

**Charter Township of Elmwood  
Planning Commission Regular Meeting  
Elmwood Township Hall (10090 E. Lincoln Rd)  
September 17, 2024 at 6:30 PM**

**A. Call to Order:** Chairman Bechtold called the meeting to order at 6:30 PM.

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

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

**D. Limited Public Comment:** None

**E. Agenda Modifications/Approval:** *MOTION BY COMMISSIONER APRILL, SECONDED BY COMMISSIONER KUZMA TO APPROVE THE AGENDA AS PRINTED. MOTION PASSED 5-0.*

**F. Minutes-August 20, 2024:** *MOTION BY COMMISSIONER ROBERTS, SECONDED BY COMMISSIONER KUZMA TO APPROVE THE MINUTES OF AUGUST 20, 2024 AS PRESENTED. MOTION APPROVED UNANIMOUSLY.*

**Minutes-August 15, 2024:** *MOTION BY COMMISSIONER APRILL, SECONDED BY COMMISSIONER KUZMA TO APPROVE THE MINUTES OF AUGUST 15, 2024 AS PRESENTED. MOTION CARRIED.*

**G. Consent Calendar: Approve/Receive and File**

*MOTION BY COMMISSIONER ROBERTS, SECONDED BY COMMISSIONER APRILL TO ACCEPT THE CONSENT CALENDAR FOR FILING. MOTION PASSED BY A UNANIMOUS VOTE.*

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

**I. Old Business:** None

**J. New Business**

- 1. Extension Request. SPR/SUP 2023-10-Request by Dusty Christensen regarding property at 10051 S. Lake Leelanau Dr. (Parcel 004-018-004-25) for an Agricultural Commercial Enterprise (Farm Market) and a Microbrewery (SPR) on a parcel containing "Farm Club". 1 year extension requested.**

Dusty Christensen with Mansfield Land Use Consultants gave a brief summary. He relayed that the SUP and site plan approval for the Farm Club project was approved by the Planning Commission last October and needs to be extended so it doesn't expire later this year. The public hearing scheduled for later is on a request for a modification to the approved plan. Once they obtain the approvals, they intend to make substantial construction progress in accordance with the Ordinance standards for special use permits.

Commissioner Aprill asked Staff, if it was initially requested in October, does the extension go to October or from tonight's meeting if we extended it. Staff responded that it would extend until October [date when it was approved].

*MOTION BY COMMISSIONER APRILL, SECONDED BY COMMISSIONER ROBERTS TO EXTEND SUP/SPR 2023-10 FOR ONE YEAR. MOTION PASSED BY A UNANIMOUS VOTE.*

- 2. Public Hearing followed by Commission deliberations. SPR/SUP 2024-05- Request by Field la Femme Properties LLC regarding property at 11051 S. Lake Leelanau Dr. (Parcel 004-018-004-25) for work described as "Farm Club". The request is for the expansion and relocation of the Agricultural Commercial Enterprise (Farm Market) building previously approved by the Planning commission on 10/24/23.**

The Chair read the statement to open a public hearing at 6:39 p.m.

Dusty Christensen with Mansfield Land Use Consultants presented on behalf of the owners of Farm Club. They are seeking an amendment to the approved SUP/SPR originally approved last October and the changes to the plan the Commission has in front of them relate primarily to the proposed new market building which is to provide additional space for the operators of Farm Club to get produce and market sales out of the primary building and provide them with a bakery space which will free up space in the retail area of the primary building and in the kitchen. They increased the previously approved square footage of the market building by about 200 sq. ft., so there's an enlargement of the building and it will be relocated about 25 ft. west of the approved location from last year to take advantage of grade changes on the site and provide a walk out entry to a new lower-level building that is accessed off the lower parking lot to provide storage space.

Commissioner Aprill asked if the basement of the structure was going to be a root cellar. Dusty responded, pretty much, it's a block foundation completely in grade except the one corner closest to the parking lot where there will be access in and out. Commissioner Aprill also asked if there would be a stairway from the upstairs down, or just exterior stairs. Dusty answered, it's just accessed from the lower level.

Commissioner Roberts commented there was a concern about the parking issue on its busy days, people parking out on the road. He knows there is more parking now provided with a lower-level parking lot and asked how many spaces were there.

Dusty noted that Staff had passed along the public comment she received with concerns about the parking, and this was something they knew was an issue, and they addressed it last October with the new proposals for the site. Currently, on the approved plans from 2017-2018, they had 36 spaces, which was above and beyond what the Ordinance required of the facility at the time, and the current plans have 94, which are the number of spaces approved last year with SUP and it remains the same with the amendment request.

Commissioner Mikowski said with the addition to the parking, how many businesses are provided on Farm Club at one time. Dusty responded that technically it's all under one umbrella. Commissioner Mikowski expressed concern with the parking stating that she has gone by numerous times and people are parked almost all the way down to the road. With the bakery, the garden, etc., how many businesses are technically on the property. Christensen gave a list of the uses which include the AG/Commercial enterprise, which was originally approved in 2018 which encompasses the farming that happens on site, the food service, and that AG/Commercial enterprise also encompasses the making of beer and cider on site. Their last amendment for the SUP application last October, because the AG/Commercial enterprise language in the Ordinance changed, they maintained that existing AG/Commercial enterprise as use for the growing of the food and serving the food. But then because they were expanding the outdoor seating area, that was approved by the Planning Commission as a micro-brewery because Farm Club makes beer on site. So, technically as far as approved uses under the existing SUP, they have an AG/Commercial enterprise and a micro-brewery. The bakery is considered part of a farm market which the Ordinance considers an AG/Commercial enterprise.

Commissioner Mikowski suggested, because it's a very popular venue, having reservations for the dinner portion and busier times of the day, so they could limit some of the parking. Christensen believes their increased parking will help with that, but they'll also better define the parking spaces within the gravel lot. Chief Tampa also mentioned that driveway isn't to be used for parking.

Staff noted from Commissioner Aprill's question earlier, there is a stairway in the building as shown on the interior architectural drawings.

**Public Comment: Opened at 6:51 p.m. No comment given. Public comment closed at 6:52 p.m. MOTION BY COMMISSIONER KUZMA, SECONDED BY COMMISSIONER APRILL TO CLOSE PUBLIC COMMENT AT 6:52 PM. MOTION PASSED UNANIMOUSLY.**

The Commissioners entered deliberations where they reviewed the standards and made their recommendation.

Staff passed out draft Findings of Fact noting a lot of the text the Commission as well as members of the public have seen before. Essentially, the first six pages of the document carry over from her Staff report that were in the packet the Commission received at the last meeting. A lot of the proposed Findings of Fact haven't changed much. It is a major amendment, but the movement of the building and the increase of the square footage doesn't change much for the Findings of Fact previously approved by the Commission for the original approval. The Commissioners went through a prepared Draft Findings of Fact and Standards for Approval dated 9/13/24 [included in the record]. The Commission added two Findings of Fact for standards of approval including that the applicant has agreed to submit a revised landscaping plan and the applicant has agreed to delineate the parking spaces. After adding the modifications, the Commission found that the standards of approval have been met, with conditions. The conditions placed on the project include:

1. The only modifications approved under this SPR/SUP from SPR/SUP 2023-10 are the moving of the previously approved Farm Market building, increasing the size of the previously approved (34' x 54') Farm Market to 34' x 60', and adding a lower level for storage and food preservation activities
2. 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.
3. Recommendations proposed by the Fire Chief in his 9/12/24 letter will be made a condition of approval. These recommendations include:
  1. Applicant shall comply with IFC standards for clear widths and the maintenance of all fire apparatus access lanes. The applicant should delineate parking spaces/areas to prevent parking in areas that would or could obstruct fire and emergency vehicles. Reference: IFC 503.2.1 & 503.4.
  2. Applicant shall provide building identification visible from a location approved by the fire code official to facilitate emergency response. Address identification and approved locations will comply, at a minimum, with IFC standards. Reference: IFC 505.1.
  3. 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.
  4. 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.
4. 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.
5. 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.
6. The property owner is responsible for obtaining all other applicable permits. This shall be done prior to obtaining a Land Use Permit.
7. 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.
8. Landscaping shall be maintained in a healthy, growing condition. Diseased or dead materials shall be replaced within the current or next planting season.
9. Prior to issuance of a Land Use Permit, a stamped copy of the plans shall be provided.
10. 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.
11. The project shall comply with all requirements of the Zoning Ordinance in effect at the time of approval.
- ~~12.~~ 12. Prior to issuance of a Land Use Permit, a revised plan be provided showing the buffer requirements are met.

***MOTION BY COMMISSIONER ROBERTS, SECONDED BY COMMISSIONER KUZMA TO ACCEPT FINDINGS OF FACT AS MODIFIED. MOTION APPROVED UNANIMOUSLY.***

***MOTION BY COMMISSIONER KUZMA, SECONDED BY COMMISSIONER APRILL TO APPROVE SPR/SUP 2024-05. MOTION APPROVED UNANIMOUSLY.***

**3. Public Comment specific to discussion topic followed by Commission Discussion. Additional discussion on Text amendment ZO 2017-04-23. Aligning and Reforming Alcohol regulations per Township Board's request.**

Chair Bechtold relayed that they will hold public comment specific to the agenda item for the proposed text amendment. Staff noted, that as previously agreed upon, this public comment portion is 4minutes for each speaker. Public Comment opened at 7:09pm.

Chris Frederickson, on behalf of his company Traverse City Whiskey at 9440 S. Center Hwy. The Planning Commission had previously approved language for a proposed Ordinance amendment that governs breweries, wineries, and distilleries in Elmwood Township, and they believe some of that language could be cleaned up a bit. During his last conversation with Staff and the other committee, he did mention they have been working with the Township for the last 6 years on this project, and they believe TC Whiskey is a business and a brand the community can be proud of, and they're proud to have Elmwood Township as their home. Some of the language they believe is discouraging for parts of their business and while they don't believe this updated language applies to them, they do believe after spending millions of dollars on planning, engineering, designing, and construction on the site, they believe the rules are designed to shift the path, the Commission has already approved their project, and the first part of this is him advocating for some type of extension for their project to identify with substantial construction. Also, some of the language for the proposed Ordinance amendment does not align with practical business applications. He's listed off about a dozen different language recommendations they as a business recommend for Elmwood Township to pave a clear path for breweries, wineries, and distilleries that are new businesses in the area. He provided the language updates and the rationale behind them, and they would appreciate the Commission's consideration.

No one else got up to speak; Public comment closed at 7:10 p.m.

Staff noted they received the comments after the packet went out. She was able to provide a copy of the proposed modifications from TC Whiskey to the Commission. She also has print outs available for anyone in attendance. She asked the Commission if they wanted to go through them item by item. She provided a brief overview of what has occurred on the text amendment. The Planning Commission did review and recommend approval of the text amendment as drafted to the Township Board. It's gone for introduction and 2 public hearings before the Board. At the last public hearing, there was a motion to approve the text as drafted but that motion failed, and the Board at that time then sent it back to the Planning Commission to review any allegations because at that public hearing, there were comments made that the text would be prohibitive, which is not the intent. The intent is to align and reform the regulations. She did send an invite for the meeting to all operators in the Township and in attendance is Jen [Taproot], John [Bay View Distillery], and Chris [TC Whiskey]. She said the Commission can discuss TC Whiskey's proposed modifications; this is the Commission's discussion. If they want to make any recommendations to the text, they can make those recommendations and send it back to the Board where it would go for

introduction before the Board and then a public hearing before the Board, or if Commission want more time with it, they can do that.

Commissioner Roberts commented on 5.5n2b, asking how would you get a permit obtaining it onsite. The sentence should read, “unless a permit for an onsite tasting room is obtained” and striking ‘onsite.’ The Commissioners discussed “produced” versus “manufactured” which Fredrickson proposes modifying in Section 5.5.N.2.b. The Commission didn’t understand how it is prohibitive and the Chair recognized Fredrickson. Fredrickson said this definition sort of relates back to section 2.2, definition of a tasting room, so as an example, we made a recommendation to remove “a small wine maker however, may only sell wine it bottled”. Fredrickson said that the definition for small wine makers is prohibitive as it says that a small wine maker can only sell wine it bottled, which is not the practice of small wineries. He gave an example of two wineries; one is bottling wine and the other is manufacturing wine. Who is producing the wine? Is it produced by the bottler or the manufacturer? What we’re suggesting is to be consistent with the MLCC definition, so the winery is taking ownership of the manufacturing.

Aprill said that there are wineries who take their wine to Left Foot Charlie’s to be bottled. Aprill said that I understand that complication, but we need to make sure that if we allow it in the Ag-district, that it’s ag, that it’s grown onsite. The intent is that there is crop that is grown to help the farmer be successful.

Commissioner Kuzma read aloud the proposed definition of a Wine Tasting Room which indicates that small wine makers can only sell wine it bottled. Staff said that she would not recommend this modification be made; as this comes directly from the state’s definition of a tasting room which says that a small wine maker can only sell wine it bottled. The Commission determined the definition is sufficient as currently written.

The Chair recognized Mike Wittkop who compared the process to cherry harvesters.

The Commission discussed the Fredrickson’s proposal to eliminate ‘grown and maintained’ within the definitions for brewery, distillery, and winery. Fredrickson was recognized and said that for any brewery, most wineries and distilleries, it would be impractical for a brewery to grow the amount of grain necessary to produce beer. As it’s written, any upstart brewery couldn’t start in Elmwood Township. Chair Bechtold said the intent is to ensure that something is grown onsite. Staff said that the words within the definition are grown and maintained. Grown is clear; maintained means kept onsite. In order to produce this product, you need agricultural products to be kept onsite. Commissioner Aprill agreed; we want to see agricultural crops growing on the property and then the brewing of beer. Staff said that the text also allows for these uses in the commercial and industrial districts without the planting requirement; planting requirement would come in if the use is in the ag-district. Commissioner Kuzma asked if they were state definitions, to which staff said no as the state defines wine maker, small wine maker, brewer, micro brewer, etc; the definitions in the proposed text came from the Township Attorney. The Commission determined not to move forward with the proposed change.

The Commission discussed Fredrickson's proposed change to Section 5.5.N.1. Staff said that this is an intent section and later, within the proposed regulations, it does clearly indicate that crops can originate from any source—grown on the land or imported. The Township does not want to interfere with the market, so you can import what you need, however, if you want a production facility within the agricultural district, you need to have a minimum acreage of planted mature crops. Commissioner Aprill said the minimum acreage is very minimal. Fredrickson said that they produce a seltzer that is not defined as a beer, spirit, or wine, to which Commissioner Roberts said the definition of distiller encompasses that. Staff asked what it is made out of, to which Fredrickson said it is spirit based. The Commission felt that it would fall under what is in the text.

The Commission discussed Fredrickson's proposed change to Section 5.5.N.2.c.ii. Staff said that they expressed concern over the vagueness of the term 'mature,' but within the same section, mature is defined. Commissioner Roberts asked, if TC Whiskey builds this facility, they can't go into production until they have a mature crop on site? Staff explained that any project that has been fully permitted and substantially completed can continue to operate under their approval. If they want to make modifications or amend their project, or if their permit has expired, and they reapply, they would need to comply with the text that is in effect at the time of approval by the Township. She also noted, any dimensional aspect where there is a hardship, there is a variance request that would go to the ZBA.

The Commission discussed Fredrickson's proposal to Section 5.5.N.2.c.ii. The Commission discussed 10 acres vs 5 acres of crops. Fredrickson was recognized and relayed that they want the text to be well written, but they are also concerned about TC Whiskey. He said that shifting from 5 to 10 acres of crops it will pose severe challenges to everything they've been working for, specifically for the topography reasons. Commissioner Aprill said that the text must work for the entire Township and added that they've done a lot of work onsite. Staff said that when strict enforcement of the Ordinance would cause an undue hardship or practical difficulty owing to circumstances unique to the specific property or parcel, there is a variance procedure through the Zoning Board of Appeals. Commissioner Aprill said that the route would be the ZBA and that he doesn't see them reducing the acreage. Staff said that 10 acres applies to selling wholesale. She added that concern had been raised by Fredrickson that "the additional restriction added by this language would prohibit a small grower and/or producer from selling their products, even to a local restaurant" and noted that under MLCC, under a Small Wine Maker license, Micro brewer license, and small distiller license, if they self-distribute under a certain threshold set by the state, they can do that under their license. She said that if the Commission wants to be clearer that is allowed, that modification can be made. The Commission said that if it is within the state's license, that should be sufficient and is more practical from an enforcement standpoint.

The Commission discussed Fredrickson's proposed change to Section 9.8.J.4. Commissioner Roberts said the first point is well taken. Staff said that when the Township permitted Taproot, they had to require a fence because under the current ordinance, a fence does not

count as a buffer. Even though they had a very vegetated area, we couldn't let them use that vegetation; they had to install a fence. She said she thinks the proposed text is more lenient, as it lets the property chose a fence or chose a buffer that meets the requirements of the Ordinance, they have that option. The Commission said it allows more flexibility and determined no change was necessary.

The Commission discussed the proposed modification to allow hours of operation to extend to 11pm instead of the current 10pm. Chair Bechtold asked for confirmation on what the hours of operations are for special event facilitates, as he thought it was 10pm. Staff said yes, but on certain days of the week, they can go until 11. However, special events are limited to only 52 times a year, whereas a Tasting Room can operate 365 days a year. She relayed that she understands the Commission didn't want to reinvent the wheel with this ordinance, so the time was a carry-over from the current ordinance. She also noted that the Commission did receive public comment during the permitting process for an operator where they were opposed to the Commission allowing a tasting room to stay open until 10pm; in many municipalities tasting rooms close earlier. The Commission determined not to move forward with extending hours until 11pm.

The Commission reviewed Fredrickson's proposed modification to Section 9.8.J.6 to regarding amplified music and specifically to remove the text ""shall be contained indoors" add at the end of sentence "who is the owner of an abutting property." Staff said that amplified noise needing to be contained indoors is within the current Ordinance. Commissioner Roberts said they've discussed the text quite a few times. Staff said yes, the language "...shall not produce sound that because of its volume or frequency annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of any reasonable person of normal sensitivities" has been provided by the Township Attorney. Commissioner Roberts added that language has been accepted by the courts. The Commission determined to leave the text as drafted.

The Commission discussed Fredrickson's proposed modification to Section 9.8.J.7i and iii which includes eliminating these sections as they believe the restrictions are unnecessary and will complicate the operation of businesses. Staff said that the area for serving food seating no more than twenty patrons at one time is from the current ordinance. Staff then said, generally speaking, the limiting food service items to small plates is the same as in the current ordinance for distillery tasting rooms, with the exception that carry-in foods would be prohibited under the proposed text. Carry-out foods are currently prohibited. Fredrickson said that in their line of business, it is critical that patrons have the ability to eat food. Currently, their operations include a food truck and they encourage carry-in. Commissioner Roberts said that is a good point.

Chair Bechtold recognized Jen Viren of Taproot. Viren said that she would like the Commission to look at the proposed percentage allowed of food sales, which is set at 10% of gross sales of licensed products. Chair Bechtold asked what Viren thought the ideal percentage would be that isn't 100%; Viren said that given insurance liability, in a restaurant, you want to exceed 50% of your sales to be food. She then said 50% of sales,



especially if in my case, I'd be promoting what I'm growing on the farm. If the percentage is small, we'd have to sell something that's cheap, that would likely be brought in. Chair Bechtold said that we don't want tasting rooms to slowly turn into restaurants. Chair Bechtold acknowledged that food costs have gone up and said that he could see 30% as being reasonable. Viren said that their goal is to grow their own proteins onsite, smoke them, and then offer them as a nibble in between tastings. ~~Commissioner LutaA~~ Commissioner said that he agrees with Bechtold in it needed to be less than 50% as 50% is ideal for a restaurant. Viren said that if someone comes in for a cider flight that costs, say \$10 and they also want to get a small plate—it limits what they can serve. ~~Commissioner LutaA~~ Commissioner said that it is intended to be accessory to the tasting room. Viren suggested that it could be something like packaged in-house or limited to appetizers; it should be about quality and not the price.

Staff said that limiting sale of food to 10% of gross sales of licensed products comes from the current Ordinance for Distillery Tasting Rooms, not wine tasting rooms, which don't have that requirement. She listed requirements of wine tasting rooms and noted that currently, the limitation regarding sales is "50% of the retail space and gross sales of a wine tasting room must be from product produced and grown on site as described in the Department of Agricultural Generally Accepted Agricultural Practices for Farm Markets." Chair Bechtold asked how one could confirm if that is being followed, to which staff said, the proposed text says "at the request of the Township, the business shall provide supporting documentation to the Township verifying compliance with this section." Staff suggested clarifying that the percentage is specific to food service and increasing the percentage as determined by the Commission. She added that other municipalities also don't want the use to be a restaurant; they do packaged food. The Commissioners discussed the percentage of monthly sale of food not exceeding 10% of gross sales of licensed products. They decided to recommended change the requirement to read, monthly sale of food service shall not exceed 20%.

Commissioner Roberts said that he's struggling with limiting carry-in food. Commissioner Aprill said he is not—it's a tasting room, not a bar. Someone isn't going there to get drunk; that is not the intent. Taste the product and if you like it, buy it.

Frederickson was recognized by the Chair. He asked staff if there is another township box in the three uses together. He continued to say that he understands putting them together because it's clean and you're all going to be governed the same. He said that he has a higher cost product and a higher alcoholic product than others. He asked if there could be a different format, or could they create a grid or matrix that cleans up the rules so it's a practical application of the rules to the business. He said that planting requirements should be different. Chair Bechtold said that we're at a time where to continue there should be a motion. Staff said that the bylaws indicate that the required motion to continue with the meeting is specific to beginning discussion on new items.

Chair Bechtold said that he believes that the intent for the businesses that produce alcohol in area zoned agricultural, we want them to be in the same box so there is consistency. He

asked the Commission if they wanted to table and discuss individual needs of a winery, brewery, and distillery or if the Commission feels that what we've spent an awful lot of time discussing and building. Staff said that what she's heard time and time again from different applicants is questioning why does this apply to me and why does 'x person' fall under those regs; this unifies the regulations. She said that she'd be open to carry-in or increasing the percentage, but to have different planting requirements or different setbacks for a production facility and for tasting rooms—they are all similar uses and it is shocking that they all have different requirements. The Commission decided to recommended change the requirement to read, monthly sale of food service shall not exceed 20%. Commissioner Aprill said that if they serve bread, that's usually not part of food service sales. Chair Bechtold asked how the Commission felt about carry-in. Commissioner Aprill said that they can continue to debate that; Fredrickson said earlier that they use a food truck, which we don't allow. Commissioner Roberts said they can revisit that later if needed.

Chair Bechtold asked the Commission how they wanted to proceed. Commissioner Aprill asked if Staff and Commissioner Mikowski feel like the Commission has completed what has been asked of them by the Township Board. Commissioner Mikowski said that the Board wanted to give another opportunity for Fredrickson to voice concerns, which has been done and other operators have also had that opportunity. She said that she is glad they've gone through point by point and we've been able to answer and whittle it down; that's what the Board wanted. Commissioner Mikowski stressed that we always can look at our ordinances and if at some point down the line we need to make a change, we can. Staff agreed; she said that ordinances are always living documents.

*MOTION BY COMMISSIONER APRILL, SECONDED BY COMMISSIONER ROBERTS TO RETURN THE TEXT AMENDMENT ZO 2017-04-23 TO THE ELMWOOD TOWNSHIP BOARD WITH THE NECESSARY MODIFICATIONS IDENTIFIED IN TONIGHT'S DISCUSSION. MOTION APPROVED 5-0.*

**K. Discussion on Zoning Ordinance:** Chairman Bechtold noted that our consultant has some availability and could look about our regulations for agricultural commercial enterprises. Staff added that in 2018 the definition was different and included many things value added for agriculture. That definition was modified, but that section does need some work. We have some money in our budget that we could utilize our consultant, which would be helpful as they have preliminary results from the survey from our Master Plan and will already be attending our November meeting to discuss chapters for the plan. She also noted that in the past, the Commission has been agreeable to examining the Ordinance specific to bed and breakfasts and bed and breakfast inns and aligning them with similar uses. She asked the Commission if they are agreeable on having the consultant prepare this information, to which a quorum of the Commission agreed.

**L. Comments from the Chair:** Chairman Bechtold thanked the Commissioners for their hard work and diligence in reviewing the materials and being well prepared.

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

- N. Comments from Staff:** Thanked the Commissioners and added, looking at their plan and its development, the consultant will be present at the November meeting to start talking through the chapters and then in the new year they'll look at modifying their schedule to make sure she can attend some regular scheduled meetings so they don't have to schedule a lot of special meetings. Also, on their desks, she did print out a correspondence from the Charter Township of Long Lake regarding their Long Lake Township sub-plan public comment period.
- O. Public Comment:** Andy Viren
- P. Adjourn: MOTION BY COMMISSIONER KUZMA , SECONDED BY COMMISSIONER ROBERTS TO ADJOURN MEETING AT 8:56 PM. MOTION PASSED 5-0.**