

**Baroda Township
Planning Commission Meeting and
Public Hearing
May 8, 2017**

Present were Dean Schmaltz, David Schultz, Patrick Freehling, Tom Shafer, Ed Heyn, Wendie Shafer, and Peter Van Vooren.

Chairman David Schultz called the meeting to order at 6:31 p.m. in the Baroda Township Municipal Building Meeting Room at 9091 First Street, Baroda. There were at least 16 audience members.

The minutes of the April 2017 Planning Commission meeting were discussed. Peter Van Vooren moved, seconded by David Schultz to approve the minutes of the last meeting. Vote, all yes. M.C.

The Building Inspector's and Zoning Administrator's report, presented by Wendie Shafer, showed Building permits for three projects and one zoning permit were issued in April. The Zoning and Building Permits are pending approval of the Zoning permit.

Chairman Schultz introduced Mr. William "Bill" Schopf asking him to describe his request for a Special Land for a Tourist Home at 128 Spring Road. Mr. Schopf explained he had purchased the property earlier in the year from Paul and Sue Kimley who were moving out of state. The property is a 5 acre wooded lot containing the former Kimley residence. The driveway is located on a cul-de-sac at the Eastern end of Spring Road. Mr. Schopf said he bought the property to preserve the beautiful wooded area and to have a house for guests of the winery to stay while they are being educated about their wines and marketing strategies. He would also like to rent the house during times there are no guests present. He said there would be no more traffic or noise from guests than the traffic and noise produced by the Kimleys while they lived there. He noted that the deck on one side of the house had been removed to discourage guests from making noise outside. Mr. Schopf answered questions from the Planning Commissioners.

Chairman Schultz closed the regular meeting and opened the Public hearing. Persons who signed up to speak were Ed Pinkowski, Maria Pinkowski and Ken Nitz. Ed Pinkowski gave a screen presentation describing the changes made to the Dablon winery property topography which allegedly created a "wind tunnel" which caused trees to be uprooted during recent severe storms. He was against approval of a Tourist home on Spring Road because he fears Mr. Schopf will not be the good neighbor he assures he will be. Mr. Pinkowski submitted a petition with signatures of 37 Baroda residents, 18 of which are Spring Road residents. Ken Nitz suggested Mr. Schopf sell the house and lot for residential use and build a "guest" home on his winery property.

There was much discussion about the possibility of building an access road from the Kimley house to the winery. Mr. Schopf explained he currently had no need to make another access road. Dablon winery currently has an agreement with Joshua Rick to share a field road owned by Dablon on the south from Shawnee and on the north by Joshua Rick that runs along Mr. Rick's existing Peach orchard and which provides access to Singer Lake Road via the west end of Spring Road. It was noted that the right-to-farm act allows for farmers to create access to a public road for the purpose of moving farm equipment and implements. Mr. Schopf said he had even offered to purchase the property from Mr. Rick which contains the field road. It was noted that the application before the Planning Commission has no reference or request for an access road on the subject 5 acre parcel containing the Kimley house and would not be addressed during determination and action on the application

It was noted that a letter had been circulated within the Spring Road, Singer Lake neighborhood urging residents to express opposition to approving the Special Land Use Permit Application. Letters submitted prior to the meeting by Kenneth Pinkowski, Gary Butzbach, Gary Weage, and Judy Weage, were read by Commissioner Patrick Freehling. A letter submitted at the meeting was read by its author Ken Nitz. Among other persons speaking during the public were Bob Pinkowski, Shelly Weaver, Pam Womeldorf, Derek weaver, Gary Weage, Mrs. Light, Cindy August, Mr. and Mrs. Vallone, and George Videnovich. All spoke against approving the Special Land Use.

There was an insinuation that Dablon winery was operating a public tasting room illegally without the approval of the Township. This issue was dispelled by reading from the January 2011 Planning Commission minutes where the then Moraine Vineyards Application for a Small Winery was changed to include a tasting room at the request of the Planning Commissioners to avoid Mr. Schopf having to ask for a new Special Use Permit in the future.

The public hearing was closed at 8:30 p.m. Dean Schmaltz moved, seconded by Peter Van Vooren to postpone the Planning Commission determination on the Application until the Next Planning Commission meeting to be held on Monday June 12, 2017 at 6:30 p.m. Vote – All Yes. M. C.

Due to the late hour, the remainder of the agenda was tabled until the next meeting.

The meeting was adjourned by Chairman David Schultz at 8:40 p.m.

Wendie Shafer,
Baroda Township Planning Commission Secretary