

1. Call to Order - THE MEETING WAS CALLED TO ORDER BY CHAIRMAN LARRY FOX AT 7:00 PM

2. Pledge of Allegiance

3. Roll Call

PRESENT: Joe Colaianne, Larry Fox, Sue Grissim, Michael Mitchell, Keith Voight

ABSENT: Thomas Murphy, Jeff Newsom

4. Approval of Meeting Agenda

Motion to approve the Agenda

A Motion to approve the Meeting Agenda was made by Commissioner Colaianne and seconded by Commissioner Mitchell. Motion carried unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Joe Colaianne, Trustee
SECONDER:	Michael Mitchell, Commissioner
AYES:	Colaianne, Fox, Grissim, Mitchell, Voight
ABSENT:	Murphy, Newsom

5. Approval of Meeting Minutes

a. Planning Commission - Regular Meeting - Feb 8, 2018 7:00 PM

A Motion to approve the Meeting Minutes of February 8, 2018 was made by Commissioner Grissim and seconded by Commissioner Voight. Motion carried unanimously.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Sue Grissim, Commissioner
SECONDER:	Keith Voight, Secretary
AYES:	Colaianne, Fox, Grissim, Mitchell, Voight
ABSENT:	Murphy, Newsom

6. Call to Public

None

7. Public Hearing

a. 2693 : Special Use Permit #18-001, Hartland Town Center Microbrewrey

a request to establish a microbrewery in an existing tenant space at Hartland Town Center, 1836 Old US-23. The subject site is zoned GC-General Commercial (subject site: Parcel ID #4708-28-100-027).

Chair Fox explained the procedure for a Special Land Use Permit.

Chair Fox opened the Public Hearing at 7:03 PM, read the description of the request, and stated all of the requirements for noticing and publication have been met

Director Langer gave an overview of the location and the request, and stated the following:

- Located within an existing shopping complex - Former Kahuna Coffee space.
- Request to renovate the interior only for a microbrewery.

Director Langer clarified this request is for a microbrewery, not a brew pub as originally stated which makes a difference at the State level.

The Applicant, Ryan McDonald, introduced himself and explained the following:

- Live in the area - operated/managed a family business in Highland, a restaurant and bar.
- This space is 2000 square feet in size.
- Three and one-half barrel brewing system with five seven barrel fermenters, oven for food, intend to hire outside company to do some of the food preparation.
- Can and hope to also manufacture cider and wine, and provide soft drinks.
- Food is very important.
- Approximately 55 to 60 seats inside.
- Will be casual and family friendly.
- His businesses are vested in the community.
- Looking forward to having a nice professionally run establishment they can be proud of and anticipate giving back to the community.

Public Comment

John Luke, of Remax Commercial Real Estate, stated with the Applicant's experience, this business will be run properly. Locally owned and operated in a good location.

David Bittner, Hartland Township, and representing the Hartland Business Association. He stated he supports this application; it is a logical extension of the coffee shop and should be approved.

Chair Fox closed the Public Hearing at 7:10 PM

Chair Fox moved on to the staff memorandum dated February 15, 2018.

Director Langer explained the site is an existing shopping center that went through Site Plan Review prior to its construction. Generally, when a tenant leaves a space and another comes in, it is typically not reviewed by the Planning Commission; however, this use requires a Special Land Use Permit review and recommendation to the Township Board. There are no real exterior changes so the primary issue being reviewed is in reference to parking; is there adequate parking proposed for this use. No changes to landscaping or lighting or exterior materials are planned.

Off- Street Parking

Chair Fox stated according to the calculations, the ordinance requires 107 parking spaces and 131 are available which meets the requirement.

The Planning Commission and Applicant briefly discussed the other agency requirements.

Commissioner Colaianne asked if there would be food preparation on site. The Applicant stated the open kettle brewing system requires a Type II Hood for ventilation of steam and gas, not a fryer hood. He requested to have an oven and was told they could as long as there were no raw proteins being cooked onsite. Their menu will be limited to some items pre-prepared off site, such as salads, cold sandwiches, pretzels, along with whatever they can prepare that would be compliant with the type of hood they have.

Chair Fox stated they would need to comply with whatever the Hartland Deerfield Fire Authority has stated in their memo including any sprinkler head relocation. The Applicant will need to agree to comply with their requirements.

The Planning Commission briefly discussed the Applicant's other restaurant, 59 West, located in Highland.

Commissioner Grissim offered the following Motion:

Move to recommend the Township Board approve Special Land Use Application #18-001 to permit a microbrewery to be located in the Hartland Town Center, at 1836 OLD US-23, based on the following findings:

1. The Planning Commission has determined the proposed special use, a microbrewery, meets the intent and purposes of the Ordinance as well as the specific Special Use standards outlined in Section 6.6., as a microbrewery is permitted as a special land use in the GC - General Commercial zoning district.
2. The Planning Commission has determined the proposed use is compatible with the existing and future land uses in the area and adds variety to the business community.
3. The Planning Commission has determined the proposed use is compatible with the Hartland Township Comprehensive Plan, which designates this area as Commercial and a microbrewery is permitted as a special land use in commercial zoning districts.
4. The Planning Commission has determined the proposed use is adequately served by essential facilities and public services as the site is located within the commercial core of the Township.
5. The Planning Commission has determined the proposed use is consistent with restaurant uses and will not be detrimental, hazardous, or disturbing to the existing or future neighboring uses, persons, or the public welfare.
6. The Planning Commission has determined the proposed use will not create additional requirements at public cost for public facilities as site is currently served by public utilities.

Approval of the Special Land Use Permit is subject to the following conditions:

1. The applicant shall secure all applicable approvals and permits from State and County agencies.
2. All activities associated with the microbrewery shall wholly occur inside the building.
3. Must comply with the requirements of all other governmental agencies.

Seconded by Commissioner Mitchell. Motion carried unanimously.

Chair Fox inquired as to the tentative date the Township Board would take up this request. Director Langer replied sometime in March.

RESULT:	RECOMMENDED TO APPROVE WITH CO [UNANIMOUS] Next: 3/6/2018 7:00 PM
MOVER:	Sue Grissim, Commissioner
SECONDER:	Michael Mitchell, Commissioner
AYES:	Colaianne, Fox, Grissim, Mitchell, Voight
ABSENT:	Murphy, Newsom

- b. Special Use Permit #18-002, Spicer Orchards Farm Market, LLC

a request for approval of a special land use permit for a farm market with a winery at Spicer Farm Market, 10411 Clyde Road. Fenton, MI. The subject site is zoned CA-Conservation Agricultural (Subject site: Parcel ID #4708-04-300-003).

Chair Fox opened the Public Hearing at 7:21 PM, read the description of the request, and stated all of the requirements for noticing and publication have been met.

Director Langer gave an overview of the location and the request, and stated the following:

- Have been operating at this location since the 1960s.
- It is an agricultural farm market.
- Had an approved Conditional Use Permit, a type of permit which no longer exists, but has never gone through the formal process of obtaining a Special Land Use Permit.
- Was issued a Liquor License for wine tasting.
- In 2013 they were issued a Land Use Permit for an accessory building for wine storage.
- The building is now being used for wine tasting.
- “Winery” does not appear in the Ordinance; closest use is a Farm Market/Cider Mill operation that requires a Special Land Use Permit.
- Ordinance does allow the Planning Commission to permit a use not listed through the Special Land Use Permit process.
- It was decided to bring it before the Planning Commission with a Special Land Use Permit so that they can continue to operate as they have been and be in compliance.
- The staff report contains the Special Land Use Permit standards, past permits and history of the site.

The Applicant, Shannon Spicer Rowe, introduced herself and stated the following:

- Is in partnership with parents, Alan and Wanda Spicer, and her brother, Matthew Spicer.
- Have operated in Hartland since 1967, just celebrated 50 years operating in the Township. The business has grown over the years into a special part of the community.
- Process started with wanting to add a hood suppression system in the bakery area of the farm market.
- Livingston County had no record of the improvements and asked them to come to the Township and do what needed to be done to update all of the records.

Public Comment

Abigail Peterson, Hartland High School student, has great memories of the Cider Mill from her childhood and voiced her support.

David Bittner, Hartland Township and representing the Hartland Business Association stated he has known the Spicers for many years; good neighbors have a good long term business, good stewards of the land and have turned their business into a popular destination for Hartland. They have employed many young people over the years including his son. They are good for the community and he supports this proposal.

Chair Fox closed the Public Hearing at 7:31 PM

Chair Fox moved on to the staff memorandum dated February 15, 2018.

Applicable Site Standards

Chair Fox stated this needs to be discussed as there are no site standards to review because there has not been a site plan review for this site. The building was initially approved for storage and now its use has been converted to something else. He asked what are the options and opportunities.

Director Langer stated there are many options.

- This is a unique request uncommon to what our office typically reviews.
- There is a great deal of history to this site.
- Other approvals were granted in the past, conditional approvals.
- If the Planning Commission feels that this request should involve a more formal review of the site for parking and lighting compliance, etc. then that can be done.

Director Langer referred to the parking area on the aerial map stating it would be difficult to calculate some of the parking that occurs on the grass. The Applicant replied the photo is out of date and the parking area extends beyond what is shown.

Director Langer stated there are no exterior changes proposed as part of this request; it is for interior work only. Some of the work has already occurred but they intend to do more with the addition of the fire suppression hood. A full review is an option if the Planning Commission desires and the Planning Staff will look to them for guidance.

Commissioner Voight stated they are regular customers all year, it is great facility. He is not against the winery, it is great place to have one; however, he is concerned that the use has changed from a warehouse to a structure that has occupancy. The Fire Department occupancy requirements for a warehouse are quite different than those of a wine tasting room which serves the public. The Planning Commission is charged with protecting the health, safety and welfare of the public that will visit this building and without a site plan, and some other things including a fire inspection, he is a little uncomfortable moving forward. He is interested in talking about some options.

Commissioner Colaianne stated he and his family are regular patrons as well. He stated he remembers when the liquor license came through for the winery and at that time, he remembers it being in the farmers market. He did not remember the new building until he started reading the information. Essentially, there is a restaurant there that was not there before. He is struggling with this as there are many in the business community who have been required to go through the site plan review process to ensure their property is developed according to the Zoning Ordinance requirements for their zoning district; most importantly it must be developed in a way that protects the public's safety and welfare. This request came to the Township in a backwards way; normally applicants come in with the request before a structure is converted into a different use.

The Applicant responded with the following:

- Building was originally constructed for a winery storage area for grapes and wine tanks, etc.
- The winery was originally totally inside the farm market in the area formerly used as a craft store; that renovation occurred in 2008 following the issuance of the liquor license.
- Over the years, it grew and became very popular, quickly outgrowing the space.
- Trying give customers a good experience and manage the crowds that came on the busy fall weekends, they opened up an overflow area for the wine tasting into one-third of the new building along with the wine storage and tanks.
- They do provide sandwiches but the food is prepared off-site or, during events, catered. The kitchen area is to prep the food to go out to the customers.
- There are sixteen seats in the tasting room and is quite small.
- There was no intention to skirt the rules, it was merely an attempt to grow the business during the short season they have. This is a good opportunity to get the documents in order with the Township and the County so they can move ahead with a solid, positive plan.

Chair Fox stated he too is a fan of Spicers, is a patron and supports the winery, but the very description of what occurs causes the red flag. Statements such as, "We bring in all these people." "We get these crowds." "We have these people in this building." "We have parking lots." "We have events." He understands the Right to Farm Act (RTFA) and what that allows, but one cannot get by all the local ordinances with the RTFA. Certainly the Cider Mill is there and all the businesses revolve around that. He thinks what has happened is the success over the years has been so great, it has grown in a variety

of areas until we are at the place we are, which is ultimately a good thing. We love that it is an attraction but we want to keep the public safety in mind.

Chair Fox stated he would like to see a Site Plan Review done and find out what is good and what might need to be adjusted.

The Applicant stated they are currently working on a site plan for Livingston County.

Chair Fox suggested the Applicant meet with the Planning Director to find out what the requirements are such as exits; he was there last fall and it was standing room only.

Chair Fox inquired as to the hours of operation.

The Applicant stated they are open all year but only a few weekend days at this time. They intend to open March 1st for the first time; normally they do not open the winery until the farm market opens in mid-June but were encouraged by how well the weekends were doing. They are going to experiment and see how well they do being open seven days a week this early in the season.

Chair Fox stated there are times during the year when it is dark at 6:00 PM so we need to make sure the parking area has the appropriate lighting. We need to make sure the access drive meets Livingston County Road Commission standards. There is overflow parking; we are unsure if it is right or wrong. This is a great opportunity to put a benchmark there for the activities that are already taking place, not to disallow the use, but to better understand what is happening on the site. There is a process for health, welfare and safety of the public. The building is aesthetically pleasing, the site is wonderful, it is a great magnet for people; but, there are things that you have to do when you have a business and invite the public in.

The Applicant stated in 1991, when the original Conditional Use Permit was issued, many of those things were addressed. There is lighting for the parking area and the entries and exits were approved at that time. She stated she understands it must be safe for the public, the things they have done, they have tried to do to meet the code, such as ramps for handicap access, handicap parking, and handicap restrooms.

Chair Fox stated those are the items we need to see on the site plan submitted to the Planning Department for a review and make sure that it is good, as would be asked of any business in town. The Planning Commission will not be unreasonable but there are some standards that it needs to be sure are in compliance.

The Planning Commission briefly discussed if the item should be tabled.

The Applicant requested the Special Land Use Permit request be tabled.

Commissioner Colaianne offered a Motion to Table Special Land Use Permit #18-002. Seconded by Commissioner Voight. The Motion carried unanimously.

Chair Fox advised the Applicant to contact the Planning Department and set up a time to meet. The Applicant agreed.

RESULT:	TABLED [UNANIMOUS]
MOVER:	Joe Colaianne, Trustee
SECONDER:	Keith Voight, Secretary
AYES:	Colaianne, Fox, Grissim, Mitchell, Voight
ABSENT:	Murphy, Newsom

8. Old and New Business

None

9. Call to Public

None

10. Planner's Report

Director Langer reported the following:

- The Joint Township Board and Planning Commission meeting will be March 13, 2018. There will be a guest speaker, Mr. Gibbs, speaking on retail trends.
- He recently met with Hartland Schools. They are interested in hearing about future residential developments for future planning purposes.
- Emagine Theatre has been issued a Land Use Permit with an anticipated groundbreaking of April 2, 2018.
- He is looking for confirmation of a quorum for the next meeting. The Planning Commissioners responded.

11. Committee Reports

Commissioner Voight stated he recently met with some community residents regarding an item for Commissioner Colaianne to take to the Township Board; they asked when street lights will be installed along the length of M-59. They stated it is very difficult driving at night especially in the rain. It will only get worse with more development. Maybe the focus could be on the businesses that are there now and plan for the future.

Commissioner Colaianne stated he would take those comments to the Board.

12. Adjournment

Motion to Adjourn

A Motion to adjourn was made by Commissioner Mitchell and seconded by Commissioner Voight. Motion carried unanimously. The meeting was adjourned at approximately 7:53 PM.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael Mitchell, Commissioner
SECONDER:	Keith Voight, Secretary
AYES:	Colaianne, Fox, Grissim, Mitchell, Voight
ABSENT:	Murphy, Newsom

Submitted by,

A handwritten signature in black ink that reads "Keith R. Voight". The signature is written in a cursive style with a horizontal line extending from the end of the word "Voight".

Keith Voight
Planning Commission Secretary