Chairman Peat called the Paw Paw Township Planning Commission meeting to order at 6:00 P.M. on September 24, 2015 at the Township Hall.

PRESENT: Randall Peat, Ivan Olsen, Don Stull, Bill Johnson, Phillip Arbanas, and James Tapper

ABSENT: Kip Kerby.

ALSO PRESENT: Dan Peat, Catherine Kaufman (Township Attorney), Bert Gale (Zoning Administrator), and Kelly Largent (Zoning Administrator)

APPROVAL OF THE AGENDA:

Item 1 has been moved to next month. Rebecca Harvey is unable to attend tonight. Motion by Olsen, supported by Stull to approve the agenda as amended. The motion was unanimously approved.

APPROVAL OF MINUTES:

August 27, 2015: Motion by Olsen, supported by Arbanas to approve the August 27, 2015 minutes as amended. The motion was unanimously approved.

PUBLIC COMMENT: None.

NEW BUSINESS:

Public hearing for Micro-brewery, cidery, distillery text amendment was opened at 6:04 P.M.

There was no public comment. The Hearing was closed at 6:05 P.M.

Chairman Peat noted the text to be correct for the amendment. The Board had discussion about the adding of the text and the circumstance/history behind the amendment. Mr. Stull asked if the format for the amendment was standard. The Township Attorney stated yes and explained the standards. Mr. Johnson noted that to be consistent with the ordinance that the numbers on page 3
under the new section 42.110(21) need to be changed to alphabets. Mr. Johnson asked about the section identifiers it is confusing. Mrs. Kaufman, township attorney clarified the references for the sections.

Motion by Olsen and supported by Tapper to move the text amendment to the Township Board with the changes as noted. The motion was unanimously approved.

Public Hearing for the Special Land Use for Peat’s English Cider was opened at 6:17 P.M.

Chairman Peat will facilitate only and will not participate in the deliberations of the Planning Commission Board.

Site Plan Review:

Mr. Dan Peat presented Peat’s English Cider site development plan for 47802 45th St. Paw Paw MI. Mr. Olsen had questions regarding traffic directions and flow. Mr. Dan Peat stated that they will be operating more as a distribution type business rather than retail at the present time. The Board had questions regarding operation as a distribution business. Mr. Dan Peat explained the operation will consist of a small fermenting, canning, and bottling operation. The building they have leased already has a 20’ x 20’ cooler located inside. Mr. Dan Peat further explained their plans. Currently, Peat’s English Cider will buy apples, take them to another location to have them pressed, the raw pressed juice will return for filtering, fermenting, and canning. The pressed cider will be transported in sweet cider totes, which are large food grade containers. Mr. Johnson asked what is English cider. Mr. Dan Peat explained it is a less sweet, more dry hard cider. Mr. Arbanas asked if this is a starting point, would Peat’s English Cider move to an industrial area once the business expanded. Mr. Dan Peat stated that they might, but they would look at existing sites first. Mr. Dan Peat explained that under the current State of Michigan law there is no distinction between a winery and a cidery. The Board questioned whether the public would think this is a distillery. Mr. Dan Peat stated “No there are different laws that apply to a distillery”. Mr. Olsen stated he was not clear regarding the operation and asked Mr. Dan Peat if they were crushing and fermenting. Mr. Dan Peat stated that they will be fermenting and bottling with an emphasis more on bottling at present.

Chairman Peat directed the review and asked Mr. Dan Peat to address those items indicated as condition not met in the review provided by the Zoning Administrator.

Subsection 1:

Mr. Dan Peat addressed items B and C together. Mr. Dan Peat stated that this information was intentionally not provided, however, he had brought a copy of the lease agreement to be reviewed by the Planning Commission. The agreement contains a renewal clause for a 10-year period. Upon review of the lease contract and renewal condition by the Planning Commission, the Board finds the lease contract acceptable and both items B and C conditions have been met.
The Board finds the information provided with Mr. Dan Peat’s presentation to be adequate for items G and I.

Item M: proposed completion schedule, Mr. Dan Peat stated they hope to be operational by January 2016. This is the proposed operational date. The Board finds this to be adequate. Mr. Stull stated that this may be a not applicable item.

Subsection 2:
Item A: the documents presented were not signed and sealed. Peat’s English Cider will be located on a 143-acre parcel and utilizing and existing building and parking area. The Board accepts the documents as submitted. This requirement is waived.

Item B: the documents presented were not at 2 foot intervals for contour lines. Peat’s English Cider will be located on a 143-acre parcel and utilizing and existing building and parking area. The Board accepts the documents as submitted. This requirement is waived.

Item K: the distance of the loading and unloading area is greater than 50 feet from the road right-of-way. The Board accepts the documents as submitted.

Item L: the walkway is crushed concrete. The Board accepts the documents as submitted.

Item M: The Board accepts the documents as submitted.

Item Q: The Board accepts the documents as submitted.

Item X: the documents presented were not signed and sealed. Peat’s English Cider will be located on a 143-acre parcel and utilizing and existing building and parking area. The Board accepts the documents as submitted. This requirement is waived.

Public Comment for the Site Plan: None

The Board had a discussion on whether they can waive certain requirements in the course of the review.

Motion by Olsen and supported by Arbanas to approve the site plan based on the timeline and reasonable presentation and information provided in person by Mr. Dan Peat. Motion carried with Chairman Peat abstaining.

Special Land Use Review: All items for the special land use were met.

Public Comment for the Special Land Use: None
Public Hearing closed 7:33 P.M.

Motion by Olsen and supported by Stull to recommend the Township Board approve the Special Land Use with the condition that all State and local approvals as required be obtained and maintained in good standing. Motion carried with Chairman Peat abstaining.

OLD BUSINESS:

Site Plan application requirements: change item 1(a) on page 1 to read as follows:
  a. *Professional review.* Professional review by an approved architect, planner or engineer may be required by the Township. The Township Attorney will review and prepare the text amendment in time for the next Planning Commission meeting.

OTHER BUSINESS:

Oct 22 Bauckham, Sparks, Lohrstorfer, Thall & Seeber are hosting a seminar. See the copy of the flyer left at the Chairman’s position.

The next meeting will be October 22, 2015 at 6 PM.

ADDITIONAL PUBLIC COMMENT: None

ADJOURNMENT:

Motion by Arbanas, supported by Stull to adjourn the meeting at 8:08 PM. The motion was unanimously approved.

Respectfully submitted,

Kelly Largent
Zoning Administrator