

**SOLON TOWNSHIP PLANNING
COMMISSION MEETING**
Meeting Minutes for February 6, 2024

APPROVED MINUTES WITH
CORRECTIONS

Solon Township Hall: 9191 S. Kasson Street, Cedar, MI 49621

Steve Morgan - Chairman - Term expires 12/31/24

Todd Yeomans – Vice Chair / ZBA Rep 12/31/24

Steve Yoder – Township Board Rep 11/17/24

Meg Paxton – Member 12/31/25

Samantha Vandervlucht - Member 12/31/25

- I. **Call Meeting to Order / Pledge of Allegiance**
Meeting called to order by Steve Morgan at 6:04 p.m. with all in attendance reciting the Pledge of Allegiance
- II. **Roll Call / Guest Sign In**
ZA and all PC members in attendance except Todd Yeomans who was excused
- III. **Motion to Approve Minutes** – January 2, 2024 – Yoder provided input for corrections and improvements to January minutes. Corrections noted and minutes will be updated. A motion to approve made by Yoder, Paxton seconds and all present in favor, the motion is conditionally approved pending updates.
- IV. **Motion to Approve Agenda** (additions/subtractions by PC) Paxton moves to approve, seconded by Vandervlucht, all present in favor and the motion is approved.
- V. **Correspondence**
ZA Cypher has correspondence as it pertains to hearings and will review it during the hearings.
- VI. **Conflicts of Interest** – none
- VII. **Public Comment** (three minutes per person unless extended by Chair)
No comments
- VIII. **Reports: Twp. Board Rep. -**
Yoder reports that the last meeting was short and the key topics were as follows:
The attorney is raising rates from \$150 to \$175/hour. Almira Township wanted to pass on that they are reviewing their Master Plan. Township Board agreed to start collecting \$2.50 per parcel for Solon Township in summer taxes from Glen Lake Schools.

ZBA rep – None

ZA Cypher reports that a note was sent to Township Board with the invoice and costs of Recording Secretary. The monthly report was also sent out, no one on the board had any questions about either. The ZA contract will expire at the end of March. ZA would like to go to Township meeting on 2/15/24, to help decide what he wants to do going forward. There may be some changes.
- IX. **PUBLIC HEARING**
Heartwood Ciders (HC)– Yoder motions to close regular meeting at 6:15 and open public hearing for HC, Paxton seconds and all in attendance agree and Public Hearing begins. ZA reminds everyone about page 2 and protocol for Public Hearings.
Rachel Barnhard is presenting and introduced other members of the HC team. They are

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excited about planting the orchard as the first part of the project, and the cidery is the second part of the project.

Dustin Christianson (consultant) provided a brief but thorough summary about the project. Site is about 10 acres, just north of M72 and Lautner Rd. intersection. Proposed cidery is on the east side, the rest of the site is shown on the plan. (tasting room, parking lot, orchard) Detailed review of the proposed site plan were explained. Stormwater will use natural grades and be retained. There will be private well and septic on site. There is a LCRC driveway permit that has sign off on the curb cut. A soil erosion control permit is needed before construction, as well as other agency permits. The building will be 5000 square feet. During last meeting there were concerns about noise. Hours will be capped at standard business hours, and music will be capped at just a speaker and directed to the south and west. The tent use is for small gatherings. Weddings/receptions and larger gatherings will be proposed further down the line in phase II of the project.

Letter provided by Christianson to Cypher clarifying hours of operation and planned noise control.

ZA Cypher asked if the area to be fenced was to contain alcohol consumption outdoors ? Barnhard responds that they will do something for this as required by MLCC.

November – April hours will be Monday-Saturday noon – 8pm, and 12 pm – 6pm on Sunday
May – October hours will be Monday-Saturday 11 am – 9pm, and 11 am -7 pm on Sunday

Vandervlucht questioned whether or not the 300' letters were sent. This was discussed and confirmed that they were sent certified, and most were received but Recording Secretary to verify receipt.

Vandervlucht – will there be special areas for children? Barnhard - Not a playground per se, but possibly.

ZA Cypher reads correspondence received from the public:

Email: Mark Wilson – neighbor – offers support for proposed project. How will they irrigate? How will they mitigate the water supply of surrounding neighbors? Answered: Irrigation not necessarily a given, they are only planting 2 acres. They will work with health dept on well and get approvals.

Paula England – Exec director of cider association – Enthusiastically supporting this project.

Gail and Jim Leone – concern about amplified music expressed to Morgan via phone. ZA to check to see if he received an email.

Doug Fierberg – communicated to Vandervlucht that he offers his full support of project.

Public Comment:

Joel Mulder – offers his support to the project

Public hearing closed at 6:37 pm. Motion by Yoder, Paxton seconds, all in attendance vote yay, motion is approved.

Findings of Fact (FoF) document discussed:

Weddings and large events will be included in Phase II. This is a condition of approval.

Parking: Noted on Site Plan – ZA asks if anyone ~~has anyone~~ on the PC has any issues – no one did. delete has anyone

Pg 3: No sleeping rooms, number of employees will fluctuate.

Pg 4: Christianson, no requirements for buffering. If a plan is done, they will need to submit it.

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Pg 5: Fire chief correspondence received. Need to incorporate his comments in FoF doc. Is an alarm system required? HC has followed all fire code requirements. Condition about code and any updates. ZA asks for a note on site plan on permit status and what's required still.

Pg 6: Project completion schedule required. Open summer in 2025, possibly that spring.

Pg 7: Is letter A addressed in 20.05? PC feels it is addressed. Same with B? yes, it is addressed

Pg 10: no questions

Yoder moves that the PC conditionally approve Heartwood Ciders project. Paxton seconds. All in attendance vote yes, motion is approved.

Yoder motions to close regular meeting at 6:55 to open public hearing about Thompson project. Morgan seconds motion, all in attendance vote in favor and Thompson hearing begins.

Thompson Public Hearing:

Operations are expanding across the street from the Township Hall. Increase of production space, minimal increase in traffic. Leelanau Automotive will essentially remain the same. They just need a special use permit. Septic and driveway permit in hand. Erosion and soil being discussed with drain commission – and almost complete. The fire marshall recommendation is the main item to be discussed.

Phase 1: 2 existing buildings, one small addition on each is being requested.

Phase 2: Later a 3rd building will be added.

PC has no questions for Thompson. No correspondence about the project.

Public Comment: Corey Flaska supports project. And wants to make a public comment. Mary O'Neil – wants to know how big the building is. About 2000 square feet.

Letter to Fire Chief (FC)– need to tackle that. ZA talked to FC and invited him to meeting, but FC communicated that he did not know about it. Jan 10th email from legal counsel forwarded to Thompson. He will address:

Thompson questions whether it is the right thing for the community if the PC just follows the Fire Chief recommendations. A conversation with FC reveals that he has no power to inspect or enforce code. Thompson: if you are putting forth mandates without any inspections or approvals, this subs out risk and liability. Thompson conducted a survey of community members who were in a similar situation, were alarms installed? Driveways to code? No survey or follow through ever happened.

PC Comment: Question if plan provided to the building dept yet? Not yet, can't until PC approval. Submitted without alarm to building dept, he has a Certificate of Occupancy for the last building.

Paxton wants to know why it was a condition previously.

ZA confirms that the PC has every right to grant a waiver if they so decide. Lawyer recommends against it.

Morgan doesn't understand why county building dept decides some, and other businesses go through PC.

Thompson – for decades no one has been inspecting, he feels singled out.

ZA will work closer with the Fire Chief.

Yoder: he thinks this is overbearing, but precedence has been set. He has a hard time going

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against precedence because it would go against what attorney recommends.
Thompson – urge the commission to consider that it shouldn't be done because it's always been done that way. Yoder agrees. But this is the same parcel, so it's more complicated.
Thompson: Going forward with future proposal, he doesn't want to agree to same circumstances or terms as current phase. Yoder questions if 3rd building needs alarm, confirmed that same letter was received on 3rd building.
Thompson doesn't feel that Fire Chief can enforce, ZA says PC does the enforcement. With investigation, he has found that very rarely does a PC manage this. Normally it's the county or township that enforces.
ZA: because of ambiguity in this situation, he reminds them that they have the right to approve a waiver. Yoder doesn't want to force something on a business that isn't being enforced. ZA would like to give the attorney info about the ambiguity of the situation.
Morgan: building dept and fire chief need to get aligned.
ZA: wants to know what changed between different buildings for Applicant.
Thompson: offering to install alarm in old building but it's not consistent.
ZA: how did first building get to CoO without alarm? Why did fire chief change what is required? If there are 2 different standards, we need to know why.

Yoder motions to close public hearing at 7:29, Vandervlucht seconds,, all in attendance vote yay, public hearing is closed and PC moves on to Findings of Fact document for Thompson.

FoF Thompson:

P1: no questions

P2: approved waiver

P3: Lighting should meet zoning ordinance, these are conditions

P4: they don't have hazardous materials, hauled out regularly

Condition will be established, how do they verify? Summit Fire systems should confirm installation via letter and provide pics ~~for~~ previously approved project back in 2021. for instead of fro

Yoder motioned

~~Steven Morgan: Motion~~ to approve with conditions, Thompson site plan, with conditions that were set. Morgan seconded, all in attendance voted yay, motion approved

X. New Business

- A. PC Budget
Recording secretary under Tim's direction, imagines there will be questions about invoice submitted. Will move this to March meeting

- B. PC meeting dates; election conflicts in August and November
 - March 5, 2024
 - April 2, 2024
 - May 7, 2024
 - June 4, 2024
 - July 2, 2024
 - August – TBD – Change to July 30th
 - September 3, 2024
 - October 1, 2024
 - November – TBD October 29th
 - December 3, 2024

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January 7, 2025
February 4, 2025
March 4, 2025

Motion to approve PC schedule dates as discussed March 2024 – March 2025,
Motion by Paxton, Vandervlucht seconds. All approve

Public comment: Corey Flaska – offers new language and a map for PC to discuss –
density in zoning ordinance vs. master plan. There is a picture of a half vs full acre. Half
acre is an industry standard for a subdivision lot. This has been worked on for years, he
hopes that it will not continue to take time.

ZA: not necessarily simple to make changes, could take 3-4 months.

XI. Old Business

A. Status of Future Land Use Maps – Density

Changing density, not areas. Need to be discussed because there is a mix on lot
size. Yoder: no problem with ½ acre density. With 4 corners, make that section
smaller. Smaller parcels wouldn't even meet the way it's zoned right now. Would
like to take out whole square and make it even. Solon Road has R2. Behind
Grumpy's you couldn't do a PUD if you tried.

Yoder likes that the wording would be in the Zoning Ordinance and not in the
master plan. Acknowledges that the attorney needs to review and
modify/approve wording.

P91, #2: about individual lots discussed, ZA requests that Yoder mark up what
he's talking about.

Paxton: Needing to clarify what the spots are for, Map designates areas and
what can be built.

ZA asks if there is a consensus on half acre? Are they OK with what Yoder has
reflected in his changes? Are you OK with ½ acre density? But could go down
to 5000 feet if desired.

Is everyone OK with the Yoder recommendation? Everyone agrees
1 going to ½ acre: Yoder supports because of what current demand is, not large
acreage, small condos. Allows for more affordable housing.

Keep 1 acre: Voting: 3 voted to keep M72 at 1 acre (all but Yoder)

Morgan: Can we change master plan wording? Yes. ZA to write and have
attorney review it.

Everyone OK with 5,000 square foot language?

Vandervlucht – asking about 5,000 square foot language. Any changes still have
to go to public hearing and public comment and go to county planning
commission. The public will have plenty of opportunity to provide their opinion on
the topic. The board and commission approved the language previously (5,000
square feet).

ZA will get master plan modifications and language ready for next meeting..

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B. Master Plan (Update)
Already discussed

XII. Other Items

A. N/A

XIII. ZA / Planning Commission Comment – thank you for your due diligence tonight, no further comments

XIV. Public Comment (three minutes per person unless extended by Chair)

Tim Dowd – 5000 square foot parcels could bring mobile home parks and feels it is open to litigation since it's not spelled out. Comment: fire protection at auto workshop. In absence of ordinance it goes to state code. It was a 31 page code.

Mary O'Neil: does not think PC should consider whether or not they want more people in the area when voting. O'Neil supports smaller lots and more affordable housing. Concern about local people being able to buy homes here. Solon has an opportunity for affordable housing because properties are not on a lake. Could support more locals buying here.

Corey Flaska: There is a need for smaller lots. Can't believe that 3 voted for 1 acre lots. He feels that they voted against what the people need and want. He agrees with Mary O'Neil.

Shannon Kochis: Lautner Road, wants larger lots, not 5,000 square feet. Against trailer parks.

XV. Adjournment at 8:24 pm by Morgan.

Steve Morgan, Chariman 231-342-1365