

**CHARTER TOWNSHIP OF FENTON PLANNING COMMISSION
MINUTES FOR REGULAR MEETING OF NOVEMBER 13, 2014**

**FENTON TOWNSHIP CIVIC COMMUNITY CENTER
12060 MANTAWAUKA DRIVE, FENTON, MICHIGAN**

Chairperson McGuirk called meeting to order at 7:05 pm

Present: Cypher, Franz, Hemeyer, McGuirk, Tucker
Recording Secretary: McDonald
Absent: Richard, Warren

APPROVAL OF AGENDA:

Motion to approve agenda as presented

Motion by: McGuirk
Seconded by: Franz
Ayes: Cypher, Franz, Hemeyer, McGuirk, Tucker
Nays: None
Absent: Richard, Warren

Motion carried the agenda stands as presented

PUBLIC HEARINGS:

SUP14-005 Fenton Wine & Brewery, 1370 North Long Lake, Fenton:

06-12-100-027

1370 North Long Lk.

Special use permit: outdoor seating/service, periodic use of tents, live entertainment and an art education center.

Secretary Pro-Tem Tucker reviewed the file. Matt and Ginny Sherrow, owners of the Fenton Winery and Brewery were sworn in. Ginny explained the request for a special use permit for outdoor seating/service. She stated they have secured a perimeter around the service area of approximately 1.25 acres with plantings and fencing. This area contains a pond and several gardens that guests can enjoy will having a beverage. She stated they had worked with the State Liquor Control Commission and the area has been permitted and licensed by the Commission. The periodic use of tents is for events in the warmer months. She gave examples of Lions Club meetings, weddings and their harvest party. She added they are asking for live entertainment both indoor and outdoor. She said the musicians they hire are generally acoustic in nature and never rise to a level that the patrons could not carry on conversations. She said that wedding parties will be hiring their own DJ's or bands. The art education permit is to be able to host painting parties that are more for entertainment than instruction. Chairperson McGuirk called for public comment. The following people spoke in favor of this application. Ronda LaFave, 1337 Lake Valley, Scott Lee, 12154 Old Linden, Brian Williams, 1478 Eden Gardens, and Terry, 12426 Hoisington and James Ott, 12238 Fenton Rd. They complimented the business and their manner of operation. LaFave, a member of the area arts council, stated she loves the this venue and bringing the arts to the community is a positive thing for the community. They said this is a first class operation on a beautiful piece of property. This type of banquet facility is needed and is an asset to the Township and the surrounding area. Ott complimented the musicians that he has heard playing on the property. Frank and Janet Watson stated concerns about wedding receptions in the tents and noise generated by bands that are hired by those renting the tents. Franz explained that there are controls in place if noise becomes an issue. He also noted that the types of tents that are allowed for this commercial use are also regulated with regard to type of material, installation, staking and fire extinguishers and reminded the applicant that the Fire Chief will have to inspect each tent every time one is erected. He noted they need to find out the regulations for using heaters within the tents, if that is allowed. He asked how they keep people from wandering

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outside the licensed area while drinking. Ginny said they and their staff are all trained in serving and the area is fenced either by a physical fence or a hedge or border that would prohibit one from getting outside that area. She also addressed Franz's concern about the tents stating they will make sure that the tents are inspected each time and that their suppliers have certified the tents are up to code and provided them with the certification. Franz asked if they plan on using portable toilets for events. Ginny said if necessary however there are a number of bathrooms inside both buildings. McQuirk asked the hours of operation. Ginny said currently their hours are 3-9 Tuesday through Thursday, 12-10 Friday and Saturday and 12-8 on Sunday, she added all outdoor activities end at dusk. The contract for special events is that all music ends at 11:30 pm, the venue is shut down at 12:00 am and the renters must be off the property by 1:00 am. Cypher asked if the outdoor entertainment is planned to be ended at dusk. Matt said the outdoor area is not illuminated and there is no plan to light the area. They want to maintain the natural feel of the property. Tucker asked if there would be multiple tents set up at one time. Ginny said it is possible. Tucker referred to the site plan submitted that shows 3 tent locations and asked if 3 would be the maximum. Ginny said 3 would be the limit. Hemeyer asked if the tents would be used during the week. Ginny said that is possible, but most events happen on the weekends.

Motion to approve a special use permit for outdoor seating/service, periodic use of tents, live entertainment and an art education center with the following conditions:

- Outdoor activities shall be restricted to the premises approved by the Liquor Control Commission currently 1.25 acres
- Tents shall be inspected by the Township Fire Chief each time one is set up for an event
- Outdoor entertainment shall end at dusk
- The maximum number of tents used at one time shall be limited to 3

Motion by: Tucker

Seconded by: Franz

Ayes: Cypher, Franz, Hemeyer, McQuirk, Tucker

Nays: None

Absent: Richard, Warren

Amendment to Fenton Township Zoning Ordinance #594 Article 3, district regulations section 3.17 to add wholesale and warehousing as a permitted use in the C-3, Highway Service zoning district. Recording secretary McDonald explained that she had reviewed a zoning permit application from a wholesale and warehousing business located in the C-3 district. She said she could not approve the permit and discussed the possibility of including the use in the C-3 district. Tucker asked that the definition of wholesale and warehousing be read to the Commission. After reading the examples listed in the definition he stated concerns about petroleum bulk stations and terminals. He noted this use would fall under the fuel distribution facility and should be removed from the list of examples. Chairperson McQuirk called for public comments. There none.

Motion to recommend approval to add wholesale and warehousing as a permitted use in the C-3 and M-1 districts and remove petroleum bulk stations and terminal or any hazardous materials from the definition and define those uses as permitted by special use permit.

Motion by: Hemeyer

Seconded by: Cypher

Ayes: Cypher, Franz, Hemeyer, McQuirk, Tucker

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Nays: None
Absent: Richard, Warren

NEW BUSINESS:

PUBLIC COMMENT CONCERNING ITEMS NOT ON THE AGENDA: 5 Minute Limit

COMMUNICATIONS:

MINUTES: Postponed

ADJOURN: 7:52 pm

Jim McGuirk, Chairperson
Minutes Posted 11/19/14

Donna Warren, Secretary