

Donna Romanak, Chairwomen
Tina Loomis
Georgette Peterson
Rick Leland

Arlington Township Planning Commission
Van Buren County
52022 34th Ave.
Bangor MI 49013

Donna Bell
Mike Schrom
Joe Wooding

- I. The Arlington Township Planning Commission meeting was held at the Township Hall on June 30, 2021. The meeting was called to order at 6:08 p.m. by Chairwomen Donna Romanak.

Pledge of Allegiance: Lead by Chairwomen Donna Romanak.

Roll Call: Joe Wooding, Mike Schrom, Donna Bell, Rick Leland, Georgette Peterson, Tina Loomis, and Donna Romanak.

II. **Public Comments:**

Neal May What are we here to discuss?

Donna Romanak We are here to discuss the application for a Planned Use Development for the North Coast Inn a wedding and restaurant venue.

Someone? At the old Apple Ridge Farms.

Donna Romanak I believe so, yes.

Lorraine Crandall So this is about rezoning?

Donna Romanak Yes, there is an application for rezoning. Are there Zoom comments?

Neal May Are the direct neighbors present?

Nathaniel Pond They are not but we have spoken with the neighbors. We have sent letters stating that we were going to go door to door and interduce ourselves. They have reached most people but not all. They did speak with the three closest neighbors. His plan is to keep it as natural as possible.

Scott Graham responded that they all comments be directed to the chair. With the chair's permission he would like to share that besides what the owners have done to reach out to the neighbors one of the requirements is this hearing we call this the "Public Hearing". One of the requirements in the ordinance is that the township send notice to the neighbors and give them a period of time in which to decide whether or not to attend and offer their thoughts. And also gives them a chance if they want to send in written comments. It is one of the reasons that we are here at a special meeting and time because when the applicant came to the township before and was clear what they wanted to do; the township could not proceed until it held the public hearing. And to have the public hearing the township need time to send out the notices. So, not only have the owners/applicants talked to them, the township sent notices to the neighbors and have given them 15 days' notice of this specific meeting required by law. It is required at the local level and the state level. What happens here is the planning commission will be making a decision about its recommendations. So, everyone has

received plenty of notice, I believe. Donna, if I could, my recommendation would be after you are sure public comments have been heard you get to the item, I would open the floor to the owners and to their engineer, who is present for a presentation and then maybe you begin the back and forth of the questions. But I would ask everyone to direct their comments thru the chair, because those are the rules of the township. Another point, that Barb has mentioned, the rules of the township require that if anyone is going to speak who is not on the planning commission that they simply identify themselves by name and general address. Just so we can always assure that the comments can be attributed to a member of the township.

Donna Romanak the 15-day notices were sent and none have been returned.

Scott Graham That is correct, none have been returned.

Donna Romanak introduced the owners Nathaniel and Denise Pond and the architect Alexander Frazier. She requested a presentation.

Nathaniel Pond This is going to be a restaurant 80 person, a wedding venue capacity of 150 person. Phase II taken on about two years after opening would be a couple of cabins to about eight, we don't want to crowd the property. Again, we don't want to ruin the natural state of the property. We will have some gardens, to supply some of our herbs, and some trails for people to stroll while waiting for their meal.

Donna Romanak for the folks who haven't seen it before, can you please point out some of the areas.

Tina Loomis stated that the site map be turned so everyone else can see it? We have our copies.

Alexander Frazier stated this was a conceptual plan in the process. We are proposing that the restaurant go up close to the road, close to the road parking. The wedding venue is here, set back from the road to give it a buffer from the neighbors. Then the orange squares are future locations of the cabins. Also protecting the wet lands and the forest. There are a few other structures that they are proposing. Questions?

Donna Romanak Can you fill in a little bit about the capacity of the restaurant and the wedding venue?

Nathaniel Pond Yes, the restaurant will be 80 with outdoor seating in the summer; 60 indoors year-round. The wedding venue not to exceed 150 people, we are aware there is limitations on the square footage having to do with fire code. So, we need to look at it a little more to size it appropriately. We want to stay under that because a sprinkler system would be out of our budget. It may be as low as 130 people. We are still researching that.

Rick Leland I have a question for Alex. You used the term conceptual. Does that apply to building size or the number of cabins? Define conceptual.

Alexander Frazier So the layout is what is conceptual. We haven't done a full site survey. With the general lay of the land this is the placement of the buildings. The restaurant will be in this general area.

Nathaniel Pond our understanding that this is just the first step in the process and the next step is a much more technical process. It is his understanding that the architect will have a site review.

Alexander Frazier They want what's best for the property. The goal is to place the buildings as close to the drawing as possible. There will be a site review.

Nathaniel Pond The buildings won't move that much because that's what the utilities are. They don't want more cabins. They want to keep it as natural as possible.

Scott Graham this is what I see as the progression of events; the owners are here tonight; the neighbors have been notified depending on what the PC (planning commission) and the board decide. The next step is going before the board for basic approval. Again, we don't have that based upon a site plan or the things that would be needed. If in fact the planning commission says we think we are prepared to amend the zoning ordinance to make this possible. Then and if the board agrees, then I believe the owners would follow the procedure to bring the full site plan. That's when they are locked in. They will need to build according to the site plan that is approved or they will be a big problem. So, tonight is a chance for everyone to talk to them about everything they want to do and certainly questions can be asked about Phase II. But really what we are working on right here is Phase I; which I believe to be the restaurant and the wedding venue. There will be technical site plan drawings before anything is approved and agreed to. I think out of fairness to the owners, if anyone on the planning commission was opposed to this idea and the owners knew it was never going to work no further expense to them. There is a lot more detail to come if the PC does plan to move forward.

Donna Romanak I was glancing over the Development Narrative and some of this detail we will get into later when we have the actual site plans. But they are looking at a parking space for every 200 people. There will be a parking lot on site. So, there will be some kind of material, gravel, concrete, or asphalt. Parking will be allowed on grass fields. A minimum of 40 acres would remain for Ag use. The owners plan to use landscaping as a buffer for sound. This is the general idea. Dust control was discussed during the construction.

Alexander Frazier stated that would be addressed on the site plan.

Donna Romanak stated the biggest thing we need to address is that the parcel is currently zoned as agriculture. So, in order for this type of building to take place there has to be a change in the zoning. From agriculture to commercial. I think that is something that we can open for discussion at this point.

Scott Graham Chair is correct. Do we want to rezone or change some of the permitted uses? Whatever is faster. Please describe how the wedding venue is going to work. Summer wedding what do you envision? Is the wedding venue going to be a year-round venue?

Nathaniel Pond There will be an out-door space for the wedding venue. They plan to have all music indoors. They plan to face all outdoor activities towards the east or the forest area to reduce noise. They to use the forest as a sound buffer. They want the neighbors to be very respected.

Scott Graham What about the winter?

Nathaniel Pond In the winter it will depend on sales. Can we sell winter weddings? It would be tough to turn down the revenue. I will be honest a winter wedding would need to be indoors.

Tina Loomis She got married at the Blue Dress Barn in Milburg. There are no winter weddings. Will your venue be barnish or modern? What will your venue look like?

Denise Pond we are working with our architect and the venue will be fully enclosed. We are looking a little commentary but still a barn. We want something that is going to look good on the land and work well on the landscape.

Tina Loomis you could have a beautiful winter wedding there. It can be totally enclosed.

Nathaniel Pond we were thinking a beautiful snowy day, pretty cozy, a good meal, a good glass of wine looking over a beautiful snowy field. We were born and raised in the Great Lakes region and are use to that. It is a little tougher to sell to someone who wants a summer wedding.

Tina Loomis your back barn, behind cabin number 1, what is that for? Storage?

Nathaniel Pond yes, that will be for landscaping equipment. We don't see that as being a source of noise.

Tina Loomis just concerned about excess building.

Georgette Peterson if I remember correctly you plan to take down two buildings.

Nathaniel Pond we plan we remove all existing buildings.

Tina Loomis demo house and barn. Arrow shows existing out building and barn to remain.

Nathaniel Pond I am not sure why it says that because we are removing all three buildings. We have Krohn Excavating on standby. There is one barn, the southern most barn we are leaving that for construction storage. It will be removed at a later date.

Tina Loomis so that is all that will be demoed?

Nathaniel Pond Yes.

Rick Leland I am thinking that you will have other events besides weddings. I mean with the cabins and the yoga pavilion. Will you have conferences?

Denise Pond I don't think conferences is necessarily the right word. The cabins are going to be the size of a hotel room.

Nathaniel Pond it will be the size of a hotel room. The idea is to reduce drunk driving. This will be more of a wedding, birthday and anniversary venue. The thought is to walk the trail, use a room in conjunction with an event, kind of all inclusive.

Tina Loomis the gazabo, are those apple trees? Are you keeping the apple trees?

Nathaniel Pond we are going to maintain those. We are calling around to the other apple growers to see if they would like to maintain them.

Neal May What kind of restaurant?

Nathaniel Pond the restaurant bar area would be lower key bar seating with high end bar food. The restaurant would be fine dining with reservation and walk in's if space allows. Special occasion restaurant.

Tina Loomis will it be more than just weddings?

Denise Pond yes, anniversary or birthday, it would be hard to turn down.

Nathaniel Pond no professional convention would be on the docket.

Denise Pond yes, where we got married, we wished there was someplace we could have stayed. If they come for the weekend from out of town and want to stay on our property, they can enjoy the trails and nature around us.

Nathaniel Pond he envisions the cabins for the wedding parties; they can get ready in their rooms. The restaurant bar lower key bar type seating; the restaurant fine dining – special occasion.

Neal May Every day?

Nathaniel Pond yes. Dinning with reservations and walk ins are welcome when space allows.

Neal May high-end food?

Nathaniel Pond Yes

Georgette Peterson I have to ask what are the plans for catering?

Nathaniel Pond we will not sell out the restaurant for the night. We do not want to turn people away.

Denise Pond Because we will have both the restaurant and the wedding venue, the restaurant is the restaurant and the wedding is the catering side. We will not sell out the restaurant side to one party.

Nathaniel Pond image you want to come and grab a meal and seeing a closed sign. They will have two kitchens so the wedding venue does not slow down the restaurant business.

Lorraine Crandall Do you have a legal liquor license?

Nathaniel Pond We have one under contract. We are dealing with the Liquor Commission to get it approved and transferred. The license we purchased is moving forward. The process is moving forward.

Lorraine Crandall if that falls thru will you still do this?

Nathaniel Pond yes, we will try to apply for a new one. No liquor license, no restaurant. If the license falls thru the project would stall. It is just an administrative issue.

Lorraine Crandall 100%

Nathaniel Pond I cannot say that, but hopefully.

Tina Loomis Transfer from where?

Denise Pond we purchased one here in Michigan.

Nathaniel Pond it is from the something Road House. It is defunked now and in escrow.

Tina Loomis didn't understand the transfer process.

Nathaniel Pond stated you can either buy a new one or transfer an existing one.

Denise Pond within this county you can transfer one liquor license from one business to another.

Scott Graham Jeff Wingard is the engineer working on this for the township. Jeff, do you have any comments?

Jeff Wingard Nothing at this point Scott. I think you explained that we are in the conceptual phase of this project and we are looking for approval of the rezoning so the owners can move forward. Their engineer will be submitting a very detailed site plan. As of right now, I am not seeing anything that is raising any red flags.

Scott Graham there has been reference made to the North Coast Inn PUD narrative. He wants to make sure the PC knows that this is their narrative and not necessarily the PC's narrative. If the PC sees things that need to be tweaked, then that's what we will do. This is not a take it or leave it, all or nothing. There are some small things; the height is one thing. The PC's narrative is the most important narrative. Donna if I may I thinking you were turning to if the rezoning was the way to go. I don't think rezoning may be the correct option here. You're zoning ordinance does not have district requirements for the Ag district. One if the things you may consider is an amendment to the zoning ordinance. It can have some different requirements for development in an AG district. We can also get to the PUD is mixed use development and the point will be after everything is proposed by the owner and considered by the township then there would be rezoning of that specific property; which would conform with the district. What I think the PC needs to do tonight is to consider if the uses of this property would be acceptable to you. And are those uses enough to make the owners satisfied to want to move forward. As we turn back to the silent Article 12, section 3.09 talks about the principal uses and the special uses for an Ag District. You can see in the special use category number 10 banquet halls and wedding venues are identified. We see that there is in Phase II short term rental facility and the PC will be dealing with separately. I do not see any special use or permitted principal use for a restaurant and I don't see one for catering. The way my initial impression is that the PC wants to consider is the presence of a restaurant on this property. If this is something you wish to see we can prepare an amendment to the zoning board that would allow that under appropriate conditions. To include the catering idea with a separate kitchen to cater for the wedding in a separate venue. Do you want to allow that? If you think those are appropriate then we can get both a amendment to the zoning ordinance in terms of 12.02 districting regulations and then the overlay for this property. So, what I would encourage the PC to do is discuss and ask questions and decide whether or not you would like to see the district requirement under article 12 that would include in the AG District putting a restaurant and catering uses. If you decide that these things are appropriate, then I would draft it. It would require another Public Hearing for an amendment to the zoning ordinance. The real question is really pretty simple; in an AG District do you think a restaurant is appropriate use? Is catering appropriate in an AG District? If the answer is yes, then this

is pretty straight forward. If the answer is no the owners are entitled to know what your thoughts are so they can respond to that.

Georgette Peterson so are you saying we would not have to rezone the whole property commercial?

Scott Graham If you decide those uses are appropriate then I think we need to take up the specifics of the rezoning. So, the question I have is do you think those uses are good within the AG District or do we need to shift over to rezoning to Commercial District. I suggest that there be an amendment to article 12 which relates to the district requirements and then the PUD zoning of this particular property. We get the same results. Do you want to just rezone too commercial?

Rick Leland Are you are referring to the ordinance written in 2012, Article 12?

Scott Graham yes, 2012 Ordinance, 3.09 2020

Rick Leland Restaurant and catering go hand in hand. Does this mean that you can than put a restaurant or catering business in any AG District?

Scott Graham You would need to come back and repeat the process.

Rick Leland it would still need to be reviewed.

Donna Romanak comments from other commission members?

Joe Wooding Exactly what can we not allow under a special use permit?

Scott Graham you can allow or not allow anything you want.

Joe Wooding in other words if we tell these people, it is okay, it will be okay.

Scott Graham it will be okay for them on this property according to this proposal. If someone else wants to do it then you start from starch again. If you agree that they are allowed to proceed than whether it invokes the SUP provision or simply a PUD zoning than it makes it a principal use is that district, they go forward, they have permission.

Joe Wooding Every special use should be considered individually.

Scott Graham correct.

Joe Wooding so if we changed this property to Commercial, it is done.

Scott Graham I am suggesting a better way to go is using the PUD overlay. That simply says instead of making it commercial which would pull another permitted principal use to do what they have proposed, if you go that way. Then we don't have commercially zone property just sitting there.

Joe Wooding that's what I would personally like to see.

Georgette Peterson This should stay AG not Commercial.

Scott Graham for this proposal does the planning commission accept to go forward or adoption of a restaurant/catering/wedding venue? Do you want to go ahead with this?

Joe Wooding let's not make more rules.

Scott Graham you can't. This is an overlay unique to their property. You also need to do a PUD that should have been done before. It is not new.

Joe Wooding wasn't there something for Engel's?

Scott Graham I am unsure, it could be. It has not been recorded.

Unsure ?????? Engel Farms was an entertainment venue. It was done in about 2013 Special use. Just recently wood product in AG for Amish to build trusses. That is what has been done in the past.

Scott Graham refers to paragraph 10 considering special use permits. Engel Farms came forward and stated they will not be renewing the permit as they have gone out of business. This is different in the way they are asking for permission to do things that are not in the SUP. I believe the overlay is the way to go. Are we able to move forward without adopting more ordinances, everyone wants to do that but this way we're limiting the changes to the bare bones? Only what has to be done for them to move forward.

Neal May if amended for this event, can I come in and say I have a plot of land and I wasn't to do the same thing. Does it automatically go thru?

Scott Graham no, it starts from starch, size, site plan, devil in the details. A different property would need to start from scratch.

Neal May Changing the amendment for them doesn't necessarily change it for everyone.

Scott Graham The proposal needs to say; yes, we didn't have a PUD section for AG; we are changing that so we have it. Then for the particular property it opens the door for them to come in and ask and work with the township on the development.

Tina Loomis say they don't want to do this anymore, can I go in and buy it and continue running it? Without making t commercial?

Scott Graham if they reach a point where the have approval and that approval is based upon the overlay, I think the answer is yes. You are doing the exact same thing, yes.

Tina Loomis I would still need to follow within the rules. I don't want someone going in and not following the rules.

Lorraine Crandall Are just two people owning this?

Nathaniel Pond Just the two of us.

Lorraine Crandall and you are not going to be living there?

Nathaniel Pond no, we won't be living there.

Tina Loomis but you are moving here?

Nathaniel Pond Yes, we need to move to the area. We own our home in Chicago. Until we have assurances we will not be relocating. When we do, we will find something in this area.

Lorraine Crandall they will be living in the area. Do you know how many areas of wet land you have on that property?

Nathaniel Pond I don't know the actual number but, on the map, we have highlighted it in green.

Lorraine Crandall do you know how far you have to build away from the wet lands?

Alexander Frazier Yes, we will follow all of the guidelines protecting the wet lands.

Lorraine Crandall but, do you know how far?

Alexander Frazier off the top of my head?

Lorraine Crandall but do you know how far away?

Alexander Frazier off the top of my head. You can have a development on the edge as long as you are not disturbing it. If you own the property, you can surround the wet land and also provide a buffer to protect the wet land.

Lorraine Crandall I have a problem with my wetlands. Do you know where your drain is going to be?

Alexander Frazier we will sort that out in the site plan. We have not done the survey of the property yet. We will design a retention area.

Lorraine Crandall so the object of this meeting is to change the zoning from AG to Commercial?

Alexander Frazier Yes

Scott Graham you are asking for two special use permits. One to operate a restaurant/wedding venue in an AG District. Phase II states a better site plan. We are trying to shy away from a blanket rezoning to Commercial use. The way the site plan stands right now no one can say Phase II would be approved.

Alexander Frazier Phase II will have a more detailed survey. It will also define the wetlands better. The lighter green is dedicated open space. The darker green is national wet lands. We tried to place the cabins around the wetlands. We wanted to capture the feel of the land. Enjoy the wildlife and provides lots to look at.

Scott Graham besides working with the township you are also going to work with Eagle as required, the drain commissioner, the VBCRC, Fire Department, and any other entity that needs to be addressed.

Donna Bell will there be a cap on the amount of AG land they can use?

Scott Graham yes. That is important to maintain.

Donna Romanak as a point of information our Zoning Ordinances do need some updating in general. That is something we can consider when we tackle that project, which I do hope to do later this summer. There are some things that need to be changed.

Rick Leland Stated that a cap would be a good idea, but it would be a lot of work.

Donna Romanak exactly. But we do need to update our zoning in general.

Tina Loomis I have always been a stickler for the neighbor thing. I know you have talked to these three neighbors and I see that you already have natural trees. Do you plan on putting, I know you said sound in the opposite direction and things like that; but do you plan to add anything else to help buffer? What I am thinking of is in Phase II, where the cabins are close; do you plan to add anything else in that area?

Nathaniel Pond Besides parking?

Tina Loomis in terms to help buffer the sound.

Nathaniel Pond My primary concern is these three neighbors. They will be the most effected. So, we do want to add embankments to reflect sound, things like that. It is a primary consideration. We don't want to touch the woods on the south end. We are being creative to have a minimum effect on our neighbors.

Tina Loomis But you did meet those three neighbors?

Nathaniel Pond yes, we did. We also met some of the other neighbors as well. They all seem positive and excited about it. It is in my best interest to not have a ticked off neighbor.

Tina Loomis These neighbors may move. But it needs to be sellable. One of the neighbors is Martha Gregory.

Nathaniel Pond Martha's home is pointed out on the map. They want to enhance the property.

Tina Loomis if she sells, work with the new owner.

Rick Leland How about traffic? 80 cars leaving a wedding, how would you direct them?

Nathaniel Pond CR 215 is a substantial road. Where the entrance is now there is a good site line. I don't believe it will be an issue.

Alexander Frazier stated they will be working with the VBCRC. A lot of people will turn left to head to M-43.

Tina Loomis Well, they could go either way to M-43 or Red Arrow.

Nathaniel Pond does not want to impact the dirt roads at all. We will encourage everyone to use CR 215. We don't want anyone using the dirt roads.

Alexander Frazier stated they will be working with the county to make sure commercial driveway are met. We will work with the service signage.

Tina Loomis stated that CR 215 is a lot busier that she thought it was when she moved out here 15 years ago. Like I saw you can turn either way. You can get lost, but this is an easy place to find.

Lorraine Crandall Isn't there a crossroad right there? I don't see it on your map. Aren't there neighbors across the street?

Nathaniel Pond On those roads on the north and south, the only response we got was from these people behind me.

Lorraine Crandall Isn't there a neighbor across the street?

Nathaniel Pond Across CR 215. Yes, we got responses from 10 neighbors.

Lorraine Crandall Did they like the idea?

Nathaniel Pond yes, Ken offered to mow the lawn. Ken said he wanted the grass. I said yes. He seems very friendly with us. I am not speaking on his behalf.

Lorraine Crandall

Alexander Frazier