to the likelihood of new board members after the election cycle, it would be prudent to wait until members are able to be educated by various guest speakers, the Planning Commission, the study group, and the community

d. Agricultural Advisory Committee Interviews

Cram announced the interviews will take place on Monday, October 14th. Fourteen (14) applicants will be asked questions developed by Board members. Questions are due October 10th. After applicants are selected, the committee will be formed to support farming and the sense of place of the community.

Alexander inquires if Agricultural Advisory Committee interviews will be public.

Cram confirms that the public is welcome but is unsure whether the interviews will be made available on the Township YouTube channel.

10. Public Comments none

11. Other Matters or Comments by Planning Commission Members

Beard: Mentions an email sent from Candie Lannen on September 27th regarding shoreline. Cram asserts that she will be sure to respond to it, as it came in during her time at an out-of-town conference for the Michigan Association of Planners

12. Adjournment

Beard moved to adjourn at 8:20 p.m. with a second by Hornberger.

Motion passed by consensus.