

**FOREST HOME TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
JUNE 11, 2015
7:00 PM**

Members present: Paul Trumble, Doug Dewey, Linda Cran, Tom Sheneman, Dan Steiner

Members Absent: None

Also Present: Terry Smith, FHT Supervisor
Steve Bernard, FHT Zoning Administrator
Jay Kilpatrick, Williams & Works Consultant
Public attendance: Sign in sheet attached.

The meeting was called to order by the Chairman, Paul Trumble for the Public Hearing at 7:00 p.m.

Pledge of Allegiance to the U.S. flag.

The Public Hearing to review the proposed new Zoning Ordinance for Forest Home Township.

Terry Smith – Reported that he has checked the mail and has printed all letters that have been provided by the public thru mail. The members have received all copies for their review before the public hearing began and may address them as needed.

Jay Kilpatrick – Introduction on the processes the Commission has taken to amend the Forest Home Township Zoning Ordinance. An overall review has taken over a year and a half to come to the proposed draft.

The concerns that have been raised by the public during past work sessions and meetings are as follows: The Land Use – Craft Spirits Facility in the Special Land Uses in Article 16 Section 1611, which is one small piece of this important document. Zoning Districts Article 5 Section 500 Agriculture, WFR – Waterfront Residential, RR –Rural Residential; VR – Village Residential; WC – Waterfront Commercial, and C- Commercial and each District has a section identifying the Intent, Permitted Uses, Special Land Uses, Additional Standards and Regulations. The new map contains minimal changes, followed by the summary table of land uses and regulatory structure is straight forward. Land use standards guides and a valuable tool for the Planning Commission and all applicants. The definitions contain permitted and special land uses with eighty-four (84) land uses and 19 defined.

If a use is not defined the use is not allowed in the ordinance and an applicant must complete a special land use permit request to the Zoning Administrator and proceed with the requirements. The Township must be responsive to the requests that are submitted. Some requests that are made to the Township Zoning Administrator are not always considered by citizens as a positive or appropriate use of land. As seen here in Forest Home Township when the use was proposed for the Distillery citizens rallied to strongly oppose the business and its proposed location. With that said the Planning Commission had to act on the request, the Commission was prepared to take criticism and debate on the highly challenged use. In situations like this one that simply brought out government-citizen partnership, understanding,

trusting and appreciating each other's roles are a prerequisite for engagement and connecting with citizens on issues that can be very emotional.

If this draft is approved by the Planning Commission it will then be sent to the County giving thirty (30) days to comment. The comments if any will be considered and the Forest Home Township Board will adopt.

PUBLIC COMMENT:

The Chairman requested public comment at 7:20 p.m.

William and Erna Berger stated their concerns with the proposed definition of Craft Spirit.

Fred Sittel stated concerns regarding waterfront properties (key whole developments) and the number of docks and watercraft allow per lakefront parcel.

Sandy Robinson stated concerns with the proposed definition of Craft Spirits.

Karen Szcodronski stated concerns with the proposed definition of Craft Spirits.

Carolyn Nichols stated concerns Special Land Use request be compatible with uses, taking into consideration the neighboring zoning districts and define distance.

Roger Crandall stated concerns for the commission when an issue is before them and they have a conflict of interest should excuse themselves from acting on request.

Tom Frey stated his concerns on the current number of members on the commission being five (5) and wants to see the commission increase to seven (7) to present other geographical two thirds of the township.

Billie Brothers stated as a senior citizen she has concerns of Special Land Use for any future Distillery.

Ginny Guy stated that she has concerns for any futures issues regarding Distillery's near subdivisions.

Laurel Burke stated that an expert environmental impact statement for special uses should be required.

Wendy Wieland stated that she is an employee of Michigan State University Extension office and works with the farmers and farmland impact such as the Kik family. Institute for Sustainable Living, Art and Natural Design (ISLAND). Representing twenty-six (26) clients covering ten (10) counties with only one (1) farm being the traditional farming business and the twenty-five (25) others are rural activity farms presenting an increased interest in Agriculture growth, tourism, seasonal residents and attracts new permanent residents.

Pam Vitaz spoke in support of the Kik family and the Institute for Sustaining Living, Art and Natural Design (ISLAND) concept to put a spot light on area for healthy living and tourism.

Brad Kik executive director of the Institute for Sustaining Living, Art and Natural Design (ISLAND) spoke of concerns of the Definitions Article 2 Section 216 "P" - Place of Public Assembly and Article 16 Section 1640 Place of Public Assembly standards are broad. "Studio" – graphic arts definition facility not defined. Art making use by right should be in all zones and should allow for artist an residency program.

The Chairman closed public comment at 7:55 p.m.

Jay Kilpatrick spoke to the comments made during public comment.

- Reinforcing that there is no proposal or request for a distillery as of today.
- Limitation on Boats and Docks (DNR vs Zoning Enforcement no standards)

- Conflict of Interest – if member does not excuse themselves from acting on an issue the member could be removed by the Township Board.
- Township Policy – Michigan Township Association (MTA) guidelines are not necessary to include in the ordinance.
- The Township Board has the decision on the number of commission members. The decision is made to select members when there is an opening. Interest must be shown in serving and held pending openings.
- Hiring Environmental Engineer – In new ordinance and the developer pays the fees associated with engineer.
- Mr. Kik – (ISLAND) Place of assembly good concept and standards to regulate noise, crowd and concerns for the neighbors. Could add definitions and land uses for Agriculture Tourism, Studio for the Performing Arts – Artist Residency with standards. Will continue this discussion with Brad after meeting. **(ADD TO COMMERCIAL)**
- Craft Spirits (Distillery) operate and farm products (wine, mead, cider, ale, beer and packaged for distribution and for on-site tasting and consumption, as licensed by the State of Michigan. **(REMOVE ALCOHOL-CONTAINING PRODUCTS)**
Special land use – Section 1653 – Tavern.
- Special Land Uses are currently and will continue to be considered on a case by case basis and the public has the opportunity to comment at all hearings.

Wendy Wieland – MSU Extension consider Winery, Craft Brewery broadens the farmers uses and alternative crops and the farming uses that are untraditional.

Karen Szcodronski – Appeals Process - Zoning Board of Appeals and Circuit Court.

John Meeske – Must have a real interest in the tourism business as it's a tough job.

Review and discussion: Public input clearly has stated:

Article 2 Definitions Craft Spirits Facility that property be a farm and product is grown on site and the Liquor and other alcohol containing products be removed.

Article 2 Definitions Studio for the Performing and Graphic Arts change to Commercial Studio for the Performing and Graphic Arts.

Article 15 Development Requirements Section 1504 Signage - B. #6. Remove only.

Article 3 correct rear setbacks.

Article 7 anti-key holing provision be added.

Article 8 Section 801 & 802 remove the Farm and Craft Spirits Facility listings.

Article 11 Section 1101 permitted uses be removed Winery, Brewery or Distillery be removed.

It was moved by Steiner, seconded by Dewey that the Forest Home Township Draft Zoning Ordinance be approved with the following changes:

- 1) Article 2 Definition Section 203 page 2-5 Craft Spirits Facility – REMOVE liquor or other alcoholic products;**
- 2) Article 2 Definitions Section 219, page 2 of 19 that Commercial be inserted to definition Studio for The Performing and Graphic Arts;**
- 3) Article 3 General Provisions Section 323, page 3-15 correct rear setbacks;**
- 4) Article 7 Waterfront Residential District Section 705 be added to page 7-2, restricting common access to waterfront in the WFR district (the anti-key holing provision);**
- 5) Article 8 Rural Residential District Section 801 and 802, page 8-1 remove reference to Section 805 in the Farm and Craft Spirits Facility listings;**
- 6) Article 11 Section 1101, page 11-1 Commercial District Section 1101 Permitted Uses that Winery or Brewery or Distillery be removed;**
- 7) Article 15 Section 1504, page 15-6 removed the “only”;**

And that these changes be made and that the draft be forwarded to the Antrim County Planning Commission for comments. Motion carried – Yes – Steiner, Dewey, Cran, Sheneman, Trumble; No – None; Absent – None.

It was moved by Sheneman, seconded by Cran that the commission move forward and consider at a future date the discussion to the request of Brad Kik for Agriculture Tourism and Artists’ Residence Facility and standards. Motion carried all present voting yes.

The next regular meeting is July 1, 2015 at 7:00 p.m.

The meeting adjourned at 9:15 p.m.

Chairman, Paul Trumble

Secretary, Linda Cran