

PLANNING COMMISSION  
SPECIAL MEETING  
FEBRUARY 12, 2013

Agenda: Discussion of Tiers 1-4 Alcoholic Beverage Section

Present: B. Householder, L. Leak, T. Macguire, S. O'Keefe, P. Rosi, L. Serocki

Absent: C. Hosmer

Also present: D. Leonard, B Begin, K Campbell, J Kroupa, M. Lagina, T. Oosterhouse, M. Nadolski, C. Stassen

Meeting called to order 3:10 PM

Leonard summarized previous meetings regarding Tier 1 and 2. There is on-going discussion regarding separation of parcels by road. **Will ask Town Board for a determination if a public or private road results in a non-contiguous parcel. Need a policy that can be carried throughout tiers.**

**Tier 3:** Looking at 330 feet of road frontage for Tier 3 because of increased size of processing facility/tasting room. Also looking at increasing set-backs, but would not allow for moving up in the tier system if setbacks increase with each tier. Still have questions about increasing set-backs when there is an existing resident dwelling on neighboring property. Have not had complaints from winery neighbors; have had complaints regarding odors from brewery neighbors.

How to regulate 85% rule? We have it in current ordinance, but if allegations of cheating occur, what does the Township do? Check records? Federal labeling guidelines are the only thing the Township has to regulate wine. Can be audited by Fed; big issue if records aren't right. Should affidavit be required for compliance? Most agreed it was good idea. Fruit wines have no federal guidelines. **Ordinance is trying to accomplish that wine will be made from grapes on the peninsula.** Tier 1 is selling off the peninsula, so hard to regulate that level. Should require 85% of total sales to be AVA? If the policy works now, why change it? **Eighty-five percent rule has kept property in ag; don't want to throw it out.**

Discussed percentage of land planted. **Was felt by some that percentages were too high.** Beer and distillers would have trouble reaching planting percentages as don't need as much crop for product. Could see breweries wanting tasting room out here; wouldn't have 85% crop rule for their product, so could have many breweries on small parcels. Cider and mead are growing in popularities. **Could take liquor and beer out of this ordinance and have their own rules. Could require all wine sold on peninsula to be AVA and wine sold off peninsula could have AVA**

**or not.** Maybe most important thing is 85% rule and percent of land in crops not as important if following 85% rule. **Chateaus required to have 75% in crops and that will not change; gives chateau a different look.**

Discussed cutting down trees to plant crops; is that a good use of resources? **If property not suitable for crops, why be forced to plant? Put building on property and plant where possible, but not be concerned with percentages. Trees have value too. Canopy language will be addressed in all tiers. Trying to achieve agricultural and scenic preservation.**

Discussed houses on wine property. Discussed roads and how affect total acreage. If roads are subtracted from total acreage, then need larger acreage to start with. Property is sold and taxed to road right-of-way; should roads be included? **This will be addressed by Town Board.**

Concern about increase in traffic with more wineries. Discussed vigilance in current tasting rooms regarding alcohol intake of patrons. Staff are carefully trained to limit intake. No accidents related to wineries at this time.

**What are benefits of Tier 3? Increase processing facility/tasting room and introduction of social events.** Seems like big leap from Tier 1 and 2 to Tier 3; makes property more commercial. Current ordinance allows conferences, seminars, education regarding ag, but now will be allowing weddings, funerals, and other commercial use on ag land. Assessor evaluates ag property and wineries and determines what is commercial for tax purposes.

**Consider a grandfather period for people that have invested in land according to current ordinances. These new ones are more restrictive.** Consider tweaking two current ordinances and not have new ones. Tier 1 is required by 'Right to Farm'. We have to have guidelines.

Meeting adjourned: 5:00 PM

Prepared by laws 2/13/2013