

**Charter Township of Elmwood  
Planning Commission Regular Meeting  
Elmwood Township Hall (10090 E. Lincoln Rd.)  
October 24, 2023 at 7:00 PM**

**A. Call to Order:** Chairman Bechtold called the meeting to order at 7:00 PM.

**B. Pledge of Allegiance:** The Chair led the Pledge of Allegiance.

**C. Roll Call: Present:** Jeff Aprill, Doug Roberts, Chris Mikowski, Rick Bechtold, Jonah Kuzma, Kendra Luta, Nate McDonald

**D. Limited Public Comment:** None

**E. Agenda Modifications/Approval: MOTION BY COMMISSIONER ROBERTS, SECONDED BY COMMISSIONER APRILL TO APPROVE THE AGENDA AS PRESENTED. MOTION PASSED 7-0.**

**F. Minutes- September 26, 2023: MOTION BY COMMISSIONER LUTA, SECONDED BY COMMISSIONER KUZMA TO APPROVE THE MINUTES OF SEPTEMBER 26, 2023 WITH CORRECTION. MOTION APPROVED UNANIMOUSLY.**

<b>G. Consent Calendar: Approve/Receive and File</b>	
Long Lake Twp Draft Master Plan	ZA Report
Thompson Surgical Minor Amendment	MSU Land Use Series Handout
Taproot Minor Amendment	Center Pointe Minor Amendment

**MOTION BY COMMISSIONER KUZMA, SECONDED BY COMMISSIONER LUTA TO APPROVE THE CONSENT CALENDAR AS PRESENTED. MOTION APPROVED BY A UNANIMOUS VOTE.**

**H. Declaration of Conflict of Interest:** None

**I. Old Business:** None

**J. New Business:**

**a. Public Hearing and Deliberations. SPR/SUP 2023-10. Request by Field La Femme Properties, LLC, regarding property at 10051 S. Lake Leelanau Dr. (Parcel 45-004-018-004-25) for Farm Club Expansion (Uses: Agricultural Commercial Enterprise (Farm Market), (Microbrewery)).**

Chairman Bechtold read the statement to open the public hearings.

Dusty Christensen with Mansfield Land Use Consultants was there on behalf of the applicants, Nick Thiesen and Gary Jonas. He noted, the application in front of the Commissioners was an amendment to the plans for the Farm Club property which includes expanding the existing microbrewery. They're also seeking approval for a Special Use for a new 1800 sq. ft. building that will incorporate farm market space and a bakery. The primary reason for them being there is Farm Club itself has limited space within the existing building and needs more room, not just for the guests, but for the employees.

Chairman Bechtold asked about parking and how it would be managed if all the designated spaces were occupied and people kept going in, how would that be handled so there would be no violation of the Ordinance and no safety being compromised. Staff asked if they would be able to delineate the parking spaces. Dusty Christensen said the applicant would be willing to use chalk paint to delineate the spaces.

**Chairman Bechtold opened public comment at 7:22 p.m.:** No comment given  
**Public comment closed at 7:23 p.m.**

**Chairman Bechtold closed the public hearing at 7:27 p.m.**

Staff handed out prepared draft Findings of Fact. The Commissioners went through the draft Findings of Fact and Standards for Approval. Additional findings of fact were made to the draft including that the applicant stated they agreed to submit a revised plan meeting the buffering requirements of the Ordinance and that the applicant has agreed to mark the parking spaces onsite.

**MOTION BY COMMISSIONER LUTA, SECONDED BY COMMISSIONER APRILL TO ACCEPT THE FINDINGS OF FACT AS MODIFIED. MOTION APPROVED UNANIMOUSLY.**

**Conditions:**

1. The narrative and plans indicate the property owner is seeking 94 parking spaces (36 approved in 2018, 9 spaces for the new Farm Market, and 49 for the expanded microbrewery). In accordance with Section 6.1.2.H of the Ordinance, in granting any additional spaces beyond the required amount, the Planning Commission shall determine that the parking is necessary based on documented evidence of actual use or anticipated demand as provided by the applicant. The Planning Commission shall also consider impacts on the property and surrounding properties, including any natural features thereon. The Commission determines that exceeding permitted parking is APPROVED.
2. The Planning Commission is only approving the expansion of the "microbrewery" into the lawn area *AS DELINEATED ON THE PLAN*, the installation of one beverage service station, a new farm market structure, and parking. Any other work will be deemed a violation of the Zoning Ordinance unless approved under the appropriate process.
3. The Planning Commission is not approving any expansion of the existing non-conforming elements from the 2018 definition of Agricultural Commercial Enterprise which was permitted in 2018.
  - a. No expansion of food service is permitted.
  - b. No expansion of the wine tasting room is permitted. No cider shall be served from the 'outdoor beverage service station' or consumed within the 'lawn seating area for outdoor bar.'
4. Prior to issuance of a Land Use Permit, the Applicant or their representative shall provide evidence that the expansion will not impact their license or the MLCC (or an inspector) has reviewed and approved the expanded use of the microbrewery.

5. Recommendations proposed by the Fire Chief in his 9/21/23 letter will be made a condition of approval. These recommendations include:
  - a. Applicant shall comply with IFC standards for clear widths and the maintenance of all fire apparatus access lanes. *Reference: IFC 503.2.1 & 503.4.*
  - b. Applicant shall provide address identification visible from the public right-of-way and at other approved locations to facilitate emergency response. Address identification and approved locations will comply, at a minimum, with IFC standards. *Reference: IFC 505.1.*
  - c. Applicant shall maintain clear access to the existing on-site fire suppression water tank and dry hydrant located along the southern edge of the existing north parking lot (next to the existing main building). *Reference: IFC 507.5.4.*
  - d. Applicant shall place and maintain signage designating “NO PARKING – FIRE LANE” along the main driveway up to the entrance of the furthest parking area and in front of the water tank’s dry hydrant. Signs shall be conspicuously spaced to discourage parking in these areas. Signage should substantially meet the IFC Appendix D Fire Apparatus Access Roads – Section D103.6: Signs. Any proposed alternatives to the standard shall be approved by the Fire Chief. *Reference: IFC 503.3 & D103.6.*
  - e. Applicant should create and maintain a drivable surface leading to within a minimum of 150 feet of the lawn seating area. The surface may be dirt, gravel, or grass but capable of sustaining the weight of smaller response vehicles (up to 20,000 lbs.) The drivable surface should include enough reasonable area to affect a turn-around and its location reported to the Fire Chief.
6. All requirements for Agricultural Commercial Enterprises (Farm Markets) at the time of permitting are incorporated as conditions of approval. This includes, in part, the following:
  - a. The use must be associated with a farm operation, operated according to the Generally Accepted Agricultural and Management Practices for Farm Markets (GAAMPS) for the State of Michigan and any additional GAAMPS that may apply for the proposed use.
  - b. Sales shall be limited to farm products in compliance with GAAMPS for Farm Markets, such as fruit, vegetables, or baked goods; plant and nursery stock; or farm-related products such as milk, cheeses, honey, preserves, or butter. A bakery may exist as part of a farm market.
  - c. Sales of the following are prohibited unless otherwise authorized by the Ordinance: Fuel or related products; Tobacco products; Lottery tickets; Vehicles or related products; New & Used household goods; Alcohol production and sales.
7. At the time of permitting, all uses are on one parcel and are owned and operated by one entity. If this changes in the future, the Township shall be notified and the change will be reviewed to determine if the Private Road Ordinance is applicable.
8. The property owner is responsible for obtaining all other applicable permits. This shall be done prior to obtaining a Land Use Permit.
9. The Planning Commission is not approving any signage under this Site Plan Review. Any proposed signage will need to comply with the Zoning Ordinance and the property owner shall obtain a sign permit from the Zoning Administrator.
10. Landscaping shall be maintained in a healthy, growing condition. Diseased or dead materials shall be replaced within the current or next planting season.
11. Prior to issuance of a Land Use Permit, a stamped copy of the plans shall be provided.
12. Once the project has been completed, the property owner or their representative shall submit As-Built plans in accordance with Section 8.6 of the Zoning Ordinance.
13. The project shall comply with all requirements of the Zoning Ordinance in effect at the time of approval.
14. Prior to issuance of a Land Use Permit, a revised plan be provided showing the buffer requirements are met.

**MOTION BY COMMISSIONER LUTA, SECONDED BY COMMISSIONER MCDONALD THAT BASED ON THE FINIDINGS OF FACT PREVIOUSLY ADOPTED, SUP/SUP 2023-10 FARM CLUB EXPANSION IS HEREBY APPROVED SUBJECT TO THE DISCUSSED AND APPROVED CONDITIONS. MOTION APPROVED BY A UNANIMOUS VOTE.**

**b. Public Hearing and Deliberations. Capital Improvement Plan.**

**Chairman Bechtold opened the public hearing at 8:05 p.m.**

Staff noted her memo provides detail on the hearing and CIP process.

**Chairman Bechtold opened public comment at 8:06 p.m.** No public comment.

**Public comment closed at 8:06 p.m.**

**The Chair closed the public hearing at 8:07 p.m.**

The Chair noted the Planning Commission has to review a Capital Improvement Plan. CIPs are a requirement of all Charter Townships that have a sewer and water operation and Elmwood Township has both. He asked Staff in her preparing this and having discussions with other Township officials and Board members, if most of the projects are on track for the schedule that's been outlined.

Staff responded that 2024 is pretty accurate. Different Township departments are pursuing funding opportunities. A lot of it will be based on grants. The Township Board has hired a grant coordinator.

The Chair asked about the public water system at Timberlee. Staff said at the last Township Board meeting, the Board voted to move forward with pursuing improvements involving the replacement of the tanks with 2 new small tanks. Commissioner Mikowski noted the Township Board also made an amendment to the Marina boater's design. They're keeping it in the current location instead of moving it closer to the water which will save over \$1 million.

**MOTION BY CHAIRMAN BECHTOLD, SECONDED BY COMMISSIONER LUTA TO RECOMMEND TO THE ELMWOOD TOWNSHIP BOARD THE ADOPTION OF THE CHARTER TOWNSHIP OF ELMWOOD CAPITAL IMPROVEMENT PLAN 2024-2030. MOTION PASSED UNANIMOUSLY.**

**K. Discussion on Zoning Ordinance:** The Chair asked, based on their discussion about parking for the agricultural/commercial enterprise which seems a little vague, what would be the best approach for something like that.

Commissioner Aprill asked why they even allow brew pubs, and can they change the Ordinance to not allow them in an agricultural district. Staff responded that the Commission hasn't approved a brew pub, that is a different licensing process through the state than the microbrewery. To her knowledge, the Township is not obligated to keep that [microbrewery] as an allowed use. The Commission has gone back and forth on value added. Value added helps farmers diversify income and provides something that is steady. She wouldn't recommend removing added value in Ag out of their Ordinance.

Commissioner Aprill responded, the problem he has with it is they're not growing hops, barley, etc., so he asked, value added to what. Staff agreed and said moving forward it would be good to work on requirements about planted crops, and crops that are ready to harvest.

Commissioner Aprill said if you're not using your own product, if you're only selling someone else's product, you're a commercial operation.

The Chair noted it was worthy to have a workshop for future discussion.

**Comments from the Chair:** Chairman Bechtold thanked the Commissioners for their diligence, being well prepared, asking good questions and having thoughtful responses, and their overall concern for the wellness of the Township. As a Township resident he appreciates that.

**L. Comments from Planning Commissioners:** None

**M. Comments from Staff:** Staff gave the Commissioners an email from Trudy Gala.

**N. Public Comment:** None

**O. Adjourn: MOTION BY COMMISSIONER APRILL, SECONDED BY COMMISSIONER ROBERTS TO ADJOURN MEETING AT 8:33 PM. MOTION PASSED UNANIMOUSLY.**