

Exhibit 1:



February 5, 2008

Mr. Rob Manigold
Peninsula Township Supervisor

Legislative Review of Ordinances Governing Peninsula Wine Industry

This is to request that the Township begin a process in partnership with Old Mission Peninsula wineries to review winery ordinances working toward a stronger foundation for regulation and enablement of farm-based wineries on this Peninsula. We are at a point in the Old Mission Peninsula wine industry's history to draw on over thirty years of experience to make improvements on the existing regulatory provisions. Currently there are an array of ordinances governing winery operation that at times are difficult to follow, not consistent from winery to winery and positioning Old Mission Peninsula wineries at a disadvantage against competition from neighboring growing areas. We believe improvements can be made in a very positive way landing this community in a spot characterized by a healthy grape growing and wine industry bringing many quality of life benefits to the people of this Township.

We look forward to working with the Township and other interests in bringing this about.

Yours truly,

Joan Kroupa, President

Cc: Mr. Greg Fiebing

Planning Department
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Aug. 1st

WINERY ORDINANCE DISCUSSION
WOMP MEETING
June 20, 2011
8:30 PM

5/19/10 MI fruit take MI winery
MQUIC - get start-up info to Dan

1. Discoveries & Information
 - a. Small Wineries – “What does it take?”
 - i. Start-up costs
 - ii. # of acres per type of facility
 - iii. How many gallons can one expect to produce?
 - b. State MLCC Regulations + TTB
 - i. Small Wine Maker License
 - ii. Wine Maker License
2. Existing Language
 - a. Strengths
 - b. Weaknesses
3. Discussion Topics for Ordinances Changes
 - a. Start-up wineries – Less than twenty (20) acres ^{now 40} 60-~~40~~ option - other areas
 - b. Events – How many, what type, how often, how many people, how to mitigate complaints
 - c. “Level the Playing Field” – What can be sold from a winery
 - d. Purchasing grapes outside of the appellation and its relation to the ordinance
 - e. Other topics needed to be addressed..... (Anything from the Owner’s perspective?)
4. Timeline for adjustments
 - a. NOW!
 - b. Continue open dialogue with the members of WOMP to continue revision process

PENINSULA TOWNSHIP PLANNING COMMISSION
SUB-COMMITTEE NOTES
January 22, 2015

Present: P. Rosi, D. Hornberger, L. Serocki
Also present: M. Reardon, E. Crafts, M. Nadolski, N. Heller, J. Krupka, C. Baldyga, J. Kroupa, M. Peters, C. Ruzak

Meeting called to order at 2:01PM

Agenda amended. Number 2 will be Bed and Breakfast; Number 3 will be Ag Tiers.

1. Minutes of November 19, 2014 Approved without change.

2. Review draft B&B language (Section 8.7.3.6). Discussed memo from Planning Department dated January 15, 2015. MEALS--Removed first sentence from (b)16. in draft to reduce redundancy. EVENTS--Will change (b)17.i. to "No more than twenty (20) outdoor events are allowed per calendar year." Will amend (b)17.ii to "No more than two (2) outdoor events are allowed per calendar week." Also, (b)17.iii will be changed to "All events shall end by 9:30."

Discussed: (b)4.v.--two hundred feet set-back from crops is for noise as much as for spray. If property is abutting ag land, could 200 feet set-back be lessened? How far should a B&B be from other uses?? How many complaints are made regarding ag noise and spray? The impact is on the B&B, not on the crops; could be reduced. Staff will look into B&B set-backs from ag crops. (b)7. Should occupancy level be increased? As written a B&B with 3 bedrooms can have 12 guests (4 per room), but a B&B with 5 bedrooms can only have 12 guests. Will leave at 12 guests per B&B. (b)9. How is square footage per bedroom measured? Measured by interior wall. (b)15. B&B establishments cannot rent snowmobiles, ATVs or similar vehicles. Can registered guests bring vehicles? B&B would need parking area so that additional vehicles would be parked legally. Is the phrase "in conjunction with the operation of the establishment" necessary? Should be reworded or removed. If B&B is sold, the SUP goes with the property. Events will not be defined in the ordinance, but there will be a definition in the Zoning Ordinance. Owner would be allowed to have a garden plot closer than 200 feet to the B&B. Owner would be allowed to have a roadside stand. Discussed ag events in association with B&B; that is a value-added event and not included in this ordinance.

3. Review draft Winery language. Discussed memo from M. Reardon dated January 21, 2015. Started with #3. which requires agricultural equipment to be stored in a structure. Can it be a covered structure or is it necessary to have walls? Is this language necessary? Section will be removed. #5. Natural disaster statement. Because of ZO's new format, this statement will be placed in Use By Right section and SUP section not in an over-arching paragraph to cover all tiers. #6. The ag tier language allowed Remote Tasting Rooms only in commercially zoned districts. The current Remote Tasting Room ordinance is tightly interpreted. Look into allowing them as currently written or in a commercial property. #1 and #2--Why are we going to tier language? Tier 1 could be

covered under food processing if some changes were made to the food processing ordinance. Standards would have to be tightened. New language allows for retail sales on site. Current ordinance does not allow for smaller vineyards; forced to build big structures. Could have custom crushes done at other wineries. Staff will go back and refine food products and work on fermented products instead of having a Tier 1. Tier 3 allows 139 wineries to have more opportunities without becoming a chateau. Tier 3 as written looks a lot like Bower Harbors' SUP. Every event at a chateau preserves some ag property on the peninsula as have to use OMP grapes to be allowed events. Should 139 wineries be allowed events too, as they are preserving ag too? There are three main benefits to being a chateau 1.) Can have a B&B, 2). Can have events, 3). Can purchase bulk grape juice, which is very profitable for the winery. Old Mission wines are special; have a very good image. Winery owners will have to look at new ordinances and decide if they want to give up what they have to get something in the new ordinance. GAAMPs now allows tasting at farm markets. Attorney will have to interpret Peninsula Township needs to get closer to GAAMPS regulation. Need to work on Farm Processing, Remote Tasting, Food Processing, and Chateaus. Take what we have learned from tier language and put it in existing ordinances. Lots of work and lots of people had input in Tier Language. Did not discuss #4 (Produce requirements).]

4. Public Comment. All public comment was made during the meeting.

Next meeting Thursday March 12, 2014 at 2:00PM.

Meeting adjourned 4:05PM
laws

PENINSULA TOWNSHIP

Special Joint Meeting with the Township Board & the Planning Commission and the Zoning Board of Appeals
January 14, 2016

Meeting called to order at 7:00 p.m.

Roll Call

Township Board: Correia, Rosi, Witkop, Weatherholt, Hoffman and Byron

Planning Commission: Leak, Couture, Hornberger, Peters, Rosi, Serocki, Wunsch

ZBA: Vida, Cowall, Wunsch, Soutar and Elliott

Absent: Witkop (excused)

Also Present: Peter Wendling, Township Attorney, Michelle Reardon, Director of Planning and Zoning, Claire Schoolmaster, Planning and Zoning Coordinator and Deb Hamilton, Recording Secretary

Approve Agenda

Township Board

MOTION: Hoffman/Avery to approve the agenda as presented.

MOTION PASSED

Brief Citizen Comments – for items not on the Agenda

None

Conflict of Interest

Township Board- None

Planning Commission - None

ZBA - None

Business

Zoning Ordinance re-write Commencement (Introduction and Discussion)

Patrick Sloan, principle planner with McKenna and Associates and *Leslie Sickerman*, local planner working with Mr. Sloan introduced themselves. *Sloan* reviewed the project schedule. It is a proposed schedule and can be modified. *Sloan asked the Boards and staff what issues they see with the ordinance.*

Reardon said the new County Soil Erosion Ordinance has changed to be less restrictive. The Township has done work on Shoreline overlay. The Township wants to protect our natural resource. **Also winery enforcement and interpretation of winery ordinances**, private road standards, regulation of retaining walls, historic districts should be looked at for their land use patterns, maximum coverage of structures including overhangs and decks however ordinance does not look at impervious surfaces, and regulations enforceability and manageability.

Rosi said capital improvement program section, historic buildings - Dougherty House, Lighthouse and the Log Church; steep slopes and grading, the Township has significant park land and she would like to see something in the ordinance about parks, the need for trails, the protection of woodlands, windmills, cell towers, **commercial zoning, farmers market and road side stands, and agricultural zoning.**

Wunsch said he would like look at options available outside of traditional Planning and Zoning.

Vida said non-conforming roads, legal non-conforming properties, and to obtain a variance five basic conditions must be met. That language needs to tighten up.

Soutar said definitions, walls, fences and foliage screening height; patios and decks and the materials involved and what is a structure, road right-of-way as it pertains to property size, **commercial zoning versus where business actually exist**, master plan versus zoning districts when they differ, and ADA.

Byron said the clarity of the document itself is important, intent of the ordinance versus having to list everything specifically, short term rentals, docks and marinas (mini marinas), what is the intent of the PUD, and events (party barns).

Wendling said the zoning ordinance states that the zoning authority ends at ordinary high water mark but the property is owned to the shoreline. The zoning authority could be changed to the shoreline.

Hornberger said Bed & Breakfast

Leak said ordinance needs to be more specific.

Weatherholt asked how Boards disagreeing about changes in the ordinance will be dealt with. **Reardon** said the Planning Commission will have a special meeting at 5:30 p.m. the third Monday of every month. Those meetings could be joint meetings with the Township Board. There was discussion about the best way to communicate to the residents about this process. Information will be posted on the website and possible copies available in the office and library. **Wendling** said all communications should be given to the Clerk to give to the Township Board. When there is a difference of opinion on policy use the Master Plan as a guide.

Sloan said next month he will have diagnostic review documents which can be revised if other issues need to be added.

Citizen Comments

Curt Peterson, 1356 Buchan Dr., said he appreciates keeping the general public informed about this process.

Jim Komendera, 4168 Rocky Shore Trail, said pay attention to the contradiction between Master Plan and the Zoning Ordinance.

Board Comments

Diagnostic review will be a joint meeting on February 22, 2016 at 5:30 p.m.

Adjournment

MOTION: Byron/Weatherholt to adjourn at 8:17 p.m.

MOTION PASSED

Respectfully submitted by Deb Hamilton, Recording Secretary