



Manistee County Planning Building, 395 Third Street Manistee, Michigan 49660

June 29, 2022

Planning Commission Members  
Onkama Township  
5435 Main Street  
Onkama, MI 49675

Dear Planning Commission Members,

Keaton Foster is applying for a Special Land Use Permit for his property, parcel # 51-11-001-011-20, addressed as 11240 Milarch Road, Bear Lake, MI 49614.

Background:

I received a special land use request from Keaton Foster. He is seeking special land use approval for the utilization of a commercial kitchen on the property as well as utilizing the property as a farmers' market. The parcel resides within the Agricultural – AG-1 District. The applicable use of the property falls under the special uses for the zoning district, with the Standard Industrial Classification (SIC) Code for Food Kindred Products being 20.

Legal Description of Property: E 1/2 OF SE 1/4 EXC W 27 RDS OF S 7 RDS OF E 1/2 OF SE 1/4, ALSO EXC COMM SE COR TH N 19 RDS W 53 RDS, S 19 RDS E 53 RDS TO POB 70.76 A\*M/L SEC 12 T23N R16W.

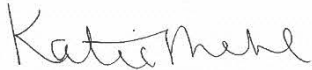
Please review the following information:

- Keaton Foster's special land use application.
- Narrative from the applicant explaining the nature of their request.
- LLC Documents.
- Approved Septic Permit.
- Map of Milarch Road, Circa 2021.
- Map of Building Locations, Circa 2021.
- Two photos taken showing the structures that were issued land use permits in 2020.
- Notice of Meeting/Public Hearing for Newspaper.
- Letters that were sent parcel owners and occupants per Planning and Enabling Act 2008.

- Motions Memo.

If a special land use permit is granted all other local, state, and federal required permits must be acquired before construction begins. If you have any questions or concerns, feel free to reach out to me via email or phone.

Regards,



Katie Mehl  
Planning and Zoning Administrator  
Manistee County  
231.398.3525  
[kmehl@manisteecountymi.gov](mailto:kmehl@manisteecountymi.gov)





## Special Use Permit Application

A Detailed Site Plan is required for all Special Uses

Please Print

Submission of Application	
<p><i>Applications must be submitted 30 days prior to the meeting for review for completeness.</i> Applications shall be submitted through the Zoning Administrator to the Planning Commission. Each application shall be accompanied by the <b>fee payment of \$750.00</b> in accordance with the schedule of fees adopted by the Township Board. An application shall be submitted to the Zoning Administrator on a Special Use application form. A Special Use application shall be placed on the agenda of the Planning Commission within thirty (30) days of the submission of a complete application prepared in accordance with this Zoning Ordinance. An application, which is incomplete or otherwise not in compliance with this Ordinance, shall not be processed until complete. <b>No application shall be processed until properly prepared and submitted and all required fees and escrow payments paid in full.</b></p>	
Property Information	
Address: <i>J/Zt/o Mr PJ re. l;,_e,_/""&lt; 49e,J Parcel # I- II ...ci2...-ol'-f- CO</i>	
Applicant Information	
Name of Owner or Lessee: <i>t;,-,-krl. /■SI-er</i>	
Address: <i>//2.t/o/J'libret,. lLJ &amp; ar L..o.t:...a_NU G_QHIC/</i>	
Phone # <i>715" '9,q,z. 2ll 7</i> Cell#:	e-mail: <i>b-, A!&gt;+ol'te.....4""- "1,,,...,_,\ ,c..oi-,</i>
Name of Agent (if applicable):	
Address:	
Phone#:	Cell#:
e-mail:	
Data Required/Project Information	
Land Area: <i>}} A.4-re.&gt;</i>	Zoning Classification: <i>)l.. :,,,2 \I-we</i>
Attach a Detailed Narrative for the following	
<input checked="" type="checkbox"/>	A letter or signed narrative describing in detail the proposed special use and detailing why the location selected is appropriate.
<input type="checkbox"/>	Applicant's statement of the expected effect of the special use on emergency service requirements, schools, automobile and truck circulation patterns, and local traffic volumes.
<input type="checkbox"/>	Any additional material information necessary to consider the impact of the project upon adjacent properties and the general public as may be required by this ordinance, by the Township Zoning Administrator or the Planning Commission; including, but not limited to, measures which will be undertaken to control soil erosion, shoreline protection, excessive noise, or adverse impacts of the development on the surrounding properties; elevations on all buildings, including accessory buildings; and, an environmental assessment.
<input type="checkbox"/>	Supporting statements, evidence, data, information and exhibits that address the standards and requirements for assessing Special Use permit applications as provided in Section 8607.



### Additional Information

Any additional information deemed necessary for the Planning Commission to determine the impact of the proposed Special Use on the adjacent properties, public infrastructure, and community as a whole. Such information may take the form of, but is not limited to, a traffic impact analysis, an environmental assessment, market study, or reports and/or testimony by officials representing state, county or local departments of public safety (police and fire), health, highways or roads, and/or environment.

**Special Use review procedures.** An application for Special Use Approval shall be processed in accordance with Article 86.

**Appeal of a Special Use permit.** A Special Use application shall be appealable to the Section 8602 Board of Appeals. An appeal of a Special Use decision or condition may be taken to Circuit Court.

**Termination of Approval.** The Special Use permit shall become effective upon Planning Commission approval and run with the land until the use ceases, expires, or the Special Use Permit holder requests termination of the Special Use Permit.

**Amendments.** Amendments to Special Use permits shall be handled in the same manner as the initial Special Use permit application. Minor non-substantive changes to a site plan may be made to an existing Special Use permit if such a change is sought prior to the issuance of an occupancy permit for work authorized by Special Use Permit.

**Transfers.** Transfers shall be handled in accordance with **Section 8609**.

**Expiration.** A Special Use permit shall be valid for as long as the approved use continues in accordance with the terms and conditions of the approved permit. The Special Use permit will expire on the occurrence of one or more of the following conditions:

1. Work authorized by the SUP has not taken place within three hundred sixty-five (365) days.
2. If the applicant requests the rescinding of the Special Use permit.
3. If a condition of approval included stipulation to expire the Special Use permit by a certain date.
4. If replaced by another permitted use or Special Use permit.
5. If there is a failure to comply within 6 months after the certificate of occupancy issued.

### Authorization

#### CERTIFICATION AND AFFIDAVIT:

The undersigned affirm(s) that he/she/they is/are the JU owner, ☐ leasee, ☐ owner's representative, ☐ contractor involved in the application; and that the information included in this application is correct. Further, if the request is approved, the applicant will comply with all the requirements of the Onekama Township Zoning Ordinance and certifies that measures proposed to mitigate adverse impacts will be completed in a timely fashion. The undersigned, by signing the Application, agrees to pay all fees and escrow payments in full.

Signature: \_\_\_\_\_ Date: 08-01-2022

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*If applicant is Incorporated or a Limited Liability Corporation a copy of the Articles of Incorporation is to be submitted with application. Please make all checks payable to Onekama Township.*

By checking this box permission is given for Planning Commission Members to make a site inspection if desired.

**9:1** Yes ☐ No ☐ Please indicate if the applicant will be tax exempt, applying and/or eligible for tax abatements, credits or deferments for this proposed project. If Yes, explain:

### Office Use Only

Fee: ☐ \$750.00 ☐ \$ \_\_\_\_\_ Escrow Payment \_\_\_\_\_ Receipt# \_\_\_\_\_

Date Received: \_\_\_\_\_ Hearing Date: \_\_\_\_\_ PC- \_\_\_\_\_

The special use permit is intended to continue operation of the sugarhouse located at 11240 Milarch Road in Bear Lake, MI. We are a local apple orchard and maple syrup producer who intends to offer maple products from the facility located at 11240 Milarch Road. The maple operation is seasonal in nature, where production lasts from mid-February to mid-April. During those 3 months the owners wish to host 2 open houses where the public can see the process and taste the products that have been freshly crafted. During the fall apple harvest, the sugarhouse buildings porch is home to the BrixStone Farmstand which features apples and peaches from the farm to visitors for purchase. The farmstand is seasonal in nature and sells produce when it is harvested each fall.

The building resides near six other structures that make up the farmstead, equipment buildings, storage barns and owners' residence. The maple building was constructed by Mathieu Builders in 2020 and passed all inspections. The maple production facility is certified and routinely inspected by MDARD's Aubrianna Bonneau. We have abided by all setbacks and currently are a verified farm through Michigan Agricultural Environmental Assurance Program (MAEAP). Please refer to the planning department for mapping and drawing of building from ag building permit issued in 2020.

RECEIVED  
JUN 11 3 2022  
*J. J. [Signature]*

**LARA** Corporations  
Online Filing System  
Department of Licensing and Regulatory Affairs

Form Revision Date 021201

**ARTICLES OF ORGANIZATION**

For use by DOMESTIC LIMITED LIABILITY COMPANY

*Pursuant to the provisions of Act 23, Public Acts of 1993, the undersigned executes the following Articles:*

**Article I**

The name of the limited liability company is:

FOSTER'S HILLSIDE HARVEST, LLC

**Article 11**

Unless the articles of organization otherwise provide, all limited liability companies formed pursuant to 1993 PA 23 have the purpose of engaging in any activity within the purposes for which a limited liability company may be formed under the Limited Liability Company Act of Michigan. You may provide a more specific purpose:

**Article 111**

The duration of the limited liability company if other than perpetual is:

**Article IV**

The street address of the registered office of the limited liability company and the name of the resident agent at the registered office (P.O. Boxes are not acceptable):

1. Agent Name: KEATON FOSTER

2. Street Address: 9703 GARRISON ROAD

Apt/Suite/Other:

City: LAINGSBURG

State: MI

Zip Code: 48848

3. Registered Office Mailing Address:

P.O. Box or Street

Address:

Apt/Suite/Other:

City:

State:

Zip Code:

Signed this 19th Day of July, 2019 by the organizer(s):

E J Castellani

Organizer

By selecting ACCEPT, I hereby acknowledge that this electronic document is being signed in accordance with the Act. I further certify that to the best of my knowledge the information provided is true, accurate, and in compliance with the Act.

☐ Decline ☒ Accept

*MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS*  
*FIUNG ENDORSEMENT*

*This is to Certify that the* ARTICLES OF ORGANIZATION

*for*

FOSTER'S HILLSIDE HARVEST, LLC

*ID Number:* 802345036

*received by electronic transmission on* July 19, 2019 *, is hereby endorsed.*

*Filed on* July 19, 2019 *, by the Administrator.*

*The document is effective on the date filed, unless a subsequent effective date within 90 days after received **date** is stated in the document.*



*In testimony whereof, I have hereunto set my hand and affixed the Seal of the Department, in the City of Lansing, this 19th day of July, 2019.*

*r*

*Julia Dale, Director*

*Corporations, Securities & Commercial Licensing Bureau*





# District Health Department #10

*Healthy People, Healthy Communities*

Manistee County • 385 Third Street • Manistee, MI 49660  
Phone: 231-723-3595 • Fax: 231-723-1477 • [www.dhd10.org](http://www.dhd10.org)

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*Serving Crawford, Kalkaska, Lake, Manistee, Mason, Mecosta, Missaukee, Newaygo, Oceana, and Wexford*

Re: Permit to construct a Sewage Treatment System

Dear Homeowner:

Enclosed is the sewage treatment permit for which you recently applied. The permit has been approved and you may begin installation at any time. If you have any questions regarding the specific requirements of the sewage system permit, please do not hesitate to call this office. I would also be happy to answer any questions you may have on proper construction techniques. Local codes require notification to this office prior to back filling or covering the septic system.

Sewage Disposal Contractor Licensing

The Sanitary Code for District Health Department #10 requires that "Any person, firm, company, or corporation who shall engage in the business of installation of a sewage disposal system, or any part thereof under the provisions of this sanitary code MUST be licensed by District Health Department #10."

If you have any questions, please call (231)723-3595. This office is open Monday through Friday, 8:00 a.m. to 4:30 p.m.

Sincerely,

*IL-.IU*

Frank Palatka  
Environmental Health Division  
OHO #10-Manistee County Office

Enclosure(s)

For more information on Environmental Health services or other public health information beneficial to you and your community, please visit our website: [www.dhd10.org](http://www.dhd10.org)



**District Health Department 10**

Crawford, Kalkaska, Lake, Manistee, Mason, Mecosta,  
Missaukee, Newaygo, Oceana, and Wexford

385 Third ST

Manistee MI 49660

(231) 723-3595

Sewage Permit Number: **SJ-7414**

Permit Type: Residential Septic

Permit Expires: February 19, 2022

Permitted to:

Keaton Foster

9703 Garrison Rd

Laingsburg, MI 48848

**Permit For Facilities at:**

11240 Milarch Rd

Township: Onkama (T23NR16W) Sec: 12

Subdivision: Lot:

Tax ID Number: 51-11-012-014-00

**Design Criteria:**

Permit Type Residential Septic - Pole Barn

No of Bedroom:

Other, Gal/Day: 300 gal

Basement Plumbing: No

Garbage Disposal: No

Seasonal High Water Table: >84 inches

**Soil Boring:**

Hole	Starting Depth	Ending Depth	Texture	Color	Comments
1	10	84	LS (Loamy Sand)	Brown	Topsoil Removed

**Components Table(s):**

Septic Tank; Volume: 1200 gal;

Bed/Pad Dispersal Area; Length: 30 ft; Width: 15 ft;

**Permit Requirements:**

Contractor/installer is required to notify this office 24 hour in advance of backfilling or covering the septic system. System shall not be covered until final approval has been granted by this department.

Install an observation port on the footer of the drainfield.

**Variances:**

(No Variances)

**Drawing:**

See next page

# District Health Department #10

Crawford, T<sup><</sup>allcasla, Lake, Manistee, Mason, Mecosta, Missaukee, Newaygo, Oceana and Wexford Counties

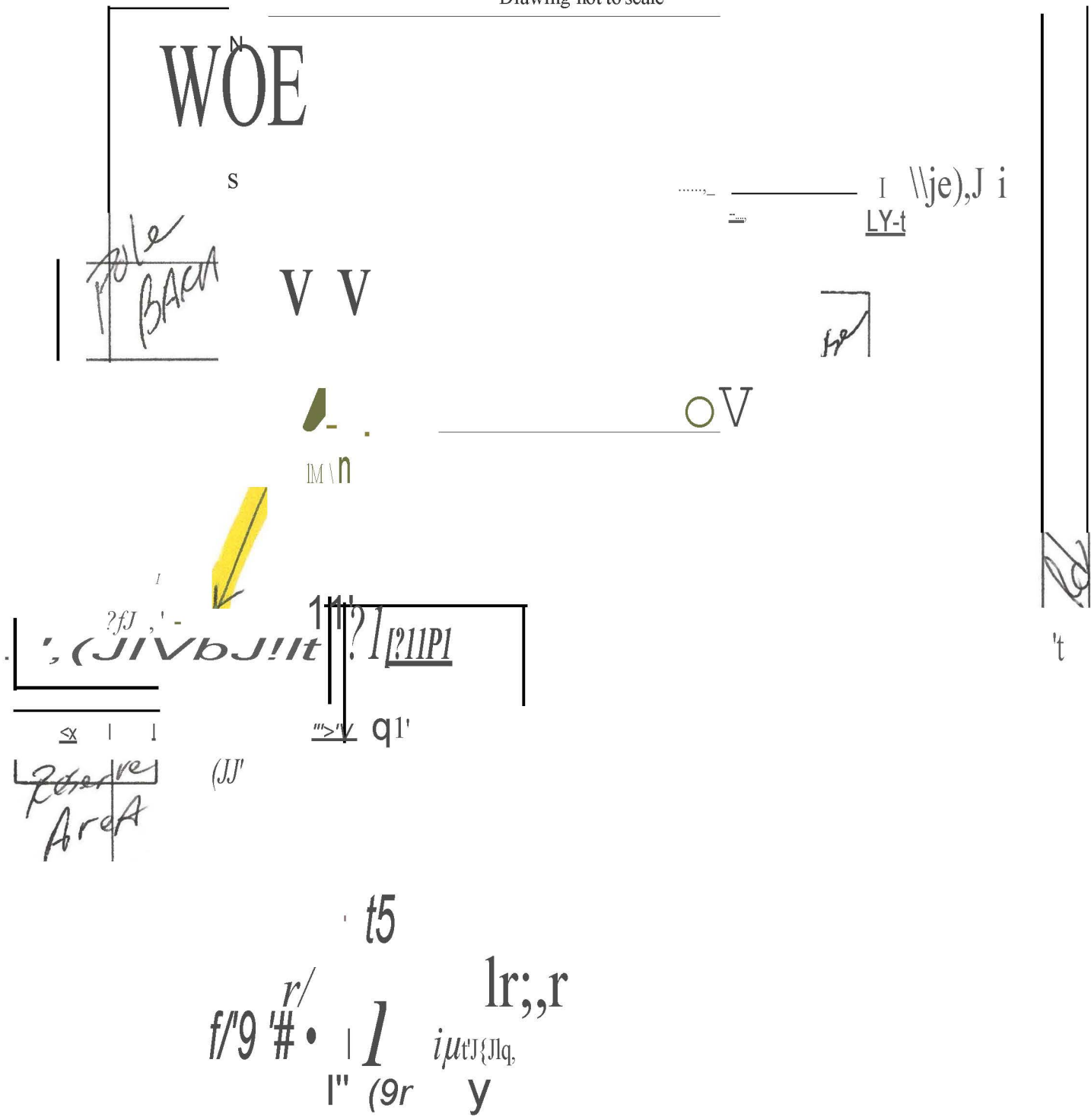
## Site Plan

Permit # 51-7414 Septic-Pole Barn

Address: 11240 Milarch Rd

Property Tax ID# 51-11-012-014-00

Drawing not to scale



Required Isolation Distances in Feet				
	Septic Tank	On-field (Bed/french)	Dry Well or Block Trench	Sewer Line**
Private Wells	50	50	15	10
Type II/III	15	15	15	15
Property Lines	5	10	10	5
Basement Walls	10	10	15	
Lake Streams	50	100	100	10
Pressurized Water Lines	10	10	10	5
Utilities Banks, Drop offs	10	15	20	5
Swimming Pools	10	10	10	10
* see section 5.3.09 ** closed line, sealed joints				



Frank Palatka, Environmental Health Sanitarian

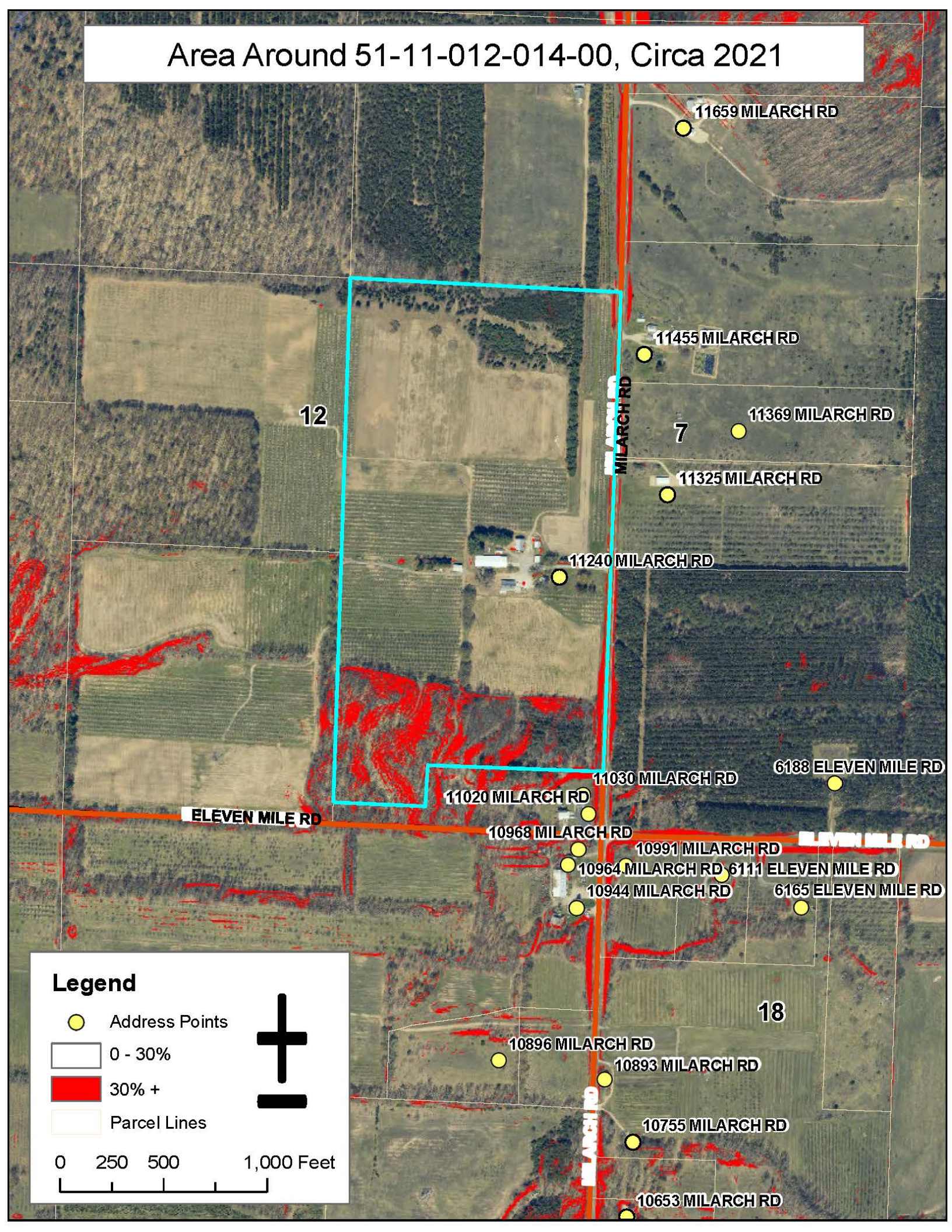
Sewage Permit Number: **51-7414**

Environmental Health Regulations require you to notify the Health Officer 24 hours prior to beginning construction of a septic system or drilling water well. Contractor/owner to be aware that other local or state permits may be required (ie. soil erosion, natural rivers). This permit is for sanitary waste only.

Copies to: \_ Health Department\_ Property Owner\_ Sewage Contractor\_ Well Driller\_ Construction Codes\_ Zoning

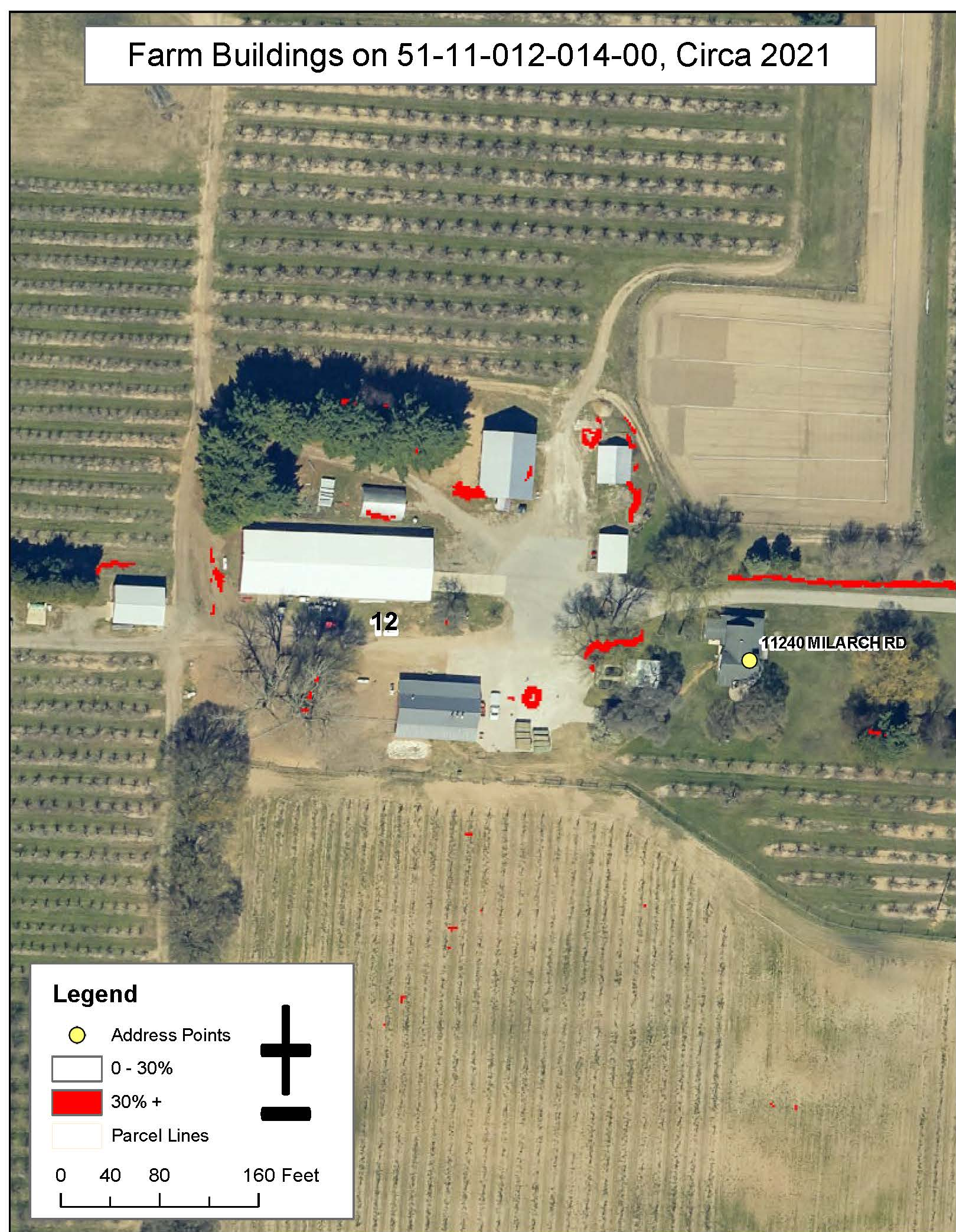


# Area Around 51-11-012-014-00, Circa 2021





# Farm Buildings on 51-11-012-014-00, Circa 2021











## NOTICE OF PUBLIC HEARING

The Onekama Township Planning Commission will hold two public hearings at their regularly scheduled meeting for Thursday, July 21, 2022, at 7:00 PM at the Onekama Township Hall, 5435 Main St., Onekama, MI. 49675; phone: (231) 889-3308.

The first public hearing will be held to consider a special land use request for Parcel ID # 51-11-012-014-00, commonly known as 11240 Milarch Road, Bear Lake, MI 49614. The property owner is seeking special land use approval for the utilization of a commercial kitchen for maple syrup production, as well as utilizing the property as a farmers' market. The parcel resides within the Agricultural – AG-1 District.

The second public hearing will be held to consider a zoning ordinance text amendment within the following sections of the Onekama Township Zoning Ordinance:

- **Article 5: Definitions**

Amend section 503. Definitions, to add a definition for Established Front Yard.

- **Article 10: General Regulations**

Amend section 1019. Location of Accessory Buildings and Structures, to allow for less restrictive regulation for the allowance of accessory buildings and structures within the front yard.

All documentation regarding the above requests can be found on the Onekama Township Website at <https://www.onekama.info/township> or by visiting Onekama Township Hall to review or purchase the special and use request or the proposed amendments during their regular office hours (Mon-Wed 9:00 AM- 2:00 PM).

Correspondence can be sent by mail, or hand delivered to Onekama Township Hall, 5435 Main St. P.O. Box 458 Onekama, MI 49675. Correspondence can also be sent via email to the Township Clerk at [clerk@onekamatwp.org](mailto:clerk@onekamatwp.org) or via fax at (231) 889-5587. Please, mark it ATTN: Onekama Township Planning Commission. All correspondence must be received by end of business day, on the day of the meeting or can be presented to the Planning Commission during the public hearing.

This notice is posted in compliance with PA267 of 1976 as amended (Open Meetings Act), MCLA 41.72 (2) (3) and the Americans with Disabilities Act (ADA) Note: Individuals with disabilities requiring auxiliary aids or services should contact Onekama Township by writing or calling the following: Shelli Johnson, Clerk – 5435 Main St. P.O. Box 458 Onekama, MI 49675. Phone 231-889-3308 Ext: 201.





Manistee County Planning Building, 395 Third Street Manistee, Michigan 49660

June 29, 2022

Dear Occupant,

You are receiving this letter because you own or reside within a property which is 300 feet of a property being considered for a special land use request.

The Onekama Township Planning Commission will hold a public hearing at their regularly scheduled meeting for Thursday, July 21, 2022, at 7:00 PM at the Onekama Township Hall, 5435 Main St., Onekama, MI. 49675; phone: (231) 889-3308.

The public hearing will be held to consider a special land use request for Parcel ID # 51-11-012-014-00, commonly known as 11240 Milarch Road, Bear Lake, MI 49614. The property owner is seeking special land use approval for the utilization of a commercial kitchen for maple syrup production, as well as utilizing the property as a farmers' market. The parcel resides within the Agricultural – AG-1 District.

The special land use request and application can be found on the Onekama Township Website at <https://www.onekama.info/township> or by visiting Onekama Township Hall to review or purchase during their regular office hours (Mon-Wed 9:00 AM- 2:00 PM).

Correspondence can be sent by mail, or hand delivered to Onekama Township Hall, 5435 Main St. P.O. Box 458 Onekama, MI 49675. Correspondence can also be sent via email to the Township Clerk at [clerk@onekamatwp.org](mailto:clerk@onekamatwp.org) or via fax at (231) 889-5587. Please, mark it ATTN: Onekama Township Planning Commission. All correspondence must be received by end of business day on the day of the meeting or can be presented to the Planning Commission during the public hearing.

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Per Planning and Enabling Act of 2008, you must be notified if you own property or occupy a structure within 300 feet of the property requesting special land use approval. Below you will find a listing of addresses and parcel owners that have been notified of this request.

Parcel Number	Property Owner's Name	Property Street	Property City	Property State	Additional Owner Names	Owner's Street	Owner's City	Owner's State	Owner's Zipcode
02-007-300-01	HUMMON FAMILY INVESTMENTS LLC	11339 MILARCH RD				200 CHURCH ST	ROMEIO	MI	48065
02-007-325-03	KALIS DOUGLAS & KALIS PAUL	11325 MILARCH RD	BEAR LAKE	MI		PO BOX 0021	ONEKAMA	MI	49675
02-007-250-00	KALIS ROBERT & PAMELA	11659 MILARCH RD	BEAR LAKE	MI		11659 MILARCH RD	BEAR LAKE	MI	49614
02-007-250-01	UECKER BRITT	11455 MILARCH RD				11455 MILARCH RD	BEAR LAKE	MI	49614
02-007-325-01	WILKINS GLENN L & MARY ANN					4233 BIGHTWOOD DR	TROY	MI	48085-7005
11-012-013-00	SEXTON JEREMIAH J	11030 MILARCH RD	BEAR LAKE	MI		11030 MILARCH RD	BEAR LAKE	MI	49614
11-012-007-00	MAYS JAMES A & JANE E	MILARCH RD				3985 W TIMBER LN	EMPIRE	MI	49630
11-012-017-00	FOSTERS HILLSIDE HARVEST LLC	ELEVEN MILE RD				11240 MILARCH RD	BEAR LAKE	MI	49614-4
11-012-015-00	FOSTERS HILLSIDE HARVEST LLC					11240 MILARCH RD	BEAR LAKE	MI	49614
11-012-006-00	ONEKAMA CONSOLIDATED SCHOOLS						ONEKAMA	MI	49675
11-012-014-00	FOSTERS HILLSIDE HARVEST LLC	11240 MILARCH RD				11240 MILARCH ROAD	BEAR LAKE	MI	49614
11-013-001-00	BROWN ROBERT W & LAURI E (LE) TRUST	10944 MILARCH RD	ONEKAMA	MI		11317 ERDMAN RD	ONEKAMA	MI	49675
02-007-325-02	STOPA BRADLEY S	11369 MILARCH RD	BEAR LAKE	MI		146 NORTH EMBER DR	FELTON	DE	19943

Sincerely,



Katie Mehl  
Manistee County Planner  
Onokama Township Zoning Administrator



Manistee County Planning Building, 395 Third Street Manistee, Michigan 49660

June 29, 2022

Planning Commission Members  
Onkama Township  
5435 Main Street  
Onkama, MI 49675

Dear Planning Commission Members,

I received a special land use request from Keaton Foster. He is seeking special land use approval for the utilization of a commercial kitchen on the property as well as utilizing the property as a farmers' market. The parcel resides within the Agricultural – AG-1 District. The applicable use of the property falls under the special uses for the zoning district, with the Standard Industrial Classification (SIC) Code for Food Kindred Products being 20.

This memo is to act as a starting point for actions for this request for special land use approval. The following can be followed completely, partially, or not at all. They are simply to help the Planning Commission members have a starting point for discussion.

Option A: Deny the request for special land use approval. The special land use request fails to pass the majority vote needed.

Option B: Allow the request for special land use approval. The special land use approval would allow for the for the utilization of a commercial kitchen on the property as well as utilizing the property as a farmers' market as described in the narrative provided. All other aspects of the Onkama Township Zoning Ordinance would have to be followed.

Option C: The Planning Commission may approve with conditions the request for special land use approval.

The decision on a special land use shall be incorporated in a statement of findings and conclusions relative to the special land use which specifies the basis for the decision and any conditions imposed.

Regards,

A handwritten signature in black ink that reads "Katie Mehl". The signature is written in a cursive, flowing style.

Katie Mehl  
Planning and Zoning Administrator