

Treasurer's Report reflects bank account balances

Treasurer's Report

JULY 2024

LIQUIDITY PORTAL INVESTMENTS

	<u>RUNNING BALANCE</u>	<u>OPENING VALUE</u>	<u>DIVIDEND AMOUNT</u>
#101 General Fund	\$ 125,931.20	\$ 1,701,141.95	\$ 7,527.05
#203 Metro Authority	\$ 54,764.88		
#206 Fire Fund	\$ 136,697.37	\$ 969,482.64	\$ 4,569.63
#590 Sewer CD Mat May 2018	\$ 160,542.12	\$ 1,279,667.55	\$ 5,662.11
#591 Timberlee H2O	\$ 132,992.81	\$ 278,193.19	\$ 1,230.91
#592 Greilickville H2O	\$ 66,347.08	\$ 72,800.06	\$ 322.14
#594 Marina	\$ 134,890.50	\$ 2,157,348.54	\$ 9,722.57
#701 Trust & Agency	\$ 1,373.22		
#703 Current Tax	\$ 475,963.03		
#816 GSAD Receivable	\$ 21,563.68		
#820 Maintenance E.R. Rds	\$ 14,655.14		
#821 Maintenance S.B. Rds	\$ 5,427.20		
#861 Bayview Estates Lights	\$ 2,636.68		

TOTAL \$ 1,333,784.91 \$ 6,458,633.93 \$ 29,034.41

INVESTMENT ACCOUNTS CD's

	<u>CURRENT VALUE</u>	<u>PURCHASED AMOUNT</u>
#590 Morgan Stanley	\$ 149,499.00	\$ 150,000.00
	\$ 0.00	

TOTAL \$ 149,499.00

GRAND TOTAL \$ 7,970,952.25



Chris Mikowski, Treasurer

Connie M. Preston, Clerk

To: Elmwood Township Board
From: Sarah Clarren, Planner/Zoning Administrator
RE: July 2024 Planning and Zoning Report

PERMITS:	7/2024	7/2023	YTD 2024	YTD 2023
Single Family Dwelling	3	1	15	7
Attached SFD	0	0	0	0
Accessory Building	0	0	3	3
AG Building	0	0	1	3
Residential Addition	0	2	0	5
Deck	2	1	9	6
Sign	0	0	1	1
Commercial	0	0	4	2
B&B	0	0	3	0
Misc.	1	0	4	5
Total Permits	6	4	40	32
Fees Collected	\$604.28	392.68	\$5,028.12	\$2,766.81

Zoning Board of Appeals:

July 10, Regular Meeting. Cancelled due to no new business.

August 7, Regular Meeting. No new hearings, but meeting has been scheduled to review minutes from 5/1/24.

Planning Commission:

July 16, Regular Meeting. Cancelled due to no new business.

August 15, Special Meeting. Master (Comprehensive) Plan Community Open House. Township Consultant Sara Kopriva of Beckett & Raeder will facilitate an open house to garner community input regarding the Plan.

August 20, Regular Meeting. Agenda not yet set.

Office Updates:

STRs. 93 licenses for 2024 have been issued. 11 applications are on waitlist.

Trainings/Conferences. Staff will be attending the MI APA Conference 9/25-9/27.

Parks. Staff attended kickoff meeting and onsite walkthrough with consultant from Beckett and Raeder regarding the conceptual site plan for Cherry Bend Park; currently waiting on preliminary plan to discuss with Parks and Recreation Committee at their August meeting. Hopeful to have additional information (and possibly plan) for the Board at their September meeting. Equipment update: equipment approved by the Township Board at the last meeting has been ordered; no estimated arrival date.

Master (Comprehensive) Plan. Staff continues to provide information to our consultants at Beckett & Raeder as they work on preliminary chapters. Postcards for survey mailed and survey will be live until 8/31. The survey can be accessed at <http://tiny.cc/ElmwoodTwp> (case sensitive). A PDF of the survey is available on the Planning Commission's webpage and hard copies are also available at Township Hall. Beckett & Raeder will facilitate an Open House on 8/15 from 4-6pm at Township Hall. Attendees can come and go at any time as the Open House will be focused on conversations and there will be no formal presentations. The purpose of this open house is to gather public input on current and future Township planning efforts.

**CHARTER TOWNSHIP OF ELMWOOD
REGULAR BOARD MEETING
JULY 8, 2024
IN THE TOWNSHIP HALL**

Call to Order

Supervisor Shaw called the meeting to order at 6:00 p.m.

Pledge of Allegiance

Supervisor Shaw led the Pledge of Allegiance.

Roll Call

Present: Chris Mikowski, Terry Lautner, Dave Darga, Kyle Trevas, Jeff Shaw, and Connie Preston

Excused: Jordan Gallagher

Declaration of Conflict of Interest

None

Public Hearing Zoning Ordinance Amendment 2024-03, Alcohol Regulation

The public hearing was opened at 6:00 p.m. Opportunity to be heard was given to all. There were no comments made. The hearing was closed at 6:01 p.m.

Public Comment

Eric Currin

Deborah Allen

Chris Fredrickson

John C. Melichar

Consent Calendar:

Department Reports:

Treasurer

Planning/Zoning

Fire Chief

Harbormaster

Committee Reports:

Minutes:

6-10-24

6-18-24

Post Audit Invoices 6-1-24 through 6-30-24

MOTION BY TRUSTEE DARGA, SECONDED BY CLERK PRESTON TO APPROVE THE CONSENT CALENDAR AS PRESENTED. The motion passed unanimously by a voice vote.

Agenda approval

MOTION BY CLERK PRESTON, SECONDED BY TRUSTEE DARGA TO APPROVE THE AGENDA AS PRESENTED. Motion passed unanimously by a voice vote.

Supervisor Remarks

Supervisor Shaw submitted a written report and highlighted the comments that he wishes to hold open houses for residents to hear about the Cherry Bend Trail plan and Timberlee water users to be updated about the water system

Trustee Remarks

None

Engineer's Report

None

Other Officer Remarks

None

Communications from the Clerk

Clerk Preston stated she included a revenue/expenditure report through June 2024 and a copy of the audit was in everyone's boxes. She invited everyone to let her know if they had questions regarding the audit.

Old Business

None

New Business**Discovery Pier Brownfield Grant Agreement/Development Agreement**

Supervisor Shaw reminded the Board that the Discovery Pier received a Brownfield grant with the Township as the applicant. Grant monies are allowed to provide for the Township to collect administrative costs for overseeing the grant. Attorney Bryan Graham reviewed the Development Agreement and requested some changes which have now been made. MOTION BY TRUSTEE LAUTNER, SECONDED BY TRUSTEE TREVAS FOR THE SUPERVISOR TO SIGN BOTH THE GRANT AGREEMENT AND DEVELOPMENT AGREEMENT. The motion passed unanimously by a voice vote.

Consideration of Text Amendment 2024-03/Alcohol Regulations

Planner Sarah Clarren presented the amendment that was introduced in May but not considered in June due to a request to have a public hearing. She added that since the introduction, Attorney Graham recommended removing the last sentence of 5.5.N.2.c.iii, referring to the amount of crop that can be imported. Board members discussed if the amendment would have a negative impact on the current TC Whiskey project. The amount of work done towards substantial completion of the project was discussed and how they might be affected if they were not substantially complete. MOTION BY TRUSTEE TREVAS, SECONDED BY TRUSTEE LAUTNER TO TABLE THE AMENDMENT AND RE-NOTICE IT FOR CONSIDERATION AT THE AUGUST MEETING. The motion passed unanimously by a voice vote.

Marina**Time Activated Door Locks**

Harbormaster Dan Jenuwine requested approval for six automated door locks for the Greilickville Harbor Park restrooms. He would like to first install just two to see if they are satisfactory. This would be a way to save labor when the marina closes by 8:00 p.m. but having to pay someone to come back to lock the restrooms. Trustee Darga did not want to spend more money until it is known how many other extra costs will be associated with the marina project.

MOTION BY TRUSTEE DARGA, SECONDED BY TRUSTEE TREVAS TO LOCK THREE OF THE GREILICKVILLE HARBOR PARK BATHROOMS AT 8:00 PM AND LEAVE ONE BATHROOM OPEN 24/7 AND PUT APPROPRIATE SIGNAGE. The motion passed 5-1 by a voice vote with Preston voting no.

Construction Issues

Mr. Jenuwine would like to make the following changes to the construction plans:

1. Eliminate the overhead door above the sink in the new pavilion, that area can be shrink wrapped like the fish cleaning station.
2. Relocate the dumpster to the north end of the marina, getting it away from people and making it easier for the garbage hauler to maneuver.
3. Eliminate the rock wall in front of the office to make a free flow to the docks and make room for the portable showers and a bike rack.

4. Move the ramp overhead light from the north launch ramp to the southernmost to be out of the way of the crane.
5. Lay conduit for future uses such as EV chargers or ethernet cable so new pavement would not be torn up.
6. Relocate the flag pole to a more prominent location.

Supervisor Shaw will ask the architect to write up a change order with all of the requested changes.

Dan requested that the shower rental be extended because the slip holders were upset that it was only through 9/25. The Board declined to extend the rental because Centerpointe will allow our customers to use their shower and laundry facilities for the balance of the season. He would like to get a ramp to make it easier to get to the pumpout area. He will look into a local supplier. He further informed the Board that he has tabled any work on a parking gate, it's a nicety but very expensive. He had an employee checking passes on the busy days and that was a lot cheaper than \$40,000.00 for a parking gate. Temporary signs were up for Brewery Creek parking. It went well and worked perfectly for the most part. Once signs are in permanently, they will work well.

2025 Slip Rates

Dan stated that he had put together slip pricing for next year with a 3.4% increase but should perhaps add \$50.00 per slip to cover some of the amenities. He added that commercial enterprises should be paying to load passengers at our marina. Rules had not been enforced in the past but they need to pay. He feels that it should be stated in our contracts that we cannot guarantee wi-fi. He will review numbers and would like this placed on the August agenda as he would like to get contracts out much earlier than in the past.

Winter Storage at Brewery Creek

The Harbormaster recommends using Brewery Creek for winter storage and charging \$2.10 per sq foot. Because of people moving, we should have 20 spots on marina side. Marina side can be mast up. Dan stated that our 2.10 rate is below market. Trustee Darga pointed out that we do need amenities, a special use permit and security cameras for Brewery Creek storage. He reminded everyone that we are not supposed to be in competition for commercial storage. It was part of the deal when Elmwood took over the marina.

Mr. Jenuwine is working with Attorney Bryan Graham to update the slip contracts. One of the issues is the amount of insurance liability requirement for the slip holders. Bryan Graham suggested \$1,000,000 on coverage but that is more for commercial. Dan believes it's best to go from \$300,000 to \$500,000 for next year. Some slip holders may not even be able to get a \$1,000,000 policy.

July 4 sales were down and Dan believes it will be a soft year due to many factors. Marina staff will work on doing more work in house to avoid paying contractors for pest control and lawn fertilizing for example. He will work on new job classifications and wage scales because one size does not fit all

Marina Rules

Mr. Jenuwine continues to work with Attorney Graham to update the rules

Cherry Bend Park Equipment Request

Planner Sarah Clarren presented the proposal for additional play equipment at Cherry Bend Park. The Parks and Recreation Commission has been reviewing the equipment but did not provide a formal recommendation as there was no quorum at their last meeting.

MOTION BY TRUSTEE TREVAS, SECONDED BY TRUSTEE DARGA TO AUTHORIZE UP TO \$44,000.00 FOR PLAYGROUND EQUIPMENT FOR YOUNGER CHILDREN. The motion passed unanimously by a voice vote.

ALS Information/Discussion

After much discussion regarding the true cost of the project and whether or not all costs had been considered for education, wages, and insurance, the following motion was made:

MOTION BY CLERK PRESTON, SECONDED BY TREASURER MIKOWSKI TO PUT ADVANCED LIFE SUPPORT MILLAGE ON THE NOVEMBER BALLOT. The motion passed 4-2 by a roll call vote with yes from Preston, Trevas, Mikowski, and Shaw and no from Darga and Lautner.

Schedule Special Meeting

There will need to be a special meeting to approve the ballot language after it is written by Township Attorney Bryan Graham.

MOTION BY CLERK PRESTON, SECONDED BY TRUSTEE DARGA TO SCHEDULE A SPECIAL BOARD MEETING FOR JULY 23, 2024 AT 1:00 P.M.

Payment of Invoices

MOTION BY TRUSTEE DARGA, SECONDED BY TREASURER MIKOWSKI TO PAY THE INVOICES IN THE AMOUNT OF \$251,891.74. Motion passed unanimously by voice vote.

Extended Public Comment

Mary Roesner

Adjournment

Supervisor Shaw adjourned the meeting at 8:59 p.m.

DRAFT

**CHARTER TOWNSHIP OF ELMWOOD
SPECIAL BOARD MEETING
JULY 23, 2024 IN THE TOWNSHIP HALL**

Call to Order:

Supervisor Shaw called the meeting to order at 1:00 p.m.

Roll Call:

Present: Jeff Shaw, Connie Preston, Terry Lautner, Dave Darga, Chris Mikowski, and Kyle Trevas

Excused: Jordan Gallagher

Declaration of Conflict of Interest

None

Public Comment

None

Agenda Approval

MOTION BY TRUSTEE LAUTNER, SECONDED BY CLERK PRESTON TO APPROVE THE AGENDA AS PRESENTED. The motion passed unanimously by a voice vote.

New Business

Advanced Life Support/Ballot Language Discussion

Supervisor Shaw explained we had in-office discussions to move the millage request back; after speaking with the union, there are a lot of moving parts. We want to be sure that we are understanding all costs. We just want to make sure we are doing it right. As part of the union negotiations, offering insurance to employee dependents with the employee paying 20% of the premiums was discussed. This will be brought to the Board on the August agenda.

MOTION BY CLERK PRESTON, SECONDED BY TRUSTEE TREVAS TO TABLE THE ALS DISCUSSION TO A FUTURE MEETING. The motion passed unanimously by a voice vote.

Public Comment

Robert Sokolnicki

Supervisor Shaw updated the Board stating that due to the lower than expected revenue, the Marina will cut back on staffing hours to save approximately \$8000.00 on labor for the year. Centerpointe has agreed that Elmwood marina users may use the Centerpointe shower and laundry facilities once the Elmwood buildings are demolished. The increase in insurance liability limits for slip holders will be brought to the August meeting.

Adjournment

Supervisor Shaw adjourned the meeting at 1:18 p.m.

Check Register Report

Date: 08/06/2024
 Time: 12:30 pm
 Page: 1

ELMWOOD TOWNSHIP

BANK:

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
Checks								
38933	07/15/2024	Printed			01135	KEITH ALEO	PAVILION DEPOSIT REFUND	50.00
38934	07/15/2024	Printed			01134	KELLY DUNHAM	PAVILION DEPOSIT REFUND	50.00
38935	07/15/2024	Printed			01140	KRISTI GALOCI	PAVILION DEPOSIT REFUND	50.00
38936	07/15/2024	Printed			01136	TERISE GAVAR	PAVILION DEPOSIT REFUND	50.00
38937	07/15/2024	Printed			G017	ERIN GOODRICH	PAVILION DEPOSIT REFUND	50.00
38938	07/15/2024	Printed			01118	MARIANA GRAVELINE	PAVILION DEPOSIT REFUND	50.00
38939	07/15/2024	Printed			914	KERRY NAVABI	PAVILION DEPOSIT REFUND	50.00
38940	07/15/2024	Printed			01137	JAMES PALMER	PAVILION DEPOSIT REFUND	50.00
38941	07/15/2024	Printed			01139	PAM PURVIS	PAVILION DEPOSIT REFUND	50.00
38942	07/15/2024	Printed			677	REDEEMER PRESBYTERIAN CHURCH	PAVILION DEPOSIT REFUND	50.00
38943	07/15/2024	Printed			683	SOJOURN CHURCH	PAVILION DEPOSIT REFUND	50.00
38944	07/15/2024	Printed			01141	GINA WATT	PAVILION DEPOSIT REFUND	50.00
38945	07/15/2024	Printed			01138	RACHEL WHITE	PAVILION DEPOSIT REFUND	50.00
38946	07/15/2024	Void	07/15/2024				spoiled	0.00
38947	07/15/2024	Void	07/15/2024				spoiled	0.00
38948	07/15/2024	Void	07/15/2024				spoiled	0.00
38949	07/23/2024	Printed			1026	GINA ARANKI	PAVILION DEPOSIT REFUND	50.00
38950	07/23/2024	Printed			A127	AT&T MOBILITY	ACCT#287303700094	287.04
38951	07/23/2024	Printed			B111	BLUECROSS BLUESHIELD OF MI	GROUP 007015150710	438.87
38952	07/23/2024	Printed			C010	CHERRYLAND ELECTRIC COORCCT#9902700		106.55
38953	07/23/2024	Printed			C040	CONSUMERS ENERGY	ACCT#1000 2967 1540	3,613.85
38954	07/23/2024	Printed			M020	DTE ENERGY	ACCT#9100 215 3113 2	335.65
38955	07/23/2024	Printed			M008	GFL ENVIRONMENTAL	ACCT#002114837	589.47
38956	07/23/2024	Printed			G046	GRAYBAR FINANCIAL SERVICES	CONTRACT#100-8704031-001	457.10
38957	07/23/2024	Printed			G425	GUARDIAN	GROUP ID 00 357534	418.75
38958	07/23/2024	Printed			01142	LISA HIATT BRYAN MARTYN	PAVILION DEPOSIT REFUND	50.00
38959	07/23/2024	Printed			1545	MCLAIN DESIGN	PAVILION DEPOSIT REFUND	50.00
38960	07/23/2024	Printed			M208	MICHIGAN BROADBAND SERVICES	ACCT#0371011752	434.45
38961	07/23/2024	Printed			P043	PRIORITY HEALTH	GROUP ID 790105 S001	3,684.64
38962	07/23/2024	Printed			S097	SPECTRUM VOIP	CUST#2319460921	36.10
38963	07/23/2024	Printed			01143	JASON THIBODEAU	PAVILION DEPOSIT REFUND	50.00
38964	07/23/2024	Printed			V023	VSP	CLIENT ID 30031936	210.64
38971	08/01/2024	Printed			G078	GREAT LAKES RECREATION CO, LLC	50% DEPOSIT	11,313.50
38972	08/01/2024	Printed			H022	HOGARTH'S PEST CONTROL CO.	ACCT 6634/FIRE DEPT	400.00
38973	08/01/2024	Printed			01145	LIZ LEDTKE	PAVILION DEPOSIT REFUND	50.00
38974	08/01/2024	Printed			01149	JEAN MAUK	PAVILION DEPOSIT REFUND	50.00
38975	08/01/2024	Printed			01144	JAINA MOTT	PAVILION DEPOSIT REFUND	50.00
38976	08/01/2024	Printed			914	KERRY NAVABI	PAVILION DEPOSIT REFUND	50.00
38977	08/01/2024	Printed			01146	SHANNON NEIL	PAVILION DEPOSIT REFUND	50.00
38978	08/01/2024	Printed			1528	PAUL MAURER	PAVILION DEPOSIT REFUND	50.00
38979	08/01/2024	Printed			01148	DEBRA SHAFFER	PAVILION DEPOSIT REFUND	50.00
38980	08/01/2024	Printed			475	BETH WALTER	PAVILION DEPOSIT REFUND	50.00
38981	08/01/2024	Printed			W031	THE WANDERLUST GROUP	DOCKWA.ADD ONS	879.00
38982	08/01/2024	Printed			W032	WEBUILDFUN, INC	50% DEPOSIT	9,555.00
38983	08/01/2024	Printed			W027	WELLS FARGO VENDOR FINANCIAL	CONTRACT #450-0093930-000	90.71
38984	08/01/2024	Printed			W080	WEST BAY COVENANT CHURCH	PAVILION DEPOSIT REFUND	50.00
38985	08/01/2024	Printed			01147	ANDREW WILLENBORG	PAVILION DEPOSIT REFUND	50.00

Total Checks: 47

Checks Total (excluding void checks):

34,201.32

Total Payments: 47

Bank Total (excluding void checks):

34,201.32

Check Register Report

Date: 08/06/2024
 Time: 12:30 pm
 Page: 2

ELMWOOD TOWNSHIP

BANK: ONLINE PAYMENTS

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
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ONLINE PAYMENTS Checks

500042	07/15/2024	Printed			S146	SUPERFLEET MASTERCARD PROGRAM	ACCT FB627	1,420.54
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Total Checks: 1	Checks Total (excluding void checks):	1,420.54
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Total Payments: 1	Bank Total (excluding void checks):	1,420.54
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Total Payments: 48	Grand Total (excluding void checks):	35,621.86
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Supervisor's Report

8/12/24

1. Chief Tampa, Zoning Administrator Clarren and I met with representatives from TART, TTCI and the Leelanau County Road Commission on 7/29/24 to continue conversations regarding the trail along Cherry Bend Road in 2026. We will be putting the Cherry Bend 2026 Road Improvement Project on the TTCI MPO call for projects this fall, with the goal of getting funding for 2026.
2. Leelanau County, Benzie County and Grand Traverse County have started planning a Regional Materials Management Plan. This process will be an interlocal agreement and will take 2-3 years.
3. August 1, 2024, RCI, the contractor doing the phase 3 project at the Marina, had a mandatory walkthrough at the Marina for all subcontractors. I was very impressed with Chris Richter and the professionalism they insist on at the job site. Demolition of the old buildings will begin August 21.
4. Thank you to our Clerk, Deputy Clerk and all the election workers. The election process was smooth and everyone leaving each precinct seemed happy with their experience.
5. Thanks to Ian and the grounds crew for their help moving equipment for the election.
6. Speaking of the grounds crew, once again they have been keeping Elmwood Township Parks and grounds looking wonderful.

To: Elmwood Township Board
From: Sarah Clarren
Date: August 5, 2024
RE: Public Hearing & Consideration **ZO 2017-04-23** - Aligning & Reforming Alcohol Regulations.

After holding the public hearing, if the Board would like to adopt this Ordinance, please use the following motion:

Recommended Motion: Motion to adopt Ordinance No. 2024-03, ZO 2017-04-23, a zoning ordinance amendment regarding aligning and reforming alcohol regulations within Elmwood Township.

Enclosed you will find information pertaining to the Township (staff/Planning Commission) initiated text amendment regarding aligning and reforming alcohol regulations within Elmwood Township. The following enclosed documents were provided to you all back in May:

- 1) Text Amendment ZO 2017-04-23.
- 2) Redlined version of ZO 2017-04-23 showing modifications from current Zoning Ordinance. This includes the change discussed at the last Board meeting. I encourage all interested parties to review the redlined version as it helps show that many of the proposed requirements for distilleries, microbreweries, and wineries are incredibly similar to requirements that are in the existing Ordinance for Wine Tasting Rooms; the Township did not reinvent the wheel with this text amendment.
- 3) Memo Containing Planning Commission's findings
- 4) Excerpt of 3/19/2024 Planning Commission Minutes
- 5) Excerpt of 4/23/2024 LCPC Minutes
- 6) LCPC Staff Report (excludes appendices)

Text Description.

ZO 2017-04-23 – Text amendment request – a Zoning Ordinance Amendment to amend Section 2.2 to add definitions for Alcohol, Beer, Brewer, Brewery, Distiller, Micro Brewer, Small Distiller, Small Wine Maker, Spirits, Tasting Room, Wine Maker, revise definitions for Distillery, Wine, Winery, and eliminate definitions for Distillery Tasting Room, Wine, Brandy, Wine Drink, Mixed, Wine Related Beverages, and Wine Tasting Room; amend Section 5.4 to eliminate Distillery Tasting Rooms, Microbreweries/ Distilleries, and Wine Tasting Room, Add 'Distillery and/or Brewery' and 'Tasting Room' as permitted uses under Site Plan Review or Special Use Permit in certain zoning districts, allow Winery as a use within the General Commercial and Light Industrial districts under Site Plan Review, renumber uses; amend Section 5.5.K to eliminate two requirements for Temporary Produce Stands and renumber subsequent requirements; add Section 5.5.N to contain requirements for Wineries, Distilleries, and Breweries; amend Section 6.1.3 to list parking requirements for Wineries, Distilleries, and Breweries; amend Section 9.8.J to contain requirements for Tasting Rooms for Wineries, Distilleries, and Breweries; eliminate Section 9.8.L Distillery Tasting Room and its requirements and reserve Section 9.8.L for future use.

Action by Township Planning Commission.

MOTION BY COMMISSIONER KUZMA, SECONDED BY COMMISSIONER MIKOWSKI TO APPROVE FINDINGS OF FACT AS MODIFIED. MOTION APPROVED BY A UNANIMOUS VOTE.

MOTION BY COMMISSIONER MIKOWSKI, SECONDED BY COMMISSIONER KUZMA TO RECOMMEND APPROVAL OF ZO 2017-04-23 TO THE TOWNSHIP BOARD AND TO FORWARD ON TO THE COUNTY AS IT MEETS SECTION 11.12 OF THE ZONING ORDINANCE. MOTION PASSED UNANIMOUSLY.

Action by County Planning Commission.

Motion by Fenlon, seconded by Nixon, to forward the staff report and all comments to the Elmwood Township. Motion carried 10-0.

Action by the Township Board.

This amendment was introduced to the Township Board on May 13, 2024 where it was scheduled and published for consideration in June. The workday prior to consideration, the Township received a request for another public hearing on the text amendment was received. The Board granted the request and scheduled a public hearing for their 7/8 meeting. On 7/8 the Board voted to schedule a subsequent public hearing; the original required public hearing was held by the Planning Commission on 3/19/24.

As a reminder, per the Planning Enabling Act, after the legislative body (the Board) receives a zoning ordinance amendment, they "...may hold a public hearing if it considers it necessary or if otherwise required." You may also refer any proposed amendments back to the Commission for consideration and comment. You also may consider and vote upon the adoption of a zoning ordinance, with or without amendments. A zoning ordinance and any amendments shall be approved by a majority vote of the members of the legislative body.

Charter Township of Elmwood Notice

PLEASE TAKE NOTE that the Township Board of the Charter Township of Elmwood will hold a public hearing and then consider the adoption of the following:

- 1) Ordinance #2024-03 of 2024, ZO 2017-04-23 - a Zoning Ordinance Amendment to amend Section 2.2 to add definitions for Alcohol, Beer, Brewer, Brewery, Distiller, Micro Brewer, Small Distiller, Small Wine Maker, Spirits, Tasting Room, Wine Maker, revise definitions for Distillery, Wine, Winery, and eliminate definitions for Distillery Tasting Room, Wine, Brandy, Wine Drink, Mixed, Wine Related Beverages, and Wine Tasting Room; amend Section 5.4 to eliminate Distillery Tasting Rooms, Microbreweries/ Distilleries, and Wine Tasting Room, Add 'Distillery and/or Brewery' and 'Tasting Room' as permitted uses under Site Plan Review or Special Use Permit in certain zoning districts, allow Winery as a use within the General Commercial and Light Industrial districts under Site Plan Review, renumber uses; amend Section 5.5.K to eliminate two requirements for Temporary Produce Stands and renumber subsequent requirements; add Section 5.5.N to contain requirements for Wineries, Distilleries, and Breweries; amend Section 6.1.3 to list parking requirements for Wineries, Distilleries, and Breweries; amend Section 9.8.J to contain requirements for Tasting Rooms for Wineries, Distilleries, and Breweries; eliminate Section 9.8.L Distillery Tasting Room and its requirements and reserve Section 9.8.L for future use.

The ordinance may be viewed at the Township Hall at 10090 E. Lincoln Road, Traverse City, MI 49684 between 9:00 a.m. and 5:00 p.m. and on the township website at www.leelanau.gov/elmwoodtwppaps.asp.

The board will hold the public hearing and then consideration of the above ordinance at the meeting to be held on August 12, 2024 at 6:00 p.m. at the Elmwood Township Hall, 10090 E. Lincoln Road, Traverse City, MI 49684. Written comments may be submitted prior to the public hearing by mailing them to: Clerk's Office, 10090 E. Lincoln Rd, Traverse City, MI 49684 or clerk@elmwoodmi.gov. Written comments submitted prior to the public hearing will be received until 5:00 pm, Monday, August 12, 2024.

Posted: 7/24/2024
2:30 p.m.
Elmwood Township Hall
Connie Preston, Clerk

CHARTER TOWNSHIP OF ELMWOOD
Leelanau County, Michigan

Ordinance No. _____
ZO 2017-04-23

AN ORDINANCE TO AMEND THE TOWNSHIP ZONING ORDINANCE, IN ACCORANCE WITH THE PROVISIONS OF THE MICHIGAN ZONING ENABLING ACT, ACT 110 OF THE PUBLIC ACTS OF 2006, AS AMENDED [MCL 125.3101 ET SEQ.], TO AMEND SECTION 2.2 TO ADD DEFINITIONS FOR ALCOHOL, BEER, BREWER, BREWERY, DISTILLER, MICRO BREWER, SMALL DISTILLER, SMALL WINE MAKER, SPIRITS, TASTING ROOM, WINE MAKER, REVISE DEFINITIONS FOR DISTILLERY, WINE, WINERY, AND ELIMINATE DEFINITIONS FOR DISTILLERY TASTING ROOM, WINE, BRANDY, WINE DRINK, MIXED, WINE RELATED BEVERAGES, AND WINE TASTING ROOM; AMEND SECTION 5.4 TO ELIMINATE DISTILLERY TASTING ROOMS, MICROBREWERIES/DISTILLERIES, AND WINE TASTING ROOM, ADD 'DISTILLERY AND/OR BREWERY' AND 'TASTING ROOM' AS PERMITTED USES UNDER SITE PLAN REVIEW OR SPECIAL USE PERMIT IN CERTAIN ZONING DISTRICTS, ALLOW WINERY AS A USE WITHIN THE GENERAL COMMERCIAL AND LIGHT INDUSTRIAL DISTRICTS UNDER SITE PLAN REVIEW, RENUMBER USES; AMEND SECTION 5.5.K TO ELIMINATE TWO REQUIREMENTS FOR TEMPORARY PRODUCE STANDS AND RENUMBER SUBSEQUENT REQUIREMENTS; ADD SECTION 5.5.N TO CONTAIN REQUIREMENTS FOR WINERIES, DISTILLERIES, AND BREWERIES; AMEND SECTION 6.1.3 TO LIST PARKING REQUIREMENTS FOR WINERIES, DISTILLERIES, AND BREWERIES; AMEND SECTION 9.8.J TO CONTAIN REQUIREMENTS FOR TASTING ROOMS FOR WINERIES, DISTILLERIES, AND BREWERIES; ELIMINATE SECTION 9.8.L DISTILLERY TASTING ROOM AND ITS REQUIREMENTS AND RESERVE SECTION 9.8.L FOR FUTURE USE.

The Charter Township of Elmwood Ordains:

Section 1: Amendment.

1. Amend Section 2.2, specifically to add the following definitions:

Alcohol. The product of distillation of fermented liquid, whether or not rectified or diluted with water, but does not mean ethyl or industrial alcohol, diluted or not, that has been denatured or otherwise rendered unfit for beverage purposes.

Beer. A beverage obtained by alcoholic fermentation of an infusion or decoction of barley, malt, hops, sugar, or other cereal in potable water.

Brewer. A person located in this state that is licensed by the Michigan Liquor Control Commission to manufacture beer and sell at retail and to licensed wholesalers the beer manufactured by the person.

Brewery. A facility licensed by the Michigan Liquor Control Commission where agriculture products are grown and/or maintained and used by brewers and/or micro brewers to manufacture beer and sell at retail and to licensed wholesalers the beer manufactured by the brewer or micro brewer.

Distiller. A person licensed by the Michigan Liquor Control Commission to manufacture and sell spirits or alcohol, or both, of any kind.

Micro Brewer. A brewer that manufactures in total less than 60,000 barrels of beer per year and that may sell the beer manufactured to consumers at the licensed brewery premises for consumption on or off the licensed brewery premises and to retailers. In determining the 60,000-barrel threshold, all brands and labels of a brewer, whether manufactured in this state or outside this state, must be combined and all breweries for the manufacturing of beer that are owned or controlled by the same person must be treated as a single facility.

Small Distiller. A manufacturer of spirits annually manufacturing in this state not more than 60,000 gallons of spirits, of all brands combined.

Small Wine Maker. A wine maker manufacturing or bottling not more than 50,000 gallons of wine in 1 calendar year. A small wine maker is not required to bottle wine it manufactures.

Spirits. A beverage that contains alcohol obtained by distillation, mixed with potable water or other substances, or both, in solution, and includes wine containing an alcoholic content of more than 21% by volume, except sacramental wine and mixed spirit drink.

Tasting Room. A location on or off the manufacturing premises of a brewer, micro brewer, wine maker, small wine maker, distiller, or small distiller where the brewer, micro brewer, wine maker, small wine maker, distiller, or small distiller may provide samples of or sell at retail for consumption on or off the premises, or both, the beer, wine, or spirits it manufactures. A small wine maker, however, may only sell wine it bottled.

Wine Maker. A person licensed by the Michigan Liquor Control Commission to manufacture wine and to sell that wine to a wholesaler, to a consumer by direct shipment, at retail on the licensed winery premises, and to sell that wine to a retailer.

2. **Amend Section 2.2, specifically to modify the below definitions to read as follows:**

Distillery. A facility licensed by the Michigan Liquor Control Commission where agriculture products are grown and/or maintained and used by distillers and/or small distillers to manufacture spirits or alcohol and to sell the spirits and/or alcohol manufactured by the distiller or small distiller.

Wine. A product manufactured by the normal alcoholic fermentation of the juice of sound, ripe grapes, or any other fruit with the usual cellar treatment, and containing not

more than 21% of alcohol by volume, including cider made from apples or pears, or both, that contains at least ½ of 1% of alcohol by volume, or mead, or honey wine made from honey, fermented fruit juices other than grapes, and mixed wine drinks.

Winery. A facility licensed by the Michigan Liquor Control Commission where agriculture products are grown and/or maintained and used by wine makers and/or small wine makers to manufacture wine and to sell that wine to a wholesaler, to a consumer by direct shipment, at retail on the licensed winery premises, and to sell that wine to a retailer.

3. Amend Section 2.2, specifically to eliminate the following definitions:

Distillery Tasting Room. A Michigan licensed room used in conjunction, as an accessory use, with a distillery where a spirit is produced on-site, may be consumed or purchased.

(Amendment ZO 2017-04-03, Ordinance #2018-04, Effective November 9, 2018)

Wine, Brandy. An alcoholic liquor as defined in Federal Standards of Identity for Distilled Spirits, 27 CFR 5.22 (d) 1980.

Wine Drink, Mixed. A drink or similar product containing less than seven percent (7%) alcohol by volume, consisting of wine and sparkling or carbonated or water and/or containing one (1) or more of the following: non-alcoholic beverages; flavorings; fruit juices; coloring materials; fruit adjuncts; sugar; preservatives; and carbon dioxide .

Wine-Related Beverages. Fortified wines, wine brandy, other mixed wine drinks, and drinks related to or inclusive of wines.

Wine Tasting Room. A Michigan licensed room used in conjunction with a winery where the tasting of wine, fruit wines, and non-alcoholic fruit juices takes place at a charge or at no charge to the individual, and the retail sales of winery and cheese products, incidental wine-related non food items, products by the bottle, container, or case for off-premises consumption, and wine-related packaged food items are allowed as provided herein.

4. Amend Section 5.4 to eliminate Use #49 (Distillery Tasting Rooms), Use #60 (Microbreweries/Distilleries regulated by Michigan Liquor Control Commission) Use #78 (Wine Tasting Room); create new Use #49 (Distillery and/or Brewery), Use #74 (Tasting Room); change permitting process for Use #79 (Winery); renumber the table as needed. Uses #49, #74, and #79 will read as follows:

Applicable to Multiple Districts	A-R	R-1	R-2	R-3	MH P	M C	NC	G C	LI	SC	R R
49. Distillery and/or Brewery	SUP						Psp	Psp	Psp		
74. Tasting Room	SUP						Psp	Psp	Psp		

5. Amend Section 5.5.K containing requirements for ‘Temporary produce stands,’ specifically to eliminate existing requirements 5 and 6 and then renumber subsequent requirements. The requirements that will be eliminated are:

- ~~5. Additional agricultural products may be sold at the produce stand provided it is grown or produced (e.g., honey, syrup, etc) in Elmwood Township.~~
- ~~6. Sale of craft items is limited to those produced on the property.~~

6. Amend Section 5.5 to create 5.5.N to contain requirements for Wineries, Distilleries, and Breweries. This new Section 5.5.N will read as follows:

N. Winery, Distillery, Brewery

1. **Intent.** It is the intent of this ordinance to allow construction of Breweries, Distilleries, and Wineries for beer, wine, spirits and other alcoholic beverages regulated by the Michigan Liquor Control Code of 1998, being Public Act 58 of 1998 [MCL 436.1101 et seq] (the “Code”) on lands where, except as provided under subsection 2.c.iii below, the ingredients for such products are raised or grown. Such facilities are permitted with or without tasting rooms (See Section 9.8.J).

The growing of wine fruit and production of wine, the growing of the ingredients for making beer and the growing of crops to be used in distilling spirits are recognized as an integral component of the rural and agricultural ambiance of the agricultural areas within Elmwood Township if regulated appropriately. The growing of these crops do not require Planning Commission review, but without site plan review, production facilities could industrialize the agricultural district. It is, therefore, the intent of this section to maintain the viability of growing agricultural products by providing for the value added processing and direct sales of such beverages and other end products of such processing.

2. **Conditions.** Wineries, Distilleries, and Breweries may be permitted in accordance with Article 8 (Site Plan Review) and subject to the following conditions:
- a. Every winery, brewery, and distillery, is subject to the development review requirements as provided in Article 8 (Site Plan Review) of this ordinance.
 - b. ~~Monthly~~ retail sales of the beverages produced on the site are permitted along with retail sales of related products (i.e. branding merchandise for the facility). However, no tasting is permitted unless a permit for a Tasting Room is obtained onsite.
 - c. To ensure that production facilities within the A-R Zoning District do not industrialize the district, the following standards shall be met:
 - i. The parcel must be at least ten (10) acres.
 - ii. The winery, distillery, or brewery is operated according to generally accepted agricultural management principles and for every winery, distillery, and brewery, the parcel shall have and

maintain a minimum of five (5) planted acres of mature crop that is used for the on-site production of alcohol for production facilities selling directly to the consumer. The parcel shall have and maintain ten (10) planted acres of mature crop that is used for the on-site production of alcohol for production facilities selling wholesale. For purposes of this section, 'mature crop' shall mean crops that are of an age where they can be harvested and used in the production of alcohol.

- iii. The growing of wine fruit, the growing of the ingredients for making beer, and the growing of crops to be used in distilling spirits can originate from any source (grown on the land or imported).
- iv. The total land area covered by buildings and structures used for the processing, storage and sales of wine, beer, and spirits may not exceed fifteen percent (15%) of the lot area. In order to encourage the reuse of historic buildings, the Planning Commission may consider a larger land cover percentage, while considering the impact of the use on neighboring properties. If the parcel contains a dwelling, the dwelling and the dwelling's associated accessory structures shall not be incorporated in this calculation. Any building or structure used for agricultural use (i.e. silos, animal husbandry, storage of traditional agricultural machinery (i.e. tractors, plows, etc.) shall not be incorporated in this calculation.
- d. All winery, brewery, or distillery structures and/or permitted outdoor tasting areas (if permitted shall be set back at least 100 feet from any lot line as well as any wetlands and/or any water's edge. This setback shall not apply to any building or structure used for agricultural use (i.e. silos, animal husbandry, storage of traditional agricultural machinery (i.e. tractors, plows, etc.).

7. Amend Section 6.1.3, specifically to add minimum required parking spaces for Wineries, Distilleries, and Breweries to the existing table as follows:

USE	MINIMUM NUMBER OF SPACES REQUIRED
Winery, Distillery, and/or Brewery	5 spaces plus 1 per employee on largest shift

8. Remove Section 9.8.J (Requirements for Wine Tasting Rooms) and replace with a new Section 9.8.J (Requirements for Tasting Rooms for Wineries, Breweries, and Distilleries) to read as follows:

J. Tasting Rooms for Wineries, Breweries, and Distilleries

The Township would like to encourage agriculturally related uses while preserving neighboring property owners' enjoyment of their land. Tasting Rooms are permitted as accessory uses at permitted Wineries, Breweries and Distilleries or within other zoning districts, as permitted provided that the proposed tasting room complies with the following requirements:

1. Every tasting room for a winery, brewery, and distillery within the Agricultural-Rural (A-R) Zoning District is subject to the development review and requirements for a winery, brewery and distillery as provided in Article 5.5.N of this ordinance.
2. The tasting area may be located inside or outside a building, but at no time shall the tasting area exceed 2,500 sq ft.
3. A tasting room and/or an authorized outdoor tasting area shall not be located closer than 100 feet from any lot line of a lot containing a dwelling or from any lot that is zoned residential (R-1, R-2, or R-3).
4. If a tasting room is located within 500 feet from any lot line of a lot containing a dwelling or from any lot that is zoned residential (R-1, R-2, or R-3), then a fence or buffer, meeting the requirements of Section 6.4.4 of this Ordinance, shall be placed along the lot line of that adjacent lot to discourage trespass.
5. The hours of operation shall be between the hours of 10 am and 10 pm unless the Planning Commission determines that different and more restrictive hours are more appropriate to meet the standards of Section 9.3.
6. Amplified sound (including amplified music) shall be contained indoors and 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.
7. A Tasting Room is not intended to be a restaurant; restaurants are a use that is permitted in certain zoning districts. Therefore, a tasting room may offer limited food service provided:
 - a. Any retail sales and food service must be clearly accessory to the tasting room. This shall be evidenced by:
 - i. The area for serving food shall seat no more than twenty (20) patrons at one time.
 - ii. Monthly sale of food shall not exceed 10% of gross sales of licensed products. At the request of the Township, the business shall provide supporting documentation to the Township verifying compliance with this section.
 - iii. Food service items shall be limited to appetizers and small plates. Carry-in or carry-out foods are prohibited.
 - b. Any food service shall be licensed to prepare and serve food by the appropriate Health Agency.

9. Remove Section 9.8.L (Requirements for Distillery Tasting Rooms) and replace as follows:

L. RESERVED

Section 2: Severability.

If any sections, clause, or provision of this Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the remainder of the Ordinance. The Township Board hereby declares that it would have passed this Ordinance and each part, section, subsection, phrase, sentence and clause irrespective of the fact that any one or more parts, sections, subsections, phrases, sentences or clauses be declared invalid.

Section 3: Effective Date.

This Ordinance shall become effective eight (8) days following publication.

Public Hearing: _____

Adopted: _____

Effective: _____

CHARTER TOWNSHIP OF ELMWOOD
Leelanau County, Michigan

Ordinance No. _____
ZO 2017-04-23

AN ORDINANCE TO AMEND THE TOWNSHIP ZONING ORDINANCE, IN ACCORANCE WITH THE PROVISIONS OF THE MICHIGAN ZONING ENABLING ACT, ACT 110 OF THE PUBLIC ACTS OF 2006, AS AMENDED [MCL 125.3101 ET SEQ.], TO AMEND SECTION 2.2 TO ADD DEFINITIONS FOR ALCOHOL, BEER, BREWER, BREWERY, DISTILLER, MICRO BREWER, SMALL DISTILLER, SMALL WINE MAKER, SPIRITS, TASTING ROOM, WINE MAKER, REVISE DEFINITIONS FOR DISTILLERY, WINE, WINERY, AND ELIMINATE DEFINITIONS FOR DISTILLERY TASTING ROOM, WINE, BRANDY, WINE DRINK, MIXED, WINE RELATED BEVERAGES, AND WINE TASTING ROOM; AMEND SECTION 5.4 TO ELIMINATE DISTILLERY TASTING ROOMS, MICROBREWERY/DISTILLERIES, AND WINE TASTING ROOM, ADD 'DISTILLERY AND/OR BREWERY' AND 'TASTING ROOM' AS PERMITTED USES UNDER SITE PLAN REVIEW OR SPECIAL USE PERMIT IN CERTAIN ZONING DISTRICTS, ALLOW WINERY AS A USE WITHIN THE GENERAL COMMERCIAL AND LIGHT INDUSTRIAL DISTRICTS UNDER SITE PLAN REVIEW, RENUMBER USES; AMEND SECTION 5.5.K TO ELIMINATE TWO REQUIREMENTS FOR TEMPORARY PRODUCE STANDS AND RENUMBER SUBSEQUENT REQUIREMENTS; ADD SECTION 5.5.N TO CONTAIN REQUIREMENTS FOR WINERIES, DISTILLERIES, AND BREWERIES; AMEND SECTION 6.1.3 TO LIST PARKING REQUIREMENTS FOR WINERIES, DISTILLERIES, AND BREWERIES; AMEND SECTION 9.8.J TO CONTAIN REQUIREMENTS FOR TASTING ROOMS FOR WINERIES, DISTILLERIES, AND BREWERIES; ELIMINATE SECTION 9.8.L DISTILLERY TASTING ROOM AND ITS REQUIREMENTS AND RESERVE SECTION 9.8.L FOR FUTURE USE.

The Charter Township of Elmwood Ordains:

Section 1: Amendment.

1. Amend Section 2.2, specifically to add the following definitions:

Alcohol. The product of distillation of fermented liquid, whether or not rectified or diluted with water, but does not mean ethyl or industrial alcohol, diluted or not, that has been denatured or otherwise rendered unfit for beverage purposes.

Commented [P1]: Attny recommended based on State definition

Beer. A beverage obtained by alcoholic fermentation of an infusion or decoction of barley, malt, hops, sugar, or other cereal in potable water.

Commented [P2]: State definition

Brewer. A person located in this state that is licensed by the Michigan Liquor Control Commission to manufacture beer and sell at retail and to licensed wholesalers the beer manufactured by the person.

Commented [P3]: Attny recommended based on State definition

Brewery. A facility licensed by the Michigan Liquor Control Commission where agriculture products are grown and/or maintained and used by brewers and/or micro brewers to manufacture beer and sell at retail and to licensed wholesalers the beer manufactured by the brewer or micro brewer.

Commented [P4]: Attny recommended based on State definition

Distiller. A person licensed by the Michigan Liquor Control Commission to manufacture and sell spirits or alcohol, or both, of any kind.

Commented [P5]: Attny recommended based on State definition

Micro Brewer. A brewer that manufactures in total less than 60,000 barrels of beer per year and that may sell the beer manufactured to consumers at the licensed brewery premises for consumption on or off the licensed brewery premises and to retailers. In determining the 60,000-barrel threshold, all brands and labels of a brewer, whether manufactured in this state or outside this state, must be combined and all breweries for the manufacturing of beer that are owned or controlled by the same person must be treated as a single facility.

Commented [P6]: Attny recommended based on State definition

Small Distiller. A manufacturer of spirits annually manufacturing in this state not more than 60,000 gallons of spirits, of all brands combined.

Commented [P7]: Attny recommended based on State definition

Small Wine Maker. A wine maker manufacturing or bottling not more than 50,000 gallons of wine in 1 calendar year. A small wine maker is not required to bottle wine it manufactures.

Commented [P8]: Attny recommended based on State definition

Spirits. A beverage that contains alcohol obtained by distillation, mixed with potable water or other substances, or both, in solution, and includes wine containing an alcoholic content of more than 21% by volume, except sacramental wine and mixed spirit drink.

Commented [P9]: Attny recommended based on State definition

Tasting Room. A location on or off the manufacturing premises of a brewer, micro brewer, wine maker, small wine maker, distiller, or small distiller where the brewer, micro brewer, wine maker, small wine maker, distiller, or small distiller may provide samples of or sell at retail for consumption on or off the premises, or both, the beer, wine, or spirits it manufactures. A small wine maker, however, may only sell wine it bottled.

Commented [P10]: Attny recommended based on State definition

Wine Maker. A person licensed by the Michigan Liquor Control Commission to manufacture wine and to sell that wine to a wholesaler, to a consumer by direct shipment, at retail on the licensed winery premises, and to sell that wine to a retailer.

Commented [P11]: Attny recommended based on State definition

2. Amend Section 2.2, specifically to modify the below definitions to read as follows:

Distillery. A facility licensed by the Michigan Liquor Control Commission where agriculture products are grown and/or maintained and used by distillers and/or small distillers to manufacture spirits or alcohol and to sell the spirits and/or alcohol manufactured by the distiller or small distiller.

Commented [P12]: Attny recommended based on State definition

Wine. A product manufactured by the normal alcoholic fermentation of the juice of sound, ripe grapes, or any other fruit with the usual cellar treatment, and containing not more than 21% of alcohol by volume, including cider made from apples or pears, or both, that contains at least ½ of 1% of alcohol by volume, or mead, or honey wine made from honey, fermented fruit juices other than grapes, and mixed wine drinks.

Commented [P13]: State definition

Winery. A facility licensed by the Michigan Liquor Control Commission where agriculture products are grown and/or maintained and used by wine makers and/or small wine makers to manufacture wine and to sell that wine to a wholesaler, to a consumer by direct shipment, at retail on the licensed winery premises, and to sell that wine to a retailer.

Commented [P14]: Attny recommended based on State definition

3. Amend Section 2.2, specifically to eliminate the following definitions:

Distillery Tasting Room. A Michigan licensed room used in conjunction, as an accessory use, with a distillery where a spirit is produced on-site, may be consumed or purchased.
(Amendment ZO 2017-04-03, Ordinance #2018-04, Effective November 9, 2018)

Commented [P15]: Combined with Winery Tasting room into one definition. Note that the new definition of 'Tasting Room' includes Micro/brewery Tasting Rooms, which currently are incorporated into Microbreweries which are NOT currently defined by the Ordinance.

Wine, Brandy. An alcoholic liquor as defined in Federal Standards of Identity for Distilled Spirits, 27 CFR 5.22 (d) 1980.

Commented [P16]: Not defined by MLCC

Wine Drink, Mixed. A drink or similar product containing less than seven percent (7%) alcohol by volume, consisting of wine and sparkling or carbonated or water and/or containing one (1) or more of the following: non-alcoholic beverages; flavorings; fruit juices; coloring materials; fruit adjuncts; sugar; preservatives; and carbon dioxide .

Commented [P17]: Not defined by MLCC

Wine-Related Beverages. Fortified wines, wine brandy, other mixed wine drinks, and drinks related to or inclusive of wines.

Commented [P18]: Not defined by MLCC

Wine Tasting Room. A Michigan licensed room used in conjunction with a winery where the tasting of wine, fruit wines, and non-alcoholic fruit juices takes place at a charge or at no charge to the individual, and the retail sales of winery and cheese products, incidental wine-related non food items, products by the bottle, container, or case for off-premises consumption, and wine-related packaged food items are allowed as provided herein.

Commented [P19]: Combined with Winery Tasting room into one definition. Note that the new definition of 'Tasting Room' includes Micro/brewery Tasting Rooms, which currently are incorporated into Microbreweries which are NOT currently defined by the Ordinance.

4. Amend Section 5.4 to eliminate Use #49 (Distillery Tasting Rooms), Use #60 (Microbreweries/Distilleries regulated by Michigan Liquor Control Commission) Use #78 (Wine Tasting Room); create new Use #49 (Distillery and/or Brewery), Use #74 (Tasting Room); change permitting process for Use #79 (Winery); renumber the table as needed. Uses #49, #74, and #79 will read as follows:

Commented [P20]: Psp means Site Plan Review. SUP means Special Use Permit. Changes are hard to show in comments, so see track changes documents for clarity on changes. Highlights of changes include increasing process from PSP to SUP for Distilleries/Breweries, allowing Distillery/Breweries in NC under PSP, allowing tasting rooms in LI (currently not allowed for winery tasting rooms, but allowed for distillery tasting rooms and microbreweries), removing tasting rooms of all kinds in the SC district, increasing permit process from Zoning Administrator approval for wineries in the GC and LI to PSP.

Applicable to Multiple Districts	A-R	R-1	R-2	R-3	MH-P	M-C	NC	G-C	LI	SC	R-R
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49. Distillery and/or Brewery	SUP					Psp	Psp	Psp
74. Tasting Room	SUP					Psp	Psp	Psp
79. Winery	Psp						Psp	Psp

5. Amend Section 5.5.K containing requirements for ‘Temporary produce stands,’ specifically to eliminate existing requirements 5 and 6 and then renumber subsequent requirements. The requirements that will be eliminated are:

5. Additional agricultural products may be sold at the produce stand provided it is grown or produced (e.g., honey, syrup, etc) in Elmwood Township.

6. Sale of craft items is limited to those produced on the property.

Commented [P21]: Recommended by the Attorney

6. Amend Section 5.5 to create 5.5.N to contain requirements for Wineries, Distilleries, and Breweries. This new Section 5.5.N will read as follows:

N. Winery, Distillery, Brewery

1. **Intent.** It is the intent of this ordinance to allow construction of Breweries, Distilleries, and Wineries for beer, wine, spirits and other alcoholic beverages regulated by the Michigan Liquor Control Code of 1998, being Public Act 58 of 1998 [MCL 436.1101 et seq] (the “Code”) on lands where, except as provided under subsection 2.c.iii below, the ingredients for such products are raised or grown. Such facilities are permitted with or without tasting rooms (See Section 9.8.J).

Commented [P22]: The intent section for this is new.
 Note that under our current Zoning Ordinance, Wineries, Distilleries, and Breweries are allowed, in the Ag district with NO requirements other than meeting Article 8. All regulations pursuant to all things alcohol are tied to the tasting room. This means that one can pursue a processing plant in the Ag district with NO requirements other than meeting Article 8. Minimum acres of crops, size, etc. only come into play when (if) approval for a tasting room is sought.
 What’s more, winery tasting rooms and distillery tasting rooms currently have a few different requirements—with the distillery tasting rooms being significantly more relaxed with lot coverage and winery tasting rooms having no limitations on food (while distillery tasting rooms do). Micro/breweries have no requirements other than meeting Article 8. This aligns all of these uses with the same requirements.

The growing of wine fruit and production of wine, the growing of the ingredients for making beer and the growing of crops to be used in distilling spirits are recognized as an integral component of the rural and agricultural ambiance of the agricultural areas within Elmwood Township if regulated appropriately. The growing of these crops do not require Planning Commission review, but without site plan review, production facilities could industrialize the agricultural district. It is, therefore, the intent of this section to maintain the viability of growing agricultural products by providing for the value added processing and direct sales of such beverages and other end products of such processing.

2. **Conditions.** Wineries, Distilleries, and Breweries may be permitted in accordance with Article 8 (Site Plan Review) and subject to the following conditions:

- a. Every winery, brewery, and distillery, is subject to the development review requirements as provided in Article 8 (Site Plan Review) of this ordinance.
- b. Monthly retail sales of the beverages produced on the site are permitted along with retail sales of related products (i.e. branding merchandise for the facility). However, no tasting is permitted unless a permit for a Tasting Room is obtained onsite.

Commented [P23]: Same regs under current ZO.

Commented [P24]: Monthly here is a typo, this should be removed.

Commented [P25]: New

Commented [P26]: Same regs under current ZO.

c. To ensure that production facilities within the A-R Zoning District do not industrialize the district, the following standards shall be met:

- i. The parcel must be at least ten (10) acres.
- ii. The winery, distillery, or brewery is operated according to generally accepted agricultural management principles and for every winery, distillery, and brewery, the parcel shall have and maintain a minimum of five (5) planted acres of mature crop that is used for the on-site production of alcohol for production facilities selling directly to the consumer. The parcel shall have and maintain ten (10) planted acres of mature crop that is used for the on-site production of alcohol for production facilities selling wholesale. For purposes of this section, 'mature crop' shall mean crops that are of an age where they can be harvested and used in the production of alcohol.
- iii. The growing of wine fruit, the growing of the ingredients for making beer, and the growing of crops to be used in distilling spirits can originate from any source (grown on the land or imported).
- iv. The total land area covered by buildings and structures used for the processing, storage and sales of wine, beer, and spirits may not exceed fifteen percent (15%) of the lot area. In order to encourage the reuse of historic buildings, the Planning Commission may consider a larger land cover percentage, while considering the impact of the use on neighboring properties. If the parcel contains a dwelling, the dwelling and the dwelling's associated accessory structures shall not be incorporated in this calculation. Any building or structure used for agricultural use (i.e. silos, animal husbandry, storage of traditional agricultural machinery (i.e. tractors, plows, etc.) shall not be incorporated in this calculation.
- d. All winery, brewery, or distillery structures and/or permitted outdoor tasting areas (if permitted shall be set back at least 100 feet from any lot line as well as any wetlands and/or any water's edge. This setback shall not apply to any building or structure used for agricultural use (i.e. silos, animal husbandry, storage of traditional agricultural machinery (i.e. tractors, plows, etc.).

Commented [P27]: Same as current WINE tasting room. 20 acres are currently required for DISTILLERY tasting room. No requirement for Micro/breweries.

Commented [P28]: Same for WINE tasting rooms and DISTILLERY tasting rooms. No requirement for Micro/breweries.

Commented [P29]: Same for WINE tasting rooms and DISTILLERY tasting rooms. No requirement for Micro/breweries.

Commented [P30]: New.

Commented [P31]: New.

Commented [P32]: New.

Commented [P33]: New, recommended by Attorney.

Commented [P34]: WINE tasting rooms currently only allow 2.5% for "The total footprint covered by buildings and structures used for any purpose, including wine tasting rooms..." so the new text is more lenient. DISTILLERY tasting rooms currently have a much different requirement of "Tasting Rooms shall not exceed two and one half (2.5) percent of the lot area"; this would be impossible not to meet as a Distillery (and Wine) Tasting Room currently only can be 2000 sq ft.

Again, no requirements for Micro/breweries.

Commented [P35]: New.

Commented [P36]: New.

Commented [P37]: 100' setback is from current Ordinance for Distiller and Wine tasting rooms, but the setback was only for adjacent properties. Now it's from all required setbacks (rear, side, front, wetlands/water's edge)

7. Amend Section 6.1.3, specifically to add minimum required parking spaces for Wineries, Distilleries, and Breweries to the existing table as follows:

USE	MINIMUM NUMBER OF SPACES REQUIRED
Winery, Distillery, and/or Brewery	5 spaces plus 1 per employee on largest shift

Commented [P38]: New, but aligns with Fruit and Vegetable processing facilities.

8. Remove Section 9.8.J (Requirements for Wine Tasting Rooms) and replace with a new Section 9.8.J (Requirements for Tasting Rooms for Wineries, Breweries, and Distilleries) to read as follows:

J. Tasting Rooms for Wineries, Breweries, and Distilleries

The Township would like to encourage agriculturally related uses while preserving neighboring property owners' enjoyment of their land. Tasting Rooms are permitted as accessory uses at permitted Wineries, Breweries and Distilleries or within other zoning districts, as permitted provided that the proposed tasting room complies with the following requirements:

Commented [P39]: Same but word smithed.

1. Every tasting room for a winery, brewery, and distillery within the Agricultural-Rural (A-R) Zoning District is subject to the development review and requirements for a winery, brewery and distillery as provided in Article 5.5.N of this ordinance.
2. The tasting area may be located inside or outside a building, but at no time shall the tasting area exceed 2,500 sq ft.
3. A tasting room and/or an authorized outdoor tasting area shall not be located closer than 100 feet from any lot line of a lot containing a dwelling or from any lot that is zoned residential (R-1, R-2, or R-3).
4. If a tasting room is located within 500 feet from any lot line of a lot containing a dwelling or from any lot that is zoned residential (R-1, R-2, or R-3), then a fence or buffer, meeting the requirements of Section 6.4.4 of this Ordinance, shall be placed along the lot line of that adjacent lot to discourage trespass.
5. The hours of operation shall be between the hours of 10 am and 10 pm unless the Planning Commission determines that different and more restrictive hours are more appropriate to meet the standards of Section 9.3.
6. Amplified sound (including amplified music) shall be contained indoors and 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.
7. A Tasting Room is not intended to be a restaurant; restaurants are a use that is permitted in certain zoning districts. Therefore, a tasting room may offer limited food service provided:
 - a. Any retail sales and food service must be clearly accessory to the tasting room. This shall be evidenced by:
 - i. The area for serving food shall seat no more than twenty (20) patrons at one time.
 - ii. Monthly sale of food shall not exceed 10% of gross sales of licensed products. At the request of the Township, the

Commented [P40]: New, but most requirements already in current Ordinance for Tasting Rooms (not Micro/breweries).

This would require anyone seeking a tasting room to also meet requirements that have been shifted to the production facility.

Commented [P41]: New.

Commented [P42]: Current is 2,000 sq ft. No requirement for Micro/brewery.

Commented [P43]: 'new,' but arguably clarified as it used to only say 'adjoins a residence.' No requirement for Micro/brewery.

Commented [P44]: 'new,' but arguably clarified as it used to only say 'adjoins a residence.' No requirement for Micro/brewery.

Commented [P45]: Same requirement except highlighted is new. No requirement for Micro/brewery.

Commented [P46]: Same requirement except highlighted is new. No requirement for Micro/brewery. This is recommended by the Attny.

Commented [P47]: New, but arguably clarifying text.

Commented [P48]: Same requirement as DISTILLERY tasting room. Not currently a requirement for WINE tasting room. No requirement for Micro/brewery.

Commented [P49]: 'MONTHLY' was added, but otherwise, same requirement as DISTILLERY tasting room. Language clarified on documents only provided to twp if twp asks. Not currently a requirement for WINE tasting room. No requirement for Micro/brewery.

- business shall provide supporting documentation to the Township verifying compliance with this section.
- iii. Food service items shall be limited to appetizers and small plates. Carry-in or carry-out foods are prohibited.
 - b. Any food service shall be licensed to prepare and serve food by the appropriate Health Agency.

Commented [P50]: Same requirement as DISTILLERY tasting room. Not currently a requirement for WINE tasting room. No requirement for Micro/brewery.

Commented [P51]: Same requirement as DISTILLERY tasting room. Not currently a requirement for WINE tasting room. No requirement for Micro/brewery.

9. Remove Section 9.8.L (Requirements for Distillery Tasting Rooms) and replace as follows:

L. RESERVED

Section 2: Severability.

If any sections, clause, or provision of this Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the remainder of the Ordinance. The Township Board hereby declares that it would have passed this Ordinance and each part, section, subsection, phrase, sentence and clause irrespective of the fact that any one or more parts, sections, subsections, phrases, sentences or clauses be declared invalid.

Section 3: Effective Date.

This Ordinance shall become effective eight (8) days following publication.

Public Hearing: _____

Adopted: _____

Effective: _____

CHARTER TOWNSHIP OF ELMWOOD
Leelanau County, Michigan

Ordinance No. _____
ZO 2017-04-23

AN ORDINANCE TO AMEND THE TOWNSHIP ZONING ORDINANCE, IN ACCORANCE WITH THE PROVISIONS OF THE MICHIGAN ZONING ENABLING ACT, ACT 110 OF THE PUBLIC ACTS OF 2006, AS AMENDED [MCL 125.3101 ET SEQ.], TO AMEND SECTION 2.2 TO ADD DEFINITIONS FOR ALCOHOL, BEER, BREWER, BREWERY, DISTILLER, MICRO BREWER, SMALL DISTILLER, SMALL WINE MAKER, SPIRITS, TASTING ROOM, WINE MAKER, REVISE DEFINITIONS FOR DISTILLERY, WINE, WINERY, AND ELIMINATE DEFINITIONS FOR DISTILLERY TASTING ROOM, WINE, BRANDY, WINE DRINK, MIXED, WINE RELATED BEVERAGES, AND WINE TASTING ROOM; AMEND SECTION 5.4 TO ELIMINATE DISTILLERY TASTING ROOMS, MICROBREWERIES/DISTILLERIES, AND WINE TASTING ROOM, ADD 'DISTILLERY AND/OR BREWERY' AND 'TASTING ROOM' AS PERMITTED USES UNDER SITE PLAN REVIEW OR SPECIAL USE PERMIT IN CERTAIN ZONING DISTRICTS, ALLOW WINERY AS A USE WITHIN THE GENERAL COMMERCIAL AND LIGHT INDUSTRIAL DISTRICTS UNDER SITE PLAN REVIEW, RENUMBER USES; AMEND SECTION 5.5.K TO ELIMINATE TWO REQUIREMENTS FOR TEMPORARY PRODUCE STANDS AND RENUMBER SUBSEQUENT REQUIREMENTS; ADD SECTION 5.5.N TO CONTAIN REQUIREMENTS FOR WINERIES, DISTILLERIES, AND BREWERIES; AMEND SECTION 6.1.3 TO LIST PARKING REQUIREMENTS FOR WINERIES, DISTILLERIES, AND BREWERIES; AMEND SECTION 9.8.J TO CONTAIN REQUIREMENTS FOR TASTING ROOMS FOR WINERIES, DISTILLERIES, AND BREWERIES; ELIMINATE SECTION 9.8.L DISTILLERY TASTING ROOM AND ITS REQUIREMENTS AND RESERVE SECTION 9.8.L FOR FUTURE USE.

The Charter Township of Elmwood Ordains:

Section 1: Amendment.

1. Amend Section 2.2, specifically to add the following definitions:

Alcohol. The product of distillation of fermented liquid, whether or not rectified or diluted with water, but does not mean ethyl or industrial alcohol, diluted or not, that has been denatured or otherwise rendered unfit for beverage purposes.

Beer. A beverage obtained by alcoholic fermentation of an infusion or decoction of barley, malt, hops, sugar, or other cereal in potable water.

Brewer. A person located in this state that is licensed by the Michigan Liquor Control Commission to manufacture beer and sell at retail and to licensed wholesalers the beer manufactured by the person.

Brewery. A facility licensed by the Michigan Liquor Control Commission where agriculture products are grown and/or maintained and used by brewers and/or micro brewers to manufacture beer and sell at retail and to licensed wholesalers the beer manufactured by the brewer or micro brewer.

Distiller. A person licensed by the Michigan Liquor Control Commission to manufacture and sell spirits or alcohol, or both, of any kind.

Micro Brewer. A brewer that manufactures in total less than 60,000 barrels of beer per year and that may sell the beer manufactured to consumers at the licensed brewery premises for consumption on or off the licensed brewery premises and to retailers. In determining the 60,000-barrel threshold, all brands and labels of a brewer, whether manufactured in this state or outside this state, must be combined and all breweries for the manufacturing of beer that are owned or controlled by the same person must be treated as a single facility.

Small Distiller. A manufacturer of spirits annually manufacturing in this state not more than 60,000 gallons of spirits, of all brands combined.

Small Wine Maker. A wine maker manufacturing or bottling not more than 50,000 gallons of wine in 1 calendar year. A small wine maker is not required to bottle wine it manufactures.

Spirits. A beverage that contains alcohol obtained by distillation, mixed with potable water or other substances, or both, in solution, and includes wine containing an alcoholic content of more than 21% by volume, except sacramental wine and mixed spirit drink.

Tasting Room. A location on or off the manufacturing premises of a brewer, micro brewer, wine maker, small wine maker, distiller, or small distiller where the brewer, micro brewer, wine maker, small wine maker, distiller, or small distiller may provide samples of or sell at retail for consumption on or off the premises, or both, the beer, wine, or spirits it manufactures. A small wine maker, however, may only sell wine it bottled.

Wine Maker. A person licensed by the Michigan Liquor Control Commission to manufacture wine and to sell that wine to a wholesaler, to a consumer by direct shipment, at retail on the licensed winery premises, and to sell that wine to a retailer.

2. Amend Section 2.2, specifically to modify the below definitions to read as follows:

Distillery. ~~An establishment licensed by the State of Michigan as a Small Distiller.~~ ~~(Amendment ZO 2017-04-03, Ordinance #2018-04, Effective November 9, 2018)~~ A facility licensed by the Michigan Liquor Control Commission where agriculture products are grown and/or maintained and used by distillers and/or small distillers to manufacture spirits or alcohol and to sell the spirits and/or alcohol manufactured by the distiller or small distiller.

~~**Wine.** A drink made by the normal alcoholic fermentation of the juice of sound, ripe grapes, or any other fruit, and containing not more than 21% of alcohol by volume. A product manufactured by the normal alcoholic fermentation of the juice of sound, ripe grapes, or any other fruit with the usual cellar treatment, and containing not more than 21% of alcohol by volume, including cider made from apples or pears, or both, that contains at least ½ of 1% of alcohol by volume, or mead, or honey wine made from honey, fermented fruit juices other than grapes, and mixed wine drinks.~~

~~**Winery.** A Michigan licensed facility where agricultural fruit production is maintained, and juice is processed into wine, stored in bulk, packaged and sold at retail or wholesale to the public. The site and buildings are used principally for the production of wine and the storage of wine and wine related beverages. A facility licensed by the Michigan Liquor Control Commission where agriculture products are grown and/or maintained and used by wine makers and/or small wine makers to manufacture wine and to sell that wine to a wholesaler, to a consumer by direct shipment, at retail on the licensed winery premises, and to sell that wine to a retailer.~~

3. Amend Section 2.2, specifically to eliminate the following definitions:

~~**Distillery Tasting Room.** A Michigan licensed room used in conjunction, as an accessory use, with a distillery where a spirit is produced on site, may be consumed or purchased.
(Amendment ZO 2017-04-03, Ordinance #2018-04, Effective November 9, 2018)~~

~~**Wine, Brandy.** An alcoholic liquor as defined in Federal Standards of Identity for Distilled Spirits, 27 CFR 5.22 (d) 1980.~~

~~**Wine Drink, Mixed.** A drink or similar product containing less than seven percent (7%) alcohol by volume, consisting of wine and sparkling or carbonated or water and/or containing one (1) or more of the following: non-alcoholic beverages; flavorings; fruit juices; coloring materials; fruit adjuncts; sugar; preservatives; and carbon dioxide.~~

~~**Wine-Related Beverages.** Fortified wines, wine brandy, other mixed wine drinks, and drinks related to or inclusive of wines.~~

~~**Wine Tasting Room.** A Michigan licensed room used in conjunction with a winery where the tasting of wine, fruit wines, and non-alcoholic fruit juices takes place at a charge or at no charge to the individual, and the retail sales of winery and cheese products, incidental wine-related non food items, products by the bottle, container, or case for off-premises consumption, and wine-related packaged food items are allowed as provided herein.~~

4. Amend Section 5.4 as follows and renumber the table accordingly:

Applicable to Multiple Districts	A-R	R-1	R-2	R-3	MH P	M C	NC	G C	LI	SC	R R
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49. Distillery Tasting Rooms**	SUP						P _s p	P _s p	P _s p
49. Distillery and/or Brewery	SUP					P _{sp}	P _s p	P _s p	
60. Microbreweries/Distilleries regulated by Michigan Liquor Control Commission	P _{sp} **						P _s p	P _s p	P _s p
*74. Tasting Room	SUP					P _{sp}	P _s p	P _s p	
78. Wine Tasting Room	SUP					P _{sp}	P _s p		P _s p
79. Winery	P _{sp}						P _s p	P _s p	

5. Amend Section 5.5.K containing requirements for ‘Temporary produce stands,’ specifically to eliminate existing requirements 5 and 6 and then renumber subsequent requirements. The requirements that will be eliminated are:

- ~~5. Additional agricultural products may be sold at the produce stand provided it is grown or produced (e.g., honey, syrup, etc) in Elmwood Township.~~
- ~~6. Sale of craft items is limited to those produced on the property.~~

6. Amend Section 5.5 to create 5.5.N to contain requirements for Wineries, Distilleries, and Breweries. This new Section 5.5.N will read as follows:

N. Winery, Distillery, Brewery

1. Intent. It is the intent of this ordinance to allow construction of Breweries, Distilleries, and Wineries for beer, wine, spirits and other alcoholic beverages regulated by the Michigan Liquor Control Code of 1998, being Public Act 58 of 1998 [MCL 436.1101 et seq] (the “Code”) on lands where, except as provided under subsection 2.c.iii below, the ingredients for such products are raised or grown. Such facilities are permitted with or without tasting rooms (See Section 9.8.J).

The growing of wine fruit and production of wine, the growing of the ingredients for making beer and the growing of crops to be used in distilling spirits are recognized as an integral component of the rural and agricultural ambiance of the agricultural areas within Elmwood Township if regulated appropriately. The growing of these crops do not require Planning Commission review, but without site plan review, production facilities could industrialize the agricultural district. It is, therefore, the intent of this section to maintain the viability of growing agricultural products by providing for the value added processing and direct sales of such beverages and other end products of such processing.

2. Conditions. Wineries, Distilleries, and Breweries may be permitted in accordance with Article 8 (Site Plan Review) and subject to the following conditions:

- a. Every winery, brewery, and distillery, is subject to the development review requirements as provided in Article 8 (Site Plan Review) of this ordinance.
- b. Retail sales of the beverages produced on the site are permitted along with retail sales of related products (i.e. branding merchandise for the facility). However, no tasting is permitted unless a permit for a Tasting Room is obtained onsite.
- c. To ensure that production facilities within the A-R Zoning District do not industrialize the district, the following standards shall be met:
 - i. The parcel must be at least ten (10) acres.
 - ii. The winery, distillery, or brewery is operated according to generally accepted agricultural management principles and for every winery, distillery, and brewery, the parcel shall have and maintain a minimum of five (5) planted acres of mature crop that is used for the on-site production of alcohol for production facilities selling directly to the consumer. The parcel shall have and maintain ten (10) planted acres of mature crop that is used for the on-site production of alcohol for production facilities selling wholesale. For purposes of this section, 'mature crop' shall mean crops that are of an age where they can be harvested and used in the production of alcohol.
 - iii. The growing of wine fruit, the growing of the ingredients for making beer, and the growing of crops to be used in distilling spirits can originate from any source (grown on the land or imported).
 - iv. The total land area covered by buildings and structures used for the processing, storage and sales of wine, beer, and spirits may not exceed fifteen percent (15%) of the lot area. In order to encourage the reuse of historic buildings, the Planning Commission may consider a larger land cover percentage, while considering the impact of the use on neighboring properties. If the parcel contains a dwelling, the dwelling and the dwelling's associated accessory structures shall not be incorporated in this calculation. Any building or structure used for agricultural use (i.e. silos, animal husbandry, storage of traditional agricultural machinery (i.e. tractors, plows, etc.) shall not be incorporated in this calculation.
- a.d. All winery, brewery, or distillery structures and/or permitted outdoor tasting areas (if permitted shall be set back at least 100 feet from any lot line as well as any wetlands and/or any water's edge. This setback shall not apply to any building or structure used for agricultural use (i.e. silos, animal husbandry, storage of traditional agricultural machinery (i.e. tractors, plows, etc.).

7. Amend Section 6.1.3, specifically to add minimum required parking spaces for Wineries, Distilleries, and Breweries to the existing table as follows:

USE	MINIMUM NUMBER OF SPACES REQUIRED
Winery, Distillery, and/or Brewery	5 spaces plus 1 per employee on largest shift

8. **Remove Section 9.8.J (Requirements for Wine Tasting Rooms) and replace with a new Section 9.8.J (Requirements for Tasting Rooms for Wineries, Breweries, and Distilleries) to read as follows:**

J. Wine-Tasting Rooms for Wineries, Breweries, and Distilleries

The Township would like to encourage agriculturally related uses while preserving neighboring property owners' enjoyment of their land. Tasting Rooms are permitted as accessory uses at permitted Wineries, Breweries and Distilleries or within other zoning districts, as permitted, as a primary use Wine tasting rooms are permitted at wineries provided that the proposed wine tasting room complies with the following requirements:

- ~~1. The winery is licensed or will be licensed prior to occupancy by the appropriate Federal, State, and Local agencies.~~
- ~~2. The parcel shall have a minimum of 10 acres.~~
- ~~3. The winery is operated according to generally accepted agricultural management principles and the parcel shall have a minimum of five (5) planted acres of fruit that is used for the on-site production of wine.~~
- ~~4. The total footprint covered by buildings and structures used for any purpose, including wine tasting rooms shall not exceed two and one half (2.5) percent of the lot area.~~
1. Every tasting room for a winery, brewery, and distillery within the Agricultural-Rural (A-R) Zoning District is subject to the development review and requirements for a winery, brewery and distillery as provided in Article 5.5.N of this ordinance.
2. The tasting area may be located inside or outside a building, but at no time shall the tasting area exceed 2,500 sq ft.
- ~~5. Setbacks shall be:~~
3. A tasting room and/or an authorized outdoor tasting area shall not be located closer than 100 feet from any lot line of a lot containing a dwelling or from any lot that is zoned residential (R-1, R-2, or R-3). For any wine tasting room that adjoins a parcel where there is a residence, all winetasting room structures and facilities shall be located at least 100 feet from the property line that adjoins a residence oned parcel, and speakers

~~and sound amplifiers shall be located at least 250 feet from the property line that adjoins a residence.~~

~~6. Amplified sound (including amplified music) shall not exceed reasonable volumes, so as to avoid disturbance to any neighboring residents.~~

~~2. If a tasting room is located within 500 feet from any lot line of a lot containing a dwelling or from any lot that is zoned residential (R-1, R-2, or R-3), then a fence or buffer, meeting the requirements of Section 6.4.4 of this Ordinance, shall be placed along the lot line of that adjacent lot to discourage trespass.~~

~~For any wine tasting room that adjoins a parcel where there is a residence, if the residence is within 500 feet of any wine tasting room structure, there shall be a fence or buffer (pursuant to Section 6.4.4) along the property boundary line that adjoins the residence to discourage trespass.~~

~~1. The maximum size of wine tasting room shall be 2000 sq ft.~~

~~7.4. The hours of operation shall be between the hours of 10 am and 10 pm unless the Planning Commission determines that different and more restrictive hours are more appropriate to meet the standards of Section 9.3.~~

~~5. Amplified sound (including amplified music) shall be contained indoors and 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. shall not exceed reasonable volumes, so as to avoid disturbance to any neighboring residents~~

~~8. Lighting shall comply with Section 6.5.~~

~~9. 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.~~

~~On-site parking shall be designed and constructed according to Article 6.~~

~~6. A Tasting Room is not intended to be a restaurant; restaurants are a use that is permitted in certain zoning districts. Therefore, a tasting room may offer limited food service provided:~~

~~a. a. Any retail sales and food service must be clearly accessory to the tasting room. This shall be evidenced by:~~

~~i. The area for serving food shall seat no more than twenty (20) patrons at one time.~~

~~ii. Monthly sale of food shall not exceed 10% of gross sales of licensed products. At the request of the Township, the business shall provide supporting documentation to the Township verifying compliance with this section.~~

- iii. Food service items shall be limited to appetizers and small plates. Carry-in or carry-out foods are prohibited.
- b. Any food service shall be licensed to prepare and serve food by the appropriate Health Agency.

9. **Remove Section 9.8.L (Requirements for Distillery Tasting Rooms) and replace as follows:**

L. RESERVED

~~L. **Distillery Tasting Room (Amendment ZO 2017-04-03, Ordinance #2018-04, Effective November 9, 2018)**~~

~~The Township would like to encourage agriculturally related uses while preserving neighboring property owners' enjoyment of their land. Tasting rooms are permitted at distilleries provided that the proposed distillery tasting room complies with the following requirements:~~

- ~~1. The distillery is licensed or will be licensed prior to occupancy by the appropriate Federal, State, and Local agencies.~~
 - ~~b. The parcel shall have a minimum of 20 acres.~~
 - ~~e. The distillery is operated according to generally accepted agricultural management principles and the parcel shall have a minimum of five (5) planted acres of crop that is used for the on-site production of spirits unless the Planning Commission determines that a different minimum is more appropriate to meet the standards of Section 9.3 for the reuse of existing commercial structures.~~
 - ~~d. Tasting rooms shall not exceed two and one half (2.5) percent of the lot area.~~
 - ~~e. Setbacks shall be:
 - ~~i. For any tasting room that adjoins a parcel where there is a residence, all tasting room structures and facilities shall be located at least 100 feet from the property line that adjoins a residence, and speakers and sound amplifiers shall be located at least 250 feet from the property line that adjoins a residence.~~
 - ~~ii. For any tasting room that adjoins a parcel where there is a residence, if the residence is within 500 feet of any tasting room structure, there shall be a fence along the property boundary line that adjoins the residence to discourage trespass.~~~~
 - ~~f. The maximum size of tasting room shall be 2000 sq ft.~~

- ~~g. The hours of operation shall be between the hours of 10 am and 10 pm unless the Planning Commission determines that different hours are more appropriate to meet the standards of Section 9.3.~~
 - ~~h. Retail sales and food service must be clearly accessory to production of the spirit being processed on-site. The tasting room may offer food service provided:
 - ~~a. The area for serving food shall seat no more than twenty (20) patrons at one time.~~
 - ~~b. Sale of food shall not exceed 10% of gross sales of licensed products. At the request of the Township, the business shall provide supporting documentation to the Township verifying compliance with this section. This section does not limit the Township's ability to make documentation request in any other sections of the Zoning Ordinance.~~
 - ~~e. Food service items shall be limited to appetizers and small plates. Carry-out foods are prohibited.~~
 - ~~d. Distillery shall be licensed to prepare and serve food by the appropriate Health Agency.~~~~
- ~~9. Amplified sound (including amplified music) shall be contained indoors and shall not exceed reasonable volumes, so as to avoid disturbance to any neighboring residents.~~
- ~~10. Lighting shall comply with Section 6.5.~~
- ~~11. Any alcoholic beverages consumed or sold on-site must be produced on-site.~~
- ~~12. On-site parking shall be designed and constructed according to Article 6.~~

Section 2: Severability.

If any sections, clause, or provision of this Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the remainder of the Ordinance. The Township Board hereby declares that it would have passed this Ordinance and each part, section, subsection, phrase, sentence and clause irrespective of the fact that any one or more parts, sections, subsections, phrases, sentences or clauses be declared invalid.

Section 3: Effective Date.

This Ordinance shall become effective eight (8) days following publication.

Public Hearing: _____

Adopted: _____

Effective: _____

To: Leelanau County Planning Commission
Elmwood Township Board

From: Sarah Clarren, Planner/Zoning Administrator

Date: April 15, 2024

RE: Planning Commission Findings Pursuant to Section 11.12 of the Zoning Ordinance for
ZO 2017-04-23 Amendment

Section 11.12 of the Elmwood Township Zoning Ordinance requires the Planning Commission to consider criteria for all zoning amendments. Below is the criteria with draft findings for and against (where applicable) the proposed amendment. Unlike standards for special land uses, this criteria is not an all or nothing for approval. There will be criteria that will not apply and criteria that may weigh heavier than others.

On March 19, 2024, the Planning Commission held a public hearing on the proposed text amendment ZO 2017-04-23. After the hearing was closed and deliberations ended, the following two motions were made:

MOTION BY COMMISSIONER KUZMA, SECONDED BY COMMISSIONER MIKOWSKI TO APPROVE FINDINGS OF FACT AS MODIFIED. MOTION APPROVED BY A UNANIMOUS VOTE.

MOTION BY COMMISSIONER MIKOWSKI, SECONDED BY COMMISSIONER KUZMA TO RECOMMEND APPROVAL OF ZO 2017-04-23 TO THE TOWNSHIP BOARD AND TO FORWARD ON TO THE COUNTY AS IT MEETS SECTION 11.12 OF THE ZONING ORDINANCE. MOTION PASSED UNANIMOUSLY.

The following are the findings of fact as modified by the Planning Commission on March 19, 2024.

1. Text Amendment.

a. The proposed text amendment would clarify the intent of the Ordinance.

The Commission unanimously (4-0) finds that "The intent of the Zoning Ordinance as a whole is the promotion of public health, safety, and welfare. The proposed text amendment includes regulations intended to maintain the viability of growing agricultural products by providing for the value added processing and direct sales of such beverages and other end products of such processing while streamlining regulations to ensure that production facilities do not industrialize the agricultural district and adversely impact the community."

b. The proposed text amendment would correct an error in the Ordinance.

The Commission unanimously (4-0) finds that "The proposed text aligns Township definitions with State definitions. It also corrects an error as Microbreweries are currently an allowed use, but there is not a definition, nor requirements other than meeting the

standard requirements in Article 8. The proposed amendment also shifts use requirements to the production facility vs the Tasting Room.”

- c. The proposed text amendment would address changes to State legislation, recent case law or opinions from the Attorney General of the State of Michigan.**

The Commission unanimously (4-0) finds that “The proposed text amendment does not address any changes to legislation or case law.”

- d. The proposed text amendment would promote compliance with changes in other county, state or federal regulations.**

The Commission unanimously (4-0) finds that “The proposed amendment is not intended to promote compliance with *changes* in regulations as there have been no changes to county, state, or federal regulations applicable to the text amendment. However, the proposed amendment will align definitions with State definitions. Further, regulations in the current Zoning Ordinance which may violate the Commerce Clause are proposed to be removed. The Township Attorney has reviewed the proposed amendment.”

- e. The proposed text amendment would be consistent with the goals, policies, and future land use map of the Elmwood Township Master Plan, or if conditions have changed significantly since the Master Plan was adopted, consistent with recent development trends in the area.**

The Commission unanimously (4-0) finds that “The proposed text amendment is consistent with the goals and policies of the Elmwood Township Master Plan as it is intended to “Encourage the retention of important farmlands, orchards, vineyards, forest lands, open space areas, and woodlands” through continuing to allow value added agriculture.”

- f. In the event the amendment will add a use to a district, that use shall be consistent with the character of the range of uses provided within the district.**

The Commission unanimously (4-0) finds that “The Zoning Ordinance currently allows for Microbreweries, Distilleries, Distillery Tasting Rooms, and Winery Tasting Rooms.

The proposed text combines all Tasting Rooms into one ‘use’ with the same requirements. Currently, Wine Tasting Rooms are allowed in the NC Zoning District under SPR, but Distillery Tasting Rooms are not. The proposed text would eliminate Wine Tasting Rooms and Distillery Tasting Rooms and add ‘Tasting Rooms’ as a permitted use, including within the NC District under SPR. As a Wine Tasting Room is currently an allowed use within the NC District, allowing Tasting Rooms as a permitted use would be consistent. Distillery and Breweries would be permitted within the NC Zoning District under SPR. There is a wide range of uses within the NC district, including uses such as ‘Light Fabrication,’ ‘Mini-Warehousing,’ ‘Showrooms, offices, and workshops of building tradesmen,’ ‘Retail Sales,’ and ‘Restaurants.’”

- g. The amendment shall not create incompatible land uses within a zoning district, or between adjacent districts.**

The Commission unanimously (4-0) finds that "The proposed amendment does not create incompatible land uses as the uses are similar to the uses listed in Section 5.4 Land Use and Zoning District Table of the Elmwood Township Zoning Ordinance."

- h. The proposed text amendment is supported by the findings of reports, studies, or other documentation on functional requirements, contemporary building practices, environmental requirements, and similar technical items.**
The Commission unanimously (4-0) finds that "The Commission has not received reports, studies, or other documentation on functional requirements, contemporary building practices, environmental requirements, and similar technical items pertaining the request."
- i. As applicable, the proposed text amendment shall be consistent with the Township's ability to provide adequate public facilities and services.**
The Commission unanimously (4-0) finds that "The regulations that are provided in the amendment create a use that is consistent with the Township's ability to provide adequate public facilities and services including fire, water, sewer, and medical services."
- j. The proposed text amendment shall be consistent with the Township's desire to protect the public health, safety, and welfare of the community.**
The Commission unanimously (4-0) finds that "The proposed text amendment is consistent with the Township's desire to protect the public health, safety and welfare of the community. The amendment provides regulations to ensure that uses that are currently already allowed within the Ordinance are developed in such a way to protect the public health, safety and welfare of the community."

TEXT AMENDMENT REVIEW
PC08-2024-04 Elmwood Township
Text Amendment – Alcohol Requirements

Reviewing Entity: Leelanau County Planning Commission

Date of Review: April 23, 2024

General Information

Date Request Received: April 15, 2024

Last Day of Review Period: May 15, 2024 (30 days in which to review and comment on the application and provide comments to the township. After the 30-day period, the township can proceed with or without comments from reviewing agencies).

Applicant: Elmwood Township Planning Commission
Rick Bechtold, Chairman

Section 2: Proposal

See Appendix for a copy of the proposed text amendments.

Section 3: Other Planning Input

Township Plan: The Elmwood Township Master Plan (2018) does not specifically address this amendment.

Leelanau General Plan: The Leelanau General Plan (2020) does not specifically address the amendment.

Township Planning Commission:

A public hearing was held on March 19, 2024, and no public comment was received. Following the public hearing, the planning commission unanimously passed the following motion:

MOTION BY COMMISSIONER MIKOWSKI, SECONDED BY COMMISSIONER KUZMA TO RECOMMEND APPROVAL OF ZO 2017-04-23 TO THE TOWNSHIP BOARD AND TO FORWARD ON TO THE COUNTY AS IT MEETS SECTION 11.12 OF THE ZONING ORDINANCE. MOTION PASSED UNANIMOUSLY.

Section 4: Analysis

Compatibility

A. Is the proposed text compatible with other language in the zoning ordinance?

Yes

B. Are there any issues with the proposed text (such as poor wording, confusing text, unenforceable language, etc.)?

No.

C. Do the land uses or other related dimensional standards (height, bulk, area, setback, etc.) in the proposed text amendment(s) conflict with the existing zoning ordinance?

No

Issues of Greater Than Local Concern

A. Does the proposed text amendment(s) include any issues of greater than local concern? Please list.

No

Comparison with Local Plans or Ordinances

A. Do the contents in the proposed text amendment(s) conflict with the community's plan? Please list.

No

NEW BUSINESS ITEM 3

Comparison with County Plans or Ordinances

A. Do the contents in the proposed text amendment(s) conflict with the General Plan? Please list.

No

Current Zoning District: For Current text, Link to the Township Zoning Ordinance at:
<https://www.leelanau.gov/elmwoodtwpord.asp>

Section 5: Staff Comments

The proposed amendment will add the following definitions in Article 2, Definitions, SECTION 2.2
DEFINITIONS:

Alcohol. The product of distillation of fermented liquid, whether or not rectified or diluted with water, but does not mean ethyl or industrial alcohol, diluted or not, that has been denatured or otherwise rendered unfit for beverage purposes.

Beer. A beverage obtained by alcoholic fermentation of an infusion or decoction of barley, malt, hops, sugar, or other cereal in potable water.

Brewer. A person located in this state that is licensed by the Michigan Liquor Control Commission to manufacture beer and sell at retail and to licensed wholesalers the beer manufactured by the person.

Brewery. A facility licensed by the Michigan Liquor Control Commission where agriculture products are grown and/or maintained and used by brewers and/or micro brewers to manufacture beer and sell at retail and to licensed wholesalers the beer manufactured by the brewer or micro brewer.

Distiller. A person licensed by the Michigan Liquor Control Commission to manufacture and sell spirits or alcohol, or both, of any kind.

Micro Brewer. A brewer that manufactures in total less than 60,000 barrels of beer per year and that may sell the beer manufactured to consumers at the licensed brewery premises for consumption on or off the licensed brewery premises and to retailers. In determining the 60,000-barrel threshold, all brands and labels of a brewer, whether manufactured in this state or outside this state, must be combined and all breweries for the manufacturing of beer that are owned or controlled by the same person must be treated as a single facility.

Small Distiller. A manufacturer of spirits annually manufacturing in this state not more than 60,000 gallons of spirits, of all brands combined.

Small Wine Maker. A wine maker manufacturing or bottling not more than 50,000 gallons of wine in 1 calendar year. A small wine maker is not required to bottle wine it manufactures.

Spirits. A beverage that contains alcohol obtained by distillation, mixed with potable water or other substances, or both, in solution, and includes wine containing an alcoholic content of more than 21% by volume, except sacramental wine and mixed spirit drink.

Tasting Room. A location on or off the manufacturing premises of a brewer, micro brewer, wine maker, small wine maker, distiller, or small distiller where the brewer, micro brewer, wine maker, small wine maker, distiller, or small distiller may provide samples of or sell at retail for consumption on or off the premises, or both, the beer, wine, or spirits it manufactures. A small wine maker, however, may only sell wine it bottled.

NEW BUSINESS ITEM 3

Wine Maker. A person licensed by the Michigan Liquor Control Commission to manufacture wine and to sell that wine to a wholesaler, to a consumer by direct shipment, at retail on the licensed winery premises, and to sell that wine to a retailer.

And amend the following definitions to read as follows:

Distillery. A facility licensed by the Michigan Liquor Control Commission where agriculture products are grown and/or maintained and used by distillers and/or small distillers to manufacture spirits or alcohol and to sell the spirits and/or alcohol manufactured by the distiller or small distiller.

Wine. A product manufactured by the normal alcoholic fermentation of the juice of sound, ripe grapes, or any other fruit with the usual cellar treatment, and containing not more than 21% of alcohol by volume, including cider made from apples or pears, or both, that contains at least ½ of 1% of alcohol by volume, or mead, or honey wine made from honey, fermented fruit juices other than grapes, and mixed wine drinks.

Winery. A facility licensed by the Michigan Liquor Control Commission where agriculture products are grown and/or maintained and used by wine makers and/or small wine makers to manufacture wine and to sell that wine to a wholesaler, to a consumer by direct shipment, at retail on the licensed winery premises, and to sell that wine to a retailer.

And delete the following definitions:

Distillery Tasting Room. A Michigan licensed room used in conjunction, as an accessory use, with a distillery where a spirit is produced on-site, may be consumed or purchased.

(Amendment ZO 2017-04-03, Ordinance #2018-04, Effective November 9, 2018)

Wine, Brandy. An alcoholic liquor as defined in Federal Standards of Identity for Distilled Spirits, 27 CFR 5.22 (d) 1980.

Wine Drink, Mixed. A drink or similar product containing less than seven percent (7%) alcohol by volume, consisting of wine and sparkling or carbonated or water and/or containing one (1) or more of the following: non-alcoholic beverages; flavorings; fruit juices; coloring materials; fruit adjuncts; sugar; preservatives; and carbon dioxide .

Wine-Related Beverages. Fortified wines, wine brandy, other mixed wine drinks, and drinks related to or inclusive of wines.

~~**Wine Tasting Room.** A Michigan licensed room used in conjunction with a winery where the tasting of wine, fruit wines, and non-alcoholic fruit juices takes place at a charge or at no charge to the individual, and the retail sales of winery and cheese products, incidental wine-related non food items, products by the bottle, container, or case for off-premises consumption, and wine-related packaged food items are allowed as provided~~

The proposed amendment will amend Article 5-Use Restrictions, SECTION 5.4 LAND USE AND ZONING DISTRICT TABLE, to eliminate Microbreweries/Distilleries regulated by Michigan Liquor Control Commission) Use #78 (Wine Tasting Room); create new Use #49 (Distillery and/or Brewery), Use #74 (Tasting Room); change permitting process for Use #79 (Winery); And will read as follows:

NEW BUSINESS ITEM 3

Applicable Districts	to Multiple	A-R	R-1	R-2	R-3	MH P	M C	NC	G C	LI	SC	R R
49. Distillery and/or Brewery		SUP						Psp	Psp	Psp		
74. Tasting Room		SUP						Psp	Psp	Psp		
79. Winery		Psp							Psp	Psp		

The proposed amendment will also delete #5 and #6, from Section 5.5. SPECIAL REQUIREMENTS FOR SPECIFIC USES, K.

- 5. Additional agricultural products may be sold at the produce stand provided it is grown or produced (e.g., honey, syrup, etc) in Elmwood Township.
- 6. Sale of craft items is limited to those produced on the property.

This section will also be amended to create a new 5.5.N, which will read as follows:

N. Winery, Distillery, Brewery

- 1. **Intent.** It is the intent of this ordinance to allow construction of Breweries, Distilleries, and Wineries for beer, wine, spirits and other alcoholic beverages regulated by the Michigan Liquor Control Code of 1998, being Public Act 58 of 1998 [MCL 436.1101 et seq] (the "Code") on lands where the ingredients for such products are raised or grown. Such facilities are permitted with or without tasting rooms (See Section 9.8.J).

The growing of wine fruit and production of wine, the growing of the ingredients for making beer and the growing of crops to be used in distilling spirits are recognized as an integral component of the rural and agricultural ambiance of the agricultural areas within Elmwood Township if regulated appropriately. The growing of these crops do not require Planning Commission review, but without site plan review, production facilities could industrialize the agricultural district. It is, therefore, the intent of this section to maintain the viability of growing agricultural products by providing for the value added processing and direct sales of such beverages and other end products of such processing.

- 2. **Conditions.** Wineries, Distilleries, and Breweries may be permitted in accordance with Article 8 (Site Plan Review) and subject to the following conditions:

- a. Every winery, brewery, and distillery, is subject to the development review requirements as provided in Article 8 (Site Plan Review) of this ordinance.
- b. Monthly retail sales of the beverages produced on the site are permitted along with retail sales of related products (i.e. branding merchandise for the facility). However, no tasting is permitted unless a permit for a Tasting Room is obtained onsite.
- c. To ensure that production facilities within the A-R Zoning District do not industrialize the district, the following standards shall be met:
 - i. The parcel must be at least ten (10) acres.

NEW BUSINESS ITEM 3

- ii. The winery, distillery, or brewery is operated according to generally accepted agricultural management principles and for every winery, distillery, and brewery, the parcel shall have a minimum of five (5) planted acres of mature crop that is used for the on-site production of alcohol for production facilities selling directly to the consumer. Ten (10) planted acres of mature crop that is used for the on-site production of alcohol for production facilities selling directly to the consumer is required for selling wholesale. For purposes of this section, 'mature crop' shall mean crops that are of an age where they can be harvested and used in the production of alcohol.
- iii. The total land area covered by buildings and structures used for the processing, storage and sales of wine, beer, and spirits may not exceed fifteen percent (15%) of the lot area. In order to encourage the reuse of historic buildings, the Planning Commission may consider a larger land cover percentage, while considering the impact of the use on neighboring properties. If the parcel contains a dwelling, the dwelling and the dwelling's associated accessory structures shall not be incorporated in this calculation. Any building or structure used for agricultural use (i.e. silos, animal husbandry, storage of traditional agricultural machinery (i.e. tractors, plows, etc.) shall not be incorporated in this calculation.
- d. All winery, brewery, or distillery structures and/or permitted outdoor tasting areas (if permitted shall be set back at least 100 feet from any lot line as well as any wetlands and/or any water's edge. This setback shall not apply to any building or structure used for agricultural use (i.e. silos, animal husbandry, storage of traditional agricultural machinery (i.e. tractors, plows, etc.).

The proposed amendment will also amend Article 6-Site Development, **SECTION 6.1.3 Spaced Required** table as follows:

USE	MINIMUM NUMBER OF SPACES REQUIRED
Winery, Distillery, and/or Brewery	5 spaces plus 1 per employee on largest shift

The proposed amendment will also amend Article 9-Special Land Uses, **SECTION 9.8 ADDITIONAL REQUIREMENTS FOR CERTAIN SPECIAL LAND USES, J. Wine Tasting Room**, to read as follows:

J. Tasting Rooms for Wineries, Breweries, and Distilleries

The Township would like to encourage agriculturally related uses while preserving neighboring property owners' enjoyment of their land. Tasting Rooms are permitted as accessory uses at permitted Wineries, Breweries and Distilleries or within other zoning districts, as permitted provided that the proposed tasting room complies with the following requirements:

- 1. Every tasting room for a winery, brewery, and distillery within the Agricultural-Rural (A-R) Zoning District is subject to the development review and requirements for a winery, brewery and distillery as provided in Article 5.5.N of this ordinance.

NEW BUSINESS ITEM 3

2. The tasting area may be located inside or outside a building, but at no time shall the tasting area exceed 2,500 sq ft.
3. A tasting room and/or an authorized outdoor tasting area shall not be located closer than 100 feet from any lot line of a lot containing a dwelling or from any lot that is zoned residential (R-1, R-2, or R-3).
4. If a tasting room is located within 500 feet from any lot line of a lot containing a dwelling or from any lot that is zoned residential (R-1, R-2, or R-3), then a fence or buffer, meeting the requirements of Section 6.4.4 of this Ordinance, shall be placed along the lot line of that adjacent lot to discourage trespass.
5. The hours of operation shall be between the hours of 10 am and 10 pm unless the Planning Commission determines that different and more restrictive hours are more appropriate to meet the standards of Section 9.3.
6. Amplified sound (including amplified music) shall be contained indoors and 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.
7. A Tasting Room is not intended to be a restaurant; restaurants are a use that is permitted in certain zoning districts. Therefore, a tasting room may offer limited food service provided:
 - a. Any retail sales and food service must be clearly accessory to the tasting room. This shall be evidenced by:
 - i. The area for serving food shall seat no more than twenty (20) patrons at one time.
 - ii. Monthly sale of food shall not exceed 10% of gross sales of licensed products. At the request of the Township, the business shall provide supporting documentation to the Township verifying compliance with this section.
 - iii. Food service items shall be limited to appetizers and small plates. Carry-in or carry-out foods are prohibited.
 - b. Any food service shall be licensed to prepare and serve food by the appropriate Health Agency.

And remove requirements for Distillery Tasting Rooms from Section 9.8.L, Distillery Tasting Room, and replace as follows:

L. RESERVED

ON TO THE COUNTY AS IT MEETS SECTION 11.12 OF THE ZONING ORDINANCE. MOTION APPROVED UNANIMOUSLY.

d. Public Hearing and Deliberations-Planning Commission Discussion on ZO 2017-04-23-a Zoning Ordinance Amendment to amend Section 2.2 to add definitions for Alcohol, Beer, Brewer, Brewery, Distiller, Micro Brewer, Small Distiller, Small Wine Maker, Spirits, Tasting Room, Wine Maker, revise definitions for Distillery, Wine, Winery, and eliminate definitions for Distillery Tasting Room Wine, Brandy, Wine Drin, Mixed, Wine Related Beverages, and Tasting Room. Add "Distillery and/or Brewery" and "Tasting Room" as permitted uses under Site Plan Review or special Use Permit in certain zoning districts, allow Winery as a use within the General Commercial and Light Industrial districts under Site Plan Review, renumber uses; amend Section 5.5 K to eliminate two requirements for Temporary Produce Stands and renumber subsequent requirements; add Section 5.5 K to eliminate two requirements for Temporary Produce Stands and renumber subsequent requirements; add Section 5.5 N to contain requirements for Wineries, Distilleries, and Breweries; amend Section 6.1.3 to list parking requirements for Wineries, Distilleries, and Breweries; amend Section 9.8 J to contain requirements for Tasting Rooms for Wineries, Distilleries, and Breweries; eliminate Section 9.8 L Distillery Tasting Room and its requirements and reserve Section 9.8L for future use.

Public comment opened at 7:33 p.m. No comment given. Public comment closed at 7:33 p.m.

Staff noted the Commission has seen this text a few times before; the only modification since their last meeting was the addition of one word, it reads "monthly" sale of food for one of the proposed requirements.

The Commissioners went through draft Findings of Fact.

The Chair asked about if the proposed language was specific about harvestable crops being in the AG district [not others]. Staff said that the way the text amendment was drafted, is it stated in the intent, and then one of the conditions for production facilities calls out conditions that would be specific to facilities within the AR zoning district. She noted that the text also shifts use requirements to the production facility versus the tasting room.

Under guideline "g", options 1 or 2, Commissioner Mikowski asked for clarification. Staff stated she wanted to give options for all members of the Commission. The Commission as a whole will need to make a Finding on whether or not they believe the amendment creates incompatible uses or does not create incompatible uses. In other words, with the proposed text, are those uses compatible with other uses in the zoning districts. Commissioner Mikowski said yes.

The Chair said with the proposed changes for breweries, wineries, distilleries in AG, they've increased the area of land they have to have and they've also put in the stipulation they have to have producible, harvestable crops they'll be putting into their product.

Staff added that the text also sets requirements for microbreweries as under the current Ordinance, as long as it meets the state's definition, it's approved under site plan review. Commissioner Kuzma said they put in the most restrictive, palatable wording and conditions for those sites.

The Chair asked what if somebody has either a crop failure or through really poor agricultural practices, the subsequent crops they have growing, don't grow. Staff replied, if they were to destroy their entire crop, she would say that's clear cut, they have no intention of complying with that requirement of the use and they would be in violation and would not be able to, if conditioned appropriately, be able to continue to operate their production facility.

The Chair asked what if there was a late season frost and a lot of orchard was lost, if it's effecting other agricultural production, would that be singled out for not having fruit growing on their parcel. Staff answered, she would look at it as the text says, 5 planted acres of mature crops, 10 acres for wholesale, at the time of permitting for purposes of this section, mature crops shall mean crops that are of an age where they can be harvested and used in the production of alcohol. If there was a failed crop and they were replanted within a certain time frame, she would imagine that would be in compliance. Before enforcement, she'd get the attorney involved. They are imposing reasonable conditions to ensure people continue to comply with what the PC is approving. The Chair clarified with Commissioner Mikowski that she was saying yes to the first option. She replied with confirmation. All Commissioners agreed with option 1 for guideline g, making no other modifications to the draft findings.

MOTION BY COMMISSIONER KUZMA, SECONDED BY COMMISSIONER MIKOWSKI TO APPROVE FINDINGS OF FACT AS MODIFIED. MOTION APPROVED BY A UNANIMOUS VOTE.

MOTION BY COMMISSIONER MIKOWSKI, SECONDED BY COMMISSIONER KUZMA TO RECOMMEND APPROVAL OF ZO 2017-04-23 TO THE TOWNSHIP BOARD AND TO FORWARD ON TO THE COUNTY AS IT MEETS SECTION 11.12 OF THE ZONING ORDINANCE. MOTION PASSED UNANIMOUSLY.

K. Discussion on Zoning Ordinance: Staff said at their next meeting, if they don't have a lot going on, she'll print out a table of all the uses that are allowed in the Ordinance but have no requirements other than it obtains a land use permit or Article 8 or Article 9 to see if the Commission wants to create standards for any of those uses.

L. Comments from the Chair: Commissioner Bechtold noted in the Ticker there was a mention of a meeting on Agri-tourism and he found it interesting that they're featuring Jacob's Corn Maze, 9 Bean Rows, Farm Club, Leelanau Cheese, and Tandem Cider, so a couple in Elmwood Township and he's sensing this is another focus on potential value-added activities that occur on AG land. He doesn't know what that means for their future, but it's going to be interesting to see what the off shoot will be. He thanked the Commissioners for their diligence in reviewing the materials and the good discussion.

A public hearing was held on March 19, 2024, at which time no public comment was received and a motion was passed to forward the proposed amendment to Leelanau County for review. Myer stated that the proposed amendment will add Dwelling, Multi. to Article 2, Definitions, Section 2.2. The proposed amendment will also amend definitions; Parcel, Lot, Lot Area Gross and Lot Area Net. The proposed amendment will also amend Article 3, SECTION 3.14 RESERVED and Article 5-Use Restrictions, SECTION 5.6 TABLE OF DIMINSIONAL REQUIREMENTS to add 'Note I: Density'. Amend Article 7-Land Development Options, SECTION 7.1.2 General Requirements C. and Article 7-Land Development options, SECTION 7.2.2 Application And Review Procedures E., 1. d. Myer concluded, stating that the proposed amendment will also amend Article 8-Site Plan Review, SECTION 8.4. REQUIREMENTS FOR SITE PLAN APPROVAL, 12.

MacDonald questioned the term 'sustainable units' on Section 3.14. Nixon suggested they change "dwelling units" to "housing units" or "domicile" in the Dwelling Definition. Black expressed concern that trying to crowd as many dwelling units possible on a parcel will create problems. The house size and number of occupancy was also concerning. Miller questioned if the dwellings will be attached or detached? Brown noted that they do not address parking for these dwellings.

Motion by Noonan, seconded by Miller, to forward the staff report and all comments to the Elmwood Township. Motion carried 10-0.

PC08-2024-04 -Elmwood Twp. -Text Amendment – Alcohol Requirements

Myer reviewed the staff report saying that the request was received on April 15, 2024 and the last day for review is May 15, 2024. The Elmwood Township Master Plan does not specifically address this amendment and neither does the Leelanau General Plan. The contents in the proposed text amendment does not conflict with the General Plan.

A public hearing was held on March 19, 2024 at which time no public comment was received and a motion was passed to forward the proposed amendment to Leelanau County for review. Myer stated that the proposed amendment will add the following definitions in Article 2, Definitions, SECTION 2.2

DEFINITIONS:

- Alcohol
- Beer
- Brewer
- Brewery
- Distiller
- Micro Brewer
- Small Distiller
- Small Wine Maker
- Spirits
- Tasting Room
- Wine Maker

And amend the following definitions:

- Distillery
- Wine
- Winery

And delete the following definitions:

- Distillery Tasting Room
- Wine, Brandy
- Wine Drink, Mixed
- Wine-Related Beverages
- Wine Tasting Room

Myer continued, saying that the proposed amendment will amend Article 5-Use Restrictions, SECTION 5.4 LAND USE AND ZONING DISTRICT TABLE. Will also delete #5 and #6 from Section 5.5 SPECIAL REQUIREMENTS FOR SPECIFIC USES, K. This section will also be amended to create a new 5.5N. The proposed amendment will also amend Article 6-Site Development, SECTION 6.1.3 Spaced Required and Article 9-Special Land Uses, SECTION 9.8 ADDITIONAL REQUIREMENTS FOR CERTAIN SPECIAL LAND USES, J. Wine Tasting Room. In conclusion, Myer stated that the proposed amendment will remove requirements for Distillery Tasting Rooms from Section 9.8.L., Distillery Tasting Room.

Lautner questioned the deletion of #5 and #6 from Section 5.5. SPECIAL REQUIREMENTS FOR SPECIFIC USES, K. and stated that those are allowed under Right to Farm as a product that is raised or grown there.

Miller did not understand the definition for 'Distillery' and suggested they revise it so it is not defective. He also said that the wording of "5 spaces plus 1 per employee on largest shift" is awkwardly written and suggested the language read "number of spaces equal to the number of employees on largest shift."

Motion by Fenlon, seconded by Nixon, to forward the staff report and all comments to the Elmwood Township. Motion carried 10-0.

REPORTS

Housing Action Committee

Lautner had no update since they will not meet until May 13.

Parks & Recreation Committee

Noonan said they will meet on May 1. He will be bringing up that there is an individual who is interested in paving his property but has a shared easement with Old Settlers Park.

COMMUNICATIONS

Myer handed out a flyer with all of the collections, dates and locations for Household Hazardous Waste, Scrap Tire, Mattress Recycling and Electronic Waste Collections for the year. Myer also handed out a photo of Trudy Galla who received her Fellowship Award at the APA Planning Conference in Minneapolis.

PUBLIC COMMENT- None.

STAFF COMMENTS- None.

COMMISSIONER & CHAIRPERSON COMMENTS

Lautner and Criqui congratulated Herman on her promotion and kudos to Myer on the packet. Lautner

MEMORANDUM OF AGREEMENT – HEALTH INSURANCE

Elmwood Charter Township (“Township”) and the Elmwood Township Professional Fire Fighters, IAFF, Local 5387 (“Union”) agree as follows:

1. This Memorandum of Agreement describes an agreed-upon change to Article 25 of the Township-Union 2023-2025 collective bargaining agreement. Unless described in this Memorandum of Agreement, the terms of the Township’s–Union’s 2023–2025 collective bargaining agreement remain in effect. In the event of a conflict between this Memorandum of Agreement and the 2023-2025 collective bargaining agreement, this Memorandum of Agreement shall control.

2. Effective December 1, 2024, bargaining unit employees may enroll spouses and dependents in the Township’s health insurance plan, provided they pay twenty percent (20%) of the premium (the differential above the single person rate), pre-tax, through payroll deduction. The Annual In-Plan Deductible for Two+ Person coverage shall remain at \$3,000 and all other terms of the Township’s health insurance plan employee opt-out option shall remain the same.

ELMWOOD TOWNSHIP
PROFESSIONAL FIRE FIGHTERS,
IAFF, LOCAL 5387

ELMWOOD CHARTER TOWNSHIP

President

Supervisor

Vice-President

Clerk

Treasurer

Date: August __, 2024

Date: August __, 2024



Preliminary Project Cost Estimate Elmwood Township Timberlee Water System Improvements

Project includes removing the existing large tank and replacing it with two small tanks located in the existing building.

<u>Item No.</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Amount</u>
General Contractor					
1.	5% Mobilization	1	LS	\$21,250.00	\$21,250.00
	Supply and Install (2) 3,000 Gal				
2.	Hydropneumatic Tanks	1	LS	\$250,000.00	\$250,000.00
3.	Supply and Install Mechanical/Piping	1	LS	\$90,000.00	\$90,000.00
4.	Sitework and Building Improvements	1	LS	\$75,000.00	\$75,000.00
5.	Cottonwood Booster Station Upgrades	1	LS	\$10,000.00	\$10,000.00
6.	General Contractor Mark Up (10%)	1	LS	\$44,625.00	\$44,625.00
Electrical Contractor					
7.	Electrical Improvements	1	LS	\$292,000.00	\$292,000.00
8.	Utility Allowance	1	LS	\$20,000.00	\$20,000.00
Construction Subtotal					\$802,875.00
10% Contingency					\$80,287.50
10% Engineering					\$80,287.50
Total Estimated Project Cost					\$964,000.00

Notes:

1. Electrical work includes upgrades to the Well 2 building electrical to provide continued service during construction and redundancy when project is complete.

2. New hydropneumatic tanks to be installed inside of existing well 1 building.

Elmwood Township Timberlee Water System

2024 Improvements Project Description

This project includes the replacement of the large hydropneumatic tank with two smaller hydropneumatic tanks. The existing tank is being replaced due to its age and insufficient pressure rating. We are not proposing to increase the system capacity at this time. The new tanks will be located inside the existing Well 1 building which will require some upgrades to the structure. The well controls and electrical equipment is being updated in both the Well 1 and Well 2 buildings as many items are outdated, inefficient, or difficult to repair due to their age. Other work includes the installation of a permanent generator at the Well 1 building and replacement of gauges, automated air compressor system, and a new isolation valve in the Cottonwood Booster Station.

Connie Preston

From: Jeff Shaw
Sent: Wednesday, August 07, 2024 10:22 AM
To: Connie Preston
Subject: FW: Updated Timberlee Cost estimate

From: Dawn Lund <dlund@ufswweb.com>
Sent: Wednesday, August 7, 2024 9:38 AM
To: Jeff Shaw <supervisor@elmwoodmi.gov>
Subject: RE: Updated Timberlee Cost estimate

Hi Jeff,

See the summary below. Of the 964,000 project costs, I would consider bumping the increase to 8% and borrow \$825,000. It stabilizes operating income and gets your debt coverage ratio healthier quicker. Below this chart is KEEPING the 7% the public already heard. It's not bad, so if you think there will be backlash with the 8% or complicate the matter, we can keep the 7% (it really isn't materially different). We can always implement the first year and tweak the following years rate track if the project comes under/over projected costs.

Fiscal Year	Projected Rate	Projected Revenues	Projected Expenses	Adjusted Operating	Projected Cash	Capital Improvements	Bond Issues	C
2023	8.00%	93,208	67,424	25,784	423,471	20,000	-	
2024	8.00%	100,665	69,784	30,881	448,763	20,000	-	
2025	8.00%	108,718	86,357	22,361	318,230	964,000	825,000	
2026	8.00%	117,416	102,979	14,437	312,287	20,000	-	
2027	8.00%	126,809	105,347	21,461	313,323	20,000	-	
Targeted MINIMUM in 2023				\$ 4,983	\$ 59,790			
Targeted MINIMUM in 2027				\$ 44,581	\$ 97,172			

This is KEEPING the 7% rate track:

Fiscal Year	Projected Rate	Projected Revenues	Projected Expenses	Adjusted Operating	Projected Cash	Capital Improvements	Bond Issues	C
2023	7.00%	92,345	67,424	24,921	422,608	20,000	-	
2024	7.00%	98,809	69,784	29,025	446,044	20,000	-	
2025	7.00%	105,726	86,357	19,369	312,515	964,000	825,000	
2026	7.00%	113,127	102,979	10,148	302,270	20,000	-	
2027	7.00%	121,046	105,347	15,698	297,514	20,000	-	
Targeted MINIMUM in 2023				\$ 4,983	\$ 59,790			
Targeted MINIMUM in 2027				\$ 44,581	\$ 97,172			

You should confirm/acknowledge some assumptions:

1. The bond 4.5% over **40 years** (We had 40 years last time, I think we should be conservative and change to 30 years unless you KNOW you can get a 40 year term)

2. 3% issuance costs (\$825,000 @ 3% = \$24,750)
3. Confirm you will really do the increases if the project moves forward

I am happy to set up a call to review. For reference below is the OLD projection summary. You will see with the 8% I tried to get the operating income and cash targets as close as what the public saw in the old projection.

Fiscal Year	Projected Rate Adjustments	Projected Revenues	Projected Expenses	Adjusted Operating Income	Projected Cash Balances	Capital Improvements	Bond Issues	Debt Cover Rati
2023	7.00%	92,345	67,424	24,921	422,608	20,000	-	n/a
2024	7.00%	98,809	69,784	29,025	446,044	20,000	-	n/a
2025	7.00%	105,726	84,176	21,551	300,427	820,000	640,000	3
2026	7.00%	113,127	98,616	14,511	300,236	20,000	-	1
2027	7.00%	121,046	100,984	20,062	305,473	20,000	-	1
Targeted MINIMUM in 2023				\$ 4,983	\$ 61,778			1
Targeted MINIMUM in 2027				\$ 38,217	\$ 91,828			1

Thanks,

Dawn Lund

Dawn Lund, Vice President
 Utility Financial Solutions, LLC
dlund@ufswweb.com
www.ufswweb.com
 231.218.9664 Cell
 888.566.4430 Fax

Webex Conference

<https://ufswweb.my.webex.com/meet/dlund>

Use your computer audio OR call in number 510-338-9438, Meeting access code 627-441-445

From: Jeff Shaw <supervisor@elmwoodmi.gov>
Sent: Tuesday, August 6, 2024 4:48 PM
To: Dawn Lund <dlund@ufswweb.com>
Subject: FW: Updated Timberlee Cost estimate

From: Schwerdt, Ken <kschwerdt@wadetrim.com>
Sent: Friday, July 26, 2024 4:26 PM
To: Jeff Shaw <supervisor@elmwoodmi.gov>
Cc: Bogart, Garth <gbogart@wadetrim.com>; Sousa, Brian <BSOUSA@WadeTrim.com>
Subject: Updated Timberlee Cost estimate

Hi Jeff,

Attached is our updated estimated cost for the Timberlee project. This represents updated quotes from the tank manufacturer and Topline for electrical and controls work, and cost estimates for the smaller mechanical and

Current

CHARTER TOWNSHIP OF ELMWOOD

LEELANAU COUNTY

RESOLUTION 19 OF 2024

RESOLUTION ESTABLISHING RATES AND CHARGES

FOR THE TIMBERLEE WATER SYSTEM PURSUANT TO ELMWOOD TOWNSHIP

WATER SERVICE AND USE ORDINANCE

At a regular meeting of the Board of the Charter Township of Elmwood, held in the Township Hall in the Township of Elmwood, County of Leelanau, Michigan on November 13, 2023, there were:

PRESENT: Chris Mikowski, Terry Lautner, Kyle Trevas, Jeff Shaw, Dave Darga, Jordan Gallagher, and Connie Preston

EXCUSED: None

The following resolution was offered by Trustee Trevas and seconded by Clerk Preston

BE IT RESOLVED that pursuant to Article X, Section 1 of Ordinance 118, as amended, known as the Elmwood Township Water Service and Use Ordinance, the following are hereby established as water fees for the Timberlee Water System.

Use Charges

First 600 cubic feet or less per month
(ready to serve charge)

\$33.25 minimum

All over 600 cubic feet
(commodity rate)

\$1.87 per 100 cubic feet

Effective January 1, 2024.

Beginning January 1, 2025, the ready to serve charge for the first 600 cubic feet or less per month and the commodity rate for every 100 cubic feet per month will increase by 7% each year for 4 years as displayed in the table below:

Year	Ready to Serve Charge (min)	Commodity Rate (per 100 cf)
2025	\$35.50	\$2.00
2026	\$38.00	\$2.14
2027	\$40.75	\$2.29
2028	\$43.50	\$2.45

7%
inc.
per
year

INVOICE APPROVAL LIST REPORT - SUMMARY BY VENDOR

PRELIMINARY

Date: 08/07/2024

Time: 3:19 pm

Page: 1

ELMWOOD TOWNSHIP

Vendor Name	Vendor No.	Invoice Description	Check No.	Check Date	Check Amount
ACE HARDWARE	A020	CUST#23467	0	00/00/0000	1.30
				Vendor Total:	1.30
BOUNDTREE MEDICAL	B116	ACCT#213121	0	00/00/0000	1,734.83
				Vendor Total:	1,734.83
CINTAS CORPORATION	C096	payer 22553272/fire dept	0	00/00/0000	40.91
				Vendor Total:	40.91
CONSUMERS ENERGY	C040	ACCT#1030 3518 7543	0	00/00/0000	648.63
				Vendor Total:	648.63
EPS SECURITY	E050	CUST#3014247002/TWP HALL	0	00/00/0000	120.00
				Vendor Total:	120.00
HOGARTH'S PEST CONTROL CO.	H022	ACCT#6634/NEST REMOVAL	0	00/00/0000	250.00
				Vendor Total:	250.00
THE HOME CITY ICE COMPANY	H035	CUST#8401000488	0	00/00/0000	581.22
				Vendor Total:	581.22
KSS ENTERPRISES	K014	ACCT#ELMWO110	0	00/00/0000	368.65
				Vendor Total:	368.65
MCKESSON MEDICAL-SURGICAL	M067	ACCT#58774672	0	00/00/0000	181.13
				Vendor Total:	181.13
MICHIGAN EMS EXPO	M209	WORKSHOP REGISTRATION/DUNKLOW	0	00/00/0000	99.00
				Vendor Total:	99.00
MOBILE MEDICAL RESPONSE	M191	ALS INTERCEPT	0	00/00/0000	1,250.00
				Vendor Total:	1,250.00
SOS ANALYTICAL	S058	WATER TESTING	0	00/00/0000	100.00
				Vendor Total:	100.00
STANLEY STEEMER OF NORTHWE	S091	CUST#123936/OLD FIRE STATION	0	00/00/0000	429.00
				Vendor Total:	429.00
STEVEN H. SCHWARTZ & ASSOC.F	S076	LABOR MATTERS	0	00/00/0000	2,380.00
				Vendor Total:	2,380.00
STOOPS TRUCK COUNTRY-TRAVE	G201	TRUCK REPAIR	0	00/00/0000	614.99
				Vendor Total:	614.99
STRYKER SALES LLC	S077	PAYER 20130974	0	00/00/0000	2,534.51
				Vendor Total:	2,534.51
THIRLBY AUTOMOTIVE	T020	ACCT#35006700/MARINA	0	00/00/0000	8.39
				Vendor Total:	8.39
TRAVERSE CITY LIGHT & POWER	C093	ACCT#00174230-5	0	00/00/0000	25.69
				Vendor Total:	25.69
TURNOUT MANAGEMENT	F025	REPAIR/CLEANING	0	00/00/0000	280.50
				Vendor Total:	280.50
VERIZON WIRELESS	V014	ACCT#682962913-0001	0	00/00/0000	31.02
				Vendor Total:	31.02
THE WANDERLUST GROUP	W031	receipt printer/marina	0	00/00/0000	425.00
				Vendor Total:	425.00
X-CEL NORTH	X010	CLEANING SUPPLIES	0	00/00/0000	16.00
				Vendor Total:	16.00

INVOICE APPROVAL LIST REPORT - SUMMARY BY VENDOR

PRELIMINARY

Date: 08/07/2024

Time: 3:19 pm

Page: 2

ELMWOOD TOWNSHIP

Vendor Name	Vendor No.	Invoice Description	Check No.	Check Date	Check Amount
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				Grand Total:	12,120.77
				Less Credit Memos:	0.00
Total Invoices:	37			Net Total:	12,120.77
				Less Hand Check Total:	0.00
				Outstanding Invoice Total :	12,120.77