

**ROSE TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
August 3, 2017**

The following residents and guests signed in as present:

Tom Wirth Keith Watson Linda Watson-Call Marilee Carsten

Other(s) present: Clerk/Debbie Miller, David Plewes

The regular meeting of the Rose Township Planning Commission was called to order at 7:00 p.m. at the Rose Township Hall, 9080 Mason Street, Rose Township, Michigan.

Board Members Present: Stanczyk, Claus, Brooks, Noble, Jung

Board Members Not Present: Lynn (excused), Fuller (resigned)

APPROVAL OF AGENDA:

A. Approval of Proposed Agenda for August 3, 2017.

Moved by Jung, seconded by Stanczyk, motion carried to approve the Agenda as submitted.

Voting Yes: Stanczyk, Claus, Jung, Brooks, Noble

Voting No: None

Not Present: Fuller, Lynn

APPROVAL OF MINUTES:

A. Approval of Regular Meeting Minutes of July 6, 2017.

Noble changes (p. 4 Old Business A) “continuous” to “contiguous”.

Moved by Brooks, seconded by Noble, motion carried to approve the Meeting Minutes of July 6, 2017 as amended.

Voting Yes: Stanczyk, Claus, Jung, Brooks, Noble

Voting No: None

Not Present: Fuller, Lynn

PUBLIC COMMENTS ON AGENDA ITEMS (EXCLUDING PUBLIC HEARINGS):

Tom Wirth, Resident states personal dog ownership needs to be limited (difficult hearing).

COMMUNICATIONS:

None.

COMMITTEE REPORTS:

A. Dog Kennel Ordinance (Review Existing, Compare to Adjoining Townships, Provide Suggestions).

Jung states the dog kennel ordinance is generally in place. Suggests the addition of set-backs:

kennels no closer than 100' of property line or 100' of any public right-of-way. Also, suggests tightening up the dog nuisance/barking rules (i.e., define nuisance as audible barking for no more than 10 minutes solidly or intermittently for a period of 30 minutes.

Noble asks how to separate personal ownership versus a kennel situation. Need to define a "kennel". Brooks states a kennel defined as a premise that has 3 or more dogs over 6 months of age, boarded for money or kept for purchase or sale.

Moved by Brooks, seconded by Claus, motion carried to submit the Planning Commission Committee's dog kennel ordinance recommendations to the Rose Township Board as defined in the outline.

Voting Yes: Noble, Jung, Stanczyk, Claus, Brooks

Voting No: None

Not Present: Fuller, Lynn

PUBLIC HEARING:

None.

NEW BUSINESS:

None.

OLD BUSINESS:

A. Small Wine Maker Ordinance (Township Board Request)

Plewes states the State requires local governments approve/regulate and we should just be addressing wine making at this time. Noble states the State regulations have to be part of the ordinance. Plewes state small wine makers ("SWM") must be licensed with the State, license encompasses allowed activities under same. The Township can put certain conditions in the special land use (ie. allowed only in agricultural districts). Stanczyk states we cannot restrict what is allowed via State regulations, but can place restrictions.

Michelle, LSL Planning, would like to further speak with the Township Attorney before moving forward. Can place conditions on a special land use (i.e., restrict hours, limit seats/patrons in restaurant, etc.). Noble states the term "farm processing facility" should never be used, too broad with many potential interpretations. Because of different State regulations (beer v. wine), each with different scopes as to what is allowed, we should create 2 ordinances. Suggests working on a wine making ordinance at this time and attempt to maintain the rural integrity of the community. Michelle Foster (LSL) states ordinances can be as strict as necessary. Brooks states this matter is very impactful/broad as it relates to the Township.

Claus states there are residents who favor this use and agrees the focus be placed on wineries at this time. Claus is worried about the restaurant side of things but favors agricultural business. Need to move forward and make a decision.

Brooks states that when ordinances are drafted, they should not be drafted for singular conditions as the majority of our Township is agricultural.

Noble proposes that acreage is described as "contiguous" not "continuous". Noble asks for number/spacing of winery clarification. Michelle Foster (LSL) states a limit could be placed on the

amount of wineries within the Township with the use being wine making. Total floor area should be 5-6,000 square feet to accommodate storage needs, etc. Brooks states it was reduced to reduce retail impact and keep focus on production. Noble states there should be adequate square footage to allow for production. Brooks states it is required that the property be agricultural and that the owner reside on the property. Noble states the product grown on property should be 10-20%.

Jung states that a winery is an acceptable use in agricultural districts. Twenty acres should be contiguous; 3,000 square foot facility is good with a parking plan. Hours of operation should be discussed, state regulations dictate hours. However, Sunday hours can be regulated within the Township. Would like to see parcel owned, operated and occupied by the owner and all processing handled by the owners. All waste should be screened from view with no toxic/hazardous substances or unpleasant odors. Special events could be no more than 100 guests with a per year maximum, etc. In line item K. "Majority" should be defined (i.e. 51%). Growing of produce and the making of wine is an agricultural activity, sales becomes commercial.

Stanczyk is concerned about the definition defining "majority" of agricultural produce. Is 20 acres enough to house a facility, residence, and growing room. Would like a higher percentage of product grown on land and that takes more space to grow.

Brooks states this begun as allowing agricultural business. However, as this matter evolves, it moves further and further from agricultural. There are 3 areas: agricultural; production (which is actually a commercial activity); retail sales (retail is within commercial district not residential). Only 1/3 of the use is agricultural business. Rose Township is mostly residential; therefore, the proposed use could have a negative impact on the Township. Most land is single family residence; this does not seem like a use people would want next to their residence. There are components to this proposed use that are purely commercial and should be discussed in commercial zoning.

Michelle Foster (LSL Planning) states specific districts could be specified. There are other options, change districts, create district. Ms. Foster feels this is primarily an agricultural use, not commercial.

Claus states we cannot select 1 farmer from another and limiting use on paved roads would be unfair. Claus also expresses concern as to the impact on neighboring residents. Would this use come before the Planning Commission as a special land use every time someone introduces such use.

Michelle Foster (LSL) reminds the board it can limit beyond specific criteria.

Noble states it must be agricultural business, requiring paved roads as a non-issue.

Jung supports the activity/agricultural business, would like to see more farming on agricultural rather than residential. Jung also states that if the owner lives on parcel, they have more invested in the community.

Brooks states most vineyards throughout the State are located on large parcels and many do not have tasting rooms. Need to reduce negative impact on the community. It has been determined only a certain area of Michigan (southwest) is conducive for growing grapes. This makes a "majority" of crops being grown on parcel in Rose Township not viable. You cannot grow enough grapes to make the investment viable in our area. By requiring a majority of crops to be grown on parcel, we are limiting the business potential.

B. Master Plan and Recreation Plan Review

Michelle Foster (LSL) states we need to schedule special meeting regarding the Master Plan. Ms. Foster provided the Board with future land use maps for review. If someone wants to rezone we refer

to the future land use map.

Noble provided Ms. Foster with memos, there have been zoning changes and that should be incorporated into future zone map. We have 3 hazardous waste sites and they should be designated on the map. State grant deadline is March. Plewes will propose dates for special meeting to review Master Plan.

TABLED ITEMS:

None.

DISCUSSION ITEMS:

None.

ANNOUNCEMENTS:

- A. Rose Township Board report – None.
- B. Comments by Township Planner – See above.
- C. Next Regular Planning Commission Meeting – September 7, 2017 - 7:00 p.m.
- D. NOCFA Board Meeting – August 17, 2017 – 3:00 p.m. – Rose Township
- E. Next Township Board Meeting – August 9, 2017 at 7:00 p.m.
- F. 24/7 Rose Township Recycling – 9080 Mason Street, Holly, MI
- G. Zoning Board of Appeals – September 5, 2017, 7:30 p.m. (tentative)

BRIEF PUBLIC COMMENT – General Items NOT on Agenda (limit comments to 3 minutes each item):

None.

ADJOURNMENT:

Meeting adjourned at 8:49 p.m.

Approved/Corrected

Debbie Miller, MMC, CMMC
Rose Township Clerk