



**ACME TOWNSHIP PLANNING COMMISSION MEETING  
ACME TOWNSHIP HALL  
6042 Acme Road, Williamsburg MI 49690  
Monday, April 13, 2020 7:00 p.m.**

**CALL TO ORDER WITH PLEDGE OF ALLEGIANCE at 7:06 pm**

**ROLL CALL: Members present:** K. Wentzloff (Chair), S. Feringa (Vice Chair), M. Timmins, D. Rosa, D. VanHouten, B. Balentine, J. Aukerman

**Members excused:** None

**Staff present:** L. Wolf, Planning & Zoning Administrator, S. Winter, Planning Consultant Beckett & Raeder, V. Donn, Recording Secretary

**A. LIMITED PUBLIC COMMENT:** Open at 7:12 pm

Brian, Kelley, Acme resident, felt with the Bos Vineyard project, the township needed to give careful consideration of the stormwater and that it does not impact the creek and nature area. (written letter submitted in G. Correspondence)

Limited Public Comment closed at 7:15 pm

**B. APPROVAL OF AGENDA: Motion by Aukerman to approve the agenda as presented with the addition to G. Correspondence, 10. Brian Kelley letter dated 4/13/2020, supported by Balentine. Roll call motion carried unanimously.**

**C. INQUIRY AS TO CONFLICTS OF INTEREST:** Feringa recused himself from J. New Business, 1. SPR 2020-02 Bos Vineyard Site Plan Review. He is currently working on a different project with the same engineering company GTEC that they are using.

**D. SPECIAL PRESENTATIONS:** None

**E. CONSENT CALENDAR:**

**1. RECEIVE AND FILE**

**a.** Township Board Regular Meeting Minutes 02.04.20

**2. ACTION:**

**a.** Approve Draft Planning Commission Meeting Minutes 02.10.20

**b.** Approve Draft Planning Commission Special Meeting Minutes 02.24.20

Brian Kelley request to remove 2. Action, b. Approve Draft Planning Commission Special Meeting Minutes 02.24.20.

**Motion by Timmins to approve the consent calendar as presented with the removal of 2. Action, b. Approve Draft Planning Commission Special Meeting Minutes 02.24.20, supported by Aukerman. Roll call motion carried unanimously.**

**F. ITEMS REMOVED FROM THE CONSENT CALENDAR: 2. Action, b. Approved Draft Planning Commission Special Meeting Minutes 02.24.20.**

Brian Kelley stated in the 02.24.20 minutes under J. New Business, 1. Kmart Planned Development set hearing date, it did not note Dan Stern had informed the company who originally was going to develop the indoor storage in the plan pulled out and he is now looking at other uses.

**Balentine requested to have the Approve Draft Planning Commission Special Meeting Minutes 02.24.20 carried to the next meeting with edits.**

**G. CORRESPONDENCE:**

- 1. Haggard's Plumbing & Heating**
- 2. Jim & Kris Goran**
- 3. Fred & Denny Rohn**
- 4. Mary Raymer**
- 5. Johanna & James Stevens**
- 6. Bob & Kathy Garvey**
- 7. Watershed Center**
- 8. John Zaloudek**
- 9. Rachelle Babcock**
- 10. Brian Kelley letter dated 4/13/2020**

**H. PUBLIC HEARINGS: None**

**I. OLD BUSINESS: None**

**J. NEW BUSINESS:**

**1. SPR 2020-02 Bos Vineyard Site Plan Review**

Dave Bos introduced himself. He is the applicant along with his wife Jackie to convert an existing barn used previously for agricultural purposes into a wine tasting room for commercial use to service between 18-54 visitors daily.

Wolf informed she had not heard if the township stormwater engineer had connected with the engineer they are using to finalize the stormwater review. She would need to see the official sign off from the township engineer before she could issue a land use permit.

Jackie Bos said she spoke to Ryan the engineer and he wanted to make sure there were no comments for further changes and then he would get it to the township engineer.

Wentzloff addressed the concern of the ditch in front of the house filled with stormwater that was shown in a photo submitted by Brian Kelley. Dave Bos said what he saw was taken last December when the sump pump from the house crawl space was not kicking out water and he had to follow the line to the road to dig it out. It was not drainage from the property it was from the sump pump pushing water to the ditch.

Wentzloff brought up the request to keep the character of the property, of using crushed gravel for the surfacing instead of what is listed in the ordinance. The Planning Commission's census was to allow for it but not with the treed island.

Jackie said the treed island and handicap parking is indicated on the plan as being in concrete and meets the ADA standards. Metro has allowed for gravel in the fire lane as long as it is plowed in the winter season.

Wentzloff said the plan currently does not show a snow storage area and would need to be update in the revised drawing.

Jackie informed a 20'X 30' storage space will be created to the west of the parking area, for snow removal and will be indicated on the plan.

There were concerns with using gravel and having it get pushed into the snow storage area. Dave said he spoke with a couple of plow drivers and they can use a plow that doesn't dig in until the ground freezes.

Wentzloff stated the landscape needed to be of native species in compliance with the Zoning Ordinance and noted on the plan. Jackie said she has pulled some from the Michigan NW native noninvasive species plants list and will give it to Wolf for her to review.

Rosa inquired on the lighting and said in the township ordinance it requires sodium lighting and he noticed in the plan it has LED. He was concerned with the intensity of the light they are using of 3000 Kelvin. He said all the lighting around the building should be coordinated to have the same amount of brightness.

Wolf added the lighting needs to not impact the neighboring properties.

Winter said a few years ago there was a change in the state's construction code, it may now be mandatory to use LED for energy efficiency. He looked up the chart for 3000 Kelvin and it was stated as a warm white equivalent to household lighting. He said it would be appropriate for this site, anything above 3000 is the brighter whites.

**Motion by Timmins to approve the site plan submitted by Jackie & David Bos for a tasting room located at 7352 Angell Road, Williamsburg, MI 49690, subject to the following conditions:**

- **Plans are updated to reflect the required treed island**
- **Plans are updated to reflect an area for snow storage**
- **Obtain a favorable stormwater review by Gosling Czubak**
- **Landscape plan updated to include the planting list or all the native species indicating botanical and common names.**
- **A bond/cash surety/letter of credit of the cost of the landscaping will need to be submitted prior to the issuance of a land use permit.**

**Supported by Balentine. Roll call motion carried by 6 (Wentzloff, Timmins, Rosa, Balentine, VanHouten, Aukerman), recused by 1 Feringa.**

**K. PUBLIC COMMENT & OTHER PC BUSINESS:** Open at 7:45 pm

Brian Kelley, Acme resident, voiced his concerns on the Bos Vineyard stormwater. He suggested the township should reach out to the owners of Tom's market and see what their plans are on redeveloping the property. It could have an impact on the Kmart plan between the two sites.

Wentzloff informed the neighboring property owners have been notified of the Kmart development.

Public comment closed at 7:48 pm

1. **Planning & Zoning Administrator Report:** Wolf asked how the PC felt about having public hearings remotely in the fashion they are using. Wentzloff said it was alright to do this with the Governor's order in effect. There were three public hearings scheduled for March 16 before the meeting was cancelled.

The PC census was there may be challenges, but some attendees who don't like to speak in public might find it more comfortable to voice their opinions. Wentzloff said there is a 15-day notice requirement for a hearing. They can wait a couple of weeks to see how things are looking and decide at that time.

2. **Township Board Report:** Jean Aukerman said the board had their first audio remote meeting and she preferred the face-to-face. They had audio and feedback issues. She informed the board renewed the expired contract with American Waste with a rate increase and included keeping the recycling station. The township ordinance requires to have one hauler for the area.
3. **Parks & Trails Committee:** No report

**ADJOURN: Motion by Balentine to adjourn, supported by Timmins. Roll call motion adjourned 7:58 pm**

To: Acme Township Planning Commission  
From: Brian Kelley

April 13, 2020

Subject: Storm water challenges of Bos Farmhouse project

This looks like a nice project, but it has significant storm water challenges.

Visually, the photos I sent as correspondence show a drainage trench at the front of the house that connects to the road ditch. That ditch slopes steeply into the creek. That suggests the soils are problematic.

Plan sheet C2.0 states that "There is also an existing layer of clay over the top of the sandy loam". That further confirms problematic and high risk soil that is unlikely to drain and must be dealt with. Clay does not drain or infiltrate. When mobilized, it will easily travel great distances and is likely to follow the eastern slopes of the project parcel and continue on to the 13% average slope of the nature area property, all the way to the creek.

Any driveway or gravel work are at risk of creating erosion. Driveway gravels often include clay as a binder. Plan sheet C2.0 shows the driveway area slopes to the east and creek.

The only silt fences I could find on the plan were on the west property line. The nature area to the east (including the ditch to the north) must be protected by silt fences on the north and east sides. I suggest the PC request

The applicant proposes to not construct a basin on the east side of the site. However, the ordinance requires it. To say nothing of the site sloping to the creek, the clay soils that have been disclosed, and the steep slopes to the creek.

Given the challenging soils on site, the slopes to the nearby nature area, I respectfully ask you to require silt fences on the east and north sides of the property, and also storm water treatment of flows from the east side of the property, toward the creek.

Thank you,  
Brian Kelley

To: Acme Township Planning Commission  
From: Brian Kelley  
April 13, 2020

Subject: Bos Farmhouse

Good evening,

This looks like a nice project, in a very nice area. As is often the case in Acme, projects that look very simple often have storm water complexities.

As you know, there is an adjacent creek and nature area. The topography easy of the subject parcel slopes steeply to the creek.

A ditch runs along Angell road, in front of the applicant parcel, and it steeply slopes to the creek. Anything draining into the ditch is likely to enter the creek.

There is a trench leading from the front yard of the applicant's property and into the ditch. That creates the concern that the property does not drain well, and relies on the road side ditch for drainage. This property must not use the ditch and creek for storm water discharge.

The ditches along the roads are for draining the roads. They are not for draining adjacent properties.

The front yard of the property appears to slope to the ditch. The storm water characteristics of the site appear very challenging.

The project narrative cites the county soil survey. However, the soil inventory is only a superficial indicator of soil characteristics. According to that data, the VGT project site soils were not problematic.

The township needs to give careful consideration of the storm water for this project and that it does not impact the creek and nature area.

Thank you,  
Brian Kelley





**ACME TOWNSHIP  
PUBLIC NOTICE OF MEETING BY TELEPHONE CONFERENCE CALL  
FOR THE ACME TOWNSHIP PLANNING COMMISSION MEETING  
MONDAY, APRIL 13, 2020 AT 7:00 PM**

On March 18, 2020, Governor Whitmer issued Executive Order No. 2020-15 authorizing remote participation in public meetings and hearings for public bodies and other governmental entities by telephonic conferencing in a manner in which both the general public and the members of the public body may participate by electronic means.

The Acme Township Planning Commission is holding its April 13, 2020 Regular Meeting by telephonic conference in the interest of the public health, safety, and welfare during the Coronavirus outbreak to limit in-person contact and interaction. There will be no physical meeting location.

To implement this mitigation strategy and to allow the public to attend Planning Commission meetings remotely, the Township Board authorizes Planning Commission members, Township staff, and members of the public to attend by telephonic conference as follows:

1. Call in number: 1-312-626-6799
2. Enter Meeting ID: 769 575 814 #
3. Press # again when asked if you are a participant

The conference call meeting will begin as soon as the Planning Commission has logged on.

Upon opening the meeting, the Planning Commission will recite the Pledge of Allegiance and then take roll call of the Planning Commission members present. The chair will then ask for the names or identifying information of all members of the public participating on the conference call. The chair will then open Public Comment by calling on each member of the public on the conference call to allow for each person to provide comment in an orderly fashion. The meeting will then continue pursuant to the agenda. The chair will allow further Public Comment as deemed necessary and then again at the end of the meeting.

The meeting packet is available at [acmetownship.org](http://acmetownship.org) under the "Current Meeting Minutes" tab.

If you require special assistance or auxiliary aids and services to attend the meeting by telephone conference, please contact Clerk Cathy Dye within 24 hours of the meeting at 938-1350 or [cdye@acmetownship.org](mailto:cdye@acmetownship.org).



**ACME TOWNSHIP PLANNING COMMISSION MEETING**  
**ACME TOWNSHIP HALL**  
**6042 Acme Road, Williamsburg MI 49690**  
**April 13 , 2020 7:00 p.m.**

**CALL TO ORDER WITH PLEDGE OF ALLEGIANCE**

**ROLL CALL:**

- A. LIMITED PUBLIC COMMENT:** Members of the public may address the Commission regarding any subject of community interest during public comment periods by filling out a Public Comment Card and submitting it to the Secretary. Public comments are limited to three minutes per individual. Comments during other portions of the agenda may or may not be entertained at the moderator's discretion
- B. APPROVAL OF AGENDA:**
- C. INQUIRY AS TO CONFLICTS OF INTEREST:**
- D. SPECIAL PRESENTATIONS:**
- E. CONSENT CALENDAR:** The purpose of the consent calendar is to expedite business by grouping non-controversial items together for one Commission motion without discussion. A request to remove any item for discussion later in the agenda from any member of the Commission, staff or public shall be granted.
- 1. RECEIVE AND FILE**
    - a.** Township Board Regular Meeting Minutes 02.04.20
  - 2. ACTION:**
    - a.** Approve Draft Planning Commission Meeting Minutes 02.10.20
    - b.** Approve Draft Planning Commission Special Meeting Minutes 02.24.20
- F. ITEMS REMOVED FROM THE CONSENT CALENDAR**
- 1.** \_\_\_\_\_
  - 2.** \_\_\_\_\_
  - 3.** \_\_\_\_\_
- G. CORRESPONDENCE:**
- 1.** Haggard's Plumbing & Heating
  - 2.** Jim & Kris Goran
  - 3.** Fred & Denny Rohn
  - 4.** Mary Raymer
  - 5.** Johanna & James Stevens
  - 6.** Bob & Kathy Garvey
  - 7.** Watershed Center
  - 8.** John Zaloudek
  - 9.** Rachelle Babcock
- H. PUBLIC HEARINGS:**
- 1.** None
- I. OLD BUSINESS:**
- 1.** None
- J. NEW BUSINESS:**
- 1.** SPR 2020-02 Bos Vineyard Site Plan Review
- K. PUBLIC COMMENT & OTHER PC BUSINESS**

If you are planning to attend and are physically challenged, requiring any special assistance, please notify Cathy Dye, Clerk, within 24 hours of the meeting at 938-1350.

1. Planning & Zoning Administrator Report – Lindsey Wolf
2. Township Board Report – Jean Aukerman
3. Parks & Trails Committee Report – Marcie Timmins

**ADJOURN:**



APPROVED

**ACME TOWNSHIP REGULAR BOARD MEETING**  
**6042 Acme Rd., Williamsburg MI 49690**  
**Tuesday, February 4, 2020 7:00 p.m.**

**CALL TO ORDER WITH PLEDGE OF ALLEGIANCE at 7:00 p.m.**

**ROLL CALL: Members present:** D. White, C. Dye, A. Jenema, J. Aukerman, P. Scott, D. Hoxsie

**Members excused:** D. Nelson

**Staff present:** L. Wolf, Planning & Zoning Administrator, V. Donn, Recording Secretary

**A. LIMITED PUBLIC COMMENT: Open at 7:01 pm**

Brian Kelley, Acme resident, voiced his concerns on the seawall at the Martin property on Deepwater Point. (Written letter submitted)

Rachelle Babcock, 4261 Bartlett Rd., read the remainder of Kelley's letter regarding the seawall on the Martin property that he was not able to complete in the three-minute time limited.

Harold Lassers, 4678 Arthur Ct., would encourage before allowing a yielding lake access that there should be an opportunity for public comment with pictures, a proposal and map.

John Martin, Watseka, Illinois, it is his mother's home on Deepwater Point that is being discussed. The seawall was there when they purchased the property in 1975 and they maintained it over the years. There has always been accessibility to the water for the public they have never prevented people from using it.

Kay Martin, 7015 Deepwater Point, the wall was there when she purchased in 1975. In 1986 the wall started deteriorating and they fixed it. It needs it again with the raise of water levels.

Greg Klinger, Redbud Roots, 6669 M-72, would like the township to revisit opting-in to adult recreational marihuana. He suggested having the CEO and corporate counsel of his company come before the board and do a presentation.

John Pulcifer Jr., 7701 US-31, would like the board to consider opting-in to the recreational marihuana. The tax money from the sales would go towards the local roads, schools, and municipalities.

Public comment closed at 7:20 pm

**B. APPROVAL OF AGENDA:**

**Motion by Dye to approve the agenda as presented, supported by Jenema. Motion carried unanimously.**

**Resend of the Approval of Agenda. Motion by Dye to resend the motion of approval of the agenda to add to I. Correspondence, Letter from Heather Smith with the Watershed Center and to K. New Business, 4. Fee Schedule, supported by Jenema. Motion carried unanimously.**

**C. APPROVAL OF BOARD MINUTES: Regular meeting 01/07/20. Motion by Dye to approve the Board meeting minutes of 01/07/20 as presented, supported by Aukerman. Motion carried unanimously.**

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**D. INQUIRY AS TO CONFLICTS OF INTEREST: None**

**E. REPORTS**

**a. Clerk: Dye reported:**

- Gave an update on the March 10 election, there will only be two ballots not three as originally thought. She is busy with absentee ballots they have doubled since last year, the count now is 1,200.
- The personnel committee met on January 23 to review the language in the employee handbook. The next meeting will be February 5 at 9:30 am
- The filing paperwork for Supervisor/Trustee/Clerk positions for the August election is available and in Clerk's office. Forms required are Nomination Petition and Affidavit of Identity to be filed no later than April 21, 2020.

**b. Parks: Jenema reported:**

- Lindsey Wolf and Chris Kushman are working on a date for the joint meeting with the board, planning commission and engineering of the Tart Trail.
- Jim Heffner and Karly Wentzloff from the Parks & Trails Committee are researching for new expansions of playground equipment at Bayside Park. They will be meeting with the representative from the company the bench swings were purchased from for options. The committee wants to have a plan together for anyone who might want to do a donation for the park.

**c. Legal Counsel – No report**

**d. Sheriff: Brian Abbring, reported there has been some criminal retail fraud in the area, McDonalds was given counterfeit bills. He has completed instructions as a training officer and may have someone with him now and then to train. He informed everyone should lock their cars to prevent break ins.**

**e. County: G. Lapointe reported:**

- Governor Whitmer approved to have refugees come to Michigan and the Commissioners voted unanimously to continue to welcome them to the area.
- There was a discussion on a proposal to combine the elected register of deeds and county clerks' position into one. It would possibly save the county money and other employees could be cross trained for some of the duties.
- There are concerns with MERS, the company that administers the pension, in trying to get consistent investment numbers from them.
- The airport's government model Act 137 which went in effect in 1945 has many conflicts with the current laws. Eminent domain is another airport issue that is being discussed to resolve. The current agreement has problems that continues to put the airport on the agenda.

**F. SPECIAL PRESENTATIONS: None**

**G. CONSENT CALENDAR:**

**1. RECEIVE AND FILE:**

**a. Treasurer's Report**

**b. Clerk's Revenue/Expenditure Report and Balance Sheet**

**c. Draft Unapproved meeting minutes**

**1. Planning Commission 01/13/20**

**2. APPROVAL:**

**1. Accounts Payable Prepaid of \$360,063.59 and Current to be approved of \$24,544.44 (Recommend approval: Clerk, C. Dye)**

**Motion by Scott to approve the Consent Calendar as presented, supported by Jenema. Roll Call**

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Motion carried unanimously.

H. **ITEMS REMOVED FROM THE CONSENT CALENDAR:** None

I. **CORRESPONDENCE:** Letter from Heather Smith with the Watershed Center

J. **PUBLIC HEARING:** None

K. **NEW BUSINESS:**

**1. Discussion on creating a Special Assessing District (SAD) for Springbrook Sub**

White explained he received a request to put in a SAD district for funding major repairs to their streets. The requests were from Springbrook and Scenic Hills and felt they would have enough people to support it. White informed the township doesn't have the funds to do this.

Lapointe informed the request should go in now for 2021 or 2022. The board would need to get with the road commission to see what their contribution would be. 70% of landowners responding back with support are required to proceed with the project.

Jenema stated they had gone through all the procedures before with this and it was not supported with enough of the residents. She felt there should be a policy in place before putting out any funds and invested work.

Aukerman suggested to get the estimated cost it would be to the residents so they know up front what they would have to invest. The neighborhood would need to get together and see who supports the project before starting the process.

White will get in contact with the people who made the requests to meet and establish a plan to find out how many will support the project before moving forward. Road Commission would need to go out and take core samples in order to give estimate on the cost to residents.

**2. Discussion on Special Events, Ordinance, & Committee Members**

Wolf explained there has been a request for a fine arts/craft show at Bayside Park for a weekend in August. In the packet it has detailed information with the specifics of the event. There is no cost for admission to attend and is open to the public. It needs to conform to the township's Special Events Ordinance and Parks Ordinance. There would be no staking of any tents or motor vehicles in prohibited areas as part of the ordinance requirements. The art show would need a permit and a fee to cover the cost of services for an event on township property. They are thinking of having the booths go around the circle pathway in the park. Vendors would go through a judged juried panel to be sure they had quality works to sell. The show planner would get with Metro, health department and any other agencies involved. They will provide their own garbage removal, security, extra bathroom facilities and cleanup crew.

Scott felt township artist should be encouraged to participate and was concerned the juried process could eliminate them.

The census of the board was to get more information and see what amount of space the show would utilize. The park needs to be open to the public while the event is going on. It will be brought back for discussion at the next board meeting.

**3. American Waste trash pickup contract**

White informed the 2011-2018 American Waste contract has expired. Currently they have not been given a new contract to sign and are upholding the same service. He asked if the board wanted to get bids from other haulers to compare.

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Jenema mentioned in the ordinance under Refuse Collection 2011-01, it states the requirements for a single hauler in the township. The board agreed to review the ordinance to discuss further at the next meeting.

**Motion by Scott to review the ordinance for discussion at the next board meeting, supported by Hoxsie. Motion carried unanimously.**

#### **4. Acme Township Fee Schedule**

Wolf informed under SUP/PD Administrative Amendment in the schedule, the application fee is \$150. The services that are provided at times exceed this amount. It doesn't leave any money left to consult with legal counsel or others that may be involved. She would like to change the amount to \$500 to cover the costs and any remaining will go back to the applicant.

**Motion by Jenema to approve the change to the SUP/PD Administrative Amendment in the Acme Township Fee Schedule from \$150 to \$500, supported by Aukerman. Roll Call Motion carried unanimously.**

#### **L. OLD BUSINESS:**

##### **1. Continued discussion on Woodland Park Access Deepwater Point Rd.**

White informed EGLE received an application for a permit to construct a riprap shoreline protection for the Martin property. They will not give authorization since the seawall extends beyond their property within the adjacent public access. The wall is 35 feet longer than the 100 feet in the permit. The township would need to give approval to EGLE for the seawall before the authorization of the permit can be given.

John Martin explained the existing seawall has been there since the property was purchased by his family in 1975. They have maintained the wall over the years from deteriorating. He was not aware of problems with it extending into the township access since it has always been there.

Jenema suggested to have EGLE work with the Martins to get a drawing and plan that is satisfactory and meets the objectives of The Watershed Center to have an opening for the public to access the water. Let EGLE get this where it needs to be before the township signs off on it.

White said Neil Schock with EGLE felt a 6-foot wide path to the water edge for the public access would work and bring the riprap up to that point. He will follow up with him right away.

**Motion by Scott for Acme Township acknowledges that the Martin family has replaced the existing approximate 133 feet of seawall which includes about 108 feet on their property and an approximate 25 feet of Acme Township's public access. Furthermore, Acme Township will approve a minimum six-foot wide opening in the public access if and when EGLE approves a revised drawing improving the rough concept shown to the Acme Township Board at this evening's meeting, supported by Dye. Roll Call Motion carried unanimously.**

##### **2. Discussion on sanitary sewer testing**

White informed this is to prioritize the areas needed to prevent blowouts. He has received proposals from three different companies for sewer videoing and smoke testing to look for infiltrated leak spots. Gosling Czubak suggested the pump station #4 service area, Grand Traverse Resort, Deepwater Point and Force Main at Bunker Hill to Five Mile were the top priority areas. He has not yet gotten with Gosling Czubak to go over the details. He wanted the board to see the

# APPROVED

proposals and will get with the companies on some questions about their pricing to bring back to the next month.

**PUBLIC COMMENT & OTHER BUSINESS THAT MAY COME BEFORE THE BOARD:** Opened at 10:00 pm


Harold Lassers said it would be helpful to have pictures and all the information available in the packet.

Brian Kelley suggested to have the board visit the public access paths. Some of the homeowners are encroaching into the public access.

**ADJOURN:** Motion by White to adjourn, supported by Jenema. Meeting adjourned at 10:04 pm

## CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a document from the official records of the township.

  
Cathy Dye, CMMC, Acme Township Clerk



**ACME TOWNSHIP PLANNING COMMISSION MEETING**  
**ACME TOWNSHIP HALL**  
**6042 Acme Road, Williamsburg MI 49690**  
**Monday, February 10, 2020 7:00 p.m.**

**CALL TO ORDER WITH PLEDGE OF ALLEGIANCE at 7:00 pm**

**ROLL CALL: Members present:** K. Wentzloff (Chair), S. Feringa (Vice Chair), M. Timmins, D. Rosa, D. VanHouten, B. Balentine, J. Aukerman

**Members excused:** None

**Staff present:** L. Wolf, Planning & Zoning Administrator, S. Winter, Planning Consultant Beckett & Raeder, V. Donn, Recording Secretary

**A. LIMITED PUBLIC COMMENT:** Open at 7:03 pm

Brian, Kelley, Acme resident, voiced his concerns of the rezoning parcel request on the agenda with the wetlands on it (written comments submitted)

Limited Public Comment closed at 7:05 pm

**B. APPROVAL OF AGENDA:** Motion by Timmins to approve the agenda as presented with the addition to G. 1. Correspondence, Brian Kelley letter dated February 10, 2020, supported by Balentine. Motion carried unanimously.

**C. INQUIRY AS TO CONFLICTS OF INTEREST:** None

**D. SPECIAL PRESENTATIONS:** None

**E. CONSENT CALENDAR:**

**1. RECEIVE AND FILE**

- a. Township Board Regular Meeting Minutes 01.07.20

**2. ACTION:**

- a. Approve Draft Planning Commission Meeting Minutes 01.13.20

**Motion by Balentine to approve the consent calendar as presented, supported by Timmins. Motion carried unanimously.**

**F. ITEMS REMOVED FROM THE CONSENT CALENDAR:** None

**G. CORRESPONDENCE:**

- 1. Brian Kelley letter dated February 10, 2020

**H. PUBLIC HEARINGS:** None

**I. OLD BUSINESS:**

**1. 2019 Planning Commission Annual Report**

Wolf informed the Michigan Planning Enabling Act requires a 2019 Annual Report of the Planning Commission for consideration and action by the Planning Commission. It is a written report to the legislative body concerning its operations and status of planning activities, including recommendations. Once the report has been approved it will be submitted to the Board of Trustees.

Aukerman suggested under the 2019 Milestones to change the word from accepted to appointed for Doug Whites position.

Wentzloff said under priorities for 2020 to rewrite the Stormwater Control Ordinance #2007-01 it would need to go before the board. She asked Aukerman as the liaison with the board if she would talk to them to help develop a plan and get an RFP out to get the project done for 2021.

Winter suggested to look at the CIP process and create a working plan later in the year to have it done by next spring.

**Motion by Timmins to adopt the Annual 2019 Planning Commission Report with the change of the word accepted to appointed, supported by Aukerman. Motion carried unanimously.**

**J. NEW BUSINESS:**

**1. Zoning Amendment #052 Fisk Rezoning Request – set hearing date**

Wolf explained the applicant Jody Fisk was out of town and not able to attend the meeting. She is seeking a rezoning of approximately 3.60-acre parcel at the corner of Bates Road and M-72 from A-1 Agricultural District, to B-4: Material Processing and Warehousing district. Fisk will be back in town for a Public Hearing in March. She wants to open a retail business with equipment for independent living.

Wolf consulted with Jeff Jocks, legal counsel, and used a write up he did of points to consider for a request to change zoning classification. Forms of development would need to be obtained and brought before the PC for approval from the agencies of MDOT, EGLE, Metro, soil erosion and stormwater. These reviews would be a protection mechanism of the wetlands and Yuba Creek.

**Motion by Balentine to set a public hearing for the regularly scheduled March 16, 2020 Planning Commission meeting to consider Zoning Ordinance Amendment 052 for the application to request to rezone approximately 3.60 acres of land from A-1 Agricultural to B-4: Material Processing located at 5990 Bates Road, Parcel ID 28-01-002-031-00, owned by Jody Fisk/M-72, LLC., supported by Timmins. Motion carried unanimously.**

**2. Special Event Ordinance Committee – PC rep needed**

Wolf informed in the Special Event Ordinance it states there is a Special Events Committee. The committee will consist of Paul Scott from the board, Wolf, an Acme Township citizen and needs a representative from the Planning Commission. Beth Balentine volunteered to be on the committee.

**3. Draft Zoning Ordinance Review Articles 1-3**

Winter stated the objective is to review the entire Zoning Ordinance draft, open it up for a 30 day viewing period and then have a public hearing. He, Wolf, and Jocks have reviewed the draft to give to the Planning Committee to begin with Articles 1-3 for revisions. Additional sections of the Articles will be given at each meeting until the draft is completed.

In Article 2: Zoning Districts and Map, the districts have mostly changed along M-72, West of US 31 and east of Lautner. In 2.1 new names for the zoning districts have been created to make them more intuitive to what the district is allowing. 2.2 the Intent and Purpose the structure has been changed to combine all the districts intent and purposes into one section with all the uses allowed.

The PC reviewed the description of each district on clarification and any adjustments. Manufactured homes and affordable housing options in the township were discussed.

Winter explained in Article 3: Regulated Uses and Dimensions, a table form shows the districts marked with P: Permitted Use, S: Special Use, PD: Planned Development and those with asterisk for \*Use with Supplemental Standards and \*\* Land Development Options. The PC went over each listed regulated use for clarification and definitions that falls under them.

It was decided to bring back the discussion of duplex dwellings to the next meeting. Winter will work on the definitions under some of the uses in question to expand the category more for allowances in township. He asked the PC to continue to review the draft and give him the revisions to the descriptions of the uses.

**K. PUBLIC COMMENT & OTHER PC BUSINESS:** Open at 9:09 pm

Brian Kelley, Acme resident, voiced his concerns with the agriculture property rezoning will give protection to the wetlands.

Public comment closed at 9:11 pm

1. **Planning & Zoning Administrator Report:** Lindsey Wolf informed there is a special meeting on February 24 and the potential of three public hearings at the March 16 meeting.
2. **Township Board Report:** Jean Aukerman informed there is a need for election workers and if anyone is interested or knows of someone who might be to contact Cathy Dye.
3. **Parks & Trails Committee:** Wolf informed there is not a meeting on February 17 because the township hall is closed. Rich from Sinclair Recreation was going to come and provided a playground equipment master plan. She will contact him to reschedule and let everyone know when.

**ADJOURN: Motion by Timmins to adjourn, supported by Balentine. Meeting adjourned at 9:13 pm**



**ACME TOWNSHIP PLANNING COMMISSION MEETING**  
**ACME TOWNSHIP HALL**  
**6042 Acme Road, Williamsburg MI 49690**  
**Monday, February 24, 2020 7:00 p.m.**

**CALL TO ORDER WITH PLEDGE OF ALLEGIANCE at 7:00 pm**

**ROLL CALL: Members present:** K. Wentzloff (Chair), S. Feringa (Vice Chair), M. Timmins, D. Rosa, D. VanHouten, B. Balentine, J. Aukerman

**Members excused:** None

**Staff present:** L. Wolf, Planning & Zoning Administrator, S. Winter, Planning Consultant Beckett & Raeder, V. Donn, Recording Secretary

**A. LIMITED PUBLIC COMMENT: Open at 7:00 pm**

Brian, Kelley, Acme resident, voiced his concerns with the solar project being on a parcel that slopes and if the development could put the risk of draining clay soil going into the Yuba Creek (written comments submitted)

Scott Jay, 6200 M-72 E., stated the solar project is adjacent to his property and he is opposed to it.

Jim Heffner, 4050 Bayberry Lane, stated his approval of the former Kmart property development for community resources. He also approves of the solar energy farm and trust the developers will take consideration of the wetlands.

Limited Public Comment closed at 7:08 pm

**B. APPROVAL OF AGENDA: Motion by Timmins to approve the agenda as presented with addition to G. Correspondence 1. Letter from Heather Smith with the Watershed Center, supported by Balentine. Motion carried unanimously.**

**C. INQUIRY AS TO CONFLICTS OF INTEREST: None**

**D. SPECIAL PRESENTATIONS: None**

**E. CONSENT CALENDAR:**

**1. RECEIVE AND FILE**

a. None

**2. ACTION:**

a. None

**F. ITEMS REMOVED FROM THE CONSENT CALENDAR: None**

**G. CORRESPONDENCE: Letter from Heather Smith with the Watershed Center**

Wentzloff gave an overview of the correspondence sent by Heather Smith with the Watershed Center on issues for consideration on the solar project. She would like to make sure the wetlands are not affected and is looking for the wetland delineation to be performed. There should be greater setbacks due to the slope on the property and would like clarification on how the stormwater would be impacted by the solar panels.

**H. PUBLIC HEARINGS: None**

**I. OLD BUSINESS: None**

**J. NEW BUSINESS:**

**1. Kmart Planned Development – set hearing date**

Winter gave an overview of the applicant Daniel Stern with Lormax Stern, proposing a Planned Development to reuse the former Kmart building and property for a mixed-use development. The plan includes using two thirds of the existing building for climate controlled indoor storage, and improvements to the property including office space, childcare, retail, potential of a residential component, and a small park space along US-31. Today the Planning Commission is to have a preliminary review of the application and determine if it meets the township land use goals and objectives. A public hearing would need to be held before approving or denying a recommendation to the township board. There is a summary of the general description and recommendations of considerations to be discussed.

Daniel Stern informed of other projects he has redeveloped for reference and is willing to work with the township to have the uses of the property fit into the master plan. He has contacted various people for starting businesses in the project and a developer on the residential housing. He is concerned with just constructing buildings since there is already several vacant properties in the area.

Rosa inquired for stormwater management, when doing the excavating would he be using newer pervious asphalt. Stern told him when replacing asphalt, he would look at newer materials and the rainwater drainage.

Winter illustrated in the plan by adding more entryways in a couple different areas it would give more accessible to all the buildings throughout the property and more density to its use.

Wentzloff stated for the PD agreement she would like to see commitment for Phase I of the project and a plan of the rest of the phases. She would also like to pare down the permitted use list of B3 and B4 options that might be considered.

Winter said to include the utility and sewer plans for the property in the PD. Also, if he put the storage component into the plan it would give him the option to go forward with it in the future without coming back for an amendment.

**Motion by Balentine to set a public hearing at the regular Planning Commission meeting March 16, 2020 at 7:00 pm to receive public feedback on application number PD 2019-01 for proposed Planned Development of the former Kmart property located at 6455 US-31 N., Williamsburg, MI 49690, and to have staff begin composing the associated draft development agreement, supported by VanHouten. Motion carried unanimously.**

**2. Prism Powers Solar Energy Farm Special Use – set hearing date**

Jeremy Jones, Partner with Prism Power Partners, LLC and Tim Jones, Civil Engineer with Atwell, LLC, are seeking a site plan review and special use permit to develop a 50-acre solar project located south of M-72, east of Bates Road, and north of the TART Trail.

Jeremy Jones gave an overview of his company and details of how the solar panels would sit on driven piles surrounded by a fence for security. The panels would be off set on parts of the property avoiding the wetlands. The floor under the panels will be vegetated. The fire department review requires a gravel access road for emergency vehicles and a ten-foot wide non-flammable perimeter around the panels. Benefits for the community would be solar panels are taxed as industrial personal property, a project this size could bring in an estimated for the first year of \$113,000 in taxes. Also creates jobs to develop the project and generates renewable power.

The PC asked questions on the slope, glare from the panels, setbacks, type of fencing, and any chemicals in the panels. Jeremy explained they will reduce the height of the main hill in the middle of the property and avoid any large deposits in the wetlands. As the developer they would hire a contractor to complete the grading first for any topography issues and have a good

stabilization plan.

He informed any glare from the panels is less than snow or constructed concrete. The glass fixture on the panel is to trap and absorb the light for the solar. The panels would be facing south and not be seen from the road. EGLE will do a formal wetlands delineation where the setbacks will be. The fencing would be 8- foot in height with a couple of strands of barbwire at the top for security. He said they are flexible on the type of fence and would work with the township on what they felt would be the best option. The census of the PC was to not have any barbwire. The panels do not have any hazardous materials and are completely sealed designed to not let any water or air inside. They are very durable with a life span of 35 years. There will only be an electrical line with a pole to run to the substation.

Wolf stated to have in their drawing plans to show the trees that will be retained in the undisturbed areas. The property is zoned light industrial and fits in the township vision.

**Motion by VanHouten to set a public hearing for the regularly scheduled March 16, 2020 Planning Commission meeting to consider the application requested for a special use permit for Prism Power Trailside Solar Farm in the B-3 Planned Shopping Center District, Parcel ID 28-01-002-002-02, owned by Kelly M. Hagen, supported by Timmins. Motion carried unanimously.**

**3. Draft Zoning Ordinance Review Article 3**

PC decided to discuss this topic at another meeting.

**K. PUBLIC COMMENT & OTHER PC BUSINESS: Open at 8:39 pm**

Scott Jay is concerned the pine trees on the solar property would be removed.

Brian Kelley has concerns with the clay soil draining into the creek and danger of an electrical fire with the panels.

Public comment closed at 8:44 pm

- 1. Planning & Zoning Administrator Report:** Wolf informed there will be three public hearings and a site plan review at the March PC meeting. She will be scheduling a special meeting in March to continue reviewing the Draft Zoning Ordinance and will confirm with everyone the date.
- 2. Township Board Report:** No report
- 3. Parks & Trails Committee:** Wentzloff informed she and Jim Heffner have been working on a plan for the park playground equipment and at the next parks and trails meeting they will go over the pros and cons.

**ADJOURN: Motion by Timmins to adjourn, supported by Balentine. Meeting adjourned at 8:46 pm**

*Haggard's*  
**PLUMBING and HEATING**  
"Business of Quality and Service"  
"Charlevoix-the-Beautiful"  
haggardsinc@hotmail.com



March 2, 2020

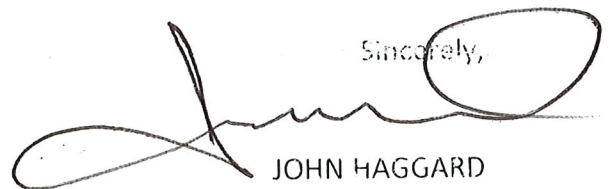
Lindsey Wolf Planning & Zoning Administrator  
6042 Acme Rd.  
Williamsburg, MI 49690

RE: Applicant Daniel Stern seeing approval for a Planned Development on property located at  
6455 US-31 N. Parcel#28-01-234-036-00

To Whom it May Concern,

Upon reviewing the above Article, I would like to express my view on the above plan request. Haggard's Plumbing & Heating is not opposed to the changed of the property and/or the request to the Zoning Board. If a property owner is fortunate enough to have the ability and the resources in this time to either build and/or improve their existing property, it would only help the economy continue to grow. It would prove positive for the local, county and state to do all we can to improve and promote growth in anyways possible.

Sincerely,



JOHN HAGGARD

*Haggard's*  
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"Charlevoix-the-Beautiful"  
haggardsinc@hotmail.com



March 2, 2020

Lindsey Wolf Planning & Zoning Administrator  
6042 Acme Rd.  
Williamsburg, MI 49690

RE: Rezoning of 3.60 acres of property located at 5990 Owned by Jody Fisk/M-72 Bates, LLC  
from A-1 to B-4 Parcel#28-01-002-031-00

To Whom it May Concern,

Upon reviewing the above Article, I would like to express my view on the above plan request. Haggard's Plumbing & Heating is not opposed to the changed of the property and/or the request to the Zoning Board. If a property owner is fortunate enough to have the ability and the resources in this time to either build and/or improve their existing property, it would only help the economy continue to grow. It would prove positive for the local, county and state to do all we can to improve and promote growth in anyways possible.

Sincerely,

A handwritten signature in black ink, appearing to be "John Haggard".

JOHN HAGGARD

*Haggard's*  
**PLUMBING and HEATING**  
"Business of Quality and Service"  
"Charlevoix-the-Beautiful"  
haggardsinc@hotmail.com



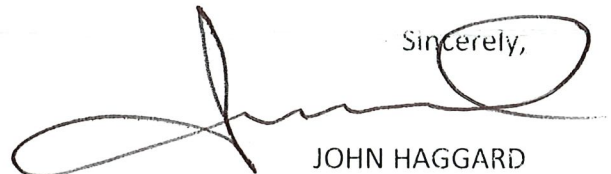
March 2, 2020

Lindsey Wolf Planning & Zoning Administrator  
6042 Acme Rd.  
Williamsburg, MI 49690

RE: Application for Kelly M. Hagan for a special use permit and site plan approval to construct at 51-acre solar energy farm. Parcel#28-01-002-002-02

To Whom it May Concern,

Upon reviewing the above Article, I would like to express my view on the above plan request. Haggard's Plumbing & Heating is not opposed to the changed of the property and/or the request to the Zoning Board. If a property owner is fortunate enough to have the ability and the resources in this time to either build and/or improve their existing property, it would only help the economy continue to grow. It would prove positive for the local, county and state to do all we can to improve and promote growth in anyways possible.

Sincerely,  
  
JOHN HAGGARD

March 4, 2020

Subject: Kmart Zoning Variance / Special Use Consideration

Ref: Application number PD 2019-01

*6. Land Uses: All the uses specified in the application are allowable in the CF: Corridor Flex district, except the indoor self-storage.*

*8. Phasing Plan: No phasing plan has been provided and therefor no indication to the orderly pattern of development that may occur. Without a plan, it is assumed the former Kmart building will be redeveloped early in the process, with the other buildings being developed based on market demand and the residential component determined by the result of future market analysis*

As long-term taxpayers in Acme Township and founders of The Greater Grand Traverse Self Storage Owner's Association, we are writing to express our concern over the potential approval of the Industrial Warehousing special use application. Projects like the proposed have become common in "depressed" areas, most recently in abandoned Kmart facilities which are converted into storage. While we support "adaptive reuse" efforts, the proposed project is asking for a major expansion to Acme's already generous allotment of Commercial / Industrial Warehousing zoning, that keeps separation from residential and shopping districts.

We hope that the township planning commission would consider the following:

- The development of self-storage infrastructure is a carefully staged development process, designed to ensure supply does not far exceed demand. Making such a large (*over 44,000 sq ft*) special allowance for this type of business will create a long-standing saturation of warehousing/storage, which depresses those storage facilities respecting and operating in already-approved zones.
- Storage facilities that were built specifically for storage use, within the appropriate zoning area, cannot easily be converted to another use. The Kmart building in question, however, can and should be used for various types of already-approved retail and/or office space. It is out of the scope of business necessity to create special allowances and work-arounds for a space not designed for the purpose being requested, and that would be harmful to existing businesses that area upholding the Master Plan. The application cannot disguise that this is largely a self-storage warehousing development.
- This is a decision that has proven to be hard to reverse, once set in motion. Creating a Warehousing district in this residential and village development area will permanently lesson the appeal to future development and individuals looking for attractive living space.

Acme Township is a growing, vibrant area, thanks to its Master Plan and current usage regulations that were carefully designed to maximize its land resources. We strongly urge that the planning commission adheres to the voter- and tax payer-supported zoning and master plan.

Thank you,

Jim and Kris Goran – March 4, 2020

Owners of AAA Self Storage

Founders of The Greater Grand Traverse Self Storage Owner's Association



**The Greater Grand Traverse  
Self Storage Owner's Association**

## Lindsey Wolf

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**From:** Denny Rohn <mdwr06@gmail.com>  
**Sent:** Thursday, March 05, 2020 3:31 PM  
**To:** Lindsey Wolf  
**Cc:** jaukerman@sbcglobal.net; steve.feringa@live.com; sticknstonez@gmail.com; Doug White  
**Subject:** Solar Farm

Dear Lindsey,

We wanted to touch base with you regarding the proposed solar farm at Bates Rd and M-72. While we generally are in support of increasing the access to solar energy, we have significant concerns to this project due to the adjacent headwaters of Yuba Creek at the proposed site. The topography of this location has sloping which makes runoff into the creek inevitable and a considerable concern. As water comes off the solar panels from rain, it will most definitely reach the creek and will be of an elevated temperature. The Yuba Creek is a designated COLD water trout stream....the temperature is important to sustain the existing waterlife and health of the creek. Additionally, it empties into East Bay ...any reduction to the quality of Yuba Creek, will undoubtedly, degrade East Bay as well.

We would hope and suggest that the township take this installation site's topography and adjacent natural features into serious study. It would be our suggestion that the township hire an expert to fully examine this site and its proposed use. The developer should cover this expense . If the site shows suitability with no threat to the creeks and bays, then we could support this use. The potential for runoff, reduction of water quality and legal issues should be professionally evaluated PRIOR to the go-ahead. The township has learned this lesson in some difficult circumstances in the past. I hope that you will share our concerns with the Planning Commission and with Doug White.

We plan to attend the public hearing on March 16. Hopefully, the Planning Commission will make an informed and environmentally sound decision.

Thank you, Lindsey

Fred and Denny Rohn

--

**Denny Rohn**

9267 Shaw Rd  
Williamsburg, MI  
49690

**616.485.3749**

## Lindsey Wolf

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**From:** Karly Wentzloff <karly.wentzloff@gmail.com>  
**Sent:** Wednesday, March 11, 2020 10:33 AM  
**To:** raymermsw@aol.com; Lindsey Wolf  
**Subject:** Re: K-mart warehouse project

Thank you for your comments I will include them for the planning commission at our public hearing.

Karly



m 231.944.9800 | [www.karlywentzloff.com](http://www.karlywentzloff.com) | [karly.wentzloff@gmail.com](mailto:karly.wentzloff@gmail.com)

On Tue, Mar 10, 2020 at 8:13 PM <[raymermsw@aol.com](mailto:raymermsw@aol.com)> wrote:

Oh my thanks for the opportunity to comment. Industrial use is a horrible idea----- what homeowners would want to live with the noise etc. ? Been their and down that in Detroit----- what future developments of a livable space would want to build here?Please contact me if you have questions. We already have shut down restaurants in the area ----- this would just encourage blight. Is the almighty dollar that important. We are killing the Golden Goose with ongoing bad decisions. So sad. Mary Raymer

To: Acme Township Planning Commission

Subject: Kmart Zoning Variance / Special Consideration

Reference: Application number PD 2019-01, Parcel 28-01-234-036-00

As 35 year business owners (Acme Storage) & taxpayers in Acme Township we wish to express our concerns with this project. Acme Mini Storage was developed in accordance with the existing zoning, B4: Material Processing and Warehousing.

We respectfully request that the following points be considered:

1. The Lormax Stern project is primarily a 48,000 square foot self-storage/warehouse facility with a potential for expansion to 86,000 square feet of storage (area immediately adjacent in the existing structure). The composite storage footprint would approximately double the existing self-storage capacity in Acme Township. Existing local business/storage facilities will be significantly impacted due to over-capacity. We submit that the impact on Acme Businesses and community will be negative.
2. We cannot understand how the CF corridor in question will be enhanced by allowing a B-4 Zone self-storage/warehouse. The existing developments/business and the immediate proximity to SFN: Single Family Neighborhood, R-3 Urban Residential seem to be at odds with B-4 Zoning intent.
3. The purpose for B-4 is to cluster like business/warehousing away from developed SFN and R-3. This proposal does the opposite. Further it seems implausible that dissimilar perimeter business will be attracted to the location thus limiting future business/property development in the CF corridor.

Acme Mini Storage is proud to be located in Acme Township and support the Community Master Plan 2019. We strongly urge that the planning commission adheres to the letter and spirit of that plan.

Respectfully,

Johanna Stevens, Owner Acme Storage

James A. Stevens, General Mgr. Acme Storage

Dear Acme Township Planning Commissioners:

We are writing regarding the Prism Power Solar Energy Farm SUP. We understand the hearing is scheduled for this coming Monday. Unfortunately, we cannot attend. We are submitting this letter in lieu of "in person" comment. Thank you for taking the time to read it.

For people in communities like Acme, solar developments generally evoke mixed feelings. In our discussions with residents, we found that nearly everyone supports the concept of solar as a cleaner alternative to fossil fuels. When asked whether they would like to look at thousands of solar panels on land adjacent to their home we generally get a different answer.

We would hope that the Prism Power site would be thoroughly evaluated for "compatibility with the surrounding area" from two perspectives.

First, its impact on neighbors and businesses generally and, Second, its potential impact on the Yuba Creek.

As far as compatibility with the neighborhood, we have no opinion. We don't live in close proximity. We will not be able to see it nor be impacted in any negative way visually by its presence. The issue of aesthetic compatibility will have to be preserved and argued by people who are more directly impacted.

As far as the second issue i.e. adverse impact on the Yuba Creek, we are opposed at this point because we have strong concerns, many questions and a vigorous suggestion that further study is needed.

My concerns and questions were raised after a 2 1/2 hour walk through the site.

If you are familiar with the piece you know that it is a beautiful piece of land. It is made up of rolling wooded hills with some steep grades surrounded by areas of wetlands. Multiple areas of artesian spring activity culminate with the beginnings of the Yuba Creek. If you follow the wetlands that begin pretty much at the beginning of the Tart Trail at M72 and follow it South and West, you'll see how it literally forms the beginnings of the Yuba Creek. In fact, the Yuba Creek surrounds a significant percentage of this site. You can locate many of the springs by looking for the flowing water and the presence of watercress. Watercress is generally thought to be a sign of a quality water source and is frequently seen where springs come out of the ground.

The concerns we have are pretty simple. The slopes you are dealing with are significant. 35 % to 45% in the South and 15% to 25 % in the east are fairly steep slopes. How many thousands of solar panels will replace the forest that is there now?

What happens to the rainwater that hits these panels?

It may be that there is no difference between the flow of rainwater as it falls on the existing forest and the flow after the rain hits thousands of impervious panels. We are not environmental

engineers or hydrologists, so we don't know. Will a deluge of water coming from these panels increase flow or temperature of the Creek water? We don't know. We would like answers.

What we do know is that higher volumes of water particularly warm water, is detrimental to cold water trout streams.

Why should you care about the Yuba Creek? You should care, because you are a resident of this beautiful community and because the Master Plan requires that you be concerned about the water quality of the two Michigan designated cold water trout streams. These two cold water streams are entirely contained within our township.

Why should you care about trout? Because trout tell you your water is clean. Trout tell you the water is cold and the water is well oxygenated. Where you have trout you have good water. That's good because both of our streams flow into East Bay where we get our drinking water.

So, what we are asking you to consider?

Before this project is approved the issue of rainwater flow, sediment, temperature and volume needs to be studied by professionals who don't have a dog in the fight. The person(s) studying it should be independent and the developer should pay for the studies. They chose this location. They will profit from it.

Solar energy is a good thing in our opinion. But these huge solar developments are new concepts for us. We need answers when the developers ask to locate them adjacent to our streams.

Sincerely,  
Bob and Kathy Garvey  
7490 Lautner Road  
Acme Twp., MI 49690

The Yuba Creek runs through the eastern property line of our farm. We have been maintaining a DEQ permitted sand trap on the creek for the last 15 or twenty years at a cost of \$1,500 per excavation.

We were major sponsors of the GTRLC's Yuba Valley Natural area. We will continue to advocate for the protection of the Yuba and Acme Creeks.

March 16, 2020

Acme Township Planning Commission  
6042 Acme Road  
Williamsburg, MI 49690  
*Sent via e-mail*



Dear Acme Township Planning Commissioners,

I am writing regarding the proposed Trailside Solar Project scheduled for Public Hearing on March 16, 2020. The Watershed Center advocates for clean water in Grand Traverse Bay and works to preserve and protect its watershed. We reached out to the Commission last month with preliminary concerns about the proposed development as the site is environmentally sensitive with steep slopes, wetlands, and the headwaters of Yuba Creek onsite. We applaud aspects of the proposed project and are grateful for the opportunity to speak directly to Prism Power Partners. We still have concerns with stream and wetland impacts and offer the following for your consideration.

Due to the sensitivity of the site, stormwater carrying sediments and pollutants during and after construction is a major water quality concern. Stormwater causing erosion during earth changing activities such as construction falls under the regulation of Soil Erosion and Sedimentation Control (SESC) administered by Grand Traverse County. We will continue to advocate for strong SESC protection with the county.

Stormwater after construction is complete falls under jurisdiction of the Township's Stormwater Control Ordinance. While we applaud the applicant's proposal to plant native vegetation under the solar panels to encourage stormwater infiltration as well as the use of an infiltration basin to help excess stormwater from impervious surfaces to infiltrate onsite, we have concern with the statement that "existing stormwater and drainage patterns will generally remain unchanged due to the development" (page 131 of agenda packet). We agree with the Township's stormwater engineer, Gosling Czuback Engineering Sciences, Inc., that the solar panels may contribute to an increase in stormwater as they are an impervious surface. In particular, stormwater will not infiltrate as readily while the plants under the panels are establishing, likely causing stormwater to sheet flow during this time. This should be carefully considering when approving the project.

To adequately address stormwater impacts during and after construction, the applicant should leave ample vegetation between the wetland-stream network and the extensive hillside grading. Deep rooted vegetation such as native trees, shrubs, forbs, and grasses help slow and infiltrate stormwater, trap sediment, and absorb pollutants. Site plans indicate the proposed vegetation clearing may be as close as 25 feet from the wetland-creek network. To ensure the Standards for Site Plan Approval are met, specifically those in Section 8.2 (f), (l), (j), and (k), we recommend the Commission condition approval on

ensuring a native vegetated buffer of 50 feet in width exists between the wetland-stream network and onsite grading, solar panel installation, and/or the road network.

We applaud the applicants for keeping development outside of the wetland network. Wetlands are critical for healthy watersheds as they filter water, stabilize shorelines, attenuate floods, store carbon, and provide fish and wildlife habitat. We understand that no wetland delineations have been performed on the site and that an official wetland delineation is proposed after leaf-out. We encourage the Commission to condition approval on ensuring that no development occurs within the wetland network and that wetland setback standards outlined in the Township's Stormwater Control Ordinance Section 2.D that states "soil disturbance and removal of natural ground vegetation... within 25 feet of a regulated wetland shall be prohibited unless approved by the Drain Commissioner" is upheld.

The impact of stormwater runoff on Yuba Creek and neighboring properties should be negligible if the Township's Stormwater Ordinance, the County's SESC plans, and best practices are employed. Since this is a sensitive site and we have experienced how stormwater leaving a large site completely cleared of vegetation can lead to serious problems, we are asking the Commission to carefully review this project. Again, we applaud several design features and do hope that Prism Power Partners will set a great example of sustainable, eco-conscious development in Acme Township. Please let me know if The Watershed Center can be of any assistance as plans move forward.

Sincerely,

A handwritten signature in black ink, appearing to read "Heather Smith", with a stylized flourish at the end.

Heather Smith

Grand Traverse BAYKEEPER®

## Lindsey Wolf

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**From:** jazbay@aol.com  
**Sent:** Monday, March 16, 2020 3:58 PM  
**To:** karly.wentzloff@gmail.com  
**Cc:** steve.feringa@live.com; sticksnstonez@gmail.com; danv1953@hotmail.com; bethfinch50@yahoo.com; atpc7rosa@yahoo.com; jkawkerman@sbcglobal.net; Lindsey Wolf  
**Subject:** Prism Power Partners (PPP) - Solar Power Proposal

Good Afternoon:

I am a resident of Acme Township at 10351 Kay Ray Road, Williamsburg, MI. Since township offices are closed to the public and there is a Plan Commission meeting this evening (3/16/2020), I wanted to pose some questions regarding the subject project proposal.

1. Acme Township Benefits. What are the direct and indirect benefits of this project over its lifetime other than tax revenue for Acme Township?
2. Scenic Quality. The mission of the Grand Traverse Regional Land Conservancy is "Protecting Significant Natural, Scenic and Farm Lands – and Advancing Stewardship – Now and for Future Generations". Acme Township is in the GTRLC service area. What are the requirements for PPP to add to and replace dead or damaged trees and all other scenic qualities over the lifespan of the project that is consistent with the GTRLC mission to enable a "Northern Michigan look" that surrounds the property with the proposed solar panels?
3. Storm Water Runoff. Climate change has affected rain storms in Acme Township and Northern Michigan. Sudden heavy downpours are now more frequent rather than a day long gentle rain. As a result historical rainfall rate data for the area is not useful as a reference. Projections of future rainfall rates of inches per minute by expert meteorologists must be a requirement. These projections then need a safety factor of 2X or 3X as the basis for managing storm water runoff as the basis for the requirements that PPP must include in this project. What are the specifics of these requirements?
4. Project End-of-Life. Eventually the useful life of the panels will end and PPP must be held financially accountable for restoring the site to its original condition. What financial provisions such as bonding, insurance policies, escrow or any other financial security will the plan commission require of PPP to provide for covering the cost of removal of the panels and all supporting structural elements related to the project and returning the site to its original condition?

While I support moving toward non-fossil fuel approaches for power generation these factors and others over the total lifetime of the project must be factored into plan commission decisions. I would appreciate having my letter read into the minutes of this 3/16/20 Acme Township Plan Commission meeting or a future meeting if this one postponed.

Thanks to you and all Plan Commission members for your time and effort in behalf of our township.

Sincerely,

John Zaloudek

Acme Township Planning Commission  
Acme, Michigan



March 16<sup>th</sup>, 2020

I am writing in response to a new industry coming before the Acme Planning Commission that will have a profound effect, not only on Acme, but, every area in Michigan deemed rural, forested, or agriculture, to name a few. This new technology is Solar Industrial Energy. It is presented as a means of helping us reduce our reliance on fossil fuels. That in itself is good. But, the guidelines of how best to utilize this source of power still has its drawbacks. As the guidelines for this industry are still up for individual state interpretation.

My question is "What will it do to our rural farm industry? What will it do to unspoiled Natural Resources and natural wild life? What can the Solar Industry installations do to our Water Sheds, lakes, rivers, and streams here in Michigan; especially here in Northern Michigan where tourism is important. Those are some of the questions I'm looking for answers on. These areas are Solar Industries target areas. Farmers who are struggling to stay on the land will be especially vulnerable to this industry; especially if those in commerce call it a Solar Farm. It is not a Solar Farm! It is Industry!

I hope the public has not run out of time to voice our concerns in regards to the zoning rules we implement on Solar (Farm) Industries. We are a rural township along a large track of water with a high amount of tourism. Do we want to become a draw for Solar Industry? I hope those of you on the Planning Commission, and also, our Board of Directors will take time to familiarize yourselves with the science, good or bad, that is available on the Industry aspect of Solar.

Has this Solar project slated for Acme sent it's team manager out to the property to collect samples of the soil or the water to gain a benchmark of what is in existence there to start? This is the first solar project to actively come before the Acme Planning Commission. It's location may be back away from the Highway's view shed, but, it is located at the headwater of Yuba Creek! This site includes a steep hill that will need grading down, and, some forested area that will require deforestation.

Meijers was responsible for all the clay silt run-off in it's vicinity of the Acme Creek, water shed area. I realize I threw a zinger at you, but, the commercial zoning for Yuba Creek vicinity has put it in the same jeopardy should they find it too has a clay top base of soil. Being zoned commercial, the property is just a setting duck for a worse case scenario. Who owns this land, and is it possible to get it rezoned.? Is there more land along the Yuba Creek at risk? Can it be rezoned as a "Fragile - Natural" protected area? Our Township has a strong reliance on Tourism and Agriculture, and, having so many gems of nature, it would seem the logical thing for us to do is to take another look at all our most vulnerable natural resources and give those deemed most fragile special zoning protection.

Before we commit to fields of industrial solar panels I ask that we step back and rethink this path we are taking with our new Energy Science and where it might be placed to least effect our natural balance of nature going forward. After reading what is planned for Acme in regards to this Solar project I went on line to read about what other areas similar to ours are experiencing with Solar Industries. One paper to read is by the Essex County Conservation Alliance – [www.essexcca.com](http://www.essexcca.com) , for a start.

Solar panels on businesses or homes is without most of the risks possible with Solar (Farms)

Industry. But, that is not what is driving big energy industries! Solar (Farm) Industry could provide more return on the dollar.

In closing maybe a better place for this Solar Farm, here in Acme, is on the top of Kmart or Toms empty buildings as they are re-purposed.

Sincerely,

Rachelle Babcock  
Acme



## Acme Township Planning & Zoning Report No. 2020-04

Meeting Date: March 16, 2020  
Subject: Bos Farmhouse  
Application No: SPR 2020-02

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**Date:** 3.3.2020

**Project:** Bos Farmhouse  
7352 Angell Road  
Williamsburg, MI 49690

**Applicant:** Jackie & David Bos  
7352 Angell Road  
Williamsburg, MI 49690  
(707)815-3226

**Owner:** Same

**Request:** Wine Tasting Room

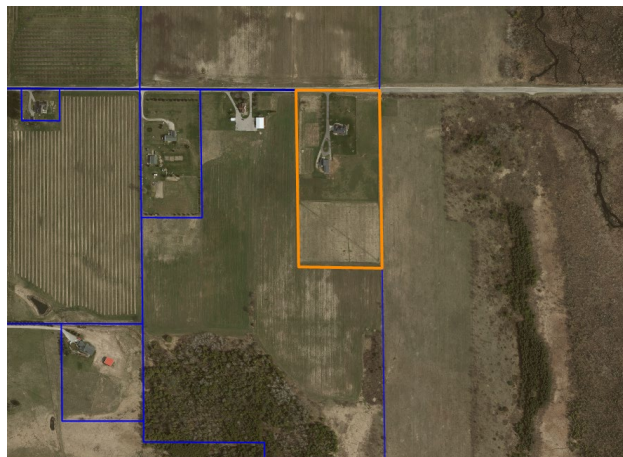
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### GENERAL DESCRIPTION

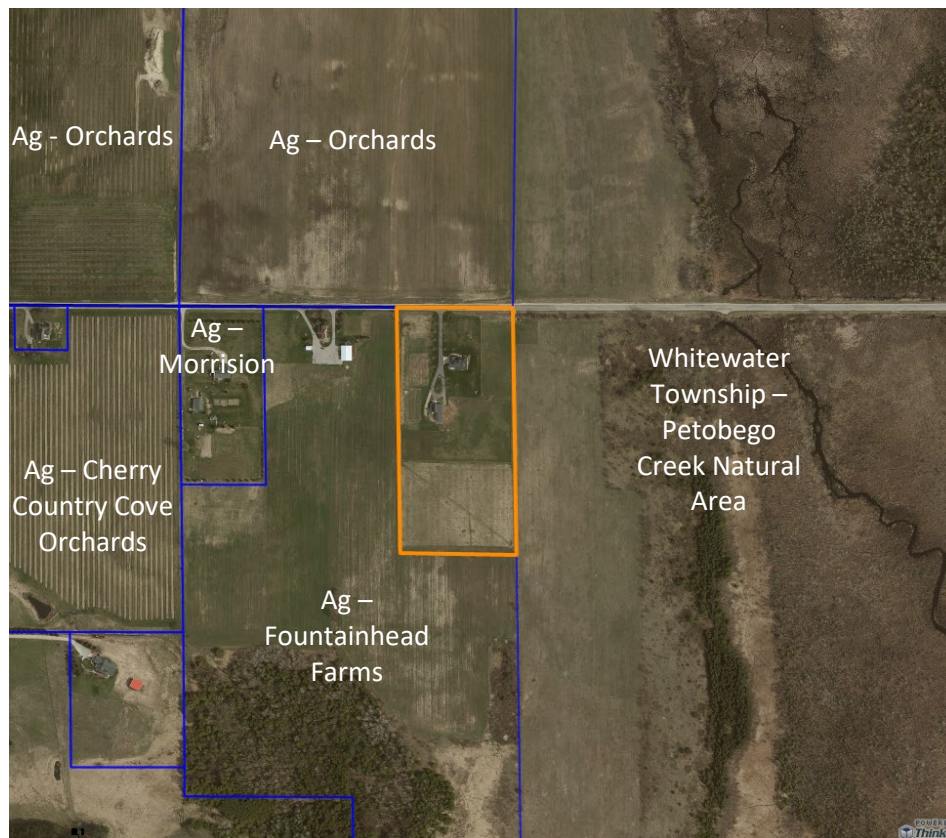
**Proposal:** The Applicant is proposing to convert the existing barn used previously for agricultural purposes into a wine tasting room for commercial use to serve between 18-54 visitors daily.

**Parcel Number:** 28-01-008-001-03  
**Location:** 7352 Angell Road Williamsburg, MI 49690  
**Acres:** 10  
**Zoning District:** A-1: Agricultural  
**Current Use:** Single Family Home; Agricultural  
**Propose Use:** Commercial Wine Tasting Room

**Legal Description:** PART OF NW 1/4 SEC 17 T28N R9W COM AT N 1/4 CNR SEC 17 TO POB TH S 00 DEG 55'35" E 947.12' TH N 89 DEG 46'05" W 460' TH N 00 DEG 55'35" W 947.12' TH S 89 DEG 46'05" E 460' TO POB SPLIT ON 08/24/2000 FROM 01-008-001-00; SPLIT ON 8/7/02 FROM 01-008-001-02



## Adjacent Zoning & Land Uses:



**Traffic Access:** Angell Road

## ZONING ORDINANCE REVIEW

Listed below are the applicable sections of the Zoning Ordinance that pertain to the proposed project. Items that do not satisfy the standards required by the Zoning Ordinance have been indicated with **red text**.

<b>A-1: Agricultural District</b>			
<b>[§6.13]</b>	<b>Building Placement, Density &amp; Parking</b>		
<b>Regulation</b>	<b>Requirement</b>	<b>Site Plan</b>	<b>Met</b>
<b>Minimum Lot Size</b>	5 acres; 10 for a small wine maker (3 acres planted) per 6.12.2(12)	10 acres total parcel; 6.1 acres vineyard;	<b>Yes</b>
<b>Minimum Lot Width</b>	n/a		<b>n/a</b>
<b>Min. Lot Depth</b>	n/a		<b>n/a</b>
<b>Front Setback</b>	50'	Within setbacks: existing buildings, footprint will not be changed	<b>Yes</b>
<b>Side Setback</b>	25'		
<b>Rear Setback</b>	40'		
<b>Maximum Building Height</b>	35 (g)	Existing – no proposed changes	<b>Yes</b>
<b>Lot Coverage</b>	n/a		<b>n/a</b>
<b>[§7.5]</b>	<b>Off-Street Parking Regulations</b>		
<b>7.5.3(c5)(</b>	9 spaces needed per 150 SF usable space	10 spaces	<b>Yes</b>
<b>7.5.4(1) Parking Angle &amp; Space Width/Length</b>	Parking angle: 90 Space Width: 9' Space Length: 20' Maneuvering Lane: 20"	Parking angle: 90 Space Width: 9' Space Length: 20' Maneuvering Lane: 20"	<b>Yes</b>

<b>7.5.4 (B.5) Surface</b>	Except for parcels zoned for single-family and duplex dwellings, all off-street parking areas shall be surfaced with seal coat, blacktop or equivalent material that shall provide a durable and dustless surface; and shall be graded and drained to dispose of all collected surface water. <b>The Planning Commission may allow the installation of partially pervious parking areas provided such parking areas will be constructed so as to provide a durable and dustless surface.</b>	Gravel; handicap space will meet ADA standards. The applicant is requesting this type of surface to better fit in with the character of the surrounding landscape/conservancy/small farm aesthetic. Gravel fire lanes have been approved by metro fire.	<b>TBD By PC</b>
<b>7.5.4(B.6) Parking Lot Lighting</b>	Except for parcels zoned for single-family and duplex dwelling units, <b>all off-street parking areas with a capacity of four or more vehicles shall provide adequate lighting throughout the hours when the parking area is in operation.</b> All lighting shall be from high pressure sodium light sources with shielded down lighting and non-projecting lens and shall be installed as to be confined and directed into the parking area only.	10 spaces Hours of operation: 11am-5pm  Hours of operation fall between daylight hours (earliest sunset 5:03 pm). No parking lot lighting indicated. Not required to be lit after business hours.	<b>No* /TBD</b>
<b>7.5.4(c) Parking Area Buffering, Landscaping, Screening</b>	C1. Off-street parking areas landscaped on all side visible from surrounding property; 10' buffer required 36" or higher C2(a) 10' buffer required C2(c) screening 36" or higher C2(d) refuse receptacle screened on all sides	10' with and 36" or higher shrubs and orchard trees; orchard and vineyard also provide additional screening Trash to be located in existing shed	<b>Yes</b>
<b>7.5.4 (3) Treed Islands</b>	Treed Islands: <b>Off-street parking areas with more than five parking spaces shall contain treed islands.</b> 180 SF minimum w/a dimension of 9' in any direction. Islands shall be surrounded with a 6" high curb. Not eligible for ZBA to waive requirement – parking <500ft from ROW.	10 spaces on site plan – applicant does not wish to pave parking area.	<b>No</b>
<b>7.5.4(c.3.d) Snow Storage</b>	<b>Off-street parking areas larger than 2,700 square feet shall be provided with onsite snow storage areas in addition to the required off-street parking area.</b> Snow storage areas shall be provided on the ratio of fifteen square feet per 100 square feet of off-street parking area. Snow storage areas shall be located in such a manner that when utilized they do not interfere with clear visibility of traffic or adjacent streets and highways and the landscaping required in Section 7.5.4c is protected from damage.	No snow storage area indicated – parking lot area > 2,700 SF  Tasting room will be open year-round.	<b>No</b>
<b>[\$7.5.5]</b>	<b>Off-Street Loading Requirements</b>		
	d. loading space permitted in rear yard only	Located in rear yard	<b>Yes</b>
<b>[\$7.5.6]</b>	<b>Landscaping</b>		
<b>Credit for existing</b>	The parcel is dedicated for orchard trees and grape vines. This goes beyond the requirement for landscaping.(b) <b>New shrubs or trees added for landscaping purposes: include the planting list for all the native species indicating botanical and common names.</b>	Landscape plan submitted ROW buffered Barn is buffered on all sides with landscaping	<b>Yes*</b>
<b>[\$7.8]</b>	<b>Exterior Lighting Regulations</b>		

	Downward facing; does not project beyond property boundaries	Refer to lighting plan	Yes
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\* see site plan review/conditions of approval

## **SITE PLAN REVIEW**

This is a permitted use within the Agricultural District (A1) 6.12.2 (12) Small Wine Maker and 6.12.2 (15) Tasting Room. Due to the change in use, increased traffic, and complexity of the parcel (conservation easement, neighboring Petobego Natural Area) it is recommended that the Planning Commission review this proposal.

The table below presents the required elements for a site plan review per the Zoning Ordinance, whether included in the site plan drawing, written narrative, or both. Items that do not satisfy the standards required by the Zoning Ordinance have been indicated with **bold, red text**.

<b>§8.1.4 Application Requirements</b>			
Item	Description	Shown On Site Plan	Written Documentation
1.	Natural features which will be retained, removed and/or modified including vegetation, drainage, hillsides, streams, wetlands, woodlands, wildlife and water.	Yes	Yes
2.	The description of the areas to be changed shall include their effect on the site and adjacent properties. An aerial photo may be used to delineate the areas of change.		Yes
3.	The method to be used to serve the development with water and sanitary sewer facilities	Yes	Yes
4.	The location, size, and routing of water and sanitary sewer facilities	Yes	Yes
5.	Plans for storm water control and drainage, including measures to be used during construction	Yes*	Yes*
6.	Storm water calculations; and if requested storm water modeling data.	Yes*	Yes*
7.	If public sewers are not available to the site the applicant shall submit a current approval from the health department or other responsible public agency indicating approval of plans for sewage treatment.		Yes
8.	The method to be used to control any increase in effluent discharge to the air or any increase in noise level emanating from the site. Consideration of any nuisance that would be created within the site or external to the site whether by reason of dust, noise, fumes, vibration, smoke or lights.		Yes
9.	An indication of how the proposed use conforms to existing and potential development patterns and any adverse effects		Yes
10.	Location of known Air Sheds and how the proposed use impacts this natural feature.		Yes
11.	Plans to control soil erosion and sedimentation.	Yes	Yes
12.	Incorporation of low impact development storm water technologies and other best management practices such as, but not limited to, rain gardens, rooftop gardens, vegetated swales, cisterns, permeable pavers, porous pavement, and filtered storm water structures.	Yes	Yes
13.	Type, direction, and intensity of outside lighting shown on a photometric plan in compliance with exterior lighting standards.	Yes	Yes

14.	Location of any or required cross access management easements.	Yes	Yes
15.	Location of pedestrian and non-motorized facilities; if required.	n/a	n/a
16.	Landscaping plan	Yes*	Yes
17.	General description of deed restrictions and/or cross access management easements, if any or required.	Yes	Yes
18.	Name(s) and address(es) of person(s) responsible for preparation of site plan drawings and supporting documentation.	Yes	Yes
19.	Sealed drawings from a licensed architect, engineer, or landscape architect.	Yes	Yes

\* see site plan review/conditions of approval

### Agency Reviews

1. Soil Erosion and Sedimentation Control – waiver/not required
2. EGLE – permit not required
3. Health Dept. Well & Septic (well) – permit obtained
4. Grand Traverse Metro Fire Department – favorable
5. Gosling Czubak Storm Water Review – **pending**
6. Road Commission – favorable/driveway permit obtained
7. MLCC – approval from Acme Twp. & State of Michigan
8. Grand Traverse County Regional Land Conservancy – not in violation of conservation easement

### §8.2 Standards for Site Plan Review

Standards for Site Plan Review	
Standard	Finding
a. That the applicant may legally apply for site plan review.	<b>Satisfied:</b> The Applicant is authorized by the owner of the property to apply
b. That all required information has been provided.	<b>Conditionally Satisfied:</b> There are some outstanding items that need to be addressed: <ul style="list-style-type: none"> <li>• Off-street parking</li> <li>• Native landscaping material/species</li> </ul>
c. That the proposed development conforms to all regulations of the zoning district in which it is located and all other applicable standards and requirements of this ordinance, including but not limited to all supplementary regulations.	<b>Satisfied:</b> The proposed use is allowed by right in the Agricultural (A1) District and applicable provisions of the Zoning Ordinance.
d. That the plan meets the requirements of Acme Township for fire and police protection, water supply, sewage disposal or treatment, storm, drainage, and other public facilities and services.	<b>Conditionally Satisfied:</b> Stormwater Review – pending
e. That the plan meets the standards of other governmental agencies where applicable, and that the approval of these agencies has been obtained or is assured.	<b>Satisfied</b>
f. That natural resources will be preserved to a maximum feasible extent, and that areas to be left undisturbed during construction shall be so indicated on the site plan and at the site per se.	<b>Satisfied:</b> Areas of disturbance will be limited to the extent necessary for construction of the parking lot and stormwater system.
g. That the proposed development property respects floodways and flood plains on or in the vicinity of the subject property.	<i>Not Applicable</i> – No floodplains present

Standards for Site Plan Review	
Standard	Finding
h. That the soil conditions are suitable for excavation and site preparation, and that organic, wet, or other soils which are not suitable for development will either be undisturbed, or modified in an acceptable manner.	<b>Satisfied:</b> SESC permit conditions shall be adhered to. A soil map from the conservation easement indicates that Emmet sandy loam soil is prime for farmland. Unknown if soil borings have been taken.
i. That the proposed development will not cause soil erosion or sedimentation problems.	<b>Satisfied:</b> SESC permit conditions shall be adhered to. Applicant states that onsite drainage will increase due to working the soil for farming purposes.
j. That the drainage plan for the proposed development is adequate to handle anticipated storm water runoff, and will not cause undue runoff onto neighboring property or overloading of water courses in the area.	<b>Conditionally Satisfied: Stormwater – review pending</b> Applicant also states that they use natural options and do not use harsh chemicals or pesticides for their farming purpose to contaminate the runoff.
k. That grading or filling will not destroy the character of the property or the surrounding area, and will not adversely affect the adjacent or neighboring properties.	<b>Satisfied:</b> The property is relatively flat and will only be graded as necessary to accommodate the items indicated in the site plan. Neighboring Petobego Natural Area wetlands are 800' from property line.
l. That structures, landscaping, landfills or other land uses will not disrupt air drainage systems necessary for agricultural uses.	<b>Satisfied:</b> will not disrupt airsheds or viewsheds
m. That phases of development are in a logical sequence, so that any one phase will not depend upon a subsequent phase for adequate access, public utility services, drainage, or erosion control.	<b>Satisfied:</b> low impact; no changes to existing building footprints – installation of new parking lot and stormwater system
n. That the plan provides for the proper expansion of existing facilities such as public streets, drainage systems, and water and sewage facilities.	<i>Not Applicable</i>
o. That landscaping, fences or walls may be required when appropriate to meet the objectives of this Ordinance.	<b>Conditionally Satisfied:</b> The parcel is dedicated for orchard trees and grape vines. This goes beyond the requirement for landscaping.(b) <b>New shrubs or trees added for landscaping purposes: include the planting list for all the native species indicating botanical and common names.</b>
p. That parking layout will not adversely affect the flow of traffic within the site, or to and from the adjacent streets.	<b>Satisfied:</b> Parking is located off-street
q. That vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks serving the site, shall be safe and convenient.	<b>Satisfied:</b> Have met Metro Fire standards
r. That outdoor storage of garbage and refuse is contained, screened from view, and located so as not to be a nuisance to the subject property or neighboring properties.	<b>Satisfied:</b> Trash will be enclosed within existing shed
s. That the proposed site is in accord with the spirit and purpose of this Ordinance, and not inconsistent with, or contrary to, the objectives sought to be accomplished by this Ordinance and the principles of sound planning.	<b>Satisfied:</b> The proposed use meets the intent of the A1: Agricultural District. The applicant intends to preserve the viewshed and enhance the mission of the conservation easement for small farmers.

## SUMMARY OF REVIEW

- The proposed site plan and associated use is allowed by right in the A1: Agricultural District. The parcel is within a conservation district and therefore has limits to the amount of development. The proposed tasting room will not violate any of the terms of the agreement. Existing building footprints will not change – a new parking lot and stormwater system will be built to accommodate the facility.
- Stormwater review is pending.

- Off-street parking items need to be addressed: snow storage, parking island, lighting, surface material.
- Landscape plan needs to be updated to include the planting list for all the native species indicating botanical and common names.
- Anticipating between 30-54 visitors a day – will not heavily impact traffic.

#### **SUGGESTED MOTION FOR CONSIDERATION**

Motion to approve the site plan submitted by Jackie & David Bos for a tasting room located at t7352 Angell Road Williamsburg, MI 49690, subject to the following conditions:

- The Planning Commission finds the parking lot material suitable.
- Plans are updated to reflect the required treed island.
- Plans are updated to reflect an area for snow storage.
- Obtain a favorable stormwater review by Gosling Czubak.
- Landscape plan updated to include the planting list for all the native species indicating botanical and common names.
- A bond/cash surety/letter of credit for the cost of the landscaping will need to be submitted prior to the issuance of a land use permit.

Any activities that expand beyond the wine tasting and agricultural operations will require township approval.

Application Number: \_\_\_\_\_



## Special Use Permit/Site Plan Review Application

Township of Acme, Grand Traverse County, Michigan

6042 Acme Road, Williamsburg, MI 49690

Phone: (231) 938-1350 Fax: (231) 938-1510 Web: [www.acmetownship.org](http://www.acmetownship.org)

Planning & Zoning Administrator: Lindsey Wolf Email: [zoning@acmetownship.org](mailto:zoning@acmetownship.org)

### Owner Information (please type or print clearly):

Name: Jackie + David Bos Phone: 707-815-3226

Mailing Address: 7352 Angell Road

City: Williamsburg State: MI Zip: 49690

Email Address: jackie@boswine.com

### Applicant Information (please type or print clearly):

Name: Same Phone: \_\_\_\_\_

Mailing Address: Same

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email Address: \_\_\_\_\_

### A. Property Information:

1. Address: 7352 Angell Road  
Williamsburg, MI 49690

2. Parcel Number/Property Description:

28-01-008-001-03

3. Current Zoning of Property:

A9

4. If this project is one phase of a larger development and/or property subject to an existing/previous Site Plan Review, Special Use Permit, or Variance, what is/are the applicable permit number(s)?

5. Provide proof of current property ownership. If applicant is not the current property owner, also provide written permission to act as agent of, and complete contact information for the current property owner.

Application Number: \_\_\_\_\_

**6. Proposed Use/Change to Property**

*Commercial Use  
Small Wine Maker + Tasting Room*

**7. Estimated Start and Completion Dates:**

*4/01/20 - 8/01/20*

**B. Application Packet Requirements: REFER TO ACME TOWNSHIP ZONING ORDINANCE AND COMPLETE ATTACHED CHECKLIST**

**C. Fees:** Include initial fee as required by the Acme Township Ordinance #2004-01

**D. Fee Escrow Policy Acknowledgement:** Provide completed and signed form with initial escrow fee deposit.

**E. Affidavit:** The undersigned affirms that he/she is the Jackie Bos (owner, agent, lessee, or other interested party) involved in this petition and that the foregoing answers, statements and information are in all respects true and, to the best of his/her knowledge, correct. By making this application, the undersigned grants all officials, staff and consultants of Acme Township access to the subject property as required and appropriate to assess site conditions in support of a determination as to the suitability of the proposed project and/or current or future Special Use Permit and Zoning Ordinance compliance.

Signed:  Date: 2/24/20

**FOR TOWNSHIP USE ONLY**

Application Number: \_\_\_\_\_

Date Received: \_\_\_\_\_

Public Hearing/Meeting: \_\_\_\_\_

Date of Advertising: \_\_\_\_\_

T&A Account: \_\_\_\_\_

**NOTES:**

## Property Owner Authorization Letter


December 12, 2019


Le Bos, LLC. (DBA BOS Wine)  
7352 Angell Road  
Williamsburg, MI.  
49690

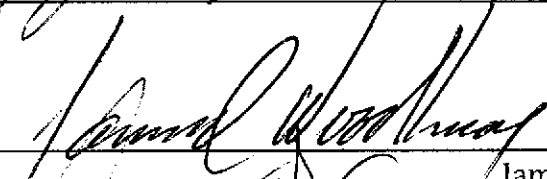
This is to certify that we, James and Delaree Woodbury along with David and Jackie Bos, are the owners of the property located at 7352 Angell Road Williamsburg, MI. 49690.

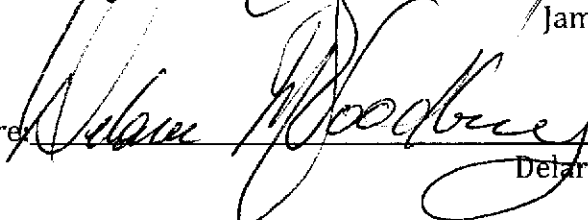
We understand that Dave and Jackie Bos of BOS Wine will be using the property mentioned above to construct and conduct their business of farming and wine tasting room with a small wine making license. This will require construction work done on the property in order to be a commercial property.

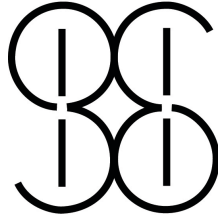
I give permission and understand that Dave and Jackie Bos will be overseeing the work being done to the property. They will also be the ones to pull necessary permits in order to complete work done on the property.

Signature:   
David M. Bos (707-260-5323)

Signature:   
Jacquelyn A. Bos (707-815-3226)

Signature:   
James O. Woodbury (209-324-2457)

Signature:   
Delaree M. Woodbury (209-324-2456)



BOS Wine

February 24, 2020

David Bos  
707-260-5323  
David@BOSwine.com

Jackie Bos  
707-815-3226  
Jackie@BOSwine.com

BOS Wine  
7352 Angell Road  
Williamsburg, MI. 49690  
www.BOSwine.com

## **I. Executive Summary**

Originally from Michigan, I, David Bos, was first exposed to the wine industry in Northern Michigan when working in the cellar at Chateau Grand Traverse in 2003. I was also a part of opening Trattoria Stella restaurant in The Commons. Wanting to learn more about the industry, I moved to Napa and became the vineyard manager for Grgich Hills for nine years. While in this position, and with a passion for farming, I became well known as an expert in biodynamic farming and led the charge in turning all of their 367 acres into certified biodynamic vineyards. This position allowed me to work side by side with some of the most well respected farmers, wine makers and winery owners in the country. These connections, as well as many others, have allowed us to grow our boutique wine label BOS wine from 48 cases in 2010 to over 600 cases today without borrowing money because of our ability to get above market fruit for below market value.

It is this passion for quality farming and the knowledge that Grand Traverse Bay can make world-class wines that led myself along with my wife Jackie back to Michigan. Here, we will bring all of our experience from Napa and apply the same successful principles to our business in Grand Traverse.

## **II. Sales & Growth Strategy**

Wine clubs are the best way for small wineries to grow their business and build a community around what they are doing. Our wine club was birthed out of a vision in Napa where we would take club members around our home garden and farm while Dave educated them about farming and wine. We plan to continue this vision of having smaller more intimate tastings with our guest in order to walk them around the farm, see the animals and taste the wine. What we created there and what we will create here is not your typical tasting room setting and is geared much more to a rich educational experience. We have a proven concept in which we have taken that dynamic farm experience and started the BOS Wine & Swine Club to highlight the farm process. The wine club has quickly grown to 100 people without a tasting room and without advertising it on our web site. Our experience in Napa points us toward quality experiences over quantity. That being said our model is not to see as many people as possible but to have small intimate experiences that lead to lasting customers.

### **III. Farm Plan**

The goal of the orchard and vineyard planting is to get the correct selection for the property and to plant it at the right time of the year in order to best establish the root system. The plan is to get into the soils and do the appropriate testing in the spring of 2020. Once we have determined a game plan for the varieties based on soil and the correct rootstock we will contract a nursery to get the selected rootstock established with the selected grape variety. We will allow these vines to over winter in the greenhouse at the nursery and be ready for planting in the spring of 2021 for Phase 1. Orchard planting will happen during the summer and fall of 2020 as we are opening the tasting room and getting up and running. Animal areas will be established first for pigs and chickens in the spring of 2020 and before we open for business if possible. Animals are an important part to the biodynamic farm.

### **IV. Wine Making**

We will make all of our wine at a custom crush facility and only make on the property what is required legally by our Small Wine Maker License as issued by the Michigan Liquor Control Committee which is 5 gallons of wine. Once wine is finished, bottled and labeled we will bond-to-bond transfer the wine from the custom crush facility to BOS Farmhouse for storage and sale. Wines that we make in CA are bottled, labeled and shipped per the requirements placed on us by the TTB and the MLCC.

### **V. Operational Plan**

The property at 7352 Angell Road will be both our family residence and tasting room. Therefore the numbers below are as big as the tasting room will ever get due to the fact that it will be our permanent residence as well as being located in the Grand Traverse Regional Land Conservancy. If we grow our business beyond this it will be at another location.

Occupancy:

- 18 people

-

Tasting Room Managers:

- Dave and/ or Jackie Bos
- 1 or 2 employees

Days and Hours of Operation:

- 5 Days per week
  - Approximately three tasting times /day
- Example of starting times 10am, 12pm & 2pm

Manufacturing and Production:

We will handle all manufacturing at our custom crush facility and therefore this will not have any effect on the system.

Food Service:

We would provide small bites to our customers that would require only plating, no cooking.

Restrictions:

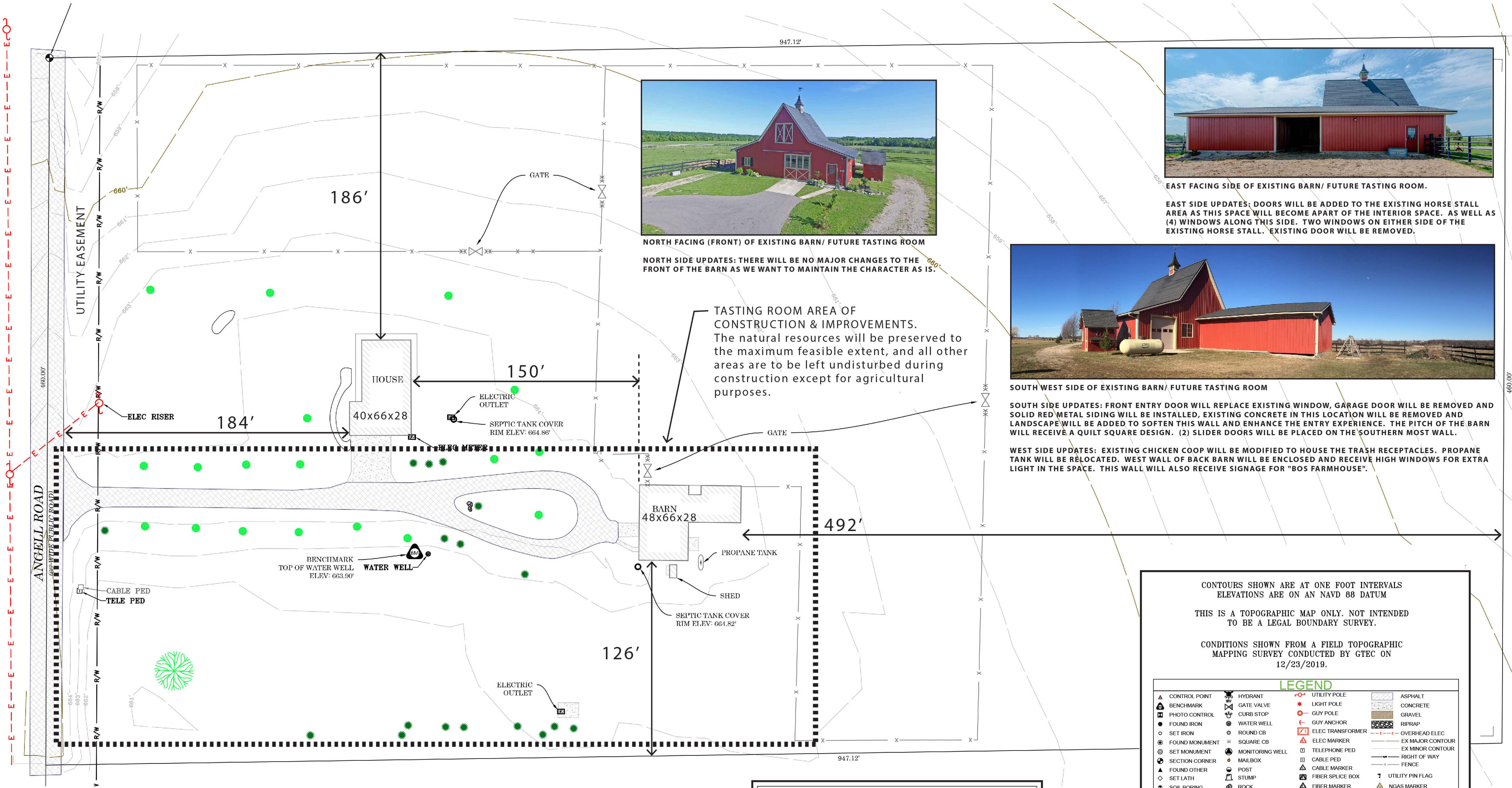
The property is located in the Grand Traverse Regional Land Conservancy and is subject to certain restrictions such as not being able to add to the footprint of the current buildings and not be able to add any additional structures. This also limits us on what we can do on the property.

Busy-Season Traffic (June – October):

54 visitors/ day

Off-Season Traffic (November – May):

30 visitors/ day



**ENVIRONMENTAL CHARACTERISTICS:**  
7352 Angell Road (a 10 acre parcel located at the northeast corner of the Petobego South Farm) was developed as a personal residence with pastures and a barn set up for horses.

**HOUSE:** A 3 bedroom, 3 bath house has been used as such since it was constructed and will continue to be the home of the winery owners, Dave and Jackie Bos, and their children.

**BARN:** The barn has been used previously as a temporary horse barn and pasture for horses that come in for the horse show during the summer.

**ELEVATION:** The high point of the site is where the existing house, driveway and barn are located at 664'. The site slopes away from this high point in three direction east, south and west.

**SOILS:** According to the Soil Map of the Petobego South Farm Conservation Easement this property is located on Emmet sandy loam (EyA & EyB) This soil type has been determined to be "Prime" farmland according to the USDA Soil Conservation Service.

**VEGETATION:** The existing trees have been planted by previous owners with the remainder of the site being reed canary grass and other herbaceous plants. Within the area other plant material that grow naturally but have always been mowed as part of general property up-keep are red-osier, silky dogwood and willow.

**SHEET INDEX:**

**LANDSCAPE DRAWINGS**  
1: EXISTING SITE CONDITIONS  
2: PROPOSED DEVELOPMENT PLAN  
3: SITE CONTEXT  
4: LANDSCAPE, CONSTRUCTION & LIGHTING PLAN

**CIVIL ENGINEER DRAWINGS**  
C1.0 - SITE & UTILITY PLAN  
C2.0 - GRADING & DRAINAGE PLAN  
C3.0 - DETAILS

CONTOURS SHOWN ARE AT ONE FOOT INTERVALS  
ELEVATIONS ARE ON AN NAVD 88 DATUM

THIS IS A TOPOGRAPHIC MAP ONLY. NOT INTENDED  
TO BE A LEGAL BOUNDARY SURVEY.

CONDITIONS SHOWN FROM A FIELD TOPOGRAPHIC  
MAPPING SURVEY CONDUCTED BY GTEC ON  
12/23/2019.

**LEGEND**

▲ CONTROL POINT	⚡ HYDRANT	📶 UTILITY POLE	🔲 ASPHALT
📷 BENCHMARK	⚙️ GATE VALVE	💡 LIGHT POLE	🔲 CONCRETE
📷 PHOTO CONTROL	🛑 CURB STOP	📶 GUY POLE	🔲 GRAVEL
● FOUND IRON	💧 WATER WELL	📶 GUY ANCHOR	🔲 RIPRAP
● SET IRON	🔲 ROUND CB	🔲 ELEC TRANSFORMER	🔲 OVERHEAD ELEC
🔲 FOUND MONUMENT	🔲 SQUARE CB	🔲 ELEC MARKER	🔲 EX MAJOR CONTOUR
🔲 SET MONUMENT	🔲 MONITORING WELL	🔲 TELEPHONE PED	🔲 EX MINOR CONTOUR
🔲 SECTION CORNER	📧 MAILBOX	🔲 CABLE PED	🔲 RIGHT OF WAY
▲ FOUND OTHER	📧 POST	🔲 CABLE MARKER	🔲 FENCE
◇ SET LATH	🔲 STUMP	🔲 FIBER SPLICE BOX	🔲 UTILITY PIN FLAG
● SOIL BORING	🔲 ROCK	🔲 FIBER MARKER	🔲 NGAS MARKER

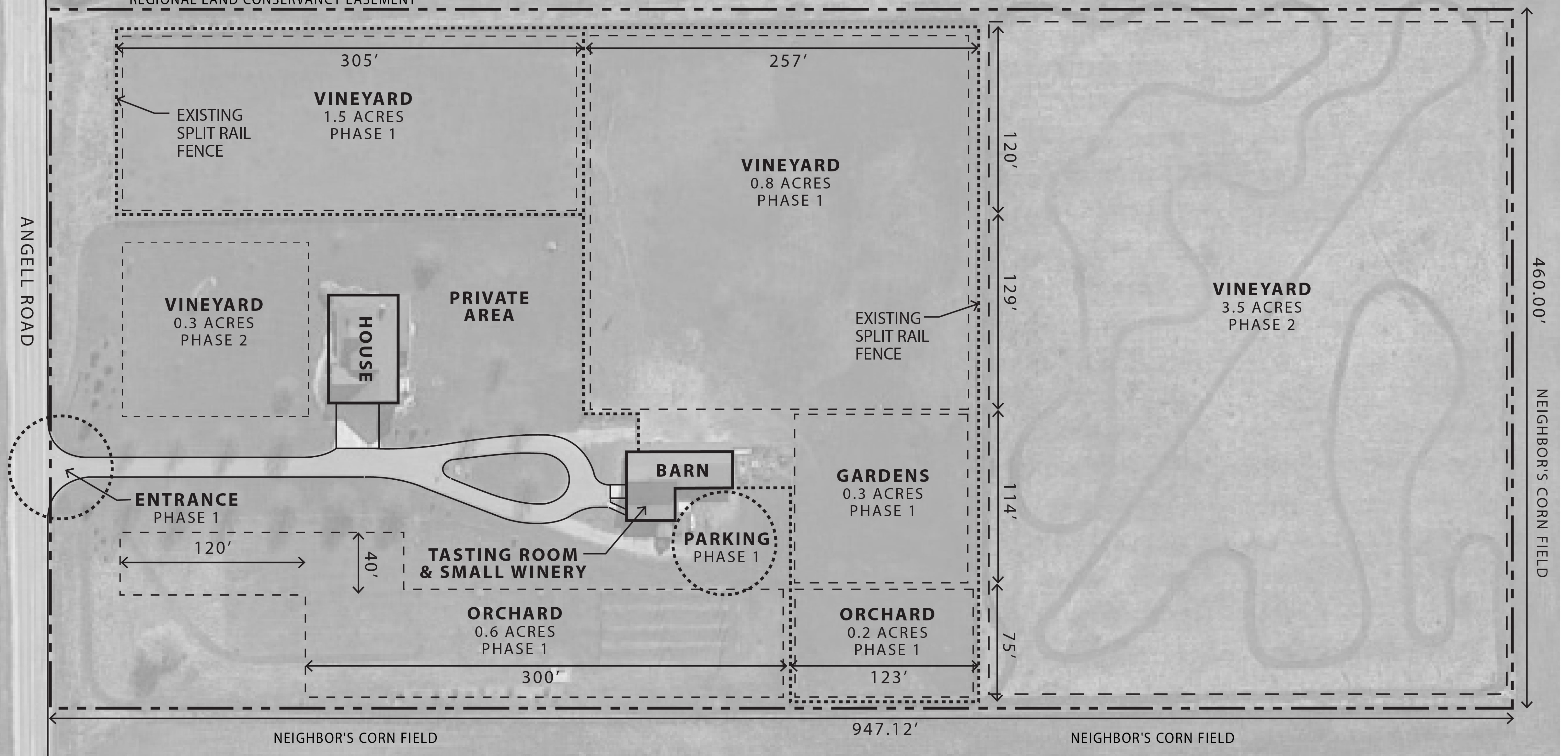
**DRAINAGE:** The primary drainage as it relates to the water shed happens to the south east and continues to Tobeco Creek. There is ponding in the north west corner and the south east corner. Where excess water collects and filters into the ground water. The site is relatively flat with the majority of its drainage filtering into the ground water.

**CREEKS:** >615' away is the start of the wetland soil and >800' is the wetland area which contains Tobeco Creek running to the East of the property in the Petobego Natural Area. Refer to the Wetland Map Viewer exhibit provided in this submittal.

# 1. BOS FARMHOUSE - EXISTING SITE CONDITIONS

PARKING AREA FOR PUBLIC ACCESS TO GRAND TRAVERSE  
REGIONAL LAND CONSERVANCY EASEMENT

ANGELL ROAD



#### OPERATIONAL PLAN:

The property at 7352 Angell Road will be both our family residence and tasting room. Therefore there are restrictions to how many people we can see at this location. Primarily this is do to the fact that it will be our permanent residence as well as being located in the Land Conservancy Easement.

#### REGULAR BUSINESS DAYS:

Open Tuesday - Saturday  
Appointment Only on Sundays, Closed on Mon.

#### HOURS OF OPERATION:

Daily Hours: 11am - 5pm  
Appointment Only: 11am-12pm & 3pm-5pm

#### VISITORS:

Daily Visitors: 18-54

**EMPLOYEES:** Dave and Jackie will be operating the tasting room initially with an additional 2-4 employees as we grow for tasting room, farm and vineyards.

**TRAFFIC:** Due to our location we will primarily see vehicular traffic with a potential for bicyclist.

#### NATURAL FEATURES:

**Vegetation:** Entry maple trees, the willow tree and pine trees will remain. We will be planting vineyards, orchards and have a garden.

**Drainage & Hillside:** Primarily a flat site with more significant drainage and elevation change happening past the property line. The most significant change will be the parking lot in which drainage will be directed to a detention basin. On site drainage will increase do to working the soil for farming purposes.

**Streams, Wetlands & Woodlands:** >800' to wetlands and Tobeco Creek to the east.

**Wildlife:** Wildlife will increase do to the increase in vegetation that we will bring to the property.

**Water:** Water will either drain better then current conditions or if there is run off it will not be contaminated because there will be no harsh chemicals or pesticides sprayed on our farm.



#### SITE DEVELOPMENT:

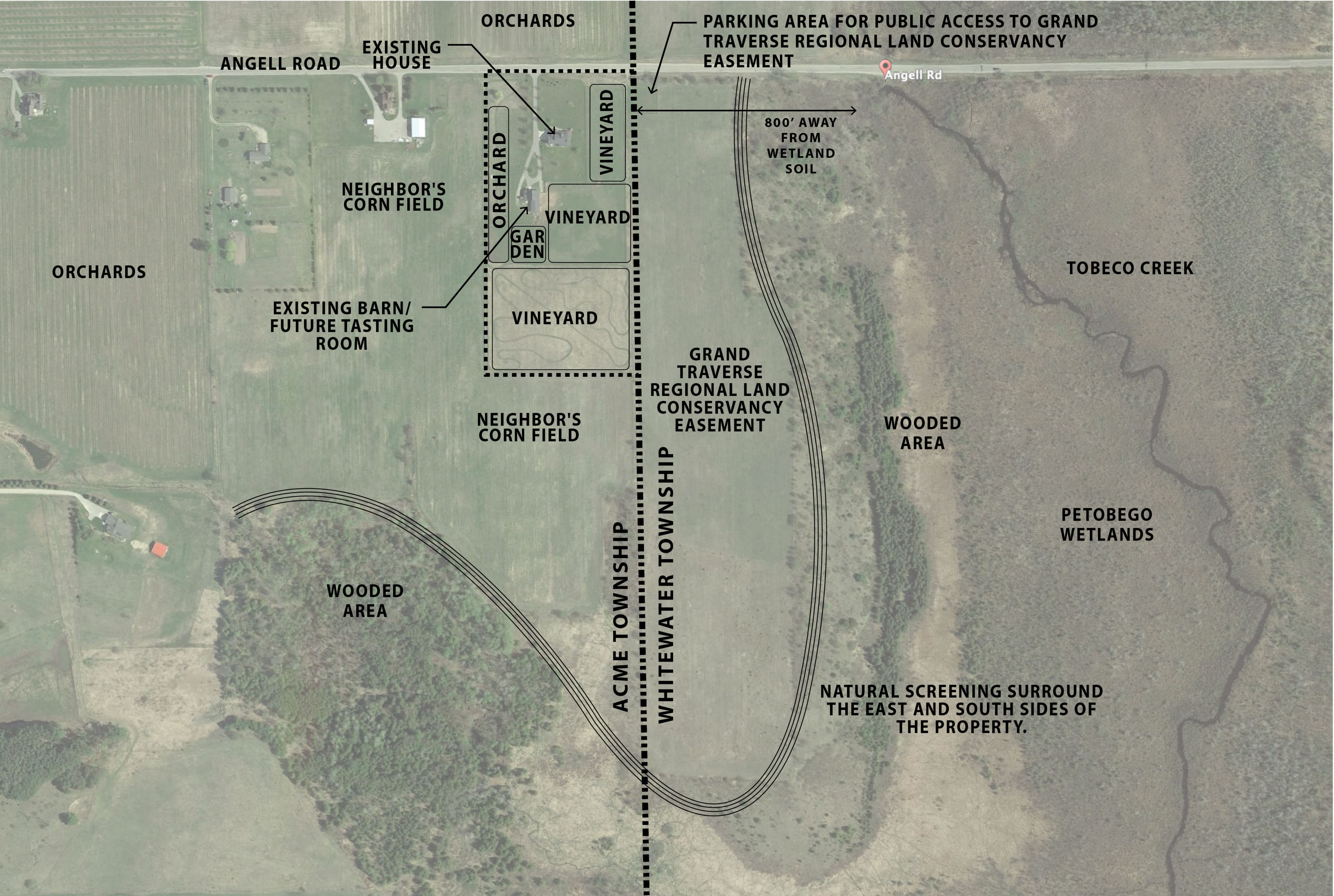
Turning the existing property and barn into a tasting room and small winery will have a low impact as far as development standards as well as minimal effect to adjacent properties. This is because the structures already exist that we will be using and we will not be able to add any structures do to the fact that we are in the conservation easement. The main site development that will occur will be adding a 10 space parking lot and expanding the entrance paving based on Road Commission requirements. Additional gravel will also be added where necessary based on Metro Fire requirements. The remainder of the property will be to farming vineyards, orchards and gardens. We have one neighbor located to the west of our property in which their property also wraps around to the south and there is public access to the conservation easement to the east of us.

## 2. BOS FARMHOUSE - PROPOSED DEVELOPMENT PLAN

PROPERTY ADDRESS: 7352 ANGELL ROAD WILLIAMSBURG, MI 49690 PLANS PREPARED BY: JACKIE BOS



NORTH  
SCALE 1:30  
FEBRUARY 24, 2020



**AIR SHED ASSESSMENT:**  
The prevailing wind is westerly at an average of 9 mph. There is ample wind over the property as it sits next to the Petogbego State Game Area which acts as a natural channel for the wind to move from the East Arm of the Grand Traverse Bay inland. This Petobego area also acts as a natural area for frost to settle and push out to the bay and the M-72 corridor making this area an ideal farming location. The bay influence is an important part to the quality of farming in this area as it allows for a warmer climate during late fall and early winter allowing for a longer growing season than what you would get further inland. It also keeps the humidity low and helps with insect control. Because this site is using existing buildings for its development and only adding agriculture type elements it will not disrupt the air drainage systems.

**ON THE FARM:**  
The focus of the farm is to be biodynamic which is an extreme version of organic. It is not only what you do not put into your farm that will effect the environment in a negative way (organic) but also what you add to your farm to increase the health, quality and vitality of the farm system. The intention is to have elements that add to the farm such as: multiple types of crops, insectory rows, animals, composting and biodynamic sprays. All of these elements work to increase the health of the soil and farm. Because the focus is to use natural options for whatever the farm needs there is no need for harsh chemicals and therefore will not have a negative effect on the surrounding properties.

**EFFLUENT DISCHARGE:**  
The septic fields for the tasting room and the house are located a good distance from any house or area where people will gather. They are also sized appropriately for each use. The house and the tasting room will each have its own septic system in order to handle the flow rates appropriately and to not cause abnormal effluent discharge. Both systems have been approved by the Grand Traverse County Health Department.

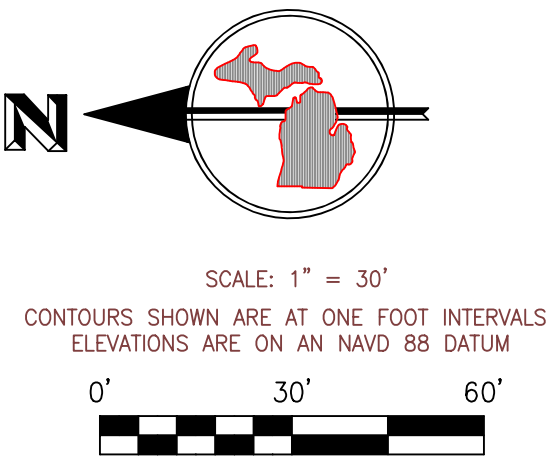
**DUST, NOISE, FUMES, VIBRATION, SMOKE, LIGHTS:**  
Given our rural setting, being adjacent to the Whitewater conservation area and the Petobego wetlands, as well as on the conservation easement there is very little development around us. We are also a low traffic farm winery and so any increase in the above mentioned will be so minimal and within the context of the area it would be insignificant.

**AGRARIAN SETTING:**  
BOS Farmhouse is proud to be located on the Grand Traverse Regional Land Conservancy and supports its mission to preserve local farmland and the beautiful farmland viewsheds that are protected because of this organization. We are establishing a farm focused winery based on our experience in organic and biodynamic farming practices in the wine industry. Our business and its effect on the area not only fits right in with purpose in which it was established but will serve to enhance the mission of the conservation easement for small farmers.

3. BOS FARMHOUSE - SITE CONTEXT



**BENCHMARK DATA**  
BM #1: TOP WELL CASING  
EL.: 663.90  
BM #2: TOP TANK RISER  
EL.: 664.82



**PROJECT CONTACTS**

OWNERS:  
DAVID AND JACKIE BOS  
7352 ANGELL ROAD  
WILLIAMSBURG, MI 49690  
PHONE: (707) 815-3226

ENGINEER:  
RYAN A. COX, PE  
GRAND TRAVERSE ENGINEERING AND CONST.  
3147 LOGAN VALLEY RD.  
TRAVERSE CITY, MI 49684

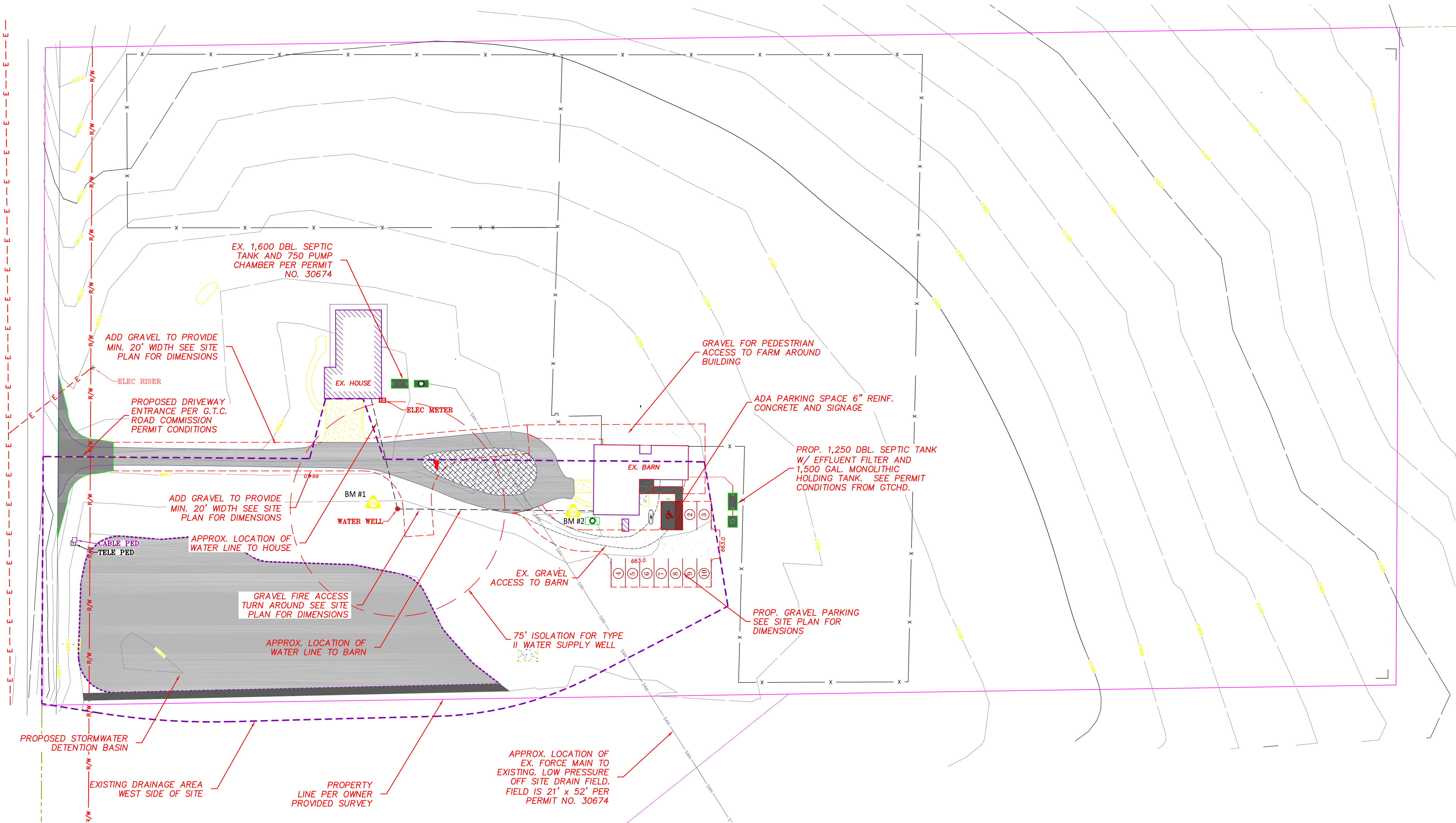
**WATER AND SEWER FACILITIES**

- SEWER AND WATER SUPPLY SYSTEMS SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH CURRENT GRAND TRAVERSE COUNTY ENVIRONMENTAL HEALTH REGULATIONS. SEE APPROVED PERMIT CONDITIONS.
- POTABLE WATER SERVICE WILL BE PROVIDED BY USE OF THE EXISTING RESIDENTIAL WELL LOCATED ON THIS PROPERTY. THE WELL WILL BE CONSIDERED A TYPE II WATER SUPPLY WHICH WILL REQUIRE ROUTINE WATER SAMPLING AS OUTLINED IN THE FINAL PERMIT FROM THE GTCHD.
- THE EXISTING HOMESTEAD WILL CONTINUE TO UTILIZE THE EXISTING DRAIN FIELD UNTIL THE TASTING ROOM IS CONNECTED TO THE EXISTING OFF-SITE SEPTIC SYSTEM CURRENTLY UTILIZED BY THE RESIDENCE. AT THAT TIME, THE EXISTING HOMESTEAD WILL BE SWITCHED OVER TO A NEW SYSTEM THAT IS PERMITTED AND APPROVED BY THE GTCHD.

EXISTING WELL INFORMATION  
- TYPE: 5"Ø PVC  
- DEPTH: 100 FEET PER WELL LOG PERMIT 30674  
- AGE: INSTALLED IN 2003  
- ISOLATION: 75 FEET (TYPE II WELL)

**EXISTING SITE CONDITIONS**

- THE EXISTING SOILS FOUND ON THIS SITE ARE SUITABLE FOR EXCAVATION AND SITE CONSTRUCTION. IT IS EXPECTED THAT OVER EXCAVATION OF CLAY SOILS WILL BE NECESSARY FOR CONSTRUCTION OF THE PARKING AREA AND ACCESS DRIVE TO THE PARKING LOT. CLEAN SAND TO PROVIDE FOR PROPER BEDDING OF THE GRAVEL SURFACE WILL BE INSTALLED BELOW THE GRAVEL SURFACE.
- THE PROPOSED DEVELOPMENT WILL NOT CAUSE SOIL EROSION OR SEDIMENTATION ISSUES. THE SITE IS GENERALLY FLAT AND ENCOMPASSES A TOTAL OF 10 ACRES OF PRIMARILY UNDEVELOPED PROPERTY.
- THE GRADING THAT IS PROPOSED FOR THE PARKING AREA IS MINIMAL AND WILL NOT CHANGE OR MODIFY THE CHARACTER OF THE PROPERTY OR ADVERSELY AFFECT THE NEIGHBORING PROPERTIES. THERE IS CURRENTLY AN EXISTING GRAVEL DRIVE THAT ACCESSES THE BARN WHERE THE PROPOSED PARKING WILL BE INSTALLED.



Know what's below.  
Call before you dig.

**GTEC**  
GRAND TRAVERSE ENGINEERING & CONSTRUCTION  
A Subsidiary Of Grand Traverse Economic Development



Revision:	Revision:	Revision:	Revision:	Revision:
1	2	3	4	5
DATE	DATE	DATE	DATE	DATE
BY	BY	BY	BY	BY

Date: 02-20-2020  
Scale: VARIES  
Drawn By: RAC  
Checked By:

Client: DAVID AND JACKIE BOS  
7352 ANGELL ROAD  
WILLIAMSBURG, MI 49690

Sheet Title: SITE AND UTILITY PLAN  
Project: BOS VINYARDS WINERY AND FARM  
7352 ANGELL ROAD WILLIAMSBURG, MI 49690  
Sec. 17, T 28 N, R 9 W, ACME TOWNSHIP, GRAND TRAVERSE COUNTY, MI

Project No. 19047  
Sheet C1.0



- THIS PROJECT SHALL BE CONSIDERED IN ACCORDANCE WITH 33 U.S.C. 1251 ET. SEQ., AS AMENDED, THE CLEAN WATER ACT, AND THE WATER POLLUTION PREVENTION PLAN UNDER PERMIT FROM THE U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA).
- EROSION AND ANY SEDIMENTATION FROM WORK ON THIS SITE SHALL BE CONTAINED ON THE SITE AND NOT ALLOWED TO COLLECT IN ANY OFF SITE AREAS OR WATERWAYS. WATERWAYS INCLUDE NATURAL AND MAN-MADE OPEN DITCHES, STREAMS, STORM DRAINS, LAKES AND PONDS.
- STAGING THE WORK SHALL BE DONE BY THE CONTRACTOR OR CONTRACTOR'S REPRESENTATIVE AS DIRECTED IN THESE PLANS AND AS REQUIRED BY THE PROJECT ENGINEER TO ENSURE AGGRESSIVE STABILIZATION OF DISTURBED AREAS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF SOIL EROSION AND SEDIMENTATION CONTROL MEASURES.
- THE CONTRACTOR SHALL IMPLEMENT AND MAINTAIN SOIL EROSION CONTROL MEASURES AS SHOWN ON THE PLANS BEFORE AND AT ALL TIMES DURING CONSTRUCTION OF THIS PROJECT. ANY MODIFICATIONS OR ADDITIONS TO SOIL EROSION CONTROL MEASURES DUE TO CONSTRUCTION OR CHANGED CONDITIONS SHALL BE COMPLIED WITH AS REQUIRED OR DIRECTED BY THE ENGINEER
- IF ANY OF THESE SESC MEASURES ON THE SITE ARE DEEMED INADEQUATE OR INEFFECTIVE, THE ENGINEER HAS THE RIGHT TO REQUIRE ADDITIONAL SESC MEASURES.
- INSTALL SILT FENCE AS INDICATED ON PLANS AND AT ALL OTHER LOCATIONS DEEMED NECESSARY. SILT FENCE TO BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS AND DETAILS. BUILT UP SEDIMENT SHALL BE REMOVED WHEN IT EXCEEDS 1/3 THE HEIGHT OF THE FENCE. SILT FENCE SHALL BE REPLACED IF IT DECOMPOSES OR BECOMES INEFFECTIVE. SILT FENCE SHALL BE INSPECTED WEEKLY, WITHIN 24 HOURS OF A RAIN EVENT AND THROUGHOUT THE DAY DURING PROLONGED STORM EVENTS.
- ALL STOCKPILED SOILS SHALL BE MAINTAINED IN SUCH A WAY AS TO PREVENT EROSION FROM LEAVING THE SITE. IF THE STOCKPILE AREA WILL REMAIN ON THE SITE FOR MORE THAN 30 DAYS IT SHALL BE SEEDED AND STABILIZED. SILT FENCE MUST BE INSTALLED AROUND THE PERIMETER OF THE STOCKPILE AREA.
- IMMEDIATELY AFTER SEEDING, MULCH ALL SEEDED AREAS WITH UNWEATHERED SMALL GRAIN STRAW. SPREAD UNIFORMLY AT A UNIT OF 2 TONS/ACRE OR 100 LBS (2-3 BAILS) PER 1,000 S.F. THE MULCH SHOULD BE ANCHORED WITH A DISC TYPE MULCH ANCHORING TOOL OR OTHER MEANS AS APPROVED BY THE PROJECT ENGINEER.
- ALL SOIL OR DIRT ON ANY ROAD OR OTHER PAVEMENT SHALL BE REMOVED IMMEDIATELY. STREETS AND OR PARKING AREAS SHALL BE CLEANED ON A DAILY BASIS AND SWEEPED AT A MINIMUM OF ONCE PER WEEK BY THE CONTRACTOR.
- TOPSOIL AND ANY UNSUITABLE SOILS ENCOUNTERED TO BE STRIPPED AND STOCKPILED IN A LOCATION DESIGNATED BY THE OWNER.
- THE CONTRACTOR SHALL PROVIDE TEMPORARY SOIL EROSION CONTROL MEASURES PER P.A. 451 AS AMENDED. WITH THE USE OF SILT FENCE AND OTHER TEMPORARY MEASURES THE CONTRACTOR SHALL PROTECT THE ADJACENT AREA FROM ACCELERATED EROSION AND SEDIMENTATION FLOWS RESULTING FROM CONSTRUCTION. THE CONTRACTOR SHALL INSTALL ADDITIONAL TEMPORARY AND PERMANENT SOIL EROSION CONTROL MEASURES, IF DIRECTED BY THE ENGINEER OR SOIL EROSION CONTROL OFFICER, AT NO ADDITIONAL COST TO THE PROJECT.
- INSTALLATION AND MAINTENANCE OF TEMPORARY SOIL EROSION CONTROL MEASURES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
- ALL DISTURBED NON-HARD SURFACE AREAS TO BE STABILIZED WITH TOPSOIL, SEEDED, FERTILIZED AND MULCHED. DISTURBED AREAS SHALL BE TOPSOILED TO A DEPTH NOT LESS THAN FOUR (4) INCHES. SLOPES BETWEEN 1 ON 3 AND 1 ON 2 SHALL BE SODDED AND STAKED OR RECEIVE SEED WITH MULCH BLANKET.
- EXISTING STORM DRAINAGE DITCHES SHALL BE REBUILT IF FILLED IN OR REMOVED DURING CONSTRUCTION. THE CONTRACTOR IS RESPONSIBLE TO REPAIR OR REPLACE, AS REQUIRED, ALL DRAINAGE CULVERTS DAMAGED DURING CONSTRUCTION AND SHALL BE CONSIDERED INCIDENTAL TO THE PROJECT.
- ALL REMOVED TOPSOIL WILL BE STOCKPILED WITHIN THE PROJECT AREA. IF ADDITIONAL TOPSOIL IS AVAILABLE AFTER TOPSOILING THE CONSTRUCTION AREA, IT WILL BECOME THE PROPERTY OF THE CONTRACTOR.
- THE CONTRACTOR SHALL REPAIR ALL WASHOUTS AND EROSION DURING THE GUARANTEE PERIOD OF ONE (1) YEAR AT NO ADDITIONAL COST TO THE OWNER.

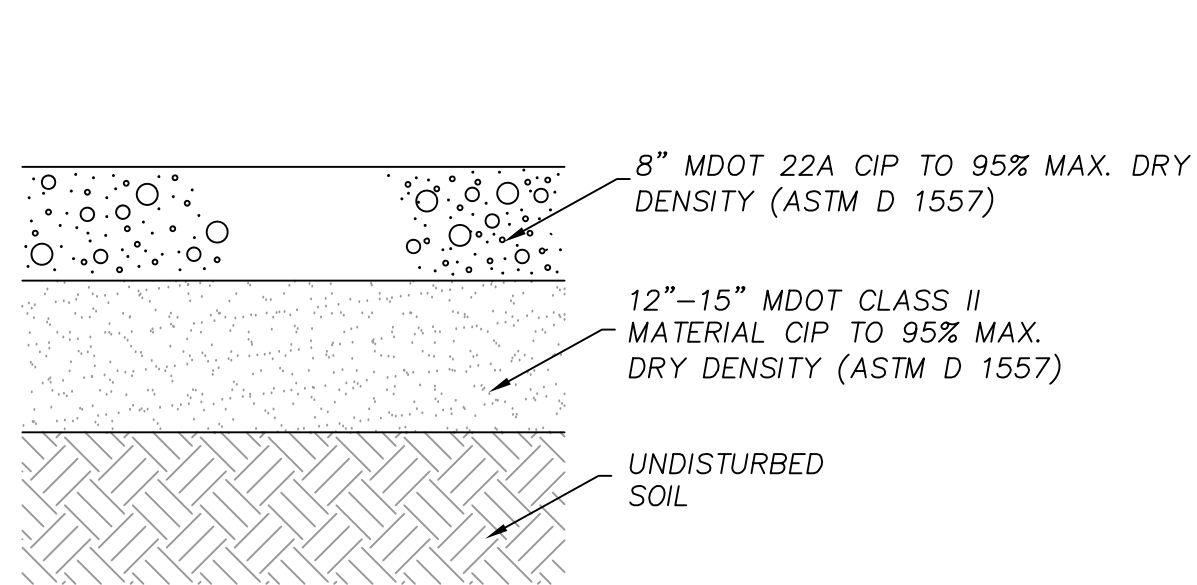


TO EVALUATE THE POTENTIAL STORMWATER RUNOFF CONDITIONS FOR THIS SITE WE WILL UTILIZE THE RATIONAL METHOD TO ESTIMATE THE VOLUME OF RUNOFF THAT WOULD BE GENERATED FROM THE DIFFERENCE BETWEEN THE 25-YEAR DEVELOPED CONDITION AND THE 2 YEAR UNDEVELOPED CONDITION. NO RETENTION AREAS ARE PROPOSED FOR THE MINIMAL RUNOFF GENERATED FROM ADDITIONAL HARD SURFACE THAT DRAINS TO THE EAST OF THE SITE, THE AREA WILL BE FARMED AND PLANTED WITH VINES.



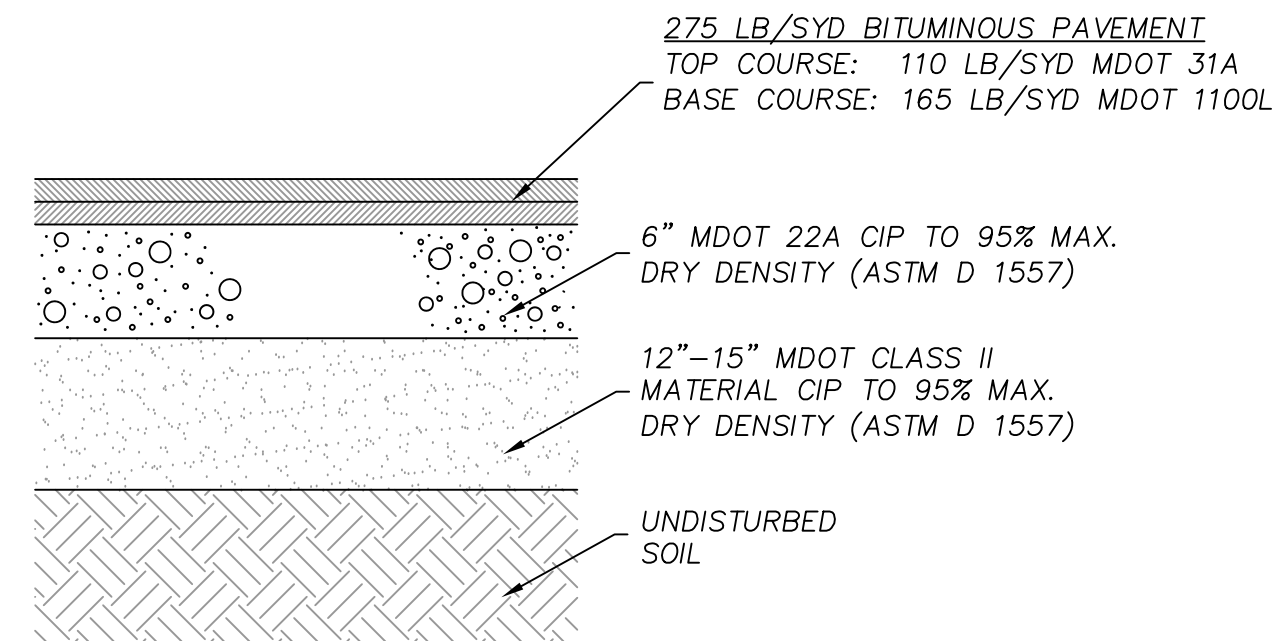
Project No.  
19047

C2.0



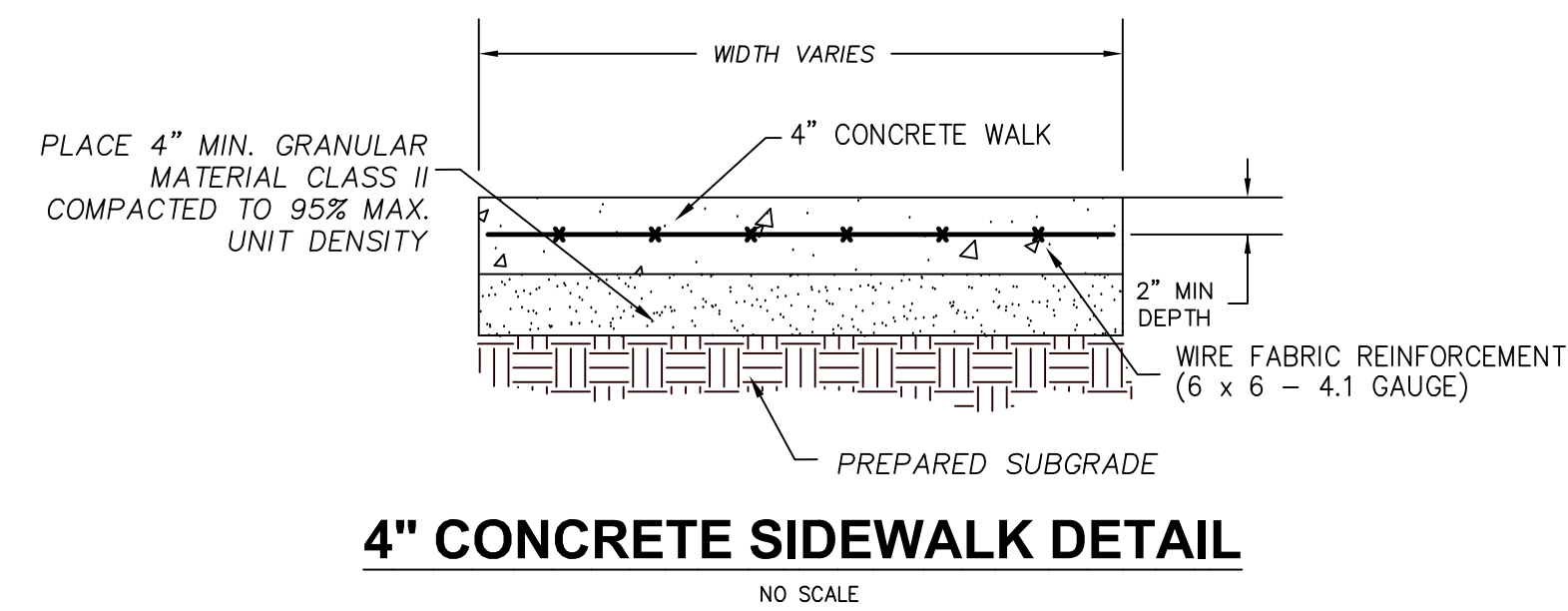
\*\*HEAVY CLAY SOILS WILL NEED TO BE REMOVED FROM BELOW THE SUBGRADE AND REPLACED WITH IMPORTED CL II SAND.

**GRAVEL PAVEMENT DETAIL**  
NO SCALE

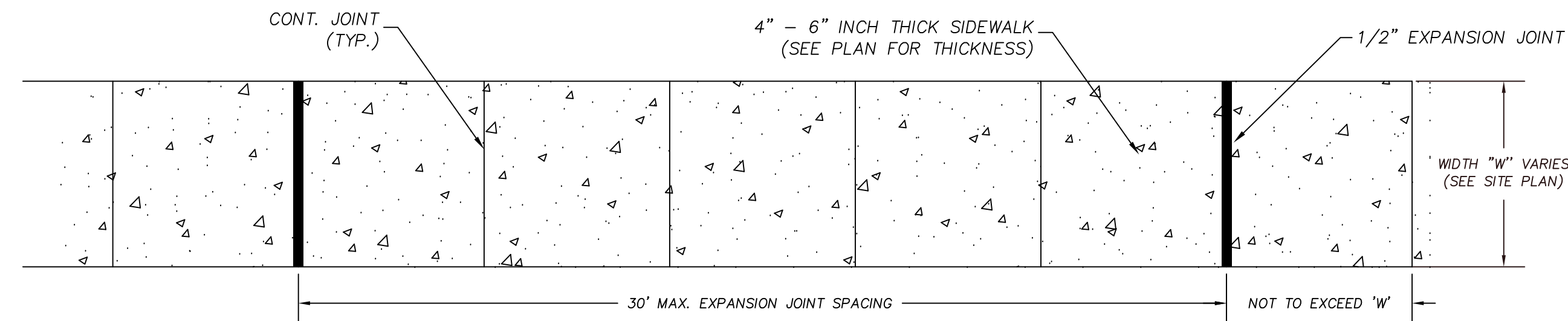


\*\*HEAVY CLAY SOILS WILL NEED TO BE REMOVED FROM BELOW THE SUBGRADE AND REPLACED WITH IMPORTED CL II SAND.

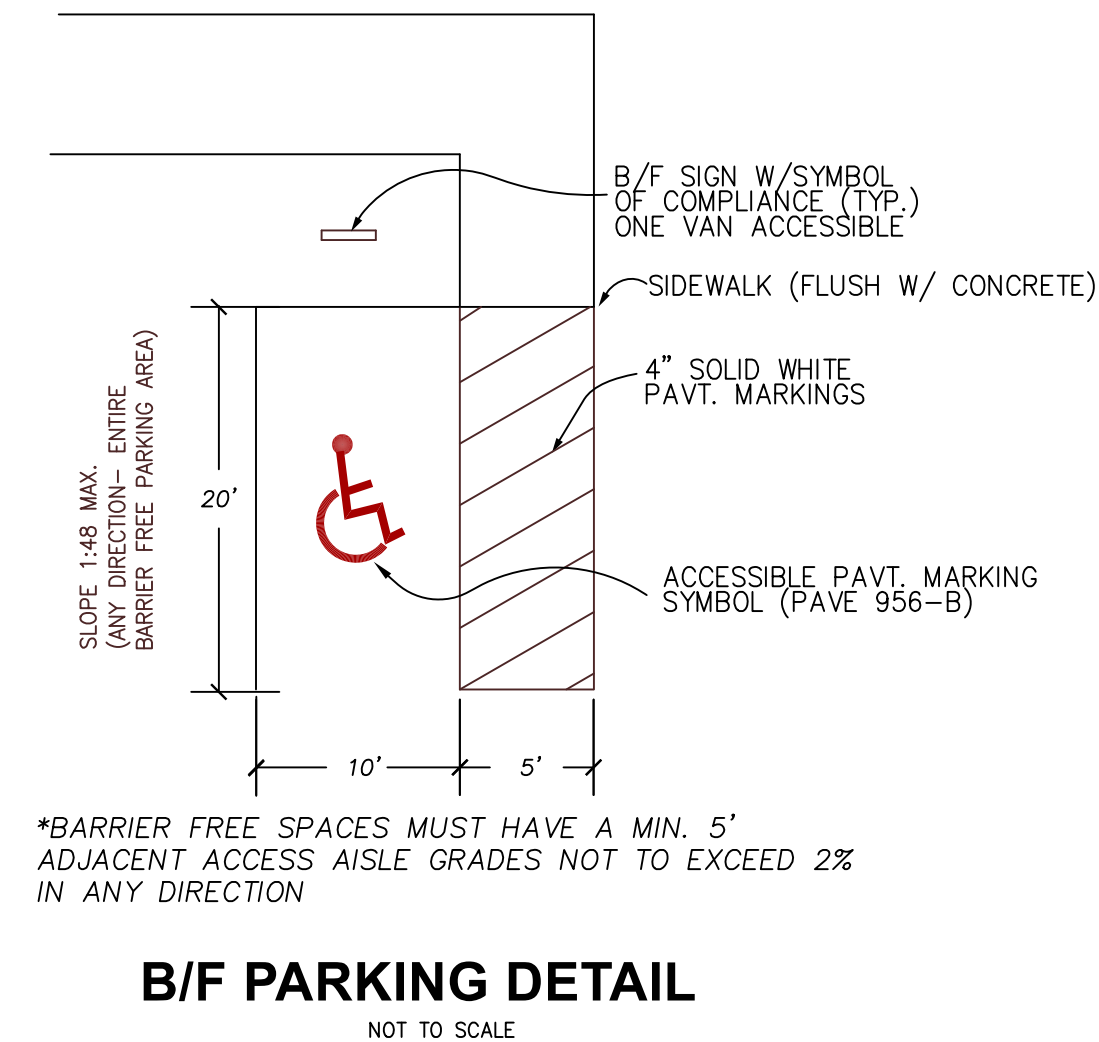
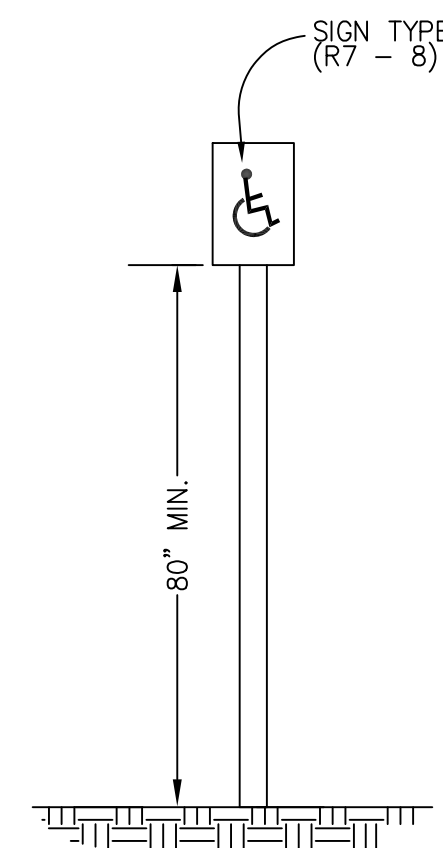
**ASPHALT PAVEMENT DETAIL**  
NO SCALE



**4" CONCRETE SIDEWALK DETAIL**  
NO SCALE

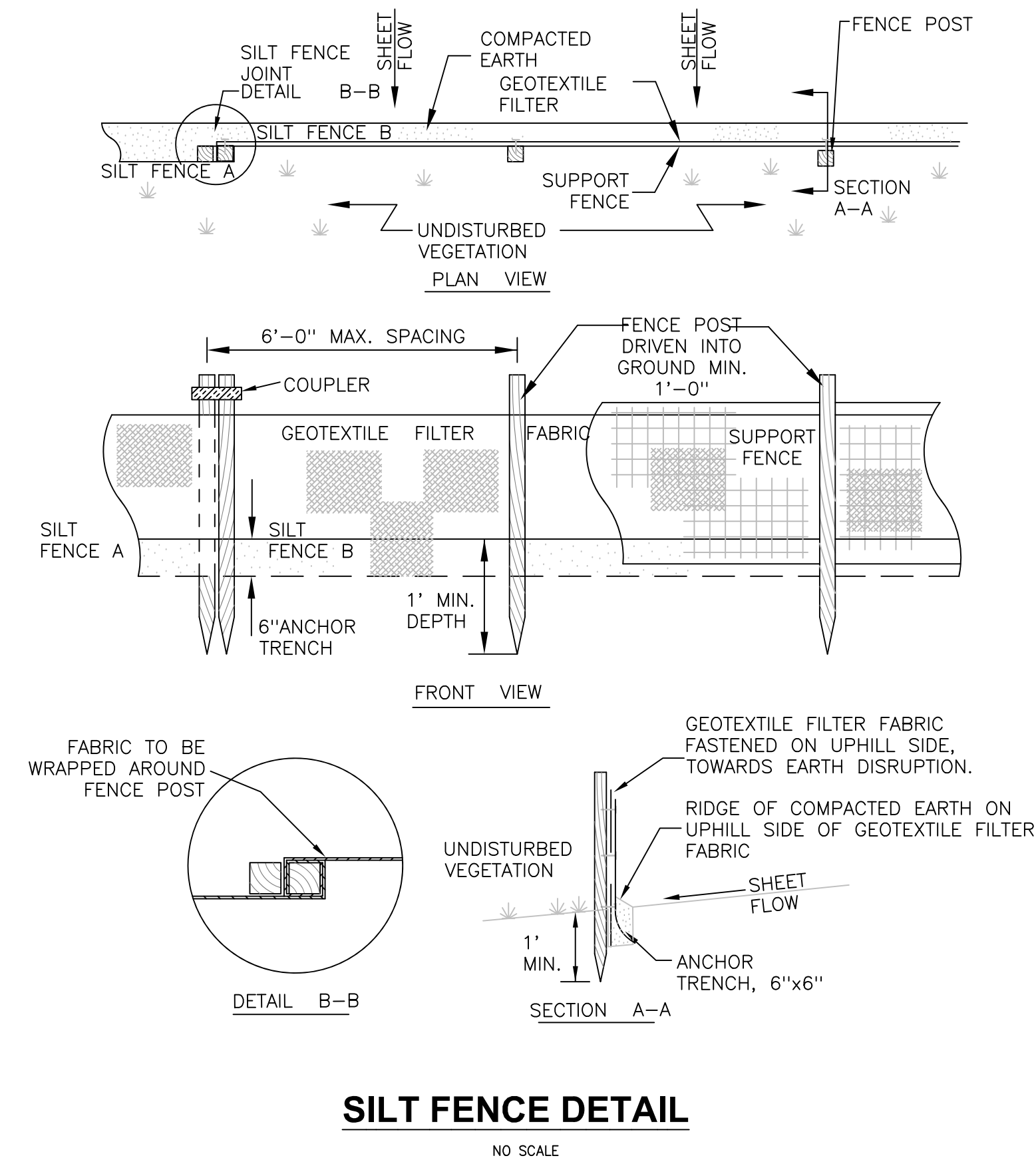


**SIDEWALK PLAN DETAIL**



\*BARRIER FREE SPACES MUST HAVE A MIN. 5' ADJACENT ACCESS AISLE GRADES NOT TO EXCEED 2% IN ANY DIRECTION

**B/F PARKING DETAIL**  
NOT TO SCALE



**SILT FENCE DETAIL**  
NO SCALE

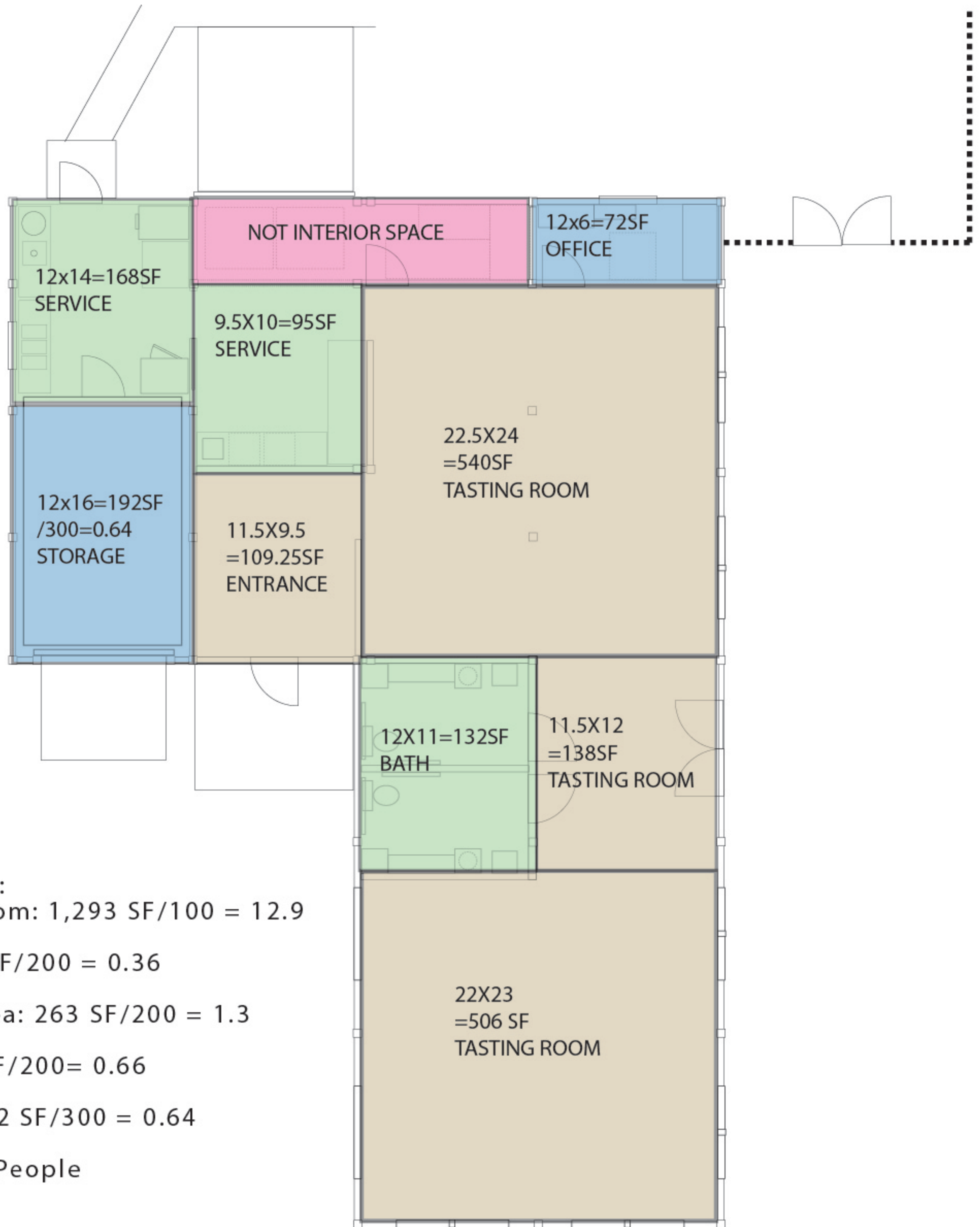


Revision:	By:	Date:
1	XXXX	XXXX
2	XXXX	XXXX
3	XXXX	XXXX
4	XXXX	XXXX
5	XXXX	XXXX

Date:	02-20-2020
Scale:	VARIABLES
Drawn By:	RAC
Checked By:	

Client: **DAVID AND JACKIE BOS**  
7352 ANGELL ROAD  
WILLIAMSBURG, MI 49690

Sheet Title: **DETAILS**  
**BOS VINYARDS WINERY AND FARM**  
7352 ANGELL ROAD WILLIAMSBURG, MI 49690  
Project: **Sec. 17, T 28 N, R 9 W, ACME TOWNSHIP, GRAND TRAVERSE COUNTY, MI**



Occupancy:  
 Tasting Room:  $1,293 \text{ SF} / 100 = 12.9$   
 Office:  $72 \text{ SF} / 200 = 0.36$   
 Service Area:  $263 \text{ SF} / 200 = 1.3$   
 Bath:  $132 \text{ SF} / 200 = 0.66$   
 Storage:  $192 \text{ SF} / 300 = 0.64$   
 Total = 18 People



NORTH  
 SCALE 1:10  
 MARCH 4, 2020



Michigan Department of Licensing and Regulatory Affairs  
Liquor Control Commission (MLCC)  
Toll Free: 866-813-0011 • [www.michigan.gov/lcc](http://www.michigan.gov/lcc)

Business ID: \_\_\_\_\_  
Request ID: \_\_\_\_\_  
(For MLCC use only)

**Local Government Approval**  
(Authorized by MCL 436.1501)

**Instructions for Applicants:**

- You must obtain a recommendation from the local legislative body for a new on-premises license application, certain types of license classification transfers, and/or a new banquet facility permit.

**Instructions for Local Legislative Body:**

- Complete this resolution or provide a resolution, along with certification from the clerk or adopted minutes from the meeting at which this request was considered.

At a regular meeting of the Acme Township council/board  
(regular or special) (township, city, village)  
called to order by Supervisor Zollinger on 5/14/2019 at 7:00 PM  
the following resolution was offered: Acme 2019-16 (date) (time)  
Moved by Scott and supported by White  
that the application from Le Bos LLC, DBA Bos Wine  
(name of applicant - if a corporation or limited liability company, please state the company name)  
for the following license(s): Small Wine Maker, On-Premises Tasting Room Permi  
(list specific licenses requested)  
to be located at: 7352 Angell Rd. Williamsburg, MI. 49690  
and the following permit, if applied for:  
☐ Banquet Facility Permit Address of Banquet Facility: \_\_\_\_\_  
It is the consensus of this body that it recommends this application be considered for  
(recommends/does not recommend)  
approval by the Michigan Liquor Control Commission.  
If disapproved, the reasons for disapproval are \_\_\_\_\_

**Vote**

Yeas: 6  
Nays: 0  
Absent: 1

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the Acme Township  
council/board at a regular meeting held on 5/14/19 (township, city, village)  
(regular or special) (date)

Cathy Dye Cathy Dye  
Print Name of Clerk Signature of Clerk

5-15-19  
Date

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.

Please return this completed form along with any corresponding documents to:

Michigan Liquor Control Commission

Mailing address: P.O. Box 30005, Lansing, MI 48909

Hand deliveries or overnight packages: Constitution Hall - 525 W. Allegan, Lansing, MI 48933

Fax to: 517-63-0059



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF  
ENVIRONMENT, GREAT LAKES, AND ENERGY  
CADILLAC



LIESL EICHLER CLARK  
DIRECTOR

February 10, 2020

VIA EMAIL

Ms. Jackie Bos  
7352 Angell Road  
Williamsburg, Michigan 49690

Dear Ms. Bos:

SUBJECT: Preapplication Meeting  
Michigan Department of Environment, Great Lakes, and Energy (EGLE)  
Submission Number HNX-39V3-E722R

This letter is a follow-up to our February 5, 2020, preapplication site inspection regarding the proposed project in Williamsburg, Grand Traverse County. The purpose of a preapplication meeting is to provide you with information that will clarify the permit process, answer preliminary questions about your specific project in order to avoid delays at a later date, and to determine, if possible, the need for wetland or inland lakes and streams permits.

During this meeting we reviewed the need to obtain a permit under Part 301, Inland Lakes and Streams; and Part 303, Wetlands Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA). The review was based on discussion of the proposed project and/or draft permit application, the proposed site, and potential modifications to the project discussed during our meeting.

During the review of the project site, EGLE's Water Resources Division (WRD) made the following findings regarding the need for a permit under Part 301 and Part 303 of the NREPA:

- ☐ A permit is required for the project as proposed.
- ☒ **A permit is not required for the project as proposed.**
- ☐ It cannot be determined whether a permit is required given the information presented at this time.

This determination is based on the attached project plan prepared by Ms. Jackie Bos and uploaded on January 28, 2020, along with other information provided at the time of this meeting only. Provided that the proposed project and location are not altered, this determination is binding on EGLE for a period of two years from the date of this meeting.

During the meeting, we also discussed a number of issues related to the project, including the following:

- Information on completing an application form.
- Possible alternative design options to minimize project effects on aquatic resources.

Ms. Jackie Bos  
PreApplication Meeting  
Page 2

Please note that this is not a permit. The WRD cannot indicate during a preapplication meeting whether or not a permit will be issued. The WRD cannot make a decision regarding a permit until it has considered all of the information provided in the final permit application, and, in some instances, has also considered comments received in response to a public notice of the project. Therefore, the WRD cannot legally tell you whether the project will be permitted in advance of a permit application being submitted and reviewed.

The EGLE submission number assigned to this project is HNX-39V3-E722R. Please keep a record of this submission number and use it when submitting a final application or otherwise corresponding with our office on this project.

We appreciate the opportunity to meet with you or your representative to address these concerns. We have established a submission for this project, and the information submitted to date will be used to facilitate processing of the final application. If you should have questions before then, please contact me at 231-429-5244; SchockN@michigan.gov; or EGLE, WRD, Cadillac District Office, 120 West Chapin Street, Cadillac, Michigan 49601-2158.

Sincerely,



Neil Schock  
Cadillac District Office  
Water Resources Division

sh:ns  
Attachment  
cc: Grand Traverse CEA



# GRAND TRAVERSE METRO FIRE DEPARTMENT

## FIRE PREVENTION BUREAU

897 Parsons Road ~ Traverse City, MI 49686  
Phone: (231) 922-2077 Fax: (231) 922-4918 ~ Website: [www.gtfire.org](http://www.gtfire.org) Email: [info@gtfire.org](mailto:info@gtfire.org)

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### SITE PLAN REVIEW RECORD

ID # P-1242-M6794

DATE: 2/4/2020

PROJECT NAME: Bos Farmhouse

PROJECT ADDRESS: 7352 Angell Rd.

TOWNSHIP: Acme

APPLICANT NAME: Jackie Bos

APPLICANT COMPANY: David Bos/Bos Wine

APPLICANT ADDRESS: 7352 Angell Rd.

APPLICANT CITY: Williamsburg STATE: MI ZIP: 49690

APPLICANT PHONE 707-815-3226

FAX #

REVIEW FEE: \$00.00

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Reviewed By: Kathy Fordyce, Plan Reviewer

This review is based solely on the materials submitted for review and does not encompass any outstanding information. Compliance with all applicable code provisions is required and is the responsibility of the permit holder. Items not listed on the review do not negate any requirements of the code nor the compliance with same. Inspection requests must be made a minimum of 48 hours prior to needed inspection. This plan review is based on the 2015 International Fire Code, as adopted.



# GRAND TRAVERSE METRO FIRE DEPARTMENT

## FIRE PREVENTION BUREAU

897 Parsons Road ~ Traverse City, MI 49686  
Phone: (231) 922-2077 Fax: (231) 922-4918 ~ Website: [www.qtfire.org](http://www.qtfire.org) Email: [Info@qtfire.org](mailto:Info@qtfire.org)

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## SITE PLAN REVIEW

ID # P-1242-M6794

DATE: 2/4/2020

### 1. 505.1 Address identification.

New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4 inches (102 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.

**-Provide address at the end of the fire apparatus access road so that it is visible from both directions.**

### 2. 503.2.1 Dimensions.

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

**-The full 20' width of the fire apparatus access road shall be maintained year around. This includes gravel and asphalt.**

### 3. 503.3 Marking.

Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING—FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

**-Provide "NO PARKING-FIRE LANE" signs along the fire apparatus access road every 100 feet. Install the signs so that they are clearly legible in the direction of travel. (Perpendicular to the access drive).**

Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background.

**>Provide a NO PARKING-FIRE LANE sign at the end of the drive closest to the wine tasting room.**

**Project may proceed with township approval process.**

# Grand Traverse County Health Department

2650 LAFRANIER RD  
TRAVERSE CITY, MI 49686

231-995-6051

eh@grandtraverse.org

GT #: **39321**

OWNER **DAVID & JACKIE BOS**

CURRENT

MAILING ADDRESS **7352 ANGELL RD**

**Williamsburg, MI 49690**

PH. **707-260-5323**

NEW

**Yes**

EXISTING

TYPE OF ESTABLISHMENT **Commercial**

PROPERTY ADDRESS **7352 ANGELL RD**

SUBDIVISION

CITY **TRAVERSE CITY**

LOT #

TOWNSHIP **Acme Twp.**

SECTION

**17**

SOIL:

SOIL HORIZONS TO

A DEPTH OF 6 FEET

DEPTH TO GROUND WATER

SEPTIC TANK SIZE **1250g DBL**

PUMP CHAMBER **1500g**

EFFLUENT FILTER **ZABEL A-100 2 R 6941**

DRAIN BED **EXISTING 21'x50'**

LINEAL FEET

SQUARE FEET

TILE LINES ON

TILE FIELD

TRENCH WIDTH

LINEAL FEET

OTHER

ADDITIONAL PERMIT SPECIFICATIONS:

**EXISTING DRAINFIELD INSTALLED  
UNDER PERMIT #30674**

NUMBER OF BEDROOMS

NUMBER OF BATHS **2**

LAUNDRY **NO**

DISHWASHER **YES**

GARBAGE DISPOSAL **NO**

BASEMENT PLUMBING **NO**

SEWAGE EJECTOR **NO**

EXISTING FUEL TANKS **NO**

SHARED WELL **NO**

OTHER

SEPTIC PERMIT ☒

WELL PERMIT ☐

PROPERTY TAX # - **280100800103**

## WATER SUPPLY INFORMATION

WATER SUPPLY TYPE **Existing**

MINIMUM DEPTH

SPECIAL REQUIREMENTS

EXISTING WELL TO BE ABANDONED AND PLUGGED **NO**

WELL CONSTRUCTION APPROVAL

PER REVIEW OF WELL LOG ☐

PER ONSITE INSPECTION ☐

## WATER SAMPLE RESULTS

BACTERIOLOGICAL DATE SAMPLED

NITRATES DATE SAMPLED

RESULTS REVIEWED BY DATE

## WATER SAMPLING REQUIREMENT

(1) Before placing a new, repaired, or reconditioned water supply system into service, and after all traces of chlorine have been flushed out, 1 or more water samples shall be collected from the sampling faucet. Organisms of the coliform group shall not be present in the sample or samples.

(2) The water supply owner shall be responsible for collecting the water sample or shall arrange for the owner's designated representative to collect the sample. The well drilling contractor or pump installer shall notify the water supply owner of the owner's responsibility for collecting the water sample.

## AGREEMENT

I HEREBY AGREE TO COMPLY WITH REQUIREMENTS OF THE SANITARY CODE FOR THE COUNTY OF GRAND TRAVERSE, AND THE APPLICABLE LAWS OF THE STATE OF MICHIGAN IN THE INSTALLATION OF A SEPTIC TANK SEWAGE DISPOSAL SYSTEM AND/OR WELL INSTALLATION ON THE ABOVE DESCRIBED PROPERTY, AND TO CONSTRUCT THE SAME ACCORDING TO THE PLANS AND SPECIFICATIONS AS DESCRIBED AND APPROVED ABOVE; OTHERWISE I UNDERSTAND, THE PERMIT WILL BE VOID.

FINAL INSPECTION OF SEPTIC REQUIRED BEFORE COVERING. ONE DAY NOTICE SHALL BE GIVEN FOR INSPECTION.

SIGNED

OWNER OR AGENT

DATE **2-20-20**

THE SPECIFICATIONS AS STATED ON THIS PERMIT MEET WITH MINIMUM REQUIREMENTS OF THE SANITARY CODE. THE OWNER SHOULD BE ADVISED THAT ADDITIONAL CONSTRUCTION OPTIONS MAY BE AVAILABLE WHICH COULD EXTEND THE LIFE EXPECTANCY OF THE SEWAGE SYSTEM. CONSULT WITH THE HEALTH DEPARTMENT REGARDING THESE OPTIONS.

PERMIT TO INSTALL, CONSTRUCT OR REPLACE  
**EXPIRES 2 YEARS AFTER DATE OF ISSUE**

PERMIT IS NON-TRANSFERABLE TO PLACE  
OTHER TRANSFER SUBJECT TO RESTRICTIONS

ISSUED TO

DATE **2/19/2020**

BY

HEALTH DEPT. REPRESENTATIVE

RECEIPT # **49651**

DATE **1/30/2020**

RECEIVED

**\$100.00**

**SEPTIC PERMITS**

**SEE REVERSE SIDE FOR DRAWING AND CONSTRUCTION DETAILS**

## CERTIFICATION OF INSPECTION (PERMIT TO COVER)

SEWER SEPTIC TANK PUMP CHAMBER

MANUFACTURER OF SEPTIC TANK

FINAL DISPOSAL ISOLATION DIST

NOTES

INSPECTION BY DATE

CONTRACTOR

SEPTIC

WELL

APPROVAL OF A PLAN AND THE INSTALLATION CANNOT BE CONSIDERED BY THE OWNER AS A GUARANTEE THAT SUCCESSFUL OPERATION IS ASSURED. THERE ARE MANY WAYS A SYSTEM CAN BE ABUSED CAUSING FAILURE.

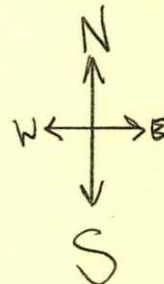
ANGELL RD

7352 ANGELL RD  
PERMIT # 39321  
2/19/2020

NOTES:

- PUMP CRUSH AND FILL EXISTING SEPTIC TANK FOR BARN.
- PRIOR TO INSTALL & FINAL APPROVAL FOR THE TASTING ROOM SEPTIC SYSTEM, AN APPROVED SEPTIC SYSTEM SHALL BE INSTALLED FOR THE HOUSE.
- PRIOR TO GRANTING FINAL APPROVAL THE WELL SHALL BE APPROVED AND CONVERTED FOR TYPE II USE WITH THE STATE OF MICHIGAN.
- AN EVENT TIMER SHALL BE PLACED ON THE SEPTIC SYSTEM FOR MONITORING FLOW TO THE DRAINFIELD.
- HIGH SEAM TANKS SHALL BE UTILIZED WITH EXTRA WATERPROOFING MEASURES AND RUBBERCAST BOOTS
- INSTALL EFFLUENT FILTER EQUIVALENT TO A ZABEL A-100.
- INSTALL CHECK VALVE ON SYSTEM SO THAT WATER DOES NOT FLOW BACK TO THE PUMP CHAMBER.
- SET EFFLUENT PUMP TO 100G PER CYCLE.
- INSTALL AUDIO VISUAL HIGH WATER ALARM ON PUMP SYSTEM
- 2" PRESSURE LINE TO BE HOOKED TO EXISTING 21'X50' DRAINFIELD INSTALLED UNDER PERMIT # 30674
- SEE ATTACHED PUMP CHAMBER DETAILS FOR ADDITIONAL INSTALLATION REQUIREMENTS.

EXISTING WELL  
TO BE CONVERTED  
TO TYPE II  
(IN PROCESS)



DRIVE

DRIVE

7352 ANGELL RD

EXISTING 1600G DBL SEPTIC TANK  
EXISTING  
750G PUMP CHAMBER

SITE SURVEY 9104 DATED 4/22/19 INDICATED ATS ONLY SUITABLE GROUND LOCATED ON THE PARCEL. AN ATS PERMIT WAS APPLIED FOR IN JAN. 2020. AN ENGINEER IS WORKING ON THE DESIGN FOR THE ATS.

\* - THE TASTING ROOM SHALL NOT BE HOOKED UP TO THE EXISTING HOUSE DRAINFIELD UNTIL AN APPROVED SEPTIC SYSTEM HAS BEEN INSTALLED FOR THE HOUSE

FENCE

GATE

EXISTING SEPTIC

NEW PROPOSED PARKING

PROPOSED TASTING ROOM

SCH. 40

1250G DOUBLE COMPARTMENT HIGH SEAM SEPTIC TANK  
ZABEL A-100 OR EQUIVALENT EFFLUENT FILTER

1500G MONOLITHIC TANK FOR PUMP CHAMBER

2" PRESSURE LINE

TO EXISTING DRAINFIELD

PROPERTY LINE

**GRAND TRAVERSE COUNTY  
HEALTH DEPARTMENT  
231-995-6051**

Permit # 39321 Township ACME

Name DAVID & JACKIE BOS

Address 7352 ANGELL RD (TASTING ROOM)

☒ SEWAGE DISPOSAL

☐ WELL

Tank Size 1250g DBL HIGH SEAM, 1500g MONO PUMP CHAMBER

Field Size EXISTING lineal ft. \_\_\_\_\_

sq. ft. \_\_\_\_\_

Issued By B. G. Whit Date 2/19/2020

**POST IN CONSPICUOUS PLACE**

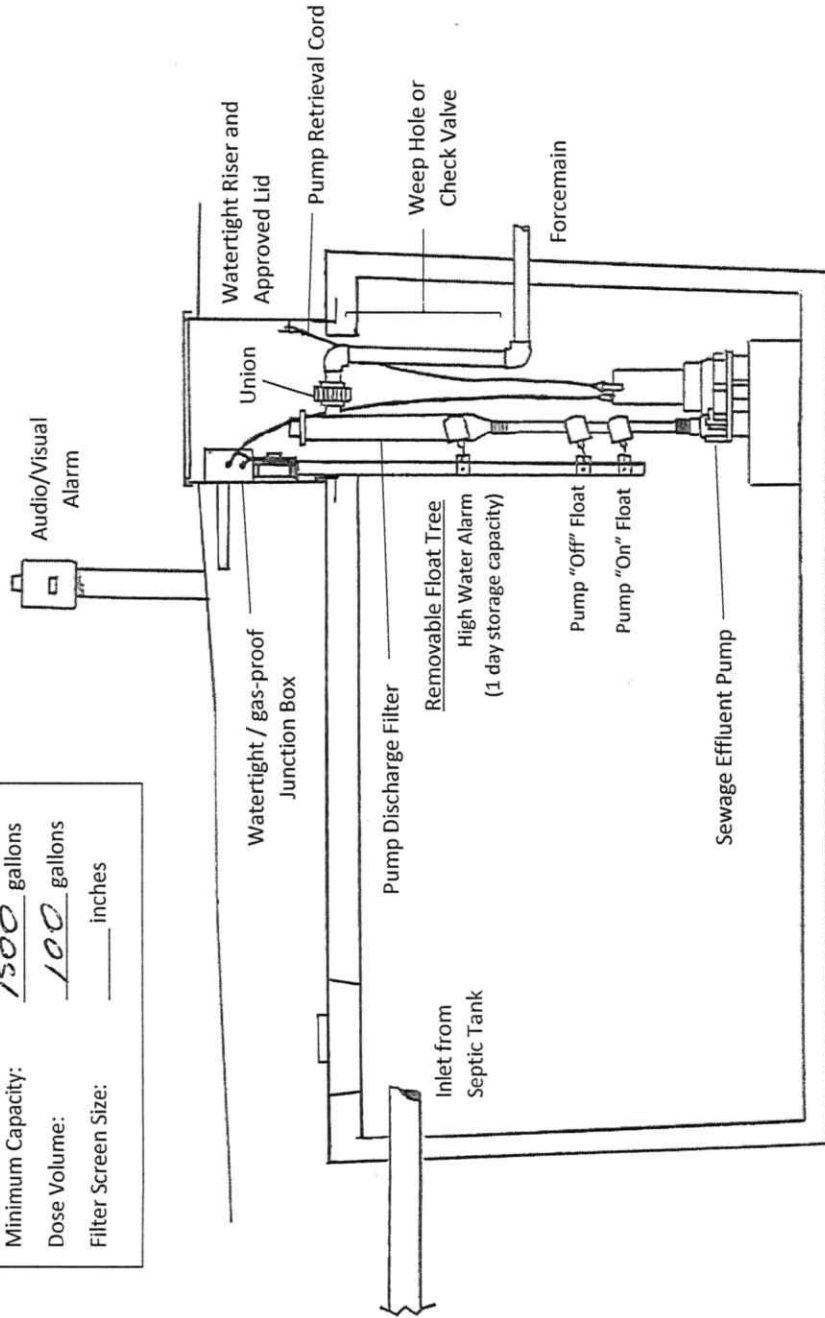


## Pump Chamber (cross-section) Diagram

PERMIT NUMBER: 39321

### Detail:

Maximum Burial Depth: \_\_\_\_\_ inches  
 Minimum Capacity: 1500 gallons  
 Dose Volume: 100 gallons  
 Filter Screen Size: \_\_\_\_\_ inches



### Compacting

The soil below a septic tank or pump chamber shall be compacted, leveled and free of stone or other material that could compromise the integrity of the tank bottom. Soils adjacent to the sidewalls of the tank shall be compacted using non-mechanical methods to prevent settling.

### Watertight Construction

Pump chamber should be designed and installed to be watertight including; watertight seams, penetrations and access risers...

### Buoyancy Considerations

In areas of high groundwater conditions, septic tank buoyancy calculations shall be provided to the Health Officer for review and necessary ballasting provided.

### Electrical Approvals

All electrical installations should be done under permit and receive approval from the building department.

\*\*\* See Attached Pump Chamber Details Sheet \*\*\*

Confined Space Safety (29CFR, standard 1910.146)

Entering a Septic Tank or Pump Chamber is considered entering a confined space, as defined and regulated by the Occupational Safety and Health Administration (OSHA). To prevent the necessary entry into the pump chamber, all equipment should be installed to be easily removed without entering the tank.

# Grand Traverse County Health Department

## PUMP CHAMBER DETAILS

### Inlet from Septic Tank:

The inlet from the septic tank must be 4" Schedule 40 or SDR35.

### Audio-Visual Alarm:

An audio-visual alarm must be provided. The alarm control box should be watertight, set on a post or other conspicuous location and connected through the septic tank riser to an electrical junction box (see below) by approved electrical conduit.

### Watertight / Gas-resistant Junction Box:

A watertight junction box should be provided for all pumps, floats, and alarm controls and electrical connections. The junction box should be corrosion and gas resistant. The alarm and pump are required to be installed on separate electrical circuits.

### Watertight Septic Tank Riser and Approved Lid:

Risers provide access to pump and pumping equipment and allow for proper septic tank maintenance. All septic tank risers should have a watertight connection to the septic tank and be equipped with a lid designed to prevent unauthorized access.

### Quick Connect Union:

A quick connect union should be provided for ease of pump removal and maintenance and to prevent the need to access the septic tank to remove the pump\*. The union should be within arm's reach of the top of the access riser.

### Removable Float Tree:

A removable float tree provides access to floats without entering the septic tank, and prevents floats from tangling and/or interfering with each other. Floats should include a high water alarm, pump-on / pump-off, low water-redundant off (optional) and should be positively secured to the float tree (ie. screws, zip ties).

### Pump Retrieval Cord:

A cord of corrosion-resistant, durable material connected to the pump and secured within the inside of the septic tank riser shall be provided to allow for retrieval of pump without entering the septic tank\*.

### Sewage Effluent Pump:

Sewage effluent pumps should be elevated above the septic tank floor, by blocking, using suspended pump vaults or other means, to prevent pumping solids to final disposal and premature pump failure.

### Pump Discharge Filter:

Pump discharge filters are recommended when pumping to a low-pressure distribution (LPD) system. The maximum discharge filter opening or screening size shall not exceed the maximum orifice size in the distribution network. Pump discharge filters are not required when pumping to 4" distribution systems.

### Weep Hole or Check Valve:

A weep hole must be provided for force main lengths less than 100' to evacuate force main between pump cycles. Those force main lengths greater than 100' must utilize a check valve to prevent large volumes of back flow from short cycling the pump and encouraging premature pump failure. In the event that the dispersal field is at a lower elevation than the pump, a weep hole is crucial to prevent siphoning of the pump chamber.

### Forcemain Construction:

Force mains shall be constructed of schedule 40 PVC, SDR 21 or equivalent. Tracer wire is recommended for all force main installations that go offsite or are greater than 300' in length.

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*\* Entering a septic tank is considered entering a confined space as defined and regulated by the Occupational Safety and Health Administration (OSHA).*

*All regulated electrical work requires an **electrical permit** through Grand Traverse County Construction Code Office.*

**GRAND TRAVERSE COUNTY ENVIRONMENTAL HEALTH  
SOIL EROSION AND SEDIMENTATION CONTROL  
SITE DETERMINATION FORM**

PART 91, SOIL EROSION & SEDIMENTATION CONTROL, ACT 451 OF 1994,  
AS AMENDED & GTCHD SOIL EROSION SEDIMENTATION CONTROL ORDINANCE

Office  
Use  
Only

Amount: \$ 25.00

Receipt #: W/Septic

Received By: Jm

Project Type: ☐ Residential ☐ Multi-Family ☒ Commercial

Project Address: 7352 Angell Rd. City, Zip: Williamsburg 49690

Tax #: 01-008-001-03 Twp: Acme Section: Town: Range:

Subdivision: CASK Run Lot: 2 21

Size of Earth Change: < 10,000 SF Start Date: 2/1/20 Completion Date: 2/1/20

Name & Distance to Nearest Surface Water, Wetland or Drain: Tobacco Creek > 150' (015')

Describe Project: Wine Tasting Room

\*\*\* DETERMINATIONS MUST BE SUBMITTED WITH AN ACCURATE SITE PLAN OF PROPOSED WORK\*\*\*

Owner's Name: David Bos

Owner's Mailing Address: 7352 Angell Rd. City, State, Zip: Williamsburg, MI.

Owner's Phone: 707 260 5323 Owner's email: david@boswine.com 49690

Applicant (if other than owner): Jackie Bos

Address: Same City, State, Zip: Same

Phone: 707 815 3224 Email: jackie@boswine.com

\*\*Signature: [Signature] Date: 1-30-20

DEPARTMENT USE ONLY: COMPLETED BY SANITARIAN

**THE FOLLOWING CRITERIA DO NOT APPLY:**

SOM PA 451, PART 91 REQUIREMENTS

GTCHD SESC REQUIREMENTS

☒ Within 500' of Lake or Stream

☒ Within 500' of Regulated Wetland

☒ Slopes of 20% or greater

☒ Disturb 1 acre or more

☒ Within 500' of a County Drain

☒ Group D Hydrologic Soils

Comments:

☒ OFFICE REVIEW ☐ FIELD REVIEW

Based on information provided by the Land Owner, the requirement for a Soil Erosion/Sedimentation Control (SESC) Permit has been reviewed in accordance with Part 91, Act 451 of 1994 and the Grand Traverse County Soil Erosion and Sedimentation Control Ordinance, as amended. Grand Traverse County Health Department, County Enforcing Agency, has determined that a SESC Permit is:

☒ NOT REQUIRED

☐ REQUIRED

Sanitarian Reviewer: [Signature] Date: 2/14/2020

### APPLICATION AND PERMIT TO CONSTRUCT, OPERATE, USE AND/OR MAINTAIN WITHIN THE RIGHT-OF-WAY OF; OR TO CLOSE, A COUNTY ROAD APPLICATION

An applicant is defined as an owner of property adjacent to the right-of-way, the property owner's authorized representative; or an authorized representative of a private or public utility who applies for a permit to construct, operate, use, and/or maintain a facility within the right-of-way for the purpose outlined within the application. A contractor who makes application on behalf of a property owner or utility must provide documentation of authority to apply for a permit.

<b>APPLICANT</b>	David and Jackie Bos 7352 Angell Road Williamsburg, MI 49690-0000  Phone(s): 707-815-3226 - - - Email: jackie@boswine.com	<b>CONTRACTOR</b>	Elmer's Crane & Dozer, Inc. 3600 Rennie School Road Ryan Wurtz Traverse City, MI 49685-0000  Phone(s): 231-943-5622 - - - Email: rwurtz@teamelmers.com
Applicant/Contractor request a permit for the following work within the right of way of a county road: Commercial - Commercial Drive LOCATION: County Road <u>7352 Angell</u> Between <u>Bates S</u> And <u>Elk Lake Road</u> Township <u>Acme</u> Section _____ Side of Road <u>South</u> Property ID <u>28-01-008-001-03</u> DATE: Work to begin on <u>12/23/2019</u> Work to be completed by <u>12/23/2020</u> I certify and acknowledge that (1) the information contained in this application is true and correct, (2) the commencement of the work described in this application shall constitute acceptance of the permit as issued, including all terms and conditions thereof and, (3) if this permit is for commercial or residential driveway work, I am the legal owner of the property that this driveway will serve, or I am the authorized representative.			
Applicant's Signature: _____ On File Title: _____ Date: _____		Contractor's Signature: _____ On File Title: _____ Date: _____	

#### PERMIT

The term "Permit Holder" in the terms and conditions set forth on the reverse side hereof, refers to the applicant and the contractor, where applicable. By performing work under this permit, the Permit Holder acknowledges and agrees that this permit is subject to all the rules, regulations, terms and conditions set forth herein, including on the reverse side hereof. Failure to comply with any of said rules, regulations, terms and conditions shall render this permit NULL AND VOID.

REQUIREMENTS	FEE TYPE	AMOUNT	RECEIPT NO	DATE					
	Commercial RC	150.00	17538		Letter of Credit	<input type="checkbox"/> Y	<input checked="" type="checkbox"/> N		
					Surety Bond	<input type="checkbox"/> Y	<input checked="" type="checkbox"/> N		
					Retainer Letter	<input type="checkbox"/> Y	<input checked="" type="checkbox"/> N		
					Approved Plans on File	<input type="checkbox"/> Y	<input checked="" type="checkbox"/> N		
					Certificate of Insurance	<input type="checkbox"/> Y	<input checked="" type="checkbox"/> N		
					Attachments/Supplemental Specifications	<input type="checkbox"/> Y	<input checked="" type="checkbox"/> N		

#### OTHER REQUIREMENTS:

One 24' Commercial Asphalt driveway approach. Refer to the attached standard sketch. Within ROW drive shall be uniform material. The finished surface on a driveway approach shall slope down from the pavement edge at a rate of 1/2" - 3/4" per foot back to the ditch centerline. This distance shall not be less than 8'. WHEN FINISH GRADE IS PREPARED CONTACT THE ROAD COMMISSION FOR INSPECTION 24 HRS PRIOR TO PAVING. COPY SENT TO THE TOWNSHIP AND TO THE CONSTRUCTION CODE OFFICE. The terms of this permit represent only the Road Commission requirements. Other agencies may have additional requirements. Applicant/Contractor is approved for construction/resurfacing of the driveway. Applicant/Contractor shall provide notification to the Road Commission upon completion of construction for Final Inspection and approval. Drainage must be maintained away from road.

Recommended for Issuance By:

Approved By:

Title: \_\_\_\_\_ Date: 12/23/2019

Title: \_\_\_\_\_ Date: \_\_\_\_\_

## TERMS AND CONDITIONS

1. **Specifications.** All work performed under this permit must be done in accordance with the application, plans, specifications, maps and statements filed with the County Road Commission ("Road Commission") and must comply with the Road Commission's current procedures and regulations on file at its offices and the current MDOT Standard Specifications for Construction, if applicable.
2. **Fees and Costs.** The Permit Holder shall be responsible for all costs incurred by the Road Commission in connection with this permit and shall deposit estimated fees and costs as determined by the Road Commission, at the time the permit is issued.
3. **Bond.** The Permit Holder shall provide a cash deposit, irrevocable letter of credit or bond in a form and amount acceptable to the Road Commission at the time permit is issued.
4. **Insurance.** The Permit Holder shall furnish proof of general liability insurance in amounts not less than \$1,000,000 each occurrence and general aggregate, proof of automobile liability in amounts not less than \$1,000,000 combined single limit for each accident, bodily injury per accident, and property damage per accident, and in an amount not less than \$500,000 for bodily injury per person. Such proof of insurance shall include a valid certificate of insurance demonstrating that the Road Commission is an additional insured party on the policy. Such insurance shall cover a period not less than the term of this permit and shall provide that it cannot be cancelled without 30 days advance written notice to the Road Commission, by certified mail, first-class, return receipt requested. This permit is invalid if insurance expires during the authorized period of work described herein.
5. **Indemnification.** In addition to any liability or obligation of the Permit Holder that may otherwise exist, Permit Holder shall, to the fullest extent permitted by law, indemnify and hold harmless the Road Commission and its commissioners, officers, agents, and employees from and against any and all claims, actions, proceedings, liabilities, losses, and damages thereof, and any and all costs and expenses, including legal fees, associated therewith which the Road Commission may sustain by reason of claims for or allegations of the negligence or violation of the terms and conditions of this permit by the Permit Holder, its officers, agents, or employees, arising out of the work which is the subject of this permit, or arising out of work not authorized by this permit, or arising out of the continued existence of the operation or facility, which is the subject of this permit.
6. **Miss Dig.** The Permit Holder must comply with the requirements of Act 53 of Public Acts of 1974, as amended. CALL MISS DIG AT (800) 482-7171 or [www.missdig.org](http://www.missdig.org) AT LEAST THREE(3) FULL WORKING DAYS, BUT NOT MORE THAN FOURTEEN (14) CALENDAR DAYS, BEFORE YOU START WORK. The Permit Holder assumes all responsibility for damage to or interruption of underground utilities.
7. **Notification of Start and Completion of Work.** The Permit Holder must notify the Road Commission at least 48 hours before starting work, when work is completed, and additionally as directed by the Road Commission.
8. **Time Restrictions.** All work shall be performed Mondays through Fridays between and unless written approval is obtained from the Road Commission, and work shall be performed only during the period set forth in this permit. Perform no work except emergency work, unless authorized by the Road Commission on Saturdays, Sundays, or from on the day proceeding until the normal starting time the day after the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
9. **Safety.** Furnish, install and maintain all necessary traffic controls and protection during Permit Holder's operations in accordance with the Manual of Uniform Traffic Control Devices, Part 6 and any supplemental specifications set forth herein.
10. **Restoration and Repair of Road.** The construction, operation and maintenance of the activity covered by this permit shall be performed by the Permit Holder without cost to the Road Commission unless specified herein. The Permit Holder shall also be responsible for the cost of restoration and repair of the right-of-way determined by the Road Commission to be damaged as a result of the activity which is the subject of this permit. Restoration shall meet or exceed conditions when work is commenced and be in accordance with specifications. The Permit Holder shall be responsible for costs incurred by the Road Commission for emergency repairs performed by or on behalf of the Road Commission for the safety of the motoring public. Said repairs shall be performed with or without notice to the Permit Holder if immediate action is required. This determination shall be in the sole and reasonable opinion of the Road Commission.
11. **Limitation of Permit.** Issuance of this permit does not relieve Permit Holder from meeting any and all requirements of law, or of other public bodies or agencies. The Permit Holder shall be responsible for securing and shall secure any other permits or permission necessary or required by law from cities, villages, townships, corporations, property owners, or individuals for the activities hereby permitted. Any work not described by the application, including the time and place thereof, is strictly prohibited in the absence of the application for and issuance of an additional permit or amendment to this permit.
12. **Revocation of Permit.** This permit may be suspended or revoked at will, and the Permit Holder shall surrender this permit and alter, relocate or remove its facilities at its expense at the request of the Road Commission. It is understood that the rights granted herein are revocable at the will of the Road Commission and that the Permit Holder acquires no rights in the right-of-way and expressly waives any right to claim damages or compensation in case this permit is revoked.
13. **Assignability.** This permit is not assignable and not transferable unless specifically agreed to by the Road Commission.
14. **Authority.** The statutory authority of the Road Commission to require compliance with permit requirements is predicated upon its jurisdictional authority and is set forth in various statutes including, without limitation and in no particular order, MCL §247.321 et seq; MCL §224.19b; MCL §560.101 et seq; and MCL §247.171 et seq.



3860 North Long Lake Rd. Suite D  
Traverse City, MI 49684-7204  
tel: 231.929.7911  
fax: 231.929.0433  
email: [info@gtrlc.org](mailto:info@gtrlc.org)  
web: [www.gtrlc.org](http://www.gtrlc.org)

*Love the land. Pass it on.*

September 27, 2019

Dave and Jackie Bos  
7352 Angell Rd  
Williamsburg, MI 49690

Dear Dave and Jackie,

It was a pleasure meeting you, thanks for taking the time to walk your property with me, sorry again for being late.

Please keep me in the loop as you work to create your plans for new agricultural activities and use of the barn for retail sale and tasting. The conservation easement clearly allows for agricultural activities anywhere on your 10 acre parcel. This includes the grazing and boarding of livestock as well as production of crops. Along with this right if livestock were grazed on the property it would seem reasonable that the necessary improvements such as temporary shelters from sun and feeding/water containers would be permitted. Additionally with regard to the barn the conservation easement allows for necessary improvements to allow for proper use of the structure, such as access roads, utilities, and landscaping. However the barn may not exceed 2400 square feet.

Please keep in the loop as plans progress. I ask that prior to implementing activities on the ground that you provide me with a plan in writing for GTRLC review

I have enclosed a copy of the monitoring report for your records. If you have any questions about the report or your easement in general please do not hesitate to contact me. I can be contacted at 231-929-7911 or via email at [mokma@gtrlc.org](mailto:mokma@gtrlc.org).

I hope you have a great fall! See you next year.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Okma".

Mike Okma  
Manager of Easement Stewardship

Enclosure



## Conservation Easement Monitoring Report

**Conservation Easement Name:** Petobego South Farm

**Date of inspection:** 08/29/2019

**Primary Participant of monitoring visit:** Dave Bos

**Type of contact:** In Person

**Secondary Participant of monitoring visit:** Jackie Bos

**Brief description of property inspection:** I met with Dave and Jackie on site. We walked the area around the house and the ancillary barn as well as viewed the land south of the barn.

**Does the landowner have specific questions about the terms of the Conservation Easement? If so, please describe:** Dave and Jackie have questions regarding the process for implementing their plans to create a commercial tasting room in the ancillary barn. Currently looking for clarification for what can be permitted regarding needed changes to the site for parking and public use of the site as well as agricultural use of the barn etc.

**Please list any substantial changes to the property that have occurred from natural causes, and the location of the changes:** None noted at this time.

**Please list and describe an unnatural alteration of the property not expressly permitted by the Conservation Easement:** None noted at this time.

### Attachments

Photos: ~

Maps: ~

Other: ~

I the Easement Monitor have read the above Conservation Easement Monitoring Report and acknowledge that the property has been inspected for the year listed under Date of inspection on this form and is in accordance with the monitoring terms set forth in the baseline documentation report and conservation easement agreement for this property.

Monitor Name: Mike Okma

Monitor Signature: 

Date: 9/27/19

Please remember to contact your easement steward prior to implementing any reserved rights including the sale of your property.

3860 N. Long Lake Rd, Suite D  
Traverse City, MI 49684  
(231) 929-7911





GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

ORLENE HAWKS  
DIRECTOR

August 21, 2019

Licensee / Applicant Name: Le Bos LLC  
Request ID: 1904-06442

**\*\*Effective February 26, 2018**, the LARA Revenue Services cashier office is located in the Bureau of Medical Marihuana Regulation (BMMR) building located at: **2407 North Grand River Avenue, Lansing, MI 48906**. *If you wish to make payments in person* at the cashier office, you will need to go the BMMR building to pay and not to the Commission office as you have in the past. Please visit the MLCC website for directions and a map to the cashier office: <https://tinyurl.com/mlcc-cashier-move>. Cashier's new fax # 517-284-8557\*\*

Attached, please find a copy of the Commission Approval Order. **PLEASE READ THE ORDER CAREFULLY**. Completion of your request is subject to receipt of all documents and/or fees outlined in the order, which will be contained in *Section A*, if required. You must submit all items as ordered, otherwise the license cannot be issued. Forms are available on our website at [www.michigan.gov/lcc](http://www.michigan.gov/lcc). Should you have questions, please contact the License and Permits Section, toll free, at (866) 813-0011 and select menu option #4.

You may appeal any provision contained in the order within 20 days from the date of the mailing of the order pursuant to administrative rule R 436.1925. This appeal must be made in writing and sent to the attention of the Hearings & Appeals Division at the address listed below or by email at [MLCChearingsappeals@michigan.gov](mailto:MLCChearingsappeals@michigan.gov).

For the remainder of the documents requested by the Commission in the approval order, you may bring all of the required documents, forms and/or fees to the Lansing Commission office. Staff is available to personally assist you in the office **Monday through Friday from 8:00 am to 2:30 pm**. You may also submit closing documents and filings electronically at [MLCCLicensingUnit4@michigan.gov](mailto:MLCCLicensingUnit4@michigan.gov), by fax to (517) 763-0059 or by mail to the address below. However, due to the large volume of closing documents received on a daily basis, documents are reviewed in the date order in which they are received.

\*If a final inspection is required, please contact your designated District Office (**listed below**) when you are ready for an inspection of your establishment.

\*Grand Rapids District Office (616)447-2647

Encl.

**\*\*\*Please return a copy of this notice with the documents/fees requested so it can be joined to your request\*\*\***



STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LIQUOR CONTROL COMMISSION

\* \* \* \* \*

In the matter of the request of	)	
<b>LE BOS, LLC</b>	)	
7352 Angell Road	)	Request ID No. 1904-06442
Williamsburg, MI 49690-9519	)	
Acme Township	)	
<u>Grand Traverse County</u>	)	

At the August 21, 2019 meeting of the Michigan Liquor Control Commission in Lansing, Michigan.

PRESENT: Andrew J. Deloney, Chairman  
Teri L. Quimby, Commissioner  
Dennis Olshove, Commissioner

**LICENSING APPROVAL ORDER**

Le Bos, LLC ("applicant") has filed an application for a new Small Wine Maker license to be located at the above noted address; request new On-Premises Tasting Room Permit; request new Catering Permit; request new Beer and Wine Tasting Permit; request new Dance-Entertainment Permit; and request authorization for the outdoor sale, service, and consumption of alcoholic beverages in an area measuring up to 120' x 165' x 275' x 252', which is irregularly shaped, located directly adjacent to the licensed premises, and which is well-defined and clearly marked.

Article IV, Section 40, of the Michigan Constitution (1963), permits the legislature to establish a Liquor Control Commission, which shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. MCL 436.1201(2) provides the Commission with the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor

within this state, including the manufacture, importation, possession, transportation and sale thereof.

The applicant is authorized to do business in Michigan, as required under MCL 436.1535 for licensure.

The Commission finds that it has considered the provisions as required in administrative rule R 436.1105 in the consideration of this request.

After reviewing the file and discussion of the issues at the meeting, the Commission finds that all the requirements have been met and this request should be approved.

THEREFORE, IT IS ORDERED that:

A. Approval and completion of this request is subject to receipt of the following:

1. Receipt of executed form LC-MW-816 (Surety Bond).
2. Receipt of executed form LC-95 (Proof of Financial Responsibility).
3. **Final inspection by Enforcement to determine building construction and renovations have been completed as proposed; to determine furniture, fixtures, and equipment have been installed; to determine seating capacity has been established and posted; and to determine that the outdoor service area has been completed as proposed.**
4. Receipt of federal Basic Permit issued by the Alcohol & Tobacco Tax & Trade Bureau (TTB) pursuant to administrative rule R 436.1705(1).
5. Documentary proof (promissory note) that applicant, Le Bos, LLC, received a \$230,000.00 loan from Huntington Bank of Traverse City.
6. Receipt of a copy of signed land contract, real estate mortgage, warranty deed, or quit claim deed.
7. Receipt of form LCC-301 (Report of Stockholders/Members/Partners).
8. Receipt of form LCC-107 (Closing Form for New License or License Sale).

B. The applicant's request for a new Small Wine Maker license is APPROVED subject to the following:

1. The licensee shall pay all license fees by April 30<sup>th</sup> each year.

2. The licensee shall maintain a surety bond, under MCL 436.1801(1)(a).
  3. The licensee shall not sell the wine it manufactures at retail for consumption on or off the premises unless it has been issued an On-Premises Tasting Room Permit under MCL 436.1536(7).
  4. The licensee is prohibited from producing more than 50,000 gallons of wine in one calendar year.
  5. The licensee shall comply with the tax collection and reporting system under MCL 436.1301.
  6. The licensee shall label all wine products in accordance with the federal wine regulations published in 27 C.F.R. prior to the sale in Michigan under administrative rule R 436.1719.
  7. The licensee shall not sell wine products until a registration number of approval has been received from the Commission under administrative rule R 436.1719(1)(c).
  8. The licensee shall file a schedule of the net cash prices to retail licensees for all sales of wine before January 1, April 1, July 1, and October 1 of each year under administrative rule R 436.1726(1).
- C. The applicant's request for a new On-Premises Tasting Room Permit issued under MCL 436.1536(7) for an approved tasting room on its manufacturing premises located at the above noted address is APPROVED subject to the following:
1. The licensee shall maintain proof of financial responsibility, under MCL 436.1803.
  2. The licensee shall provide documentary proof to the Commission to demonstrate that, at a minimum, supervisory personnel on each shift and during all hours in which alcoholic liquor is served have successfully completed a server training program approved by the Commission as required under MCL 436.1501(1), within 180 days from the issuance of the license, as provided in administrative rule R 436.1060.

- a. The licensee shall maintain active certification of completion for server training on the licensed premises at all times as provided in administrative rule R 436.1060.
    - b. Failure to provide this documentary proof to the Commission within 180 days of the issuance of the license shall result in the licensee being charged with failure to comply with this order, under administrative rule R 436.1029, which may result in fines, suspension and/or revocation of the license.
  3. The licensee may sell alcoholic liquor it manufactured for consumption off the premises pursuant to MCL 436.1536(14)(a).
  4. The licensee may sell alcoholic liquor it manufactured by the glass for consumption on the premises pursuant to MCL 436.1536(14)(b).
  5. The licensee may sell or give away samples of any size of alcoholic liquor it manufactured for consumption on the premises pursuant to MCL 436.1536(14)(c).
  6. Pursuant to MCL 436.1204a and 436.1537(1)(q), if the licensee manufactures or bottles wine on the licensed manufacturing premises where the approved tasting room under this On-Premises Tasting Room Permit is located, the licensee may sell shiners that it has labeled and registered with the Commission pursuant to MCL 436.1111(10).
  7. The licensee may add a nonalcoholic mixing ingredient or an alcoholic mixing ingredient manufactured by the licensee to sampled or purchased alcoholic liquor for consumption on the premises pursuant to MCL 436.1536(11).
- D. The applicant's request for new Catering Permit is APPROVED.
- E. The applicant's request for new Beer and Wine Tasting Permit is APPROVED subject to the following:
1. No charges for the tasting of the beer and wine are allowed under MCL 436.1537(2)(a).

2. The tasting samples provided to a customer must not exceed 3 servings at up to 3 ounces per serving of beer or 3 servings at up to 2 ounces of wine under MCL 436.1537(2)(b).
  3. A customer must not be provided with more than a total of 3 samples of beer or wine within a 24-hour period per licensed premises under MCL 436.1537(2)(b).
  4. The Commission must be notified, in writing, a minimum of 10 working days prior to the event, regarding the date, time, and location of the event under MCL 436.1537(2)(d).
  5. Under MCL 436.1537(3), during the time the permitted beer or wine tasting is conducted, the licensed permit holder, or its agent or employee who has successfully completed a server training program as provided for in MCL 436.1906, shall devote full time to the beer and wine tasting activity and shall perform no other duties including the sale of alcoholic liquor for consumption off the licensed premises.
  6. Beer and wine used for the permitted tasting must come from the Specially Designated Merchant's (SDM's) inventory under MCL 436.1537(3), and all open bottles must be removed from the premises on the same business day or resealed and stored in a locked, separate storage compartment on the licensed premises when not being used for the activities allowed by the permit.
  7. The Permit holder must prohibit a wholesaler from conducting or participating in the beer and wine tastings under MCL 436.1537(4).
  8. A permitted beer and wine tasting must be conducted during legal hours of the sale of alcoholic liquor by the licensee under MCL 436.1537(5) and a customer shall not be allowed to remove a tasting sample from the licensed premise.
- F. The applicant's request for a new Dance-Entertainment Permit is APPROVED subject to the following:

1. The licensee must have a well-defined and clearly marked dance floor that is 100 square feet or larger under administrative rule R 436.1415 and the licensee is prohibited from having tables, chairs, or other obstacles on the dance floor while customers are dancing.
- G. The applicant's request for authorization for the outdoor sale, service, and consumption of alcoholic beverages in an area measuring up to 120' x 165' x 275' x 252', which is irregularly shaped, directly adjacent to the licensed premises, and which is well-defined and clearly marked is APPROVED subject to the following:
1. The licensee will not permit the sale, service, or consumption of alcoholic liquor outdoors, except in the well-defined and clearly marked area pursuant to the provisions of administrative rule R 436.1419(1).
  2. The licensee shall not allow alcoholic beverages purchased for consumption in this proposed Outdoor Service area to be removed from and taken to any adjacent unlicensed area(s).
  3. The licensee is prohibited from allowing the sale, service, possession or consumption of alcoholic beverages in any portion of the approved outdoor service area designated for the playing of sporting activities or for sporting events, including any break or intermission.
  4. The licensee shall take all necessary actions to ensure the health, safety and welfare of all patrons and guests.
- H. Pursuant to administrative rule R 436.1050, this approval is valid for two (2) years from the date of this approval order unless the Commission has been provided with a notice of pending litigation involving the application.
- I. The licensee has a continuing duty to provide the commission with up-to-date contact information and must notify the Commission in writing of any changes to its mailing address, phone numbers, electronic mail address, and other contact information it provides the Commission, pursuant to administrative rule R 436.1048(2).

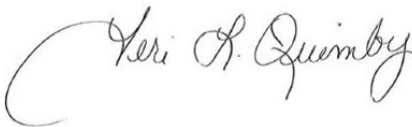
- J. Under administrative rule R 436.1003(1), the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcement officials who have jurisdiction over the licensee. Under administrative rule R 436.1003(2), a licensee shall not use a license at the licensed premises unless a temporary or permanent certificate of occupancy has been issued by the local unit of government having jurisdiction over the location of the licensed premises or the licensed premises complies with administrative rule R 436.1003(1). Approval by the Michigan Liquor Control Commission does not waive these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals before opening the business for operation.
- K. The licensee's failure to comply with all laws and rules may result in the revocation of the approvals contained in this order.

MICHIGAN LIQUOR CONTROL COMMISSION



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Andrew J. Deloney, Chairman



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Teri L. Quimby, Commissioner



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Dennis Olshove, Commissioner

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Date Mailed: August 21, 2019