

PENINSULA TOWNSHIP

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PLANNING COMMISSION MEETING MINUTES

Township Hall

13235 Center Road, Traverse City, MI 49686

December 16, 2019

7:00 p.m.

1. **Call to Order:** by Shipman at 7:00 p.m.

2. **Pledge**

3. **Roll Call:** Dloski, Couture, Shipman, Oosterhouse, Excused: Hall, Wunsch.

Also, present: Mielnik

4. **Review for Conflict of Interest:** None

5. **Brief Public Comments:** None

6. **Additions to Agenda/Approval:**

Mielnik: Hawthorne Vineyards has submitted an application to go from a use by right winery to a winery chateau. Donna and I discussed the value of a committee to study this proposal (as was done for Bowers Harbor). This will be 9d.

Moved by Dloski to approve agenda, as amended, seconded by Couture pass unan

7. **Consent Agenda:**

a. Approval of Meeting Minutes: Planning Commission Meeting, November 18, 2019

Moved by Couture to approve the consent agenda, seconded by Oosterhouse

pass unan

8. **Reports:**

a. Zoning Board of Appeals (Couture)

Couture: No report, meeting was not held

b. Zoning Updates (Mielnik)

Mielnik: The township attorney has reviewed the zoning rewrite. A small adjustment needs to be made for farm stands. At this point, we are ready to move it forward and to decide how to present to the public. Also, we have the zoning map in digital form. There is a committee (Larry, Donna and Randy Hall), working on the zoning rewrite for the wineries. They will be meeting on Wednesday. We will separate the winery issues from the overall rewrite at this time.

9. Business Items:

a. First Congregational Church – SUP #134

Mielnik: We have the update of the findings of fact and conclusions in your packet. It has changed with regards to screening and noise. Referring to the approval conditions and safeguards, number four on page six, is creating a vegetated buffer to mitigate visual and noise impact generated by the proposed project. Plant material will be added near the north property line and includes no fewer than six conifers (mixed species) eight feet tall (or a greater number of smaller trees of equal value) on the Walnut Ridge side of the property line in locations to be determined by the Walnut Ridge HOA. Irrigation for those new trees during the first two years is necessary. Additionally, the one existing large conifer on south of the fence will remain and will be protected from proposed grading activity to ensure the health of the tree so that it continues to provide visual screening. Also, number five, is after the roof top HVAC units are installed, the Walnut Ridge HOA may request that a noise test be performed to confirm actual noise levels from new rooftop HVAC units. If it found that actual noise

levels attributable to the 3 roof top HVAC units are significantly above the projected 40 dB level at any Walnut Ridge residence, this Special Land Use Permit shall be suspended and the need for screening the 3 roof top HVAC units shall be reconsidered.

Mike Wills, First Congregational Church: We do not have any issues with the findings of fact.

Dloski: There are a couple of additional issues that need to be addressed in our recommendation. First, the fire department letter indicates the need for final approval of the proposed fire access lane to the storage pole barn. Secondly, the engineer's letter, exhibit six, shows certain deficiencies in the site plan. In the last paragraph, the engineer said they are not significant enough to hold it up from the township board.

John Bercini, 711146 Walnut Ridge, President of the Walnut Ridge Homeowners Association: In agreement with Sup #134

Moved by Dloski to recommend approval of the First Congregational Church Special Land Use Permit (SUP #134) subject to the five stated conditions contained in the December 16th, 2019, Findings of Fact and Conclusions, along with the addition of two more conditions. These two additional conclusions include: 6) That the Fire Department provide final approval the fire access lane to the pole barn to be constructed when sealed drawings are provided. and 7) That the SUP fully comply with the Township's Engineer's concerns over outstanding site plan issues described in Exhibit 6, seconded by Couture

pass unan

b. Review Community Survey Results

Mielnik: Both the township and master plan steering committee heard a presentation on the community survey results from John Cavanagh with Epic-MRA. The presentation is included in the meeting packet. This material represents a high-level summary of the results, and more work is needed to fully digest the results. There were a number of questions as to where the respondents live, and results can be compared in different parts of the township. Also, how opinions have changed over time can be studied. There is approval for the overall direction that the township is taking. A majority of the respondents feel the quality of life is the same or better. Seventy percent approve of the quiet rural atmosphere and scenic views, and identify that as a reason they like living here. Also, while there is a high approval rate for township services, a majority think that the taxes are too high. Eight out of ten agree that the local policies should support the rural, undeveloped character of the township, even if it limits economic growth and discourages housing options. In addition, two out of three, about sixty-three percent of the respondents, are aware of the PDR program. Finally, eight out of ten, are in support of a non-motorized transportation plan for the township.

Oosterhouse: For a pedestrian trail, we can relate that to TART trail in Leelanau County. How do we allocate funds and plan ahead? It could be twenty years out.

Mielnik: The committee made efforts to ask questions as to how the township can plan for that.

Dloski: Peninsula Township is mentioned in publications as one of the best places to ride. However, Center Road is dangerous. It would be nice to have a bike path from Front Street to the lighthouse, but this would take time.

Couture: The short-term rental policy results were interesting; it seems clear that the thirty-day rental period we have now, is favored.

Mielnik: On the state level, there is legislation that may be approved that will put limitations on what local governments can do. The real estate industry is pushing for relaxing the rules for short-term rentals. The township's response could be framed by the state.

Dloski: Looking at the community survey for the winery chateaus and looking at the idea of relaxing restrictions; people disagree with relaxing restrictions on wineries.

Oosterhouse. There is a need to look at what "relaxed" means in terms of events at wineries.

Discussion of wineries and events.

Shipman: a public "thank you" to all survey respondents

c. Planning Commission Annual Report

Mielnik: As required by state law, a planning commission annual report is required. A draft will be prepared for the January meeting.

d. Hawthorne Vineyards Committee

Oosterhouse: They want to be a chateau. If it is just a SUP, and if they are not changing the physical layout of their building, then a committee may not be needed.

Dloski: Do we want to approve a winery chateau when we are revising the ordinance. What effect will the revisions have on existing special use permits? This is a question for legal counsel.

Mielnik: Donna thought it would be good to form a committee to give some feedback. Bowers Harbor Vineyards was more complicated.

Shipman: We can pull together a committee via e-mail if necessary.

10. Public Comments:

Nancy Heller, 3091 Blue Water Road: For the survey, it is important pay attention to the age of the respondents. The parks committee is prioritizing things to recommend to the town board, such as playground equipment. An older population would not look for an emphasis on playground equipment. Residents who do not want future businesses going in, are not necessarily the large parcel owners. They smaller parcel owners can outvote the large parcel owners. Conversation is referencing LCC rules, but have not observed a clear presentation or understanding how this refers to ordinances, committee meetings, or conversations around winery chateaus. Wishes for clarity on LCC rules.

Bercini: For the non-motorized trail part of the survey information, asks the township to consider small ideas, not to wait twenty years. Perhaps, use a township park like Bowers Harbor, as a hub and loop through the agricultural and winery land in the center of the peninsula.

Heller: Agriculture has come under a lot of rules and regulations. She has no trails in her farm, but has trespassers.

11. Other Matters or Comments by Planning Commission Members:

Shipman: will be absent for the January meeting

Mielnik: there is board training at noon on Thursday

12. Adjournment:

Moved by Dloski to adjourn, seconded by Couture

Meeting adjourned at 7:42 p.m.