

Packet
July 9, 2024,
Township Board Regular Meeting

Consent

Invoices

**PENINSULA TOWNSHIP
INVOICE REGISTER**

For Invoices Scheduled for Payment on: 7/9/2024 12:0

VENDOR INFORMATION

INVOICE INFORMATION

**CONSUMERS ENERGY
PAYMENT CENTER
PO BOX 740309
CINCINNATI, OH 45274-0309**

**Amount of Invoice Paid: \$28.77
ELECTRICITY**

<i>Distribution:</i>		
209-567-921.000	Electricity	28.77

**EICKHOF COLUMBARIA INC
1200 BRUCE STREET
CROOKSTON, MN 56716**

**Amount of Invoice Paid: \$3,913.50
CONCEPT DEVELOPMENT - PEN CEM**

<i>Distribution:</i>		
209-567-970.000	CAPITAL OUTLAY	3,913.50

**ROBERT WILKINSON
18426 CINDER RD
INTERLOCHEN, MI 49643**

**Amount of Invoice Paid: \$1,380.00
BLDG & GROUNDS MAINTENANCE**

<i>Distribution:</i>		
209-567-818.000	Contractual Services-Mowing	1,380.00

Total Amount Disbursed: \$5,322.27

PENINSULA TOWNSHIP INVOICE REGISTER

For Invoices Scheduled for Payment on: 7/9/2024 12:0

VENDOR INFORMATION

**ACENTEK
LOCKBOX PAYMENTS
PO BOX 1648
MINNEAPOLIS, MN 55480-1648**

INVOICE INFORMATION

**Amount of Invoice Paid: \$727.86
OFFICE PHONES - JUNE 2024**

Distribution:

101-261-850.000	COM/TELEPHONE - OFFICE-TWP HALL	394.32
101-257-850.000	COM/TELEPHONE - ASSESSOR	60.64
101-215-850.000	COM/TELEPHONE - CLERK	90.97
101-253-850.000	COM/TELEPHONE - TREASURER	90.97
101-701-850.000	COM/TELEPHONE - PLANNING	60.64
101-171-850.000	COM/TELEPHONE - SUPERVISOR	30.32

**BECKETT & RAEDER
535 W WILLIAM STREET STE 101**

**Amount of Invoice Paid: \$10,204.65
PLNG/ZNG CONSULTANT - APRIL 2024**

ANN ARBOR, MI 48103

Distribution:

101-701-818.000	Contractual Services	10,204.65
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**BLUE CARE NETWORK
PO BOX 33608**

**Amount of Invoice Paid: \$5,849.95
HEALTH INSURANCE - JULY 2024**

DETROIT, MI 48232-5608

Distribution:

101-701-712.000	Medical/Life Insurance	516.70
101-253-712.000	Medical/Life Insurance	951.18
101-257-712.000	Medical/Life Insurance	1,174.87
101-261-712.000	Medical/Life Insurance	683.48
704-000-227.020	Medical Insurance Withholding	2,523.72

**CAPITAL ONE TRADE CREDIT
PO BOX 60506**

**Amount of Invoice Paid: \$122.32
SWIM BUOYS;TOILET SEAT;SUPPLIES**

CITY OF INDUSTRY, CA 91716

Distribution:

208-751-726.000	Supplies	60.91
208-751-930.000	Repairs and Maintenance	39.13
101-261-726.000	Supplies	22.28

**CONSUMERS ENERGY
PAYMENT CENTER
PO BOX 740309**

**Amount of Invoice Paid: \$755.75
ST LIGHTS/ELECTRICITY - MAY 2024**

CINCINNATI, OH 45274-0309

Distribution:

101-265-921.000	Electricity	355.28
101-265-926.000	Street Lighting	48.61
101-265-921.BJN	ELECTRICITY-BIG JOHNS	57.02
208-751-926.000	Street Lighting	77.30
208-751-921.000	Electricity	91.35
208-753-921.000	Electricity	31.14
216-807-921.000	Electricity-Dougherty	95.05

**CONSUMERS ENERGY
PAYMENT CENTER
PO BOX 740309**

**Amount of Invoice Paid: \$370.30
ST LIGHTS/ELECTRICITY - MAY 2024**

CINCINNATI, OH 45274-0309

Distribution:

101-000-220.010	Franklin Wds. Streetlighting	12.08
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**PENINSULA TOWNSHIP
INVOICE REGISTER**

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VENDOR INFORMATION**INVOICE INFORMATION**

596-528-926.000	STREET LIGHTING--COMPACTOR	19.23
101-265-926.000	Street Lighting	57.65
101-000-220.000	Pen.Hills Townhouses,St.light	15.91
101-000-220.075	Underwood Farms Street Light	20.49
208-751-926.000	Street Lighting	46.66
101-000-220.030	OMPS, Street Lighting	11.66
101-000-220.040	Cherrywood Commons, St. Light	11.66
101-000-220.060	Mission Hills, Street Light	163.30
101-000-220.070	Congregational Church Lightin	11.66

**CONSUMERS ENERGY
PAYMENT CENTER
PO BOX 740309
CINCINNATI, OH 45274-0309**

**Amount of Invoice Paid: \$140.16
LED UPGRADE - MAY 2024**

Distribution:

101-000-220.010	Franklin Wds. Streetlighting	4.83
596-528-926.000	STREET LIGHTING--COMPACTOR	4.83
101-265-926.000	Street Lighting	19.34
101-000-220.000	Pen.Hills Townhouses,St.light	4.83
101-000-220.075	Underwood Farms Street Light	4.83
208-751-926.000	Street Lighting	19.34
101-000-220.030	OMPS, Street Lighting	4.83
101-000-220.040	Cherrywood Commons, St. Light	4.83
101-000-220.060	Mission Hills, Street Light	67.67
101-000-220.070	Congregational Church Lightin	4.83

**DTE ENERGY
PO BOX 740786
CINCINNATI, OH 45274-0786**

**Amount of Invoice Paid: \$57.05
DOUGHERTY GAS - JUNE 2024**

Distribution:

216-807-745.000	DTE Heating-Dougherty	57.05
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**DTE ENERGY
PO BOX 740786
CINCINNATI, OH 45274-0786**

**Amount of Invoice Paid: \$62.25
TWP OFFICE HEAT - JUNE 2024**

Distribution:

101-265-745.GAS	DTE Gas	62.25
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**DTE ENERGY
PO BOX 740786
CINCINNATI, OH 45274-0786**

**Amount of Invoice Paid: \$63.15
TWP HALL HEAT - JUNE 2024**

Distribution:

101-265-745.GAS	DTE Gas	63.15
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**DTE ENERGY
PO BOX 740786
CINCINNATI, OH 45274-0786**

**Amount of Invoice Paid: \$75.67
BIG JON GAS - JUNE 2024**

Distribution:

101-265-745.BJH	DTE - Big John Heat	75.67
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**PENINSULA TOWNSHIP
INVOICE REGISTER**

For Invoices Scheduled for Payment on: 7/9/2024 12:0

VENDOR INFORMATION

**ELAN FINANCIAL SERVICES
PO BOX 790408**

SAINT LOUIS, MO 63179-0408

INVOICE INFORMATION

**Amount of Invoice Paid: \$2,740.74
MTHLY SVCS; TRAVEL; OFFICE SUPPLIES**

Distribution:

101-215-814.200	Publishing Software	42.38
101-215-965.000	Meetings	325.00
101-101-801.WMP	Legal Fees-WOMP Lawsuit Costs	1,857.48
101-261-726.000	Supplies	130.91
101-261-726.000	Supplies	17.07
101-701-726.000	Supplies	97.94
101-215-726.000	Supplies	63.75
101-253-726.000	Supplies	17.78
101-215-806.LTF	Late Fees	188.43

**GRAND TRAVERSE COUNTY
COUNTY TREASURER
400 BOARDMAN AVENUE
TRAVERSE CITY, MI 49684-2577**

**Amount of Invoice Paid: \$83.08
EQUILIZATION: ANNUAL TAX MAP UPDATE**

Distribution:

101-257-900.000	Legal Notices	83.08
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**GRAND TRAVERSE COUNTY
COUNTY TREASURER
400 BOARDMAN AVENUE
TRAVERSE CITY, MI 49684-2577**

**Amount of Invoice Paid: \$23.54
MAP OF TOWNSHIP PARKS**

Distribution:

208-751-726.000	Supplies	23.54
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**KATIE CLARK
13679 BLUFF RD
TRAVERSE CITY, MI 49686**

**Amount of Invoice Paid: \$125.96
MILEAGE - BANKS**

Distribution:

101-253-870.000	Mileage	125.96
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**KRAFT BUSINESS SYSTEMS
6980 SOUTHBELT DRIVE SE STE.1
CALEDONIA, MI 49316**

**Amount of Invoice Paid: \$689.09
COPIER SERVICES**

Distribution:

101-261-818.COP	Copier & Copier Supplies	689.09
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**MARILYN ELLIOTT
18811 WHISPERING TRAIL
TRAVERSE CITY, MI 49686**

**Amount of Invoice Paid: \$17.42
MILEAGE - TRAINING**

Distribution:

101-262-870.000	Mileage	17.42
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**MCCARDEL CULLIGAN WATER
40 HUGHES DRIVE
TRAVERSE CITY, MI 49686**

**Amount of Invoice Paid: \$12.00
WATER COOLER RENTAL - JUNE 2024**

Distribution:

101-261-818.WTR	Water Cooler	12.00
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PENINSULA TOWNSHIP INVOICE REGISTER

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VENDOR INFORMATION

MCCARDEL CULLIGAN WATER
40 HUGHES DRIVE

TRAVERSE CITY, MI 49686

Distribution:

101-261-818.WTR

Water Cooler

14.00

INVOICE INFORMATION

Amount of Invoice Paid: \$14.00

BOTTLED WATER FOR COOLER

MICHIGAN TOWNSHIPS ASSOC. (MTA)
P.O. BOX 80078

LANSING, MI 48908-0078

Distribution:

101-262-960.000

Education & Training

100.00

Amount of Invoice Paid: \$100.00

ELECTIONS PREP VIRTUAL WEBINAR

MUTUAL OF OMAHA
PAYMENT PROCESSING CENTER
PO BOX 2147

OMAHA, NE 68103-2147

Distribution:

101-253-712.000

Medical/Life Insurance

7.28

101-215-712.000

Medical/Life Insurance

29.10

101-171-712.000

Medical/Life Insurance

14.55

101-261-712.000

Medical/Life Insurance

14.55

101-257-712.000

Medical/Life Insurance

14.55

101-701-712.000

Medical/Life Insurance

14.55

101-253-712.000

Medical/Life Insurance

14.55

704-000-227.020

Medical Insurance Withholding

211.07

Amount of Invoice Paid: \$320.20

LIFE INSURANCE - JULY 2024

PRINCIPAL LIFE INSURANCE CO.
PO BOX 77202

MINNEAPOLIS, MN 55480-7200

Distribution:

101-253-712.000

Medical/Life Insurance

142.83

101-701-712.000

Medical/Life Insurance

19.81

101-257-712.000

Medical/Life Insurance

42.13

101-261-712.000

Medical/Life Insurance

38.41

704-000-227.020

Medical Insurance Withholding

222.00

Amount of Invoice Paid: \$465.18

DENTAL INSURANCE - JULY 2024

PROFILE
3820 CASS ROAD

TRAVERSE CITY, MI 49684

Distribution:

101-261-820.000

Shredding

90.00

Amount of Invoice Paid: \$90.00

SHREDDING SVC - JUNE 2024

PROFILE
3820 CASS ROAD

TRAVERSE CITY, MI 49684

Distribution:

101-261-820.000

Shredding

90.00

Amount of Invoice Paid: \$90.00

SHREDDING PICK UP

REBECCA CHOWN
2877 OLD MISSION RD.

TRAVERSE CITY, MI 49686

Distribution:

Amount of Invoice Paid: \$12.33

MILEAGE - TC CENTRAL VOTER DRIVE

**PENINSULA TOWNSHIP
INVOICE REGISTER**

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VENDOR INFORMATION**INVOICE INFORMATION**

	101-262-870.000	Mileage		12.33
ROBERT WILKINSON 18426 CINDER RD INTERLOCHEN, MI 49643			Amount of Invoice Paid:	\$2,350.00
			TOILET CLNG & MAINTENANCE - PARKS	
	<i>Distribution:</i>			
	208-751-818.000	Contractual Services-Mowing/Maintenance		2,350.00
ROBERT WILKINSON 18426 CINDER RD INTERLOCHEN, MI 49643			Amount of Invoice Paid:	\$1,036.00
			CLEANING - TWP OFFICE/HALL MAY-JUNE	
	<i>Distribution:</i>			
	101-265-818.000	Contractual Services		1,036.00
ROBERT WILKINSON 18426 CINDER RD INTERLOCHEN, MI 49643			Amount of Invoice Paid:	\$4,140.00
			PARKS & TWP LAWN CARE & MAINTENANC	
	<i>Distribution:</i>			
	101-265-818.000	Contractual Services		420.00
	208-751-818.000	Contractual Services-Mowing/Maintenance		3,360.00
	596-528-818.000	Contractual Services		180.00
	208-751-930.000	Repairs and Maintenance		180.00
SNAP PRINTING 1569 NORTHERN STAR DRIVE TRAVERSE CITY, MI 49696			Amount of Invoice Paid:	\$2,485.81
			POSTAGE - SUMMER TAXES	
	<i>Distribution:</i>			
	101-253-905.000	Postage		2,485.81
SPECTRUM PRINTERS PO BOX 161 TECUMSEH, MI 49286			Amount of Invoice Paid:	\$68.61
			AV POLL BOOKS	
	<i>Distribution:</i>			
	101-262-726.000	Supplies		68.61
TC RECORD EAGLE (PUBS) DEPT. 1415 P.O. BOX 4268 HOUSTON, TX 77210-4268			Amount of Invoice Paid:	\$243.35
			PUBLIC/LEGAL NOTICES - MAY 2024	
	<i>Distribution:</i>			
	101-703-900.000	Legal Notices		134.40
	101-703-900.000	Legal Notices		108.95
TC RECORD EAGLE (PUBS) DEPT. 1415 P.O. BOX 4268 HOUSTON, TX 77210-4268			Amount of Invoice Paid:	\$108.95
			LEGAL /PUBLIC NOTICE	
	<i>Distribution:</i>			
	101-703-900.000	Legal Notices		108.95

**PENINSULA TOWNSHIP
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VENDOR INFORMATION

**TOBIN & CO., P.C.
2301 N. GARFIELD RD., N.**

TRAVERSE CITY, MI 49686-5167

Distribution:

101-101-807.000

Audit Fees

1,600.00

208-751-807.000

Audit Fees

200.00

208-753-807.000

Audit Fees

50.00

204-446-807.000

Audit Fees

50.00

596-528-807.000

Audit Fees

50.00

INVOICE INFORMATION**Amount of Invoice Paid:****\$1,950.00****AUDIT 2023-2024 #1**

**TRAVERSE CITY LIGHT & POWER
PO BOX 592**

TRAVERSE CITY, MI 49685-0592

Distribution:

101-265-926.000

Street Lighting

10.61

Amount of Invoice Paid:**\$10.61****ST. LIGHTS**

**UHY ADVISORS, INC.
PO BOX 72217**

CLEVELAND, OH 44192-0002

Distribution:

101-215-818.CPA

CPA Contract Services

1,400.00

Amount of Invoice Paid:**\$1,400.00****PAYROLL SERVICE - MAY 2024****Total Amount Disbursed:****\$37,005.98**

PENINSULA TOWNSHIP INVOICE REGISTER

For Invoices Scheduled for Payment on: 7/9/2024 12:0

VENDOR INFORMATION

INVOICE INFORMATION

ACENTEK
LOCKBOX PAYMENTS
PO BOX 1648
MINNEAPOLIS, MN 55480-1648

Amount of Invoice Paid: **\$79.95**
INTERNET SERVICE - JUNE 2024

Distribution:

206-336-850.CHC	Internet Services	79.95
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ALFIE
2425 SWITCH DR.
TRAVERSE CITY, MI 49684

Amount of Invoice Paid: **\$103.00**
CHIEF DUTY SHIRT

Distribution:

206-336-935.000	Uniforms	103.00
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APPLIED INNOVATION
7718 SOLUTION CENTER
CHICAGO, IL 60677-7007

Amount of Invoice Paid: **\$40.00**
COPIER - JUNE 2024

Distribution:

206-336-818.COP	Copier & Copier Supplies	40.00
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ARTS AUTO & TRUCK PARTS, INC.
1109 WOODMERE
TRAVERSE CITY, MI 49686

Amount of Invoice Paid: **\$52.56**
DEF FLUID

Distribution:

206-336-939.000	Vehicle Maintenance	52.56
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BLUE CARE NETWORK
PO BOX 33608
DETROIT, MI 48232-5608

Amount of Invoice Paid: **\$9,721.08**
HEALTH INSURANCE - JULY 2024

Distribution:

206-336-712.000	Medical/Life Insurance	9,721.08
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BOUND TREE MEDICAL
23537 NETWORK PLACE
CHICAGO, IL 60673-1235

Amount of Invoice Paid: **\$521.63**
EMS SUPPLIES

Distribution:

206-336-932.000	Ambulance Supplies	521.63
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BOUND TREE MEDICAL
23537 NETWORK PLACE
CHICAGO, IL 60673-1235

Amount of Invoice Paid: **\$497.74**
EMS SUPPLIES

Distribution:

206-336-932.000	Ambulance Supplies	497.74
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CHARTER COMMUNICATIONS
PO BOX 223085
PITTSBURGH, PA 15251-2085

Amount of Invoice Paid: **\$184.98**
INTERNET SERVICE

Distribution:

206-336-850.CHC	Internet Services	184.98
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**PENINSULA TOWNSHIP
INVOICE REGISTER**

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VENDOR INFORMATION**INVOICE INFORMATION**

**CONSUMERS ENERGY
PAYMENT CENTER
PO BOX 740309
CINCINNATI, OH 45274-0309**

**Amount of Invoice Paid: \$1,041.65
ST LIGHTS/ELECTRICITY**

Distribution:

206-336-926.000	Street Lighting	24.31
206-336-921.000	Electricity	1,017.34

**CONSUMERS ENERGY
PAYMENT CENTER
PO BOX 740309
CINCINNATI, OH 45274-0309**

**Amount of Invoice Paid: \$25.82
ST. LIGHTS - MAY 2024**

Distribution:

206-336-926.000	Street Lighting	25.82
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**CONSUMERS ENERGY
PAYMENT CENTER
PO BOX 740309
CINCINNATI, OH 45274-0309**

**Amount of Invoice Paid: \$9.67
LED UPGRADE ST LIGHTS**

Distribution:

206-336-926.000	Street Lighting	9.67
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**CRYSTAL FLASH PETROLEUM
PO BOX 1804

GRAND RAPIDS, MI 49501**

**Amount of Invoice Paid: \$1,026.70
FUEL**

Distribution:

206-336-751.000	Vehicle-Gas & Oil	1,026.70
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**CRYSTAL FLASH PETROLEUM
PO BOX 1804

GRAND RAPIDS, MI 49501**

**Amount of Invoice Paid: \$886.08
DIESEL FUEL**

Distribution:

206-336-751.000	Vehicle-Gas & Oil	886.08
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**CRYSTAL FLASH PETROLEUM
PO BOX 1804

GRAND RAPIDS, MI 49501**

**Amount of Invoice Paid: \$481.66
NO LEAD FUEL**

Distribution:

206-336-751.000	Vehicle-Gas & Oil	481.66
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**DINGES FIRE COMPANY
243 EAST MAIN STREET
P.O. BOX 58
AMBOY, IL 61310**

**Amount of Invoice Paid: \$1,020.10
WATER FLOW TESTING DEVICE**

Distribution:

206-336-970.000	Capital Outlay	1,020.10
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**DTE ENERGY
PO BOX 740786

CINCINNATI, OH 45274-0786**

**Amount of Invoice Paid: \$77.51
STN 1 GAS - JUNE 2024**

Distribution:

206-336-745.000	DTE-Heating Fuel	77.51
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**PENINSULA TOWNSHIP
INVOICE REGISTER**

For Invoices Scheduled for Payment on: 7/9/2024 12:0

VENDOR INFORMATION**INVOICE INFORMATION**

DTE ENERGY
PO BOX 740786

Amount of Invoice Paid: \$93.28
STN 2 GAS - JUNE 2024

CINCINNATI, OH 45274-0786

Distribution:

206-336-745.000	DTE-Heating Fuel	93.28
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ELAN FINANCIAL SERVICES
PO BOX 790408

Amount of Invoice Paid: \$1,672.49
MTHLY SVCS; UNIFORMS; SUPPLIES;

SAINT LOUIS, MO 63179-0408

Distribution:

206-336-935.000	Uniforms	516.41
206-336-850.CHC	Internet Services	72.99
206-336-939.000	Vehicle Maintenance	296.42
206-336-726.000	Supplies-Station	297.46
206-336-960.000	Education & Training	37.94
206-336-970.000	Capital Outlay	55.40
206-336-933.000	Equipment Maintenance	266.68
206-336-850.000	Communications/Telephone	129.19

EMPCO, INC
1740 W. BIG BEAVER RD.
SUITE 200
TROY, MI 48084

Amount of Invoice Paid: \$370.00
LT TEST (WRITTEN)

Distribution:

206-336-818.TST	Testing Compliance	370.00
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EMS MANAGEMENT & CONSULTANTS, INC.
2543 EMPIRE DR. STE 300

Amount of Invoice Paid: \$332.35
MAY 2024 EMS BILLING

WINSTON SALEM, NC 27103

Distribution:

206-336-818.000	Contractual Services	332.35
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FRONTLINE SERVICES, INC
8568 CARTER ROAD

Amount of Invoice Paid: \$3,126.45
ENG VARIOUS REPAIRS

FREELAND, MI 48623

Distribution:

206-336-939.000	Vehicle Maintenance	3,126.45
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FRONTLINE SERVICES, INC
8568 CARTER ROAD

Amount of Invoice Paid: \$4,398.00
ENG 3 BUMPER REPAIR - INS COVERED PA

FREELAND, MI 48623

Distribution:

206-336-939.000	Vehicle Maintenance	4,398.00
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IMPERIAL DADE
2647 MOMENTUM PLACE

Amount of Invoice Paid: \$110.64
TRUCK WASH SOAP

CHICAGO, IL 60689-5326

Distribution:

206-336-726.000	Supplies-Station	110.64
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**PENINSULA TOWNSHIP
INVOICE REGISTER**

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VENDOR INFORMATION

**IMPERIAL DADE
2647 MOMENTUM PLACE

CHICAGO, IL 60689-5326**

INVOICE INFORMATION

**Amount of Invoice Paid: \$258.92
STN SUPPLIES**

Distribution:

206-336-726.000	Supplies-Station	258.92
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**LEELENAU COFFEE ROASTING CO., INC.
6443 WESTERN AVENUE
PO BOX 143
GLEN ARBOR, MI 49636**

**Amount of Invoice Paid: \$113.50
STN COFFEE - JUNE 2024**

Distribution:

206-336-726.000	Supplies-Station	113.50
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**MCCARDEL CULLIGAN WATER
40 HUGHES DRIVE**

**Amount of Invoice Paid: \$89.00
STN 3 WATER SOFTENING**

TRAVERSE CITY, MI 49686

Distribution:

206-336-818.000	Contractual Services	89.00
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**MCCARDEL CULLIGAN WATER
40 HUGHES DRIVE**

**Amount of Invoice Paid: \$57.00
STN 1 WATER SOFTENING**

TRAVERSE CITY, MI 49686

Distribution:

206-336-818.000	Contractual Services	57.00
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**MI DEPT OF HEALTH & HUMAN SERVICES
CASHIER'S OFFICE
P.O. BOX 30437
LANSING, MI 48909**

**Amount of Invoice Paid: \$197.54
QA FOR EMS**

Distribution:

206-336-939.LIC	Vehicle Licenses	197.54
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**MUNSON MEDICAL CENTER
PO BOX 1188**

**Amount of Invoice Paid: \$30.50
CPR CARDS**

TRAVERSE CITY, MI 49685-1188

Distribution:

206-336-960.000	Education & Training	30.50
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**MUNSON OCCUPATIONAL HEALTH CLINIC
3798 MOMENTUM PLACE**

**Amount of Invoice Paid: \$2,615.99
ANNUAL PHYSICALS**

CHICAGO, IL 60689-5337

Distribution:

206-336-828.000	Health & Safety	2,615.99
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**MUNSON OCCUPATIONAL HEALTH CLINIC
3798 MOMENTUM PLACE**

**Amount of Invoice Paid: \$1,670.24
PHYSICALS**

CHICAGO, IL 60689-5337

Distribution:

206-336-828.000	Health & Safety	1,670.24
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**PENINSULA TOWNSHIP
INVOICE REGISTER**

For Invoices Scheduled for Payment on: 7/9/2024 12:0

VENDOR INFORMATION**INVOICE INFORMATION**

MUTUAL OF OMAHA
PAYMENT PROCESSING CENTER
PO BOX 2147
OMAHA, NE 68103-2147

Amount of Invoice Paid: \$203.70
LIFE INSURANCE - JULY 2024

Distribution:

206-336-712.000	Medical/Life Insurance	203.70
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NYE UNIFORM
1030 SCRIBNER NW

Amount of Invoice Paid: \$117.31
STROM PANTS

GRAND RAPIDS, MI 49504

Distribution:

206-336-935.000	Uniforms	117.31
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PENINSULA MARKET
14111 CENTER RD

Amount of Invoice Paid: \$116.79
TRAINING FOOD; STN SUPPLIES

TRAVERSE CITY, MI 49686

Distribution:

206-336-960.000	Education & Training	57.78
206-336-726.000	Supplies-Station	59.01

PICTOMETRY INT'L CORP
P.O. BOX 735288

Amount of Invoice Paid: \$2,539.13
LICENSE - YEAR 2 2024-2025

DALLAS, TX 75373-5288

Distribution:

206-336-970.000	Capital Outlay	2,539.13
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PRINCIPAL LIFE INSURANCE CO.
PO BOX 77202

Amount of Invoice Paid: \$972.66
DENTAL INSURANCE - JULY 2024

MINNEAPOLIS, MN 55480-7200

Distribution:

206-336-712.000	Medical/Life Insurance	972.66
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THE STANDARD
PO BOX 5676

Amount of Invoice Paid: \$249.24
SHORT-TERM DISABILITY INS - FIRE

PORTLAND, OR 97228-5676

Distribution:

206-336-710.WRK	Workers Comp	249.24
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THE STANDARD
PO BOX 5676

Amount of Invoice Paid: \$249.24
SHORT-TERM DISABILITY INS - JULY 2024

PORTLAND, OR 97228-5676

Distribution:

206-336-710.WRK	Workers Comp	249.24
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THE UPS STORE
801 S GARFIELD AVE

Amount of Invoice Paid: \$12.67
SHIPPING FOR LT TEST

TRAVERSE CITY, MI 49686

Distribution:

206-336-905.000	Postage/Shipping	12.67
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**PENINSULA TOWNSHIP
INVOICE REGISTER**

For Invoices Scheduled for Payment on: 7/9/2024 12:0

VENDOR INFORMATION**INVOICE INFORMATION**

**TOBIN & CO., P.C.
2301 N. GARFIELD RD., N.**

**Amount of Invoice Paid: \$1,000.00
AUDIT 2023-2024 #1**

TRAVERSE CITY, MI 49686-5167

Distribution:

206-336-807.000	Audit Fees	1,000.00
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**VERIZON
PO BOX 15062**

**Amount of Invoice Paid: \$24.16
HEART MONITOR MODEM**

ALBANY, NY 12212-5062

Distribution:

206-336-850.000	Communications/Telephone	24.16
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**VERIZON WIRELESS
PO BOX 15062**

**Amount of Invoice Paid: \$121.72
TABLETS/DATA - MAY 2024**

ALBANY, NY 12212-5062

Distribution:

206-336-850.000	Communications/Telephone	121.72
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**VERIZON WIRELESS
PO BOX 15062**

**Amount of Invoice Paid: \$246.80
CELL PHONES/DATA - MAY 2024**

ALBANY, NY 12212-5062

Distribution:

206-336-850.000	Communications/Telephone	246.80
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Total Amount Disbursed: \$36,759.45

PENINSULA TOWNSHIP INVOICE REGISTER

For Invoices Scheduled for Payment on: 7/9/2024 12:0

VENDOR INFORMATION

INVOICE INFORMATION

ACENTEK
LOCKBOX PAYMENTS
PO BOX 1648
MINNEAPOLIS, MN 55480-1648

Amount of Invoice Paid: \$106.49
INTERNET/VIDEO SERVICES

Distribution:

508-804-850.000	Com/Telephone	106.49
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ACENTEK
LOCKBOX PAYMENTS
PO BOX 1648
MINNEAPOLIS, MN 55480-1648

Amount of Invoice Paid: \$41.43
OFFICE PHONE - JUNE 2024

Distribution:

508-804-850.000	Com/Telephone	41.43
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BAY SUPPLY AND MARKETING INC
520 U.S. 31 SOUTH

TRAVERSE CITY, MI 49684

Amount of Invoice Paid: \$1,924.00
FLAGPOLE & FLAG

Distribution:

508-804-970.000	Capital Outlay/MiscExpenditures	1,924.00
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BLUE CARE NETWORK
PO BOX 33608

DETROIT, MI 48232-5608

Amount of Invoice Paid: \$1,253.76
HEALTH INSURANCE - JULY 2024

Distribution:

508-804-712.000	Medical/Life Insurance	626.88
509-804-712.000	Medical/Life Insurance	626.88

CAPITAL ONE TRADE CREDIT
PO BOX 60506

CITY OF INDUSTRY, CA 91716

Amount of Invoice Paid: \$327.80
FLOWERS, LANDSCAPING

Distribution:

508-804-728.000	Grounds	327.80
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CONSUMERS ENERGY
PAYMENT CENTER
PO BOX 740309
CINCINNATI, OH 45274-0309

Amount of Invoice Paid: \$162.65
ELECTRICITY

Distribution:

508-804-921.000	Electricity	162.65
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DEWEESE HARDWARE
1029 CARVER ST

TRAVERSE CITY, MI 49684

Amount of Invoice Paid: \$12.48
TAPE & BATTERIES

Distribution:

508-804-726.000	Supplies	12.48
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DEWEESE HARDWARE
1029 CARVER ST

TRAVERSE CITY, MI 49684

Amount of Invoice Paid: \$34.92
TOOL FILE, LOCK/CHAIN FOR PICNIC TABL

Distribution:

508-804-726.000	Supplies	34.92
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**PENINSULA TOWNSHIP
INVOICE REGISTER**

For Invoices Scheduled for Payment on: 7/9/2024 12:0

VENDOR INFORMATION**INVOICE INFORMATION**

**DEWEESE HARDWARE
1029 CARVER ST**

**Amount of Invoice Paid: \$25.98
SUPPLIES**

TRAVERSE CITY, MI 49684

Distribution:

508-804-726.000	Supplies	25.98
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**ELAN FINANCIAL SERVICES
PO BOX 790408**

**Amount of Invoice Paid: \$272.27
MTHLY SVCS; GROUNDS;**

SAINT LOUIS, MO 63179-0408

Distribution:

508-804-818.000	Contractual Services	1.99
508-804-818.SEC	Security	30.98
508-804-905.000	Postage/Shipping	70.30
508-804-930.000	Repairs and Maintenance	169.00

**FORD'S WELDING & MAINTENANCE LLC
10926 PENINSULA DR.**

**Amount of Invoice Paid: \$351.76
MAINTENANCE JOBS**

TRAVERSE CITY, MI 49686

Distribution:

508-804-930.000	Repairs and Maintenance	351.76
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**GAIL BORGMAN MCGUIRE
4456 ARLINGTON DR**

**Amount of Invoice Paid: \$240.00
NOTE CARDS**

ROYAL OAK, MI 48073

Distribution:

509-804-727.000	Merchandise For Lighthouse Gift Shop	240.00
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**KAESER BLAIR INC
4236 GRISSOM DR**

**Amount of Invoice Paid: \$1,017.69
DECALS**

BATAVIA, OH 45103

Distribution:

509-804-727.000	Merchandise For Lighthouse Gift Shop	1,017.69
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**KAESER BLAIR INC
4236 GRISSOM DR**

**Amount of Invoice Paid: \$1,042.50
CELL PHONE LANYARD**

BATAVIA, OH 45103

Distribution:

509-804-727.000	Merchandise For Lighthouse Gift Shop	1,042.50
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**KAESER BLAIR INC
4236 GRISSOM DR**

**Amount of Invoice Paid: \$1,181.69
SOFT ENAMEL PIN**

BATAVIA, OH 45103

Distribution:

509-804-727.000	Merchandise For Lighthouse Gift Shop	1,181.69
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**KAESER BLAIR INC
4236 GRISSOM DR**

**Amount of Invoice Paid: \$1,029.44
LOGO PIN**

BATAVIA, OH 45103

Distribution:

509-804-727.000	Merchandise For Lighthouse Gift Shop	1,029.44
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**PENINSULA TOWNSHIP
INVOICE REGISTER**

For Invoices Scheduled for Payment on: 7/9/2024 12:0

VENDOR INFORMATION**INVOICE INFORMATION**

**MUTUAL OF OMAHA
PAYMENT PROCESSING CENTER
PO BOX 2147
OMAHA, NE 68103-2147**

**Amount of Invoice Paid: \$14.55
LIFE INSURANCE - JULY 2024**

Distribution:

508-804-712.000	Medical/Life Insurance	7.28
509-804-712.000	Medical/Life Insurance	7.27

**PERRIN RESORT & COLLEGIATE APPAREL
5320 RUSCHE DRIVE NW**

**Amount of Invoice Paid: \$13,495.03
TEES, FLEECE, CAPS**

COMSTOCK PARK, MI 49321

Distribution:

509-804-727.000	Merchandise For Lighthouse Gift Shop	13,495.03
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**PRINCIPAL LIFE INSURANCE CO.
PO BOX 77202**

**Amount of Invoice Paid: \$42.13
DENTAL INSURANCE - JULY 2024**

MINNEAPOLIS, MN 55480-7200

Distribution:

508-804-712.000	Medical/Life Insurance	21.07
509-804-712.000	Medical/Life Insurance	21.06

**ROBERT WILKINSON
18426 CINDER RD**

**Amount of Invoice Paid: \$480.00
BLDG AND GROUNDS MAINTENANCE**

INTERLOCHEN, MI 49643

Distribution:

508-804-818.000	Contractual Services	480.00
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**TIM LUNT DESIGN
3020 W 500 S STE D**

**Amount of Invoice Paid: \$613.34
T-SHIRTS**

SALT LAKE CITY, UT 84104

Distribution:

509-804-727.000	Merchandise For Lighthouse Gift Shop	613.34
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**TIM WEBERDING WOODWORKING
117 N. MAIN ST.**

**Amount of Invoice Paid: \$1,767.80
ORNAMENTS**

BATESVILLE, IN 47006

Distribution:

509-804-727.000	Merchandise For Lighthouse Gift Shop	1,767.80
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**TOBIN & CO., P.C.
2301 N. GARFIELD RD., N.**

**Amount of Invoice Paid: \$200.00
AUDIT 2023-2024 #1**

TRAVERSE CITY, MI 49686-5167

Distribution:

508-804-807.000	Audit Fees	100.00
509-804-807.000	Audit Fees	100.00

**VERIZON
PO BOX 15062**

**Amount of Invoice Paid: \$47.21
CELL PHONES/DATA**

ALBANY, NY 12212-5062

Distribution:

**PENINSULA TOWNSHIP
INVOICE REGISTER**

For Invoices Scheduled for Payment on: 7/9/2024 12:0

VENDOR INFORMATION

INVOICE INFORMATION

508-804-850.000

Com/Telephone

47.21

Total Amount Disbursed:

\$25,684.92

**PENINSULA TOWNSHIP
INVOICE REGISTER**

For Invoices Scheduled for Payment on: 7/9/2024 12:0

VENDOR INFORMATION

INVOICE INFORMATION

**NICHOLS APPRAISAL SERVICES
PO BOX 2222

TRAVERSE CITY, MI 49685**

**Amount of Invoice Paid: \$4,150.00
APPRAISAL SVC - WARREN PROPERTY**

Distribution:

397-210-805.WAR	TITLE, SURVEY FEES-WARREN TRUST	4,150.00
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**PICTOMETRY INT'L CORP
P.O. BOX 735288

DALLAS, TX 75373-5288**

**Amount of Invoice Paid: \$2,539.13
LICENSE - FLIGHT 2 YEAR 2 2024**

Distribution:

397-220-970.000	Capital Outlay/MiscExpenditures	2,539.13
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**TOBIN & CO., P.C.
2301 N. GARFIELD RD., N.

TRAVERSE CITY, MI 49686-5167**

**Amount of Invoice Paid: \$250.00
AUDIT 2023-2024 #1**

Distribution:

397-703-807.000	Audit Fees	250.00
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Total Amount Disbursed: \$6,939.13

**PENINSULA TOWNSHIP
INVOICE REGISTER**

For Invoices Scheduled for Payment on: 7/9/2024 12:0

VENDOR INFORMATION

INVOICE INFORMATION

**ACEN TEK
LOCKBOX PAYMENTS
PO BOX 1648
MINNEAPOLIS, MN 55480-1648**

**Amount of Invoice Paid: \$30.32
OFFICE PHONE - JUNE 2024**

Distribution:

207-301-850.000 Communications/Telephone 30.32

**TOBIN & CO., P.C.
2301 N. GARFIELD RD., N.**

**Amount of Invoice Paid: \$200.00
AUDIT 2023-2024 #1**

TRAVERSE CITY, MI 49686-5167

Distribution:

207-301-807.000 Audit Fees 200.00

**VERIZON WIRELESS
PO BOX 15062**

**Amount of Invoice Paid: \$25.84
CELL PHONE/DATA**

ALBANY, NY 12212-5062

Distribution:

207-301-850.000 Communications/Telephone 25.84

Total Amount Disbursed: \$256.16

**PENINSULA TOWNSHIP
INVOICE REGISTER**

For Invoices Scheduled for Payment on: 7/9/2024 12:0

VENDOR INFORMATION

**GRAND TRAVERSE COUNTY
COUNTY TREASURER
400 BOARDMAN AVENUE
TRAVERSE CITY, MI 49684-2577**

INVOICE INFORMATION

**Amount of Invoice Paid: \$5,910.33
DPW SEWER EXPENSES - APRIL 2024**

Distribution:

590-527-818.000	G.T. County Service Fees - Sewer	5,910.33
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**TOBIN & CO., P.C.
2301 N. GARFIELD RD., N.**

**Amount of Invoice Paid: \$300.00
AUDIT 2023-2024 #1**

TRAVERSE CITY, MI 49686-5167

Distribution:

590-527-807.000	Audit Fees	300.00
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Total Amount Disbursed: \$6,210.33

T/A

PENINSULA TOWNSHIP INVOICE REGISTER

For Invoices Scheduled for Payment on: 7/9/2024 12:0

VENDOR INFORMATION

TC RECORD EAGLE (PUBS)
DEPT. 1415
P.O. BOX 4268
HOUSTON, TX 77210-4268

INVOICE INFORMATION

Amount of Invoice Paid: \$134.40
LEGAL/PUBLIC NOTICE - T81

Distribution:

701-000-255.T81	SUP 123 Amd #4 The 81-Peninsula Shores	134.40
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Total Amount Disbursed: \$134.40

PENINSULA TOWNSHIP INVOICE REGISTER

For Invoices Scheduled for Payment on: 7/9/2024 12:0

VENDOR INFORMATION

TOBIN & CO., P.C.
2301 N. GARFIELD RD., N.

TRAVERSE CITY, MI 49686-5167

INVOICE INFORMATION

Amount of Invoice Paid: **\$200.00**
AUDIT 2023-2024 #1

Distribution:

502-572-807.000	Audit Fees	200.00
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Total Amount Disbursed: \$200.00

**PENINSULA TOWNSHIP
INVOICE REGISTER**

For Invoices Scheduled for Payment on: 7/9/2024 12:0

VENDOR INFORMATION

**TOBIN & CO., P.C.
2301 N. GARFIELD RD., N.**

TRAVERSE CITY, MI 49686-5167

INVOICE INFORMATION

**Amount of Invoice Paid: \$300.00
AUDIT 2023-2024 #1**

Distribution:

591-536-807.000	Audit Fees	300.00
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Total Amount Disbursed: \$300.00

Reports

PENINSULA TOWNSHIP

13235 Center Road Traverse City, MI 49686

Ph:231-223-7322 Fax:231-223-7117

www.peninsulatownship.com

07/01/2024

CASH SUMMARY BY FUND FOR PENINSULA TOWNSHIP

Fund	Description	Balance 06/30/2024
101	GENERAL FUND	1,092,627.75
204	Roads Fund	31,282.70
206	Fire Fund	2,654,174.51
207	Police Fund	475,583.31
208	Parks Fund	72,544.40
209	Cemetery Fund	80,212.83
213	Hessler Log Home Fund	4,977.06
214	Pelizzari Natural Area Fund	205,475.73
216	Dougherty House/Replica Log Church Fund	2,733.37
252	Building Fund	2,911.36
298	Cable Council Fund	905,217.25
299	Spec Assesmt-2017-Landing Account	7,295.15
397	Purchase of Development Rights	5,093,813.95
502	Tower Fund	930,735.67
508	Lighthouse Fund	74,338.71
509	Lighthouse Gift Shop Fund	69,361.47
590	Sewer Fund	343,079.58
591	Water Fund	327,575.62
596	Compactor Station Fund	6,608.68
701	Trust and Agency Fund	44,784.70
703	Tax Collection	155,843.13
704	Imprest Payroll Fund	53,228.25
708	Library Trust and Agency Fund	394,956.58
853	Spec Assessmt-Braemar Drainage District	27,872.37
854	Spec Assessmt-Logan-MapleTerrace Drain	99,225.26
861	Spec Assessmt-Braemar Road Improvement	30,035.95
863	Spec Assessmt-Logan Hills Road Improvemt	25,236.08
864	Spec Assesmt-MapleTerrace Road Improvemt	56,074.01
865	Spec Asses-Old Mission Estate Rd Improve	60,930.97
866	Spec Assessmt-West Winds Road Improvemt	65,648.54
867	Spec Assessmt-Maple Terrace Water System	105,426.20
	TOTAL - ALL FUNDS	13,499,811.14



Peninsula Township Fire Department
 14247 Center Rd.
 Traverse City, Michigan 49686
 PH: 231-223-4443
fire@peninsulatownship.com



JUNE 2024 FIRE DEPARTMENT REPORT

RUNS:

Incident Type Details

Click Row for Breakdown	2024	Total
300 - EMS	36	36
400 - HAZMAT	3	3
500 - Service Call	2	2
600 - Series	2	2
700 - False Alarm	4	4
800 - Natural Disaster	1	1
Total	48	48

Aid Given Or Received	2024	Total
None	42	42
Automatic aid received	1	1
Mutual aid given	3	3
Mutual aid received	2	2
Total	48	48

Mutual Aid for Structure Fires

Aid Given Or Received	Total
Total	0

Level of Service	2024	Total
Advanced Life Support	25	25
Basic Life Support	9	9
Total	34	34

Disposition	Emergency Response (Primary Response Area)	Emergency Response (Mutual Aid)	Public Assistance/Other Not Listed	Total
Transported No Lights/Siren	27	1		28
Patient Refused Evaluation/Care (Without Transport)	4			4
Cancelled (Prior to Arrival at Scene)	1			1



Peninsula Township Fire Department
14247 Center Rd.
Traverse City, Michigan 49686
PH: 231-223-4443
fire@peninsulatownship.com



Disposition	Emergency Response (Primary Response Area)	Emergency Response (Mutual Aid)	Public Assistance/Other Not Listed	Total
Transported Lights/Siren	2			2
Assist, Agency	1			1
Cancelled (No Patient Contact)			1	1
Total	35	1	1	37

TRAINING: For the month of June 2024, the department did the following training: Two members completed their paramedic class training and passed. One member become certified as a paramedic with the other taking his national testing in July. One member continued his paramedic classroom work. Members completed training on drivers training, pump operations, stretching handlines, thermal imaging, ground ladders, ventilation fans, proper ventilation techniques, fire alarm systems, EMS continuing education and incident management. One member completed a 4 day training to become certified car seat installer.

OTHER ACTIVITY: Chief attended monthly Chief's meeting. Worked on station and grounds maintenance. Completed all monthly and weekly checks of vehicles. Engine 1 in repair shop for blown head gasket. Tanker 2 had pump work done, impeller replaced. Borrowed fire engine from Traverse City while engine 1 was worked on. Held monthly officer meeting. Completed multiple life safety inspections of businesses. Met with architect to discuss course of action for replacing station 1. Plan is to use land on township offices lot for new station, concept drawings are done just need to work on how to finance the station. Chief worked on budget projections for the department for the next few years. Department attended multiple community events.

Minutes

PENINSULA TOWNSHIP

13235 Center Road, Traverse City
MI 49686

www.peninsulatownship.com

Township Board Regular Meeting

June 11, 2024, 7:00 p.m.

Township Hall

Minutes

1. **Call to Order** by Wunsch at 7:00 p.m.

2. **Pledge**

3. **Roll Call**

Present: Wunsch, Achorn, Sanger, Sanders, Rudolph, Chown

Absent: Shanafelt

4. **Citizen Comments:**

John Wunsch, 17881 Center Road: I congratulate and compliment you as a board for your wise decision to hire a firm that specializes in analysis of governments and is an accounting firm. I believe this firm will give you the kind of information you need to make a wise decision regarding the future of the finances of the township. Are we at a point where we need more efficiencies? Are we at a point where we need to reduce some services or where it makes sense to let the citizens consider the possibility of a change in taxation? Right now, I think we're at a point of waiting to hear from that firm. Whatever they tell us, it's not going to be a snap judgment. I think it will take months to analyze it, to let the public know what's in it, to take their input. At that point, we would know more and be able to consider the kind of question that is before you this evening regarding Headlee. In the context of that good decision of that great information on the way, in the context of a current balanced budget, in the context of a highly unusual level of financial expenditure due to the lawsuit, which is now settling down in terms of the cost coming to an end, I recommend you not put a Headlee question on the ballot for this coming fall. Thank you.

Fred Woodruff, 4824 Forest Road: I echo those comments with the following suggestions. My understanding is that for a November ballot proposal, you have until sometime in August to make that decision. It's conceivable you will have some preliminary information, maybe a substantial amount from the MC [Maner Costerian] consulting firm by then, that might better help to inform as to the timing of putting this on the ballot. My other editorial comment is, if and when you decide to move forward, it would be very helpful to understand how the township intends to use the additional funding. I believe it's likely to raise about \$400,000. That's a substantial amount of money but after you get the MC report, it may fall short of what would be needed. Thank you.

Dave Murphy, 6943 East Shore: through several years of routine meetings about the master plan, government structure and funding were frequent subjects. Through my five-plus years on the parks committee, we've struggled with project needs and budget. We had a thorough study completed by LIAA, the Land Information Access Association, with the largest park projects recommended by the public. When Fahey Shultz presented last July about township structure and the subcommittee was formed by Armen [Shanafelt] to address the future needs, I eagerly volunteered and served on that committee. It became clear that we needed more expertise to advise us. I appeared at a recent town board meeting to advocate for the hiring of MC. It's an

impressive consulting firm specializing in municipal government. As I said during my comments a few meetings ago, what excited me about their skill set and our interview with them was that I believed them when they said they'd objectively evaluate Peninsula Township for efficiencies, structure, and funding needs as well as resources. They had no preordained outcomes. I recommend that we see that consulting work through to completion and then do a thorough job educating the public on what the outcomes are and get their feedback. Thank you.

Andrus Valdmanis, 1484 Chimney Ridge: thank you for taking on these tough projects. I want to go back to what you've heard me talk about before and that's the master plan. We're operating under a master plan that was approved in 2011. The master plan rewrite process started in 2019 with a community survey. The citizens' advisory group was selected in 2019 and worked 2019–2020 and sent an approved master plan model to the planning commission. That was three years ago. Two years went by. Nothing happened. Last summer in the summer newsletter, it was stated that just a few tweaks were needed to complete the master plan. On November 14, I came before you and the planning commission and said, "Where is the master plan?" Thankfully, over the winter, a few folks were motivated to move this along. Now we have a new document. I sat on the advisory committee. When I compare what I saw there to what I see now, it is dissimilar to what many of us worked on and I don't know where that came from. There are maps that were released on May 30 in the agenda packet for the June 4 planning commission meeting. On June 4, seven hours before the meeting, there were new maps released that did not match the maps that were released on May 30. They were vastly different in many ways. I have reached out with questions and concerns. I will continue to voice them. I observed at the June 4 meeting the planning commission, against the objections of some citizens, passed the master plan incomplete. No accurate maps. Contradictory paragraphs. I'm sorry the planning commission felt it was well enough informed to do that. I think it was a mistake. There were new maps promised that will be released today. As of five o'clock, I did not see them posted on the township website. As much as I want to see this master plan passed, I do not want to see an incomplete or inaccurate plan passed because something happened. We no longer have the master plan we approved. This is something new. Where did it come from? How did it happen? What went wrong? How are we going to get it right? Thank you.

Fred Swather, 1045 Grey Road: I echo Mr. Wunsch's comments. We've spent the money on a study to determine exactly where our budgetary needs are. We don't have that information back now. I think it would be a disservice to put the Headlee rollback on the ballot. In the event that it doesn't cover our needs, we will be going back to ask for another millage in order to meet those needs. I think that's ill advised at best. I think patience is our best course right now. We need to figure out where our budget problems are, see what we can do to fix them, and then go to the citizenry and ask for the money if that's what's needed. Thank you.

5. Approve Agenda

Sanders moved to approve the agenda as presented with a second by Rudolph.

Motion passed by consensus

6. Conflict of Interest: none

7. Consent Agenda:

1. Invoices (recommend approval)
2. Reports
 - A. Peninsula Community Library
 - B. Cash Summary by Fund
 - C. Fire Department

- D. Parks Committee
- 3. Minutes from May 14, 2024, Township Board Regular Meeting and May 23, 2024, Township Board Special Meeting
- 4. Public Service Announcement, "EGLE and Michigan Saves Launch Septic Replacement Loan Program"
- 5. DLMAC Fund award of \$15,000 to Peninsula Township to develop a non-motorized plan
- 6. Correspondence
 - A. Sally Erickson
 - B. Susan and Phil Tarczon

Sanders moved to approve the consent agenda as presented with a second by Sanger.

Roll call vote: yes – Achorn, Sanger, Sanders, Rudolph, Chown, Wunsch

Passed unan

8. Business:

- 1. Litigation Update (Attorney Beau Rajsic from McGraw Morris PC)

Rajsic: I appreciate you having me here tonight. A lot has happened since my last litigation update on the winery case. I appreciate everyone's patience. This case has been more than three years in the making. A lot has happened over the last couple of months as everyone is probably aware. Trial commenced as expected on April 29 before Judge Maloney down in the U.S. District Court in Kalamazoo. The proofs in that trial ramped up on May 13. Representatives from all 11 of the wineries testified at trial, and plaintiffs through their financial expert Eric Larson demanded \$120 million in damages from the township.

Mid trial, PTP [Protect the Peninsula] put on a land use planning expert to testify regarding the township's governmental interests and zoning ordinance in the efforts to tailor that zoning ordinance to effectuate those governmental interests. In response, plaintiffs rebutted with a preemption witness, a former director of the Michigan Liquor Control Commission, and then the former MDARD director Gary McDowell.

The township's defense introduced nearly 250 exhibits, primarily consisting of planning commission and township board meeting minutes that demonstrate the importance of protecting and promoting agriculture and how the zoning ordinance was crafted to encourage and protect those interests. This legislative history shows how, for more than 40 years, the township through its legislative process successfully planned and zoned to promote and protect the place you call home.

The proofs are complete at this point, but we still have to make closing arguments.

Judge Maloney has invited the parties to submit post-trial briefings 30 days after the last trial transcript has been filed by the court. So far, only two of the 10 transcripts have been filed. We're optimistic those transcripts will all be filed by the end of the month. After the last transcript is filed, the parties will have 30 days to submit their post-trial briefings, at which point Judge Maloney has indicated he's going to invite us back down to make closing arguments. When those closing arguments will take place, I don't know. It depends on when post-trial briefs are complete and when Judge Maloney invites us down. There are still some final steps to complete but the trial proofs are all done.

Patterson: the other case that's pending is *Family Orchard vs Peninsula Township*. That case is fully briefed. There's been no further activity. It raises some legal issues related to the moratoriums as well as Peninsula Township Amendment 201. It does have dispositive motions, meaning motions that could totally resolve those issues, currently pending before the federal court.

- 2. Corrections to FY 2024-2025 Budget (Wunsch and Sanders)

Sanders: while the treasurer's office was entering the budget into the BS&A software, they noticed

that some of our column summations when we took it from Google Excel to putting it in the file did not add up correctly. Thankfully, Katie Clark [deputy treasurer] caught everything and made the numerical corrections. The budget is still balanced. Isaiah [Wunsch] and I take responsibility for that. It was our first go at cracking the township budget.

Achorn: it's not into the BS&A system yet because it has not been passed by the board. I want to give an overall picture of what I look at when I review the budget. Look at your summarization of the 80 pages of detail, which are the totals. Second, look at the cash summary report for this month. It's not apples to apples, but the cash is close. Third, look at the budget appropriations that are included with the budget. This is money that is coming from our reserve fund in order to balance the budget. The state looks at fund or department totals, and whenever there is a negative in the activity for any of the funds, we have to look at the fund balance that has been carried over from prior years. The first big one is Pelizzari, which has a negative \$220,000. But in the fund balance, there is \$401,000 that has been waiting for the project that this tax levy could only be spent on, capital projects for the Pelizzari park. We look at cable, which has a negative of \$38,000. All the income coming in from the cable fund this year is being utilized in this current year budget, which means it is not growing our reserve fund. Similarly, the tower fund is \$49,250 negative. Tower and cable are the two funds where we [have the opportunity] to increase our reserve balance.

Next, look at the last two funds, sewer and water. They have a slight income this year. Then you look at the fund balance and it shows the balance is over \$2 million for each of them. Anybody on city water and sewer will say, "Why did you raise my rates when you've got \$2.7 million?" The lighthouse, the tower, the lighthouse gift shop, water, sewer, and the compactor station have been designated as funds to be treated in our financial reporting as businesses. We capitalize the building, the roof, the repairs, and the pipes that went in to build the water and sewer on the peninsula. You can't dig up the sewer and say, "Here's payment for my bill." The fund balance doesn't tell you the full picture. The better picture is the report I give each month, the cash balance. If you look at water and sewer cash, actually in the bank accounts as of May 31, the sewer fund has \$348,000 and the water fund has \$326,000. According to the state, that is not enough. These two funds, by state requirements, have to have a reserve of their own based on the state's calculation of how these funds are treated. Flint ran afoul of this and the state took over running those departments. The township has no control over the expenses. The county and city of Traverse City spend the money and assign us our portion of whatever they spend.

Yesterday, a *Ticker* article said the sewer plant is going to have between \$25 and \$35 million worth of capital work done. How much of that is going to be on our doorstep to pay for, we don't know. Just because there are fund balances in water and sewer, it's not enough. Perhaps a misnomer is the very last one on the list, the compactor station. When it was first started it was a business operation where the township collected the money and built our building and our equipment that is in the building. We no longer collect anything from the compactor station. It is a drain on the general fund to keep our compactor station operating.

Last, I want to alert you to the page that talks about budget appropriations. In order to fund this current budget, we had to take \$338,000 out of our reserve fund. This is draining our reserves. How long can this go on? We look for the [Maner Costerian] study to help us perhaps reorganize, perhaps bring in efficiencies, perhaps help us to figure out how to get more money into the township. These are the facts of life for us right now. I am concerned about our financial ability to continue if we are not funding this township with revenue that is not in our reserve fund. Maura [Sanders] and Isaiah [Wunsch] did the best they could to determine what the possible expenses were going to be this year. In just two months, we've got new requests that were not in the

budget. Then we start looking to see what we can cut in that budget in order to stay within the parameters. The plan is to send out quarterly full detailed budget reports so that the people who are responsible for those areas can make decisions and perhaps changes mid year. For now, I'm in favor of passing this budget. Thank you again to Katie. With two new people coming on board, this was a necessity, and I think it's commendable that it was only in clerical errors that we found some problems. Good job, everybody.

Sanders: with the quarterly review, Fourth of July kind of bumps us out so we'll probably be looking at the second week of July. I'll get invites out to all the offices.

Wunsch: and report back to the board as well?

Sanders: yes.

Sanger moved to approve the amended budget with a second by Chown.

Roll call vote: yes – Sanger, Sanders, Rudolph, Chown, Wunsch, Achorn **Passed unan**

3. Discussion on Placing Resolution 2024-06-11 #1, to Adopt Millage Ballot Language for General Millage Headlee Override, on the November 5 ballot (Achorn)

Achorn: I'm aware of the comments from everybody. It was my task to bring this to the board. The personal opinion of any of us on the township board whether for or against the Headlee override is irrelevant. The resolution is a procedural requirement mandated by the county in order to have the question placed on the November 2024 ballot to allow all the township voters to decide. How you would vote if it was on the November ballot is not the issue tonight. I am bringing it forward tonight because the filing deadline at the county is 4:00 p.m. on August 13. We're not able to wait until our August meeting to discuss this issue. We must address this resolution either at tonight's meeting or at next month's meeting, July 9, to decide whether or not to place it on the ballot. The decision can be to not place it on the ballot. The next opportunity for it to go before the public is perhaps next year, but there is no scheduled election next year. This would cause the township to wait until the 2026 gubernatorial election to put it on that ballot or the 2028 presidential election to put it on that ballot. In the meantime, we would be following recommendations by MC [Manor Costerian] to try to limp along until the voters decide how they would like to fund this township or if they want to cut services. It's up to the voters, not us.

For close to a year, the subject of a Headlee override has been talked about as a possible alternative to help the township fund operations. I have provided information to the board and the township as I learned about it. I drafted the ballot language in resolution after reviewing more than two dozen similar examples from other municipalities in addition to the state of Michigan and MTA guidelines. The language of the resolution and the ballot proposal have been vetted by our attorneys. They recommend 20 years for the term of the Headlee override millage. Year one would be the only year the full millage would be levied. After that, like the original operating millage, it would be subject to any rollbacks caused by the Headlee amendment.

Everybody wants more information. But the resolution before us, if approved by the township board, will allow the voters of Peninsula Township to voice their opinions. In the ballot language, it says in number five, "Should the question approved to be placed on the ballot not pass, the township will continue to levy the voter-approved general purpose millage without the proposed increase." We would continue to keep on as we have been. This year we had another decrease in our millage because of the calculations.

"Should the question be placed on the ballot be approved, the increase to the voter-approved general purpose millage shall be authorized to be levied until the date of the expiration or until renewed or otherwise modified." We're not stuck with it. If we find out later that we would like to do something different, we can.

Sanders: I commend you for the amount of time and research you put into this. We are stuck

between a rock and a hard place right now because of timing. Because we're going to vote.

Rudolph: I echo Marge's [Achorn] concerns regarding the financial situation of the township given the increase in demands from an increase in population density and from expectation increases for services. We've got state mandates that require us to do certain things that cost the township quite a bit. No question there need to be some changes made, either in the township organization or dropping some of our services or somehow increasing the revenue stream to meet the needs of the citizens. It was the right initiative to hire MC consultants in order to evaluate our needs. I was pleased to be interviewed by one of the MC representatives. I was impressed with the interviewer and the questions she asked. That said, at this point, it would be premature to proceed with the Headlee override until we have the recommendations from the consultant. We're taking money from reserve funds in order to finance our operations and that's been going on for at least the last three years. Citizens of the township should understand that the concerns of the board are not frivolous.

Wunsch: my recommendation is that we table. It sounds like a number of you want to wait until the MC report comes back. We can do that.

Look at where the \$400,000 would go. It would cut \$150,000 out of our legal budget. We know [what doing less] got us – a discount legal service that incurred over a million dollars in legal costs during my first year in office. I came in to clean up a mess. I don't want to saddle either of my successors with a similar mess trying to find a discount legal firm again.

There's \$30,000 we could cut out of the road budget if we eliminate brining.

The last \$60,000 of the roughly \$400,000 that the Headlee rollback would bring in, with respect to the napkin math, could be for Bluff Road, paying into a storm equity loan through the federal government. But that's going to be off the table for the next two years if we shoot this proposal down.

We could cut \$150,000 out of the budget by not funding parks.

Dougherty and the compactor station are about \$18,000 total.

I'm happy to wait for the MC report but I think it would be prudent for us to see if they're able to get that report to us in July and August. I think the information will corroborate what our treasurer is telling us.

Sanger: I disagree with you, Isaiah. I spoke with MC. They don't have a timetable. Originally it was going to be a five-month project. My concern is if we kick the can for another month, we're going to have the public on edge trying to figure out what this board is going to do. Let's take a timeout. Work is going on from a very qualified firm. I'm not prepared tonight to come up with a solution. In automotive, the last thing we did when car sales were down was raise prices because we had to try to figure out a way to pay our bills.

Chown: I'm not comfortable tabling this tonight. Even if the MC report came back before the July board meeting and we could discuss it, it doesn't address the point that several of our residents made this evening: once the report is back, this board will need to spend significant time trying to unpack it, absorb it, and understand the recommendations before communicating them to the community. In addition, we don't know the outcome of the winery lawsuit. We don't know if we will be assessed punitive damages that we have to ask our residents to kick in to pay. There won't be another newsletter that comes out with educational information – not advocacy information, just educational information – before the election if we put this on the November ballot. As clerk, whenever there's been an educational effort in the past five years, I've been involved in it. I will not have time this summer and fall to be involved. I will be running elections. I would rather do a ballot initiative one time, after giving our residents all the information they need and the time to absorb it and ask questions. I don't like the idea of tabling it. I would rather vote tonight. We wouldn't be

limited to the gubernatorial ballot. We could also put it on the August 2026 primary ballot if that is what MC recommends and that's what the board decides it wants to do. We're not merely limited to November elections.

Armen [Shanafelt] emailed me this afternoon at 4:17. "Hi, Becky. As you know, I unfortunately have family commitments that kept me away from the meeting tonight. I would have liked to be present for this discussion. I have a few thoughts below regarding the ballot proposal for the Headlee rollback that I would like read at the meeting during the discussion. We engaged MC to provide an analysis of Peninsula Township with the express purpose of proposing changes that would lead to efficient and effective government. This includes looking at statutory requirements, e.g. voting and tax collection, as well as non-statutory activities, i.e., planning zoning and parks, and what is needed to do these well. In addition, given that the analysis identifies resource gaps, we have asked MC to propose potential solutions to meet these gaps. Although this report is expected prior to the November election, it will arrive after the filing deadline for ballot initiatives. This is the driver for the discussion this evening, the inopportune timing of the needed analysis to make such a funding decision. Although I did argue that we'd be in a position to use the analysis in making an informed decision whether or not to support the Headlee rollback if it was on the ballot, given the uncertainty and the amount of funding that may be needed to run Peninsula Township effectively, putting the rollback of the Headlee Amendment on the ballot now feels premature."

Sanders: I agree with how Armen articulated that. Ultimately, it's our responsibility to the public to be the fiduciary representative. I don't like showing up for a test without having done all my homework and plenty of time to study. I want that study from MC and I also want more input from the public.

Ahorn: I also am one who has always had all my ducks in a row before I made a decision. I've done the homework. If the board decides not to address the issue tonight or next month in order to meet the filing deadline, I have a file that will make life easier in the future for any ballot proposal. It's the will of the board. These are the facts.

Sanger: I trust your facts, but I don't have all the information tonight. I've heard so many times in my time here that the public is not kept informed. I think we owe it to ourselves and to our constituents to fully vet what we know and when we know it and involve them in solutions. What we're going to get from MC are solutions that will give us an opportunity to involve the public. If it so happens that we made a mistake in deciding not to go for a Headlee rollback, I'll be up front about it, but my mind tells me we need to give it time in terms of hiring this accounting firm and holding to our word that we're going to involve the public, if indeed this is that big a problem.

Wunsch: if it's the will of the board to not put this out, I'll support that. Assuming I am here next year, I will advocate strongly for us to cut \$150,000 out of the five lines I previously referenced.

Sanger: I ask you to consider that statement. We've hired this consulting firm to go in and assess costs. We have a balanced budget right now. I don't see that we need to act immediately. If the board decides to implement serious cutting actions, we're sending a message not only to our dedicated employees but also to the public that we are in deep trouble. I haven't heard it said anywhere tonight that we're in deep trouble. We know we have a problem. We are looking at solutions. But at this time, no one has convinced Dave Sanger that we're in big trouble.

Ahorn: I see the reality of the finances. And I am torn because I don't have all the information to make a decision. But we do not have a balanced budget because we are stealing from our reserves. We must acknowledge that. I was told when we spoke to MC initially that we would have some preliminary information in May or June. It hasn't come. The timing is terrible. Deadlines are terrible and the decision has to be made based on the deadlines.

Sanders: yes, the timing is terrible. We need the outcome of the MC report but the public needs it

too and they need time to digest it before they check that box yes or no on a ballot. It's half cooked to get it on a ballot right now when the public doesn't have everything it needs to back that decision.

Sanders moved to not adopt the millage ballot language for the general millage Headlee override on the November 5 ballot with a second by Sanger.

Roll call vote: yes – Sanders, Rudolph, Chown, Wunsch, Sanger

Abstained – Achorn

Motion carries

4. Opening on Peninsula Township Parks Committee, Bowers Harbor Park Assignment (Chown)

Chown: the Peninsula Township Parks Committee is an appointed advisory committee made up of seven individuals who oversee our seven township parks. We have specific park assignments.

Pelizzari Natural Area, Dave Murphy. Archie Park, Mary Beth Milliken. Haserot Beach and Kelley Park, Mike Skurksi. Old Mission State Park, Pete Dahl. Bowers Harbor Park, our township's flagship recreational park with many amenities, until recently was Ronessa Butler. Bowers Harbor Park expansion, Michele Zebell. I am the at-large member of the parks committee and I try to fill in gaps and troubleshoot wherever needed. Rusted out grill at Haserot Beach. Flag down at Bowers Harbor Park. Wasps at the old swing set at the state park. Double-striped lines for tennis and pickleball accidentally all painted white so nobody can tell what they're doing. All the while, with public interest and use of our parks at an all-time high and continuing to grow, I do my best to fundraise for parks needs we cannot fund within our existing township budget.

Our volunteer parks committee members, as Ronessa's resignation letter articulates, are asked to oversee day-to-day and long-term operational tasks and responsibilities on top of governance, advisory, and developmental tasks. It's a huge ask. In addition to monthly meetings held here at the township hall, members of the parks committee often spend several to many hours a week on "their" park in addition to helping their committee members oversee overall park needs. They use brainpower and sweat equity to get the job done. For example, last summer, after Michele Zebell wrote a successful grant to make the new playground equipment at Bowers Harbor Park possible, we collectively spent several hundred hours shoveling the new child-friendly woodchips into place. There was no budget to hire that out. Tree watering is ongoing at many of the parks, as is routine maintenance, calls from people with questions about what they can and can't do, and complaints about what they see other people do. You could say it's a thankless task, except that it's not. It's a privilege to serve our parks and those who use them. If you haven't yet done so, please take a look at the report in the consent agenda to see what was discussed at last month's meeting. These folks get a lot done.

We are seeking one individual from our community to assume Ronessa's responsibilities at Bowers Harbor Park for the duration of her term, which is up in August of 2025. Ideally, this individual would live near the park and have the time to answer emails, phone calls, and assist with whatever crops up. Bowers Harbor Park is busy. Many inquiries arise. This individual will work closely with Bob Wilkinson, our township maintenance man, Michele Zebell, who is now embracing needs at the adjacent expansion area, and me. We will not leave you floundering. We need your help. If you're interested, please reach out to me at clerk@peninsulatownship.com. I want to thank the community for its consideration. And I want to thank Ronessa Butler for the time she spent serving our community.

5. Planning and Zoning Department Verbal Update (Cram)

Cram: I will start with the master plan, which has been on every planning commission agenda since the beginning of the year. The first task the planning commission undertook was a complete review of the current draft that was released December 8, 2021. They provided comments to staff on typos, grammatical changes, things like that. After reviewing the comments, we organized them

into three types of changes: typos and grammatical changes, organizational and consistency changes, and changes proposed to make the 2021 document current to 2024. We had a discussion about the methodology for the existing land use map and future land use map. All of the typos and grammatical errors have been tracked with track changes and included in public comments. They're available on the website. Because the original document was created using a software called InDesign, there are some slight changes in going from the InDesign document to the PDF. When you make certain changes, that shuffles things. We are paying Beckett and Raeder to assist us with these changes in the InDesign program. Rather than adjusting everything as we've been going through the revisions, we've saved all of that until the end. The most recent version with all the redlined changes should be uploaded to the website tomorrow so the public can continue to review this as they've been able to do on every planning commission agenda. The minutes also capture the changes discussed by the planning commission.

The only substantive change is related to the methodology of the existing land use map and the future land use map. The previous planner, Randy Mielnik, who worked with the master plan steering committee to create a beautiful document, utilized colors in the existing land use map and future land use map that were very close to our zoning district map. People were confused and thought their zoning was changing when they looked at the zoning district map in relation to the existing land use map. We also realized the existing land use map didn't include the agricultural preservation area or all the acres that are currently preserved.

An existing land use map is valuable to all of us so that we can see how land is currently being used. How land is being used is different from how it is zoned. Looking at the existing land use map, we can see where there are non-conformities or where uses are taking place that may be inconsistent with our zoning. Maybe we need to discuss updating our zoning ordinance to allow different uses.

All of the data we have used to generate the revised existing land use map and future land use map have been taken directly from our assessor, Sally Murray. At the last meeting with the planning commission, I received final recommendations on how to address value-added agriculture. The current versions of the existing land use map and future land use map will also be uploaded to the website tomorrow.

The planning commission did vote to recommend the master plan to the board for another public hearing. We've talked publicly about the process we're following. This is the correct process per the Michigan Zoning Enabling Act and the Michigan Planning Enabling Act. After the document was released in December of 2021, the planning commission had already brought the draft to the board and the board agreed to send it to all of the regional planning agencies. There was a 63-day review period, which was up in February of 2022. Following that portion of the process, the planning commission needed to conduct one additional public hearing, which it did at its June 4 meeting. They've recommended the master plan to the board. We do not have to schedule another public hearing, but we are planning to have one at the July 9 township board meeting. Everyone will have the opportunity to see both the redlined version and a clean version.

Also, nothing in the Michigan Planning Enabling Act and Michigan Zoning Enabling Act says we have to have the final document out to the public 15 days prior to that public hearing. We try to have information out as early as possible so people can review it. Sometimes it's not possible and that's why there have been changes as we've been moving forward. And there will be changes made from the versions that are posted to the website tomorrow before it goes to the board because we are doing our final review. The planning commission gave us very clear direction that it wanted the board to see a dinner that was cooked and wrapped up with a bow. We're going through and making final changes, catching formatting things, making sure photos are clear, so if

the board is comfortable on July 9, they could adopt it. Or we could decide to look at it further. My office door is open if someone wants to sit down and meet with me to ask questions or go over it. I welcome that.

Sanger: I served on the 2006 master plan rewrite and advised in 2011. My memory is that in neither one of those did we have a future land use map. It's different than the current zoning map, which is not even comparable to reality. I am happy the planning commission has taken time to solve that problem, which I knew of back at the time, but we didn't have the resources to prepare the future land use map.

Cram: the planning commission did have a robust conversation about this. Sara (Kopriva) and I brought examples from other communities to show that the zoning district map is very different than the existing land use map and the future land use map. The existing land use map and future land use map never change zoning, but they help guide us to see how we might want to update the zoning ordinance.

Based on the community survey, the existing land use map will be accurate to our current assessing records. It'll identify non-conforming uses and other things. The future land use map will be pretty similar because the community expressed in the survey its desire to try to minimize potential build out and maintain the rural agricultural character. Accordingly, we wouldn't see any large re-zonings that increase density or create a lot of new commercial spaces.

The difference between the existing land use map and the future land use map will show the additional land that will be conserved now that PDR has been renewed, with the potential for 700 additional acres to be preserved. It's a great baseline for when we review our master plan again, probably in a year, and consider improvements we want to make in the next five-year cycle.

Chown: all the changes that are being made to the maps, you're working with Sally [Murray] so they're not out of date when the new master plan is passed?

Cram: we are using assessing data but it's consistent with the timeframe in which the master plan was drafted in 2021. We're not bringing it current to 2024. It's going to be accurate for the timeframe in which the master plan was drafted. It's absolutely based on assessing records.

Chown: and anyone with specific questions should come and make an appointment with you to dial down and figure out where the concerns are. Good.

Cram: my next update concerns shoreline regulations, which the planning commission created a study group to look at. We've been meeting every other month since the beginning of the year. We've made great strides in terms of policy regarding single and shared waterfront ownership with regard to dock location and number of hoists. The study group will meet next Monday, finalize our discussion on the storage of equipment related to docks and hoists and parking, and then present our recommended policy direction to the planning commission. I'll work with legal counsel to draft zoning ordinance language. We will continue to work on the shoreline development standards and types of improvements people want to make on the shoreline for patios, retaining walls, and things like that.

We've experienced some conflicts based on the recent update to our floodplain elevation, which occurred in April of 2023. Some of the improvements homeowners want to make are no longer allowed in the location they would like them because of the floodplain elevation. The discussion related to shoreline regulations is based on our interests in public safety, natural resource protection, and conflict resolution. We'll continue to bring things forward to the planning commission. We might have some zoning ordinance language for the planning commission to review later this summer, but work will continue through this year. Our goal is to have a comprehensive revision to shoreline regulations prior to our next summer season.

It's been a wonderful group, it's been constructive. The public comes and participates. The policy

direction has evolved based on the feedback we've heard from the community. I want to thank Scott Duensing for his work. He has gone above and beyond to meet with shared waterfront owners to get feedback and help educate.

Rudolph: it's been helpful having Jordan [Valdmanis] there.

Cram: yes, as a resource on the contracting side of things. The study group is made up of diverse individuals. We have representation from the board, the planning commission, single waterfront ownership, shared waterfront ownership, and contractors.

Chown: people are coming to this issue with vastly different desires and priorities. We have to work together as a community, and that means everybody is going to have to compromise.

Cram: the jurisdictional issue comes up. We don't disagree that the state controls the bottom land and the Army Corps controls the navigable water. We have an interest because of the relationship of the use of the water to the use of the land. We need to improve our relationships with those outside agencies. I've had several conversations with EGLE to understand floodplain and best management practices for protecting shoreline. I recently finished the American Planning Association's coastal resiliency training and learning session. We will have guest speakers to educate the study group on things we should be considering. We've been in touch with the county, environmental health, and the drain commissioner. It's not easy but it's something we need to tackle because we have 42 miles of shoreline.

Update on PDR: we received 10 applications from property owners interested in participating. We have three appraisals complete. The selection committee met Monday to get an update from Laura Rigan. Final negotiations are occurring. The selection committee will reconvene the first part of July for a final review and then those appraisals will move forward to the board for consideration. We are working with Marge [Achorn] to understand what we currently have in the PDR fund. Our goal is to make as many purchases as we can without having to bond to avoid high interest rates. We have about 4 million to spend. That will get us probably three properties and more.

Update on the agricultural advisory committee: it will function much like the parks committee. It will give the farmers/agricultural operators on the peninsula an opportunity to share with staff and the board the issues facing production agriculture. We have received 16 letters of interest for the nine spots, and they are diverse. We tentatively scheduled those interviews for Monday, June 24, at 3:00 p.m. I want to make sure we have a quorum of the board to conduct those interviews.

Chown: you anticipate the board making selections that day?

Cram: it would be great if we could do that. If not, we could do it shortly afterwards. I would love to get the committee up and running. The first item we will tackle is signage for our U-pick operations and farm stands and things like that.

Wunsch: if we can get a quorum without my presence, I will probably sit that one out. I have wide-ranging agricultural interests.

Board discussion to ensure quorum

Cram: we are excited that Tori [Victoria] Westmoreland has accepted the planning and zoning administrator position and will join our team July 1.

Also, Grand Traverse County Construction Code now requires us to do inspections before they will issue either a temporary or final certificate of occupancy. We have been putting together a weekly inspection list. If people request an inspection by Tuesday, we can complete the inspection by the end of the week. Dave Sanger as our ordinance enforcement officer has been helping the zoning office complete those inspections. One of the things we are looking at is exterior lighting. Every land use permit notes a condition of approval that all new exterior lighting must meet the requirements of section 7.14 for exterior lighting, which says lighting is fully shielded. We are

letting contractors know about this requirement when they submit their applications. It's also noted as a condition of approval on the land use permit as it always has been. We let them know when we issue the land use permit that we will be doing a final inspection and looking at the exterior lighting. The zoning ordinance when updated in 2003–2004 noted that existing lights were exempt. I wonder if in the future we should look at some type of amortization, where we give a timeframe that all lighting be compliant with the dark sky. We could have a discussion with the community to see if this is something we want to look at.

Chown: we should put it on the next survey.

Cram: regarding the floodplain, we continue to have issues with stone riprap. We are working with EGLE and received an opinion from legal counsel on how to address some of the complicated issues when someone proposes a new habitable dwelling in the floodplain or needs fill to protect their shoreline. There would be the ability to go before the ZBA for a variance. That gives us standards so that we can look at minimizing the amount of fill or impact to the floodplain.

6. Potential closed session to consult with township attorneys regarding a written confidential legal opinion on WOMP v. Peninsula Township pursuant to MCL 15.268 (h)

Wunsch: we will move up final citizen comments before we go into closed session. No action items are anticipated coming out of closed session.

9. Citizen Comments:

Fred Woodruff, 4824 Forest Ave: I support your decision to postpone action on the Headlee override. In a sense, it validates the work of the committee that served with Armen in coming up with the suggestion that, before you do anything, let's get a study to figure out what the alternatives are. I've heard "rock and a hard place," "timing," etc. I know this is not a preferred way to go, but I don't think you have to wait till 2026. If you have a study and you analyze it and you figure out what you want to do and how to explain it, you could have a special election. It's an important subject that maybe needs to be addressed by the public independent from all the other political issues that arise when you have an election. Especially national elections, all that kind of stuff. But again, thank you.

Monnie Petters, 1425 Nehtawanta Road: it sounds like we're finally going to get that master plan approved. It seems to me that we began this version of updating the master plan five years ago, six years ago, seven? Then the main problem, I think, was that it just sat for a couple of years and nothing happened so I'm glad it's finally back.

GTC District Seven County Commissioner TJ Andrews: I have updates related to infrastructure. Last time, I indicated that the county commission was scheduled to take a vote at our May meeting related to the road commission. Michigan is the only state in the country that has independent appointed road commissions. In 2012, the legislature changed the law to allow county commissions by vote to dissolve a road commission. Our county set up a committee about a year ago to study that potential. The committee unanimously recommended to move forward with a feasibility study. Every county that has looked at the issue has started with one. Our committee agreed that putting out bids would be a good next step. Unfortunately, one of the commissioners who was on the committee who voted in support of seeking that bid flipped when we got in front of the full board so getting that study failed on a five–four vote.

The road commission will be asking for a road millage again this year. It will probably be on the ballot in November. They are still trying to decide how much to ask for. I expect there will be more discussion about roads and how that's impacting this community.

Last item is septic. Ms. Sanders asked about the options for a point-of-sale ordinance. Long Lake already has a point-of-sale ordinance. Garfield, East Bay, and Blair have also expressed interest. The county passed a motion unanimously at our last meeting to bring our health department some

proposals at our July meeting. We will soon have more information about what a county-led process, a model ordinance, or county administration of an ordinance would look like and the ranges of options. I have been assured the townships will be engaged in a listening session related to their concerns and interests. Hopefully that will transpire in the coming weeks. I'll follow up because it's obviously an issue of importance in a community with 42 miles of shoreline.

Rudolph moved to enter into closed session pursuant to MCL 15.268 (h) regarding the confidential legal opinion on *WOMP vs Peninsula Township* with a second by Sanger.

Roll call vote: yes – Sanders, Rudolph, Chown, Wunsch, Achorn, Sanger Passed unan

Sanger moved to come out of closed session with a second by Rudolph.

Roll call vote: Rudolph, Chown, Wunsch, Sanger, Sanders

Achorn not present

Passed unan

10. Board Comments

Sanders: we need to enforce ordinances within our parks and along any of the property we're responsible for as a township. I did make a complaint last week because there were a bunch of rowdy kids down on the beach having a huge bonfire. Then I got an email from Ginger, our lighthouse manager, asking if I had the point of contact for the DNR fire conservation officer. I gave it to her and she informed me she had to go to the beach near the lighthouse because there was a report of a large bonfire and nobody really attending it. When she was down there, the man who built the fire was there. And he was completely in his birthday suit. There are a lot of very interesting things going on within our parks and especially at our beaches now that the summer season is kicking off. The recommendation from our CEOs and the fire conservation officer is, don't approach people. Call the non-emergency number or call 911 if it is an emergency.

Sanger: until central dispatch accumulates a large number of complaints at the lighthouse, we're not going to be able to get much enforcement out there.

Chown: nudity is one thing. It might be unpleasant, but it isn't dangerous. Fires are another. We can't risk a fire at the lighthouse.

Sanger: I talked to Chief Gilstorff. He would respond, but he'd like law enforcement there.

Sanders: I did provide our CPOs with the update of where in the ordinance it talks about the responsibility of Peninsula Township to monitor the beaches and the parks.

Chown: I again want to thank Marge [Achorn] for all the work she did putting together the resolution and the ballot language.

Sanders: she set up the future board with language we can use as a draft for any resolution.

Rudolph: it's important for the public to know we are borrowing money in order to balance the budget from a contingency fund. It's not sustainable.

Chown: absolutely. The clock is ticking on that fund.

Sanders: the excessive borrowing from the contingency fund is also to help fund litigation, which is why it's such an issue right now.

Board discussion of definition of contingency fund.

11. Adjournment

Sanders moved to adjourn with a second by Chown.

Motion approved by consensus

Adjourned at 10:05 p.m.

Correspondence

For Michigan law governing how a Master Plan is enacted. Certain words emphasized in **Bold and larger font and for explanation.**

MICHIGAN PLANNING ENABLING ACT

Act 33 of 2008

AN ACT to codify the laws regarding and to provide for county, township, city, and village planning; to provide for the creation, organization, powers, and duties of local planning commissions; to provide for the powers and duties of certain state and local governmental officers and agencies; to provide for the regulation and subdivision of land; and to repeal acts and parts of acts.

History: 2008, Act 33, Eff. Sept. 1, 2008.

The People of the State of Michigan enact:

(many sections before 125.3843)

125.3843 Proposed master plan; public hearing; notice; approval by resolution of planning commission; statement; submission of copy of master plan to legislative body; approval or rejection by legislative body; procedures; submission of adopted master plan to certain entities.

Sec. 43. (1) Before approving **a** proposed master plan, a planning commission shall hold not less than 1 public hearing on **the** proposed master plan.

Why is **a** and **the** bolded?

From legalvision: <https://legalvision.com.au/what-is-the-difference-between-the-and-a-in-a-contract/>

“What Is The Difference Between ‘The’ and ‘A’ In a Contract?”

The difference between the two is that “the” is definite, and “a” is indefinite. When a person uses “a” or “an” in speech, they do not specify the noun to which they refer. For example,

- **a laptop;**

Without clarification, the court may find these nouns could mean any laptop.

When a person uses “the” in speech, they are usually referring to a specific noun. If you discuss “the table” with your friend, you both will likely know which table you are referring to. It can only be one table.

The court would likely find the term “a laptop” to be indefinite and somewhat vague. On the contrary, “the laptop” is definite and precise.

How does this all apply to the passing of our Peninsula Twp Master Plan?

Per the governing State Statute we can have numerous master plan drafts such as the 2022 version, versions June 4th with the Future land use map published just a few hours ahead of the public hearing, new June 10th version with new map, June 24th version, or the July 1st version published just before the Planning Commission meeting on July 2nd, or the amended version you have before you on July 9th or a later date. These are all versions of **a** master plan. But the Planning Commission is required by law to hold a public hearing on **the** proposed master plan. There were no public hearings at the

Planning Commission on any drafts dated after June 4th. Hence there were no public hearings at the Planning Commission on **the** proposed master plan unless you apply it to the June 4th version.

This must be remedied to produce a legally recognized document per the State of Michigan.

The solution is quite simple and that is to send the draft back to the Planning Commission, perhaps with changes you as a board perceive are needed after hearing from residents at the July 9th meeting and have them hold the required public hearing of **the** proposed master plan.

Regards, Curt Peterson

Business

**Peninsula Shores PUD
SUP #123, Amendment #5**

Peninsula Township Planning & Zoning Department
13235 Center Road
Traverse City, MI 49686

Special Use Permit (SUP)/Planned Unit Development (PUD) Amendment
FINDINGS OF FACT AND CONDITIONS
SUP #123, Amendment #5 - Peninsula Shores (Formerly The 81) PUD Condominium Subdivision
July 9, 2024

PENINSULA TOWNSHIP BOARD

Applicant: The 81 Development Company, LLC
Kevin and Kyle O’Grady, Owners

Hearing Date(s): Planning Commission: April 2, 2024 (Introduction),
Planning Commission: May 23, 2024 (Public Hearing)
Planning Commission: June 4, 2024 (Continued Discussion and
Recommendation to Township Board)

Township Board: July 9, 2024 (Public Hearing)

PROPERTY DESCRIPTION

Parcel ID#: 28-11-609-001-00 through 28-11-609-041-00 and 28-11-609-900-00
Total Acreage: ~81-acres
Property Address: Waters Edge Drive and Shoreline Court
Zoning: R-1A – Rural and Hillside Residential & R-1B - Coastal Zone Residential
Adjacent Zoning: R-1A – Rural and Hillside Residential to the north and west (northwest corner
= A-1 – Agricultural), R-1B - Coastal Zone Residential to the south and East
Grand Traverse Bay to the east

Water: Individual Wells
Sewage Disposal: Community Septic Facility and Individual On-site Septic Systems
Access: Water’s Edge Drive via Boursaw Road

INTRODUCTION AND BACKGROUND

On August 11, 2015, the Township Board approved an application for a Special Use Permit (SUP #123) for a Planned Unit Development (PUD) to build a 41-unit residential condominium development with 65% private open space located off Boursaw Road. The approval was subject to ten conditions of approval. Subsequent court proceedings led to another project approval pursuant to action taken by the Township Board on January 23, 2018. This review and approval were specific to grading, soil erosion and storm water plans, and an emergency access road only. There were two additional conditions of approval added to the original approval from 2015.

On September 10, 2019, the Township Board approved the first amendment to SUP #123 that included shifting the private road (currently Shoreline Court) to the west that enlarged Units 5-9, adjusting the lot widths of Units 1-9 to be more uniform, eliminating the landscaped area along the private road to enlarge Units 4 and 10, reducing the lot size of Units 11-28 along the easterly side to meet the 65% open space requirement, and realigning the emergency access to the south.

On May 10, 2022, the Township Board approved the third amendment to SUP #123 that included relocating Unit 1 from the southeast corner of the development to the northwest corner of the development, removing Parcel A from the SUP/PUD eliminating a steep lakefront access, modifying a sanitary easement for Unit 6 and lot line adjustments to Units 38-41.

The 81 Development Company has submitted an application and supporting materials attached as **(EXHIBIT 1)** to amend the approved SUP #123 that will amend the configuration of the approved PUD. This will be the fifth amendment, as the second amendment was withdrawn, and the fourth amendment is currently pending before the board and will likely be officially withdrawn. The current request for Amendment #5 is summarized below.

- Maintain 41 Units
- Increase open space from 65% to 66%
- Add approximately .75 acres of open space to center of development
- Improve this open space with outcroppings, ornamental trees and plantings
- Relocate Unit 1, 11, 12
- Realignment of Units 13, 14, 15, 30, 41

FINDINGS - SECTION 8.1.3 (1) GENERAL STANDARDS

***General Standards:** The Town Board shall review each application for the purpose of determining that each proposed use meets the following standards, and in addition, shall find adequate evidence that each use on the proposed location will:*

- (a) **Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.***

The underlying zoning of the development is R-1A – Rural and Hillside Residential and R-1B – Coastal Zone Residential. Both zone districts allow for single-family residential uses and approval of a Planned Unit Development via a Special Use Permit per Sections 6.2.4. and 6.3.2. of the Peninsula Township Zoning Ordinance.

The surrounding area is also zoned and developed similarly (R-1A and R-1B) with the property adjacent to the northwest corner being zoned A-1-Agricultural that allows for residential development to support agriculture. Thus, the intended character of the approved PUD and surrounding area is predominately residential in nature.

The Peninsula Shores Planned Unit Development (PUD) was approved for 41 single-family residential units with 65% open space. The requested amendment does not increase the proposed density of the development and increases the amount of the development that will be used as private open space. Thus, the proposed use of the property for single-family residences does not change as a result of the requested amendments to modify the configuration of the PUD.

The PUD process allows for flexibility in the physical development pattern in exchange for preserving open space. Had the property utilized the standard land division process the total density allowed on the ~81 acres was estimated at 55 units with no requirement to preserve any open space. Per Section 8.3.2. one of the objectives of a PUD is to cluster the location of residential uses. As such, the approved development generally clustered the 41 residential units around the perimeter of a large tract of open space located centrally on the property. Open space was also maintained along the eastern side of the property to preserve an area of steep shoreline. The proposed relocation and reconfiguration of the 41 units of development remain clustered around the open space.

There is currently a 30 foot PUD buffer to the northern property line. Unit 11 proposes a 15 foot setback from the northern (rear) property line. Both the R-1A and R-1B zone districts require a 30 foot rear setback. A condition of approval has been included to increase the setback from 15 feet to 30 feet. There will then be a 60 foot buffer from future homes to the northern property line. The applicant has also planted a double row of evergreen trees within the northern 30-feet to provide a buffer to adjacent residences to the north.

The appearance of the PUD will not change as viewed from the water or surrounding area as the elevation of any proposed residence will be similar to the surrounding area based on the approved grading plan. The high point in the northwest corner of the property and at the cul-de-sac at the end of Trevor Road is roughly at the elevation of 765. Any proposed residence will be consistent in elevation to the surrounding area. A condition of approval is included that no fill shall be used when siting the new residences and the finished floor elevation of the proposed residences shall be no greater than two feet above existing natural grade. The intent of this condition of approval is to site any new residences into the existing topography and not have a residence that towers over the other residences in the area.

The board finds that the proposed amendments as summarized above are harmonious and appropriate in appearance with the existing character of the general vicinity because single-family residential uses are allowed in the area and currently developed. Furthermore, the larger blocks of open space are still preserved and enhanced. A generous buffer between compatible residential uses has also been established as part of the approval for Amendment #3.

(b) Not be hazardous or disturbing to existing or future uses in the same general vicinity and will be a substantial improvement to property in the immediate vicinity and to the community as a whole.

The proposed amendments will not change the overall character of the previously approved PUD. Therefore, the proposed amendments will not be hazardous or disturbing to existing or future uses in the same general vicinity, as a residential use adjacent to another residential use is compatible.

The approval of the PUD allowed for the development of 41 residential units with the preservation of 65% open space. The density of residential development within the approved PUD does not change and therefore the intensity of the residential uses within the development remains the same. No additional disturbance is anticipated other than what is standard for the construction of a single-family residence.

A thorough soil analysis was conducted as part of the original approval process and air monitoring was performed by a third-party consultant during the initial site grading for the development. Staff asked the consultant Roger Mawby, PE of Otwell Mawby PC during the review of Amendment #3 if they anticipated that normal construction of a single-family residence would present any additional concerns and received the following response. *"Regarding construction of a single-family residence, if normal dust suppression and storm water management practices are instituted, they should be effective in preventing soil/dust from leaving the construction site. Dust suppression and storm water management were the techniques utilized in the mass grading phase of the development. Opacity testing and perimeter air monitoring testing completed during construction indicated that these methods were effective in managing particulates from leaving the property."* Staff has included a condition of approval that a Land Use Permit be obtained prior to construction of any new residences within the PUD that covers standard permitting for dust suppression, soil erosion and storm water management.

Section 8.3.2. encourages developers to use a more creative and imaginative approach in the development of residential areas. Relocating Units 11 and 12 to the northwest corner preserves a view to the bay from Boursaw Road. Relocating Unit 1 to the south creates two smaller lots that will result in two smaller homes rather than one large home. The amendments also result in a more desirable and usable open space area for the development. In addition, the total open space preserved increases from 65% to 66%.

The board finds that the proposed amendments will not be hazardous or disturbing to existing or future uses, as the area allows for residential development and has been developed with single-family residences. The spirit and intent of the original approval is also maintained with residential units clustered around larger tracts of open space. Furthermore, the amendments are a substantial improvement as they preserve a view to the bay for the entire community to enjoy and increase the total percentage of open space for the benefit of the entire development.

- (c) ***Be served adequately by essential facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, or schools.***

The board finds that the proposed amendments to the SUP/PUD will not materially change essential facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, or schools, as previously defined in the original PUD approval.

- (d) ***Not create excessive additional requirements at public cost for public facilities and services.***

The board finds that the proposed amendments to the approved SUP/PUD will not create any additional requirements at public cost for public facilities and services.

- (e) ***Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by fumes, glare or odors.***

The board finds that the proposed amendments to the approved PUD will not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by fumes, glare or odors. Nor is it anticipated that there will be any negative impacts from particulates leaving the property with proper dust suppression and storm water management practices that are required as part of the issuance of a land use permit for each individual residential unit to be constructed within the development.

FINDINGS - SECTION 8.1.3(3) SPECIFIC REQUIREMENTS:

Specific Requirements: *In reviewing an impact assessment and site plan, the Town Board and the Planning Commission shall consider the following standards:*

- (a) ***That the applicant may legally apply for site plan review.*** The 81 Development Company as the property owner and developer/applicant may legally apply for an amendment to the SUP and PUD to amend the site plan.
- (b) ***That all required information has been provided.*** The board finds that the application for the requested amendments is complete.
- (c) ***That the proposed development conforms to all regulations of the zoning district in which it is located.*** The board finds that all existing approved uses and proposed amendments conform to the requirements of the R-1A and R-1B zone districts. Staff also finds that the requested amendments conform to the requirements associated with a PUD per Section 8.3 as discussed in detail below.

- (d) ***That the plan meets the requirements of Peninsula Township for fire and police protection, water supply, sewage disposal or treatment, storm drainage and other public facilities and services.*** The board finds that the proposed amendments to the development conform to the requirements associated with a PUD per Section 8.3. There are no changes proposed that will impact fire and police protection, water supply, storm drainage or other public facilities and services.
- (e) ***That the plan meets the standards of other governmental agencies where applicable, and that the approval of these agencies has been obtained or is assured.*** The board finds that the proposed amendments to the SUP/PUD meet requirements or standards of other governmental agencies consistent with the original approval and subsequent amendments.
- (f) ***That natural resources will be preserved to a maximum feasible extent, and that areas to be left undisturbed during construction shall be so located on the site plan and at the site per se.*** The board finds that the proposed amendments do not negatively impact prior approvals with respect to natural resource preservation. The open space for the development continues to meet the 65% requirement. The proposed relocation of units improves the open space within the development and creates another view to the bay from a public road.

Few mature trees will be removed as a result of the relocation and configuration of lots. The applicant has planted a buffer of evergreen trees along the northern property line as well to improve the character of the area.

- (g) ***That the proposed development property respects flood ways and flood plains on or in the vicinity of the subject property.*** The board finds that the proposed plan amendments do not impact flood ways or floodplains.
- (h) ***That the soil conditions are suitable for excavation and site preparation, and that organic, wet or other soils which are not suitable for development will either be undisturbed or modified in an acceptable manner.*** The board finds that the proposed amendments do not impact prior approvals with respect to soil suitability.
- (i) ***That the proposed development will not cause soil erosion or sedimentation problems.*** The board finds that the proposed amendments do not negatively impact prior approvals with respect to soil erosion or sedimentation. A condition of approval is included that requires that the applicant receive a Land Use Permit prior to construction that covers these items.
- (j) ***That the drainage plan for the proposed development is adequate to handle anticipated stormwater runoff, and will not cause undue runoff onto neighboring property or overloading of water courses in the area.*** The board finds that the proposed amendments do not negatively impact prior approvals with respect to stormwater. Again, a condition of approval has been proposed that requires that the applicant receive a Land Use Permit prior to construction of single-family residences that covers storm water management. The Township Engineer has reviewed the stormwater control plan and found it to be satisfactory.

- (k) ***That grading or filling will not destroy the character of the property or the surrounding area, and will not adversely affect the adjacent or neighboring properties.*** The board finds that the proposed amendments will not destroy the character of the property or the surrounding area, and will not adversely affect the adjacent or neighboring properties with regard to grading and filling. The underlying zoning allows for residential uses and the PUD as approved allowed for 41 residential units within the development. Construction of a single-family residence is normal for areas that allow for residential uses. A condition of approval is included that notes that no fill will be allowed and sets a reasonable finished floor elevation with existing natural grade.
- (l) ***That structures, landscaping, landfills or other land uses will not disrupt air drainage systems necessary for agricultural uses.*** The board finds that the proposed amendments will not disrupt air drainage systems necessary for agricultural uses.
- (m) ***That phases of development are in a logical sequence, so that any one phase will not depend upon a subsequent phase for adequate access, public utility service, drainage or erosion control.*** The board finds that the proposed amendments will not impact any project phasing.
- (n) ***That the plan provides for the proper expansion of existing facilities such as public streets, drainage systems and water sewage facilities.*** The board finds that the proposed amendments do not require the expansion of existing facilities such as public streets, drainage systems and water sewage facilities.
- (o) ***That landscaping, fences or walls may be required by the Town Board and Planning Commission in pursuance of the objectives of this Ordinance.*** The board finds finds that the proposed amendments will not change any requirements for fences or walls.
- (p) ***That parking layout will not adversely affect the flow of traffic within the site, or to and from the adjacent streets.*** The board finds that the proposed amendments will not adversely affect the flow of traffic within the site, or to and from adjacent streets.
- (q) ***That vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks serving the site, shall be safe and convenient.*** The board finds that the proposed amendments will not change vehicular and pedestrian traffic flow within the development.
- (r) ***That outdoor storage of garbage and refuse is contained, screened from view and located so as not to be a nuisance to the subject property or neighboring properties.*** The board finds that the proposed amendments will not change plans for addressing outdoor storage of garbage and refuse.
- (s) ***That the proposed site is in accord with the spirit and purpose of this Ordinance and not inconsistent with, or contrary to, the objectives sought to be accomplished by this Ordinance and the principles of sound planning.*** The board finds that the proposed amendments are in accordance with the spirit and purpose of this Ordinance and past approvals of the SUP/PUD.

SECTION 8.3 PLANNED UNIT DEVELOPMENTS

FINDINGS – 8.3.2 OBJECTIVES

The following objectives shall be considered in reviewing any application for a special use permit for planned unit development.

1. ***To provide a more desirable living environment by preserving the natural character of open fields, stand of trees, steep slopes, brooks, ponds, lake shore, hills, and similar natural assets.*** The board finds that the proposed amendments do not change the initial determination that the project creates a desirable living environment by preserving the natural character of open fields, stand of trees, steep slopes, brooks, ponds, lake shore, hills, and similar natural assets. This is accomplished by clustering the residential development sites around large tracts of open space that exceeds the 65% requirement (66%).
2. ***To provide open space options.*** The board finds that the proposed amendments increase the amount of open space being preserved. The relocation of Units 11 and 12 improves open space within the development and a view to the bay. Proposed amendments require the removal of a few mature trees.
3. ***To encourage developers to use a more creative and imaginative approach in the development of residential areas.*** The board finds that the proposed amendments do not change the initial determination that the development offers a more creative and imaginative approach in the development of residential areas. Furthermore, the open space within the development is improved, and the clustering of residential development sites around larger tracts of open space is maintained. The overall density allowed by the approved PUD is less than what could have been achieved using the standard land division process. Proposed amendments do not increase density.
4. ***To provide for more efficient and aesthetic use of open areas by allowing the developer to reduce development costs through the by-passing of natural obstacles in the residential project.*** The board finds that the proposed plan amendments do not change the initial determination that the development offers a more efficient and aesthetic use of open areas. Staff further finds that the proposed amendments are a substantial improvement to the designated open space as the size of the open space is increased for the benefit of the entire development and preserves a view to the bay for the community as a whole.
5. ***To encourage variety in the physical development pattern of the Township by providing a mixture of housing types.*** The board finds that the proposed amendments do not change the initial determination that the development offers a variety in the physical development patterns. Forty-one residential units were approved with 65% open space where 55 units with no associated open space could have been developed under the Land Division Act. Furthermore, the proposed amendments mix smaller lots with larger lots at the top of the development to provide a greater variety in the size of homes that may be constructed.

6. ***To provide for the retention of farmland by locating the allowed number of housing units on the agricultural parcels of land in clusters which are suitable for residential use and keep the remaining agricultural land in production or fallow and available for production.*** The board finds that the proposed amendments do not change the initial determination that the development locates the allowed number of housing units on the residentially zoned property in clusters which are suitable for residential use and keeps the remaining open space protected from development with residential uses. The 41 units are clustered around two large tracts of open space.

FINDINGS – 8.3.3 QUALIFYING CONDITIONS

Any application for a special use permit shall meet the following conditions to qualify for consideration as planned unit development:

1. ***The planned unit development project shall not be less than twenty (20) acres in area, shall be under the control of one owner or group of owners, and shall be capable of being planned and developed as one integral unit.*** The board finds that the development area is still far more than 20 acres in size at ~81 acres.
2. ***The planned unit development project shall be located within a Residential or Agricultural District, or a combination of the above Districts.*** The board finds that the development area remains residential (R-1A and R1-B) and has an approved PUD that allows the development of 41 residential units by virtue of past approvals.
3. ***Water and waste disposal shall comply with the Township Master Plan and be approved by Grand Traverse County or State of Michigan requirements.*** The board finds that the proposed amendments do not change past approvals of water and waste disposal systems.
4. ***The proposed density of the planned unit development shall be no greater than if the project were developed with the lot area requirements of the particular zone district or districts in which it is located subject to the provisions of Section 8.1. except as provided by Section 8.3.5 (1).*** Forty-one units were approved and 41 units still exist as a result of requested amendments. Approximately 55 units could have been developed using the standard land division process with no requirement for open space. The board finds that the proposed amendments do not change past determinations of equivalent density.
5. ***Open space shall be provided according to Section 8.3.6.*** The board finds that the proposed plan amendments positively change the open space configuration such that a larger tract of open space is provided on the east side of the development that preserves a view to the bay.
6. ***For purposes of this Section 8.3, Open Space does not include building envelopes, parking lots and roads (roadbed width plus two (2) foot shoulders on each side).*** The board finds that the proposed amendments do not include building envelopes, parking lots and roads within the designated 66% open space.
7. ***The proposed planned unit development shall meet all of the standards and requirements outlined in this Section 8.3 and also Section 8.1. and Article VII.*** The board finds that the proposed amendments do not change prior determinations that the proposed

planned unit development meets the standards and requirements outlined in Section 8.3, Section 8.1. and Article VII.

COMPLIANCE WITH GOVERNMENTAL REGULATIONS:

The petitioner shall comply with all state, county, township and other governmental regulations relative to the establishment for property zoned R-1A – Rural and Hillside Residential and R-1B – Coastal Zone Residential, with the above permitted use(s) on site as approved by the PUD, which includes meeting the requirements of the Michigan Department of Transportation (MDOT), the Grand Traverse County Drain Commissioner (GTDCD), the Grand Traverse County Road Commission (GTCRC), and the Grand Traverse County Health Department (GTCHD). Zoning compliance is based on the governing special land use document, approved site plan, and Articles 6 and 8 of the Peninsula Township Zoning Ordinance.

APPROVAL CONDITIONS AND SAFEGUARDS:

Conditions and Safeguards: The Township Board may require such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights, and for ensuring that the intent and objectives of the ordinance will be observed. The breach of any condition, safeguard, or requirement shall automatically invalidate the permit granted. Specific conditions include:

1. Requested amendment #4 shall be formally withdrawn.
2. All prior findings, conditions and safeguards imposed by the Circuit Court and the Peninsula Township Board of Trustees that apply to this amendment remain in effect.
3. The PUD Site Plan shall be revised to delineate a thirty (30) foot setback from the northern property line for Unit 11.
4. The building footprint for Units 1 and 41 shall be staked and trees flagged for removal. If more than two trees greater than 4 inches in caliper are removed west of Unit 1, the property owner shall plant an equal number of calipers removed to maintain a buffer from Unit 1 to the western property line and existing residences below.
5. Approval of a Land Use Permit is required prior to any construction of residential units within the development. Such Land Use Permit will include review and approval of dust suppression, storm water management, soil erosion control, and Grand Traverse County Environmental Health requirements.
6. No fill shall be placed on Units 11, 12, 1 and 41. The single-family residences shall be sited to utilize the existing topography of the lots. The finished floor elevation of the residences shall be no greater than two feet above existing natural grade on each lot.
7. The Master Deed shall be updated to be consistent with the approved amendments.

COMMENCEMENT AND COMPLETION

The commencement and completion of special land uses are governed by Section 8.1.2(5) of the Peninsula Township Zoning Ordinance. Violations of the special land use and accompanying site plan are enforceable and remedies available under Section 4.2 of the zoning ordinance.

RECOMMENDATION:

On June 4, 2024 the Planning Commission recommended approval of the Peninsula Shores PUD, SUP #123, Amendment #5 to the board based on the Findings of Fact and seven conditions of approval.

SUGGESTED MOTION:

I move that we the Peninsula Township Board approve the Peninsula Shores PUD, SUP #123, Amendment #5 based on the information included in the packet and Findings of Fact with seven conditions of approval.

EXHIBITS:

- 1. Original Application Materials + Additional Materials Provided by the Applicant since Introduction
- 2. Engineering and Fire Department Comments
- 3. Minutes from the May 23, 2024 and June 4, 2024 Planning Commission meetings
- 4. Public Comments

EFFECTIVE DATE OF SPECIAL LAND USE:

The special land use permit for the Peninsula Shores PUD, SUP #123, Amendment #5 shall be effective when the application has been approved by the Peninsula Township Board of Trustees, subject to the above conditions. The board approves by a vote of:

AYES	_____
NAYS	_____
ABSTAINING	_____
ABSENT	_____

The undersigned hereby certifies that she is the clerk for the township of Peninsula, Grand Traverse County, Michigan, and that the foregoing special use permit was approved by the Peninsula Township Board of Trustees on _____.

The undersigned further certifies that a quorum was present at said meeting and that said meeting complied with all applicable laws and regulations.

Rebecca Chown, Peninsula Township Clerk

Approved by the Peninsula Township Board on _____

Isaiah Wunsch, Peninsula Township Supervisor

THIS PERMIT SHALL BE ATTACHED TO THE SITE PLAN AND BECOME A PART THEREOF.

I hereby acknowledge that I have received a true copy of the special land use permit and I have been informed of said requirements of this special land use permit and of the requirements of the Peninsula Township Zoning Ordinance.

**The 81 Development Company, LLC
Kyle O'Grady
901 S Garfield, Suite 202,
Traverse City, MI 49686**

Exhibit 1

Mansfield
Land Use Consultants

March 7th, 2024

Peninsula Township
Jenn Cram, Planner
13235 Center Rd.,
Traverse City, MI 49686

RE:
Peninsula Shores, PUD #123
Application for Amendment #5

Dear Ms. Cram and Peninsula Township Planning Commission,

On behalf of Kyle O'Grady and the community at Peninsula Shores, please find the following information regarding the requested Amendment #5 to the Peninsula Shores PUD located at 3985 Boursaw Road, Traverse City, MI 49686.

Please feel free to call me at (231) 946-9310 should you have any questions or require any additional information. Thank you for your time.

Sincerely,



Doug Mansfield
President

PENINSULA TOWNSHIP APPLICATION FOR SPECIAL USE PERMIT NO.
Section 8.1

Parcel Code/s #28-11-114-001-00 & 28-11-114-002-00

Property Address: Boursaw Road, Traverse City, MI 49686

Applicant Address: 901 S. Garfield Rd., Suite 202, Traverse City, MI 49686

Applicant's Signature	Check No.	Date
<i>Kyle O'Grady</i>		
Review Fee		
<u>APPLICATION REQUIREMENTS Section 8.1.2</u>		

1. Each application is submitted through the Township Planner, and shall be accompanied by a fee as established by the Peninsula Township Board.
2. The applicant will assume direct costs for any additional professional review determined necessary by the Planning Commission or the Township Board, subject to prior review and approval of the applicant.
3. No part of any fee is be refundable and no portion of the fee covers the cost of any individual land use permit that may be issued on any of the building sites located in a Planned Unit Development.
4. Requirements for documents and information filled out in full by the applicant:
 - (a) A statement of supporting evidence showing compliance with the requirements of Section 8.1.3.
 - (b) Site plan, plot plan, development plan, drawn to scale (preferable 1"=50'), of total property involved showing the location of all abutting streets, the location of all existing and proposed structures and their uses, and the location and extent of all above ground development.
 - (c) Preliminary plans and specifications of the proposed development.
5. This application, along with all required data shall be submitted to the Zoning Administrator.
 - (a) Upon receipt of a completed application and the required data by the Zoning Administrator, it is transmitted to the Township Planning Commission for review.
 - (b) The Planning Commission may hold a public hearing on the application.
 - (c) Following a study by the Planning Commission it is transmitted to the Township Board for consideration.
 - (d) The Township Board may deny, approve, or approve with conditions, a request for special land use approval.

6. Specific Requirements: In reviewing an impact assessment and site plan, the Town Board and the Planning Commission shall consider the following standards:

- (a) That the applicant may legally apply for site plan review.
- (b) That all required information has been provided.
- (c) That the proposed development conforms to all regulations of the zoning district in which it is located.
- (d) That the plan meets the requirements of Peninsula Township for fire and police protection, water supply, sewage disposal or treatment, storm drainage and other public facilities and services.
- (e) That the plan meets the standards of other governmental agencies where applicable, and that the approval of these agencies has been obtained or is assured.
- (f) That natural resources will be preserved to a maximum feasible extent, and that areas to be left undisturbed during construction shall be so located on the site plan and at the site per se.
- (g) That the proposed development property respects floodways and flood plains on or in the vicinity of the subject property.
- (h) That the soil conditions are suitable for excavation and site preparation, and that organic, wet or other soils which are not suitable for development will either be undisturbed or modified in an acceptable manner.
- (i) That the proposed development will not cause soil erosion or sedimentation problems.
- (j) That the drainage plan for the proposed development is adequate to handle anticipated stormwater runoff, and will not cause undue runoff onto neighboring property or overloading of water courses in the area.
- (k) That grading or filling will not destroy the character of the property or the surrounding area, and will not adversely affect the adjacent or neighboring properties.
- (l) That structures, landscaping, landfills or other land uses will not disrupt air drainage systems necessary for agricultural uses.
- (m) That phases of development are in a logical sequence, so that any one phase will not depend upon a subsequent phase for adequate access, public utility service, drainage or erosion control.
- (n) That the plan provides for the proper expansion of existing facilities such as public streets, drainage systems and water sewage facilities.
- (o) That landscaping, fences or walls may be required by the Town Board and Planning Commission in pursuance of the objectives of this Ordinance.

- (p) That parking layout will not adversely affect the flow of traffic within the site, or to and from the adjacent streets.
 - (q) That vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks serving the site, shall be safe and convenient.
 - (r) That outdoor storage of garbage and refuse is contained, screened from view and located so as not to be a nuisance to the subject property or neighboring properties.
 - (s) That the proposed site is in accord with the spirit and purpose of this Ordinance and not inconsistent with, or contrary to, the objectives sought to be accomplished by this Ordinance and the principles of sound planning.
7. A public hearing on a special land use request is held by the Township Board if:
- a. A public hearing is requested by the Township Board, the applicant for special land use authorization, a property owner, or the occupant of a structure located within three hundred (300) feet of the boundary of the property being considered for a special land use.
 - b. The decision on the special land use request is based on discretionary grounds.

Page 3 of 3

Special Use Permit - Planned Unit Development Checklist

Special Use Permit Number #123 Amendment #5

Parcel Code/s #28-11-114-001-00 and 28-11-114-002-00

Property Address: Boursaw Road

Applicant: Peninsula Shore - 901 S. Garfield Road, Suite 202,
Traverse City, MI 49686

ARTICLE VII

Ordinance Reference - Section 8.1.2 Permit Procedures:

1. Submission of Application:

a. \$768 Fee No part of any fee shall be refundable.

Ordinance Reference - Section 8.1.3

Section 8.1.3 Basis for Determinations: Before making recommendation on a special use permit application, the Town Board shall establish that the following general standards, as well as the specific standards outlined in each section of this Article, shall be satisfied.

General Standards: The Town Board shall review each application for the purpose of determining that each proposed use meets the following standards, and in addition, shall find adequate evidence that each use on the proposed location will:

General Standards continue to be met with proposed dimensional site modifications.

2. General Standards - include a statement of HOW the proposed project meets the standards::

- a. no Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.
- b. no Not be hazardous or disturbing to existing or future uses in the same general vicinity and will be a substantial improvement to property in the immediate vicinity and to the community as a whole.
- c. no Be served adequately by essential facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, or schools.
- d. no Not create excessive additional requirements at public cost for public facilities and services.
- e. no Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by fumes, glare or odors.
- f.

Conditions and Safeguards: The Town Board may impose such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property

rights, and for insuring that the intent and objectives of this Ordinance will be observed. The breach of any condition, safeguard or requirement shall automatically invalidate the permit granted.

The proposed dimensional site modifications continue to meet these standards.

~~Specific Requirements.~~ In reviewing an impact assessment and site plan, the Town Board and the Planning Commission shall consider the following standards:

3. Include a statement of HOW the proposed project meets the standard:

- a. **no change** That the applicant may legally apply for site plan review.
- b. That all required information has been provided.
- c. That the proposed development conforms to all regulations of the zoning district in which it is located.
- d. That the plan meets the requirements of Peninsula Township for fire and police protection, water supply, sewage disposal or treatment, storm drainage and other public facilities and services.
- e. That the plan meets the standards of other governmental agencies where applicable, and that the approval of these agencies has been obtained or is assured.
 - i. Grand Traverse County Road Commission
 - ii. Grand Traverse County Drain Commissioner
 - iii. County DPW standards for sewer and water if public.
 - iv. Grand Traverse County Health Department for private systems
- f. State and Federal Agencies for wetlands, public sewer and water.
- f. That natural resources will be preserved to a maximum feasible extent, and that areas to be left undisturbed during construction shall be so located on the site plan and at the site per se.
- g. That the proposed development property respects floodways and flood plains on or in the vicinity of the subject property.
- h. That the soil conditions are suitable for excavation and site preparation, and that organic, wet or other soils which are not suitable for development will either be undisturbed or modified in an acceptable manner.
- i. That the proposed development will not cause soil erosion or sedimentation problems.
- j. That the drainage plan for the proposed development is adequate to handle anticipated stormwater runoff, and will not cause undue runoff onto neighboring property or overloading of water courses in the area.
- k. That grading or filling will not destroy the character of the property or the surrounding area, and will not adversely affect the adjacent or neighboring properties.
- l. That structures, landscaping, landfills or other land uses will not disrupt air drainage systems necessary for agricultural uses.
- m. That phases of development are in a logical sequence, so that any one phase will not depend upon a subsequent phase for adequate access, public utility service, drainage or erosion control.
- n. That the plan provides for the proper expansion of existing facilities such as public streets, drainage systems and water sewage facilities.
- o. That landscaping, fences or walls may be required by the Town Board and Planning Commission in pursuance of the objectives of this Ordinance.
- p. That parking layout will not adversely affect the flow of traffic within the site, or to and from the adjacent streets.

- q. no That vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks serving the site, shall be safe and convenient.
 - r. That outdoor storage of garbage and refuse is contained, screened from view and located so as not to be a nuisance to the subject property or neighboring properties.
 - s. That the proposed site is in accord with the spirit and purpose of this Ordinance and not inconsistent with, or contrary to, the objectives sought to be accomplished by this Ordinance and the principles of sound planning.
4. **Present 8 copies of Site plan, plot plan, development plan**
 Drawn to scale (preferable 1"=50'), of total property involved showing:
- a. no change the location of all abutting streets,
 - b. the location of all existing and proposed structures and their uses
 - c. the location and extent of all above ground development, both existing and proposed.
 - d. Preliminary plans and specifications of the proposed development. *This preliminary plan shall be in a form that can be easily reproduced on transparencies that can be used for public presentation.*

Is the project to be developed in Phases? ___ Yes; No.

5. ~~If the project is to be phased, provide documentation that:~~

a. ~~Upon completion, each phase will be capable of standing on its own in terms of the presence of services, facilities, and open space, and contains the necessary components to insure protection of natural resources and the health, safety, and welfare of the users of the project and the residents of the surrounding area.~~

b. ~~Shows a proposed commencement date for each phase of the project.~~

The proposed modifications do not change the original intent of the approved PUD.

~~Section 8.3 Planned Unit Developments:~~

~~Section 8.3.2 Objectives: The following objectives shall be considered in reviewing any application for a special use permit for planned unit development.~~

~~Provide statements showing HOW the project meets the following Objectives:~~

1. ~~Provides a more desirable living environment by preserving the natural character of open fields, stand of trees, brooks, ponds, lake shore, hills, and similar natural assets.~~
2. ~~Provision of open space and the development of recreational facilities in a generally central location and within reasonable distance of all living units.~~
3. ~~A more creative and imaginative approach in the development of residential areas.~~
4. ~~More efficient and aesthetic use of open areas by allowing the developer to reduce development costs through the by-passing of natural obstacles in the residential site.~~
5. ~~Encourage variety in the physical development pattern of the Township by providing a mixture of housing types.~~
6. ~~The retention of farmland by locating the allowed number of housing units on the agricultural parcels of land in clusters which are suitable for residential use and keep the remaining agricultural land in production or fallow and available for production.~~

The proposed dimensional site modifications do not change the Conditions for PUD.

~~Section 8.3.3 Qualifying Conditions: Any application for a special use permit shall meet the following conditions to qualify for consideration as planned unit development.~~

1. ~~The planned unit development site shall not be less than twenty (20) acres in area, shall be under the control of one owner or group of owners, and shall be capable of being planned and developed as one integral unit. PROVIDED that the site size requirement may be reduced by the Township Board if the Board determines that the proposed use is a suitable and reasonable use of the land.~~
2. ~~Located within a Residential or Agricultural District, or a combination of the above Districts.~~
3. ~~Where the County Health Department will approve, community type water and sewer facilities shall be provided as part of the site development. Package or other treatment systems shall be of sufficient capacity to process the total sewage load of the project. The location shall be such as to afford possible mechanical hook-up with the proposed Regional Treatment System when fully developed. It is recognized that joining water and sewer ventures with contiguous or nearby land owners may prove to be expedient.~~
4. ~~The proposed population density of the planned unit development shall be no greater than if the tract were developed with the lot area requirements of the particular zone district or districts in which it is located subject to the provisions of Section 8.3.5(2)(b).~~

5. For each square foot of land gained through the reduction or averaging of lot sizes, equal amounts of land shall be dedicated to Peninsula Township, or retained by the property owner when specifically permitted by the Special Use Permit, or shall be set aside for the common use of the home or lot owners within the planned unit development under legal procedures which shall also give Peninsula Township a covenant or interest therein, so that there are assurances that the required open space shall remain open subject to the provisions of Section 8.3.6.
6. The proposed planned unit development shall meet all of the standards and requirements outlined in this Article, Section 8.1.

Section 8.3.4 Uses that May be Permitted: The following uses of land and structures may be permitted within planned unit developments, **Indicate the proposed uses in the Planned Unit Development:** No change in use type with increase of density to open space

1. All uses permitted by right, or by special use permit in the respective Residential or Agricultural Districts in which the Planned Unit Development is proposed, subject to all the restrictions therefore.
2. Two family dwellings.
3. Group housing, row houses, garden apartments, or other similar housing types which can be defined as single family dwelling with no side yards between adjacent dwelling units.
4. Recreation and open space, provided that only the following land uses may be set aside as common land for open space or recreation use under the provisions of this Section:
 - a. Private recreational facilities, but not golf courses, such as pools, or other recreational facilities which are limited to the use of the owners or occupants of the lots located within the planned unit development.
 - b. Historic building sites or historical sites, parks and parkway areas, ornamental parks, extensive areas with tree cover, low lands along streams or areas of rough terrain when such areas have natural features worthy of scenic preservation.
 - c. Commonly owned agricultural lands.
5. no change Signs as allowed by Section 7.11.
6. Agricultural lands.
7. Garages and accessory buildings and uses exclusively for the use of residents of the planned unit development and for the proper maintenance thereof.

Section 8.3.5 Lot Size Variation Procedure: The lot area for Planned Unit Developments within Residential and Agricultural Districts may be averaged or reduced from those sizes required by the applicable zoning district within which said development is located by compliance with the following procedures: Overall PUD open space increase of .71%

1. Site Acreage Computation:
 - a. 82.44 The gross acreage proposed for a planned unit development.
 - b. 0 Acreage not included:
 - i. 0 Land utilized by public utilities as easements for major facilities, such as electric transmission lines, sewer lines, water mains, or other similar lands which are not available to the owner because of such easements.
 - ii. 0 Lands below the Lake Michigan ordinary high water mark.
 - iii. 0 Lands used for commercial purposes subject to the requirements of Section 6.8.
 - c. Maximum Number of Lots and Dwelling Units:

Remains at 41 lots as originally approved.

- d. 82.44 Gross Acreage available for development. (1.a. minus 1.b.)
- e. 12.36 Subtract from the total gross area available a fixed percentage of said total for street right-of-way purposes.
 - i. 12.36 R-1A and R-1B Residential Districts - 15%.
 - ii. R-1C Residential District - 20%.
 - iii. R-1D Residential District - 30%.
 - iv. A-1 Agricultural Distrect - No Reduction.
- f. 70.08 Net Acreage available for development.

- g. 41 Total Units 72 Allowed number of dwelling units (Sum of d.i. through d.v.).
 - i. 66.2 R-1A District (Net Acreage divided by 43,560 square feet) 66.24 acres
 - ii. 6.7 R-1B District (Net Acreage divided by 25,000 square feet)
 - iii. R-1C District (Net Acreage divided by 20,000 square feet) 3.84 acres
 - iv. R-1D District (Net Acreage divided by 15,000 square feet).
 - v. A-1 District (Net Acreage divided by 5 Acres).

- h. 0 Requested additional density reasons such as higher than normal developing costs resulting from special requirements of Section 8.3.

no change

- 2. Permissive Minimum Lot Area:
 - a. Districts R-1A and R-1B -- 12,000 square feet
 - b. District R-1C -- 9,000 square feet
 - c. District R-1D -- 5,000 square feet
 - d. District A-1 -- 22,000 square feet when the open space land is restricted agricultural land and 1 acre in all other cases.
- 3. Maximum Lot Area:
 - a. When the open space land is to be retained by the property owner as restricted agricultural land; the maximum residential lot size shall be one acre,
 - b. The Township Board may approve larger lots if prime agricultural land will not be lost.
- 4. Permissive Minimum Yard Requirements: Under the lot averaging or reduction procedure, each lot shall have at least the following minimum yards:
 - a. Front Yard: Twenty five (25) feet for all dwellings. PROVIDED that front yard requirements may be varied by the zoning board after consideration of common greens or other common open space if such space provides an average of 25 feet of front yard area per dwelling unit.
 - b. Side Yard: Fifteen (15) feet on each side for all one and two-family dwellings; none for town houses or row houses PROVIDED that there shall be a minimum of 15 feet between ends of contiguous groups of dwelling units.
 - c. Rear Yard: Thirty (30) feet for all dwellings, PROVIDED that rear yard requirements may be varied by the Township Board after consideration of common open space lands or parks or waterfront areas which abut the rear yard area.
- 5. Maximum Permissive Building Height:
 - a. 2.5 stories but not exceeding 35 feet.
 - b. Accessory buildings shall not exceed a height of 15 feet.

No Change. Condo Doc exhibits will be revised pending approval.

6. Section 8.3.6 Open Space Requirements Option: The Township Board shall utilize one of the following three options for dedication of the provided open space:
- a. _____ That open space land shall be set aside as common land for the sole benefit, use and enjoyment of present and future lot or home owners within the development.
 - i. _____ Such open space shall be conveyed by proper legal procedures from the tract owner or owners to a home owners association or other similar non-profit organization so that fee simple title shall be vested in tract lot owners as tenants in common.
 - ii. _____ Documents providing for the maintenance of said land and any buildings thereon to assure that open space land remains open shall be provided to the Township Board for its approval.
 - b. ~~_____ That open space land shall be dedicated to the general public for park or recreational purposes by the tract owner or owners provided that the Township Board makes the following determinations:~~
 - i. ~~_____ The location and extent of said land is not in conflict with the Comprehensive Development Plan of Peninsula Township.~~
 - ii. ~~_____ The access to and the characteristics of the open space land is such that it will be readily available to and desirable for public use, development and maintenance.~~
 - c. ~~_____ That open space shall be retained in agricultural use as specified on the site plan with the following conditions:~~
 - i. ~~_____ Land shall be used exclusively for farming purposes but no building shall be placed thereon nor shall any special uses be permitted.~~
 - ii. ~~_____ A conservation easement shall be granted to Peninsula Township that restricts uses on the agricultural property to those above approved by the Township Board.~~
 - iii. ~~_____ A farmstead parcel consisting of a residence for the owner or operator of the farm along with any or all of the following outbuildings may be shown on the site plan if approved by the Township Board:~~
 - (1) ~~_____ Barns existing or proposed for uses necessary for agricultural production.~~
 - (2) ~~_____ Outbuildings existing or proposed for storage of machinery and equipment used for agricultural production.~~
 - (3) ~~_____ If a farmstead is shown on the site plan it shall be counted as one of the allowed dwelling units in the Planned Unit Development.~~

7. Section 7.7 Developments Abutting Agricultural Lands: Section 7.7.1 Agricultural Setback: The following setbacks shall be required when a planned unit development, subdivision, condominium, mobile home park, or other group housing is developed; and on those metes and bounds parcels created after the effective date of this amendment, as provided below

- a. Section 7.7.1.1 Requirement Agricultural Setback:
 - i. _____ A setback of 100 feet from the property line of the adjacent property shall be required for accessory uses, buildings or structures as follows:
 - (1) When a planned unit development, subdivision, condominium, mobile home park, or other group housing is developed adjacent to land that is zoned A-1 Agriculture, and;
 - (2) When a planned unit development, subdivision, condominium, mobile home park, or other group housing is developed adjacent to land that is zoned

AG setback standards remain

AG setback standards remain

Residential but is shown on the Agricultural Preserve Map of the Peninsula Township Comprehensive Plan as adopted and amended from time to time by the Planning Commission.

- ii. _____ A setback of 50 feet from the property line of the adjacent property shall be required for those portions of metes and bounds parcels created after the adoption of this amendment that have a common line with land that is zoned A-1 Agriculture unless that A-1 Agriculture zoned land is being used for residential purposes.
- iii. _____ The setback areas required by (1) and (2) above shall not be used for accessory uses, buildings or structures.
- iv. _____ A setback of 100 feet shall be required when a planned unit development, subdivision, condominium, mobile home park, or other group housing is developed adjacent to land that is zoned Residential but is currently being used for agricultural production that includes the carrying on of usual soil practices of cultivation, spraying and fertilization.

The 30-foot PUD perimeter setback remains unchanged.

- b. _____ **Section 7.7.1.2 Lot Designation:** Subdivision Lots or Condominium Limited Common Elements adjacent to such agricultural lands shall have designated building sites shown on the preliminary and final plans. Residential and accessory uses shall be located within the designated areas. Plans accompanying applications for zoning permits shall show such designated sites.

Setback dimensions within individual lots (building envelopes) are unchanged.

- c. _____ **Section 7.7.1.3 Exceptions to Required Setbacks:**

- i. _____ The Township Board may, upon recommendation of the Planning Commission, decrease the required setback on any or all lots or limited common elements when the Township Board determines that one or more of the following conditions exist:
 - (1) _____ The existence of topographic conditions i.e. steep slopes, changes in grade, wetlands etc. or other site conditions which make it:
 - (a) _____ unlikely that any of the uses allowed in the agricultural district would be located on the adjacent agriculturally zoned land; or
 - (b) _____ so that the properties are sufficiently separated to mitigate incompatibilities of use.
 - (2) _____ There exists an easement such as a conservation easement on the land adjacent to the proposed plat that restricts agricultural uses in such a manner that protection to future homeowners is equal or better than that provided by the 100 foot setback.
 - (3) _____ There are existing residential uses along the lot line of the agriculturally zoned property.

- 8. _____ **Section 8.3.7 Affidavit.** The applicant shall record an affidavit with the register of deeds containing the legal description of the entire project, specifying the date of approval of the special use permit, and declaring that all future development of the planned unit development property has been authorized and required to be carried out in accordance with the approved special use permit unless an amendment thereto is duly adopted by the Township upon the request and/or approval of the applicant, or applicant's transferee and/or assigns.

Introduction to Amendment No. 5

Amendment #5 Application Requests

- Maintain 41 Units
- Increase open space from 65% to 66%
- Add approximately .75 acres of open space to center of development
 - Improve this open space with outcroppings, ornamental trees and plantings
- Relocate Unit 1, 11, 12
- Realignment of Units 13, 14, 15, 30, 41

Benefits:

- Preservation and protection of important viewsheds
- Increase open space throughout
- Centrally locating open space within the development
 - Add outcroppings, plantings, and ornamental trees to this protected open space
 - See landscape drawing provided
- Improved flow of traffic at community intersection
- Improved line of sight at community intersection
- Provide for a better open space aesthetic from Boursaw Road

Supporting documents as part of this submittal request include:

- SUP Application
- SUP Development Checklist
- PUD Amendment Site Plan
- Letter from Health Department

ARTICLE VII

Ordinance Reference – Section 8.1.2 Permit Procedures:

STATEMENT OF HOW THE PROPOSED PROJECT WILL:

9. (a) Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.

This amendment seeks to allow for the reconfiguration of a few units in the subdivision. Reconfigurations outlined in this proposed amendment will continue to maintain the essential character of the originally approved PUD. Not only will this amendment improve the community's open space in terms of net square footage of total open space, it will also improve the actual location and function of that open space - making it much more harmonious with the rest of the community.

(b) Not to be hazardous or disturbing to existing or future uses in the same general vicinity and will be a substantial improvement to property in the immediate vicinity and to the community as a whole.

The proposed amendment will be a substantial improvement mainly because of the increase to, and function of, the Common Open Space area of the PUD. These changes will preserve and protect important viewsheds. This will result in better flow of traffic and improved line of sight at the community's only intersection. Additionally, the developer will make improvements to this relocated open space including outcroppings, decorative trees and plantings.

(c) Be served adequately by essential facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal, water sewage facilities or schools.

All units are accessible by a private road which is adequate for police and fire protection as approved and constructed. The relocation of Unit 1 will require it to be serviced by the community septic system. Units 11 and 12 are currently serviced by the community septic system. Relocating these units to the north will allow Unit 1 to be serviced without any expansion of the system as Units 11 and 12 will be served by individual septic systems, which is the case with many of the units within the development. We do have a letter from the Grand Traverse Health Department for preliminary approval of septic systems for Unit 11 and 12.

(d) Not create excessive additional requirements at public cost for public facilities and services.

There will be no additional creation of any excessive requirements for public facilities and services with the reconfiguration of the proposed Units and open space.

(e) Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by fumes, glare or orders.

There are no proposed new uses, activities, processes, materials, and equipment or conditions of operation that will have any detrimental consequences to any person or property in the surrounding area or within the PUD.

ORDINANCE REFERENCE – SECTION 8.1.3

STATEMENT OF HOW THE PROPOSED PROJECT MEETS THE STANDARD:

10.

- a. That the applicant may legally apply for site plan review.

The applicant is the legal owner of the project site and has been since June 2014. Recorded deeds for the parcels listed below were provided to the Township in the original SUP/PUD application.

15634 Smokey Hollow Rd., (Tax ID 28-11-114-001-00)

15636 Bluff Rd., (Tax ID 28-11-114-002-00)

The applicant is still the majority shareholder of Peninsula Shores HOA - owning 25 of the existing 41 lots within the PUD therefore may still solely and legally apply for the requested amendment to the PUD per the development's Master Deed and Bylaws.

- b. That all required information has been provided.

The applicant believes that all the required and requested information has been provided as part of the application.

- c. That the proposed development conforms to all regulations of the zoning district in which it is located.

Peninsula Shores SUP#123 was approved in 2017 and consisted of 41 lots, preserving 65% of the development to open space which includes 1,500 linear feet of shoreline along East Grand Traverse Bay. The proposed amendment #5, will continue to meet the intent of the original approved SUP and all other applicable zoning regulations while increasing the open space requirements.

- d. That the plan meets the requirements of Peninsula Township for fire and police protection, water supply, sewage disposal or treatment, storm drainage and other public facilities and services.

The requested amendment does not affect the road lay-out as the Units are located along the existing drive and no changes are proposed to the circulation for fire or police protection. The Units will still be served by private wells while some of the sites are served by private septic systems, and some served by a community septic system. The existing storm drainage will continue to meet all the township's requirements. The infrastructure for storm water was constructed as required by the Peninsula Township Stormwater Control Ordinance and has been operating and maintained successfully

since being installed. Individual land use permits will continue to be submitted to the Township with a storm water permit application in accordance with the PUD's original approval. The proposed amendment will not have additional impacts on emergency services, use of the secondary emergency access drive, or the underground fire suppression water tank located centrally within the site.

- e. That the plan meets the standards of other governmental agencies where applicable, and that the approval of these agencies has been obtained or is assured. *There are no changes to the overall development of the PUD that would require additional permits to be obtained; the agencies that are applicable to the development of these parcels will continue to be attained through the permitting processes. The development's infrastructure was installed in 2018 which required permitting from the following governmental agencies:*

- *Soil Erosion Sedimentation Control*
- *NDPES DEQ Notice of Coverage permit*
- *Grading and Stabilization plan*
- *Storm Water Control Permit – for the entire parcel and each individual site that has since been improved*
- *Sanitary and water final plan submittals*
- *DEQ Permits (part 41)*
- *Health Department Permits for individual wells and septic systems.*
- *Army Corps of Engineers permit for the seasonal community dock*
- *Private Road permit from Peninsula Township*
- *Grand Traverse County Road permit*
- *Private Road Name approved by the Township Board*

**Each lot that has been developed has also been permitted by Soil Erosion Sedimentation Control, Health Department (well and septic), Storm water permit from Peninsula Township, Land use permit from Peninsula Township and Grand Traverse County Construction permits.*

- f. That natural resources will be preserved to a maximum feasible extent, and that areas to be left undisturbed during construction shall be so located on the site plan and at the site perse.

The Peninsula Shores' PUD offers reduced residential density by preserving 66.52% open space, including wetlands, steep slopes, wooded acreage and 1,500 lineal feet of waterfront shoreline on a very scenic parcel of land. The proposed lot line adjustments meet the intent of the original PUD and continue to preserve the natural resources listed above.

- g. That the proposed development property respects floodways and flood plains on or in the vicinity of the subject property.
The proposed amendment does not impact any floodways or flood plains on the subject property or in the vicinity of the subject property.
- h. That the soil conditions are suitable for excavation and site preparation, and that organic, wet or other soils which are not suitable for development will either be undisturbed or modified in an acceptable manner.
The proposed locations for Unit 11 and 12 are well suited for development in that the soils are good, there are no steep slopes, and very little woody vegetative cover. Multiple test holes by the Health Department verified that soils in the proposed locations will sustain drain field infrastructure.
- i. That the proposed development will not cause soil erosion or sedimentation problems.
The overall site is developed and has not caused any adverse effects on soil erosion or sedimentation issues. The development of each site will continue to follow the measures outlined by Grand Traverse County Soil Erosion and Sedimentation and the Peninsula Township Storm water management procedures.
- j. That the drainage plan for the proposed development is adequate to handle anticipated stormwater runoff and will not cause undue runoff onto neighboring property or overloading of water courses in the area.
The infrastructure for stormwater has already been constructed within the development. The proposed amendment will not negatively impact the drainage plan that has been approved and permitted. Each individual unit will continue apply for a stormwater permit from Peninsula Township as they are developed.
- k. That grading or filling will not destroy the character of the property or the surrounding area and will not adversely affect the adjacent or neighboring properties.
This condition will continue to be met throughout the development of each individual unit within the PUD.
- l. That structures, landscaping, landfills or other land uses will not disrupt air drainage systems necessary for agricultural uses.
This is not applicable to this project.
- m. That the phases of development are in a logical sequence, so that any one phase will not depend upon a subsequent phase for adequate access, public utility service, drainage or erosion control.
There are no remaining phases for development, only the development of each individual unit.

- n. That the plan provides for the proper expansion of existing facilities such as public streets, drainage systems and water sewage facilities.
There are no necessary or required expansions of these facilities as no additional units/lots are being created within the PUD.
- o. That landscaping, fences or walls may be required by the Town Board and Planning Commission in pursuance of objectives of this Ordinance.
Additional landscape requirements outlined in Condition #2 of Approval of Amendment #3 were exceedingly met. The applicant has prepared a landscape plan for newly located community open space in the center of the development. In addition to setbacks on individual lots, the entire existing development offers a 30-foot PUD perimeter setback.
- p. That parking layout will not adversely affect the flow of traffic within the site, or to and from the adjacent streets.
This standard will continue to be met.
- q. That vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks serving the site shall be safe and convenient.
This amendment will further increase safety and convenience of vehicular and pedestrian traffic within the site. The centrally located open space will improve the line of sight and the flow of traffic at Shoreline Court and Waters Edge Drive. This will additionally improve safety and well-being of homeowners traversing to and from the community lakefront.
- r. That outdoor storage of garbage and refuse is contained, screened from view, and located so as not to be a nuisance to the subject property or neighboring properties.
This standard will continue to be met.
- s. That the proposed site is in accord with the spirit and purpose of this Ordinance and not inconsistent with, or contrary to, the objectives sought to be accomplished by this Ordinance and the principles of sound planning.
This standard is met as this proposed amendment continues to comply with the original approval of the PUD and each subsequent amendment. As stated in the original PUD application, the development meets and exceeds the objectives of the Ordinance and the principles of sound planning by approval through a Planned Unit Development.

Section 8.3 Planned Unit Developments:

Section 8.3.2 Objectives:

1. Provides a more desirable living environment by preserving the natural character of open fields, stand of trees, brooks, ponds, lake shore, hills, and similar natural assets.

The proposed reconfiguration of the lots does not alter the integrity of the originally approved PUD. Moreover, the relocation of Units 11 and 12 will preserve a critical development area to be utilized as common open space, allowing for a viewshed to be created and preserved. The proposed changes have only positive impacts on these objectives.

2. Provision of open space requirements

This proposed amendment increases open space. New calculations are provided in the packeted materials. The development now exceeds the required 65%+ (54.83 acres) of common open space for the use and enjoyment of Peninsula Shores residents.

3. A more creative and imaginative approach in the development of residential areas.

Approval of this amendment request allows for a more imaginative approach for the development of the residential Units. Shifting Units 11 and 12 to the northern portion of the site provides for a common open space area to be created for pedestrian foot traffic, as well as improved vehicular traffic, resulting in more fluidity throughout the site. This relocation will also provide for better residential lots away from the public road corridor.

4. More efficient and aesthetic use of open areas by allowing the developer to reduce development costs through the by-passing of natural obstacles in the residential project.

The proposed amendment allows for a larger and more centrally located open space area to be achieved within the PUD for the enjoyment of Peninsula Shores residents. Relocating Units 11 and 12 provide for a better open space aesthetic along Boursaw Road.

5. Encourage variety in the physical development pattern of the Township by providing a mixture of housing types.

The proposed amendment does not change the intent of the previously approved PUD for clustered development with community open space areas.

6. The retention of farmland by locating the allowed number of housing units on the agricultural parcels of land in clusters which are suitable for residential use and keep the remaining agricultural land in production or fallow and available for production.

The proposed lot line adjustments within the existing development does not change the intent of the previously approved clustered, open space development, SUP #123.

Mansfield

Land Use Consultants

Section 8.3 Planned Unit Developments: Section 8.3.2 Objectives:



Use-By-Right
 Per Zoning/Michigan Land Division Plat Act
 55 lots
 1+ acre lot size
 0% common open space (0 acres)
 0 linear feet of East Bay preserved shoreline
 No protection of forested areas
 No protection of steep bluffs
 55 individual septic systems with no oversight monitoring
 maximum density / maximum traffic



Planned Unit Development
 Peninsula Shores – an open space community
 41 lots
 ½ acre to ¼ acre average lot size
 66.52% common open space (54.83 acres)
 1,500 linear feet of preserved shoreline
 forested areas protected within open space
 steep bluffs protected within open space
 10 individual septic systems / 1 community permitted and monitored sewer system
 reduced density / reduced traffic

The PUD plan provides the benefit of a 25% reduction of housing density and 66.52% preservation of open space including 1,500 linear feet of preserved shoreline along East Grand Traverse Bay.

Section 8.3.3 Qualifying Conditions: Any application for a special use permit shall meet the following conditions to qualify for consideration as planned unit development.

1. The planned unit development site shall not be less than (20) acres in area, shall be under the control of one owner or group of owners, and shall be capable of being planned and developed as one integral unit PROVIDED that the site requirement may be reduced by the Township Board if the Board determines that the proposed use is a suitable and reasonable use of land.

The existing development is 82.44 acres of land. The applicant still maintains the majority of shares within the Peninsula Shores HOA and as the majority property owner may legally apply for the requested amendment to the PUD.

2. The planned unit development project shall be located within a Residential or Agricultural District, or a combination of the above Districts. Individual planned unit developments may include land in more than one zone district in which event the total density of the project may equal but not exceed the combined total allowed density for each district calculated separately.

The underlying zoning district is R-1A Rural & Hillside and R-1B Coastal Zone. The total allowable density of the site is 66 one acre lots and five 25,000 square foot lots, equaling a total of 71 lots allowed, however, the practical number of buildable units is 55 based on a platted subdivision layout designed on the site. Peninsula Shores SUP#123 was approved with 41 units while preserving 54 acres of open space including wetlands, steep slopes and 1,500 linear feet of shoreline.

3. Water and waste disposal shall comply with the Township Master Plan and be approved by Grand Traverse County or State of Michigan requirements. It is recognized that joining water and sewer ventures with contiguous or nearby landowners may prove to be expedient.

The requested amendment does not require any additional changes to the existing community infrastructure already in place within the development. Each of the proposed 41 units will have a private well. The relocation of Units 11 and 12 will have individual sanitary systems along with units 2, 3, 4, and 25-29. The relocation of Unit 1 will be serviced by an on-site community wastewater treatment facility along with Units 5-24 and 30-41.

4. The proposed population density of the planned unit development shall be no greater than if the tract were developed with the lot area requirements of the particular zoning district or districts in which it is located subject to the provisions of Section 8.1.

This amendment reduces the lot coverage of the existing Peninsula Shores SUP #123 development. The relocation of Units 1, 11 and 12 and realignment of 13, 14, 15, 30, and 41 result in a net decrease in lot area, creating additional open space in the amount of .62 acres.

5. Open space shall be provided according to Section 8.3.6.
Open space is provided per Section 8.3.6(1) Open Space Preserved for Private Use. 65%+ (54 acres) of the site continues to be kept in open space owned by the Homeowners Association for the sole use and enjoyment of owners and residents within the PUD.

6. For purposes of this Section 8.3, Open Space does not include building envelopes, parking lots and roads (roadbed width plus two (2) foot shoulders on each side).

<i>Total project site</i>	<i>82.44 acres</i>
<i>Residential Lots</i>	<i>-22.63 acres</i>
<i>Roadway</i>	<i>-4.98 acres</i>
<i>Total remaining open space</i>	<i>54.83 acres or (more than 65%)</i>

7. The proposed planned unit development shall meet all of the standards and requirements outlined in this Section 8.3 and also Section 8.1 and Article VII.
Please see the submittal relating to Section 8.3 and Section 8.1 for compliance.

Section 8.3.4 Uses that May be Permitted: The following uses of land and structures may be permitted within a planned unit developments, Indicate the proposed uses in the **Planned Unit Development**:

1. Single family dwellings.
Peninsula Shores SUP #123 is for the development of single-family residential dwellings.
2. Two-family dwellings.
Not applicable for this application or request.
3. Group housing, row houses, garden apartments, or other similar housing types which can be defined as single-family dwellings with no side yards between adjacent dwelling units, provided that there shall be no more than eight (8) dwelling units in any contiguous group.
Not applicable for this application or request.
4. Open space according to Section 8.3.6 Provided that only the following land uses may be set aside as common land for open space or recreation use under the provisions of this Section:
 - a. Private recreational facilities (but not golf courses) such as pools, or other recreational facilities which are limited to the use of the owners or occupants of the lots located within the planned unit development.
Not applicable for this application or request.
 - b. Historic building sites or historic sites, parks and parkway areas, ornamental parks, extensive areas with tree cover, lowlands along streams or areas of rough terrain when such areas have natural features worthy of scenic preservation.
Not applicable for this application.

- c. Commonly owned agricultural lands.
Not applicable for this application.
5. Signs as allowed by Section 7.11
There is no additional request to add or modify the existing signs that were approved as part of the original approval of SUP #123.
6. Deed restricted Agricultural lands.
Not applicable for this application or request as there are no deed restricted agricultural lands within the PUD.
7. Garages and accessory buildings and uses exclusively for the use of residents of the planned unit development and for the proper maintenance thereof.
All garages and accessory buildings are privately owned and located within individual parcels within the PUD.

Section 8.3.5 Lot Size Variation Procedure: The lot area for Planned Unit Developments within Residential and Agricultural Districts may be averaged or reduced from those sizes required by the applicable zoning district within which said development is located by compliance with the following procedures:

1. Site Acreage Computation:
 - a. The net acreage proposed for a planned unit development shall be computed to determine the total land area available for development into lots under the minimum lot size requirements of the applicable zoning district in which the proposed planned unit development is located.
The net acreage of the site is 82.44 acres.
 - b. Acreage not included:
 - i. Land utilized by public utilities as easements for major facilities, such as electric transmission lines, sewer lines, water mains, or other similar lands which are not available to the owner because of such easements.
Not applicable for this application as there are no public easements.
 - ii. Lands below the Lake Michigan ordinary high water mark.
Not applicable for this application as land below the ordinary high water mark are not part of the originally surveyed site and therefore are not included in the calculations for open space, parking, or individual parcels.
 - iii. Lands used for commercial purposes subject to the requirements of Section 6.8
Not applicable to this application as none of the property is zoned C-1, Commercial.

2. Maximum Number of Lots and Dwelling Units: After the net acreage has been determined by the above procedure, the maximum number of lots and/or dwelling units that may be approved within a planned unit development shall be computed by subtracting from the net acreage a fixed percentage of said total for street right-of-way purposes, and dividing the remainder by the minimum lot area requirement of the zoning district in which the planned unit development is located.

a. The fixed percentage for street right-of-way purposes to be subtracted from the net acreage shall be fifteen (15) percent for the R-1A and R-1B residential districts, twenty (20) percent for the R-C district and thirty (30) percent for the multiple family development in the R-1D district. These percentages shall apply regardless of the amount of land actually required for street right-of-way.

82.44 times 15% = 12.36 acres

b. Under this procedure, individual lots may be reduced in area below the minimum lot size required by the zone district in which the planned unit development is located, PROVIDED that the total number of dwelling units and/or lots created within the development is not more than the maximum number that would be allowed if the project were developed under the minimum lot area requirements of the applicable zone district or districts in which it is located. Units may be disturbed without regard to district boundaries.

The included site plan for the Peninsula Shores amendment request includes each existing lot and proposed modifications and relocations of lots 1, 11, 12, 13, 14, 15, 30 and 41. Lots will still maintain the minimum requirements as outlined in the R-1A zoned district for area requirements.

3. Permissive Building Envelope: Building Envelopes shall be as shown on the Site Plan not included as open space.

The site plan outlines each building envelope for each individual lot including the modifications and relocations of lots 1, 11, 12, 13, 14, 30 and 41.

4. Permissive Minimum Lot Area: Minimum Lot Area shall be as determined by the Township Board and shown on the Site Plan.

Each lot is identified on the site plan distinguishing the total square footage for all lots 1 - 41. No requested adjustment results in lot area less than existing lots or less than required by the ordinance.

5. Maximum Permissive Building Height: 2.5 stories but not exceeding 35 feet. Accessory buildings shall not exceed a height of 15 feet. Provided that the height of agricultural buildings may be increased pursuant to Section 7.3.3 Permitted Exceptions, Agricultural Districts.

The development of each lot is permitted individually and conforms with the specifications of these provisions.

6. Section 8.3.6 Open Space Requirements Option: The Township Board shall utilize one of the following four options for dedication of the provided open space.
7. Open Space Dedication for Private Use: A residential planned unit development with a minimum of 65% of the net acreage kept as open space and owned by the Home Owners Association or Condominium Association. That open space land shall be set aside as common land for the sole benefit, use and enjoyment of present and future lot or homeowners within the development.
- a. Such open space shall be conveyed by proper legal procedures from the project owner or owners to a homeowners association or other similar non-profit organization so that fee simple title shall be vested in project lot owners as tenants in common.
This standard will continue to be met.
 - b. Documents providing for the maintenance of said land and any buildings thereon to assure that open space land remains open shall be provided to the Township Board for its approval.
Will be provided and submitted to Grand Traverse County upon approval of the requested amendment.
 - c. The access and characteristics of the open space land are such that it will be readily available and desirable for the use intended.
The requested amendment increases open space and relocates it in order to improve its availability to the Homeowners Association.
1. Barns existing or proposed for uses necessary for agricultural production.
 2. Outbuildings existing or proposed for storage of machinery and equipment used for agricultural production. If a farmstead is shown on the site plan it shall be counted as one of the allowed dwelling units.
 - d. The deed restricted agricultural land may be sold separately from the dwelling parcels.
 - b. Shall be viable farmland as determined by the Township Board.
 - c. Irrespective of (9) above; no buildings shall be allowed.
11. Section 8.3.7 Maximum Percentage of Lot Area Covered by All Structures:
- a. The maximum percentage of lot area covered by all structures shall not exceed fifteen (15) percent of the net acreage.
The total buildable area within lot setbacks is 11.47 acres equaling 14% lot coverage within the development.

b. A building envelope within which structures may be located shall be shown on the site plan for all existing or future structures.

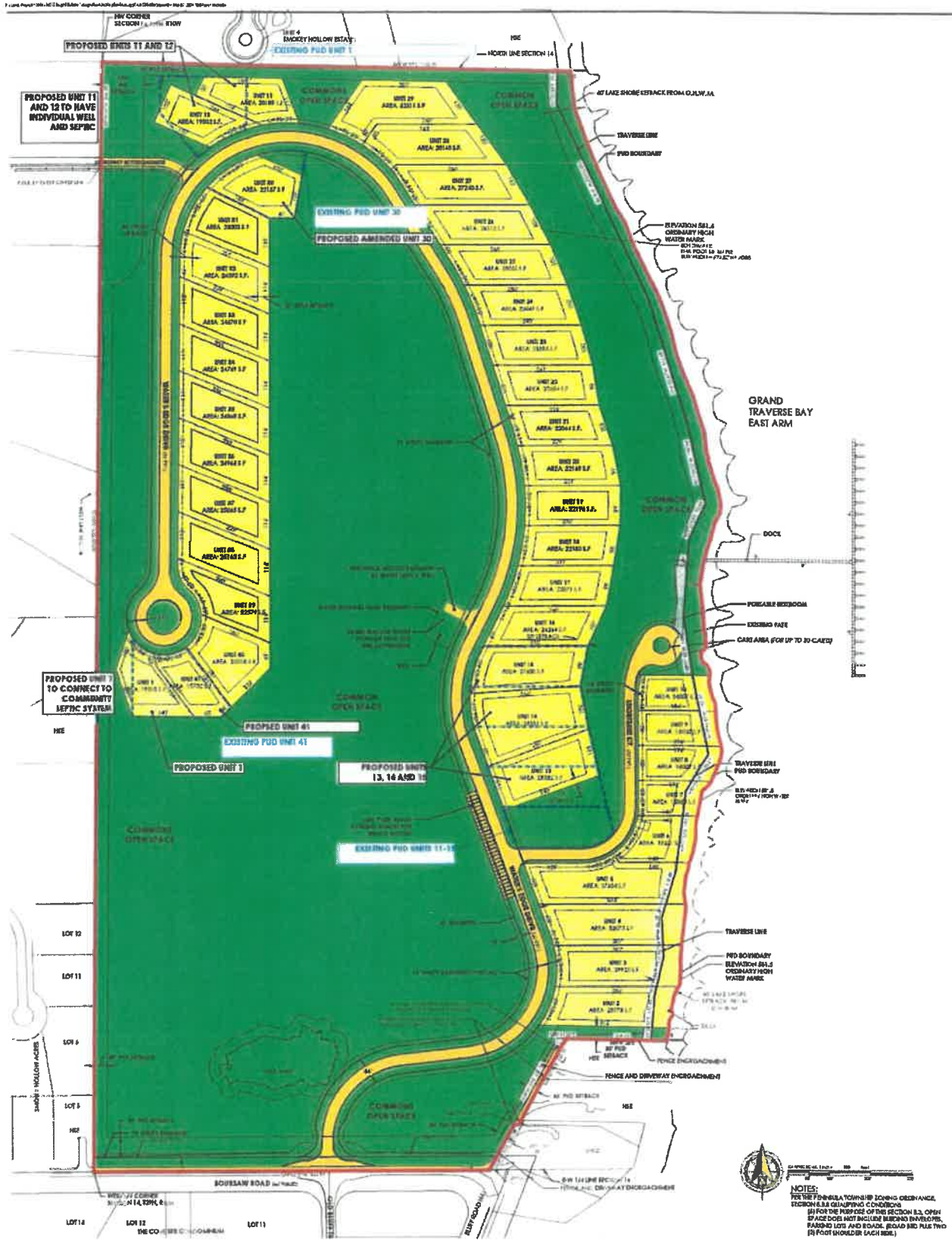
A site plan has been included in this submittal locating the individual building envelopes for each individual lot/unit within the development.

c. The maximum number of square feet to be covered by all structures for each building envelope shall be shown on the site plan or attached to it.

Area calculations have been provided and are included in the submittal of the application.

12. Section 8.3.8 Affidavit: The applicant shall record an affidavit with the register of deeds containing the legal description of the entire project, specifying the date of approval of the special use permit, and declaring that all future development of the planned unit development property has been authorized and required to be carried out in accordance with the approved special use permit unless an amendment thereto is duly adopted by the Township upon the request and/or approval of the applicant, or applicant's transferee and/or assigns.

The required documentation for the approved amendment shall be recorded.



<p>PUD BOUNDARY</p> <p>82.44 ACRES TOTAL GROSS (TO O.H.W.M.)</p> <p>OPEN SPACE REQUIRED—MINIMUM</p> <p>NON-OPEN SPACE ALLOWED—MAXIMUM</p>	<p>NON-OPEN SPACE PROVIDED</p> <p>UNITS 23.63 ACRES</p> <p>ROADS 4.99 ACRES</p> <p>27.61 ACRES</p> <p>NON-OPEN SPACE (63.46%) PROVIDED</p>	<p>OPEN SPACE PROVIDED</p> <p>54.83 ACRES (66.52%)</p> <p>OPEN SPACE PROVIDED AMENDMENT #3</p> <p>54.28 ACRES (65.94%)</p> <p>00.55% INCREASE PROPOSED FROM AMENDMENT #3</p>
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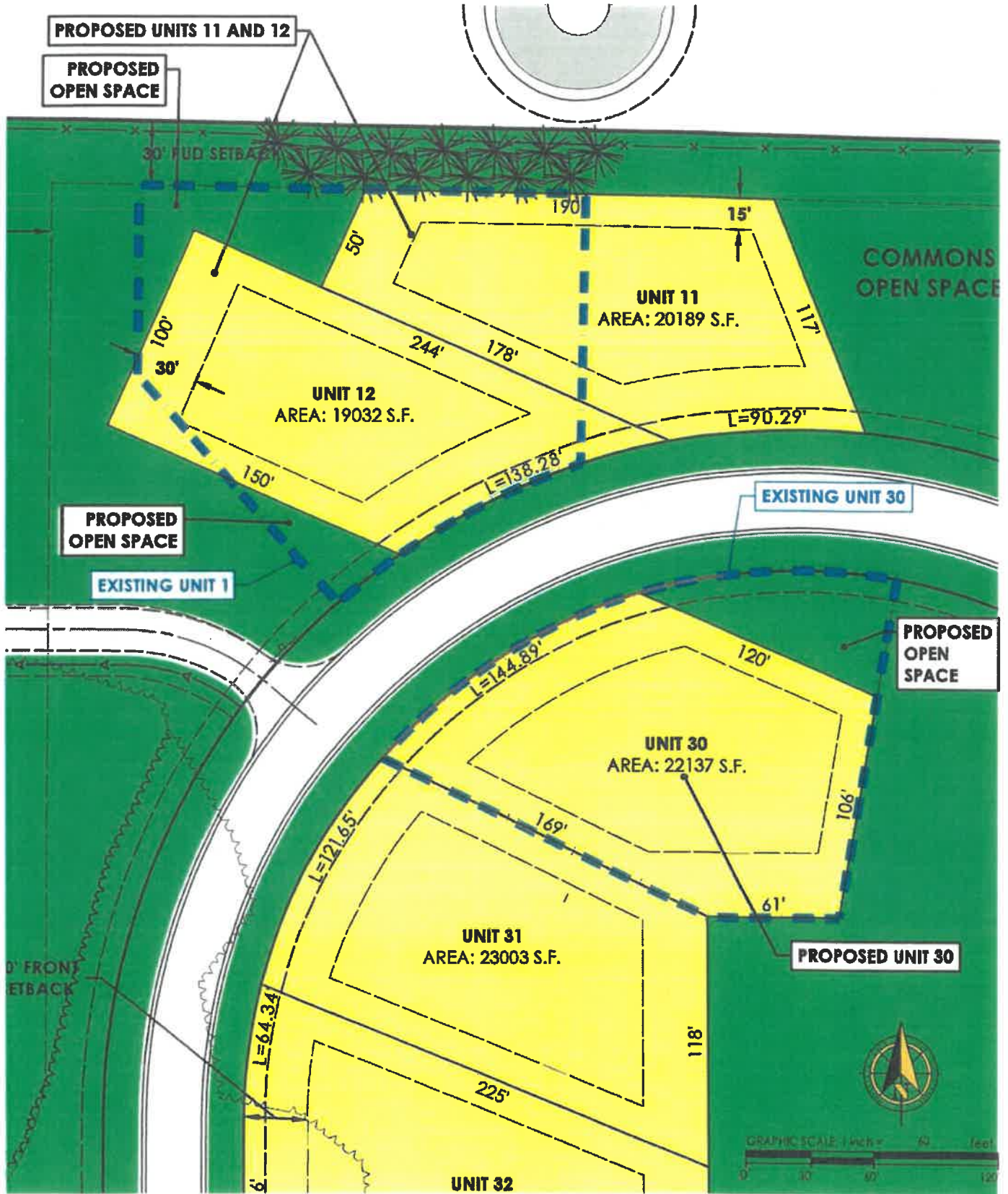


THE 81 DEVELOPMENT COMPANY, LLC
PENINSULA SHORES - PUD #123
 PROPOSED PUD AMENDMENT #5 - OPEN SPACE PLAN
 SECTION 14, T.29N., R.10W.,
 PENINSULA TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN

NO.	DATE	BY	DESCRIPTION
1	10/20/20	PL	PRELIMINARY PLAN
2	11/15/20	PL	REVISED PLAN
3	12/10/20	PL	REVISED PLAN
4	01/15/21	PL	REVISED PLAN
5	02/10/21	PL	REVISED PLAN
6	03/10/21	PL	REVISED PLAN
7	04/10/21	PL	REVISED PLAN
8	05/10/21	PL	REVISED PLAN
9	06/10/21	PL	REVISED PLAN
10	07/10/21	PL	REVISED PLAN
11	08/10/21	PL	REVISED PLAN
12	09/10/21	PL	REVISED PLAN
13	10/10/21	PL	REVISED PLAN
14	11/10/21	PL	REVISED PLAN
15	12/10/21	PL	REVISED PLAN
16	01/10/22	PL	REVISED PLAN
17	02/10/22	PL	REVISED PLAN
18	03/10/22	PL	REVISED PLAN
19	04/10/22	PL	REVISED PLAN
20	05/10/22	PL	REVISED PLAN

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 Traverse City, MI 49683
 Phone: 231-946-9310
 www.mansfield.com
 info@mansfield.com



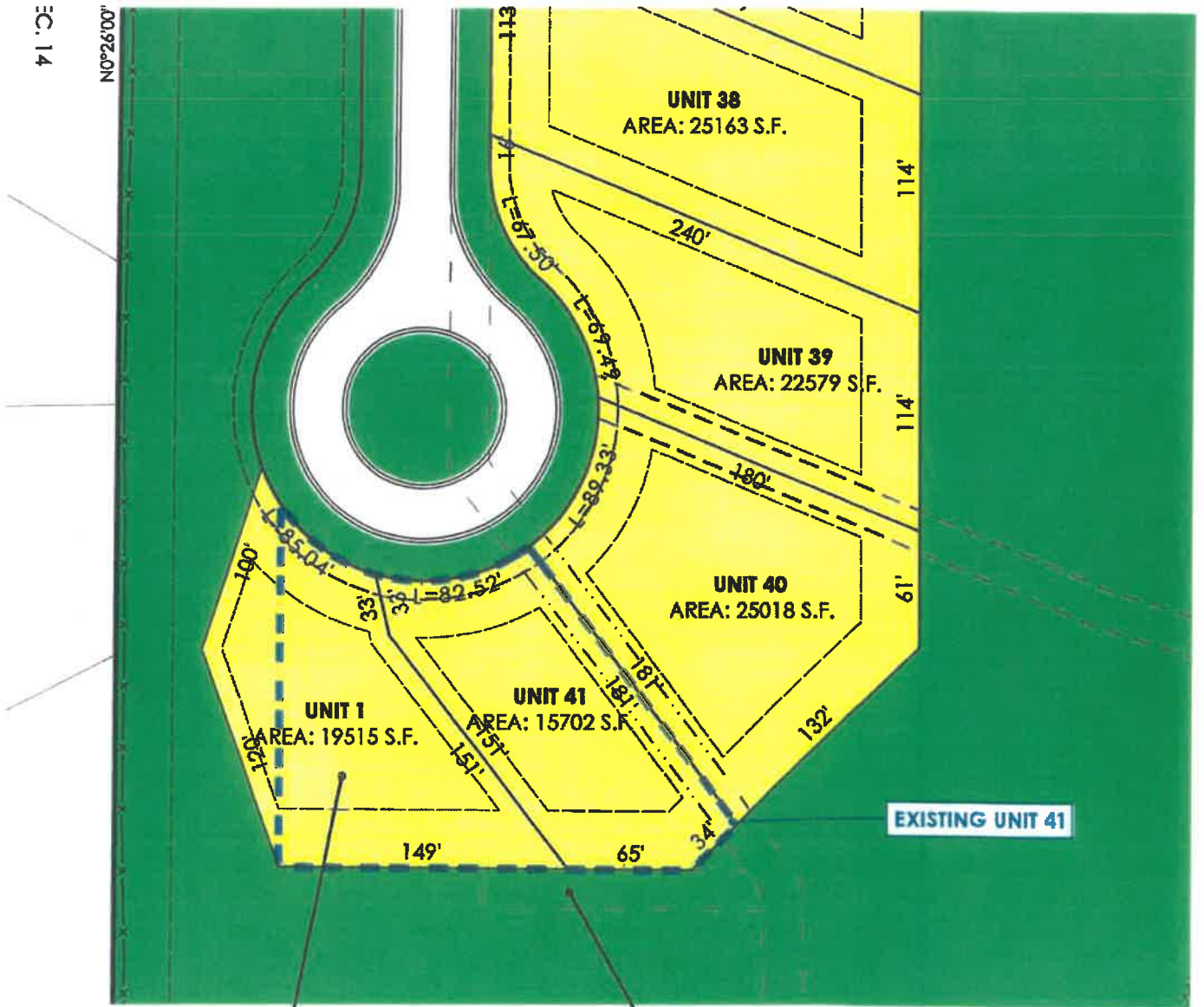
Mansfield
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Land Use Consultants

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 Traverse City, MI 49685
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 www.mzaeps.com
 info@mzaeps.com

PENINSULA SHORES-PUD #123 DRN:mmm CKD: phk

EXHIBIT PROPOSED UNITS 11, 12 & 30
PROPOSED PUD AMENDMENT #5
 Peninsula Township, Grand Traverse County, Michigan

02.26.2024
 14016
 SH1 OF 3



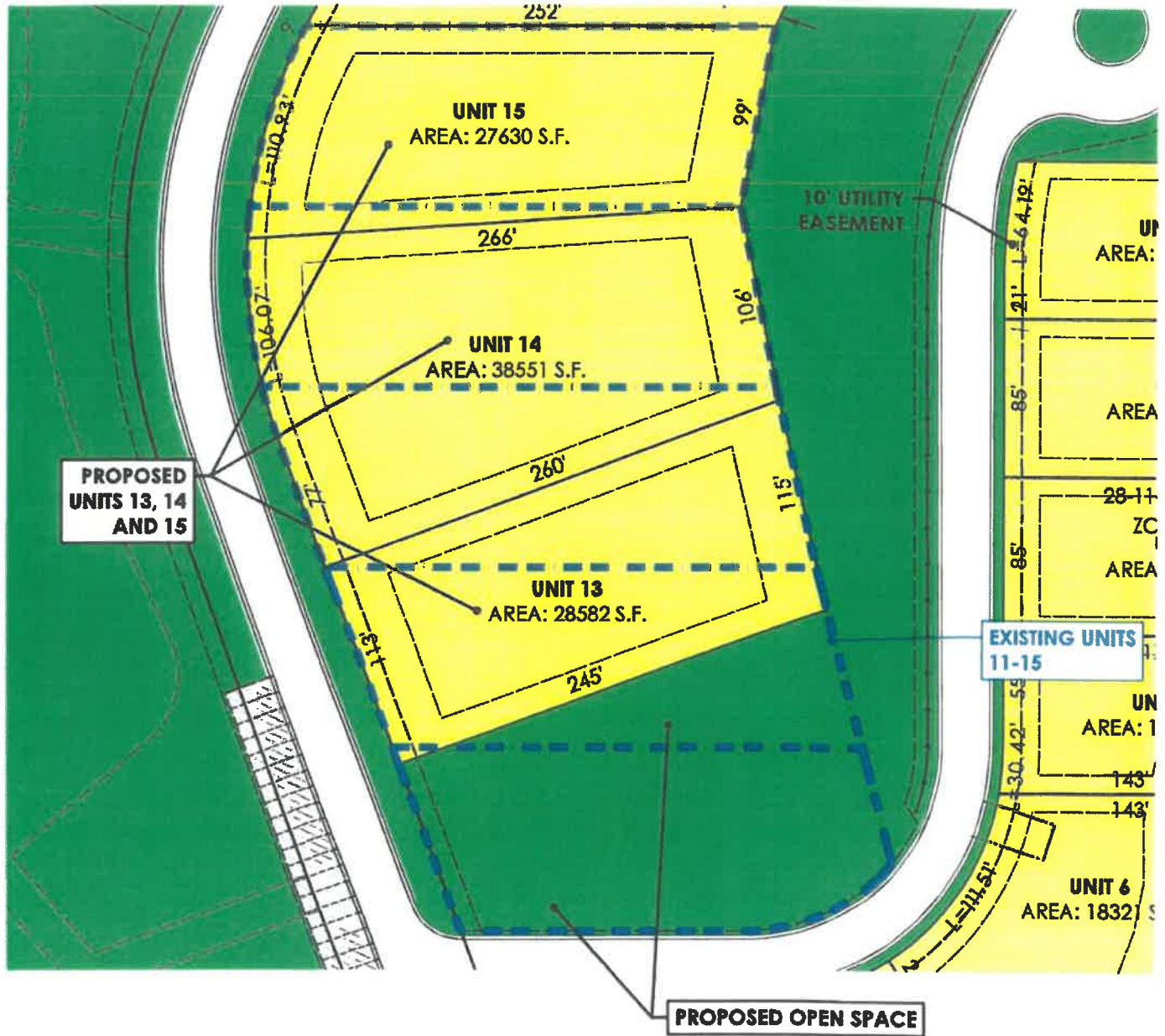
PROPOSED UNIT 1

PROPOSED 20' SANITARY SEWER EASEMENT AND LEAD FOR UNIT 1



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PENINSULA SHORES-PUD #123		DRN:mmm	CKD:phk
EXHIBIT PROPOSED UNITS 1 & 41		02.26.2024	
PROPOSED PUD AMENDMENT #5		14016	
Peninsula Township, Grand Traverse County, Michigan		SHT 2 OF 3	



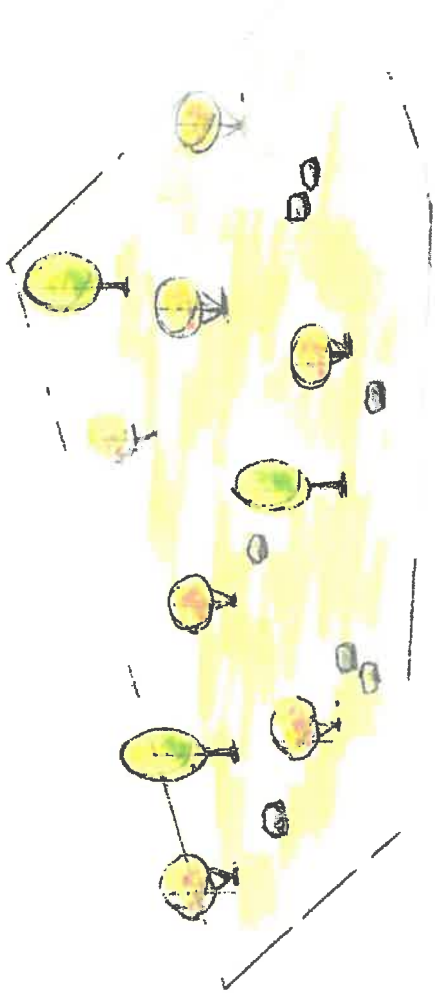
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PENINSULA SHORES-PUD #123 DRN:mmm CKD:phk

EXHIBIT PROPOSED UNITS 13-15
PROPOSED PUD AMENDMENT #5
 Peninsula Township, Grand Traverse County, Michigan

02.26.2024
 14016
 SHT 3 OF 3

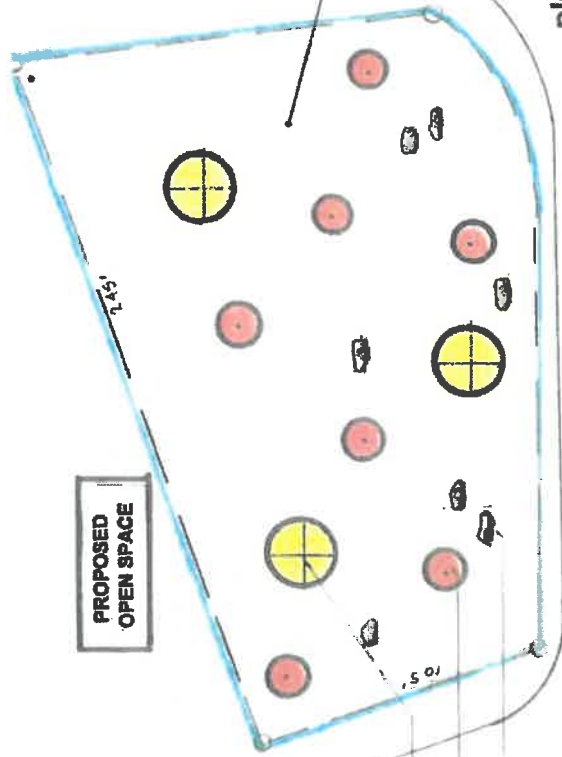
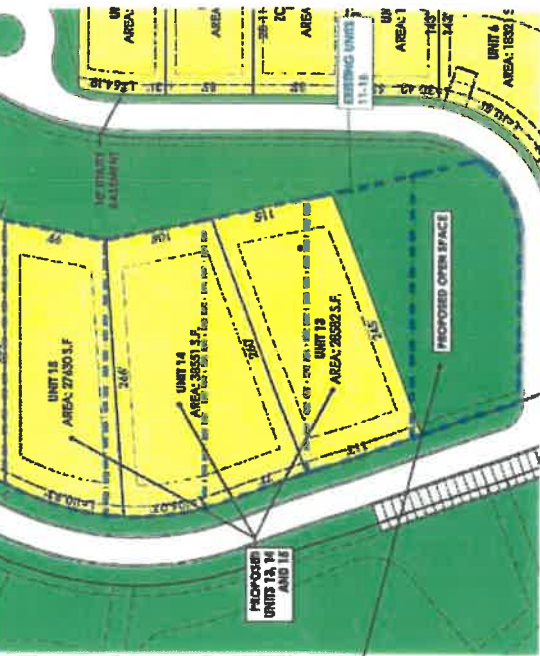


character sketch
not to scale



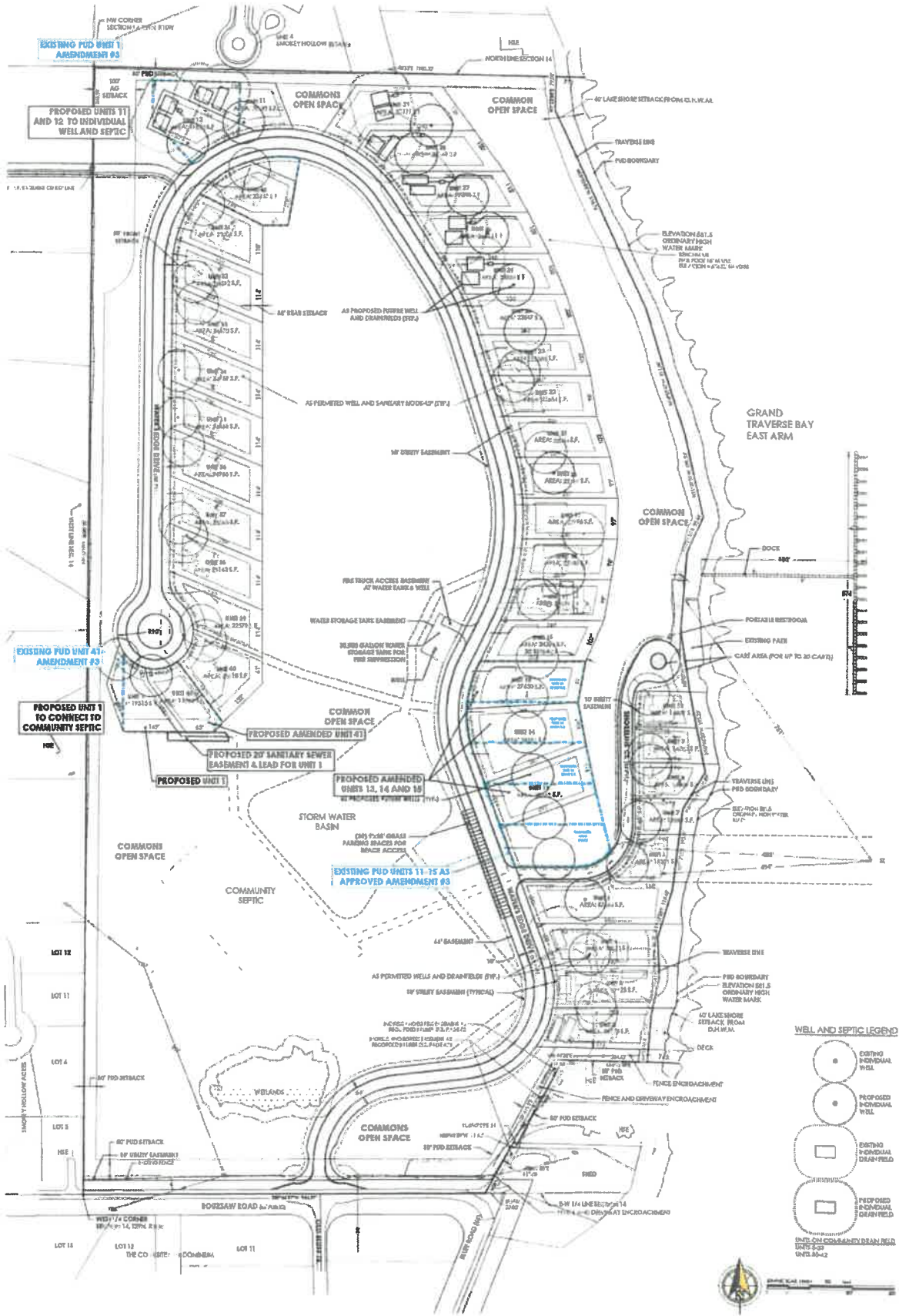
PROPOSED OPEN SPACE PLANTINGS
PENINSULA SHORES

Penineula Twp., MI
date: March 2024
scale: "as noted"



plan view:
scale: 1" = 40'0" ±

- PROPOSED PLANTINGS
- 3 SHADE TREES
- 7 TORNAIMENTAL TREES
- 7 ROCK OUTCROPPINGS



Jeffrey Giles, P.E.

The B1 Development Company, LLC
 Peninsula Shores - PUD #123
PROPOSED PUD AMENDMENT #5 - SITE PLAN
 Section 14, Town 29 North, Range 10 West
 Peninsula Township, Grand Traverse County, Michigan

NO.	DATE	DESCRIPTION	BY	CHECKED
1	12/20/17	ISSUED FOR PERMITTING	JG	JK
2	12/20/17	REVISED PER COMMENTS	JG	JK
3	12/20/17	REVISED PER COMMENTS	JG	JK
4	12/20/17	REVISED PER COMMENTS	JG	JK
5	12/20/17	REVISED PER COMMENTS	JG	JK
6	12/20/17	REVISED PER COMMENTS	JG	JK
7	12/20/17	REVISED PER COMMENTS	JG	JK
8	12/20/17	REVISED PER COMMENTS	JG	JK
9	12/20/17	REVISED PER COMMENTS	JG	JK
10	12/20/17	REVISED PER COMMENTS	JG	JK
11	12/20/17	REVISED PER COMMENTS	JG	JK
12	12/20/17	REVISED PER COMMENTS	JG	JK
13	12/20/17	REVISED PER COMMENTS	JG	JK
14	12/20/17	REVISED PER COMMENTS	JG	JK
15	12/20/17	REVISED PER COMMENTS	JG	JK
16	12/20/17	REVISED PER COMMENTS	JG	JK
17	12/20/17	REVISED PER COMMENTS	JG	JK
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19	12/20/17	REVISED PER COMMENTS	JG	JK
20	12/20/17	REVISED PER COMMENTS	JG	JK

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Open Space (Section 8.3.3(6)):	<u>Acres</u>	
Total project site net acres	82.44	
Residential Units	minus 22.63	
Parking Lot (waterfront access, grass)	minus 0.15	
Roads (roadbed 2'shoulder)	minus 4.83	
Total remaining open space	54.83	= 66.52% open space provided 65% open space required

Lot Coverage by Structures (Section 8.3.7(1)):	<u>Acres</u>	
<u>Single Family Homes (area of building envelope)</u>	<u>11.47</u>	
Total Lot Coverage	11.47	divided 82.44 acres = 14% lot coverage provided 15% lot coverage allowed

The calculation above proves that the standard would be met even if every building envelope were completely covered with structures. In reality, the size of homes within the building envelopes would likely range from 2,500sf to 6,000sf, resulting in an actual expected lot coverage by structures of 3%-7%.

Lot Coverage by Structures (Section 8.3.7.(3)):
see chart on next page



Peninsula Shores
Traverse City, Michigan

AMENDMENT #5
Updated 03-05-24

Lot Coverage by Structures (Section 8.3.7.(3)):

Maximum allowable lot area covered by structures		Net acres in PUD = 82.44
	Total lot size (S.F.)	Maximum allowable structure (S.F.) (building envelope excluding easements)
Unit 1	19,515.14	9,950.16
Unit 2	28,778.16	13,348.52
Unit 3	29,922.85	14,559.84
Unit 4	33,072.96	16,687.77
Unit 5	37,684.03	18,707.39
Unit 6	18,321.46	7,000.40
Unit 7	12,882.93	4,107.61
Unit 8	16,008.79	6,433.51
Unit 9	16,032.63	6,616.98
Unit 10	14,807.16	5,620.47
Unit 11	20,189.43	7,774.21
Unit 12	19,032.00	8,341.79
Unit 13	28,581.89	15,992.98
Unit 14	38,550.79	23,764.67
Unit 15	27,629.51	15,131.04
Unit 16	24,264.05	12,294.82
Unit 17	23,071.28	11,726.32
Unit 18	22,180.08	11,216.15
Unit 19	22,195.79	11,285.88
Unit 20	22,168.84	11,200.80
Unit 21	22,044.02	10,994.71
Unit 22	22,653.74	11,506.24
Unit 23	23,585.49	12,100.06
Unit 24	23,846.88	12,114.52
Unit 25	24,533.01	12,903.35
Unit 26	25,533.23	13,687.08
Unit 27	26,210.27	14,116.83
Unit 28	27,616.40	14,928.38
Unit 29	32,311.30	18,070.46
Unit 30	22,136.92	10,110.36
Unit 31	23,002.82	11,752.83
Unit 32	24,392.44	12,648.70
Unit 33	24,670.40	12,758.69
Unit 34	24,768.97	12,829.09
Unit 35	24,967.54	12,899.50
Unit 36	24,966.11	12,969.91
Unit 37	25,064.67	13,040.31
Unit 38	25,163.24	13,110.72
Unit 39	22,579.28	10,241.84
Unit 40	25,018.00	13,046.24
Unit 41	15,701.56	7,106.90
Total S.F.	985,556.06	498,336.62
Total Acres	22.63	11.44
% of net total site	27%	14%



March 7, 2024

Re: Site suitability for preliminary approval of proposed lots 11&12 in Peninsula Shores Site Condo Development

On February 21st, 2024, the Grand Traverse County Environmental Health Department met O'Grady Development Co. at the site location of two (2) proposed lots (Lot 11 and 12) in Peninsula Shores Site Condo Development. The purpose of this meeting was to assess both proposed lots' suitability for onsite wastewater disposal and determine both lots' ability to meet the Health Department's isolation requirements for well and septic. O'Grady Development Co. is requesting that these parcels be approved for individual onsite wastewater septic systems and private wells. A perk test was completed on each lot on February 21st. Both Lots 11 and 12 have been determined by the Grand Traverse County Environmental Health Department to be suitable for onsite wastewater disposal and private wells. Once approval has been granted by Peninsula Township, O'Grady Development Co. will be required to follow the appropriate steps and submit the required documentation to this Department to be granted final approval for the lots.

A handwritten signature in black ink that reads "Brent Wheat".

Brent Wheat

Environmental Health Director



March 6, 2024

Peninsula Twp.
Jennifer Cram, Director of Planning & Zoning
13235 Center Road
Traverse City, Michigan 49686

RE: Peninsula Shores PUD Amendment #5
Engineering Impact Review

Dear Jennifer

The following is a narrative of the potential engineering impacts associated with the changes included in the proposed PUD Amendment #5 on the Peninsula Shores development.

The existing PUD includes 41 lots and is not currently fully developed. The amendment does not propose a change in the total number of lots, only modification and relocation of select lots; including #1, #11, #12, #13, #14, #15, #30 and #41, for reasons explained and exhibited within other PUD Amendment #5 documents.

The following includes a summary of the main engineering topics and PUD Amendment #5 impacts:

1. Traffic
2. Sanitary Sewer
3. Storm Sewer
4. Groundwater Supply
5. Soil Erosion & Sedimentation Control

Traffic

PUD Amendment #5 does not propose a change in the number of lots within the development, only internal lot adjustment and relocation. Therefore, there is no proposed increase in traffic generation from the original PUD approval, and zero impact to both traffic numbers and patterns.

Sanitary Sewer

PUD Amendment #5 does not propose a change in the number of lots within the development, however it does propose a change to which lots are connected to the existing community septic system. Currently lots #11 and #12 are contributory lots to the community septic system. Their relocation to the northwest corner of the development requires them to be on individual, on-site septic systems due to their location with respect to installed sanitary sewer infrastructure. Additionally, the relocation of Lot #1 is in a location where it may be connected to the sanitary sewer infrastructure that is associated with the community septic system. The suitability of on-site septic systems for Lots #11 and #12, as required, has previously been evaluated and approved by the G. T. Co. Health Department.

830 Cottageview Drive -Suite 201
P.O. Box 4015 Traverse City, MI 49685

p 231.946.9310
f 231.946.8926

Storm Sewer

PUD Amendment #5 does not propose a change in the number of lots within the development. The modification and relocation of the select lots #1, #11, #12, #13, #14, #15, #30 and #41 does not change any drainage patterns or storm water calculations. The proposed changes are all tributary to the same storm basins in both the current and proposed scenarios, with zero impact on the development's storm water management.

Groundwater Supply

PUD Amendment #5 does not propose a change in the number of lots within the development. All lots within the development have individual groundwater supply wells, which are not changing with the proposed amendment #5, only locational changes based on lot modifications and relocations. Groundwater supply wells, with the proposed locational changes, will continue to require approval and permitting by the G.T. Co. Health Department.

The 30,000-gallon in-ground water supply tank that the development constructed for the Township's use in fire fighting for the development and surrounding Township residents remains unchanged.

Soil Erosion & Sedimentation Control (SESC)

PUD Amendment #5 does not propose a change in the number of lots within the development. The modified/relocated lots proposed in Amendment #5 do not cause a substantial change in the net area, approach, or permitting process. All individual lot construction requires permits from the G.T. Co. Health Department prior to construction.

In summary, both individually, and collectively, the proposed lot modifications and relocations within Amendment #5 pose no net change or impact to any of the engineering considerations discussed above.

If you have any questions, please feel free to call me at (231) 946-9310 ext. 1007.

Sincerely,
Mansfield Land Use Consultants



Jim Hirschenberger, P.E., Project Engineer

Site Storm Water Calculations: PUD

Project: **The 81 on East Bay**
 Project No.: **14016**
 Location: **Peninsula Township, Grand Traverse County**
 Client: **Insight Building Company**

Rational = $Q = C i A$
 Intensity = $i = 2\text{-yr, 24-hour duration} = 2.09 \text{ in}$ (Bulletin 71) Intensity $i = 0.087 \text{ in/hr}$
 Coefficient = $C = \text{weighted } C \text{ (Per Table 2: Runoff Coefficients)}$
 Area = $A = \text{varies per drainage area (ac.)}$ (Based on Grading, Storm and Drainage Plans)
 Unit Conversion = **86,400**
 Soils Type = **Predominant USDA Soils: Em (Emmet loamy sands), Lk (Leelanau-Kalkaska loamy sands) & Ma (Mancelona gravelly sandy loam)**

Project Area Prior to Development

Area (Total) =	3511807 sft	OR	80.62 ac.
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PREDEVELOPMENT CONDITIONS						
NO.	Area Type	C	i	A (ac.)	conversion	Q (cft)
1	Pavement	0.98	0.087	0.00 ac.	86,400	0 cft
2	Brick	0.85	0.087	0.00 ac.	86,400	0 cft
3	Roof	0.95	0.087	0.00 ac.	86,400	0 cft
4	Lawns, Sandy, Avg.	0.15	0.087	17.04 ac.	86,400	19231 cft
5	Lawns, Sandy, Steep	0.20	0.087	35.68 ac.	86,400	53691 cft
				On-Site Total =	52.72 ac.	Total Q = 72923 cft

SPECIAL NOTES:

The site soils range from somewhat poorly drained to somewhat excessively drained sands with permeability rates from 0.57 to 19.98 in/hour. The location for stormwater collection is within the EmA soil type with permeability rates of 5.95 to 19.98 in/hr and a depth to water table ≥ 80 inches. There are no areas of drainage concern on the site in the area of the proposed storm water basin. The existing property has no defined drainage outlet feature, only overland flow and ground infiltration into existing sandy soils and also a small wetland area contained on-site within the commons area. A portion of the site drains off-site due to the steep terrain along a large portion of the site perimeter. There is a large ridge line and steep terrain relief down to East Bay.

Site Storm Water Calculations: PUD

Project & No.: **The 81 on East Bay**

Project No.: **14016**

Location: **Peninsula Township, Grand Traverse County**

Client: **Insight Building Company**

Rational = $Q = C i A$
 Intensity = $i = 100\text{-yr, 24-hour duration} = 5.08 \text{ in}$ (Bulletin 71) Intensity $i = 0.212 \text{ in/hr}$
 Coefficient = $C = \text{weighted } C \text{ (Per Table 2: Runoff Coefficients)}$
 Area = $A = \text{varies per drainage area (ac.)}$ (Based on Grading, Storm and Drainage Plans)
 Unit Conversion = **86,400**
 Soils Type = **Predominant USDA Soils: Em (Emmet loamy sands), Lk (Leelanau-Kalkaska loamy sands) & Ma (Mancelona gravelly sandy loam)**
 Infiltration Rate = **5.95 in/hr** (1.00"/12") ft x 24-hr x A (sft) = cft

POSTDEVELOPMENT CONDITIONS: 100-yr, 24-hour duration						
NO.	Area Type	C	I	A (ac.)	conversion	Q (cft)
1	Pavement	0.98	0.212	4.06 ac.	86,400	72764 cft
2	Brick	0.85	0.212	0.00 ac.	86,400	0 cft
3	Roof	0.95	0.212	2.26 ac.	86,400	39264 cft
4	Lawns, Sandy, Avg.	0.15	0.212	16.03 ac.	86,400	43973 cft
5	Lawns, Sandy, Steep	0.20	0.212	34.06 ac.	86,400	124578 cft
				On-Site Total =	56.41 ac.	Total Q = 280580 cft

Required 2x 100-yr Post Development Total Q = **561160 cft**

Pre Development Q = **72923 cft**

Required Storage = **488237 cft**

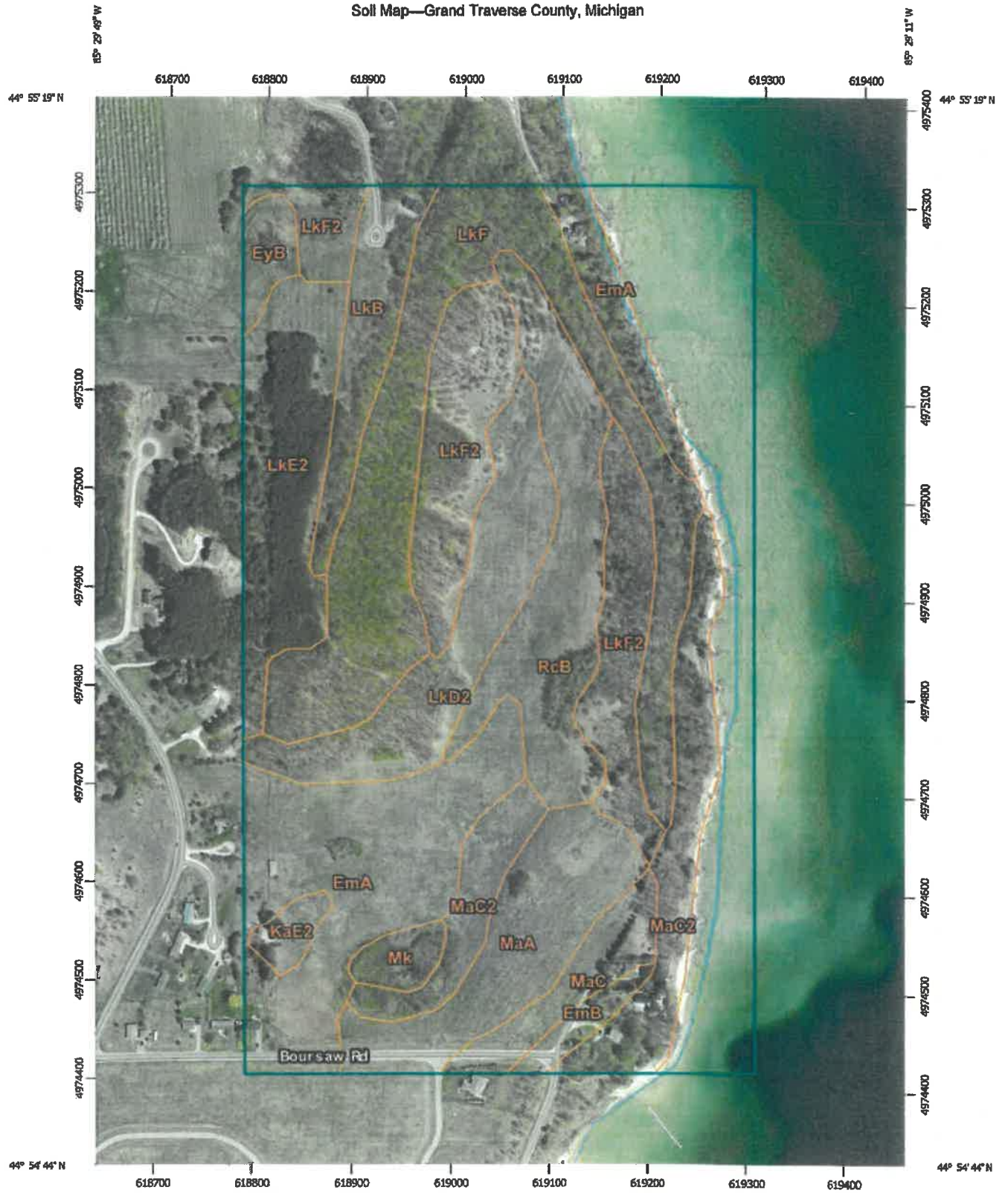
Provided Storage = **489349 cft**

Excess Storage = **1112 cft**

SPECIAL NOTES:

The site soils range from somewhat poorly drained to somewhat excessively drained sands with permeability rates from 0.57 to 19.98 in/hour. The location for stormwater collection is within the EmA soil type with permeability rates of 5.95 to 19.98 in/hr and a depth to water table ≥ 80 inches. There are no areas of drainage concern on the site in the area of the proposed storm water basin. The existing property has no defined drainage outlet feature, only overland flow and ground infiltration into existing sandy soils and also a small wetland area contained on-site within the commons area. A portion of the site drains off-site due to the steep terrain along a large portion of the site perimeter. There is a large ridge line and steep terrain relief down to East Bay.

Soil Map—Grand Traverse County, Michigan



Map Scale: 1:5,280 if printed on A portrait (8.5" x 11") sheet.









































0 50 100 200 300 Meters

0 250 500 1000 1500 Feet

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 16N WGS84



MAP LEGEND

 Area of Interest (AOI)	 Spoil Area
 Soils	 Stony Spot
 Soil Map Unit Polygons	 Very Stony Spot
 Soil Map Unit Lines	 Wet Spot
 Soil Map Unit Points	 Other
 Special Point Features	 Special Line Features
 Blowout	 Streams and Canals
 Borrow Pit	 Transportation
 Clay Spot	 Rails
 Closed Depression	 Interstate Highways
 Gravel Pit	 US Routes
 Gravelly Spot	 Major Roads
 Landfill	 Local Roads
 Lava Flow	 Background
 Marsh or swamp	 Aerial Photography
 Mine or Quarry	
 Miscellaneous Water	
 Perennial Water	
 Rock Outcrop	
 Saline Spot	
 Sandy Spot	
 Severely Eroded Spot	
 Sinkhole	
 Slide or Slip	
 Sodic Spot	

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Grand Traverse County, Michigan
 Survey Area Data: Version 7, Dec 18, 2013

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Data not available.

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Grand Traverse County, Michigan (MI055)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
EmA	East Lake-Mancelona loamy sands, 0 to 2 percent slopes	15.4	13.4%
EmB	East Lake-Mancelona loamy sands, 2 to 6 percent slopes	1.1	1.0%
EyB	Emmet sandy loam, 2 to 6 percent slopes	1.4	1.2%
KaE2	Kalkaska loamy sand, 18 to 25 percent slopes, moderately eroded	0.9	0.8%
LkB	Leelanau-Kalkaska loamy sands, 2 to 6 percent slopes	4.3	3.7%
LkD2	Leelanau-Kalkaska loamy sands, 12 to 18 percent slopes, moderately eroded	8.0	7.0%
LkE2	Leelanau-Kalkaska loamy sands, 18 to 25 percent slopes, moderately eroded	8.3	7.2%
LkF	Leelanau-Kalkaska loamy sands, 25 to 45 percent slopes	17.1	14.8%
LkF2	Leelanau-Kalkaska loamy sands, 25 to 45 percent slopes, moderately eroded	12.7	11.0%
MaA	Mancelona gravelly sandy loam, 0 to 2 percent slopes	7.5	6.5%
MaC	Mancelona gravelly sandy loam, 6 to 12 percent slopes	2.9	2.6%
MaC2	Mancelona gravelly sandy loam, 6 to 12 percent slopes, moderately eroded	9.2	8.0%
Mk	Adrian muck, 0 to 1 percent slopes	1.2	1.0%
RcB	Richter loams, 2 to 6 percent slopes, overwash	9.6	8.3%
Subtotals for Soil Survey Area		99.7	86.4%
Totals for Area of Interest		115.5	100.0%

Exhibit 2

Jennifer Cram

From: Fred Gilstorff
Sent: Wednesday, May 1, 2024 4:25 PM
To: Jennifer Cram
Subject: Re: Peninsula Shores SUP #123, Amendment #5

Jen,
I see no issue with this change. Thank you.

Fire Chief Fred Gilstorff
Cell Phone: 231-463-0330
Station Phone: 231-223-4443
Email: fire@peninsulatownship.com



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From: Jennifer Cram <planner@peninsulatownship.com>
Sent: Tuesday, April 30, 2024 5:26 PM
To: Fred Gilstorff <fire@peninsulatownship.com>
Subject: Peninsula Shores SUP #123, Amendment #5

Fred, as discussed, I am attaching the application for Amendment #5. No additional units are proposed, just another proposal to move units towards the top/west maintaining 41 units total.

Please let me know if you want to sit down and review the plans together or have any questions.

The PC is conducting a site visit on May 7 and the public hearing will likely take place at a special meeting on May 23.

If I could get your comments by May 15, that would be great.

Thanks!

*Jenn Cram
Peninsula Township Director of Planning and Zoning
13235 Center Road
Traverse City MI 49686
phone - 231-223-7314*



May 8, 2024

Jennifer Cram, Director of Planning
Peninsula Township 13235 Center Road
Traverse City, MI 49686
231-223-7322
planner@peninsulatownship.com

RE: Peninsula Shores, PUD #123 –Application for Amendment #5
Review of Revision: Relocate Units 1, 11, & 12, Realignment of Units 13-15, 30, & 41

Dear Jennifer Cram,

We have reviewed the supporting documents for the Peninsula Shores – PUD #123 Application for Amendment #5, dated 03/07/2024 as completed by Mansfield Land Use Consultants. We understand Amendment #5 will replace the withdrawn Amendment #4 and the proposed changes affect the previously approved Amendment # 3. The application package includes updated SUP Application, SUP Development Checklist, Proposed PUD Amendment Site Plan, Letter from Health Department, Open Space Plan, and stormwater calculations. Our review which consisted of reviewing the modifications for their impacts to utilities, stormwater management, and the general compliance with the special Use permit and zoning ordinance criteria.

According to Mansfield the modifications to the plan include the following dimensional shifts of the site plan layout:

- Maintains 41 units
- Relocates Units 1, 11, 12
- Lot line adjustments to Units 13, 14, 15, 30, and 41

A summary of our review is contained below:

Utility Review

Per the submitted application, 8.1.2.9c comments on the proposed amendments effect on the existing facilities. Relocation of Unit 1, 11 & 12 removes lots 11 & 12 and adds Unit 1 flows to the existing community septic system – a net decrease of one. Units 11 & 12 will have on-site septic subject to GTCHD permitting and have obtained preliminary approval. This is acceptable.

Storm Water Review

According to the revised plans, no revisions to the storm water control design were required. There is no change to the catchment areas and no increase in proposed impervious areas. Therefore, the previously proposed storm water provisions are sufficient for the existing site and the proposed amendment.



Private Road Review

The application states there is no change in the use of the private road system. Therefore, no adjustments are required.

Overall Ordinance Compliance Review

According to revised plans, a comparison to the original approved PUD Open Space Calculations along with confirmation of values was performed by GFA with the following results provided:

	Open Space	Non-Open Space
Approved P.U.D. Amendment 3	65.8% (54.26 AC.)	34.2% (28.19 AC.)
Proposed (Unit Shift and Dimensional changes)	66.52% (54.83 AC.)	34.48% (27.61 AC.)

The provided information shows maintaining Unit 41 units. The unit line modifications and relocations appears to meet the dimensional requirements of the Township and the P.U.D. Project. These are summarized as follows:

- Unit 1 is relocated to the former Amendment 3 Unit 41 location, which is divided and realign to accommodate. Appears to be similar footprint, therefore the density in this location is increased.
- Relocated units 11 & 12 are set at the former Amendment 3 Unit 1 location, which is divided to and realigned to accommodate. The footprint now extends further east along the north property line. Therefore, the density in this location is increased.
- Lot line adjustments to Units 13, 14, 15 provide additional at the Amendment 3 locations of units 11 & 12. The density in this location is decreased.





Assuming no other changes have been made to the project plans as previously reviewed, our recommendation for engineering plan approval remains in place in accordance with our previous review letters and the Township SUP Conditions dated August 6, 2019. The following general items are noted:

1. The same approved Findings of Fact and SUP conditions apply including but not limited site-specific Storm Water Reviews for each lot.
2. Applicable revisions to the Master Deed to reflect the site changes are to be completed and a new document shall be signed and recorded with the Register of Deeds. A copy of this document shall be provided to the Township for their files.

Please do not hesitate to contact me with any questions regarding this review.

Respectfully Submitted,
GOURDIE-FRASER

Jennifer Graham (Hodges), PE
Sr. Project Manager

cc: Dough Mansfield, Mansfield Land Use Consultants
Kyle O'Grady - The 81 Development Company



Exhibit 3

PENINSULA TOWNSHIP

13235 Center Road, Traverse City MI 49686
Ph: 231.223.7322 Fax: 231.223.7117 www.peninsulatownship.com

**PENINSULA TOWNSHIP
PLANNING COMMISSION
SPECIAL MEETING MINUTES
May 23rd, 2024, 7:00 p.m.**

1. **Call to Order** by Hall at 7:00 p.m.
2. **Pledge**
3. **Roll Call**
Present: Alexander, Dloski, Hall, Hornberger, Jenn Cram, Director of Planning and Zoning
Absent: Shipman, Beard, Shanafelt: all excused
4. **Approve Agenda**
Cram requests to edit the agenda to look at the draft minutes from the Special Meeting of the Planning Commission on May 7th (site visit to Peninsula Shores). A copy is included in the packet addition and was made available to all members. Indicates that there were very minor revisions to the Peninsula Shores findings of fact, also included in the packet addition.
Motion made by Hornberger and second made by Alexander.
Motion passed by consensus
5. **Brief Citizen Comments (For Agenda Items Not Scheduled for Public Hearing): none**
6. **Conflict of Interest: none**
7. **Consent Agenda**
 - a. Approval of Meeting Minutes: Planning Commission Regular Meeting, May 7th, 2024, and Special Meeting, May 7th, 2024 - Site Visit to Peninsula Shores PUD
Hornberger moved to approve consent agenda as-is with second by Alexander.
Motion passed by consensus
8. **Business**
 - a. Special Use Permit (SUP) #123 Peninsula Shores PUD, Amendment #5 - Public Hearing (Waters Edge Drive and Shoreline Court)
Jenn Cram, Director of Planning and Zoning for Peninsula Township: Provided a brief history on Peninsula Shores PUD, SUP #123, Amendments #1 - #4. The proposed 5th Amendment, which includes maintaining the 41 units of development, increases the open space from 65% to 66% (an addition of approximately .75 acres of open space to the center of the development) with rock outcroppings, ornamental trees, and plantings, relocating Lots 11 & 12 (to the northwest corner of the development; away from the intersection, which allows for a better view from Boursaw Road), and moving Lot 1 down to the south end of the cul-de-sac (next to proposed, reconfigured Lot 41).

Cram guided the commission through Section 8.1.3 (1)(a) and (1)(b) (General Standards) and reminds that current zoning ordinance does not have different standards for an amendment to an SUP (versus an original SUP) so original standards are used. The underlying zoning of the development is R-1A Rural and Hillside Residential and R-1B Coastal Zone Residential. Both of these zoning districts allow for single family residential uses and the approval of a planned unit development via the special use permit process. The surrounding area is also zoned and developed similarly with properties being zoned either R-1A and R-1B. In the northwest corner, the property is zoned A-1 Agricultural which allows for residential development to support agriculture. (Notes that due to the development being located near A-1 zoning area that there is an additional 100 foot setback from new residential development to the agricultural area.) States that approved PUD and surrounding areas are predominantly residential in nature. With the approval of the 41 single family residential units and 65% open space, the requested amendment does not increase the density and actually increases the amount of private open space (66%). Thus, the proposed use of the property for single family residences does not change as a result of the requested amendments. The PUD process allows for flexibility in the physical development pattern in exchange for preserving open space. Had the property utilized a standard land division process, based on the approximately 81 acres included in the original application before the PC and Board, 55 units could have been developed with no requirement to preserve open space. The open space, as designed, successfully clustered development around two larger tracts of open space which shows the public benefit of the PUD process. This amendment connects the two areas of open space and preserves a view to the bay from Boursaw Road. When you go through the PUD process a 30 foot PUD setback from the entire PUD is required. In addition, there are setbacks within the lots that are created. So, there is a 30 foot PUD setback that currently exists. The applicant has proposed a 15 foot setback from the northern property line for Unit 11. Both the R-1A and the R-1B zone district note that the rear setback requirement is 30 feet. We discussed this at the introduction, and I heard from the Planning Commission that they agreed that the setback should be 30 feet, which would then result in a 60 foot total setback from the northern property line. (Notes that had the development not gone through the PUD process and the 55 units were proposed, the required setback from the northern property line could be as little as 15 feet.) A condition of approval is proposed that would increase that setback for Unit 11 from 15 feet to 30 feet. (Notes also that within that 30 foot setback, the applicant has already planted a double row of evergreen trees to provide a buffer to the properties to the north.) One other condition of approval brought forward from Amendment #3, is to disallow any fill on the lots on the higher side of the development. By not allowing any fill, the proposed residence(s) would be designed to be sited within the existing landscape. A 2 foot elevation increase would be allowed to accommodate entrances and positive drainage away from structures and otherwise sited to be harmonious with the rest of the development. With that, staff finds that the proposed amendments, as summarized, are harmonious and appropriate with the existing character of the general vicinity because single family residential uses are allowed and currently developed in the area. In summary: the appearance of the PUD will not change as viewed from the water or surrounding area, the larger blocks of open space are still preserved and enhanced, and a generous buffer between compatible residential uses has also been established. **Moving on to (1)(b):** “that the use will not be hazardous or disturbing to existing or future uses in the same

general vicinity and will be a substantial improvement to property in the immediate vicinity and to the community as a whole." The proposed amendments will not change the overall character. Proposed amendments would not be hazardous or disturbing to existing or future uses in the general vicinity, as a residential use adjacent to another residential use is compatible. If that were not true, no single family homes would ever be built. Notes that no additional disturbance is anticipated other than standard construction of one or more single family residences. **Section 8.3.2 encourages developers to use a more creative and imaginative approach.** Relocating Lots 11 & 12 to the northwest corner preserves a view to the bay from Boursaw Road. Relocating Unit 1 to the south creates two smaller lots that will result in two smaller homes rather than one large home. The open space also becomes more desirable and usable for the development, and the actual percentage of open space increases from 65% to 66%. Staff finds that the spirit and intent of the original approval is also maintained. **Draws Commissions attention to section 8.1.3 (3): Specific Requirements.** For efficiency of time, highlights 8.1.3 (3)(f): "that natural resources will be preserved to a maximum feasible extent, and that areas to be left undisturbed during construction shall be so located on the site plan and at the site per se." References the May 7th site visit which made clear how new homes would be sited, where the property lines and building footprints lay, which mature trees were flagged for removal as a result of this development. Mentions that residents have expressed concern about the integrity of the slope (where Units 1 & 41 are located) but the Commission was able to assess that mature vegetation is maintaining that slope. The development of two new single family homes in this area would minimally impact existing mature trees. Asks applicant (O'Grady) if it would be possible to look again and to consider an additional condition of approval - as part of the land use permit process - that trees be flagged to prevent future unpleasant surprises. The land use permit process will keep in-check soil erosion and sedimentation control, as well as stormwater, to alleviate concerns with erosion and slope instability. It will also provide assurance that a large area of mature trees will not be disturbed, providing a good buffer to the neighbors to the west. **Moves to the approval conditions and safeguards, noted on page 10 of packet.** Five conditions of approval proposed. The change from the findings of fact that were in the original packet added condition #2: that the PUD site plan shall be revised to delineate a 30 foot setback from the northern property line for Unit 11, some additional staking for Lots 1 and 41, and having trees flagged. Condition #4: no fill shall be placed on Lots 11, 12, 1, & 41; the single family residences shall be sited to utilize the existing topography of the lots; the finished floor elevation of the residences shall be no greater than 2 feet above existing natural grade on each lot. Happy to answer any questions. Reminds Commission that the applicant is also present to answer questions.

Hall: Question regarding the restriction on the removal of mature trees: how are those restrictions developed?

Cram: Proposes personally returning to the field with applicant/developer to do additional staking and then schedule a follow-up site visit once building footprint is established, as well.

Hall: Is the goal to preserve the stability of the hillside?

Cram: Not concerned with stability because of engineering and current vegetation, but want to maintain a significant buffer to properties to the west.

Dloski: Proposed condition #4: wonders if there will be consistency with building heights (no greater than 2 feet above existing natural grade) and existing ordinance.

Cram: Asserts that it is very consistent, given the recent update to building height measurement requirements which allows for a maximum of 38 feet from average natural grade to roof peak.

Hall closes regular meeting to go to public hearing and comment.

John Jaye, 15688 Smokey Hollow Road: Could there be an invite for the neighbors when you go and inspect it and make your plans?

Cram: Sure.

Jaye: That would be great, because it does roll off fast, you know, and we don't want another Bluff Road situation. That would be nuts. So, we're concerned, that's all. There's no landings for the slope. If something makes a gush - if a tree dies because of construction equipment - there's no flat area.

Jill Lewis, 4150 Trevor Road: Smokey Hollow Estates consists of four single-family housing sites on 12.24 acres, or over 3 acres per house. It's a low-density rural development under a rural zoning classification. Our cul-de-sac is a common area used by all four property owners. The approved findings of fact for the 4th amendment found the requirement about not changing the essential character was not met because the lots at the cul-de-sac would be smaller lots located randomly next to larger lots and they reduced the buffer to adjacent properties. The 5th amendment now before you contains the exact same two lots by the cul-de-sac but also adds smaller lots on the north end of the property which further reduce the buffer to adjacent properties. How is this standard not met in the 4th amendment but is now met by the 5th amendment when the lots by the cul-de-sac are identical in each amendment? The original SUP approval found that the development should not negatively impact adjacent neighbors as the housing sites were designed to complement the existing residential use pattern. That was due to the preservation of the open space by neighboring properties. 38 of the 41 lots had additional buffers beyond the minimum required setbacks from neighboring properties. If you have not read all of the comments in the packet, please do so before making a decision on the proposed amendment. There is substantial evidence how the 5th amendment would negatively impact the neighboring properties. The findings of fact for the 4th amendment stated that the traffic noise and lighting of an additional unit is a negative impact. Adding Lot 12 by our properties and adding Lot 1 at the cul-de-sac will result in 20 more vehicles per day going by our properties and will increase the traffic going to the upper part of the development. Adding Lot 12 and 11 to be closer to our house and screened-in porch on the southern end of our house will increase noise and light. The Township's Master Plan makes preserving the rural character of the Peninsula an extremely high priority. The survey of residents found they like living here because of the rural, quiet atmosphere and the scenic views. The original SUP findings of fact noted preservation of neighboring views and the open space next to our properties as reason for approval and those items protect and preserve the rural character of our properties. Allowing the rural character of the properties to the north of the development and to the west of the cul-de-sac to be further eroded by the 5th amendment is contrary to the Master Plan and the desires of Township residents. You may think this is a minor erosion for the Township's rural character but it's continuous minor erosions that are eroding the overall rural character. There's little in the way of practical improvements in the 5th amendment and there is a reduction of the improvements for neighboring properties set forth in the original PUD. Please further the goal of the Master Plan to protect the Township's rural character and respect the balance struck by the original PUD findings of fact. Apply the ordinance as written and deny this amendment. Thanks for your consideration.

Megan Haddox, 4150 Trevor Road: I'd like to address the items the application said satisfied the standard requiring substantial improvement to property in the immediate vicinity and to the community as a whole. The applicant lists increases to and function of the open space does not increase from a practical standpoint, the lot adjustments will not cause any less building on the property, there will still be the same number of houses built, and the proposed changes will not reduce the size of the houses. Converting what is now yard space which has not or will not be built upon to open space really adds nothing of practical benefit. The proposed common space at the intersection may be a benefit to those within the development, but that is not what the standard requires. The applicant lists protecting viewsheds. The proposed open space by the intersection adds little to Boursaw Road views. You can see in that direction from only a very small portion of Boursaw Road and it will barely be visible once the surrounding lots are built on. However, the view from Smokey Hollow Road will be diminished if another lot is added at the north end. Increasing one community while decreasing another community view is not an improvement for either neighboring properties or the community as a whole. The relocation of the lot from the intersection to the north to the north end will reduce the views of neighbors to the north and the west. So, the amendment is an overall negative as to viewsheds of neighboring properties and the community as a whole. The applicant lists better flow of traffic and improved line of sight at this intersection. The applicant is generally building houses 70-80 feet from the edge of Waters Edge Drive. Presumably there is a stop sign for cars leaving Shoreline Court. Under the current plan, those cars will stop before turning and will already have a significant line of sight to the north. Further, since Waters Edge Drive veers to the east, several houses north of this intersection, cars on Shoreline Court will not be able to see any further up Waters Edge Drive under the proposed plan than they could under the current plan. Cars coming south on Waters Edge Drive will be approaching an intersection where cars coming out will stop and yield to them. If they are turning left onto Shoreline Court they will be slowing down significantly, particularly if they are larger or pulling a trailer. Given how far back from the road the houses on Waters Edge Drive are, they will already have a much greater line of sight than is required. Adding the open space won't really affect the flow of traffic or line of sight at this intersection. If there is no stop sign on Shoreline Court, the answer is simple. Add one. The applicant lists improvements to the proposed open space including outcropping, decorative trees, and plantings. Putting in trees where he is claiming to improve traffic line of sight does not make sense. Further, this landscaping is of no value or benefit to neighboring properties or the community as a whole. It only benefits development. Thus, there is no improvement set forth by the applicant in the immediate vicinity or for the Township community as a whole. Please deny this amendment. Thank you.

Craig Haddox, 4150 Trevor Road: First, I wanted to address a comment that the Planner made at the beginning of the meeting when she stated that if one house were disturbing to another house you could never build another house. The point that's overlooked is that the only ordinance section that has a disturbing requirement or standard is the PUD/SUP ordinance. The zoning districts do not have that. The develop-by-right does not have that. She also went on to say that these houses that are being moved would not be disturbing except for - and then she listed some things that I do not recall. I just wanted to point that out to you, and I leave it up to you to determine whether or not these are disturbing under the unique requirement of the PUD ordinance. Some seem to be saying that the developer can move houses within the development so long as he doesn't add sites and complies with the minimum setback requirements. Some seem to be saying that it doesn't matter whether the proposed development is better for the neighbors or not. We disagree. The ordinance provides numerous standards which need to be met. The original approval allowed the developer to have much narrower lots than were otherwise allowed. Therefore, the developer could put many

more lots in prime locations. In turn, the community and the neighboring properties received a development that is lower density that complements the existing residential use pattern, that has lots located sufficiently within the interior of the property to preserve watersheds, that preserves open space benefitting the neighboring property, and that provides a desirable living environment by preserving viewsheds from surrounding properties without significantly diminishing those viewsheds. These were in the original findings of fact. Lot location mattered to the Board. Open space location mattered to the Board. Retained viewsheds for adjoining properties mattered to the Board. The Board struck a balance between all of these factors when it originally approved the PUD. PUD amendments should carry out the objectives of the PUD. For the findings of fact for the 4th amendment, the 4th amendments did not meet the requirements for section 8.1.3(3)(c) when viewed through the lens of intent behind the original approval and prior amendments as it negatively impacted aspects of the PUD that were the basis for approval. Isn't that the case with the 5th amendment? Some have suggested that Section 8.1.3.(1)(b), which requires a substantial improvement to neighbors and the community, should not apply to amendments as it would prevent some simple amendments from being approved. Perhaps this section should not apply to an amendment that does not affect any of the original findings of fact that applied to this section. However, this section should apply when the amendment proposes changes that would eliminate or diminish the reasons why the Township determined this requirement was met in the initial approval. If other improvements are not added that offset the improvements that are being taken away, the amendment should be denied in order to maintain the balance of the original approval. That is the case with the 5th amendment. If you don't apply this section requiring substantial improvement to amendments when it is relevant to that amendment, why bother having it to begin with? A developer can propose all sorts of improvements for neighbors in order to get a development approved that is more beneficial for the developer, then incrementally take back those improvements through the amendment process. The original SUP had only one lot by us and it was at the bottom of the hill, far, far away from our house, our open space, and common area. If this amendment is approved, there will now be three houses by Smokey Hollow Estates, including two houses densely situated at the top of the hill by our open space and common area. That is a substantial negative change as to Smokey Hollow Estates from the original SUP approval. Please don't erode the justifications for the original SUP approval. Please review the original findings of fact under the substantial improvement section. Please respect the balance struck when the SUP was first approved. Please deny Amendment #5. Thank you.

Kyle O'Grady, 901 S. Garfield Avenue: Wanted to say thank you for the efforts put into this. Thanks for the briefing at the beginning of the meeting here. I appreciate everybody taking a look at it. We, of course, feel strongly that it does meet the ordinance and we kindly ask you to approve Amendment #5. I'm here for any questions. Thank you very much.

Hall closes the public hearing portion and resumes discussion in regular open meeting. Asks for questions and comments.

Dloski: I would just like to acknowledge that there were several other property owners that submitted letters to the Township. Those letters have been received and reviewed and I appreciated their comments even though they weren't presented tonight.

Hall: That's a good point. There were quite a few and I'm glad that we're getting comments from people because this is supposed to be an open process.

Cram: Thank you, Larry, for noting that, and they were included in the packet so they will be a part of the record.

Hall: Jenn, thank you for taking us through that item. Let's move on to 8 b...

Board members discuss the need to take action, request guidance.

Cram: Normally, the Planning Commission does not take action after a public hearing. This gives you an opportunity to consider the public comments made. Recommends taking action at the next regularly scheduled meeting of the Planning Commission on June 4th. However, if you feel that you have enough information in the packet to take action now, you could.

Dloski: I would not be in favor of ruling on, or making a recommendation on this tonight.

Hall: Notes that the contentious nature of the ruling in addition to absence of several Board members lends to tabling.

Motion made by Dloski with second by Hornberger, to schedule the SUP Amendment #5 request for action at the next meeting of the Planning Commission on June 4th.

Motion passes by consensus.

b. Draft Master Plan - Review of Redlines and Existing Land Use Map

Cram: Thanked commission for working with her and Sara Kopriva on moving the Master Plan closer to the finish line. Included in the packet are the latest redlines, which they would be happy to walk through. Most recently, all comments made by commissioners and the community were examined and cross-referenced to capture requested changes. Notes that formatting errors that occurred in the movement of the document across different file types will be remedied in order to make it easy to read for the public. Laura Serocki's comments will also be utilized to make further redlines and other corrections for the final check. Requests any final changes by Tuesday, end of day, in order for inclusion in the June 4th public hearing for the Master Plan.

Hall: Asks Jenn to review the complete approval process.

Cram: The next step is that one additional public hearing with the Planning Commission is held. After which, the Planning Commission would recommend it to the Township Board for adoption. The board does not have to conduct another public hearing, but likely will due to desire for public input and full transparency. At the July meeting of the Township Board, this could go before them for approval.

Hall: Just to confirm: the action you're seeking is that the Planning Commission would recommend approval to the Township Board at the next meeting (June 4th) and it would see that Board at their July meeting.

Cram: Correct. There will likely be a few more revisions - specifically under the action steps under the vision statements as additional language is needed. The June meeting may also yield changes due to public comment.

Hall: Suggests that if commissioners have minor edits to send those to Jenn directly, rather than spend the current meeting discussing those. On the other hand, if any commissioner have more significant or structural issues they should be discussed.

Cram: Asserts that the master plan team would like to walk through the existing land use map, as the commission has yet to see this version. Other comments being drafted are related to Section 9: Implementation Summary under the Action Steps on page 86. The Vision and Organizing Principle from Chapter 5 (item #2) notes: to continue to implement any policies that reduce build-out potential. We realized that the parkland additions didn't belong under that action step, so you can see that we deleted it, but we need to take a look at our land division ordinance to make sure we have tools to minimize splits. We also want to take a look at our PUD process to see if we can encourage and incentivize people to preserve more open space and develop conservatively (cites Peninsula Shores as an example) to maintain rural character and limit build-out. The other area (the 7th box down which reads: balance demand for a local hospitality industry against the need to control growth and manage traffic) was flagged by Armen (Shanafelt) about specific things that the community doesn't want, such as short-term rentals. All these changes will be relatively minor. Sara

will walk you through changes to the Existing Land Use Map and prime you for the changes to the Future Land Use Map you'll be viewing at the June 4th meeting.

Hall: How do we determine what the community does not want? Is the community survey sufficient to that end?

Cram: Yes.

Hall: Did the survey offer a percentage of those against short-term rentals, and if so, what was that percentage?

Cram: Off the top of my head, I don't know, but the majority of the respondents were opposed.

Alexander: Should the PDR renewal in the action steps move down? (reads selection from draft master plan)

Cram: As an action step, it can be in more than one box. Excellent observation.

Dloski: I think we need to be a little careful about setting for specific uses in a Master Plan that we do not want, because some of those uses could be uses-by-right which would put us in a little bit of a problem. I would caution putting such things in the Master Plan. If we don't want a use or want to regulate a use, we have a way to do it through ordinances.

Hall: Can we use softer language such as "discouraged uses"?

Hornberger: Agrees with Dloski that entering things such as short-term rentals and wind turbines into the Master Plan doesn't allow for change.

Cram: Noted.

Dloski: Jenn, has the Township made any movement toward a corridor study of M-37?

Cram: No, but it is on the radar/list of priorities. When the Township Board conducted their strategic planning session it was identified as a priority. We are participating in the transportation planning for the region based on us becoming a metropolitan area, so we're waiting for some of those things to flesh out. I would anticipate that a corridor study would be coming very soon.

Hall: In light of recent exchanges on Nextdoor about septic field inspections for residences in Peninsula Township, two points: 1) do we have anything in the Master Plan about preservation of that type of water quality as opposed to shoreline...

Cram: I could look.

Hall: Michigan is unique among states in the US in not having statewide inspections on that sort of thing.

Cram: There has been discussion at the Township Board and that's why you're seeing discussions on social media. Maura Sanders proposed that the Township look at a Police Power Ordinance to require point-of-sale inspections. Our commissioner, TJ Andrews, was present and is looking at it from a County perspective, as they have a Health Department. Several other townships would also like to participate. Even though it's being proposed as a Police Power Ordinance, the Township Board would like the Planning Commission to have eyes on it. It may become an intergovernmental agreement between the County and the Township so that we're working collectively as a region to conduct these inspections. Just to educate everybody: it doesn't really add any additional cost. The inspection is negotiated between the buyer and the seller. I will look to see if anything is addressed in the Master Plan. I would also say that because we agreed that we weren't going to try to bring the 2021 version current, if there isn't something mentioned, that would be a placeholder for the next time we review our master plan, and we could bring that forward, and I'm sure the concept and ordinances would be further developed for us to be able to speak about. With that, I'd like to turn it over to Sara to talk about the existing land use map. I'm excited about how this map is evolving. It's clearly different from the existing zoning district map and we're going to talk about the difference between our zoning district map, the existing land use map, and future land use map.

Kopriva: On the screen is the existing land use map that we put together. It is in front of the draft master plan in your packet.

Cram: I also have blow ups, if it would be better for me to do the north and south, Sara...

Kopriva: Maybe once we start talking. Right now I think we're okay. I just want to make sure you're looking at the right map because it has different colors on it. I'll go through the difference between the maps just to make it clear. The existing land use shows the current use of the property. Then you have your zoning map. That tells you what the property is zoned, how you can pull permits; and it may or may not be related to your existing land use. Hopefully it's close but if it's not then that's when you realize the nonconformities - when you have zoning that differs from your existing land use. Then we have the future land use. Hopefully, we'll adopt a zoning map that would reflect something similar to the future land use map, since that's where we want to go and that's how we get there. To generate this map, we collected the assessing codes and the accessing data.

(Township Assessor) Sally (Murray) has properties coded as agricultural, residential, commercial, industrial, all these different uses...vacant or improved and we went through and used that coding to help start the map, essentially. We did break down the residential districts, so you'll see we have suburban-residential (0-5 acres) in orange and rural-residential (5+ acres) in yellow. We made the common areas for the subdivisions the same as whatever the subdivision is. Some common areas, as you know, may be larger but they're not going to be developed and they typically can't be split. So, it looks kind of funny when you get all of your little lines due to the common areas, so we just coded it the same as the subdivision to make it kind of seamless and work together for that. We did add on, in dark green, the land with a conservation easement which could be land held by the PDR program or in the land conservancy or a township-held easement. It's very broad, and just indicates that it's conserved in some way. We also included the agricultural protection zone, the color of which may change as it's hard to see in some parts of the Township. These areas are where PDR exists within the agricultural protection zone. Most of the public lands are owned by the Township, but there are a couple of additional public lands as well, shown in purple, most notable of which is the lighthouse at the end of the Peninsula. You'll see that we have commercially zoned land scattered where we don't have commercial areas but coded that way in the assessing world. Some of those could be wineries or other such uses. This is one way to gain a picture of the Township, so while it's important there could be some discrepancies you'll find. Where the assessor might call it ag, for example, you'll only see a house. Or the other way around where they'll grow things but aren't coded as agricultural. This is just a tool to get an idea of the land use throughout the Township. Any questions about this map? As you view this map further, if there is a parcel or area that you are questioning, feel free to circle it and we can take a closer look. Using assessing data won't net perfect results, but it's quicker than driving every road or looking at the aerial of every parcel to determine its use.

Dloski: Is the existing land use map consistent with the existing zoning map?

Kopriva: Not necessarily, no. It's independent, really, of existing zoning.

Dloski: We do have an existing zoning map then?

Hall: (refers to page 55) It says "unofficial zoning map", because we don't want people to rely on this for zoning purposes.

Kopriva: Yes. The real zoning map could change when we update the Master Plan, and as you go through the rezoning process. So, your future land use - we don't have a copy of that for you yet because I wanted to make sure you were comfortable with the existing land use map before we go through and create the future land use map. I would like to code it the same way, at least for the districts (agricultural, commercial, suburban-residential, rural-residential) that we have here for you. The biggest difference would be any of the areas within the agricultural protection zone that

we may eventually want to include in the PDR program. On the future land use map, we could code those properties that are not currently dark green (conservation land) in a way that would indicate our interest in doing so. Keep in mind that doesn't change the zoning or the use of the property, it's just our way of saying in the future, if the opportunity becomes available, we would like to put these into conservation.

Cram: One of the things we'll use - because PDR was renewed - we received 10 applications from farmers who are interested in participating so we can anticipate that, in the future, those properties may be conserved. We would, thus, see more dark green on the map. I would also guess that some of the areas currently showing up as non-conforming will be converted to conforming use areas.

Hall: In the PDR selection process are there ranking criteria?

Cram: Yes.

Hall: Are any of those ranking criteria based on what we're talking about now? For example, if you have two competing applications that are similar in all respects and one of them is in the area earmarked as prospective conservancy land and the other is not, will that make a difference?

Cram: For further clarification, only properties that exist in the agricultural preservation area qualify to participate in PDR, so there wouldn't be any parcels outside the APA - I mean, they could do a donation-of-development-rights - that would qualify. The APA criteria was created to consider soils, views, large tracts of farmland, etc...that we adopted for that area. The ranking criteria look at the conservation values, the size, the number of development rights that they wish to sell, looking to maintain one dwelling unit per 20 acres, eliminating some of the other value-added uses, are they in a viewshed, etc... The ranking criteria are identified and that's what the PDR selection committee uses to rank applications. We're working through appraisals and anticipate that in the coming years we'll see additional land preserved.

Dloski: Are we comfortable that the township has less than 1% of its land designated as commercial, either zoned or master planned? (Clarifies that he is looking at page 56) Under the designations, there is a breakdown of all the different land uses and it says (for commercial) we have 56 parcels for 19 acres which is about 1% of the land in the township. Is that going to be enough to fend off any challenges in the future?

Cram: I would need to discuss that with our legal counsel and while it's a great question, I don't have an answer for you.

Dloski: I imagine there are no vacant commercial parcels zoned in the Township.

Cram: There are parcels that are zoned commercial that have not been developed commercially.

Dloski: Is that included in the 1%?

Cram: It should be.

Dloski: In my experience, that is grossly understated as far as the mix of land use.

Cram: I will ask that question.

Dloski: Thank you. I'm not an advocate for commercial uses, but if there's a use-by-right they have the right to come in and ask that it be developed.

Hall: Is there some law? What is the legal basis for your concern that this may be too small a percentage?

Dloski: It may be an equal protection argument. In other words, "you have 19,000 acres devoted to residential, you have 56 acres devoted to commercial use - we're being excluded. It's exclusionary zoning and lack of equal protection." Just throwing it out there.

Cram: Reminds Commission that the Draft Master Plan has been published for a public hearing on June 4th and look forward to additional revisions and the draft future land use map. The materials will be made available in advance of the meeting in order that the commission has a chance to digest it.

Kopriva: Assures commission that any formatting errors are due to ongoing changes and odd spacing as items are added. Before the final document goes to print, all spelling and spacing will be corrected.

Hall: Thanks Kopriva and Cram for all their hard work on this document.

9. Reports and Updates

a. Special Use Permit (SUP) #138 Old Mission Lavender Farm, Amendment #1 - Withdrawn
Cram: We did see this proposed amendment as an introduction at our last meeting. Between that meeting and now, the applicant has withdrawn their application to amend their SUP. Some of the requested uses may be protected by the Right to Farm Act but would still require going through our process. I do believe that there remains interest in those value-added uses, so we may see an amendment to that SUP in the future.

Hornberger: Did (the applicant) work out what the deed restriction was?

Cram: Yes. The deed restriction limited the size of new structures. It's in the property and SUP files, so we have it readily available for the future.

10. Public Comments

Curt Peterson, 1356 Buchan Drive I'm suggesting that you're probably going one meeting too fast on this Master Plan. The existing map came out this week and I started looking it over. I can see, at least, what looks to be one mistake. I'd like to go back tonight and look at my records to verify that and I'll get it to you as quickly as I can. You're already talking about how we haven't even seen the future land use map. I think citizens would definitely like to see that and right now we're within the 15 day - we're less than the 15 day - notification time period so I think you need to move this. Maybe at your June 4th meeting have a public discussion, but don't call it a public hearing. Then have your public hearing after you've given out all the information for people to see and (make sure) they have their proper 15 day notification so they can review it. You're moving way too fast. Thank you.

Hall: Asks Jenn if she has any comments on the timeline for the Master Plan.

Cram: We are trying to move this through as quickly as possible because it has sat since 2021. As the draft was released in 2021 and we're required to have one additional public hearing I am okay with having the public hearing because it's been advertised. If we need to have a pause before recommending that it go before the Board we can. We can gauge the comfort level of the commission on June 4. I know that we are following our statutory responsibility. Once the draft was released in 2021, we (had) the ability to make revisions to that draft prior to adoption. I think we're okay, but I'm also comfortable pausing if the commission and the community at the public hearing feels it's necessary.

11. Other Matters or Comments by Planning Commission Members

Hall: Sara (Kopriva), thank you for all your hard work on this long-awaited opus. We're looking forward to having that done, and Jenn, thank you for everything tonight and for your work on the Master Plan.

Cram: Gives the Commission a heads up that the June 4th meeting will be robust. We will have two public hearings. In addition to the Master Plan, we will have the First Congregational Church's amendment. They will go first. After the Master Plan discussion we will follow-up discussion for

Planning Commission Special Meeting
May 23, 2024
Recording Secretary: Shaina LaFond

Peninsula Shores. I'd also like to bring forward the policy direction from the Shoreline Regulation Study Group.

12. Adjournment

Dloski moved to adjourn at 8:20 p.m. with a second by Alexander.

Motion passed by consensus

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PENINSULA TOWNSHIP PLANNING COMMISSION MINUTES

June 4th, 2024, 7:00 p.m.

1. Call to Order by Hall at 7:00 p.m.

2. Pledge

3. Roll Call

Present: Alexander, Beard, Dloski, Hall, Hornberger, Shanafelt; Absent: Shipman, excused

4. Approve Agenda

Motion made to approve agenda as submitted by Beard, seconded by Shanafelt.

Motion passed by consensus

5. Brief Citizen Comments (For Agenda Items Not Scheduled for Public Hearing): Hall notes that public comment will be allowed after the introduction to business item **8b**: SUP #123 Peninsula Shores PUD, Amendment #5.

Alan Kostrzewa, 7447 Logan Lane: Directing this to Jenn: yesterday at the 3 o'clock meeting for the Shoreline Study Group - I'm not sure if I understood it correctly - was there a comment made that the state of Michigan granted certain townships the right to regulate docks and hoists up from the high water mark to the center of the body of water?

Cram: This goes back to the question of jurisdiction. The conversation at that meeting was that the state controls the bottomlands, the Army Corps concerns itself with regulation of navigable waters, and the Township has jurisdiction over the creation of zoning ordinances because of the relationship between what happens in the water and what happens on the land. If you obtain any permit from the Army Corps for something you want to do in navigable waters, or from EGLE to do something with bottomlands, their permit will say that local jurisdiction regulations will still apply. They are not looking to override. Which is what was discussed.

Kostrzewa: So Peninsula Township does not have anything in writing from the Army Corps or the state of Michigan?

Cram: No, but we are in constant communication with them as permits are issued. If EGLE reviews a permit, they send it to us for review/comment and vice versa. There's a relationship. None of the government agencies want to look at it as if one trumps another in the interest of public safety, health, and welfare.

Hall: The Township's powers do not come from the Army Corps of Engineers or the federal government. They come from the State through the Zoning Enabling Act which gives the Township broad authority to enact ordinances for the general health, safety, and welfare of their constituents. There is no explicit statement in state law that says Townships can enact ordinances regulating dock locations on navigable

waters but it is believed (gathered from legal counsel) that under the Zoning Enabling Act authority, the Township can regulate seasonal docks because they are used in connection with land that is in the geographic jurisdiction of the Township. Permanent docks are regulated by the state.

Kostrzewa: So, it's a safety issue - regulating docks and hoists?

Hall: Among other things, yes.

Cram: Remember that we talked about the "why" the Township has an interest in regulating 1) public safety, 2) resource protection, and 3) to assist property owners with conflict resolution so that everyone can enjoy their waterfront.

Kostrzewa: Thank you.

6. Conflict of Interest: none

7. Consent Agenda

- a. Approval of Meeting Minutes: Planning Commission Special Meeting, May 23, 2024

Dloski moved to approve the consent agenda as-is with second by Hornberger.

Motion passed by consensus

8. Business

- a. Special Use Permit (SUP) #134 First Congregational Church, Amendment #1 - Public Hearing

Jenn Cram, Director of Planning and Zoning for Peninsula Township: Recaps proposed Amendment #5 for Planning Commission (requests to expand the existing area on the north side of the building, as well as add one swing set, additional play structure, shade structure, and fence to enclose the area; allowing the church to expand the daycare program and safely accommodate those children). Playground is primarily used for the congregation as well as participants in the daycare facility, but outside of regular hours of operation the playground is available for general community use. Exhibit #2 shows a letter of support submitted by the Walnut Ridge Homeowners Association (the neighborhood directly to the north of the church). No negative feedback has been received from any other adjacent property owners.

Hall: What are the hours of permitted use for the playground?

Cram: There are no posted hours but the hours are likely dawn-to-dusk. Requests feedback from Mike Wills (representative/applicant).

Mike Wills, 110 Fairway Hills Drive: Daycare hours are roughly 7am until 6pm, although the playground itself is not utilized for the full duration of those hours, but from approximately 9am to 5pm.

Cram: Summarizes the standards for approval and states that the amendment meets all standards, and states that all findings, conditions, and safeguards imposed by the Township Board for the original SUP remain in effect. Reminds Commission that at a previous meeting, it was agreed that minor changes such as are proposed by the applicant could be handled without the SUP amendment process being undertaken but instead dealt with administratively in a streamlined process. Despite the convention that action would not regularly be taken by the Planning Commission the night of a public hearing, staff is comfortable with/would recommend action taken after hearing public comment.

Dloski: Aside from the standard conditions, there are no extraordinary conditions whatsoever.

Cram: Not that I could find. A Land Use Permit will be required and will be issued once a site plan is submitted. GT County Environmental Health will determine if a Soil Erosion and Sedimentation Control permit is required, though we don't believe there will be. All normal LUP documents will be submitted beforehand.

Dloski: No plans to light the area for nighttime use?

Cram: There are no new proposed exterior lights as a result of the playground expansion.

Shanafelt: Hours of operation may not be posted, but notes that Noise Ordinance governs the time at which excessive noise can occur.

Cram: Reminds all of the Police Power Ordinance which applies to everything on the peninsula.

Shanafelt: (To Wills) You don't feel the need to post a sign indicating that the hours noted earlier are for school use only?

Wills: We have not found that necessary up until this point, but if licensing changes or something unforeseen occurs, that could change.

Motion to close regular session to move to open public comment by Hornberger, seconded by Dloski.

Motion passed by consensus.

Public Comment: none

Motion to close public hearing and re-enter regular session by Dloski, seconded by Alexander.

Motion passed by consensus.

Motion to waive Section 8.7 of Planning Commission by-laws (which states that deliberation with a decision to be acted on no sooner than the following meeting unless a motion to waive the delay is adopted by a majority of those present) and rather take immediate action, as Planning Commission, to recommend approval to the Township Board, by Dloski, seconded by Hornberger.

Motion passed by consensus.

b. Special Use Permit (SUP) #123 Peninsula Shores PUD, Amendment #5 - Continued Discussion

Cram: Gives Commission refresher on the Amendment: relocating Lots 11 & 12 from the center of the project near the intersection of Waters Edge Drive and Shoreline Court to the northwest corner, relocating Lot 1 from the northwest corner to the end of the cul-de-sac next to Lot 41. Asserts that despite public concern that this amendment is similarly disadvantageous as Amendment #4, the lack of increase to density, the maintenance of viewsheds, and the increase of open space by 1% allows this to be a benefit to the development and the community. Staff has found amendment #5 to be a substantial improvement to the SUP as a whole, and a considerably better, more creative proposal, particularly as smaller lots means smaller homes built (due to lot coverage specifications). Also reminds that fill is not allowed on the proposed relocated sites, in order to keep appropriate siting/elevation of homes. **Shows photo of trees flagged for possible removal on Lot 1.** Applicant/developer is committing that only two trees at 4" in diameter would be removed. Reminds Commission that when a land use permit is sought (at time of build) if further changes are requested, staff has the ability to control the removal and replacement of existing vegetation, to retain a buffer between the Lot and the neighbors. Based on public comment (at previous meeting on May 23rd and since) some small tweaks were made to the language, in order to establish a good record.

Dloski: Asks for a refresher on building/lot coverage ratio for this development.

Cram: It must be maintained at no more than 15% (of the lot that is covered by structure). Every time a land use permit comes in for this PUD, this figure is checked against the approved table to ensure adherence. Acknowledges credit due to the developer for using the entire building footprint (which will not be fully used) and staying well below the 15%, even if building to the lot lines or beyond. Engineer, Gourdie Fraser, cross-checked the regulations for lot coverage, open space, stormwater, etc...

Hornberger: What's on the screen now is one of the trees that's going to go?

Cram: (Moves screen to show Hornberger both trees.) Explains that this photo will be part of the record as it goes forward to the Township Board, if PC is willing to do so. Includes that the distance from the neighbor at 4150 Trevor Road to the proposed builds at Lots 11&12 is 200 ft. The views (provided by trees cleared) for that property to the water is to the northeast, not to the south (where development is located). Furthermore, had the PUD not been approved for 41 units, 55 units were possible and there would have been no requirement for open space. This would have made it possible for a new dwelling placed 15 ft from that property. Due to the 30 foot PUD buffer plus a 30 foot rear setback, a 60 ft setback from the northern property line of the development from where any home could be built. There is 200 ft from the edge of Lots 11&12 to the existing residence to the north.

Hall: Asks for further questions from PC (none) and compliments presentation by Cram. Explains that the public comment allowed is not due to a formal public hearing, but grants opportunity to those assembled.

None. Discussion is concluded. Hall asks Cram to advise on next steps.

Cram: Discussion should be had if PC has remaining questions or concerns. Otherwise, Commission could make a recommendation to the Board.

Hall: Asks for Cram's recommendation.

Cram: Staff has concluded that the application meets all conditions and recommends moving to the Township Board for approval. One condition of approval for future removal of trees needs to be finalized.

Hall: When would the conditions of approval be finalized?

Cram: At the Township Board, but the PC would normally make a motion to recommend approval to the Board with the proposed conditions of approval in the packet. There are currently six conditions of approval, and condition #3 (on page 11 of findings of facts and conditions) addresses what I drafted: "The building footprints for Lots 1 & 41 shall be staked and proposed trees flagged for removal. Additional trees may be required to maintain a buffer from Lot 1 to the western property line and existing residences below." So, if more trees come out than the two shown, staff could administratively - through the Land Use Permit process - request some additional buffering such as evergreen trees,

Beard: Staff could request? Or do you mean staff could require?

Cram: It would be wonderful to fine tune this condition of approval so that the applicant has clear direction on what the expectation of the PC is. I noted here, in parentheses: would like to flesh out further at the meeting on June 4th. I want to make sure you're comfortable.

Alexander: Mentions a gentleman who offered public comment at the last meeting concerning erosion issues and requested an invitation to view the site with the applicant/developer and the Commission/Planner. Wants to know if public has had further opportunity to view this.

Cram: Kyle O'Grady reached out with an offer to the commenter to schedule and has yet to hear back, but offer stands. We are happy to show Mr. Jaye where the new home would be constructed, but there is no current concern about stormwater (will be addressed later at land use permit process) as no stormwater can exit the property per stormwater control ordinance #33.

Hornberger: A concern about erosion seems unwarranted because only two trees would be removed and enough vegetation exists to prevent it. Does not see any problem with erosion once houses are built.

Alexander: Acknowledges appreciation for the documents submitted by Cram which detailed the history as well as noting the ruling by the Circuit Court and the Township. Sees no reason not to support.

Cram: This Amendment is consistent with Amendments #1 and #3.

Dloski: Agrees with Alexander, and reminds Commission that he was previously vehemently opposed to this Amendment. By reading the Grand Traverse Circuit Court's testimony, and findings of fact and conclusions of law, the record was set straight. The owners kind of danced around the issue that they had "vested right" because of this open space. The Court specifically found "I don't think there's any vested interest in open space just because it was agreed to at one point or proposed at one point". The judge goes on to make findings of fact to the completeness of the Township's record that they made, and looking at this record, I find it to be even more complete than the record that was made on the last Amendment. Granted, I sympathize with the homeowners to the north, but unfortunately, the law is what it is and I believe now that they have a right to conduct this and I'm going to support it.

Shanafelt: This strikes me as very similar to Amendment #3 in that we had a change in lot location that resulted in a change in open space. The critical thing for me in that Amendment was that open space was visible from outside of the development. Draws parallel between the 3rd and 5th amendment in that there is enough of an overall improvement, as there was not in Amendment #4. Glad to see the 30 ft setback maintained and the maintenance of existing vegetation.

Beard: We have the cart before the horse again. We're doing all our discussion when we don't have a motion on the table. I am going to move to recommend approval.

Shanafelt: Before we go there, do we want to discuss amending condition #3?

Beard: Ask Cram to re-read condition #3 for the Commission.

Cram: "The building footprints for Lots 1 & 41 shall be staked and trees flagged for removal. Additional trees may be required to maintain a buffer from Lot 1 to the western property line and existing residences below." Could make the language specific to the two trees, asking for like-for-like plantings if more trees needed to be removed.

Hall: Who would you make this determination? Could it be done administratively by your office?

Cram: Yes. It would be made by the zoning administrator (currently Cram).

Discussion ensues about the language for the condition of approval. Consensus is found and Cram/O'Grady will flesh out exact language before it goes to the Township Board to determine what is reasonable.

Shanafelt: Requests that final language is drafted, Hall is given a chance to look it over.

Motion to move to recommend approval of SUP #123 Peninsula Shores PUD, Amendment #5, subject to condition #3 language edits, to Township Board, by Beard, seconded by Alexander.

Motion passed by consensus.

c. Draft Master Plan:

Cram: Thanks Commission and Master Plan Steering Committee for all of their hard work and for their support of Cram and Kopriva. The draft was released for public review by regional planning agencies in December of 2021. There was a 63-day review period, which ended in February of 2022. The prologue highlights the accomplishments made in between the release of the draft and current day, as the document sat for some time. This shows evidence of community commitment and the goals for moving certain initiatives forward. A thorough review shows revisions fall into three different categories: 1) minor typos/grammatical errors, 2) content-based errors related to maps, vision statements, and action steps, as well as 3) bringing the document up to date from 2022 to 2024. Reminds Commission that existing

formatting errors have not been addressed, as there is potential for other revisions that may change formatting further. Explains the methodology for the commercial properties shown on the existing land use map, as concern was noted at last meeting. Once the Master Plan is finalized, the Zoning District map will be adopted using the Zoning amendment process. This will provide for an official electronic zoning district map rather than the existing hard copy zoning map. The existing land use map shows how land is currently being used. It is important to understand that how land is used is sometimes different from the way it is zoned. It's helpful for the Commission and Planning staff to use those maps to see discrepancies and nonconforming uses. Wineries, for example, show up as commercial due to the parcels where a tasting room and other commercial uses exist. Some winery parcels still show up as agricultural because those are truly used that way, but the tasting room or farm-processing portion shows up as commercial. During a discussion with legal counsel, they agreed that the existing land use map should be different from zoning. Concern was expressed at showing the wineries as commercial, as they are truly value-added agriculture. There is work being done to determine how to best show this on the map (with alternative colors or cross hatching). Possible to have two different types of zoning for agricultural properties. Expresses hope that more land within the agricultural preservation areas will be preserved (10 new applicants for PDR program may allow for 700 additional acres to be preserved under conservation easements). The existing land use map and future land use map do not change how a property is zoned. A final review will be done to capture all remaining typos and formatting issues before submission. After hearing public comment as well as discussion by Commission, action may be taken. The desire to get this Master Plan adopted has been heard loud and clear, and so moving this forward to the Township Board (at a public hearing on July 9th) is the recommendation, unless a Special Meeting of the PC is requested between now and then.

Dloski: How will the existing wineries be portrayed in the future land use map?

Cram: The existing (unofficial) zoning map shows them zoned as A-1 - Agricultural, while the existing land use map will show them as agriculture and/or value-added commercial.

Dloski: So, they are not going to be designated as strictly commercial properties.

Cram: Correct.

Shanafelt: Requests that red not be used, in favor of using cross hatching to indicate value-added agriculture. Notes that the current land use map doesn't show the Meeker addition as being a conservation easement.

Kopriva: We didn't add that in because the existing land use map is from 2021.

Shanafelt: Which map is considered "unofficial"?

Cram: The zoning district map.

Shanafelt: Although we say it's unofficial, we may want to clarify what we mean by that. Offers opinion that it may be misconstrued as "not having a clue".

Hall: The purpose of this unofficial designation is that we don't want people to rely on it.

Shanafelt: Agrees, but wants to clarify what we mean by it (for public consumption). In the acknowledgements, we noted the board and PC members that assisted with the 2021 draft, would like to note the existing board and PC members are made up of different people at this stage of process.

Cram: The work that has been accomplished has been primarily made by this commission and this staff.

Shanafelt: Asks that the current planning staff and commission members be named. Asks for consistency between parks (#57) and cemetery (#58) ordinances mentioned without a description of those ordinances, despite descriptions made of other ordinances, such as Amendment 201.

Cram: The reason that 201 was described is that it is an amendment to the Zoning Ordinance, which is very specific to the Master Plan. Alludes to the difficulty of summarizing the Parks Ordinance and Cemetery Ordinance for the Master Plan.

Shanafelt: We don't have consolidated concepts for those? Acknowledges that it might not be practical.

Cram: Offers to work with Becky Chown, Township Clerk, to summarize those. At the time the draft master plan was issued there was no Cemetery Ordinance (and Park Ordinance from that period was repealed).

Shanafelt: Suggests adding that language, informing residents that there was no existing ordinance before would be sufficient. Suggests changing language on page 13 regarding uses of the bay to be less restrictive. Typo on page 66, change "use a by-right" to "as a use-by-right".

Alexander: Also on page 67.

Kopriva: We welcome any other lists of typos to make sure they're included in our final edit. Reminds Commission that software creates issues with formatting that will be solved after revisions are complete.

Hornberger: Inquires into the way Pelizzari shows up on map.

Cram: Pelizzari, like other parks, is public but also held in a conservation easement.

Kopriva: On the last map, all the conservation easement parcels were a solid color but on this version it's cross hatched to show that it is both public and under easement. Existing color combination makes it look gray, so we are working on ways to better show this.

Cram: We went through parcel-by-parcel and looked at all those colored red as "commercial" with Sally Murray, our Township Assessor. A lot of those changed to public or something else. We looked at all the public lands to look at the accuracy of use. As we move from the existing land use map to the future land use map, we hope to see more green and a slight increase from rural-residential to suburban-residential because we can anticipate some exempt land divisions. Right now, someone with an R-1C chunk of land could come in and create up to four lots, going from rural-residential to suburban-residential. This is happening predominantly along the shoreline where we see the R-1C district.

Dloski: A question from page 57: 490.7 acres designated as "other". What does that mean? Is that PDR?

Cram: We would need to consult with Randy Mielnik to see what his thought process was there.

Dloski: We should make some effort to identify what those are.

Kopriva: They may be exempt, but put under "other". If they are classified as exempt, you wouldn't know what it's exempt for without a deeper dive. That is a holdover from the 2021 draft.

Beard: Are we going to be able to have a high resolution, digital version available on the web for clarity/zooming in? Requests that large print versions are available of the future land use map.

Cram: Commits to printing future land use map for non-digital access as well as high-res map for website.

Beard: On page 53, there is mention of wind and solar power and the electrical grid. Admits to being confused by language in the box, which seems to suggest that it is not possible to have an electrical grid on the Peninsula despite it being thoroughly wired.

Cram: I believe it should stay. Yes, you see power lines, but that is different from an electrical grid. Based on the above-ground power poles, there are areas on the Peninsula that experience frequent power outages during wind events. That is because we are not on this electrical grid. I am comfortable that this (language) is correct.

Shanafelt: Reminds Commission that one of the long-range plans he would like to see is fully underground power on the Peninsula. Wonders why that isn't possible, given enough resources.

Beard: This is not unique to the Peninsula. There are incidents all over Michigan - which is third in the country for power outages. What I hear, when we talk about a grid, is the ability to extend electricity to any given parcel.

Cram: It does, but that's different from a grid.

Hall: Requests from Cram a very brief explanation of "electrical grid" to clarify.

Alexander: On page 80, where you talk about the historic private resort associations, possibly change Illini to Illini Orchards.

Cram: Going back to the future land use map, we know that there is a large area on Neahtawanta that is under conservation easement and something in Leffingwell, so that is on our radar to confirm with Sally.

Dloski: Defines electrical grid. "A network of synchronized power providers and consumers connected by transmission and distribution lines that operate by one or more control centers".

Cram: So, we have power, but it is not practical for us to have the electric grid that you see in more urbanized areas. Will break this down in layman's terms.

Motion to close regular meeting and open public hearing portion made by Hornberger with second by Dloski. Motion passed by consensus.

Curt Peterson, 1356 Buchan Drive: I would suggest that you consider continuing this public hearing into your next meeting which would be at least 15 days from now. I make that recommendation because I'm not sure whether or not you have followed exactly the proper procedures for the Michigan Zoning Enabling Act 125.3839 which tell you the proper procedures. Fifteen days ago we did not even have a future land use map as part of this draft. Then last Thursday, one popped up less than a few business days from today. And then - you can call that the new future land use map - today at about 12:13 pm another future land use map popped up. Our assistant clerk sent that around to anybody that wants to receive the packets, but that is brand new information for any citizen here in Peninsula Township. Seeing that new-new existing future land use map for the very first time. I doubt that very many people have seen that as a drastic change from the new future land use map that you had last Thursday. I don't think, quite frankly, that we've received enough notification and those two maps - the one from last Thursday and the one from noontime today - are drastically different. You say on page 71 in the verbiage for this draft plan that a few small acreages may need rezoning, but if you look at this new one, considerable acreage is different. I would suggest, so that there are no possible legal challenges to this, go 15 more days and continue this public hearing. Let people come in here and talk about it. I can go on and on about the numerous mistakes other than this future land use map. Right now, I would be ashamed if I was a member of this planning commission, and I approved this tonight and passed it onto the township board with all the mistakes that are present. It needs somebody like Laura Serocki or Monnie Peters to go over this with a fine tooth comb to fix all the mistakes. Thank you.

Hall: It sounds like it might be a public service if you would send an email to Jenn with a list of the mistakes so we can correct them.

Cram: We did speak about the process with our legal counsel today and our only statutory requirement since it was released to the public in December of 2021 and the comment period came and went in February of 2022, is for the Planning Commission to hold an additional public hearing. There will be another public hearing with the Board, so between now and then (if the PC is comfortable with moving this forward) the community would have an opportunity to review the latest draft and the final document when it comes to the Board on July 9th. It was discussed with Chris Patterson and Jake Witte that there are some minor changes to come and they said that is standard within the master plan process. We are comfortable that we will have a clean document when it goes before the Board and there will be another public hearing where people can weigh in. If you're feeling uncomfortable and rushed, we're happy to pause this. We would propose a special meeting with the PC sometime this month prior to going to the Board on July 9th.

Hall: Asks for Cram's recommendation.

Cram: I want you all to feel comfortable. Sara and I have told you that we know there are additional formatting and things that will continue to be fixed based on feedback already received from the commission. We don't want to send a sloppy document onto the Board. We are working with a document that was drafted in 2021 and are trying to honor the work that the master plan steering committee did. We're trying to improve it because this will be our master plan for another five years, potentially. We all want this to be a good working product and feel that we've received the information from you that we need to make appropriate changes.

Hall: I'm going to paraphrase: you think that the document will be in proper form by the time it goes to the board.

Cram: Yes, and we will continue to post updated drafts to the website for public consumption as there will be additional information in the next week. We're trying to adopt this as quickly as possible, while making as few changes as possible, as we heard those requests from the public loud and clear. The maps needed the most work, as the agricultural preservation area wasn't included at all in the draft.

Alexander: After it goes to the Board for public hearing, they won't act on it. So, there will be more time. This is a future land use map which is an extrapolation anyway, so if we're making changes, it's interpretive. It's what we think is going to happen. So, the fact that it has changed today doesn't bother me.

Cram: From the May 23rd meeting to this meeting, a disclaimer was added at the bottom that noted that "this map is generated based on the use classification and the assessing records. These uses may be classified differently than the zoning district or uses allowed in the zoning ordinance. For instance, some agricultural uses may be classified as commercial uses will change to value-added, or residential uses may be classified as agricultural uses depending on the amount of agricultural production for assessing purposes. This is a snapshot in time and used as one of the many tools to determine future land use and zoning." We'll add something similar to the existing, unofficial zoning district map - as to why it's unofficial.

Dloski: It's time to move this over the finish line. We've been talking about this for years.

Maura Sanders, 20202 Center Road: I am here as Maura Sanders, not as Township Trustee. I kind of agree with Curt a little bit about extending the public hearing, at least for another two weeks. With the map that came out just today you guys are going to receive quite a bit of feedback from the community and they're going to get a chance to look at it today and tomorrow, and over the next couple of days and provide even more information back. I am not for extending this process because it's finally up and running but doing it right (correctly) now is going to prevent quite a bit of heartache in the next couple of months, I think.

Cram: So, that would mean that this would not be adopted until probably August or September.

Sanders: As Maura Sanders at 20202, I would rather wait until August and have it done right and get the feedback from the community versus getting bombarded with questions and complaints from the community. Just now, sitting in the audience, on my phone...somebody sent me a note saying "Hey, I don't get it. My parcel has been historically commercial and it was before I even bought, but the future land use map has it converting to suburban-residential." So, just having the opportunity for those folks to chime in, I think, is really important before putting a future land use map, which I know is a template, but let's try to get it as right as possible.

Shanafelt: From a statutory perspective, we, in principle, could hold another public hearing in two weeks that would still give us time to notice the public hearing at the Board.

Cram: No. This would not be able to go to the Board, then, until August.

Sanders: I'm as much into it as you guys are, wanting to get it done and across the finish line, but I just think really getting that input from the public - especially with the new map just coming online today - I think it's important. My two cents.

Shanafelt: Questions timeline to correctly notice the public.

Cram: Explains the process and time constraints with public noticing.

Shanafelt: Suggests a special meeting.

Cram: Explains to commission the issues that arise with newspaper publishing deadlines/timing to notice properly based on time remaining before the next board meeting.

Hall: The opportunity for the public to comment between now (if we don't have a special meeting) and the - if we do move this along tonight - the board meeting to consider it and hold a public hearing would be when?

Cram: July 9th. Between now and July 9th the public could make comments.

Hall: Thank you. So, that's my question. Isn't that sufficient opportunity for the public to make comments and send comments to your office, and then there's a public hearing where they can appear and make more comments. Why isn't that sufficient?

Peterson: Because it doesn't meet the Michigan Zoning Enabling Act (requirements).

Cram: It does.

Hall: We have a legal opinion that it does.

Cram: We respectfully disagree with you, Curt. Our legal counsel has weighed in on that.

Peterson: Well, they would agree with you.

Sanders: I think the question in my mind - in looking at the calendar - is collecting all the continued public input prior to the board meeting. How does it work after that board meeting? What draft gets to us so that we have the opportunity to review it.

Cram: You'll get the draft based on all the comments made from January to now, so that will be the final draft that goes to you. It will go out to the public as soon as possible prior to the public hearing with the board and they will have time to review it before going to the board, they can make comment at the board (meeting), and the board can choose to not take action that night and recommend further revisions in August and September.

Sanders: So, that's kind of where I'm getting. It could be pushing out to August or September.

Hornberger: But it is anyway. Whether we have a special meeting this month, it'll still be August.

Sanders: I, personally, just not as (a) board member would like the planning commission to take all that, the majority of public comment and get it sorted out prior to it coming to the board.

Cram: Discusses the possible issue of not having a quorum for a special meeting - the earliest date of which would be the last week of June. Attempts to find a possible date. Floats the idea of Tuesday, June 25th.

Fred Woodruff, 4824 Forest Avenue: I am addressing the Planning Commission as a member of the Study Group that recommended that the Township hire Maner-Costerian to examine the existing organizational structure of the township and the financing of its operation and make recommendations (on) alternative ways and means to raise revenues, reduce costs and increase efficiencies. However, before recommending hiring an outside consultant, the study group identified that one of the largest current gaps between the revenue received and the costs incurred in FY 2023-2024 appeared to be in the Planning and Zoning Department even when the department has been short of staff. This public hearing format (as well as the public comment period at your monthly meeting) doesn't lend itself to having a discussion of other's thoughts and ideas. But it seems to me that the more the township attempts to regulate land use the more costs will be incurred by the township and the more revenue will be needed to be raised to cover those costs. The draft master Plan calls for - SUPs, PUDs, PDRs, TDRs, Value-added agriculture, Alternative Energy, Shoreline protections, boutique hotels, non-motorized trails, improvement to parks, and promotion of historic places. It outlines 12 vision statements including "Operate under the best possible form of government with suitable and essential public facilities.", but that is #10. You have a difficult task ahead of you. The folks who responded to the 2019 survey made their wishes known. The draft master plan's vision statements appear to reflect those wishes. As you move forward, please make sure the township has the financial and human resources needed to implement those wishes on a fair and consistent basis. Thank you.

Bill Serocki, 6924 Center Road: First, I want to commend you folks on all your efforts on this. It's a monumental task and you're getting there. Just keep going. I had something that I noticed on one of the maps, and it was the definition of residential properties and each land use had a box with a different color. Under the residential use there was use definition of 1-5 acres and I found that a little confusing. I was wondering if it would help if you referred to one of the zoning maps for individual properties.

Cram: The problem is that the existing land use map and the future land use map are not how the property is zoned, it's how the land is used. So, for the suburban-residential we could add additional clarification, we're looking at - right now - if there is a parcel that is less than five acres and has one dwelling on it, we classified it as suburban residential. For all of the parcels that were five acres or greater, those were rural-residential. Those maps should look very different because the way that land is zoned is sometimes different from the way it's used. We could go back and just adopt the maps that were in the original version if everybody would feel more comfortable with that, but we heard from the community that those weren't accurate either. The land use maps never change zoning. They're just meant for us to look at how things are used, and how they might be used in the future. Do we need to explain that better?

Serocki: So, if someone were to be looking for an individual, specific property, they have to go to another map, right?

Cram/Hall: As they should.

Serocki: Asks for clarification for those not as familiar with planning and zoning, particularly as it relates to individual parcel zoning.

Cram: If someone wanted to look at specific zoning for their property they would go to the official zoning district map. If they want to see how their property is currently being taxed or used, they would go to the existing land use map. If they want to see how their property might be used in the future based on the vision statements and action steps, then the future land use map represents what the community wants the future to be. What we have heard is that the community wanted to minimize the potential for buildout, they don't want to see rezonings that increase density or upscale zoning. So, that's where the future land use map is going to be very similar to existing land use except that we'll see more land conserved and additional land divisions, because someone who has a property, say, that's zoned R-1A has the potential to create four lots if they have four acres. Offers to provide more description to be more helpful. Reminds that they want everybody, including Serocki, to be able to understand what these maps represent.

Shanafelt: The problem is that each map is multidimensional. You need to look at all of them to get a clear picture.

Cram: Points to maps in the township hall "soon we'll have an existing land use map and a future land use map".

Shanafelt: Right, and it's not mutually exclusive. You could be zoned residential and be in a viewshed, for example. The other point I wanted to make: how you come to terms with existing zoning and land use is just looking at the difference in the map you published yesterday and the one two weeks ago. There's less green because those greens are now - as you said, five acres - instead of being a farm, they put a house on it - residential and not agricultural anymore. It doesn't change the zoning, but the use, which are two very distinct conceptions that coexist.

Cram: I hear what Mr. Serocki said and know that there have been issues with that in the past, which is partially why the master plan was paused. There wasn't a level of comfort with the zoning district map, the existing land use map, and the future land use map. That's why we're digging in and trying to make it as accurate as possible based on the assessing data. If we need more descriptions to show why we did things, or what certain things mean, we can absolutely do that.

Motion to close public hearing by Hornberger, seconded by Beard. Motion passed by consensus.

Motion for PC to recommend approval of the Master Plan, subject to the corrections addressed, to the Township Board, by Dloski, seconded by Hornberger.

Hornberger: We can talk about this forever. I think we have been talking about this forever. It's never going to be perfect, there is no such thing. My husband has a saying: "Perfect is the enemy of the good." This is something I'm proud of. We're ready to send this on to the board and a second public hearing.

Alexander: Echoes those sentiments. Notes that this should be a living document that changes that are unforeseen may arise.

Shanafelt: To take a slightly opposing view despite agreeing with everything that's been said. After hearing some of the commentary, there's a difference between meeting a statutory requirement and doing due diligence. Statutory requirements are in place to ensure that at least the minimum is done. Sometimes you need to do more. Practically, the board would not approve this until August and the board also has a capability to waive their equivalent of Section 8.7 and take action following a public meeting, so one thing we could consider - though your point about it being a living document is well taken - is giving a little bit of time to allow the realization that a future land use map is sheer speculation. To have comment and discussion about it in the context that this is a best guess might be useful, and to that end having another public hearing to do explicitly that would be useful and then the board could take it up in August. What I don't want is people to come in and talk about their pet peeves about how we're interpreting future land use which is a guess and speculation. There is the danger of doing this, which prolongs it.

Cram: I want to do what you're comfortable with. I will take three more years if you want.

Dloski/Hall: Reminds assembled that there is a motion on the table.

Beard: I'm tempted to support the motion, but I don't think it makes sense to put this half-cooked dinner on the plate in front of the board. There's a few more things that need to be tied up here and to burden them, with all they have to address I don't think it's the right way to go. To expect them to clear up these loose ends. Another meeting here and another chance for public input would wrap it up and put a bow on it, and hand them something that is relatively complete.

Shanafelt: The advantage of that, and the expectation, is that we actually do hand them something complete because that allows the board to act, and eliminates it going on and on.

Hall: Comment by the Chair: For the reasons that have been stated, I think dinner will be ready to be served and I'm in favor of moving this on.

Witte (legal Counsel): Reminds commission that under the Michigan Planning Enabling Act, the recommended approval of the master plan needs to be by resolution, and the resolution needs to refer to, and I'm going to quote the Planning Enabling Act here: the maps and descriptive and other manner intended by the planning commission to form the master plan". I don't know that I saw a resolution in the packet, but I'm sure Jenn could put one together. In terms of the language used to approve the master plan and a minimum to comply with the Planning Enabling Act, maybe that motion language should be amended to refer to the specific maps that are included in the master plan. Does that make sense?

Shanafelt: It makes sense, but we're not approving it, we're just recommending moving it to the board.

Hall: We are not the board.

Cram: Jake, we spoke to Chris Patterson today and that resolution is in process and will be ready for the board to approve. Thank you for clarifying that we are following the correct process.

Roll call vote: **Beard:** No; **Shanafelt:** No; **Hornberger:** Yes; **Dloski:** Yes; **Alexander:** Yes; **Hall:** Yes

Motion passed with dissent by Beard and Shanafelt.

Cram: I will work with township office manager, Susan Piehl, to update the website tomorrow with the latest maps. We will let people know that they can submit any comments or concerns to the Planning and Zoning office so they can be addressed. We'll let them know there will be another public hearing with the board on July 9. The board will receive a cooked dinner wrapped in a bow based on everything we've discussed. I hear everything that's been said and want to make sure people have the opportunity to comment. To add to something that Curt Peterson said and that is that Laura Serocki has vetted this and was one of the only citizens that provided thorough comment on the original draft back in February of 2022

and has provided thorough comment on this draft. All her comments have been considered. I want to thank Laura Serocki and her commitment to this process, publicly.

Shanafelt: Comments that it's six of one, half a dozen of another. The public hearing will be held under the auspices of the board, as opposed to under the auspices of the planning commission prior. Similar, just following a slightly different path.

Cram: In some communities, the planning commission has the authority to approve the master plan. For Peninsula Township, it is the board. We don't have to conduct another public hearing with the board based on the Planning Enabling Act, but that's what the board likes to do.

Hall: Reminds the community to submit their questions and concerns to the Planning office.

9. Reports and Updates

a. Shoreline Regulations Study Group - Verbal Update

Cram: The Shoreline Regulations Study Group has been meeting every other Monday since February. We last met this Monday. We've had robust conversations around single and shared waterfront ownership. The policy direction that is currently moving forward - recognizing that the existing zoning ordinance is more restrictive than what the community would like - is to increase the number of allowed hoists from one per 50 ft to three per 50 ft. A jet ski is considered half of a boat hoist, so two jet skis would equal one boat hoist. We've also discussed where seasonal docks, hoists, and equipment should be seasonally stored outside of the water. Rather than noting the "ordinary high water mark" the study group recommends "four ft from where the water meets the shoreline" to make it more user friendly. For single waterfront ownership, we would not require any type of permit or registration, as we're now calling it. We are recommending that an annual registration be required for all shared waterfront ownerships and that registration would be very simple. A checklist that notes what lineal frontage is, how many hoists you're proposing, how you are going to store things, etc.... A site plan may be brought in, if they wish, and there will be a template that shows all the activities they should consider on their shoreline. This would then confirm their compliance with the zoning ordinance. The other thing we're looking at as far as the location of the one dock per parcel and the number of boat hoists depending on lineal frontage is the idea of projecting the property lines out into the water and then having a setback from those imaginary property lines. As long as you are locating your dock and hoist within that footprint defined by the setbacks, we don't have a concern. We recognize that this will not work for all situations because the shoreline is concave and has different shapes, so we need to develop language that would allow for all lots of record to have at least one dock and hoist. The purpose of this, again, is for public safety, natural resource protection, and to minimize conflicts between neighbors. I can start drafting verbiage for proposed zoning ordinance amendments related to single and shared waterfront ownership. We also anticipate that proposed amendments or policy direction will come from this study group with regard to development along the shoreline. Such as: where should stairs be, what is the percentage of trees that should be removed. Those types of things will require a more lengthy process. Guest speakers will be coming to educate us on the importance of protecting the natural resource that we have - 42 miles of shoreline. Notes that there has been tremendous turnout from the community and it is a diverse group of participants. Public comment is always allowed at the end of the meetings. One study group member has gone out and interviewed and met with shared waterfront owners, coming back to the study group with reasonable proposals to address what he has heard. Just as we talked about the master plan, it won't be perfect but the hope is to have a better zoning ordinance that addresses most of the situations on the peninsula.

Alexander: Glad that members of the public are supportive and made positive comments.

Hall: Jenn (Cram) is doing her usual terrific, thorough job in running those meetings. The agendas are well thought out. We're getting a lot of detail and it's very good. It was interesting to see the community reaction to this process because there is a concern - that was also voiced tonight - about excessive

government regulation. There were a number of people in the study group who were originally vehemently against the idea that there would be additional regulation or changes to the regulation dealing with shoreline, and what we've found is that representatives of one particular shared waterfront that were very against the whole project have now seen that we are not some nefarious cabal of large government, we are in fact trying to get educated so that we can develop appropriate policy. One of the things we've realized is that people on the shoreline have more boats or watercraft, and so we need to have our zoning ordinance accommodate that. As we go through this, and people see how the process is working, we're getting buy-in. Some people are still concerned about whether or not we have jurisdiction, but we're trying to do what's right for most people most of the time.

b. **Agricultural Advisory Committee - Verbal Update**

Cram: We have received 16 letters of interest for nine positions for the newly created Agricultural Advisory Committee. The board will be conducting interviews soon. The tentative date is June 24th at 3pm. We have to first confirm that we have a quorum of the board. Becky Chown, our clerk, is working on that. We received a wonderful response from a very diverse group of agricultural operators or farmers. Also notes that this committee will function similarly to the parks committee, but meet every other month, or six times per year. We do want to have a PC liaison and a board liaison. The goal of this is to provide the farmers and agricultural operators with a voice so that we can understand issues they're facing and be nimble to make zoning ordinance amendments that support agriculture on the peninsula. At one point, Kevin Beard volunteered to be that liaison and I hope that's still the case. The same will be asked of the board when it goes back before them.

10. Public Comments

Fred Woodruff, 4824 Forest Avenue: I hope my comments were not interpreted as being anti-regulation, etc. My comments are: "I understand it's in the public's interest, it's at the local level where things really ought to be more understandable. I just want to make sure that item number ten gets moved up in your consideration as you go forward because you're going to need more human and financial resources to carry that out, so that Jenn can come to meetings feeling better."

11. Other Matters or Comments by Planning Commission Members

Cram: Announces that Tori Westmoreland has accepted the Planning and Zoning Administrator position, starting July 1. She has a planning degree from Arizona State, she's done some study abroad, has completed several planning related internships, and has excellent experience. She knows what she's walking into, and the staff was transparent about the work ahead and the challenges facing the community. This appointment will allow for improved capacity for land use permits, special use permits, and day-to-day operations, as well as staying on top of action steps for the master plan and making zoning ordinance amendments.

Asks about quorum for the July 2nd meeting, as there is potential for a public hearing. Indicates that she needs to ask Shipman if she can attend for quorum, otherwise no quorum.

12. Adjournment

Dloski moved to adjourn at 9:15 p.m. with a second by Shanafelt.

Motion passed by consensus.

Exhibit 4

Dear Trustees,

Some have claimed we just don't want another house by us, and that's our only basis for objecting to amendment 5. Others think that we are asserting some property right to the developer's property. Neither is correct. We object to this amendment because it does not meet your zoning ordinance. The SUP ordinance requires substantial improvement to property in the immediate vicinity and no change in essential character.

SUP's are to be a win-win-win for the developer, the neighboring property owners, and the community as a whole. The developer is given the right to build something not permitted by normal zoning, but the development is subject to standards that benefit neighboring properties and the community as a whole. Attached Exhibit A contains the main ordinance sections benefitting neighboring properties, including the standards requiring substantial improvement to property in the immediate vicinity and no change in essential character.

Please note some of the original findings of fact attached as Exhibit B. Approving this amendment is contrary to and would erode these findings.

Some PC members seemed to think this amendment is no different than amendment 3. That is not the case. Amendment 3 moved open space from north end to be adjacent to several neighbors on the south east side, it eliminated a beach access from the development which was adjacent to one neighbor, and gave that neighbor the ability to buy that beach access property. Amendment 3 provided substantial benefits to those neighbors. Amendment 5 moves open space from the north and west end to the interior of the development where it benefits only the lots in the development.

We believe the Planner and the PC are still following the opinion Greg Meihn provided them for the third amendment. It said that a developer has the right to amend a residential SUP and move any lot to another location. That is contrary to the ordinance and discards the original basis for the SUP being approved. The Planner and the PC followed that opinion in approving amendment 3. I practiced commercial law for 35 years, chaired my firm's opinion letter committee, and reviewed and approved hundreds of opinion letters. The Meihn opinion is deeply flawed and reaches the wrong conclusions. During the amendment 3 review process we repeatedly requested Meihn's opinion so we could review it and comment on it, but the Planner refused to provide it to us until after the Township had approved amendment 3. I'd be delighted to meet with anyone from the Township to review that opinion. If you believe Meihn's opinion, you believe a SUP developer has the right to move houses anywhere within the property so long as he doesn't exceed the number of houses approved.

Attached as Exhibit C are our proposed findings for the fifth amendment indicating that two standards of the ordinance are not met. Please review these carefully – we believe they follow the ordinance language, the precedent set with amendment four, and the intent and balance of the original SUP approval much better than the findings recommended by the Planner and PC.

Also attached for your reference are the use by right plat, the SUP plat originally approved by the Board, the proposed plat under amendment 5, and the plat under rejected amendment 4.

Thanks for your consideration.

Craig Haddock, 4150 Trevor Road

Exhibit A – Ordinance Sections

Section 8.1.3 Basis for Determinations: Before making recommendation on a special use permit application, the Town Board shall establish that the following general standards, as well as the specific standards outlined in each section of this Article, shall be satisfied.

- (1) **General Standards:** The Town Board shall review each application for the purpose of determining that each proposed use meets the following standards, and in addition, shall find adequate evidence that each use on the proposed location will:
 - (a) Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.
 - (b) Not be hazardous or disturbing to existing or future uses in the same general vicinity and will be a substantial improvement to property in the immediate vicinity and to the community as a whole.

Exhibit B – Portions of Findings from Original Approval

ORIGINAL TRUSTEE FINDING OF FACT FROM AUGUST 2015 FOR SUBSTANTIAL IMPROVEMENT STANDARD (UNDERLINE ADDED)

- b. Not be hazardous or disturbing to existing or future uses in the same general vicinity and will be a substantial improvement to property in the immediate vicinity and to the community as a whole.
- i. The Board finds that the land surrounding the development is primarily single family residential with the exception of the northwest corner of the site which abuts actively farmed fruit producing land. (Planning Commission Exhibits 2, S, 19.2 & 19.7 and Board Exhibit 3)
 - ii. The Board finds that the site has been designed with the appropriate setbacks from agricultural land as required by section 7.7.1.1(1). (Planning Commission Exhibits 1, 2, 8, 19.2 & 19.7 and Board Exhibit 3)
 - m. The Board finds that the development of the proposed PUD should not negatively impact adjacent neighbors. The applicant has designed the housing sites to complement the existing residential use pattern which incorporates 54 acres of the site in open space. (Planning Commission Exhibits 2, 8, 19.2 & 19.7 and Board Exhibit 3)
 - iv. The Board finds that the PUD as submitted preserves open space, keeping 65% of the site undeveloped, inclusive of 1500 lineal feet of waterfront preserved as common open space, for the proposed project. The Board further finds that the lot locations, regardless of the slopes in the area, are located sufficiently within the interior of the property of the project site such that view sheds are sufficiently preserved both landside from township public roads as well as from the water. The Board further finds that there is no evidence that the development would disturb existing or future uses of the land within the vicinity. The Board further finds that the preservation of the open space is a substantial improvement over other non-PUD development rights as provided in the Peninsula Township Zoning Ordinance which, in turn, benefits the properties within the immediate vicinity and the community as a whole. (Planning Commission Exhibits 1- land uses allowed in the R-1A and R-1B zoning districts, 2- map no. 4, 8, 19.2, 19.5, 19.7 & 19.9 and Board 3)

**ORIGINAL TRUSTEE FINDING OF FACT FROM AUGUST 2015 REGARDING VIEWSHED
OF SURROUNDING PROPERTIES (UNDERLINE ADDED)**

3.1 Objectives - The following objectives shall be considered in reviewing any application for a special use permit for planned unit development.

- a. To provide more desirable living environment by preserving the natural character of open fields, stand of trees, steep slopes, brooks, ponds, lake shore, hills, and similar natural assets.

FINDINGS WHICH WOULD RESULT IN THIS STANDARD BEING MET.

- i. The Board finds that the preservation of 54.23 acres of open space as well as the preservation of 1500 lineal feet of East Grand Traverse Bay frontage will preserve the natural character of the open fields largely contained within the open space areas as proposed. While the Board is mindful that the development will result in grading of slopes and removal of trees, given other development options under the zoning ordinance, the development as proposed provides for a desirable living environment for future purposes of units within the development both with respect to views and the preservation of the same from surrounding properties without significantly hindering viewsheds and having negative impacts upon the lakeshore and other natural assets of the property. (Planning Commission Exhibits 10, 11, U, 14, 19 & 20 and **Board Exhibit 3**)
- ii. The Board finds that the proposed development preserves a substantial portion of the shoreline in a natural state to be used as a shared waterfront as opposed to individual unit private frontage. (Planning Commission Exhibit 19)

Exhibit C
PROPOSED FINDINGS OF FACT

SECTION 8.1.3 BASIS FOR DETERMINATIONS

FINDINGS - SECTION 8.1.3 (1) GENERAL STANDARDS

General Standards: *The Town Board shall review each application for the purpose of determining that each proposed use meets the following standards, and in addition, shall find adequate evidence that each use on the proposed location will:*

- (a) *Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.*

The underlying zoning of the development is R-1A-Rural and Hillside Residential and R-1B- Coastal Zone Residential. Both zone districts allow for single-family residential uses and approval of a Planned Unit Development via a Special Use Permit per Sections 6.2.4. and 6.3.2. of the Peninsula Township Zoning Ordinance.

The surrounding area is also zoned and developed similarly (R-1A and R-1B) with the property adjacent to the northwest corner being zoned A-1-Agricultural that allows for residential development to support agriculture. Thus, the intended character of the approved PUD and surrounding area is predominately residential in nature.

The Peninsula Shores Planned Unit Development (PUD) was approved for 41 single-family residential units with 65% open space. The requested amendment maintains the number of single-family residential units and slightly increases the required 65% open space. To increase the required 65% open space, lot lines have been adjusted.

Although the proposed use of the property for single-family residences does not change because of the requested amendments to modify the PUD, the character of the original approval is eroded. The original approval clustered 5 smaller lots adjacent to the shoreline between 12,888 square feet and 18,295 square feet. The remaining 36 lots are between 22,044 square and 37,684 square feet. Unit 41 was originally approved at 30,565 square feet. As proposed Units 41 (15,702 sq. ft.) and 1 (19,515 sq. ft.) are now smaller lots located randomly at the top of the development adjacent to larger lots (Unit 40 = 25,018 sq. ft.). They are also located closer to the western property line reducing the buffer to adjacent properties. As such, the existing character of the development as originally approved has changed.

The Township Board finds that this standard has not been met.

- (b) *Not be hazardous or disturbing to existing or future uses in the same general vicinity and will be a substantial improvement to property in the immediate vicinity and to the community as a whole.*

A residential use adjacent to another residential use is generally compatible, however, the proposed amendment departs from the reason why the SUP/PUD was originally approved -that approval furthered the objective of complementing the existing residential use pattern, increasing open space for the benefit the properties within the immediate vicinity, and reducing density by the properties within the immediate vicinity.

When the original SUP/PUD was approved it was found that a 41-unit single-family residential development with 65% open space was a substantial improvement to property in the immediate vicinity and to the community as a whole because the alternative was the potential for 55 units with no requirement for open space, because the housing sites were designed to complement the existing residential use pattern, and because the proposed open space benefitted properties within the immediate vicinity.

The fifth proposed amendment will slightly increase the same open space in exchange for reconfigured lot sizes, but it would reduce open space at the north and west ends of the property and move it to the middle of the property where it only benefits property within the development. The proposed amendment also will cause an increase in housing density along the north property line and the west property line that will result in increased traffic, lighting and noise. The proposed amendment reduces the open space by neighboring properties that was a basis for finding that this substantial improvement requirement was met in the original approval. These increases in density and reductions in open space by neighboring properties erode the substantial improvement to property in the immediate vicinity that was achieved in the original SUP/PUD approval.

Further, the proposed amendment provides no tangible benefits to properties neighboring the development. Moving the open space to the center of the development provides an additional bay view for some lots in the development. However, that open space is of no benefit to neighboring properties. While amendment 3 approved moving a lot and open space, it is appropriate for a line to be drawn somewhere and staff finds that the proposed movement of two units to the north and west sides of the development from the interior of the development is not a substantial improvement for property in the immediate vicinity and is contrary and inconsistent with the original findings of fact.

The approval of this amendment would also make this development a detriment rather than a substantial improvement to neighboring properties when compared to build by right. The proposed amendment would result in two houses being densely situated at the top of the hill by the common area of the properties to the north where there is no natural tree screening. The build by right would have only one house in this location, with the other houses on the north end being screened by significant natural tree screening. The housing density under the proposed amendment and under build by right from Units 1 and 41 to the north property line is about the same as the housing density in the same area in the build by right. Most importantly, the two Units added to the north and west under the proposed amendment will increase traffic over the north end of the property by 20 vehicles per day over what is now approved, but will result in the traffic over the north end of the development being approximately 110 to 120 more vehicles per day than there would have been under build by right.

That amendments to the SUP/PUD were previously approved by the Township does not mean that there is any requirement to approve this proposed amendment, as each amendment stands on its own. Approval of this amendment would erode the justifications of the original SUP/PUD approval and impact the balancing of the PUD provisions that warranted approval of the project in the first instance. Reducing open space and increasing the density of the development by neighboring properties would not be consistent with the spirit and intent of the original approval.

In addition, Township records of prior approvals related to the SUP/PUD and neighbor input for this amendment demonstrate considerable resistance from neighbors, which further shows that increasing the density of the development on the northern and western portions of the development would be disturbing and/or not a substantial improvement to the property in the immediate vicinity.

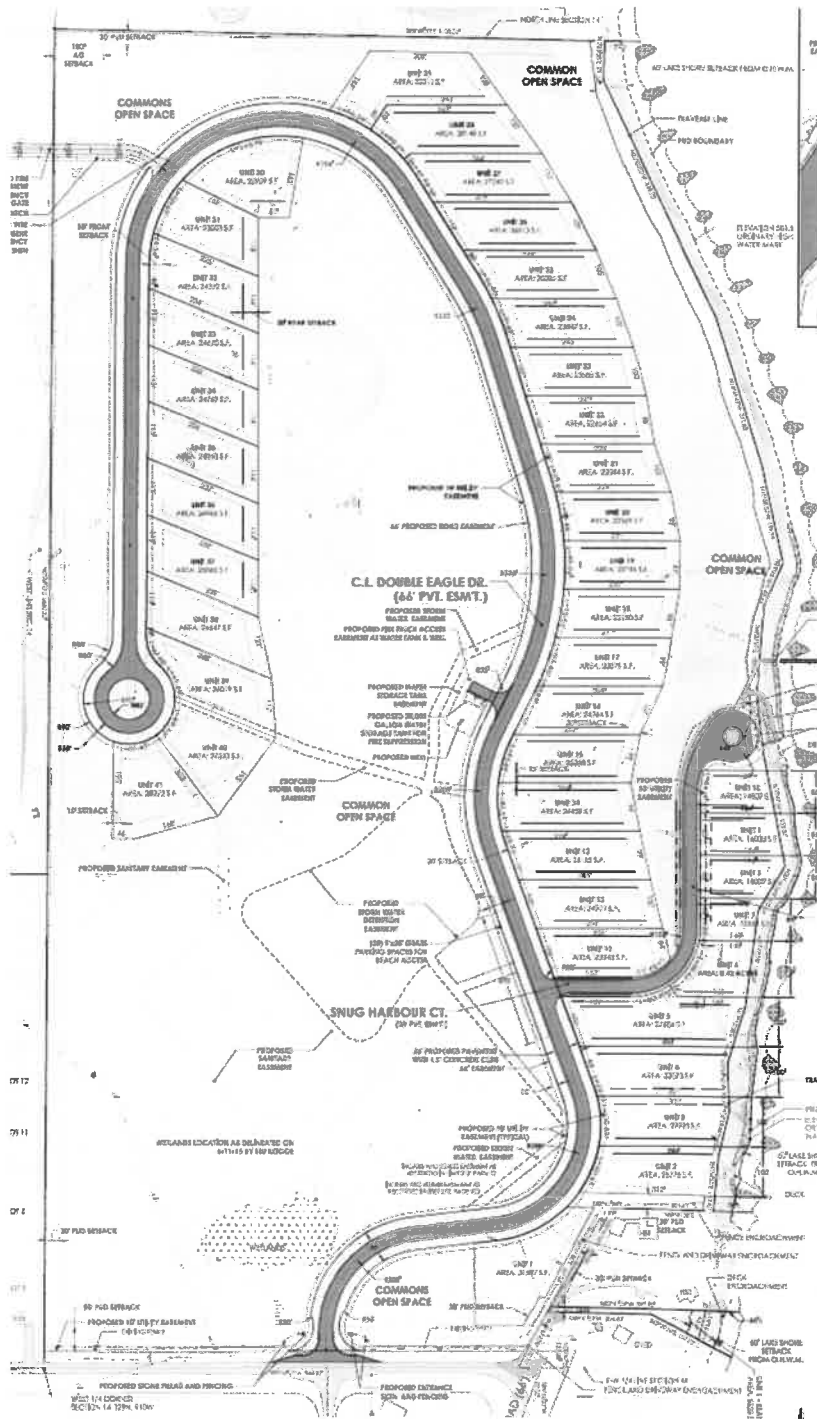
While PUDs can certainly be amended, such amendments should further carry out of the objectives of the PUD and pay due regard to the impact on the intent of the original approval.

The Township Board finds that this standard has not been met.

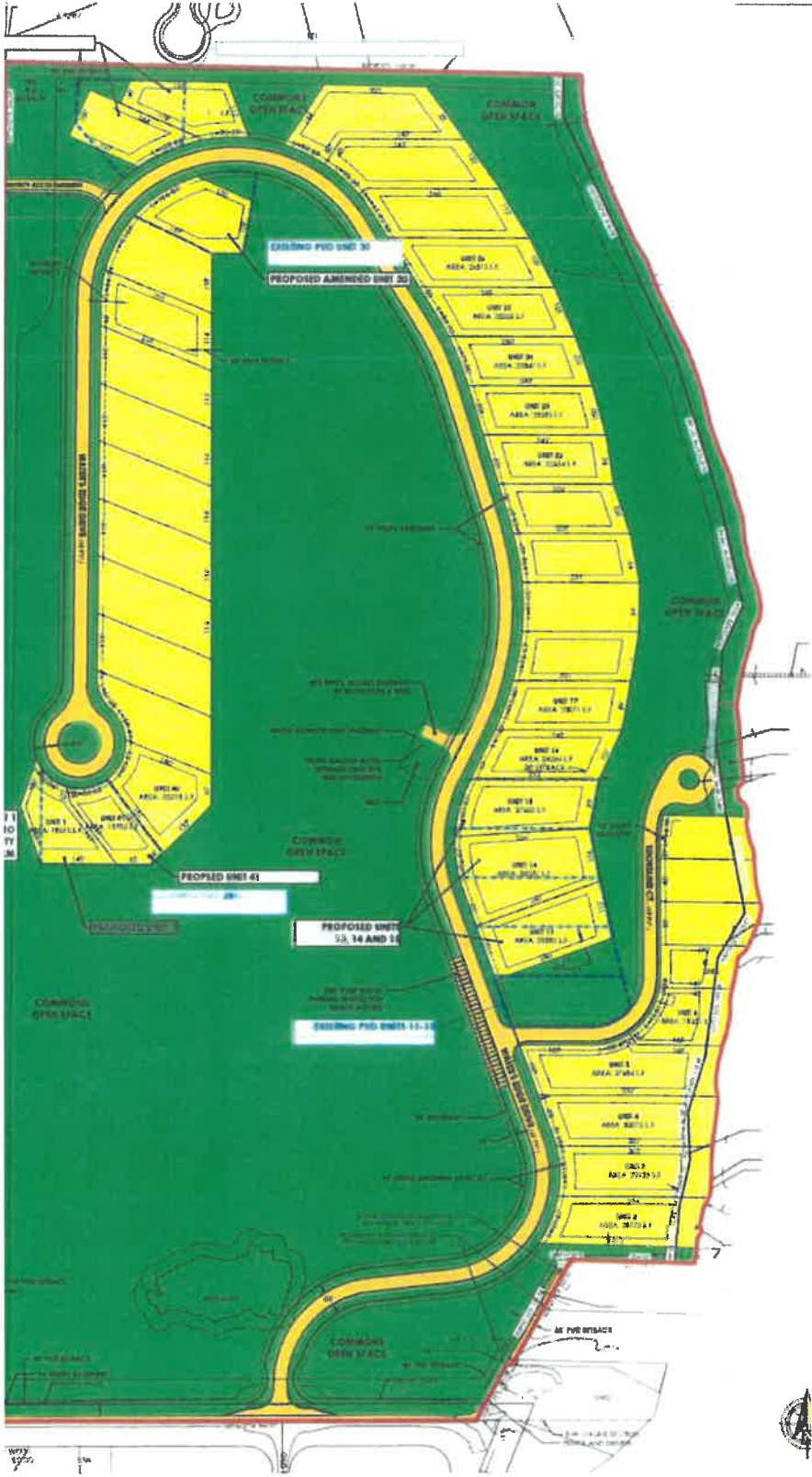
USE BY RIGHT PLAT



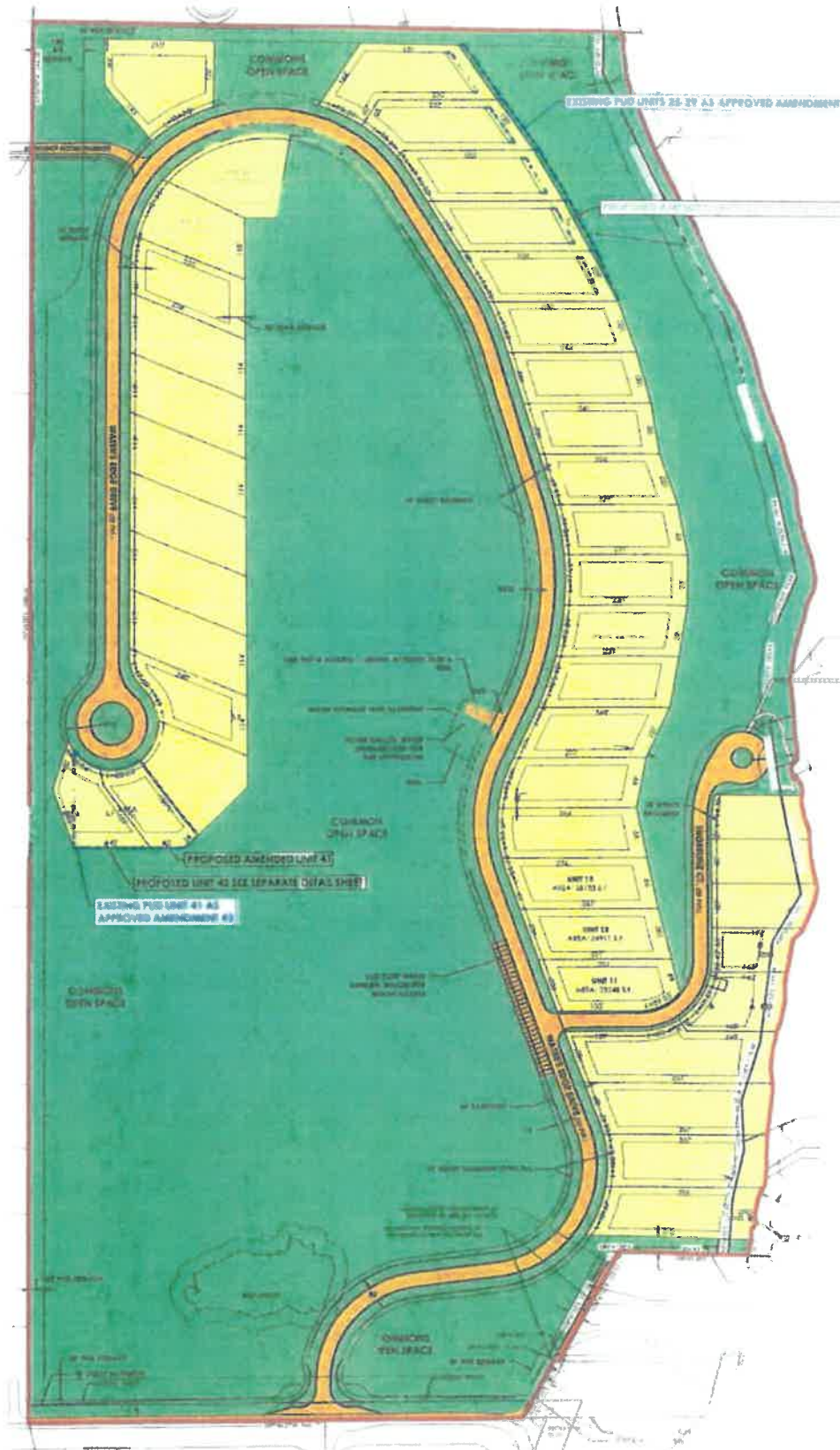
ORIGINAL APPROVED PENINSULA SHORES PLAT



PENINSULA SHORES PLAT OF PROPOSED FIFTH AMENDMENT



PENINSULA SHORES PLAT OF REJECTED FOURTH AMENDMENT



Jennifer Cram

From: Megan Haddox <mlhaddox@mac.com>
Sent: Wednesday, July 3, 2024 10:10 AM
To: Jennifer Cram; Becky Chown; Marge Achorn; rudy.peninsulatrustee@gmail.com; dave.peninsulatrustee@gmail.com; maura.peninsulatwptrustee@gmail.com; Isaiah Wunsch; armen.peninsulatrustee@gmail.com
Subject: Peninsula Shores Amendment Public Hearing

Dear Board of Trustees:

Smokey Hollow Estates consists of four single family housing sites on 12 acres, or over three acres per house. It's a low density rural area under a rural zoning classification. Our cul de sac is a common area used by all four property owners for social gatherings, star gazing, children's play, etc. The Lewis cottage has a large picture window looking to the southwest, and a screened porch which is open to the southwest.

The Township's master plan makes preserving the rural character of the Peninsula an extremely high priority. Residents like living here because of the rural quiet atmosphere and the scenic views. The original SUP findings noted preservation of neighboring views and the open space next to our properties as reasons for approval, and those items protect and preserve the rural character of our properties. Allowing the rural character of the properties to the north and west of the development to be further eroded by the Fifth amendment is contrary to the master plan and the desires of Township residents. You may think this is a minor erosion for the Township's rural character, but it's these continuous minor erosions that are steadily eroding the overall rural character of the Peninsula.

Unlike amendment 3, there is no improvement to neighboring properties under amendment 5. The developer's application cites no such improvements. The increase in open space will not reduce the sizes of any houses built in the development and is of no value to neighbors – we can't see it and we can't use it. He only cites improvements to lots in his development.

The planner's findings do not state any improvements for neighboring properties. The closest she comes is stating that moving lots preserves a view to the bay from Boursaw Road. In fact, there is no view of the bay over those lots – the elevation of those lots is higher than Boursaw Road. Further, there will be no view of note from Boursaw Road - There is a tree buffer along most of it, and the only place you can see it is at the entrance to the development. There are three lots around the proposed open space that don't have houses built on them yet which will further reduce this view to almost nothing. The view at best from Boursaw will be a brief view of dense houses with perhaps some sky visible between them. At least one PC member relied on the planner's representations of this view from Boursaw in recommending approval of the amendment and never actually looked at this view. If you believe this view would be a substantial improvement to properties in the vicinity of the development, please, please check out that view from Boursaw for yourself before deciding.

Under amendment 4 the planner and PC found that adding a house in the development would result in more noise, light, and traffic to the detriment of the houses in the development. Yet they ignore the fact that adding houses by the neighbors to the north and west will result in more noise, light and traffic to the detriment of those properties. They also found that increasing the development density under amendment 4 would be disturbing and/or not a substantial improvement to property in the immediate vicinity. Yet they don't find that as to the neighboring properties under amendment 5. That is just wrong. If these things adversely affect the developer's property, then they adversely affect neighboring properties.

Amendment 5 does not meet the ordinance standards, and guts the findings that caused this development to be approved in the first place. Please do not approve it.

Thank you for your attention to this matter.

Megan Lewis Haddox

4150 Trevor Road

Sent from my iPad

Jennifer Cram

From: Jim Durham <jimdurham56@gmail.com>
Sent: Tuesday, July 2, 2024 2:00 PM
To: Becky Chown; Marge Achorn; rudy.peninsulatrustee@gmail.com; dave.peninsulatrustee@gmail.com; maura.peninsulatwptrustee@gmail.com; armen.peninsulatrustee@gmail.com; Isaiah Wunsch; Jennifer Cram
Subject: New Peninsula Shores PUD Amendment Application

Dear Trustees,

I'm a property owner in Smokey Hollow Estates to the north of Peninsula Shores. I object to this amendment because it is detrimental to Smokey Hollow Estates and contrary to the initial approval of this SUP.

Our properties are rural in character. A tight grouping of two houses by our development is not consistent with rural property. Three houses along our north boundary is not consistent with rural property.

The survey of residents in the proposed master plan show residents most liked the rural, quiet atmosphere and the scenic views. We agree completely. Adding another house by Smokey Hollow Estates will reduce the rural quiet atmosphere and scenic views of our properties. We hope you will reflect the views of the community and view the reduction in our rural quiet atmosphere and scenic views as a significant detriment to our properties. We certainly do.

The addition of a tree buffer by the previously approved lot is a small consolation. It is certainly better than no trees. However, the house will still be visible for a long time, and the trees will not eliminate the noise or nighttime light that comes from it. Further, a very nice rural view from our properties has been taken away and replaced by a line of trees with a house behind it.

When the Township approved the Peninsula Shores development, it found that the applicant designed the housing sites to complement the existing residential use pattern. It found that the lot locations were located within the interior of the project to preserve viewsheds. It found that the preservation of the open space benefited the neighboring properties. It found that the proposed development provided a desirable living environment with respect to the preservation of views from surrounding properties without significantly hindering viewsheds. The initial approval was clearly based on where the proposed houses were to be located and the impact their proposed locations would have on neighboring properties. These conclusions should be respected and deferred to now. We find it very disappointing that some think that it doesn't matter where the developer moves

houses so long as he doesn't add more and maintains the open space. That approach is clearly contrary to the approach and the analysis that the Township took in initially approving this project.

Please deny the proposed amendment. Thanks.

Jim Durham

Jennifer Cram

From: Kathy Dierkes <kadinmn@gmail.com>
Sent: Tuesday, July 2, 2024 12:27 PM
To: Becky Chown; Marge Achorn; rudy.peninsulatrustee@gmail.com; dave.peninsulatrustee@gmail.com; maura.peninsulatwptrustee@gmail.com; armen.peninsulatrustee@gmail.com; Isaiah Wunsch; Jennifer Cram
Subject: Peninsula Shores Amendment 5

Trustees,

My name is Kathryn Lewis Dierkes, and my husband, Joe, and I are part owners of the residence and property at 4150 Trevor Road, which directly abuts the Peninsula Shores development. Our property is adjacent to the proposed newest lot that the developer wishes to establish. We previously wrote to you in 2020 and 2022, when Peninsula Shores sought to change the development plan in a somewhat similar manner to what they are trying now. The previous amendment resulted in a building lot being established adjacent to the cul-de-sac on our property, and now they are seeking to add a second lot, which appears to bring their newest proposed building about 60 to 70 feet closer to our cottage. Once again, we are adamantly opposed to this amendment.

As noted in our prior submissions, we relied on the developer's original plan that clearly limited the proximity of new residences to our property. Now, for the second time, the developer wants to change the original plan in a manner that would place a second building lot adjacent to our property, and place structures significantly closer to our residence. The original PUD/SUP plan represented that the proposed new lot would remain open space with some trees on it. Clearly, this is a major change and poses a significant detriment to our property interests.

Unlike at the time of the previous amendment, we now have access to the legal opinion issued by attorney Meihn in 2022. That opinion appears to argue that moving lots around inside of a PUD/SUP is perfectly acceptable, as long as no additional units are proposed. If that is correct, then what is the point of having an original plan if the developer is free to move lots to whatever part of the property he chooses? Under that rationale, if the developer so chooses, he could claim the right to move all the lots to the perimeter of his property and abut the property of all neighboring landowners, thereby nullifying the representations made at the time of the original approval. As the track record of the developer has shown in this case, he has continually sought to move lots, and we have every reason to believe that he will continue to submit new amendments to place lots in locations detrimental to the neighboring landowners. As we noted in our prior submissions, we request that you protect the integrity of the application process and reject this change. Enough is enough!

We ask that you require the developer to stick with his original plan for the property, and not let him increase the intrusiveness of the development. There is ample legal authority to require this rejection. There can be no doubt that placing the new lot in what is currently zoned as open space next to our property would be a substantial detriment to our property rather than a substantial improvement. The repeated efforts by Peninsula Shores to plant houses on the edge of our property has been a source of repeated expense and aggravation for my family. Back in 2022, we submitted that the time had come to give the developer a final denial of what had become an abuse of the planning and development process. The fact that we are once

again having to battle to oppose further amendments of this type only proves the accuracy of our prior request for a denial.

Kathryn Lewis Dierkes

Jennifer Cram

From: jrdinmn@aol.com
Sent: Tuesday, July 2, 2024 11:02 AM
To: Becky Chown; Marge Achorn; rudy.peninsulatrustee@gmail.com; dave.peninsulatrustee@gmail.com; maura.peninsulatwptrustee@gmail.com; armen.peninsulatrustee@gmail.com; Isaiah Wunsch; Jennifer Cram
Subject: Peninsula Shores Proposed Amendment Number 5

To the Board of Trustees:

I am a member of the Lewis family that owns the cottage at 4150 Trevor. I am writing to urge you to reject the proposed Amendment Number 5 as it does not meet the requirements of the ordinance.

There has been discussion about the proper standards and approach for addressing Amendment number 5. We believe that the standards and approach used in reviewing Amendment number 4 should be used here. Most commission members compared the proposed Amendment Number 4 to the current SUP rather than comparing the proposed Amendment Number 4 to what could be done prior to the original approval of the SUP. Forty Two units were viewed as not being a substantial improvement when compared to 41 units instead of being compared to the development by right of 55 units. The approach taken as to Amendment number 4 is administrative precedent that you should follow in deciding whether to approve Amendment number 5.

Further, the original 41 unit approval was stated as being in exchange for the shoreline protection, open space, minimum lot size, and original parcel configuration. There was a balance struck between those items. Lot location mattered. Open space location mattered. That balance should be given due deference.

The findings of fact recommended by staff and approved by a majority of the planning commission as to Amendment number 4 include the following underlined items:

1. The character of the original approval is eroded by adding an additional lot. Wouldn't the character of the original approval be eroded by moving a lot from the middle of the project to the edge of the project and significantly altering the open space by, and views of, neighboring properties that were a basis of the original approval?

2. Two lots would be located closer to the western property line reducing the buffer to adjacent properties. As such, the existing character of the development as originally approved has been changed. The size and location of those two lots is the same in Amendment Number 5 as in Amendment Number 4, plus Amendment Number 5 would move another lot up by the northern property line, thereby reducing the buffer to those adjacent properties. If the existing character of the development would be changed by Amendment Number 4, it is changed even more in Amendment Number 5, so the "change in essential character" standard is not met by Amendment Number 5.

3. Increasing the density of the development would be disturbing and/or not a substantial improvement to the property in the immediate vicinity. If that is the case, then increasing the density of the development by the neighboring properties to the north would be disturbing and/or not a substantial improvement to those properties, so this standard is not met by Amendment Number 5.

4. PUD amendments should further carry out the objectives of the PUD, rather than maximize economic realization without regard to the impact on the intent of the original approval. The intent of the original approval of this PUD included having the housing sites complement the existing residential use pattern, having the lot locations located within the interior of the project site, preserving open space that would benefit properties within the immediately vicinity, and preserving views from surrounding properties. Moving the lot as proposed is obviously driven by economic realization and erodes the objectives of the original PUD approval.

5. The requested amendments do not conform to other requirements associated with a PUD per Section 8.3, particularly when viewed through the lens of the intent behind the original approval and prior amendments, as the proposed amendment negatively impacts aspects of the PUD that were the basis for those approvals. The basis for this PUD being approved included housing sites that complemented existing residential use patterns, interior lot locations, preserving open space to benefit neighboring properties, and preserving views from surrounding properties. Amendment 5 would definitely negatively impact each of those aspects.

Please apply the same standards and approach to Amendment Number 5 that you applied to Amendment Number 4. Please defer to and respect the balances struck by the original approval. The correct approach is to look at the changes the amendment would make as compared to the approved PUD, and apply the section 8.1.3(1)(b) substantial improvement standard when approving the amendment would result in some erosion in the improvements to property in the immediate vicinity or to the community as a whole which were stated in the existing SUP findings of fact as a reason for the original approval. If those stated improvements are not negatively affected, there is no need to apply the substantial improvement standard. That way, the substantial improvement standard gets applied when it is relevant, but is ignored when it would prevent minor amendments from being approved.

Please have your decision be grounded in the original PUD approval. Please respect the balance that was struck in the original PUD. Please follow the approach taken with Amendment Number 4. Please deny Amendment Number 5.

Thanks for your time and consideration.

Sincerely,

Joe Dierkes
651-792-5968

Jennifer Cram

From: Bill Lewis <blewis.wordsmith@gmail.com>
Sent: Tuesday, July 2, 2024 8:54 AM
To: Becky Chown; Marge Achorn; rudy.peninsulatrustee@gmail.com;
dave.peninsulatrustee@gmail.com; maura.peninsulatwptrustee@gmail.com;
armen.peninsulatrustee@gmail.com; Isaiah Wunsch; Jennifer Cram
Subject: Peninsula Shores Amendment

Dear Trustees,

I'm writing to ask that you please deny the proposed amendment that I understand would move a lot to the northern part of the development. The application refers to this as "substantial improvements" (section 8.1.3(1)(b)). At best, they are minimal.

Does the open space technically increase? Again, minimally. But the lot adjustments do not result on any less building on the property. The same number of houses will be built with no reduction to the size of any of those houses. Converting what is now space in yards that will not be built on to open space adds nothing of practical benefit. And it certainly doesn't provide improvements to the properties in the immediate vicinity of the development.

Ditto the change to the viewshed. No substantial improvement to property in the immediate vicinity or the community as a whole. Not building on the lot by the intersection will add little to the views at the top of the hill which already have wide bay views. However, the addition of a house at the north of the property will adversely affect the viewshed of the long-established neighbors to the north and the west, and to those travelling along Smokey Hollow Road.

Ditto again to the stated improvement to traffic and line of sight. That is also negligible. The intersection already complies with Township requirements, and the Township Engineer approved it based upon the 30' setbacks. There is a 30' setback at the front of each lot going north on Waters Edge Drive, but on each of those lots where a house has been built the house is set back approximately seventy feet or more from the road. In addition, there is a 30' setback on current lot 11 along Shoreline Court which further increases visibility at this intersection. There is already tremendous line of site for traffic at this intersection, and the additional proposed line of sight provides little additional value.

The ordinance requires "substantial improvements." The items listed by the developer as satisfying section 8.1.3(1)(b) don't meet that requirement. In addition, the changes made at the north end of the development are a substantial detriment to the properties north and west of the development and are

contrary to the findings of fact behind the original approval of the SUP. Please defer to and uphold the original factors which led the Township to approve this development to begin with. Deny this amendment.

Thank you for listening to my concerns.

Bill Lewis

4150 Trevor Road

Jennifer Cram

From: Jill Lewis <jilesoh@gmail.com>
Sent: Tuesday, July 2, 2024 7:31 AM
To: Becky Chown; Marge Achorn; rudy.peninsulatrustee@gmail.com; dave.peninsulatrustee@gmail.com; maura.peninsulatwptrustee@gmail.com; armen.peninsulatrustee@gmail.com; Isaiah Wunsch; Jennifer Cram
Subject: Peninsula Shores Proposed Amendment

Dear Trustees:

Please do not approve the proposed amendment.

Our property by Peninsula Shores is a rural property and is within a rural zoning category. We highly value that rural character. The township highly valued our rural character when it noted that clustering the houses in the middle of the development, preserving open space for the benefit of our property, and preserving our views were all factors in approving this PUD. Please defer to that determination and do not let the rural character of our property be degraded by this amendment.

This amendment would move the existing house much closer to our screened-in porch on the south side of our house. This porch is a favorite gathering place for my family and our neighbors, and we spend hours out there. If the allowed Peninsula Shores house by our property is moved closer to our house, the noise from it would be that much worse on our porch. Adding a second house on the north end of the property would also increase that noise. We value quiet as highly as other township residents and as a part of the rural character of our property, and ask that you do also.

The existing trees between our porch and these two houses are not evergreen, and we will see these houses when the leaves are off the trees instead of the rural scenic view that is now there. Moving one house closer to our porch and adding a second house will degrade those views.

Adding the second house will also diminish the rural character of our outdoor space and our use and enjoyment of it. We and our neighbors use that space for get togethers, games, a play area for grandchildren, star gazing, etc. The second house will cut off our view, increase traffic, and produce noise and light that will be disturbing.

The tree buffer for the previously approved lot provides some screening from the existing lot and might someday grow enough so that we cannot see this house. We will still hear the noise from this house. The lights from this house will still adversely affect our star gazing. Preserving that open space and our views were reasons set forth by the township for its original approval. We appreciate the township providing the tree buffer, but that buffer and the house that will go behind it are a significant downgrade from the open space and rural views that the township listed as reasons to grant the PUD to begin with. Adding a second house, even with a tree buffer, will be a further downgrade and contrary to the township's original findings of fact.

The Township's master plan puts preserving the rural character of the Peninsula as an extremely high priority. The Township's original findings of fact also noted our views and the open space next to our property as reasons for approval, and those items protect and preserve the rural character of our property. There is little in the way of practical improvements in this amendment, and there is certainly no improvements for neighboring properties. Please further the goal of the master plan to protect urban character, defer to and respect the original PUD findings of fact, and deny this amendment.

Thanks for your time.

Jill Lewis, 4150 Trevor Road

Jennifer Cram

From: tgdurham@verizon.net
Sent: Sunday, June 30, 2024 4:46 PM
To: Jennifer Cram
Cc: Craig Haddox
Subject: peninsula shores ammendment

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Trustees:

I cannot be at the public hearing but wanted to express my concerns about this ammendment.

My family owns property on Trevor Road in Smokey Hollow Estates, just north of Peninsula Shores and surrounding property. We have social gatherings at the cul-de-sac that borders the Peninsula Shores property and enjoy the rural environment that lends itself to our development. The original approved plan for the Peninsula Shores property was to have open space in the area that abuts the open space owned by Smokey Hollow Estates residents at the end of our cul-de-sac. We were initially satisfied with the original plan. We were extremely disappointed when the Peninsula Shores developer sought (and received) approval to build a house near our cul-de-sac in an area originally approved for open space. Now they are asking approval for a second house even closer to our property.

The use of the Smokey Hollow Estates open space that abuts the Peninsula Shores development is very important to us, and we greatly appreciate the quiet rural nature of, and views from, this outdoor space. However, adding yet another house in what was to be open space will significantly diminish the rural character and views of our open space at the top of our cul-de-sac. I can think of only one reason why the developers are adding an additional house - additional profit! I am pleading with the Peninsula Township Planning Commission to put the brakes on this latest effort that can only be labeled corporate greed. How would you react to a similar situation if a developer was building homes next to your property and after the disappointment of the developer receiving approval for one additional home, they came back to seek approval for a second home, both adjacent to your property?

The open space by our properties was one of the reasons why the Township found the initial development met the ordinance standards. The clustering of houses in the interior of the development was another. The preservation of our views was a third reason. Please honor that initial determination, give deference to that initial determination, and retain the open space and views by our properties that were a basis for the original approval of this development.

Thank you for your review of this.

Tom Durham
4126 Trevor Rd.

Tom Durham
46 Landfall
Falmouth, MA 02540
301-792-3829
tgdurham@verizon.net

**First Congregational Church
SUP #134, Amendment #1**

Peninsula Township Planning & Zoning Department
13235 Center Road
Traverse City, MI 49686

SPECIAL USE PERMIT (SUP)
FINDINGS OF FACT AND CONDITIONS
SUP #134, Amendment #1, First Congregational Church
July 9, 2024

PENINSULA TOWNSHIP BOARD

Applicant: First Congregational Church
6105 Center Road
Traverse City, Michigan 49686

Hearing Date(s): Planning Commission: May 7, 2024 (Introduction)
Planning Commission: June 4, 2024 (Public Hearing and Recommendation to Township Board)
Township Board: July 9, 2024 (Public Hearing)

PROPERTY DESCRIPTION

Parcel ID#: 28-11-336-090-00
Total Acreage: 15.6-acres
Property Address: 6105 Center Road, Traverse City, MI 49686
Zoning: R-1C – Suburban Residential
Adjacent Zoning: R-1C – Suburban Residential
Water: Public Water
Sewage Disposal: Public Sewer
Access: Center Road

INTRODUCTION AND BACKGROUND

Pursuant to Sections 6.4 and 8.6 of the Peninsula Township Zoning Ordinance, “religious institutions” and “educational and social institutions” are a special use in the R-1C zoning district. Educational and social institutions include public and private schools, including day care centers, auditoriums and other places of assembly, and centers for social activities.

According to a memo from previous Fire Chief, Richard Vander May dated June 24, 2011, the existing church was originally constructed prior to the adoption of the zoning ordinance in 1972.

On January 14, 2020, the Township Board approved an application for Special Use Permit (SUP) for the First Congregational Church to expand the existing church. The approved expansion included a 5,600 square foot second story addition to accommodate the Kid’s Zone, a 1,900 square foot first floor addition, a 350 square foot

addition for sanctuary storage, new outdoor patio, park and play area, reconfigured fire lane, and a 1,152 square foot storage building for the community garden.

First Congregational Church has submitted an application and supporting materials attached as [Exhibit #1](#) to amend the site plan for SUP #134. The first amendment request is summarized below.

- Expand Outdoor Park and Play Area
- Add a Shade Structure
- Add a Swing
- Add a Climbing/Play Structure
- Fencing to Enclose the Outdoor Park/Play Area

SECTION 8.1.3 BASIS FOR DETERMINATIONS

FINDINGS - SECTION 8.1.3 (1) GENERAL STANDARDS

***General Standards.** The Peninsula Township Board of Trustees shall review each application for the purpose of determining that each proposed use meets the following standards, and, in addition, shall find adequate evidence that each use on the proposed location will:*

- a) Be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and so that such a use will not change the essential character of the area in which it is proposed. **The existing church site is located at the base of the Old Mission Peninsula just outside the Traverse City municipal limits within a primarily suburban area. The underlying zoning district is the R-1C - Suburban Residential district. The R-1C district allows church and day care uses with the approval of a special use permit. The approval of SUP #134 included an outdoor play area with play structures to support the day care use on the property. The proposed addition of a shade structure and play equipment with fencing will not change the character of the area in which it is proposed. The board finds this standard has been met.**
- b) Not be hazardous or disturbing to existing or future uses in the same general vicinity and will be a substantial improvement to property in the immediate vicinity and to the community as a whole. **The proposed play area improvements will allow the church to continue to provide valuable day care services to its congregation and the greater Peninsula Township community. The play area is open to the public when not in use for scheduled day care services. We have received a letter of support from the neighborhood directly to the north included in [Exhibit #2](#). There are no known complaints related to the existing outdoor play area of which we are aware. As such, hazardous or disturbing activities are not part of the existing use or proposed improvements. The board finds this standard has been met.**
- c) Be served adequately by essential facilities and services such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, or schools. **The site is located on Center Road (a state highway) just north of the traffic signal at Peninsula Drive.**

Access to the site from Center Road is provided by a curbed driveway. The Grand Traverse County Sheriff's Department is the local police agency, and Peninsula Township provides fire protection. Storm water drainage is currently provided on site with a large detention area at the low area of the site along Center Road. A small retention area exists in the rear area of the church where the existing basement roof drains. Water and sewer are currently provided by municipal water and sewer services. Refuse generated at the site is currently handled with a small dumpster unit and totes from a local waste service. The proposed improvements to the outdoor play area do not negatively impact essential facilities or services. The board finds this standard has been met.

- d) Not create excessive additional requirements at public cost for public facilities and services. **There will be no additional requirements at public cost for public facilities and services as a result of the proposed play area improvements. The board finds this standard has been met.**
- e) Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by fumes, glare, or odors. **The existing and proposed church uses do not include any uses, activities, processes, materials, equipment, or conditions of operation that generate fumes, glare, or odors. There is noise associated with an outdoor play area. A noise study was conducted as part of the original SUP approval. It is not anticipated that the additional play equipment will result in a meaningful increase in noise. The board finds this standard has been met.**

FINDINGS - SECTION 8.1.3(3) SPECIFIC REQUIREMENTS:

Specific Requirements. In reviewing an impact assessment and site plan, the town board and the planning commission shall consider the following standards:

- (a) That the applicant may legally apply for site plan review. **First Congregational Church owns the parcel and existing building where the improvements to the existing outdoor play area are proposed. As such, the applicant may legally apply for the site plan review.**
- (b) That all required information has been provided. **The applicant has provided all required information to review the proposed amendments to the approved SUP.**
- (c) That the proposed development conforms to all regulations of the zoning district in which it is located. **The proposed building and site conform to all regulations, including minimum lot size, structure height, setbacks, and lot coverage for the R1-C, Suburban Residential zoning district.**
- (d) That the plan meets the requirements of Peninsula Township for fire and police protection, water supply, sewage disposal or treatment, storm drainage, and other public facilities and services. **The site is adequately served by police and fire protection. Municipal sewer and water are currently provided. Storm drainage is currently provided on-site and is capable of handling the proposed additional shade structure and play equipment.**

- (e) That the plan meets the standards of other governmental agencies, where applicable, and that the approval of these agencies has been obtained or is assured. **No additional approvals are needed from outside agencies for the proposed expansion to the outdoor play area with additional shade structure and play equipment.**
- (f) That natural resources will be preserved to a maximum feasible extent and that areas to be left undisturbed during construction shall be so located on the site plan and at the site per se. **The existing site has been developed with the existing church building and parking lot. The proposed expansion to the outdoor park and play area is located logically on the site. There is also extensive landscaping throughout the site that is maintained by First Congregational Church's Garden and Grounds Committee. Disturbance to the existing site will be minimal to accommodate the proposed shade and play structures.**
- (g) That the proposed development property respects floodways and floodplains on or in the vicinity of the subject property. **The property is not located within a floodplain or floodway.**
- (h) That the soil conditions are suitable for excavation and site preparation and that organic, wet, or other soils that are not suitable for development will either be undisturbed or modified in an acceptable manner. **The existing soils are suitable for construction activities. There are no known wetlands or other wet soils present on the property.**
- (i) That the proposed development will not cause soil erosion or sedimentation problems. **A permit or waiver is required from Grand Traverse County Soil Erosion and Sedimentation Control and will be obtained prior to construction as part of the land use permit process.**
- (j) That the drainage plan for the proposed development is adequate to handle anticipated stormwater runoff and will not cause undue runoff onto neighboring property or overloading of water courses in the area. **The stormwater runoff generated from the proposed play area improvements is anticipated to be nominal.**
- (k) That grading or filling will not destroy the character of the property or the surrounding area and will not adversely affect the adjacent or neighboring properties. **Proposed site grading is minimal. Site grading is designed to fit the site elements into the existing topography. Grading limits are contained to this site and neighboring properties will be unaffected by the site grading for proposed amendments.**
- (l) That structures, landscaping, landfills, or other land uses will not disrupt air drainage systems necessary for agricultural uses. **The proposed plan amendments will not disrupt air drainage systems necessary for agricultural uses.**
- (m) That phases of development are in a logical sequence so that any one phase will not depend upon a subsequent phase for adequate access, public utility service, drainage, or erosion control. **The proposed outdoor play area improvements will be completed in one phase.**
- (n) That the plan provides for the proper expansion of existing facilities such as public streets, drainage systems, and water sewage facilities. **Proposed amendments do not require the expansion of**

public facilities.

- (o) That landscaping, fences, or walls may be required by the town board and planning commission in pursuance of the objectives of this ordinance. **The proposed amendments to the outdoor play area include a decorative fence to enclose the play area that is consistent with existing fencing on the property.**
- (p) That parking layout will not adversely affect the flow of traffic within the site or to and from the adjacent streets. **The existing parking provided is appropriate in amount, flow, and access from the adjacent street to serve the existing church and proposed amendments to the outdoor play area.**
- (q) That vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks serving the site, shall be safe and convenient. **No changes to vehicular or pedestrian circulation are proposed. Sidewalks are provided to direct users in a safe and convenient manner from the parking area to the outdoor play area.**
- (r) That outdoor storage of garbage and refuse is contained, screened from view, and located so as not to be a nuisance to the subject property or neighboring properties. **There are no changes proposed or required for refuse removal.**
- (s) That the proposed site is in accord with the spirit and purpose of this ordinance and not inconsistent with, or contrary to, the objectives sought to be accomplished by this ordinance and the principles of sound planning. **The board finds that proposed site plan amendments to the outdoor play area are in accord with the spirit and purpose of this ordinance.**

COMPLIANCE WITH GOVERNMENTAL REGULATIONS:

The petitioner shall comply with all state, county, township, and other governmental regulations relative to the establishment of the special use for a parcel zoned R-1C, which includes meeting the requirements of the Michigan Department of Transportation (MDOT), the Grand Traverse County Drain Commissioner (GTCD), the Grand Traverse County Road Commission (GTCRC), and the Grand Traverse County Health Department (GTCHD). Zoning compliance is based on the governing special land use document, approved site plan, and Articles 6 and 8 of the Peninsula Township Zoning Ordinance.

APPROVAL CONDITIONS AND SAFEGUARDS:

Pursuant to Section 8.1.3 (2), the board may require such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights, and for ensuring that the intent and objectives of the ordinance will be observed. The breach of any condition, safeguard, or requirement shall automatically invalidate the permit granted. Specific conditions and requirements for a land use permit include:

- 1. All prior findings, conditions and safeguards imposed by the Peninsula Township Board that apply to this amendment remain in effect.

COMMENCEMENT AND COMPLETION

The commencement and completion of special land uses are governed by Section 8.1.2(5) of the Peninsula Township Zoning Ordinance. Violations of the special land use permit and accompanying site plan are enforceable, and remedies are available under Section 3.2 of the zoning ordinance.

EFFECTIVE DATE OF SPECIAL LAND USE:

The special land use shall be effective when the application has been approved by the Peninsula Township Board of Trustees, subject to the above conditions. The board approves by a vote of:

AYES	_____
NAYS	_____
ABSTAINING	_____
ABSENT	_____

The undersigned hereby certifies that she is the clerk for the Township of Peninsula, Grand Traverse County, Michigan, and that the foregoing special use permit was approved by the Peninsula Township Board of Trustees on _____.

The undersigned further certifies that a quorum was present at said meeting and that said meeting complied with all applicable laws and regulations.

Rebecca Chown, Peninsula Township Clerk

Approved by the Peninsula Township Board on _____

Isaiah Wunsch, Peninsula Township Supervisor

THIS PERMIT SHALL BE ATTACHED TO THE SITE PLAN AND BECOME A PART THEREOF.

I hereby acknowledge that I have received a true copy of the special land use permit and I have been informed of said requirements of this special land use permit and of the requirements of the Peninsula Township Zoning Ordinance.

First Congregational Church

Exhibit 1

FIRST CONGREGATIONAL CHURCH
6105 Center Rd Traverse City, Michigan 49686 231.947.6698 FCCTC.ORG

March 27, 2024

Jennifer Cram, Director of Planning
Peninsula Township
13235 Center Road
Traverse City, MI 49686

Re: First Congregational Church Application for Minor Amendment to Special Use Permit (SUP #134)

Dear Jenn:

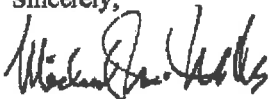
I am pleased to submit this special use permit application package on behalf of the First Congregational Church Board of Trustees. As discussed at the introduction meeting on March 20, the application is being submitted as a Minor Amendment to SUP #134 issued January 14, 2020. The following items are included:

- Special Use Permit Application
- Special Use Permit Application Checklist Statement w/ attachments:
 - o Overview of Proposed Project from Michael Wills
 - (2) full size 24"x36" sets and (7) 11"x17" sets of the following drawings:
 - o Existing Site plan drawings (sheet numbered C1)
 - o Playground Expansion Drawing (Sheet numbered S1)
 - o Play Structure Photo Sheet

CD with electronic pdf's of submitted documents.

We are looking forward to the introduction to the Planning Commission at the May 7th Planning Commission meeting. Please contact me with any questions or comments. If additional copies of any item are needed, please let me know and I will provide them.

Sincerely,



Michael W Wills
Chair, FCC Infrastructure Task Force



SPECIAL USE APPLICATION CHECKLIST STATEMENT

FCC Playground Expansion Minor Amendment to SUP #134

To: Peninsula Township
Jenn Cram, Planner

Date: March 26, 2024

Prepared By: Michael Wills

RE: FCC Playground Expansion, SUP
#134, Minor Amendment

By: Chair, FCC Infrastructure Task Force

This statement is prepared as required by the Peninsula Township Special Use Permit Application and Checklist documents and included as part of the application.

First Congregational Church sits on 15.6 acres along Center Road at the base of the peninsula. The property is located in the R-1C zoning district and the church is a long-standing existing use permitted by Special Use Permit and re-issued January 14, 2020 with the KidZone addition. The church proposes a shade structure inside one of the existing outdoor fenced play areas, a minor expansion of the playground area with a swing set and climbing structure within a new 2600 sf granular rubber mulch fall protection zone and an ornamental fence to match the existing play area fences around the expanded area for the safety of the children while playing, which are presented in the application drawings. Currently, children have been found wandering into the parking lot and neighboring properties due to the lack of a containment fence.

The addition proposed in this application is intended primarily for use of the children attending the Community Childrens Center (CCC) daycare program to allow more children to be outside with proper supervision and containment to satisfy Day Care regulations. The playground is also open to the public when not in use by CCC. More specific information on this addition can be found within the project overview attached to this document.

This proposed expansion is insignificant relative to the existing site and facilities and there is zero impact to parking requirements as the additional outdoor play area will simply accommodate children that occupy the existing classrooms.

Statements regarding how the project meets the general standards and specific requirements of Section 8.1.3 follows.

Section 8.1.3 (1) General Standards

b. Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.

The existing church site is located at the base of the Old Mission Peninsula just outside the Traverse City city limits within a primarily suburban area. The underlying zoning district is the R-1C, Suburban Residential district. The proposed play equipment was chosen to be similar in colors and design to the existing shade and play structures. The proposed additions are an extension of the existing use and will not change the character of the area in which it is proposed.

c. Not be hazardous or disturbing to existing or future uses in the same general vicinity and will be a substantial improvement to property in the immediate vicinity and to the community as a whole.

FCC Playground Expansion, Amendment SUP #1 March 26, 2020

The proposed playground additions will allow the church to continue to provide valuable ministries to its congregation and the greater Peninsula Township community. Hazardous or disturbing activities are not part of the existing church use and will not be part of the additions.

d. Be served adequately by essential facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, or schools.

The site is located on Center Road (state highway) just north of the traffic signal at Peninsula Drive. Access to the site from Center Road is provided by a curbed driveway meeting MDOT standards for a commercial driveway. Grand Traverse County Sheriff's Department is the local police agency and Peninsula Township provides fire protection. Storm water drainage is currently provided on site with a large detention area at the low area of the site along Center Road. A small retention area exists in the rear area of the church where the existing basement roof drains. Stormwater calculations for the proposed developments are included on the plans and show the existing areas are sufficient. Water and sewer are currently provided by municipal water and sewer services. Refuse generated at the site is currently handled with a small dumpster unit and totes from a local waste service.

The playground expansion does not impact parking or traffic in any way, as it will serve the daycare operations and children for which parking is already provided. As future additions to the building are contemplated, traffic and parking issues will be revisited and addressed in the future at such time another amendment to the SUP is applied for another larger addition.

e. Not create excessive additional requirements at public cost for public facilities and services.

All the development required for this proposed use will be funded by First Congregational Church without additional cost to Peninsula Township.

f. Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by fumes, glare or odors.

The existing and proposed church use does not include any uses, activities, processes, materials, equipment, or conditions of operation that generate fumes, glare, or odors.

Section 8.1.3 (3) Specific Requirements

a. That the applicant may legally apply for site plan review.

First Congregational Church owns the parcel and existing building where the expansion project is proposed.

b. That all required information has been provided.

A site plan and preliminary plans for the proposed expansions have been provided as outlined in the "Application Requirements".

c. That the proposed development conforms to all regulations of the zoning district in which it is located.

The proposed building and site conforms to all regulations including minimum lot size, structure height, setbacks, and lot coverage for the R1-C, Residential Suburban zoning district.

d. That the plan meets the requirements of Peninsula Township for fire and police protection, water supply, sewage disposal or treatment, storm drainage and other public facilities and services.

The site is adequately served by police and fire protection. Municipal sewer and water are currently provided.. Storm drainage is currently provided on-site and is capable of handling the proposed additions.

e. That the plan meets the standards of other governmental agencies where applicable, and that the approval of these agencies has been obtained or is assured.

Construction plans will be provided to the following applicable agencies for permit as required prior to construction.

- i. Grand Traverse County Road Commission/MDOT – No Permit Required for existing driveway*
- ii. Grand Traverse County Drain Commissioner – N/A*
- iii. County DPW standards for sewer and water if public. - currently served by both. No changes needed.*
- iv. Grand Traverse County Health Department for private systems – N/A*
- v. State and Federal Agencies for wetlands, public sewer and water. – N/A*

f. That natural resources will be preserved to a maximum feasible extent, and that areas to be left undisturbed during construction shall be so located on the site plan and at the site per se.

The existing site is extensively developed with building and parking. The proposed additions fit logically with the existing structure and site improvements. There is also extensive landscaping throughout the site that is maintained by the Garden and Grounds Committee. Similar landscaping will be provided to fit the existing site. Only areas necessary for the construction of the proposed improvements will be disturbed.

g. That the proposed development property respects floodways and flood plains on or in the vicinity of the subject property.

The site is not known to be located within any floodway or floodplain.

h. That the soil conditions are suitable for excavation and site preparation, and that organic, wet or other soils which are not suitable for development will either be undisturbed or modified in an acceptable manner.

The existing soils on site are identified as Kalkaska Sand, Leelanau-Kalkaska loamy sand, and Richter loams according to the USDA Soil Survey. These soils are suitable for construction activities. Wetlands or other wet soils are not known to be present on this site.

i. That the proposed development will not cause soil erosion or sedimentation problems.

The proposed construction limits are the least required to build the project. If a permit is required from Grand Traverse County Soil Erosion and Sedimentation Control it will be obtained prior to construction.

j. That the drainage plan for the proposed development is adequate to handle anticipated storm water runoff, and will not cause undue runoff onto neighboring property or overloading of water courses in the area.

The storm water runoff generated from this project is proposed to be maintained by the existing stormwater detention and retention areas located on the site.

k. That grading or filling will not destroy the character of the property or the surrounding area, and will not adversely affect the adjacent or neighboring properties.

The site grading is minimal, and only needed to smooth the proposed new 2600 sf mulch area within the existing topography. New and reshaped slopes are intended to be minor in nature to achieve a 2% maximum grade under the new play structures and blend into existing slopes on the site. Grading limits are contained to this site and neighboring properties will be unaffected by the site grading of this project.

l. That structures, landscaping, landfills or other land uses will not disrupt air drainage systems necessary for agricultural uses.

The playground additions will not disrupt any air drainage systems necessary for agricultural uses.

m. That phases of development are in a logical sequence, so that any one phase will not depend upon a subsequent phase for adequate access, public utility service, drainage or erosion control.

There is no phasing anticipated but, if necessary, dependent on available funding, any phase or element within phases can stand on its own.

n. That the plan provides for the proper expansion of existing facilities such as public streets, drainage systems and water sewage facilities.

No public utilities requiring expansion, now or in the future, are necessary.

o. That landscaping, fences or walls may be required by the Town Board and Planning Commission in pursuance of the objectives of this Ordinance.

Required landscaping along Center road is currently provided on the site to shield the existing and proposed parking area. There is an existing vegetation buffer and chain link fence between the playground and neighboring Walnut Ridge subdivision.

p. That parking layout will not adversely affect the flow of traffic within the site, or to and from the adjacent streets.

The parking provided is appropriate in amount, flow on site, and access from the streets to serve the existing church and day care program.

q. That vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks serving the site, shall be safe and convenient.

The traffic circulation on site, and access from the streets to serve the church and proposed additions is appropriate. Sidewalks are provided to direct users in a safe and convenient manner from the parking area to the building.

r. That outdoor storage of garbage and refuse is contained, screened from view and located so as not to be a nuisance to the subject property or neighboring properties.

Refuse generated at the site is currently handled with a small dumpster unit, refuse, and recycling totes from a local waste service. A designated area currently on site is shown on plans.

s. That the proposed site is in accord with the spirit and purpose of this Ordinance and not inconsistent with, or contrary to, the objectives sought to be accomplished by this Ordinance and the principles of sound planning.

It is believed this project meets the spirit, purpose, and principles of this Ordinance.

FIRST CONGREGATIONAL CHURCH
6105 Center Rd Traverse City, Michigan 49686 231.947.6698 FCCTC.ORG

March 27, 2024

**Overview of
Proposed Playground Expansion
First Congregational Church
Peninsula Township, Michigan**

First Congregational Church desires to expand the playground area on the North side of the building, adding a swing set, an additional play structure, a shade structure and a fence to enclose the area and contain the children for their safety. By doing so, we will be able to safely accommodate more children from our daycare program at any given time in outdoor play activities. It also provides more play facilities for children of its congregants and the surrounding community. These additions are referred to as the KidZone Playground Expansion, Minor Amendment to SUP #134 issued Jan 14, 2020.

I. Overview

A. Existing Church Campus

1. Existing Building (with 580-Seat Sanctuary and including the 2020 KidZone Addition)

- Main Floor 45,420 sf
- Lower Level 11,530 sf
- Balcony *NI*
- Total 56,950 sf
- Note: 13,030 sf of this is shared-use space for the church's kid's programs and child care center. This area includes ten classrooms, nursery suite, lower level play area and small restrooms.

2. Existing Parking Lot

- 299 Parking Spaces, including 10 Accessible Spaces

B. Proposed Playground Expansion

1. 20'x20' shade structure placed within existing fenced play area
2. Addition of 2600 sf granular rubber mulch safe play area containing
 - 4'-7" x 13'-10" Big Bend Swing set
 - 21'-10" x 32'-3" "The Hills" Play structure,
3. 275 LF of Harmony Victorian, bronze colored ornamental fencing connected to the front corner of the building with a non-symmetrical double gate at the sidewalk, 42" side for pedestrian use and 72" side, creating a 10' wide vehicular access when opened together. Also, a pedestrian gate between the building and the existing play area near the Pavilion. This fence is the same as used to enclose the existing play areas.

C. Parking Overview

Existing

	Seats
1. Sanctuary	
• Main Floor	388
• Balcony	150
• Chancel	<u>80</u>
• Total	618
2. Chapel	80
3. Fellowship Hall	<u>200</u>
4. Total Seating	898
5. Parking Spaces	300
6. Community Children's Center (CCC)	37
13,030 sf This area includes ten classrooms, nursery suite, lower level play area and small restrooms, resource room; not including corridors	

D. Zoning Regulations

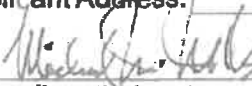
- Churches (FCC) (Sec. 7.6.3(2)(a))
 - 1 space / 3 seats in main unit of worship
- Child Care Centers (CCC) (Sec. 7.6.3(2)(d))
 - 1 space / 350 sf of floor space
 - Playground will not impact parking, as it serves the children of the CCC and parking is already provided for that use
- Note: The CCC will not impact FCC's parking requirements, since each use has distinctly different "operating hours". This is based on the standard entitled "Joint Use of Off-Street Parking Areas". (Sec. 7.6.1(3))

PENINSULA TOWNSHIP APPLICATION FOR SPECIAL USE PERMIT NO.

Parcel Code/s #28-11-336 090 .00

Property Address: **6105 Center Rd, TC MI 49686**

Applicant Address: **110 Fairway Hills Dr, TC MI 49684**


Applicant's Signature

Review Fee 768.00

Check No. Date

APPLICATION REQUIREMENTS

1. Each application is submitted through the Zoning Administrator, and shall be accompanied by a fee as established by the Peninsula Township Board.
2. The applicant will assume direct costs for any additional professional review determined necessary by the Planning Commission or the Township Board, subject to prior review and approval of the applicant.
3. No part of any fee is to be refundable and no portion of the fee covers the cost of any individual land use permit that may be issued on any of the building sites located in a Planned Unit Development.
4. Requirements for documents and information filled out in full by the applicant:
 - (a) A statement of supporting evidence showing compliance with the requirements of Section 8.1.3.
 - (b) Site plan, plot plan, development plan, drawn to scale (preferable 1"=50'), of total property involved showing the location of all abutting streets, the location of all existing and proposed structures and their uses, and the location and extent of all above ground development, both existing and proposed.
 - (c) Preliminary plans and specifications of the proposed development.
5. This application, along with all required data shall be submitted to the Zoning Administrator.
 - (a) Upon receipt of a completed application and the required data by the Zoning Administrator, it is transmitted to the Township Planning Commission for review.
 - (b) The Planning Commission may hold a public hearing on the application.
 - (c) Following a study by the Planning Commission it is transmitted to the Township Board for consideration.
 - (d) The Township Board may deny, approve, or approve with conditions, a request for special land use approval.

6. **Specific Requirements:** In reviewing an impact assessment and site plan, the Town Board and the Planning Commission shall consider the following standards:

Ordinance Reference - Section 8.1.3

Include a statement of HOW the proposed project meets the standards:

Section 8.1.3 Basis for Determinations: Before making recommendation on a special use permit application, the Town Board shall establish that the following general standards, as well as the specific standards outlined in each section of this Article, shall be satisfied.

- (1) **General Standards:** The Town Board shall review each application for the purpose of determining that each proposed use meets the following standards, and in addition, shall find adequate evidence that each use on the proposed location will:
 - (a) Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.
 - (b) Not be hazardous or disturbing to existing or future uses in the same general vicinity and will be a substantial improvement to property in the immediate vicinity and to the community as a whole.
 - (c) Be served adequately by essential facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, or schools.
 - (d) Not create excessive additional requirements at public cost for public facilities and services.
 - (e) Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by fumes, glare or odors.
- (2) **Conditions and Safeguards:** The Town Board may impose such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights, and for insuring that the intent and objectives of this Ordinance will be observed. The breach of any condition, safeguard or requirement shall automatically invalidate the permit granted.
- (3) **Specific Requirements:** In reviewing an impact assessment and site plan, the Town Board and the Planning Commission shall consider the following standards:
 - (a) That the applicant may legally apply for site plan review.
 - (b) That all required information has been provided.
 - (c) That the proposed development conforms to all regulations of the zoning district in which it is located.

- (d) That the plan meets the requirements of Peninsula Township for fire and police protection, water supply, sewage disposal or treatment, storm drainage and other public facilities and services.
- (e) That the plan meets the standards of other governmental agencies where applicable, and that the approval of these agencies has been obtained or is assured.
- (f) That natural resources will be preserved to a maximum feasible extent, and that areas to be left undisturbed during construction shall be so located on the site plan and at the site per se.
- (g) That the proposed development property respects floodways and flood plains on or in the vicinity of the subject property.
- (h) That the soil conditions are suitable for excavation and site preparation, and that organic, wet or other soils which are not suitable for development will either be undisturbed or modified in an acceptable manner.
- (i) That the proposed development will not cause soil erosion or sedimentation problems.
- (j) That the drainage plan for the proposed development is adequate to handle anticipated stormwater runoff, and will not cause undue runoff onto neighboring property or overloading of water courses in the area.
- (k) That grading or filling will not destroy the character of the property or the surrounding area, and will not adversely affect the adjacent or neighboring properties.
- (l) That structures, landscaping, landfills or other land uses will not disrupt air drainage systems necessary for agricultural uses.
- (m) That phases of development are in a logical sequence, so that any one phase will not depend upon a subsequent phase for adequate access, public utility service, drainage or erosion control.
- (n) That the plan provides for the proper expansion of existing facilities such as public streets, drainage systems and water sewage facilities.
- (o) That landscaping, fences or walls may be required by the Town Board and Planning Commission in pursuance of the objectives of this Ordinance.
- (p) That parking layout will not adversely affect the flow of traffic within the site, or to and from the adjacent streets.
- (q) That vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks serving the site, shall be safe and convenient.

- (r) That outdoor storage of garbage and refuse is contained, screened from view and located so as not to be a nuisance to the subject property or neighboring properties.
 - (s) That the proposed site is in accord with the spirit and purpose of this Ordinance and not inconsistent with, or contrary to, the objectives sought to be accomplished by this Ordinance and the principles of sound planning.
7. A public hearing on a special land use request is held by the Township Board if:
- a. A public hearing is requested by the Township Board, the applicant for special land use authorization, a property owner, or the occupant of a structure located within three hundred (300) feet of the boundary of the property being considered for a special land use.
 - b. The decision on the special land use request is based on discretionary grounds.
8. Complies with Section 7.7 Developments Abutting Agricultural Lands.

Page 4 of 4

Special Use Permit - Checklist

Special Use Permit Number 134 Issued 1/14/2020, Minor Amendment to

Parcel Code/s #28-11-336-090-00

Property Address: 6105 Center Rd, Traverse City, MI 49686

Applicant: First Congregational Church

ARTICLE VIII

Ordinance Reference - Section 8.1.2 Permit Procedures:

1. **Submission of Application:**

- a. _____ **Fee** No part of any fee shall be refundable.

Ordinance Reference - Section 8.1.3

Section 8.1.3 Basis for Determinations: Before making recommendation on a special use permit application, the Town Board shall establish that the following general standards, as well as the specific standards outlined in each section of this Article, shall be satisfied.

General Standards: The Town Board shall review each application for the purpose of determining that each proposed use meets the following standards, and in addition, shall find adequate evidence that each use on the proposed location will:

2. **General Standards - Include a statement of HOW the proposed project meets the standards::**

- a. _____ Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.
- b. _____ Not be hazardous or disturbing to existing or future uses in the same general vicinity and will be a substantial improvement to property in the immediate vicinity and to the community as a whole.
- c. _____ Be served adequately by essential facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, or schools.
- d. _____ Not create excessive additional requirements at public cost for public facilities and services.
- e. _____ Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by fumes, glare or odors.
- f.

Conditions and Safeguards: The Town Board may impose such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property

rights, and for insuring that the intent and objectives of this Ordinance will be observed. The breach of any condition, safeguard or requirement shall automatically invalidate the permit granted.

Specific Requirements: In reviewing an impact assessment and site plan, the Town Board and the Planning Commission shall consider the following standards:

3. Include a statement of HOW the proposed project meets the standard:

- a. _____ That the applicant may legally apply for site plan review.
- b. _____ That all required information has been provided.
- c. _____ That the proposed development conforms to all regulations of the zoning district in which it is located.
- d. _____ That the plan meets the requirements of Peninsula Township for fire and police protection, water supply, sewage disposal or treatment, storm drainage and other public facilities and services.
- e. _____ That the plan meets the standards of other governmental agencies where applicable, and that the approval of these agencies has been obtained or is assured.
 - i. _____ Grand Traverse County Road Commission
 - ii. _____ Grand Traverse County Drain Commissioner
 - iii. _____ County DPW standards for sewer and water if public.
 - iv. _____ Grand Traverse County Health Department for private systems
 - v. _____ State and Federal Agencies for wetlands, public sewer and water.
- f. _____ That natural resources will be preserved to a maximum feasible extent, and that areas to be left undisturbed during construction shall be so located on the site plan and at the site per se.
- g. _____ That the proposed development property respects floodways and flood plains on or in the vicinity of the subject property.
- h. _____ That the soil conditions are suitable for excavation and site preparation, and that organic, wet or other soils which are not suitable for development will either be undisturbed or modified in an acceptable manner.
- i. _____ That the proposed development will not cause soil erosion or sedimentation problems.
- j. _____ That the drainage plan for the proposed development is adequate to handle anticipated stormwater runoff, and will not cause undue runoff onto neighboring property or overloading of water courses in the area.
- k. _____ That grading or filling will not destroy the character of the property or the surrounding area, and will not adversely affect the adjacent or neighboring properties.
- l. _____ That structures, landscaping, landfills or other land uses will not disrupt air drainage systems necessary for agricultural uses.
- m. _____ That phases of development are in a logical sequence, so that any one phase will not depend upon a subsequent phase for adequate access, public utility service, drainage or erosion control.
- n. _____ That the plan provides for the proper expansion of existing facilities such as public streets, drainage systems and water sewage facilities.
- o. _____ That landscaping, fences or walls may be required by the Town Board and Planning Commission in pursuance of the objectives of this Ordinance.
- p. _____ That parking layout will not adversely affect the flow of traffic within the site, or to and from the adjacent streets.

- q. _____ That vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks serving the site, shall be safe and convenient.
- r. _____ That outdoor storage of garbage and refuse is contained, screened from view and located so as not to be a nuisance to the subject property or neighboring properties.
- s. _____ That the proposed site is in accord with the spirit and purpose of this Ordinance and not inconsistent with, or contrary to, the objectives sought to be accomplished by this Ordinance and the principles of sound planning.
- 4. **Present 8 copies of Site plan, plot plan, development plan**
Drawn to scale (preferable 1"=50'), of total property involved showing:
 - a. _____ the location of all abutting streets,
 - b. _____ the location of all existing and proposed structures and their uses
 - c. _____ the location and extent of all above ground development, both existing and proposed.
 - d. Preliminary plans and specifications of the proposed development. *This preliminary plan shall be in a form that can be easily reproduced on transparencies that can be used for public presentation.*

Is the project to be developed in Phases? ___ Yes; ___ No.

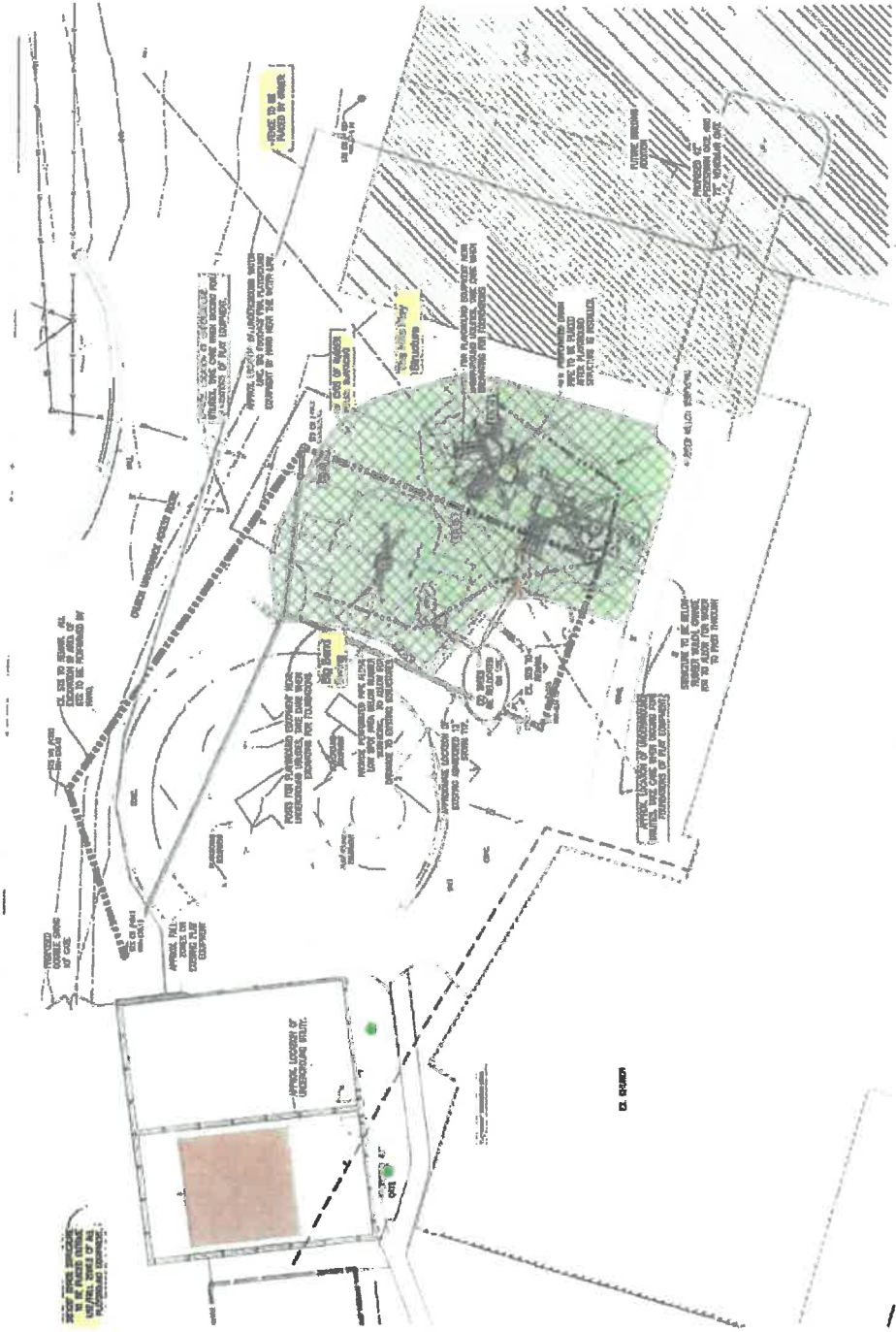
- 5. If the project is to be phased, provide documentation that:
 - a. _____ Upon completion, each phase will be capable of standing on its own in terms of the presence of services, facilities, and open space, and contains the necessary components to insure protection of natural resources and the health, safety, and welfare of the users of the project and the residents of the surrounding area.
 - b. _____ Shows a proposed commencement date for each phase of the project.

Survey Notes

1. THE SURVEYWORK WAS CONDUCTED BY A PROFESSIONAL SURVEYOR IN ACCORDANCE WITH THE SURVEYING ACT, R.S. 48:151.
2. THE SURVEY WAS CONDUCTED USING THE METHOD OF A CORNER TO CORNER SURVEY. THE SURVEY WAS CONDUCTED USING THE METHOD OF A CORNER TO CORNER SURVEY. THE SURVEY WAS CONDUCTED USING THE METHOD OF A CORNER TO CORNER SURVEY.
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Layout Notes

1. ALL DIMENSIONS SHOWN ARE APPROXIMATE AND SHOULD BE VERIFIED BY THE CONTRACTOR.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.



PLAYGROUND EXPANSION LAYOUT PLAN

**LAYOUT PLAN
FIRST CONGREGATIONAL CHURCH**

Project Name	First Congregational Church
Project No.	2023060001.00
Scale	1" = 10'
Date	06/15/2023
Drawn By	[Name]
Checked By	[Name]
Approved By	[Name]

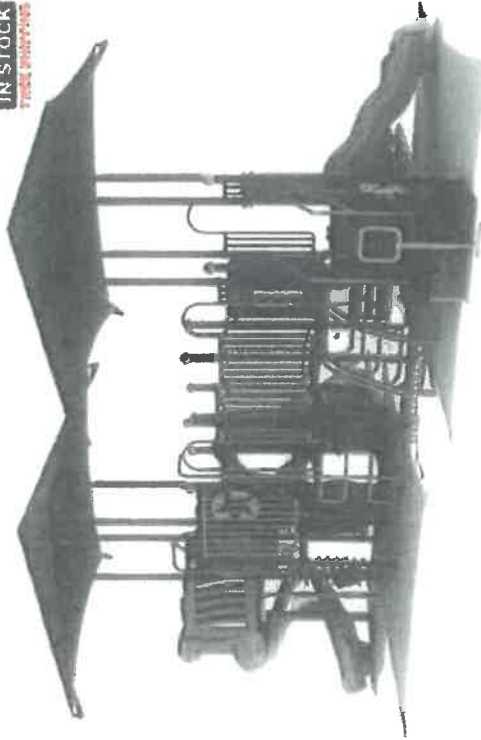


811 Everywhere. Call before you dig.
 Call 811 to report a utility problem or to request a utility location. 811 is a free service provided by the state of Louisiana. It is available 24 hours a day, 7 days a week. For more information, visit www.811la.gov.



EXISTING PLAYGROUND FENCE TO BE MATCHED

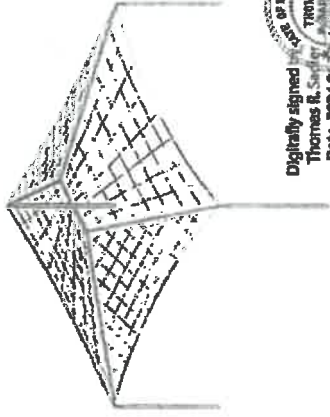
IN STOCK
TRUCK DELIVERY



THE HILLS PLAY STRUCTURE

PROJECT: COMMUNITY CHILDRENS CENTER
LOCATION: TRAVERSE CITY, MI

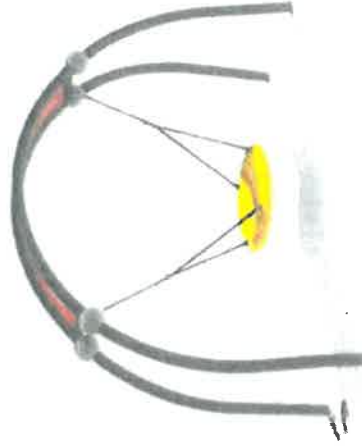
STRUCTURE: 20 ft x 20 ft x 10 ft HP UNIT



Digitally signed by
Thomas R. Suter
Date: 2024.01.12
10:23:40 -0500

January 12, 2024

20' x 20' SHADE STRUCTURE



BIG BEND SWING

Exhibit 2

Jennifer Cram

From: John Bercini <jbercini@att.net>
Sent: Wednesday, June 26, 2024 7:38 PM
To: Jennifer Cram; Becky Chown
Subject: SUP for the First Congregational Church

SUP for the First Congregational Church
Parcel # 28-11-336-090-00

To the Peninsula Township Board,

I'm John Bercini, President of the Walnut Ridge Home Owners Association.

I'm writing on behalf of the 9 property owners with addresses from 570 to 746 Walnut Ridge which is the entirety of the Walnut Ridge Home Owners Association. Our properties form the entire northern border with the Church.

The Church has been a good neighbor and we endorse the approval of this SUP.

Respectfully,

John Bercini

John Bercini
jbercini@att.net
Cell/Text : 630.235.1475

**St. Joseph's Catholic Church
2024 Fall Festival**

St. Joseph Catholic Church Old Mission Peninsula

May 14, 2024

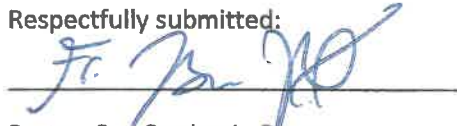
Name of Event: St Joseph's Catholic Church Fall Festival

St Joseph's, 12675 Center Road, Traverse City MI 49686

Phone: 231-421-7310

- Event to be held entirely on the property
- Date of Event: September 14, 2024
- Time: 11:00am to 4:00pm
- Description: A Parish Festival at St Joseph's Church In cooperation with Our Lady of Guadalupe Parish, the Hispanic parish who use to meet at St. Joseph's and who will be responsible for the food tent. This is part of our ongoing effort to become a larger part of the Old Mission Community. We intend to highlight our unique location and legacy, which is why, along with a typical tent for children's games and a tent for food, we will also offer wine tasting in our parish hall (instead of the more typical beer tent).
- Expected Number of People throughout the day: no more at any given time than our onsite parking can accommodate, definitely less than our Christmas Liturgies.
- Wine tasting: In Parish Hall only one entrance. Other doors locked. Supervision at all exits
 - Represented in the "tasting" are those Vineyards of the Peninsula who choose to participate (only a few have been contacted until approval is received).
- The signs we be attached to our St Joseph's road sign which is permanent signage The sign will just say "St. Joseph Fall Festival THIS SATURDAY 11-4pm"
- A medical station will be set up with a Registered Nurse from the Parish attending it.
- Food and water supplies will be in the "Food Tent" See Site Plan Attached
- Health and sanitation facilities are in the Church, which accommodates similar crowds on weekends and major feast days.
- Vehicle access and parking facilities are attached See Site Plan Attached
- The tent set up - See Site Plan Attached
- Clean up and Waste Disposal has been assigned to Parish committees and we have Garbage pick up on Fridays.
- No road closures are necessary
- Insurance and Bonding arrangements are through our insurance carrier, Michigan Catholic Conference and has been submitted as of this writing.
- See Site Plan Attached

Respectfully submitted:

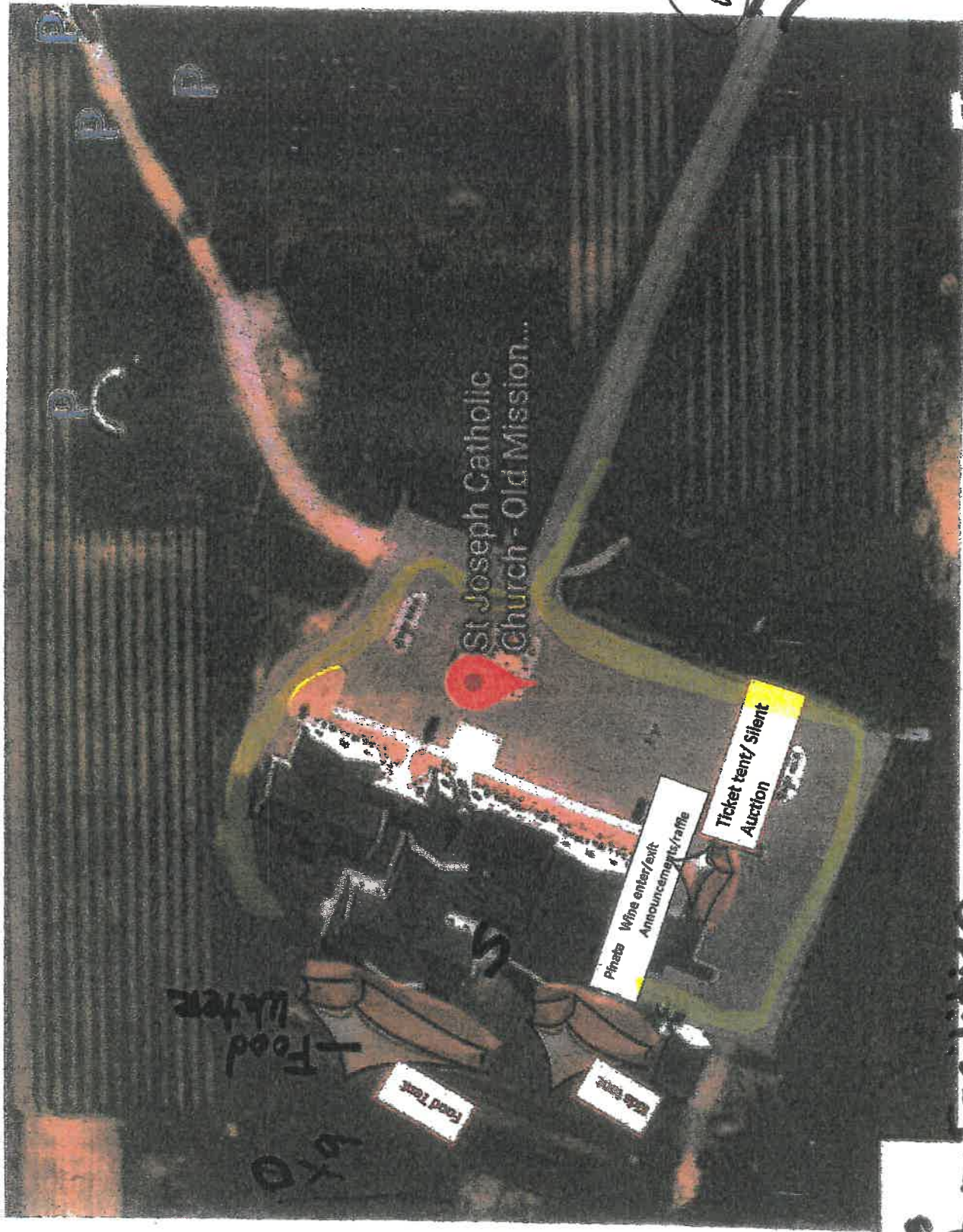


Pastor, Rev Benjamin Rexroat

St Joseph Catholic Church Old Mission Peninsula

RECEIVED
6/6/24

FIRE LANE



PARKING - TOTAL 100 SPOTS FP

+ signs
 S = Sanitary facilities
 P = Disposal (9 units)



Special License Application

A completed Special License application must be submitted as early as possible before your event(s) to avoid any delays in processing. It is strongly recommended that you submit the application as soon as you know the date of your event(s). Failure to submit a completed application at least ten (10) business days prior to the event(s) may result in no Special License being issued, pursuant to administrative rule R 436.575.

Part 1 - Applicant Organization Information

Applicant organization name: ST JOSEPH CATHOLIC CHURCH			
Applicant address: 12675 CENTER RD			
City: TRAVERSE CITY		Zip Code: 49686	
Contact name: KAY AUEU	Phone: 231-421-7310 x4	Email: businessmanager@stjoseph.ca.org	
Alternate contact name: Karrie Waskerwitz	Phone:	Email:	
1. Has the applicant organization previously received a Special License? <input checked="" type="radio"/> Yes <input type="radio"/> No		<i>Leave Blank - MLCC Use Only</i>	
<i>Michigan organizations must provide current articles of incorporation filed with Michigan Corporations Division.</i>			
<i>Out-of-state organizations must provide: (a) current articles of incorporation from state of issuance; (b) current certificate of good standing from state of incorporation; and (c) current Certificate of Authority to Transact Business in Michigan issued by the Michigan Corporations Division.</i>			
2. Has the applicant organization been established for one (1) year or longer? <input checked="" type="radio"/> Yes <input type="radio"/> No		Date the applicant organization was established (month/day/year): Est. 1881 moved 2013	
3. Is the applicant organization a municipality? <input type="radio"/> Yes <input checked="" type="radio"/> No			

Part 2 - Event Information - For requests at more than one location, submit separate forms for each location.

Address of event location: 12675 CENTER RD TRAVERSE CITY MI 49686	
City, township, or village where event will be held: PENINSULA TOWNSHIP	County: GRAND TRAVERSE
1. Will you submit your completed application at least ten (10) business days before your event? It is strongly recommended that you submit the application as soon as you know the date of your event(s). <input checked="" type="radio"/> Yes <input type="radio"/> No	
2. Do you have permission from the property owner of the location listed above to hold your event(s) on the date(s) listed below (see pages 2-3) at this location? <input checked="" type="radio"/> Yes <input type="radio"/> No	
3. Has the local law enforcement agency with primary jurisdiction over the event location approved this application for a Special License? (See Part 5 on Page 5) <input checked="" type="radio"/> Yes <input type="radio"/> No	
4. Is the event location within 500 feet of a church or school? <input checked="" type="radio"/> Yes <input type="radio"/> No If Yes, the church or school must consent to the event(s). (See Part 6 on Page 5)	
5. Is the event location outdoors or partially outdoors? HELD INSIDE PARISH HALL * <input type="radio"/> Yes <input checked="" type="radio"/> No If Yes, list the exact dimensions of the outdoor area: Submit a clear diagram of the outdoor service area with your application form.	
<input type="text"/> feet X <input type="text"/> feet = <input type="text"/> square feet Width Length	
Describe type and height of the barrier that will be used to enclose the outdoor area:	
6. Describe type of security that will be used for event(s) and how it will be utilized to secure and monitor to prevent sales to minors and visibly intoxicated persons: * Wine tasting inside Parish Hall. All doors locked. Fire Doors open from inside except entrance. Manned table at entrance to chk. ID's. 1 person staged at every exit. People assigned by Parish Council - KNIGHTS of COLUMBUS.	

7. Is the event location situated in or on state owned land, such as a state park or National Guard armory? Yes No
 If Yes, attach a copy of your documentary proof of approval to use the state owned land.

8. Is there an existing liquor licensee issued at the event location, such as a Class C or Club license? Yes No
 If Yes, the existing licensee must request to place its license in escrow during the event(s). (See Part 7 on Page 5)

9. Will the event(s) involve an auction of donated wine? Yes No
 If Yes, please check "Wine Auction" for the applicable event date(s) on pages 2-3. Only donated wine may be auctioned under a Special License; beer and spirits cannot be auctioned. If you request a Special License for on-premises consumption AND for a Wine Auction both on the same date at the same location, you are requesting two (2) separate licenses and you must pay a license fee for both licenses.

10. Will marijuana be sold and consumed under a Temporary Marihuana Event License issued by the Cannabis Regulatory Agency (CRA) within the proposed event area where alcoholic liquor will be sold and consumed? Yes No

11. Is the event location within the commons area of a Social District? Yes No
 If Yes, you must obtain written documentation from the local governmental unit, including a clear diagram, that delineates the part of the commons area of the Social District to be used exclusively for your event and the part to be used exclusively by the Social District permittees during the time period for your event pursuant to MCL 436.3551(3). Submit the documentation and the diagram with this application.

12. The applicant organization may request up to twelve (12) Special Licenses total (one Special License per day) in a calendar year. Please complete the information below **for each individual date** for which you are requesting a Special License at this location. **If you are requesting Special Licenses for consecutive days, completely fill out a separate box for each date.** If you request a Special License for on-premises consumption AND for a Wine Auction both on the same date at the same location, you are requesting two (2) separate licenses and you must pay a license fee for both licenses.

1	Date	Describe event being held:		
	Start Time	End Time	Special License will be used for:	<input checked="" type="radio"/> Beer & Wine Service <input type="radio"/> Beer, Wine, & Spirit Service <input type="radio"/> Wine Auction
	11am	4pm	Is this date a Sunday?	<input type="radio"/> Yes <input checked="" type="radio"/> No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No

2	Date	Describe event being held:		
	Start Time	End Time	Special License will be used for:	<input type="radio"/> Beer & Wine Service <input type="radio"/> Beer, Wine, & Spirit Service <input type="radio"/> Wine Auction
			Is this date a Sunday?	<input type="radio"/> Yes <input type="radio"/> No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No

3	Date	Describe event being held:		
	Start Time	End Time	Special License will be used for:	<input type="radio"/> Beer & Wine Service <input type="radio"/> Beer, Wine, & Spirit Service <input type="radio"/> Wine Auction
			Is this date a Sunday?	<input type="radio"/> Yes <input type="radio"/> No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No

4	Date	Describe event being held:		
	Start Time	End Time	Special License will be used for:	<input type="radio"/> Beer & Wine Service <input type="radio"/> Beer, Wine, & Spirit Service <input type="radio"/> Wine Auction
			Is this date a Sunday?	<input type="radio"/> Yes <input type="radio"/> No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No

5	Date	Describe event being held:		
	Start Time	End Time	Special License will be used for:	<input type="radio"/> Beer & Wine Service <input type="radio"/> Beer, Wine, & Spirit Service <input type="radio"/> Wine Auction
			Is this date a Sunday?	<input type="radio"/> Yes <input type="radio"/> No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No

6	Date	Describe event being held:		
	Start Time	End Time	Special License will be used for:	<input type="radio"/> Beer & Wine Service <input type="radio"/> Beer, Wine, & Spirit Service <input type="radio"/> Wine Auction
			Is this date a Sunday?	<input type="radio"/> Yes <input type="radio"/> No If Yes, will alcohol be served between 7:00AM and 12:00 Noon? <input type="radio"/> Yes <input type="radio"/> No

12. Special license date information Continued from Page 2.

7	Date		Describe event being held:				
	Start Time	End Time	Special License will be used for:	<input type="checkbox"/> Beer & Wine Service	<input type="checkbox"/> Beer, Wine, & Spirit Service	<input type="checkbox"/> Wine Auction	
			Is this date a Sunday?	<input type="radio"/> Yes	<input type="radio"/> No	If Yes, will alcohol be served between 7:00AM and 12:00 Noon?	<input type="radio"/> Yes
8	Date		Describe event being held:				
	Start Time	End Time	Special License will be used for:	<input type="checkbox"/> Beer & Wine Service	<input type="checkbox"/> Beer, Wine, & Spirit Service	<input type="checkbox"/> Wine Auction	
			Is this date a Sunday?	<input type="radio"/> Yes	<input type="radio"/> No	If Yes, will alcohol be served between 7:00AM and 12:00 Noon?	<input type="radio"/> Yes
LCC-110 (01-23)							
9	Date		Describe event being held:				
	Start Time	End Time	Special License will be used for:	<input type="checkbox"/> Beer & Wine Service	<input type="checkbox"/> Beer, Wine, & Spirit Service	<input type="checkbox"/> Wine Auction	
			Is this date a Sunday?	<input type="radio"/> Yes	<input type="radio"/> No	If Yes, will alcohol be served between 7:00AM and 12:00 Noon?	<input type="radio"/> Yes
10	Date		Describe event being held:				
	Start Time	End Time	Special License will be used for:	<input type="checkbox"/> Beer & Wine Service	<input type="checkbox"/> Beer, Wine, & Spirit Service	<input type="checkbox"/> Wine Auction	
			Is this date a Sunday?	<input type="radio"/> Yes	<input type="radio"/> No	If Yes, will alcohol be served between 7:00AM and 12:00 Noon?	<input type="radio"/> Yes
11	Date		Describe event being held:				
	Start Time	End Time	Special License will be used for:	<input type="checkbox"/> Beer & Wine Service	<input type="checkbox"/> Beer, Wine, & Spirit Service	<input type="checkbox"/> Wine Auction	
			Is this date a Sunday?	<input type="radio"/> Yes	<input type="radio"/> No	If Yes, will alcohol be served between 7:00AM and 12:00 Noon?	<input type="radio"/> Yes
12	Date		Describe event being held:				
	Start Time	End Time	Special License will be used for:	<input type="checkbox"/> Beer & Wine Service	<input type="checkbox"/> Beer, Wine, & Spirit Service	<input type="checkbox"/> Wine Auction	
			Is this date a Sunday?	<input type="radio"/> Yes	<input type="radio"/> No	If Yes, will alcohol be served between 7:00AM and 12:00 Noon?	<input type="radio"/> Yes

A completed Special License application must be submitted as early as possible before your event(s) to avoid any delays in processing. It is strongly recommended that you submit the application as soon as you know the date of your event(s). Failure to submit a completed application at least ten (10) business days prior to the event(s) may result in no Special License being issued, pursuant to administrative rule R 436.575.

Part 3 - Special License Fees - Complete the Special License fee calculation on Page 4

For Organizations established less than one year or are municipalities - a \$50.00 Special License base fee for each separate, consecutive day of the event is required. If the event is held on a Sunday and spirits will be served after 12:00 Noon, an additional \$7.50 Sunday Sales Permit (P.M.) fee is required. In addition, if any alcoholic beverages, including beer, wine, and spirits, will be served between 7:00AM and 12:00 Noon, an additional \$160.00 Sunday Sales Permit (A.M.) fee is required. Sunday Sales Permit (A.M.) and/or Sunday Sales Permit (P.M.) fees will be required for each date that is a Sunday. **If you request a Special License for on-premises consumption AND for a Wine Auction both on the same date at the same location, you are requesting two (2) separate licenses and you must pay a license fee for both licenses.**

For Organizations established one year or more - a \$25.00 Special License base fee for each separate, consecutive day of the event is required. If the event is held on a Sunday and spirits will be served after 12:00 Noon, an additional \$3.75 Sunday Sales Permit (P.M.) fee is required. In addition, if any alcoholic beverages, including beer, wine, and spirits, will be served between 7:00AM and 12:00 Noon, an additional \$160.00 Sunday Sales Permit (A.M.) fee is required. Sunday Sales Permit (A.M.) and/or Sunday Sales Permit (P.M.) fees will be required for each date that is a Sunday. **If you request a Special License for on-premises consumption AND for a Wine Auction both on the same date at the same location, you are requesting two (2) separate licenses and you must pay a license fee for both licenses.**

The fees must be paid by check, bank or postal money order, or by credit card, using the attached Credit Card Authorization Form (LCC-300). Checks and money orders should be made payable to **State of Michigan**.

Part 3 Continued - Special License Fees Calculation

Special License Base Fee: <i>(per Special License requested)</i>	25.00	<p>If you request a Special License for on-premises consumption AND for a Wine Auction both on the same date at the same location, you are requesting two (2) separate licenses and you must pay a license fee for both licenses.</p> <p>Make checks payable to: State of Michigan</p>	<p>Leave Blank - MLCC Use Only</p>
x Number of Special Licenses:			
= Special License Fees: <i>MLCC Fee Code: 4008</i>			
+ Sunday Sales Permit (P.M.) Fees: <i>MLCC Fee Code: 4032</i>			
+ Sunday Sales Permit (A.M.) Fee: <i>MLCC Fee Code: 4033</i>			
= TOTAL FEES DUE:	25.00		

Part 4 - Signatures of Applicant Organization's Officers, Witnesses, and Notary

Pursuant to administrative rule R 436.575, the president and secretary of the organization making application shall sign the application and the signatures shall be notarized. Political candidates only need to sign the president section and have it notarized.

By signing below the applicant organization's officers attest that:

We certify that all profits from the sale of beer, wine and/or spirits or from a wine auction will go to the applicant organization and not to any individual. We further certify that any license issued by the Michigan Liquor Control Commission is a contract subject to suspension or revocation by the Commission, that there shall be no liability on the part of the State of Michigan, the Commission, or any of its officers or employees by reason of such suspension or revocation, and that the granting of the license does not create a vested right.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. Approval of this application by the Michigan Liquor Control Commission does not waive any of these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals for this business before using this license for the sale of alcoholic liquor on the licensed premises.

We certify that the information contained in this form is true and accurate to the best of our knowledge and belief. We agree to comply with all requirements of the Michigan Liquor Control Code and Administrative Rules. We also understand that providing false or fraudulent information is a violation of the Liquor Control Code pursuant to MCL 436.2003.

A completed Special License application must be submitted as early as possible before your event(s) to avoid any delays in processing. It is strongly recommended that you submit the application as soon as you know the date of your event(s). Failure to submit a completed application at least ten (10) business days prior to the event(s) may result in no Special License being issued, pursuant to administrative rule R 436.575.

Fr. Ben Rexroat (231) 631-0924

Print Name and Phone Number of President: Fr. Ben Rexroat (231) 631-0924 Signature of President: [Signature] Date: 5/14/2024

Derek S. Conway

Print Name of Notary: Derek S. Conway Signature of Notary: [Signature] Date: 5/14/2024



Notary Public, State of Michigan, County of Antrim Acting in the County of Grand Traverse

My commission expires 05/25/2030

KAY B. ALLEN 231-421-7310

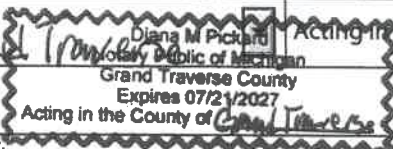
Print Name and Phone Number of Secretary: KAY B. ALLEN 231-421-7310 Signature of Secretary: [Signature] Date: 5/24/24

Diana M. Pickard

Print Name of Notary: Diana M. Pickard Signature of Notary: [Signature] Date: 5/24/2024

Notary Public, State of Michigan, County of Grand Traverse Acting in the County of Grand Traverse

My commission expires 07/21/2027



Part 5 - Local Law Enforcement Approval*

The local law enforcement agency with primary jurisdiction over the event location must complete this section.

Name of law enforcement agency: <u>Grand Traverse County Sheriff's office</u>	
Name & title of reviewing officer: <u>Lt. Roy Raska</u>	
Phone number of officer: <u>231-995-5030</u>	Email of officer: <u>rraska@sheriff.org</u>
If event will be held on a Sunday, is the sale of alcohol from 7:00am to 12:00 Noon on Sunday allowed in this local governmental unit? <input type="radio"/> Yes <input type="radio"/> No	
If the event will be held on a Sunday, is the sale of alcohol after 12:00 Noon on Sunday allowed in this local governmental unit? <input type="radio"/> Yes <input type="radio"/> No	
I certify that I have reviewed the application of the applicant organization for a Special License and approve the issuance of a Special License by the Michigan Liquor Control Commission at the proposed event location.	
<u>[Signature]</u> 908 Signature of Reviewing Officer	
<u>5-28-24</u> Date	

Part 6 - Church/School Consent (If Applicable)*

If the event location is located within 500 feet of a church or school, the applicant organization must obtain the consent of the church or school. A church or school within 500 feet of the event location may object based on such the sale of alcohol at the location adversely affecting the church or school's operations. If a proper objection is filed, the Commission shall hold a hearing to determine whether the granting of the application will adversely affect the operation of the church or school.

Name of church or school:	
Address of church or school:	
City:	Zip Code:
Phone number:	Email:
Name of clergy member or superintendent:	
I, the authorized representative of the above named church or school, state that the church or school has no objection to the issuance of a Special License to the applicant organization at its proposed event location.	
<u>[Signature]</u> Signature of Clergy Member or Superintendent	
<u>[Blank]</u> Date	

**Please note: the Commission has the sole and only right to approve or deny this request for a Special License.*

Part 7 - Existing On-Premises Licensee Escrow Request (If Applicable)

If the event location is currently licensed with an on-premises license, the licensee must request that its license be placed into escrow for the date(s) and time(s) of the Special Licenses issued for use at the event location requested on this application. If the existing license would prefer to temporarily drop space from its licensed premises, it must submit a letter to the Commission requesting to drop space temporarily from its licensed premises during the event date(s) and time(s), accompanied by a diagram showing the area where the license will temporarily drop space from its licensed premises to accommodate the applicant organization.

Name of licensee:	Business ID Number:
Type of license held at this location (e.g. Class C, Club, Tavern, etc.):	
Phone number:	Email:
Name of authorized signer for licensee:	
I, the authorized signer, for the above named on-premises licensee, request that the licensee's licenses at this location be placed into escrow during the date(s) and time(s) specified for the Special Licenses issued for use at this location.	
<u>[Signature]</u> Signature of Authorized Signer for Licensee	
<u>[Blank]</u> Date	



Certified Resolution of the Membership or Board of Directors Authorizing the Application for Special License
(Required under Administrative Rule R 436.576 - Not Required for Candidate Committee)

At a [X] Regular [X] Special meeting of the [X] Membership [] Board of Directors

called to order by JERRY CARLSON on May 21, 2024 at 4:30 pm

the following resolution was offered:

Moved by FR. BEN REXROAT and supported by JERRY CARLSON

that the application from ST JOSEPH'S CATHOLIC CHURCH

for a Special License to serve alcohol on SAT. SEPTEMBER 14, 2024

to be located at 12675 CENTER ROAD, TRAVERSE CITY MI 49684

It is the consensus of this body that the application be Recommended for issuance.

Approval Vote Tally

Yeas: _____
Nays: _____
Absent: _____

Certification by Authorized Officer of Organization:

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the

[X] Membership [] Board of Directors at a [X] Regular [] Special meeting held on May 21, 2024

FR. BEN REXROAT, PASTOR
Print Name & Title of Authorized Officer Signature of Authorized Officer Date



Michigan Department of Licensing and Regulatory Affairs
Finance and Administrative Services
Revenue Services

LARA Revenue Services **is not** a part of the Michigan Liquor Control Commission (see note below).

Credit Card Authorization Form

**** FAX COMPLETED FORM TO SECURE FAX LINE: 517-284-8557 ****

**** DO NOT EMAIL OR MAIL THIS FORM ****

Requests with credit card payments that are not faxed to the above secure fax line will be destroyed along with the credit card authorization in order to ensure the security of applicants' personal credit card numbers.

****IF YOU ARE NOT SUBMITTING AN APPLICATION FORM WITH THIS CREDIT CARD AUTHORIZATION, YOU MUST PROVIDE AN ITEMIZATION OF THE FEES FOR WHICH YOU ARE SUBMITTING PAYMENT OR YOUR PAYMENT WILL NOT BE PROCESSED****

Name on Card: _____

Payment Amount: _____

Billing Address: _____

Card Number: _____

City: _____ State: _____ Zip Code: _____

Check One:

Phone: _____

MasterCard Visa Discover American Express

Email: _____

Security Code/CW Code: _____

Applicant/Licensee Name: _____ Request or Business ID #: _____

Expiration Date: _____

Payment is for: _____

Signature _____

IF YOU ARE NOT SUBMITTING AN APPLICATION FORM WITH THIS CREDIT CARD AUTHORIZATION, YOU MUST PROVIDE AN ITEMIZATION OF THE FEES FOR WHICH YOU ARE SUBMITTING PAYMENT OR YOUR PAYMENT WILL NOT BE PROCESSED.

Credit Card Payment Itemization:

Fee Type	Fee Amount	MLCC Fee Code
<input type="checkbox"/> Inspection Fee(s):	_____	4036
<input type="checkbox"/> Special License Fee(s):	_____	4008
<input type="checkbox"/> Temporary Authorization Fee:	_____	4037
<input type="checkbox"/> License Renewal Fee(s):	_____	4004
<input type="checkbox"/> Manufacturer License(s):	_____	4038
<input type="checkbox"/> Wholesaler License(s):	_____	4085
<input type="checkbox"/> New Retailer License(s):	_____	4012
<input type="checkbox"/> Transfer Retailer License(s):	_____	4034
<input type="checkbox"/> Conditional License	_____	4012
<input type="checkbox"/> New Add Bar <input type="checkbox"/> Transfer Add Bar:	_____	4012/4034
<input type="checkbox"/> Sunday Sales Permit (AM):	_____	4033
<input type="checkbox"/> Sunday Sales Permit (PM):	_____	4032
<input type="checkbox"/> Catering Permit:	_____	4031

LARA Revenue Services **is not** a part of the Michigan Liquor Control Commission (MLCC). Receipt of payment and application forms by LARA Revenue Services does not constitute receipt of an application by the MLCC. **Applications submitted through LARA Revenue Services may take up to two (2) additional business days to be received by the MLCC after receipt by LARA Revenue Services.**

For requests that require a timely receipt of an application by the MLCC to be processed, such as Special Licenses and temporary requests, please ensure that your application will be received in adequate time to be processed by the MLCC after the payment is received and processed by LARA Revenue Services.

Order Check

Michigan Sales and Use Tax Certificate of Exemption

INSTRUCTIONS: DO NOT send to the Department of Treasury. Certificate must be retained in the seller's records. This certificate is invalid unless all four sections are completed by the purchaser.

SECTION 1: TYPE OF PURCHASE

- D.A.** One-Time Purchase
Order or Invoice Number: _____
- D.C.** Blanket Certificate
Expiration Date (maximum of four years): _____
- D.B.** Blanket Certificate, Recurring Business Relationship

The purchaser hereby claims exemption on the purchase of tangible personal property and selected services made from the vendor listed below. This certifies that this claim is based upon the purchaser's proposed use of the items or services, OR the status of the purchaser.

Vendor's Name and Address

SECTION 2: ITEMS COVERED BY THIS CERTIFICATE

Check one of the following:

- 1 All items purchased.
- 2 **D** Limited to the following items: _____

SECTION 3: BASIS FOR EXEMPTION CLAIM

Check one of the following:

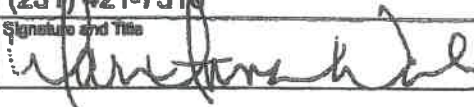
- 1 **D** For Lease. Enter Use Tax Registration Number: _____
- 2 **D** For Resale at Retail. Enter Sales Tax License Number: _____

The following exemptions DO NOT require the purchaser to provide a number:

- 3 **D** Agricultural Production. Enter percentage: _____ %
- 4 **X** Church, Government Entity, Nonprofit School, or Nonprofit Hospital (Circle type of organization).
- 5 **D** Contractor (must provide Michigan Sales and Use Tax Contractor Eligibility Statement (Form 3520)).
- 6 **D** For Resale at Wholesale.
- 7 **D** Industrial Processing. Enter percentage: _____ %
- 8 **D** Nonprofit Internal Revenue Code Section 501(c)(3) or 501(c)(4) Exempt Organization (must provide IRS authorized letter with this form).
- 9 **D** Nonprofit Organization with an authorized letter issued by the Michigan Department of Treasury prior to June 1994 (must provide copy of letter with this form).
- 10 **D** Rolling Stock purchased by an Interstate Motor Carrier.
- 11 **D** Qualified Data Center
- 12 **D** Other (explain): _____

SECTION 4: CERTIFICATION

I declare, under penalty of perjury, that the information on this certificate is true, that I have consulted the statutes, administrative rules and other sources of law applicable to my exemption, and that I have exercised reasonable care in assuring that my claim of exemption is valid under Michigan law. In the event this claim is disallowed, I accept full responsibility for the payment of tax, penalty and any accrued interest, including, if necessary, reimbursement to the vendor for tax and accrued interest.

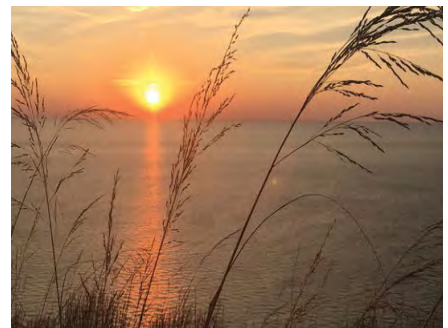
Business Name St. Joseph Catholic Church FEIN 74-3061471		Type of Business (see codes on page 2) 08
Business Address 12675 Center Road		City, State, ZIP Code Traverse City, MI 49686
Business Telephone Number (include area code) (231) 421-7310		Name (Print or Type) Kay Allen, Business Manager
Signature and Title 		Date Signed 03/31/2022

**Draft Master Plan
July 2024**



Peninsula Township

MASTER PLAN



Stewardship of a Special Place

2024 MASTER PLAN

Draft July 3, 2024

**PENINSULA TOWNSHIP BOARD
GRAND TRAVERSE COUNTY, MICHIGAN**

**RESOLUTION OF ADOPTION
PENINSULA TOWNSHIP MASTER PLAN**

RESOLUTION NO. _____

At a meeting of the Peninsula Township Board, Grand Traverse County, Michigan, held at the Peninsula Township Hall, on the 9th day of July, 2024 at 7:00 p.m.

A resolution to adopt the 2024 master plan of Peninsula Township, Grand Traverse County, Michigan, delineating land use planning goals and direction for the Township, as also adopted by the Peninsula Township Planning Commission, pursuant to the Peninsula Township Board’s final approval authority affirmed by resolution.

PRESENT: _____

ABSENT: _____

The following was moved by _____ and seconded by _____.

WHEREAS, Peninsula Township (the “Township”) recognizes that the practice of land use planning is necessary for the health, safety, and general welfare interests of the Township’s residents, natural environment, and economy;

WHEREAS, the Township is aware that a comprehensive land use plan (also referred to as a “master plan”), considering the unique needs of the community and developing clear goals, is a necessary reference for consistent and well-substantiated local land use regulations;

WHEREAS, the Peninsula Township Planning Commission (the “Planning Commission”) has the responsibility and is empowered by the Michigan Planning Enabling Act, MCL 125.3801 *et seq.*, Act 33 of 2008, to make and adopt a master plan for the physical development of the Township and to amend the Plan as needed from time-to-time;

WHEREAS, the Peninsula Township Board (the “Township Board”) created the Planning Commission for the purposes stated in the Michigan Planning Enabling Act;

WHEREAS, the Township has pursued a revision to its master plan to guide the Township’s land use policy in accordance with the requirement of the Michigan Planning Enabling Act resulting in a final draft (“proposed master plan”) for review by the Planning Commission and Township Board;

WHEREAS, the Township has held several public meetings in the Township attended by Township residents, local government representatives, and persons with interests in the development issues of the Township and during said meetings, public input was provided in an effort to develop the proposed master plan for the future land use planning of the Township;

WHEREAS, the Township Board approved the distribution of the proposed master plan to each contiguous local unit of government at a special Township Board meeting on November 18, 2021, and has made several subsequent drafts of the proposed master plan publicly available;

WHEREAS, the Planning Commission held a public hearing on the proposed master plan on June 4, 2024, at the Peninsula Township Hall as required by the Michigan Planning Enabling Act;

WHEREAS, the Planning Commission adopted the proposed master plan via resolution as required by the Michigan Planning Enabling Act, at a July 2, 2024 Planning Commission regular meeting, finding it to be reflective of community land use goals and consistent with the requirements of the Michigan Planning Enabling Act;

WHEREAS, consistent with the Michigan Planning Enabling Act, the Township Board, as the legislative body of Peninsula Township, asserted the right of final master plan approval via Resolution 2021-11-18 #4 at a November 18, 2021 Township Board special meeting;

WHEREAS, the Township Board finds the components of the proposed plan to be in accord with the following requirements of the Michigan Planning Enabling Act: resulting in a Township land use plan that is coordinated, adjusted, harmonious, efficient, and economical; considering the character of the Township and the suitability of the community for particular uses, by considering such factors as trends in land and population development; promoting public health, safety, morals, order, convenience, and general welfare in accordance with present and future needs of the Township; and furthering interests including, but not limited to, safe and efficient movement of people and goods, safety from fire and other dangers, light and air, healthful and convenient distribution of population, good civic design and arrangement and wise and efficient expenditure of public funds, public improvements, recreation, and the use of resources in accordance with their character and adaptability.

NOW, THEREFORE, the Township Board hereby approves the proposed master plan as the Master Plan for Peninsula Township, Grand Traverse County, Michigan, dated July __, 2024, including the text, maps, charts, graphs, and other descriptive materials contained in the proposed master plan. A statement of this approval shall be signed by the clerk of the Township Board and shall be included in the inside of the front cover of the master plan.

Roll call vote:

Yes: _____

No: _____

The Supervisor declared the resolution adopted.

Isaiah Wunsch, Supervisor
Peninsula Township

CERTIFICATE

STATE OF MICHIGAN

)

)

COUNTY OF GRAND TRAVERSE

)

I, the undersigned, the duly qualified and acting Clerk for Peninsula Township, Grand Traverse County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of the 2024 Master Plan and Future Land Use Map adopted by the Peninsula Township Board, Grand Traverse County, Michigan at a regular meeting held on the 9th day of July 2024, and further certify that the above Resolution was adopted at said meeting in compliance with statutory requirements.

Becky Chown, Clerk
Peninsula Township

**PENINSULA TOWNSHIP PLANNING COMMISSION
GRAND TRAVERSE COUNTY, MICHIGAN**

**RESOLUTION OF ADOPTION
PENINSULA TOWNSHIP MASTER PLAN**

RESOLUTION NO. _____

At a meeting of the Peninsula Township Planning Commission, Grand Traverse County, Michigan, held at the Peninsula Township Hall, on the 2nd day of July, 2024 at 7:00 p.m.

A resolution to adopt the 2024 master plan of Peninsula Township, Grand Traverse County, Michigan, delineating land use planning goals and direction for the Township, as also adopted by the Peninsula Township Planning Commission, pursuant to the Peninsula Township Board's final approval authority affirmed by resolution.

PRESENT: _____

ABSENT: _____

The following was moved by _____ and seconded by _____.

WHEREAS, Peninsula Township (the "Township") recognizes that the practice of land use planning is necessary for the health, safety, and general welfare interests of the Township's residents, natural environment, and economy;

WHEREAS, the Township is aware that a comprehensive land use plan (also referred to as a "master plan"), considering the unique needs of the community and developing clear goals, is a necessary reference for consistent and well-substantiated local land use regulations;

WHEREAS, the Peninsula Township Planning Commission (the "Planning Commission") has the responsibility and is empowered by the Michigan Planning Enabling Act, MCL 125.3801 *et seq.*, Act 33 of 2008, to make and adopt a master plan for the physical development of the Township and to amend the Plan as needed from time-to-time;

WHEREAS, the Peninsula Township Board (the "Township Board") created the Planning Commission for the purposes stated in the Michigan Planning Enabling Act;

WHEREAS, the Township has pursued a revision to its master plan to guide the Township's land use policy in accordance with the requirement of the Michigan Planning Enabling Act, resulting in a final draft ("proposed master plan") for review by the Planning Commission and Township Board;

WHEREAS, the Township has held several public meetings in the Township attended by Township residents, local government representatives, and persons with interests in the development issues of the Township and during said meetings, public input was provided in an effort to develop the proposed master plan for the future land use planning of the Township;

WHEREAS, the Township Board approved the distribution of the proposed master plan to each contiguous local unit of government at a special Township Board meeting on November 18, 2021, and has made several subsequent drafts of the proposed master plan publicly available;

WHEREAS, the Planning Commission held a public hearing on the proposed master plan on June 4, 2024, at the Peninsula Township Hall as required by the Michigan Planning Enabling Act;

WHEREAS, consistent with the Michigan Planning Enabling Act, the Township Board, as the legislative body of Peninsula Township, asserted the right of final master plan approval via Resolution 2021-11-18 #4 at a November 18, 2021 Township Board special meeting, and will review and consider adoption of the proposed master plan after the Planning Commission's adoption;

WHEREAS, the Planning Commission finds the components of the proposed plan to be in accord with the following requirements of the Michigan Planning Enabling Act: resulting in a Township land use plan that is coordinated, adjusted, harmonious, efficient, and economical; considering the character of the Township and the suitability of the community for particular uses, by considering such factors as trends in land and population development; promoting public health, safety, morals, order, convenience, and general welfare in accordance with present and future needs of the Township; and furthering interests including, but not limited to, safe and efficient movement of people and goods, safety from fire and other dangers, light and air, healthful and convenient distribution of population, good civic design and arrangement and wise and efficient expenditure of public funds, public improvements, recreation, and the use of resources in accordance with their character and adaptability.

NOW, THEREFORE, the Planning Commission hereby approves the proposed master plan as the Master Plan for Peninsula Township, Grand Traverse County, Michigan, dated July 15, 2024, including the text, maps, charts, graphs, and other descriptive materials contained in the proposed master plan. A statement of this approval shall be signed by the chairperson or secretary of the Planning Commission and shall be included in the inside of the front cover of the master plan.

NOW, THEREFORE, be it further resolved that the Planning Commission will notify the Township Board of this action and will submit a copy of the updated master plan to the Township Board for its review and approval in accordance with the Michigan Planning Enabling Act.

NOW THEREFORE, be it further resolved the Planning Commission authorizes Township staff to format the final copy, confirm consistent typography, and finalize selection of any photography, illustrations, or depictions consistent with the approved final copy of the Master Plan.

Roll call vote:

Yes: _____

No: _____

The Chair of the Planning Commission declared the resolution adopted.

Chair, Planning Commission
Peninsula Township

CERTIFICATE

STATE OF MICHIGAN)
)
COUNTY OF GRAND TRAVERSE)

I, the undersigned, the duly qualified and acting Clerk for Peninsula Township, Grand Traverse County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of the 2024 Master Plan and Future Land Use Map adopted by the Peninsula Township Planning Commission, Grand Traverse County, Michigan at a regular meeting held on the 2nd day of July 2024, and further certify that the above Resolution was adopted at said meeting in compliance with statutory requirements.

Becky Chown, Clerk
Peninsula Township

2021 Acknowledgements

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Mary Beth Milliken
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Andy Valdmanis
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Randy Mielnik, Director of Planning

2024 Acknowledgements

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Jenn Cram, Director of Planning & Zoning

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Prologue

July 2, 2024

The most recent update of the Master Plan was finalized and distributed to neighboring jurisdictions for their review and feedback in December of 2021. The Planning Commission, however, for a variety of reasons, did not act to adopt the plan in the intervening years. In January of 2024 the Planning Commission renewed the effort to adopt the plan. The Commission, realizing that the plan needed to be brought current, held several sub-committee and regular session discussions to edit and update the document. The timeline below reflects several initiatives anticipated in the 2021 plan that were finalized or have progressed significantly since then.

January 6, 2021 – The Non-motorized Study Group started meeting and developed a vision statement and goals. As of April 2024, the study group is actively applying for grants to obtain funding to support the development of a non-motorized plan for the peninsula that connects recreational opportunities in the region.

December 2, 2021 – The Citizens Agricultural Advisory Committee started meeting. The committee met to provide input on the policy direction for zoning ordinance amendments related to wineries, farm processing facilities, roadside stands and other value-added agricultural uses.

February 2022 – The Peninsula Township Parks Funding Feasibility Report was completed and approved.

July 12, 2022 – The Purchase of Development Rights (PDR) Ordinance #23, Amendment #3 was adopted. This amendment clarified and streamlined the scoring process and added points for matching funds from state and federal programs.

August 2, 2022 – Voters approved the PDR millage for the third time.

December 13, 2022 – Amendment #201 to the Peninsula Township Zoning Ordinance was adopted. This amendment to the zoning ordinance repealed sections related to winery chateaus and revised regulations for wholesale and retail farm processing facilities as well as remote tasting rooms.

January 24, 2023 – Peninsula Township 5-Year Parks and Recreation Plan updated and adopted.

February 14, 2023 - Township Board agrees to pause the adoption of the zoning ordinance re-

write until after the master plan is adopted to allow time to do a complete update to the entire ordinance with greater community input.

April 11, 2023 – Parks Ordinance #57 was adopted. This ordinance repealed previous parks ordinances.

April 19, 2023 – Floodplain Ordinance #53, Amendment #1 related to floodplains was adopted.

Spring 2023/ Summer 2024 – Peninsula Township receives DNR Waterways Program grant to construct a single-lane motorized boat launch and a non-motorized boat launch at Kelley Park. Peninsula Township engaged Beckett & Raeder and GFA to prepare construction plans and assist with the permitting process.

May 9, 2023 – Amendment #203 to the Peninsula Township Zoning Ordinance was adopted. This amendment to the zoning ordinance renamed roadside stands to farm stands and updated regulations to be consistent with the Michigan Right to Farm Act.

September 30, 2023 – Through significant private and public funding, the Parks Committee unveils new pickleball courts, resurfaced tennis courts, a new basketball court, new playground equipment, and tree plantings at Bowers Harbor Park.

Fall 2023/Summer 2024 – Township Board creates a study group to look at options for governance. The work of the study group led to hiring Maner Costerisan consultants to further investigate township budget and operations and provide recommendations for future improvements to administration/governance.

November 15, 2023 – Cemetery Ordinance #58 was completed and adopted.

January 29, 2024 – Shoreline Regulation Study Group started meeting. The study group was formed to provide diverse input on the policy direction for zoning ordinance amendments related to the number of docks and hoists and land uses on the shoreline.

March 12, 2024 – Amendment #204 to the Peninsula Township Zoning Ordinance was adopted. This amendment to the zoning ordinance revised how building height is measured. The Meeker Addition acquisition to the Pelizzari Natural Area expansion was also approved.

1. Introduction



Peninsula Township, Michigan

Peninsula Township (Old Mission Peninsula) has some of the most impressive scenery in all of Michigan, with rolling forested hills, 42 miles of Great Lakes' shoreline, stunning views of Lake Michigan bays, farms, orchards, vineyards, and wineries. Thousands of tourists visit the area annually to enjoy the beauty of the Old Mission Peninsula, and more than 6,000 people are fortunate enough to call this area home. Residents and community leaders have long recognized the spectacular beauty of the peninsula and have consistently taken innovative steps to be good stewards of this special place. One such step is to have a current master plan that defines an achievable yet inspirational vision for the future.

WHAT IS A MASTER PLAN?

A master plan is a document that describes a long-term and comprehensive perspective of the future of a community. It offers an educational element to frame community issues along with an aspirational and goal-oriented view of the future. Master plans often begin with a description of existing conditions, trends, and current attitudes, then look forward to define long-term community visions and goals.

The need for a master plan has been recognized perhaps as long as there have been townships and municipalities that grow and change. The places in which we live and work are constantly changing –

they grow, shrink, age, develop, and redevelop over time. Sometimes, physical change is subtle and nearly imperceptible. Other times, physical change can be dramatic as large private developments or public infrastructure projects are completed. Beyond the pace of community change is the larger question of whether the direction of change is taking a community forward toward a more livable, economically stable, and attractive place.

The fuel that drives community change is decision making. The community we see today is the product of past decisions both large and small made by individuals and public or private organizations. Local leaders make decisions about how to regulate land use, what public buildings and infrastructure to build and maintain, and what services to provide. The private sector makes decisions about how to respond to commercial needs and market demands. Together, these decisions produce community change. Thus, the need for a sense of direction and overall vision is apparent. The purpose of a master plan is to provide such vision, articulating the way forward based on community attitudes and preferences. Driven by such vision, master plans describe the necessary steps required to achieve goals.

The value of master plans is often measured by the extent to which they fully and completely reflect the desires of residents and stakeholders. Effective master plans typically offer a high level of community engagement as the foundation of their recommendations. They speak authoritatively about what residents desire and clearly describe the kind of community they wish to call home in the future.



Legal Context

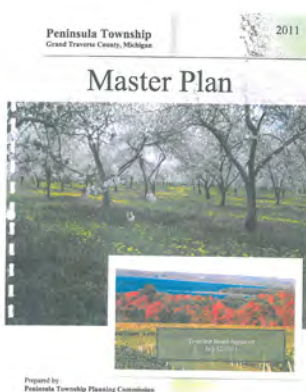
Apart from helping to satisfy the basic desire to shape the future and provide a direction for community change, there is a legal dimension to master plans. More than a dozen states actually require a local master plan (also called a comprehensive plan), and others encourage it in various ways. In Michigan, the controlling statute is the Michigan Planning Enabling Act (MPEA) of 2008. This act consolidated older, related planning statutes and defined basic requirements and procedures for developing a master plan in Michigan communities. One significant legal aspect of the MPEA relates to the connection between the master plan and zoning. The MPEA requires steps to reconcile proposed land-use categories in the master plan with existing zoning districts found in the zoning ordinance. Additionally, the Michigan Zoning Enabling Act of 2006 (Section 125.3203) similarly connects to the master plan by specifically stating that a zoning ordinance shall be based on a plan designed to promote the public health, safety, and general welfare.



Recent Planning History

Peninsula Township recently began steps to update the township's zoning ordinance (adopted in 1972). Many zoning amendments have been made to this document over the years, but work to update this particular version began in 2016 and focused primarily on updating format and structure; adding illustrative graphics, organization, definitional elements, and maps; conforming with state law, removing conflicting sections, and clarifying procedures. This work was nearing completion in late 2021 and was intended to provide a foundation for future zoning updates that will be more substantive in nature.

The 2019 formation of the Peninsula Township Master Plan Steering Committee was another major milestone. This committee included members of both the planning commission and township board along with several knowledgeable residents. Committee accomplishments included developing and implementing a new community survey, designing and launching the Participate Old Mission online community engagement platform (see Chapter 3), and developing this document. It is hoped this committee will continue to function and leverage institutional knowledge and insight gained during the planning process to maintain momentum toward future master plan updates.



A SPECIAL PLACE

Peninsula Township was established in 1853 as part of Grand Traverse County. Townships are a common form of local government in Michigan, but Peninsula Township is unlike other townships in Michigan for at least six important reasons as presented below.

1. Size and Shape

Michigan has 1,240 townships. Most are rectangular in shape and about 36 square miles, or 23,040 acres, in size. Peninsula Township is smaller than most townships with only about 28 square miles, or 17,858 acres. In addition to its smaller size, it is uniquely shaped as a long and narrow peninsula extending about 16 miles into Lake Michigan's Grand Traverse Bay. This long, narrow shape, never more than three and a half miles wide at any point, creates nearly 42 miles of precious, Great Lakes shoreline. At the same time, this unique shape creates transportation challenges. A single point of primary access to the Traverse City urban area occurs at the south end of the peninsula where Peninsula Drive and M-37 converge.

This single point of traffic convergence creates a significant traffic chokepoint (see page 28). Additionally, because the township is a peninsula, there is almost no potential for shared public safety services with adjacent jurisdictions. Peninsula Township has just built a third fire station so that all residents can receive reasonable and equal fire and EMS response times.

2. Property Values

The natural beauty of the area helps make Peninsula Township a highly desirable place to live. To that end, raw land prices are significantly higher in the township than in surrounding areas. Highly desirable waterfront lots and interior parcels with spectacular views justify high land values and the construction of expensive homes.

According to MLive (posted Feb. 04, 2020), Peninsula Township was 15th among all cities and townships in the state of Michigan in terms of median home values at just under \$400,000. The most recent tax assessment records point to the fact that the total assessed value of property in Peninsula Township recently passed the \$1 billion mark.

3. Natural Beauty

Peninsula Township is one of the most scenic in Michigan and the nation as a whole. In 2013, USA Today identified M-37 as among the 10 most beautiful coastal drives across North America. Old Mission Peninsula was also designated as one of six Scenic Byways in Michigan. Elements that contribute to this natural beauty include striking views of East and West Grand Traverse bays, rolling topography, and extensive fields of fruit trees and vineyards. Clear water, sandy beaches, and protected bays also contribute to an incredible natural environment that draws tourists from around the world.

4. Microclimate

Because Peninsula Township is a narrow finger of land extending into Grand Traverse Bay, it has a special microclimate that helps support agriculture in the form of fruit trees and vineyards. The deep, cool waters of Lake Michigan and Grand Traverse Bay along with prevailing westerly winds and moderate temperatures help increase frost-free days in both the spring and fall. In cherry trees, for example, cool spring temperatures slow fruit and bud development, which minimizes the danger of damage due to freezes. Similarly, this unique microclimate contributed to the approval of a petition to designate Peninsula Township as a viticultural area known as Old Mission Peninsula (see Federal Register Vol. 52, No 109, Monday, June 8, 1987). This designation was granted by the federal Bureau of Alcohol, Tobacco and Firearms and was the fourth American viticultural area established in Michigan. An approved viticultural area is associated with an appellation of origin on wine labels and in wine advertisements. Farmland preservation is also tied to microclimate.

5. Tourism

The natural beauty of the peninsula together with the wineries, Mission Point Lighthouse, and the overall popularity of the Traverse City

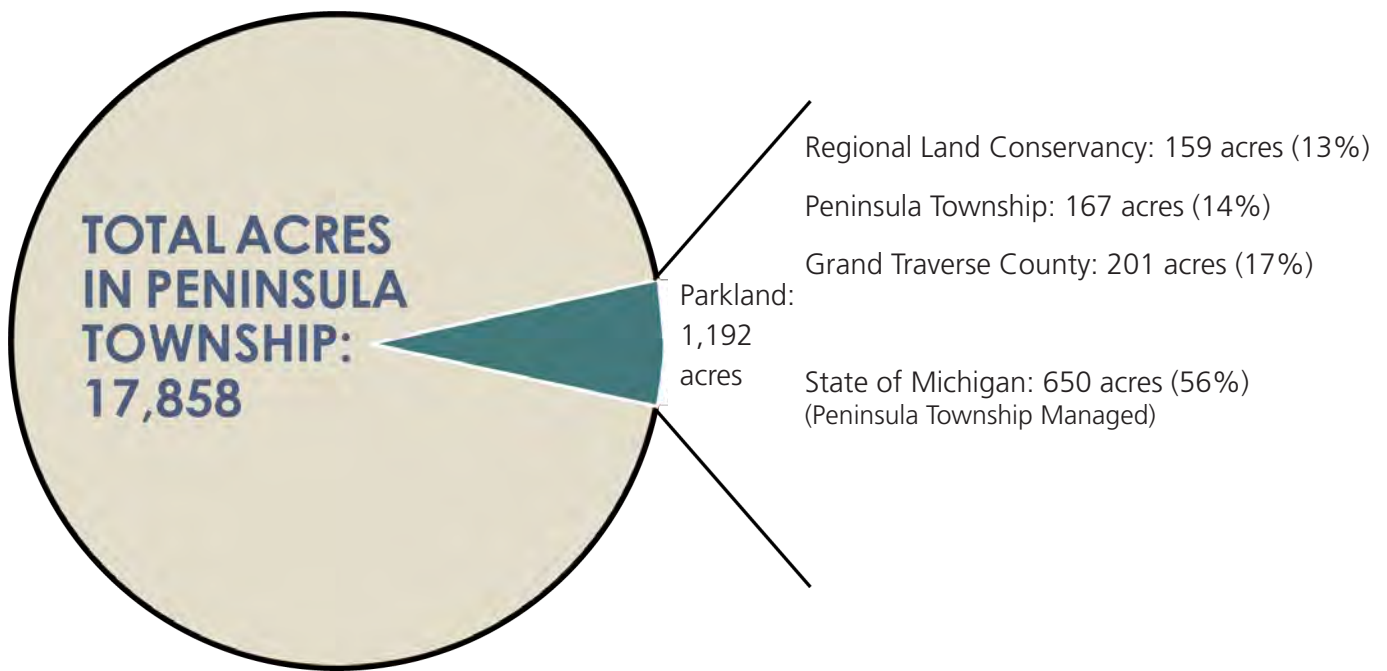
region make Peninsula Township a popular tourist destination. The city of Traverse City reports that more than 3.3 million people visit the area each year (2012 statistics). That’s about 35 times the total population of Grand Traverse County. Within this region, Peninsula Township is an oft-visited place. More than 50,000 people a year make the trip to the far northern tip of the peninsula and sign the guest book at Mission Point Lighthouse. Many more visit who don’t sign the guest book. They come from all 50 states and many other countries. Additionally, the link to local tourism is so strong that one television advertisement for the tremendously successful Pure Michigan ad campaign featured images of the Old Mission General Store.

6. Parks And Recreation

Old Mission Peninsula is a magnet for recreational activities due to a combination of parkland, scenic vistas, shoreline roads, and Grand Traverse Bay. The township owns or manages 823 acres of publically accessible lands. The Grand Traverse Regional Land Conservancy protects another 159

available acres at Pyatt Lake Natural Area, The Bill Carls Nature Preserve. Power Island’s 200 acres are county managed and within township boundaries. The DNR manages two boat launches, and the township will manage a third at Kelley Park. The shoreline roads attract countless cyclists, runners, and walkers. Nearby schools send athletes to train on our shoreline roads and in our parks. Cycling and track groups promote peninsula rides and runs, and nationally publicized races are hosted here as well. Residents and visitors use the bays for a variety of activities including but not limited to boating, water skiing, fishing, sailing, and exercise via kayaking, paddle boarding, and swimming. When the bay freezes, here come the ice fishermen, skiers, and ice sailing boats. For residents and visitors alike, recreation is undeniably a sacrosanct feature of this peninsula.

Relative to its size, Peninsula Township enjoys an extraordinary number of acres of parkland. Seven acres out of every one hundred are set aside in some way for park and open space uses and owned by a unit of government or the Grand Traverse Regional Land Conservancy.





Archie Park



Kelley Park



Haserot Beach



Bowers Harbor Park



2. Community Overview

Overview

The jurisdictional boundaries of Peninsula Township extend approximately 16 miles into Grand Traverse Bay, covering 17,858 acres and roughly 42 miles of shoreline. Adjacent to the township's southern boundary lie the city limits of Traverse City. Access to the township is limited, given the single state highway, M-37, which leads from US-31 to the very tip of the peninsula.

History

Old Mission Peninsula has a rich history. Extensive descriptions of archaeological resources, native residents, early European settlements, and historic events can be found in books and resources provided by organizations such as the Old Mission Peninsula Historical Society and the Peter Dougherty Society. Peninsula Township also gratefully acknowledges Karen Rieser, who



prepared the following summary of local history based on her research and knowledge.

As part of the Great Lakes ecosystem, the glacially created Old Mission Peninsula has provided a home for many peoples and cultures. Historians are unclear as to who the “first people” were and can only define residents by what was left behind. As a result, it is believed that the first people to the Grand Traverse area were the mound builders of the Hopewellian era. A group of people living throughout the eastern and central parts of the U.S. and Canada who worked with iron and copper, the Hopewell people were here between 10-400 BC. The Anishinabek came sometime later, providing a home for the members of the Odawa and Ojibwa tribes. Before settling on the peninsula, the Anishinabek had made their home on the southern shores of Lake Superior. In 1740, when the soil in the Mackinac area began to fail, the tribes moved south, some choosing to settle on the resource-rich peninsula extending into Grand Traverse Bay.

The Anishinabek lived peacefully in the area as successful farmers, fishers, and hunters. Contemporary visitors to the area would have observed numerous birchbark wigwams, Three Sisters gardens containing corn, beans, and squash, a shore lined with fishing nets, canoes venturing into the bay to harvest fish, and racks of fish drying in the sun. On occasion, hunting parties would search the heavily timbered forests seeking game such as rabbit, squirrel, deer, and turkey. A variety of social interactions would also have been observed: grandmothers working with the very young, adults teaching boys and girls necessary skills, and others working to maintain the emotional and physical health of the tribe.

By the mid 1800s, Michigan had become the 26th state, European settlers were occupying the land running along its southern border, and the state government possessed a variety of signed treaties that increased the land available for white settlement.

One such treaty, the Treaty of Washington signed in 1836, ceded 14 million acres of land to the federal government and made the entire Old Mission Peninsula a reservation. The local tribe lived on the property, received cash payments over time, and were promised a mission and school.



Replica Log Church



Peter Dougherty House



Old Mission Inn



Mission Point Lighthouse

In 1838, the Native Americans on Old Mission first encountered Europeans, including Reverend Peter Dougherty, a missionary sent by the Presbyterian Board of Foreign Missions to create the promised mission and school. The board's objective was to "civilize," Christianize, and Europeanize the Native American population.

Over the 13 years Reverend Dougherty lived on the peninsula, he built a school, a framed home for his family, a church, and a community of converts. In 1852, with rumors flying that Native Americans east of the Mississippi would be relocated per the Indian Removal Act of 1830, a portion of the tribe, now citizens and permitted to purchase land due to their conversion to Christianity, moved across West Bay to the Leelanau Peninsula (the remainder of the tribe migrated to Canada). Dougherty accompanied his converts across the bay, helped them purchase non-reservation land, and created a new mission.

The peninsula was now vacant but for a few squatters waiting to earn legal rights to the land from the federal government, but the government was unclear as to who owned the reservation. At the end of the Civil War, the government finally concluded that it owned the reservation and began to sell or disperse it to Civil War heroes and soldiers in lieu of payment for services.

By now, the area formerly used for Dougherty's mission was casually referred to as Old Mission. The name officially changed when Traverse City postmaster George Hebben renamed the peninsula's post office the Old Mission Post Office.

Over the years, the peninsula became home to more European settlers. Log cabins appeared, soon replaced by clapboard farmhouses. Agriculture and tourism became big business. A variety of produce was grown, including potatoes, apples, cherries, hops, hemp, grapes, blueberries, lavender, and Christmas trees. Livestock such as mink, cattle, whitefish, and trout were raised or harvested from the bay.

Successful farming produced more than peninsula residents and the large number of tourists who flocked to enjoy the beauty of the area consumed. The need to move these products quickly led to the development of a maritime shipping industry. The deep waters of Bowers and Old Mission harbors became prominent ports. Each provided a massive dock, storage sheds, and office space.



In 1909, schooners such as the Boyce left Bowers Harbor headed for Chicago loaded with up to 8,000 pounds of potatoes. Later, steam-driven ships transported goods up and down Michigan's west coast, along the eastern coast of Wisconsin and Illinois, and to the large city port of Chicago. Eventually, water transportation was replaced by train and truck transport, still the method of choice today.

In 1870, the increase in maritime activity prompted the construction of a lighthouse station at the tip of the peninsula to warn sailors of the shoal that surrounds the point. The cargo ship Metropolis was just one of the vessels captured by the shoal; its wreckage can be seen 3/4 of a mile North of Leffingwell Point, off the end of Ridgewood Road.



Steamer at Old Mission dock circa 1900

Tourists also arrived by schooner, steamship, train, and auto and stayed in a variety of lodging destinations, some still in business today. One might choose to stay at Hedden Hall, also known as The Porter House and today the Old Mission Inn. The Pines and the Neahtawanta Inn were also available to summer visitors. The Stonewall Inn, Bowers Harbor Inn, and Rushmore Inn, once popular destinations, are no longer available for lodging.

Over the years, commercial enterprises were established on the peninsula, several of which are still in business today. In 1853, the popular H. K. Brinkman Boots and Shoe Shop was located on Woodland Road. Grocery stores came and went, among them Lardies, now the General Store; the Bowers Harbor Store, now the Boathouse Restaurant; and Watson's Grocery, located across from what is now the Peninsula Market. John Emory, the great-grandson of Captain Emory, a maritime sailor, developed the Big Jon Company that designed and produced downriggers and other fishing equipment of such high quality they are now sold nationally.

Descendants of the Ojibwa, Odawa, and early pioneers still reside in the area; their devotion to the land runs deep. Land preservation, continued agricultural growth, and walking a respectful path into the future is of great importance to protect the past and enhance the future of this beloved peninsula.

The current presence of Native Americans in the area is also apparent with the Grand Traverse Band of Ottawa and Chippewa Indians. Tribal offices are located in Peshawbestown, Michigan, about 20 miles north of Traverse City in Leelanau County (or about six miles west of the tip of Peninsula Township across the west arm of Grand Traverse Bay). The Grand Traverse Band of Ottawa and Chippewa Indians is a federally recognized Native American tribe with a reservation extending into portions of six counties as well as Grand Traverse Bay, the eastern shore of Lake Michigan, Lake Leelanau, and Elk Lake. In addition, the tribe owns and operates the Turtle Creek Casino & Hotel, Grand Traverse Resort and Spa, and Leelanau Sands Casino & Lodge.

With these historic roots, the Old Mission Peninsula remains a thriving agricultural area and continues

to host tourists from all over the world. Visitors and residents alike enjoy breathtaking landscapes, clear waters, sandy beaches, a variety of events, multiple restaurants, award-winning wineries, and fabulous historical sites.

Fortunately, several of the peninsula's more prominent historical resources are designated as such at the state and federal levels, including the National Register of Historic Places, which is the official list of our country's historic buildings, districts, sites, structures, and objects worthy of preservation.

The National Register was established as part of the National Historic Preservation Act of 1966 and is overseen by the National Park Service. Three properties in Peninsula Township are included on the National Register:

- » Hedden Hall (also known as the Old Mission Inn and the Porter Hotel);
- » Stickney Summer House and Bowers Harbor Inn (where Mission Table and the Jolly Pumpkin are now located); and
- » Dougherty Mission House.

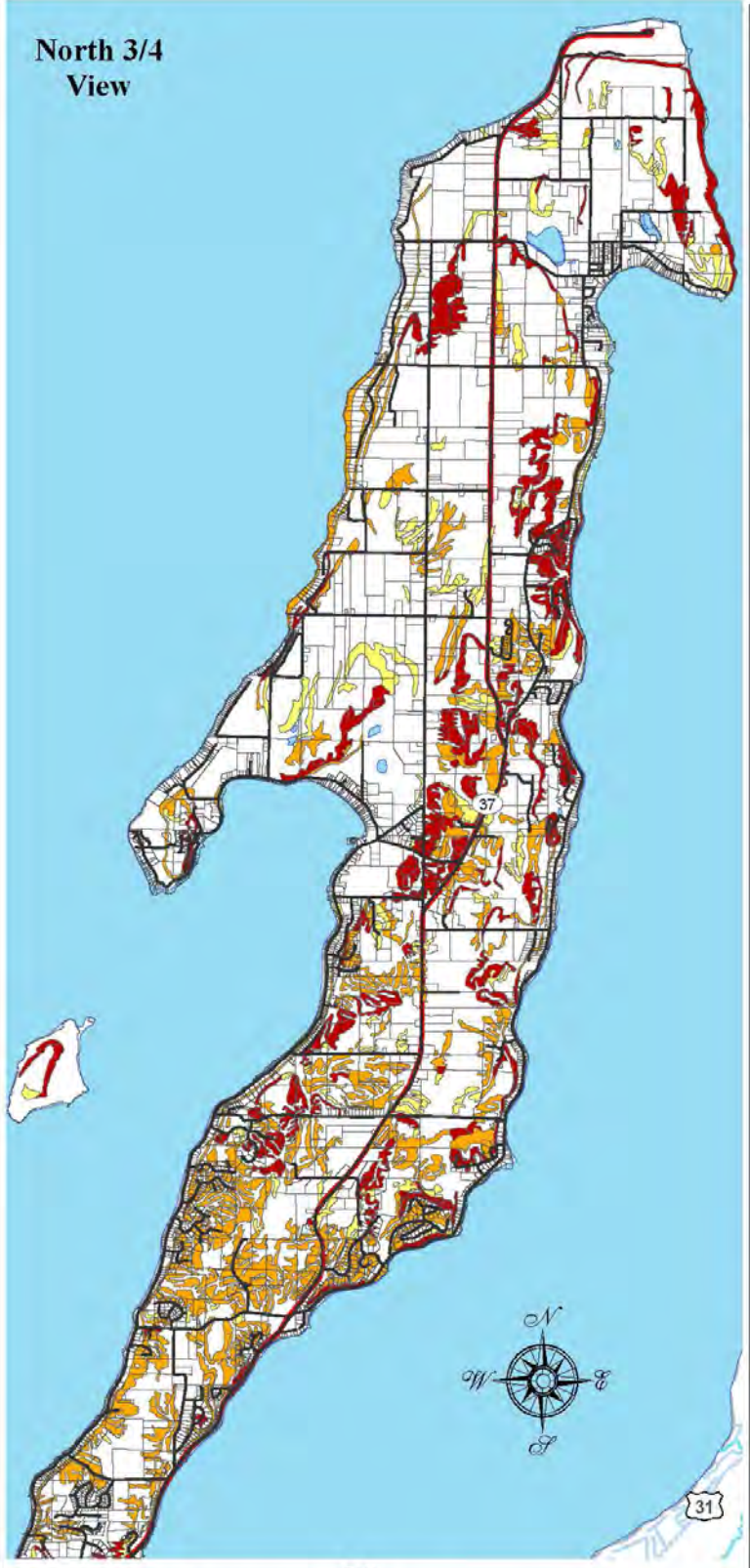
The state of Michigan also identifies historic sites that may or may not also be on the national register. Current state of Michigan listings include:

- » Hedden Hall (also known as the Old Mission Inn and the Porter Hotel);
- » Joseph Hessler Log House;
- » Mission Point Lighthouse Park;
- » Mission Point Lighthouse;
- » Old Mission Congregational Church; and
- » Dougherty Mission House.

Soils

According to the U.S. Soil Conservation Service, there are six general soil associations in Grand Traverse County. One of these soils associations is the Emmet Leelanau association on the Old Mission Peninsula north of Traverse City and in the northeastern and north-central portion of the county. This soil association is described as being well-drained, slightly acid to neutral sandy loams and loamy sands occurring on gently to steeply sloping areas.

North 3/4 View

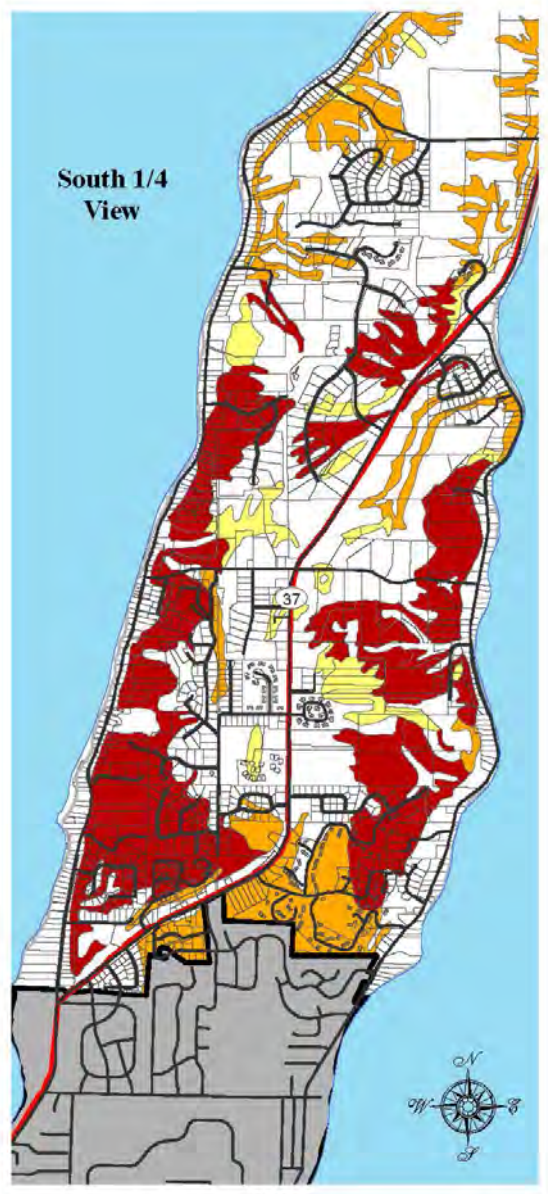


Steep Slopes Map

Legend

- US / State Highway
- Local Road
- Lake/River
- Traverse City
- SLOPE %
 - 12-18
 - 18-25
 - 25-45

South 1/4 View



Topography

Glacial topography on the peninsula consists of rolling hills, valleys, and wetlands. Some bluffs rise dramatically from the shores of the bays to more than 200 feet above lake level, affording spectacular views of East and West Grand Traverse bays. The slope and aspect of the hillsides provide excellent locations for orchards and vineyards. An illustration of areas with steep slopes is shown on the map on page 23. Most steep slopes are found toward the south.

Climate

Climate combines with topography and soil types to make Peninsula Township a uniquely ideal area for agriculture, particularly fruit crops. Classified as a humid continental maritime climate, peninsula weather is moderated by the presence of the two bays. The microclimate, tempered by the insulating quality of the bays, protects vulnerable buds from early- and late-season frosts and results in a longer-than-usual growing period. The frost-free season on the peninsula ranges from 140 to more than 150 days compared to fewer than 100 days inland near Fife Lake. Annual snowfall averages 120 inches in the southwest portion of Grand Traverse County compared to fewer than 90 inches on the peninsula.

Agriculture

Native Americans were the original farmers in the region, and agriculture has played an important role in the lives of subsequent township residents for many generations. In the 1800s, a group of settlers hired a state geologist to survey the area and prepare a report. The findings indicated that the climate and soils were favorably suited for fruit production.

Shortly after the report was published, George Parmalee planted cherry trees. Other pioneers followed Mr. Parmalee's example, concentrating on developing orchard agriculture on the peninsula. By 1904, the census indicated that 1,369 acres of apples and 202 acres of cherries had been planted. In recent decades, a number of landowners have planted grapes for wine production, which now represents an important industry on the peninsula. Other industries that support agriculture have also developed. While there have traditionally been few heavy industrial uses on the peninsula, the



township is currently home to many agriculturally-based businesses such as fruit processing plants.

Historical Context of Agriculture and Agribusiness

The first township master plan was adopted in 1968, and farmland protection was among the goals identified. Subsequently, a zoning ordinance was adopted in 1972 that defined an A-1 agricultural zoning boundary that is essentially the same today as it was then. Chateau Grand Traverse was the first commercial vineyard and winery operation to appear in the 1970s at a time when cherries and other tree fruits were the major agricultural activities on the peninsula. The grape/winery industry continued to grow throughout the late 1970s and early '80s with most growers selling to processors in Peninsula Township and Leelanau County.

The combination of increases in land values and a growing trend of prime farmland being converted into subdivisions created a concern among farmers and homeowners about the future of Old Mission Peninsula agriculture.

George McManus, county extension agent and later state senator, wrote an article for the Soil Conservation Service newsletter in 1973 asking a profound question: In the future, would there be cherries on Old Mission Peninsula? This article crystalized the concern about farming versus development in the minds of farmers and homeowners alike. The farmers were concerned

about non-farm residences in close proximity to active farm operations and their complaints about the dust, noise, and odors of normal farming practices.

In the late 1980s, these trends prompted a review of the township’s master plan and zoning ordinance. The resulting master plan and zoning regulations were based on the carrying capacity of roads and utilities. At the same time, increased flexibility for home occupations and employees in residences was proposed as a way to add economic opportunity. It also increased value-added opportunities for farming operations while keeping non-farm persons from close proximity to production activities. Further, a study by township staff showed that residential development did not always pay for the full cost of public services it used while farmland and open space required fewer services while paying a comparatively high level of taxes.

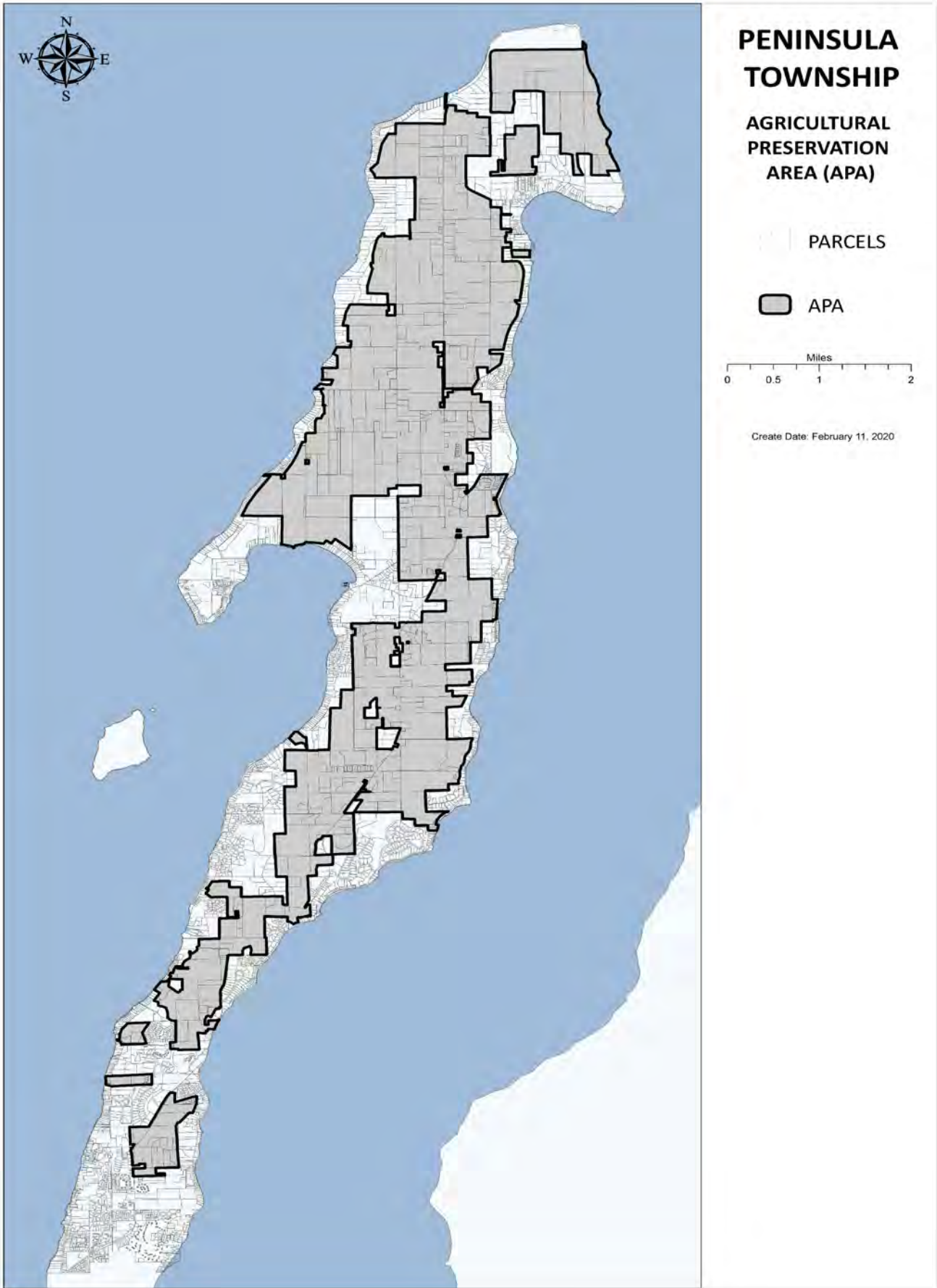
With the prospect of growth pressure and expectation of the loss of unique agricultural land in sharper focus, a purchase of development rights (PDR) program was created and supported by residents. In 1994, the voters in Peninsula Township approved a tax increase of one and a quarter mills for 10 years to preserve in perpetuity the agricultural and open space character of the township. This program was among the first of its kind in the nation. In 2002, voters again confirmed the plan by approving a second millage vote of two mills for 20 years. The second millage vote, while

for an increased amount over a longer period, was approved by 60 percent of the votes cast. Today, the money generated from past millage votes has largely been spent, and the PDR citizen committee is beginning to explore residents’ interest in once again renewing the PDR millage. According to the 2019 citizen survey (see Chapter 3), residents are aware of the PDR program, and a majority are interested in renewing the millage.

Past planning efforts in Peninsula Township led to the definition of the Agricultural Preservation Area (APA). This map closely aligns with the A-1 agricultural zoning district and depicts all high quality agricultural land that is technically eligible to participate in the PDR program if a voluntary application is completed by the property owner. As shown, the APA covers a significant portion of Peninsula Township.

Part of the basis for determining the boundaries of the APA also included the Red Tart Cherry Site Inventory for Grand Traverse County Michigan prepared by the U.S. Department of Agriculture, Soil Conservation Service. This 1971 report evaluated parcels of land according to their ability to consistently produce cherry crops. Considerations included soil conditions as well as physiographic and microclimatic factors. Color-coded maps were generated that depicted desirable locations for cherry production as well as areas associated with moderate or severe limitations that influence cherry production yields. Relevant maps from this report are included in the appendix.





PENINSULA TWP. PROTECTED LANDS 2021

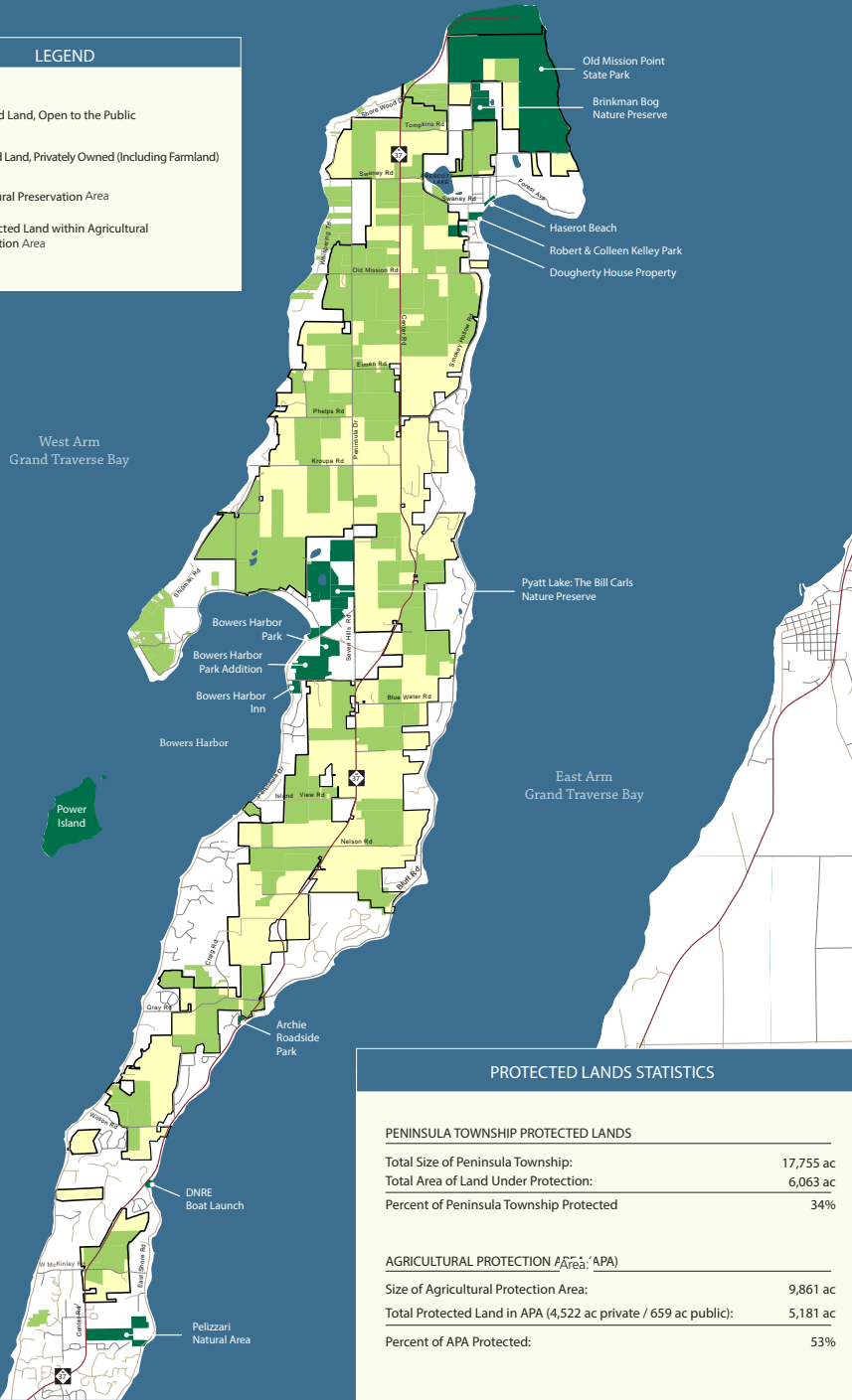
Protecting Significant Natural, Scenic & Farm Lands, & Advancing Stewardship, Now & For All Future Generations



WWW.GTRLC.ORG

LEGEND

- Protected Land, Open to the Public
- Protected Land, Privately Owned (Including Farmland)
- Agricultural Preservation Area
- Unprotected Land within Agricultural Preservation Area



After many years of planning and implementation, this map shows the total amount of protected land in the township. The PDR program, together with other forms of land protection, now protects more than 6,000 acres, or 34 percent of the township.

Considering only the agricultural preservation area, which is nearly 9,900 acres, the total amount of protected land covers about 53 percent of the total acres.

PROTECTED LANDS STATISTICS

PENINSULA TOWNSHIP PROTECTED LANDS	
Total Size of Peninsula Township:	17,755 ac
Total Area of Land Under Protection:	6,063 ac
Percent of Peninsula Township Protected	34%
AGRICULTURAL PROTECTION AREA (APA)	
Size of Agricultural Protection Area:	9,861 ac
Total Protected Land in APA (4,522 ac private / 659 ac public):	5,181 ac
Percent of APA Protected:	53%

Transportation

Elements of the transportation system we see today are deeply rooted in the past. As a result of the sinking of a large ship on a rocky shoal extending out into the bay in the 1800s, the lighthouse we see today at the tip of the peninsula was constructed in 1870 just south of the 45th parallel. The first public road in Grand Traverse County, built in 1853 by volunteers, stretched from Traverse City to the village of Old Mission. Other local roadways followed Native American trails and later became familiar roads such as Peninsula Drive and East Shore Road.

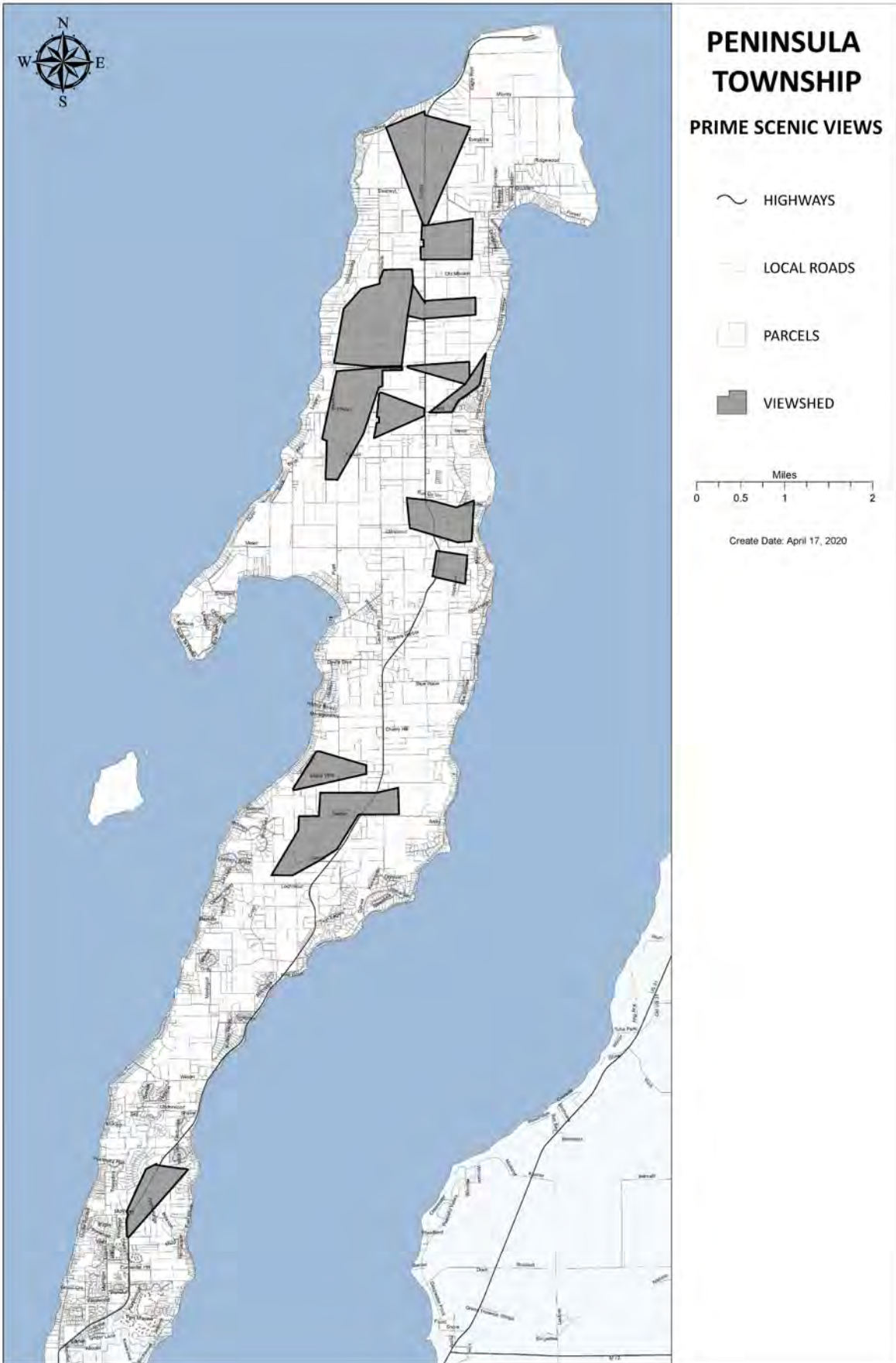
The peninsula's main thoroughfare, Center Road or M-37, provides the primary means of transportation north and south through the township. Center Road is managed by the state of Michigan's Department of Transportation (MDOT) and provides the connections to the state and federal highway system. As described later, M-37 is also a Scenic Heritage Route. A map showing the existing vehicular transportation system is provided on page 29.

Within a few miles of the base of the peninsula, residents of the township have access to three state highways that serve as major east-west and north-south corridors as well as provide access to Cherry Capital Airport. However, accessing Peninsula Township is a key planning issue that universally impacts almost all others. With only one primary road on and off the peninsula, the capacity of that road and related intersections restricts traffic flow

significantly. For this reason, significant residential growth and the potential for additional tourist traffic is often viewed in the context of the limited capacity of these intersections and the potential for increased traffic congestion.







Views

The amazing views from public roads provided by Peninsula Township's unique geography and proximity to Lake Michigan have been specifically identified for planning purposes. Recently, the map illustrating major viewsheds was updated and is provided on page 30. This map was originally produced and subsequently updated to support the priority system established within the PDR program. As such, it is oriented toward views associated with the agricultural preservation area shown on page 26.

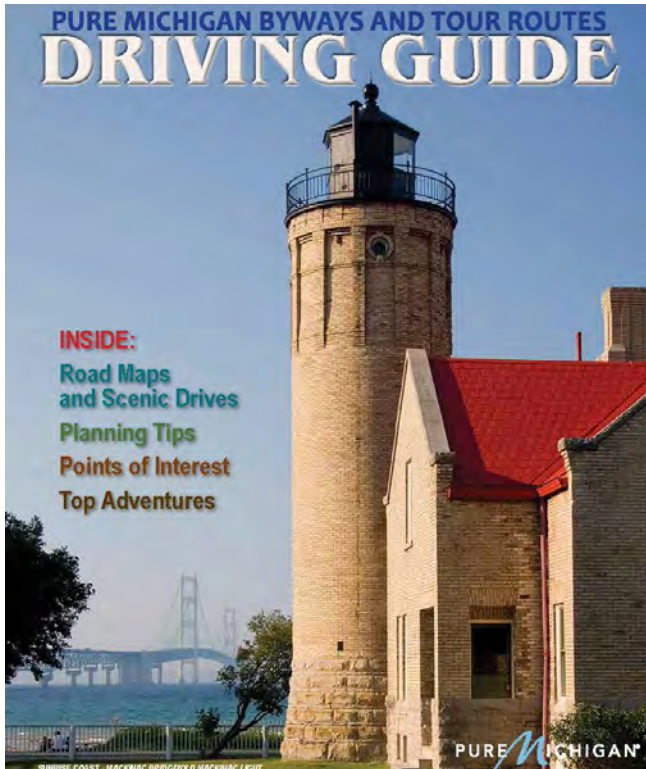
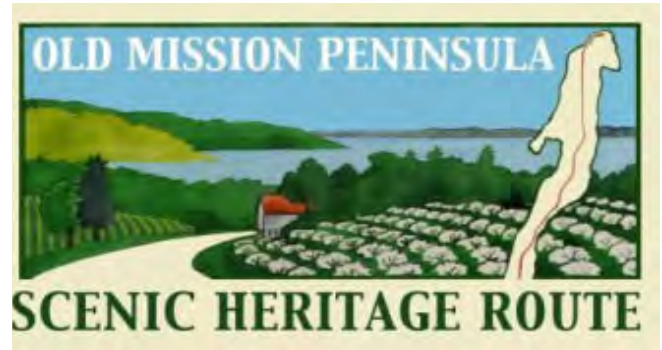
In addition to the views identified on page 30, the views associated with shoreline roads (and from the water) are similarly outstanding. East Shore Road, Bluff Road, and Peninsula Drive all offer spectacular views of water and shoreline landscapes along East and West Grand Traverse bays. It is noteworthy that, despite the fact that shoreline views are as attractive as interior views (as shown below), the township does not currently have an inventory of shoreline areas depicting waterfront viewsheds, existing trees and vegetation cover, and other natural features. Such an inventory may enhance future planning, as well as land use and infrastructure decision making.



Pure Michigan Byways

Pure Michigan Byways are state trunkline routes with special significance. They are designated according to an eight-step procedure and fall into categories based upon intrinsic qualities such as scenery, history, and recreation.

The Old Mission Peninsula Scenic Heritage Route (M-37) was designated in 2008 and keeps company with a few other scenic byways and heritage routes in the area such as the Leelanau Scenic Heritage Route, M-22, and M-119 (Tunnel of Trees).



Source: Pure Michigan Byways and Tour Routes



Public Water System

Construction of the Peninsula Township water distribution system began in the late 1980s out of the need for reliable potable water for domestic demand and fire protection. Through the years, population growth and construction in select commercial and residential locations has generated the need to expand the system. The sole water source is supplied by the city of Traverse City through a bulk water agreement regulated by the two governmental entities. Several mutual connection points between the city and township systems are monitored utilizing master meters that are recorded monthly by the Grand Traverse County Department of Public Works (DPW) for tracking and billing purposes. Presently, the entire system operates under two centralized service districts, the Peninsula Drive District and the Huron Hills District; both provide both domestic and fire flows. The limits of each service district are defined by the primary infrastructure that supplies the users.

About one-third of all residents are served by a public water system that is paid for by the users. It is important that water pressure in a consumer's residence or place of business be neither too high nor too low. The normal operating pressure range for water distribution systems is 40 to 90 psi and a minimum of 20 psi during fire flow (emergency) conditions. Water is distributed to users located within the two service districts by infrastructure owned, operated, and maintained by the township. This infrastructure is comprised of one booster station, one water storage tank, seven reducing valve stations, and approximately 15 miles of

distribution piping. Booster stations pump water to outlying districts at higher elevations, and water is fed back down towards the city of Traverse City to some extent through pressure reducing valves (PRVs). The operating pressures for each service district are dictated by gravity (ground or elevated) storage. A 500,000 gallon ground storage tank exists on Center Road near Cherrywood Commons just off of Mathison Road.

As an owner of a public water and sewer system, Peninsula Township is responsible for ensuring compliance with both the Safe Drinking Water Act (Act 399) and the Natural Resources and Environmental Protection Act (Act 451) as enforced by the Michigan Department of Environment Great Lakes and Energy (EGLE). Part of the role of the township engineer (Gourdie-Fraser & Associates) is to ensure the township's system complies with these requirements. This includes performing ongoing evaluation of the existing system to ensure adequate capacity to accommodate existing and future growth demands, maintaining inventory and condition of all assets, coordinating with the DPW for maintenance of infrastructure, and defining a capital improvement plan for each system. The following two maps illustrate the extent of the public water system in Peninsula Township and the location of proposed capital improvement projects recommended for the next 20 years. These improvements also appear in the table below.

Areas not served by the public water system rely on private wells regulated by the Grand Traverse County Health Department.

Capital Improvements

Project	Status	Cost	Recommendations
Water Main Upgrades (1 to 5 Year)	None	\$233,584.00	Increase Fire Flow
Water Main Extensions (1 to 5 Year)	None	\$632,905.00	Expand Service Area
Emergency Booster Station	None	\$260,000.00	Increase Reliability/ Capacity
Water Main Extensions (10 to 20 Year)	None	\$3,091,790.00	Expand Service Area
Special Assessment District Improvements	None	\$2,332,967.00	Expand Service
Maintenance			
Water Storage Tank Inspection & Cleaning	Last Completed in 2010	\$2,200.00	Needs to be performed every 5 years

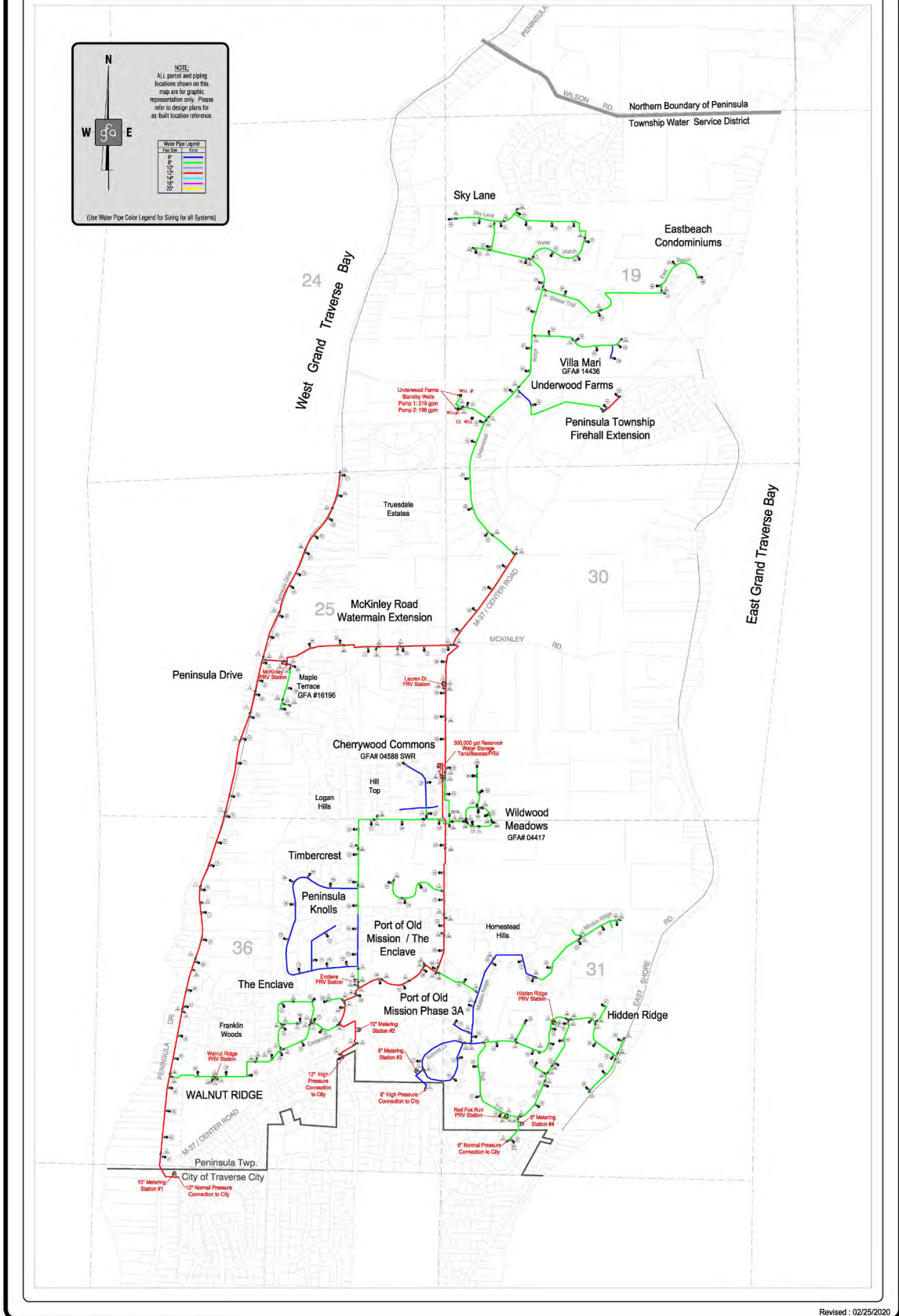
Peninsula Township Water System



NOTE:
All parcel and piping locations shown on this map are for graphic representation only. Please refer to design plans for all built location reference.

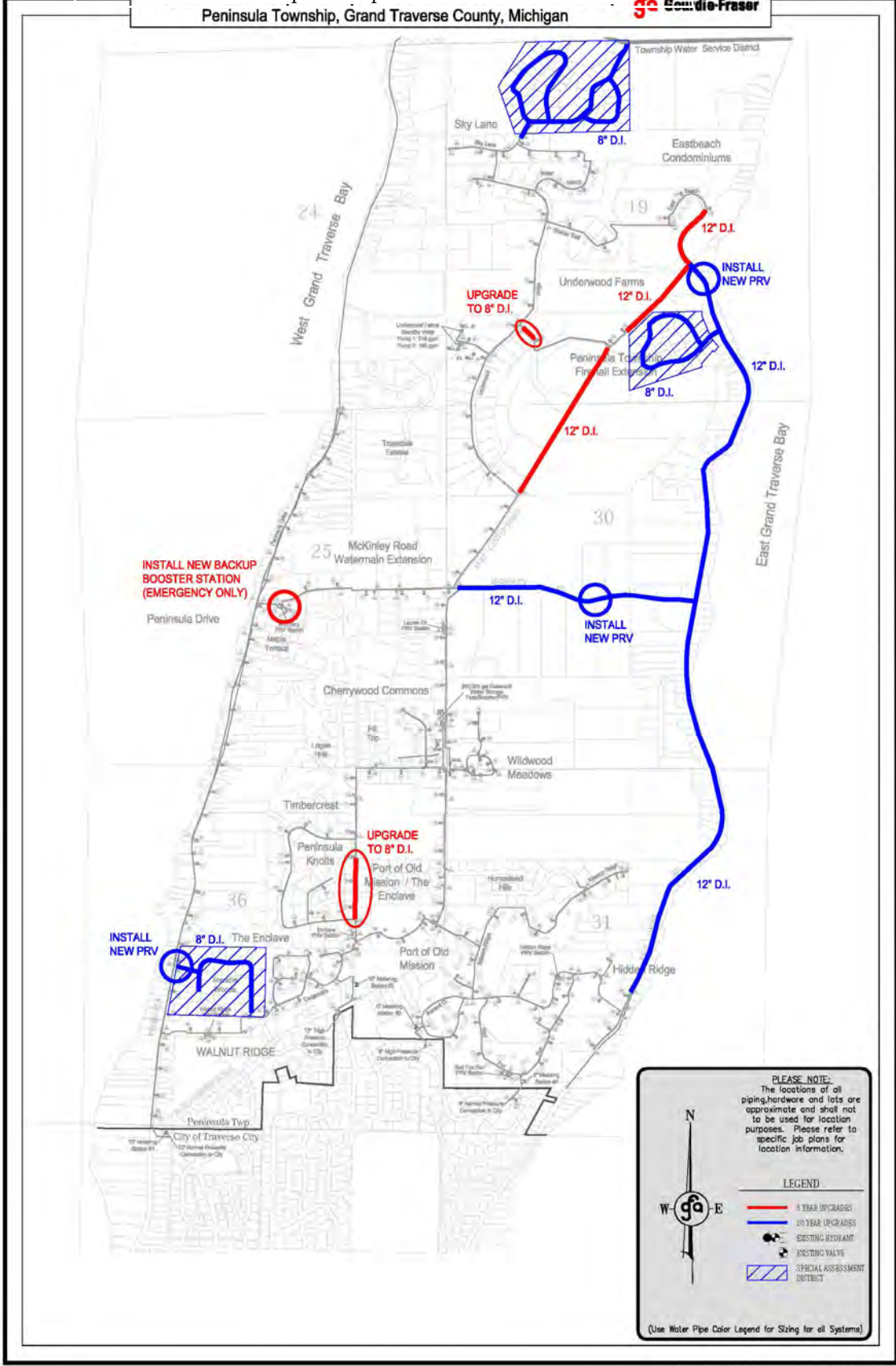
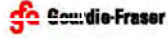
Water Pipe Legend	Color
12"	Blue
10"	Green
8"	Yellow
6"	Orange
4"	Red
3"	Purple
2"	Pink
1.5"	Light Blue
1"	Light Green
0.75"	Light Yellow
0.5"	Light Orange
0.25"	Light Purple

(Use Water Pipe Color Legend for Sizing for all Systems)



Revised : 02/25/2020

5 & 10 Year Capital Improvement Infrastructure
 Peninsula Township, Grand Traverse County, Michigan



PLEASE NOTE:
 The locations of all piping, hardware and lots are approximate and shall not be used for location purposes. Please refer to specific job plans for location information.

LEGEND

- 5 YEAR UPGRADES
- 10 YEAR UPGRADES
- EXISTING HYDRANT
- EXISTING VALVE
- SPECIAL ASSESSMENT DISTRICT

(Use Water Pipe Color Legend for Sizing for all Systems)

Public Sewer System

Construction on the Peninsula Township sewer system began in the 1970s and has expanded through the years with the township's population growth. Wastewater treatment for the township is accomplished through a contract with the Traverse City Regional Wastewater Treatment Facility. The sole treatment source is provided by the city of Traverse City through a bulk sewer agreement regulated by the two governmental entities. Several mutual connection points between the city and township systems are monitored monthly by the Grand Traverse County Department of Public Works, which utilizes master meters for tracking and billing purposes.

About three in 10 residents are connected to the peninsula's public sewer system. The system is comprised of three major sewer system districts via infrastructure owned, operated, and maintained

by the township. This infrastructure is comprised of three pumping stations, 2,500 linear feet (0.5 miles) of force main, and approximately 8.6 miles (45,500 linear feet) of gravity (collection) piping.

The map on page 37 illustrates the extent of the public sewer system in Peninsula Township. Areas not served by public sewer utilize on-site septic systems as regulated by the Grand Traverse County Health Department. Because Peninsula Township relies heavily upon on-site septic systems, maintenance and performance are important topics in the context of protecting water quality. As discussed later, this subject is extremely important to residents. Nearby Long Lake Township is one example of a community that requires private septic system inspections when property transfers to new ownership. This process helps identify problem areas that may contribute to pollution and brings about corrective action before a property is sold or transferred.



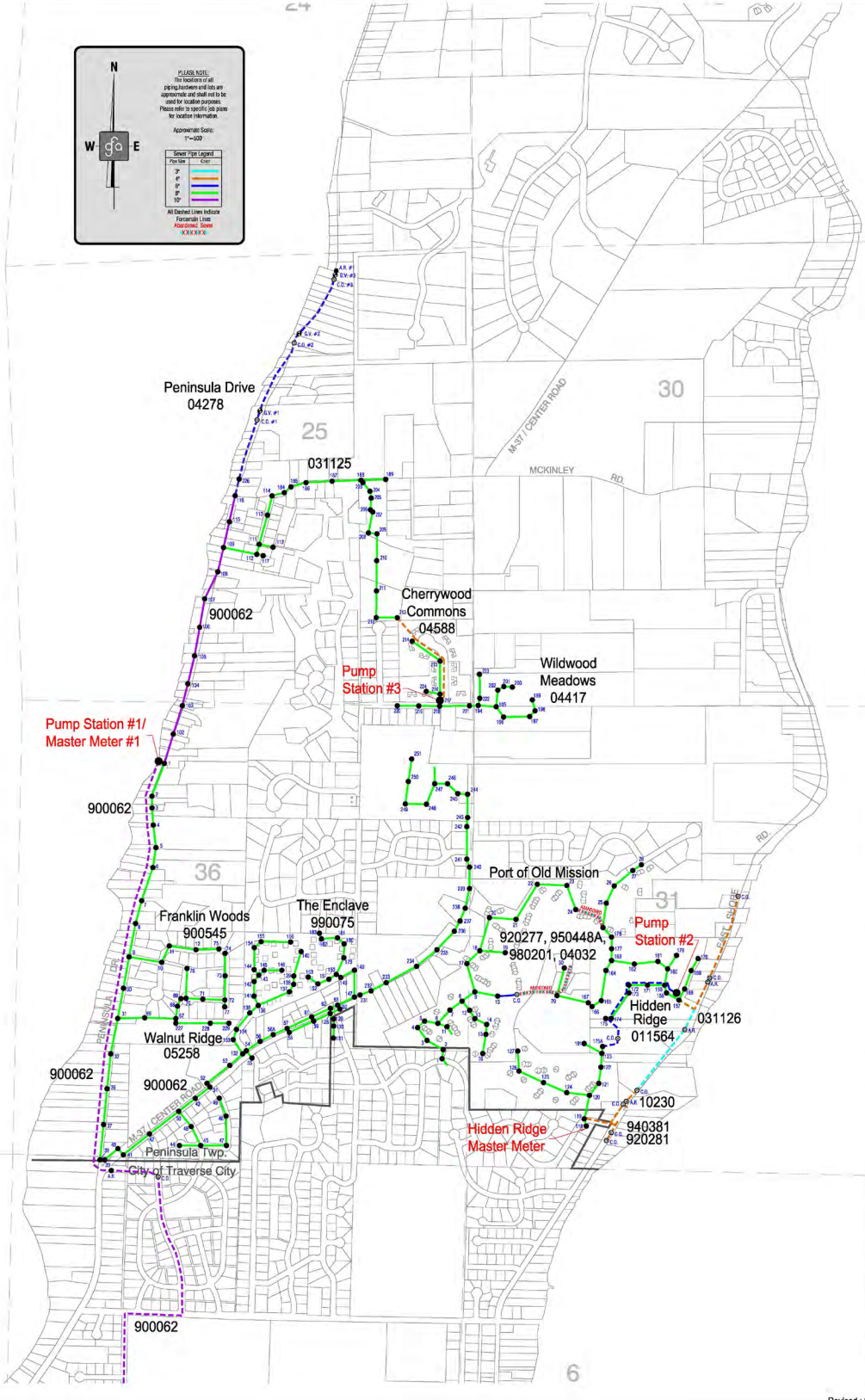
Peninsula Township Sanitary Sewer System Gourdie-Fraser

PLEASE NOTE:
The location of all piping, manholes and sumps are approximate and shall not be used for location purposes. Please refer to specific job plans for location information.

Approximate Scale: 1"=500'

Sanitary Pipe Lined	Color
12"	Blue
10"	Green
8"	Yellow
6"	Orange
4"	Red
3"	Purple

All Dashed Lines Indicate
Forecasted Lines
Forecasted Sumps
Forecasted Manholes



Revised : 02/25/2020

Demographics

Peninsula Township’s population has grown steadily for many decades and continues to represent about six percent of Grand Traverse County. In the coming decades, however, as developable land becomes scarcer, it is expected that Peninsula Township will likely represent a decreasing amount of the total population of Grand Traverse County.

Resident Profiles

One way communities are unique is in terms of the characteristics of residents. These characteristics are important because the lens by which a livable community is defined align with attributes such as age, family size, income, educational levels, etc. For example, the quality of a local school district and employment opportunities are far more important to young families than to retired or elderly households.

Year	Peninsula Township Population	Change from Prior Decade (Num.)	Change from Prior Decade (Percent)	Grand Traverse County Population	Change from Prior Decade (Num.)	Change from Prior Decade (Percent)	Peninsula Township as a % of Grand Traverse Co.
1930	1,107			20,011			5.5
1940	1,146	39	3.5	22,702	2,691	13.4	5
1950	1,531	385	33.6	27,826	5,124	22.6	5.5
1960	2,013	482	31.5	32,687	4,861	17.5	6.2
1970	2,642	629	31.2	38,169	5,482	16.8	6.9
1980	3,883	1,241	47	54,899	16,730	43.8	7.1
1990	4,340	457	11.8	64,273	9,374	17.1	6.8
2000	5,265	925	21.3	77,654	13,381	20.8	6.8
2010	5,433	168	3.2	86,986	9,332	12	6.2
2020	6,068	635	11.7	95,238	8,252	9.5	6.4

Source: U.S. Census Bureau



According to Census Bureau QuickFacts data, a Peninsula Township resident is:

- » More likely to be of retirement age. About a third of all Peninsula Township residents are 65 years old or older (compared with 17.2 percent statewide).
- » More likely to live in an owner-occupied home. More than nine out of 10 housing units in the township are owner-occupied (compared with 71 percent statewide).
- » More likely to have lived in the same home one year ago. More than 91 percent of residents lived in the same home one year ago (compared with 85.8 percent statewide).
- » More likely to live in a household with fewer people. The average household size in Peninsula Township is 2.21 (compared with 2.49 statewide).
- » More likely to be 18 years old or older. Only 17.3 percent of Peninsula Township residents are under 18 years old (compared with 21.7 percent statewide).
- » More likely to have a computer at home with broadband internet. More than 96 percent of Peninsula Township residents have a computer and nearly 92 percent have broadband internet (compared with 88 percent with a computer and 79 percent with broadband internet statewide).
- » More likely to live in a household with a substantially larger household income. The median household income in Peninsula Township (2018 dollars) was \$100,949 (compared with nearly half (\$54,938) statewide).
- » Far less likely to live in poverty. The census bureau reports only 3.3 percent of people live in poverty in Peninsula Township (compared with 14.1 percent statewide).

The Current Moment in Time

Planning is naturally forward looking, but it also takes place through a lens that reflects past and current viewpoints. In 2021, Peninsula Township finds itself looking forward from a perspective of recent accomplishments and future challenges. Some recent accomplishments (in no order of importance) include:



Old Mission Peninsula School

In October 2015, Traverse City Area Public Schools (TCAPS) announced it would close three elementary schools, including Old Mission Elementary School. Thanks to extraordinary community efforts over many months driven by the recognition of the importance of preserving a sense of community on Old Mission Peninsula, a foundation was formed by local residents and 1.1 million dollars were raised to purchase the school building and continue the education legacy on the peninsula. In September of 2018, Old Mission Peninsula School opened to the public.

Citizens within Grand Traverse County may select which educational institution their children attend. Residents of Peninsula Township have the option to send their children to any of the existing public or private schools within the region. Old Mission Peninsula School offers K-5 education and is located centrally on the peninsula. Higher education is available and located at the southern boundary of the peninsula. The Northwestern Michigan College (NMC) campus is open to the public and located in Traverse City.



Peninsula Community Library

Given the changes occurring with TCAPS and the local elementary school, in 2016, the leadership of Peninsula Community Library mounted a campaign to raise funds to build a new library and move the former library out of the elementary school. More than 2.5 million dollars were raised, and our beautiful new 5,600-square-foot facility opened in September of 2019.



Continued Implementation Of The Purchase Of Development Rights (PDR) Program

Peninsula Township is well known for creating one of the first publicly funded PDR programs in the United States and the first in the Midwest. In 1994, voters agreed to tax themselves to fund a voluntary program to purchase development rights from agricultural landowners. Outside funding from the State of Michigan, American Farmland Trust, the Grand Traverse Regional Land Conservancy (GTRLC), and the federal Farm and Ranch Lands Protection Program subsequently added to this effort. In the years that followed (between 1996 and 2009), the PDR program protected more than 2,800 acres from development. Today, more than 110 agreements covering 3,347 acres are subject to PDR restrictions held by Peninsula Township. When combined with GTRLC-held conservation easements and other public land, roughly 6,000 acres have been permanently protected in Peninsula Township, or 34 percent of the total land area. The recent community survey suggests continued support for this program.

Expanding Local Wine Industry

The beginnings of the local wine industry can be traced back to the early 1990s with the establishment of entities such as Chateau Grand Traverse and Chateau Chantel. Today, 11 wineries support local agricultural products and preserve

farmland. The success of the wineries supports and promotes the popularity of Old Mission Peninsula viticulture.





Park Expansions

In late 2015, using funds from private donations, a Michigan Natural Resources Trust Fund grant, and the Grand Traverse Regional Land Conservancy, Peninsula Township acquired nearly 60 acres of land to expand Bowers Harbor Park. A development plan that includes an extensive walking trail system, parking, pavilions, and toilets was prepared. This major project supplements prior recent efforts to establish Mission Point Lighthouse Park at the tip of the peninsula, the 60.64-acre Pelizzari Natural Area at the base of the peninsula, and Kelley Park in Old Mission. Altogether, the total amount of parkland available to residents and guests is now nearly 1,200 acres, of which the township owns or manages 833 acres. For more information on local public lands, see page 15.

Fire Protection & Emergency Response

Fire Station No. 3, completed in early 2021, offers improved emergency response times for those living in the northern part of Peninsula Township. This significant milestone is accompanied by related steps to increase staff, place automatic external defibrillators (AED) in businesses, and place working smoke detectors in every home. This milestone is in addition to increased staffing levels (now about 13 full-time and 13 part-time employees) and recent certification for Advanced Life Support (ALS), which gives paramedics the ability to offer advanced medical care in the field, including intubation, IV fluids, pain and cardiovascular medications, and vital heart monitoring and stabilization. All these steps add up to increased resident safety and lowered Insurance Service Offices (ISO) ratings, which lower homeowner insurance costs.





3. Community Attitudes & Insights

GENERAL COMMUNITY ATTITUDES AND INSIGHTS

Master plans are fundamentally about choices regarding the future, guided by residents preferences and wishes. Understanding residents preferences and wants often includes some form of community engagement, which can occur in different forms and at different times during a planning process. For this master plan, initial community engagement included steps to conduct a new community survey. Past community surveys were done in 1990 and again in 2006. Information from these past surveys provided useful historical background data but offered little to support an understanding of current attitudes.

In the summer of 2019, Peninsula Township hired EPIC MRA to assist staff with a new resident survey. From September 26 through September 30, 2019, live operator telephone interviews with 200 adult residents of Peninsula Township were conducted. This phone survey was performed so that a set of results would be provided from a random sample of residents. Soon after the phone survey, the township offered an online version of the survey to residents and other stakeholders to provide an avenue for all who wished to participate. However, while it was expected that the online version would likely generate more responses, the results might be less random for a variety of reasons. Therefore, having survey results from two methods would help paint a more accurate picture of local attitudes.

The online survey was based on unique residential addresses in the county that appeared on the secretary of state's qualified voter file. This list was augmented with addresses supplied by the township assessor's office to include individuals not otherwise found on the secretary of state file. Once the augmented list was compiled, postcards were sent via first class mail to approximately 3,800 addresses. These postcards, bearing the Peninsula Township logo, informed the recipient household of the reason for the communication and instructions regarding how to access the questionnaire online. The postcard contained a four-digit code required to complete the survey. The online survey was open for participation from October 18, 2019, through November 6, 2019. A total of 980 usable responses were collected from this portion of the project.

IMPORTANT SURVEY TAKEAWAYS

The new survey results validated common perceptions about what residents value. They also revealed some unexpected results. While a full reporting of survey data is available in the appendix, some key takeaways include the following:

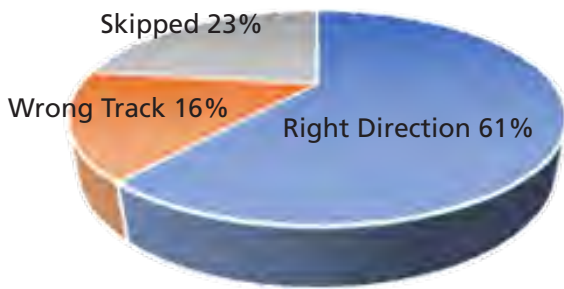
- » Among all attributes, **residents say they like living in Peninsula Township mostly because of the rural, quiet atmosphere followed closely by scenic views and the quality of the environment.** Looked at from the opposite angle, growth/overdevelopment and traffic/congestion topped the list of open-ended responses offered by respondents who believe the quality of life in the township has "gotten worse" in the past few years.
- » Looked at another way, when residents were asked to identify areas where the township could do more, strongest support went to the statement urging the township to **keep as much of the rural character and historic landscape as possible.**
- » One area where there is **unequivocal support for a new initiative is in the development of a non-motorized transportation plan.** More than three-quarters of respondents from both methodologies support this initiative, and two-thirds of that total support is strong support. Fleshing out the specifics of such a plan will, of course, be a comprehensive process, but the survey data clearly indicates support for pedestrian safety features such as signals, pavement markings, and signage along with attention to walking trails and bike paths.
- » A practical, albeit less direct, expression of residents' preference for a rural setting is manifested in the responses to the series of questions concerning the township's Purchase of Development Rights (PDR) program. **Well over half of all respondents in both survey methods report awareness that Peninsula Township currently has a taxpayer-funded PDR program, and well over half purport to have at least some familiarity with its provisions. Perhaps most importantly, survey results indicate that had a PDR renewal vote been held at that time, it would have passed by a significant margin.**

However, it should also be noted that these results were generated just a few months before the outbreak of COVID-19 and the period of economic uncertainty that followed.

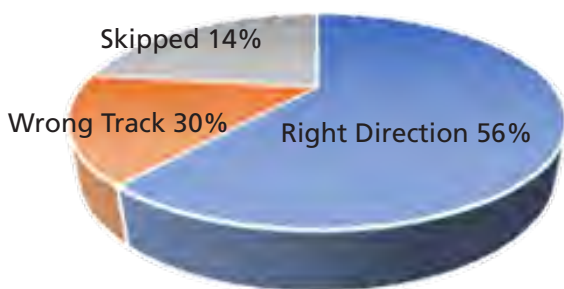
- » Finally, in keeping with residents’ environmental awareness tempered with a desire for viewshed preservation, there is receptivity to the idea of some form of wind and/or solar energy sourcing on the peninsula. Again, the survey only briefly touched on the issue, but the greatest receptivity is for small-scale systems serving a single property followed by systems capable of serving a limited collection of properties or a small neighborhood.
- » In sum, township residents are, by and large, content with the status quo. To the extent there is an expression of openness to change, it reveals itself in policies directed at addressing growth, traffic congestion, and preservation of viewsheds.

In addition to these details, the following charts illustrate some findings on key issues.

Respondents were asked if, overall, they believe Peninsula Township is headed in the right direction or is going down the wrong track:

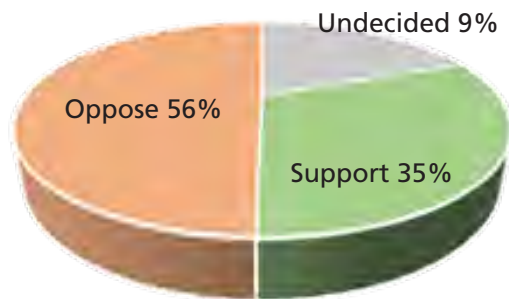


Phone Results

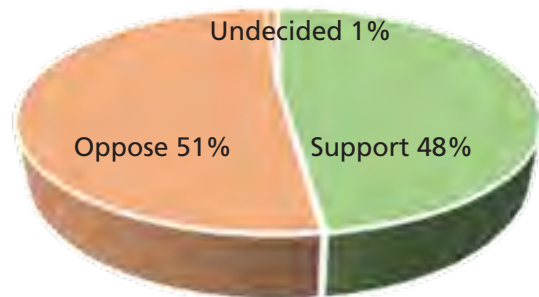


Online Results

Respondents were informed of the growth in the number of wineries in the township over the past couple of decades and asked if they supported or opposed the continued development and growth of these types of establishments:

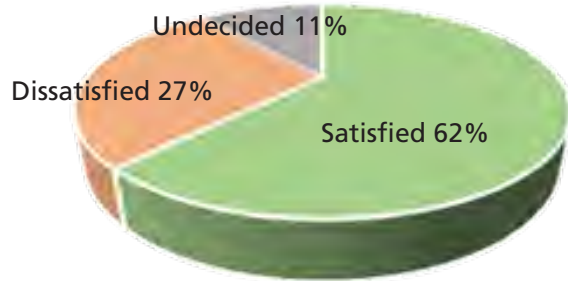


Phone Results

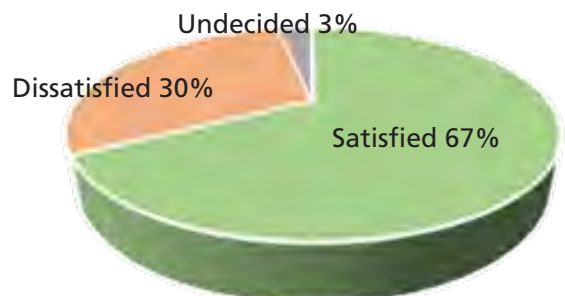


Online Results

Respondents were apprised of the township’s policy prohibiting short-term rentals (if not at a bed and breakfast establishment or winery-chateau) and were asked if they were satisfied or dissatisfied with that policy:

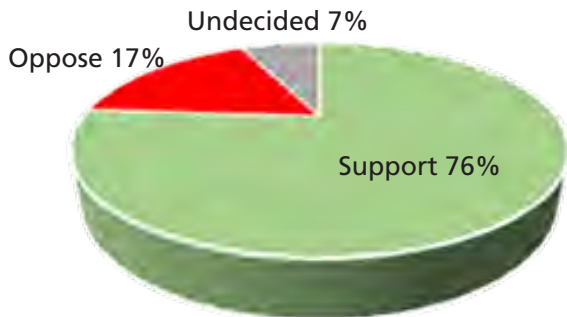


Phone Results

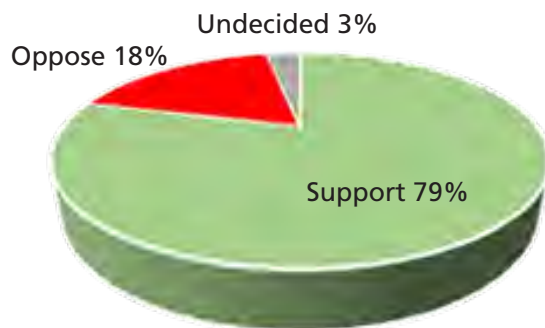


Online Results

After being presented with a statement noting the regular presence of runners, bicyclists, and pedestrians on township thoroughfares, the comparatively narrow width of many area roads, and the adoption of non-motorized transportation policies in nearby jurisdictions, respondents were asked if they would support or oppose the township initiating the process of developing its own non-motorized transportation plan:



Phone Results



Online Results

PARTICIPATE OLD MISSION

Along with the 2019 community survey, Peninsula Township launched a new online community engagement platform called Participate Old Mission. Participate Old Mission was a virtual space where residents could ask questions, share ideas, discuss important topics, and provide feedback. It also allowed residents to contribute thoughts and ideas to projects and issues, including this master plan update. By late August, 2021, Participate Old Mission had more than 2,100 site visits and more than 350 site registrations.

One of the tools provided by Participate Old Mission was a “quick poll” that allowed residents to convey preferences and attitudes on various subjects. For example, preliminary results from one quick poll suggested that not only do people support non-motorized transportation but that they might also be willing to help fund non-motorized improvements. According to nearly 70 respondents (as of late August 2021), more than 85 percent said they are likely or very likely to be willing to help pay for an improved bicycle and/or pedestrian system in Peninsula Township.



A photograph of a sunset over a body of water, with reeds in the foreground. The sun is low on the horizon, casting a golden glow across the sky and water. The reeds are silhouetted against the bright light. A dark red horizontal bar is overlaid on the top portion of the image, containing the text "4. Trends" in white serif font.

4. Trends

TRENDS IMPACTING THE TOWNSHIP

Trends can and often do change, but the following material provides a brief description of clear and relevant trends Peninsula Township should be mindful of as it looks ahead.

Home Sale Prices Have Doubled

In 2010, the median value of homes that sold in Peninsula Township was about \$217,500. By 2020, the median value was \$446,300. In other words, median home values in Peninsula Township have doubled in the last 10 years. As recently noted, due in part to this steadily increasing trend in home values, the total assessed value of property in Peninsula Township recently crossed the 1 billion dollar mark. Comparable and final information is not yet available for the state or nation, but this rapid increase in local home values is believed to be significant.

Aging Population

As noted earlier, Peninsula Township residents are generally likely to be 65 years old and older (see page 39). Perhaps just as important, the national trend also points to a growing elderly population. Longer life spans and other demographic factors support the U.S. Census Bureau's projection that, by the year 2034, for the first time in history, the number of adults 65 and older in the U.S. will exceed the number of children under 18. Given this projection, it is reasonable to assume that older residents will represent an ever larger segment of the local population, and the planning implications are important.

The American Association of Retired Persons (AARP) has been active in providing research into what older residents desire from the communities in which they live, including rural communities. Key findings from a report titled 2018 Home and Community Preferences Survey: A National Survey of Adults Age 18 – Plus a Look at Rural Communities (June 2019) include these takeaways:

- » Nearly three-quarters of rural adults say they want to remain in their communities and homes as they age.
- » Almost half of rural adults report they will stay in their current homes and never move compared to only a third or fewer of urban and

suburban adults who say they will never move from their current homes.

- » About three-quarters of rural adults own their own homes; nearly two in five report that major modifications to their homes will be needed to accommodate their needs as they age.
- » The presence of accessory dwelling units is low among rural adults, but eight in 10 say they would consider building one for a loved one who needs care.
- » The large majority of rural adults (89 percent) drive themselves to get around their communities.
- » Other popular modes of transportation include walking and having someone else drive them.
- » Well-maintained streets and easy-to-read traffic signs are very important to aging rural adults.

Remote Working

Thanks to COVID-19, more companies are offering hybrid or remote working arrangements, and increasing numbers of people feel less inclined to live close to where they work. It has been reported that about one in four Americans (26.7 percent) will work remotely in 2021 (Forbes, March 19, 2021). This means that more people will be less tied to a specific area and more able to choose where to live based on amenities and the quality of life. If this trend is sustained into the future, it will continue to represent an important factor in local growth.



Health And Non-Motorized Transportation

Decades ago, health experts began documenting the health benefits of physical activity. Obesity rates have increased dramatically over the last 30 years, and obesity is now considered to be an epidemic in the United States. Diabetes is also responsible for huge health-care costs, and the incidence of diabetes is expected to continue to increase.

At the same time, there is a growing recognition that the transportation infrastructure built in recent decades typically accommodates only vehicular traffic. This realization has led all levels of government to shift toward an increased emphasis on developing safe places to walk, bike, and engage in physical activity. Myriad programs and design strategies such as complete streets, traffic calming, context-sensitive design, safe routes to schools, and others are all aimed at increasing transportation options beyond vehicle travel to encourage non-motorized travel and physical activity.

LINKS TO COMPLETE STREETS RESOURCES

<https://smartgrowthamerica.org/program/national-complete-streets-coalition/>

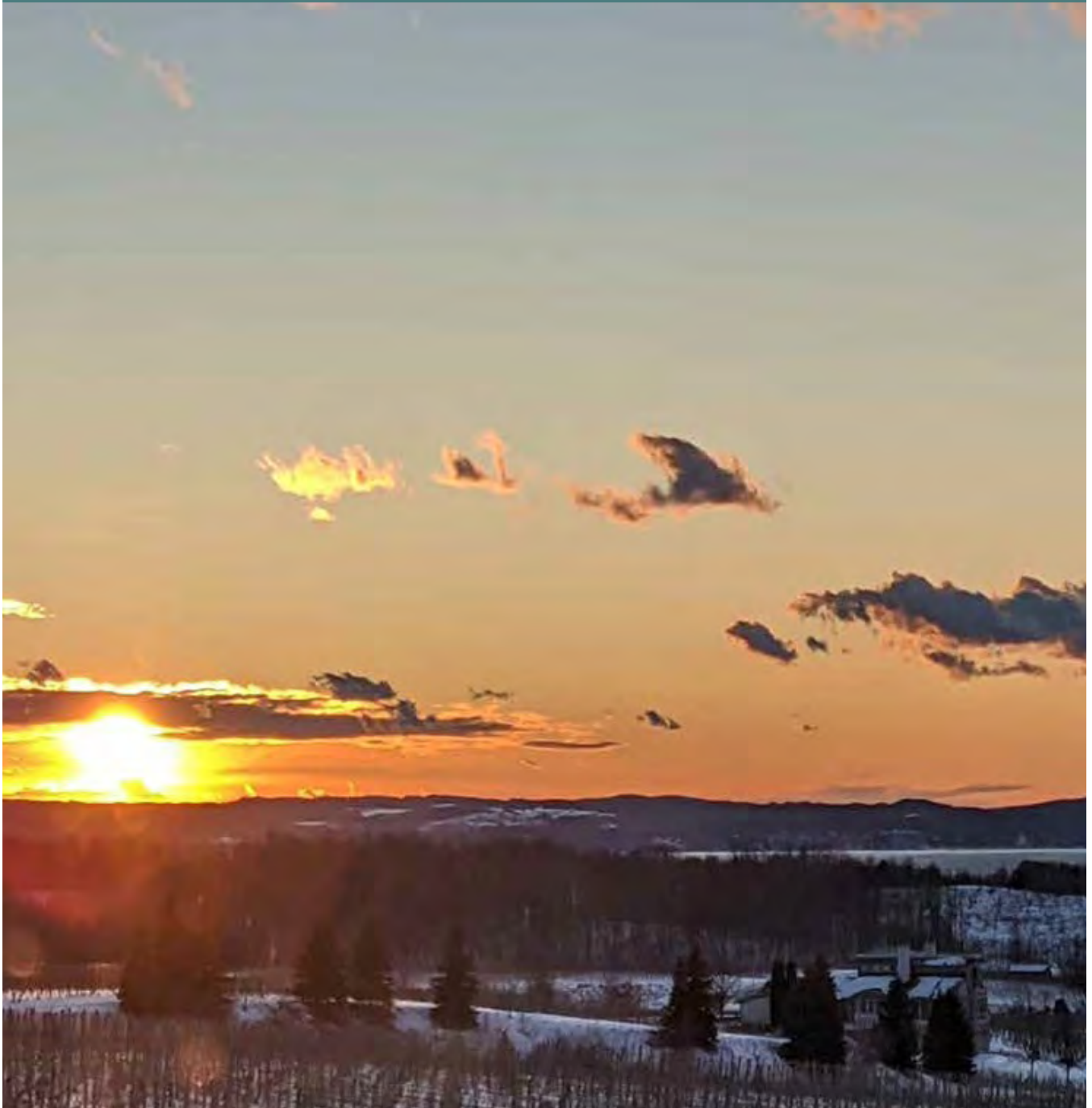
<http://micompletestreets.org/>

<https://www.ite.org/technical-resources/topics/complete-streets/>

<https://www.cdc.gov/transportation/recommendation.htm>



5. Legacy, Challenges, & Vision



PLANNING LEGACY

For many decades, Peninsula Township's rolling hills, miles of Great Lakes shoreline, and stunning views of bays, farms, orchards, and vineyards have drawn people to live and visit here. Nearly 50 years ago, community leaders saw mounting development forces and recognized the threat to farmland, environmental values, and quality of life. This realization led the township to develop a master plan in 1968 and, then, a zoning ordinance in 1972 that established a basic order to development patterns, notably a large interior agricultural district, coastal residential districts, and limited commercial districts as well as minimum lot sizes and setbacks in each district. Many of the zoning provisions enacted in 1972 continue to guide development patterns today.

In subsequent decades, as planning efforts in the township continued, recognition grew that strong growth pressures would continue to fuel construction activity and increases in population. Early projections suggested that Peninsula Township could reach 30,000 people or more if fully built out unless other measures were taken. Residents and township leadership viewed this level of development with alarm, as it would inevitably reduce the viability of agriculture, diminish scenic views, add huge additional infrastructure costs (i.e., water, sewer, and roads), and contribute to an overall decline in environmental quality. Such a large population would also create major traffic issues in Traverse City.

Peninsula Township demonstrated bold and proactive leadership and a core commitment to land preservation by creating one of the first publicly funded township Purchase of Development Rights (PDR) programs in the United States and the first in the Midwest. On August 2, 1994, voters agreed to tax themselves to the tune of six million dollars to purchase the development rights from willing farmers who wanted to keep their land in farming forever. Additional funding from the State of Michigan, American Farmland Trust, Grand Traverse Regional Land Conservancy (GTRLC), and the Federal Farm and Ranch Lands Protection Program subsequently augmented this effort (see page 40). This bold and proactive leadership came not only from elected and appointed officials but concerned residents such as John Wunsch and many others.

Between 1995 and 2009, more than 2,800 acres in Peninsula Township were protected from development. The PDR program was so successful, with more farmers interested in selling their development rights than money to buy them, that voters approved a second PDR millage renewal and increase in 2001 for 20 years, a period that is now ending.

Today, more than 110 parcels totaling 3,347 acres are subject to PDR restrictions held by Peninsula Township. When combined with GTRLC-held conservation easements and other public lands, roughly 6,000 acres have been permanently protected in Peninsula Township, or 34 percent of the total land area. Considering only the agricultural preservation area (APA), the total amount of protected land covers about 53 percent of the total acres identified in the APA (see maps on pages 26 and 27).

This is a great start, but as was the case in 2001, we have willing farmers who wish to sell their development rights and preserve their farms with insufficient funding available to accomplish these goals.

Given the program's success to date, the maximum population of the peninsula if fully built out would be approximately 12,000 people, a far cry from the original projection of 30,000 had action not been taken but nearly double what it is today.

NEW CHALLENGES

As previously described, Peninsula Township has a newly established public charter school, a newly constructed library, and recent park expansions.

The township also has 18 wine manufacturers (as licensed by the Michigan Liquor Control Commission); 11 wine tasting rooms; a market and gas station; three restaurants; five churches; many farm markets, nurseries, and farm stands; historical buildings; and governmental services, including township offices, three fire stations with full time fire and emergency medical services, and a full time community police officer to supplement law enforcement services provided by the Grand Traverse County Sheriff's Dept.

The Peninsula Township community has long recognized and valued the quiet, rural, and scenic character of the Old Mission Peninsula

and the critical need to protect these defining values. Recent planning efforts such as the 2019 community survey and the launch of the online engagement tool called Participate Old Mission provided a more current understanding of resident preferences, values, and desires. As the population has grown and residential and winery development has increased, the desire to protect the township's scenic views and quiet rural character has amplified. Protection measures have been highlighted in township planning documents since the early 1980s, with each plan reiterating and building upon this concept. According to the 2019 survey, the majority of residents believe the township is "headed in the right direction" and that the quality of life "has remained the same." **At the same time, there is growing evidence that the local story of stewarding this special place may be at a pivotal juncture.** As a case in point, we now see the following:

- » The local wineries filed suit against the township in late 2020 over limits on allowed commercial activity;
- » Record-high water levels in 2020 damaged vast segments of shoreline, causing severe erosion, millions in property damage, and the closure of a section of Bluff Road;
- » A potential renewal of the PDR program will require continued support from residents at the ballot box;
- » Growing recognition of the need for better traffic control and accommodation for non-motorized travel;
- » The recent determination that the Michigan Department of Transportation (MDOT) will continue to control and maintain M-37 (Center Rd.); recently, MDOT had considered relinquishing control and responsibility to the Grand Traverse County Road Commission;
- » Growing questions about whether our township form of government is best for the long term;
- » Lingering questions over state and local responses to the demand for short-term rentals and other dimensions of the hospitality market;

- » Development pressures that continue to remain strong along with property and home values that have risen;
- » The remaining effects of COVID-19 that hamper community engagement efforts; and
- » Greater focus toward Peninsula Township parks, which have been impacted significantly by behavioral and utilization changes related to COVID-19. This usage has prompted a new effort to define needs, operating and capital improvement budgets, and funding sources to better develop and maintain park facilities. This work is being undertaken by the Peninsula Township Parks Committee in conjunction with LIAA (Land Information Access Association).

VISION

Peninsula Township's leaders recognize that the Old Mission Peninsula is a special place for all the reasons described in Chapter 1. They also recognize that the current issues facing the township mean that careful and deliberate planning has never been more important than it is now if the township is to retain its current amenities and reach its full potential as the best possible gift to future generations. These challenges align with the 12 following vision statements that can also be thought of as organizing planning principles for Peninsula Township.

These vision targets surfaced from the 2019 survey results, results from Participate Old Mission, and deliberations during master plan steering committee meetings.

The following chart is a summary of vision statements for Peninsula Township organized into three distinct categories: "Land Use," "Mobility," and "Character, Facilities and Governance." In the following chapters, more in-depth descriptions of issues and future action steps are provided for each of these three categories. Chapter 9 addresses the subject of implementation and provides a summary of future initiatives and action steps.

The challenges noted on previous pages align with the 12 following vision statements that can also be thought of as organizing planning principles for Peninsula Township.

Summary of 12 Vision Statements

Vision	Subject Category	Summary
Recognize an “island-like geography.”	Land Use	The ability to maintain the quality of life in the township will be highly influenced by the reality that the peninsula is more or less an “island” with a single “bridge” that carries residents to and from Traverse City and beyond. This “bridge” is a two-lane street that has a finite carrying capacity and few options to increase that capacity. Shoreline routes such as East Shore Road and Peninsula Drive are not desirable options as routes because they serve neighborhoods with strong recreational and aesthetic value. Detailed vehicle traffic counts and studies are needed annually to help monitor change over time and to help guide township development policies. Recognizing the need to limit growth and associated traffic generation is a major underpinning and foundation for nearly all other vision statements and planning policies.
Continue to implement policies that reduce build-out potential.	Land Use	<p>Looking ahead to this new decade and beyond, we see thousands of acres of agricultural land that could still be developed into homes. Demand for homes on the Old Mission Peninsula is strong and likely to grow stronger given existing trends. At the same time, residents clearly want to preserve and maintain a rural atmosphere.</p> <p>The renewal of the PDR program is crucial to completing the task of land preservation that began in the early 1990s. Protecting the remaining 4,701 acres of agricultural land identified in the agricultural preservation area (APA) is an essential step toward limiting population growth and additional traffic congestion.</p>
Ensure that future development is constructed in ways that thoughtfully balance all land-use needs.	Land Use	Even with new PDR activity resulting from a third millage, some level of development can be expected as some property owners choose to develop their land within the constraints of the zoning ordinance. In the past, the township has explored the concept of a transfer of development rights (TDR) program as a way to concentrate new development by “transferring” permitted density to a more carefully planned area. The TDR program, coupled with the potential for mixed use development in the commercial zones to include first floor retail/ commercial with second floor residential, could help create local businesses that serve residents. Properly designed and constructed commercial uses could help reduce the need for residents to travel to Traverse City for goods and services, thereby potentially helping to reduce traffic.

Vision	Subject Category	Summary
Constructively and collaboratively work toward the goal of adding value to local agricultural products while mitigating negative impacts of noise and traffic.	Land Use	The township supports local agriculture and efforts to retain rural character while drawing a distinction between production agriculture (i.e., growing things) on the one hand and non-production, or value-added activities such as processing and selling products on site, on the other. This latter category of activities leans in a more light industrial and commercial direction, generating issues related to traffic and noise that detract from rural ambiance and character. More efforts are needed to balance production agriculture with non-production or value-added and commercial activities.
Protect the shoreline and wetlands to the maximum extent possible through both regulation and education centered on vegetation protection and enhancement.	Land Use	The last several years of high water levels on the Great Lakes have had a profound impact on coastal communities throughout Michigan. Coastal erosion and flooding have impacted residents with substantial costs and damages. Predicting lake levels in the future is all but impossible, but it is prudent to improve regulations and education efforts regarding vegetation removal so that future high water levels are less damaging and water quality is protected from erosion. Similarly, it is important to continue to educate residents on the value of all wetlands and shoreline vegetation cover as a means of reducing both flooding and pollution.
Continue to view alternative energy (solar/wind) as having a potential role in Peninsula Township.	Land Use	Peninsula Township's geography (island-like with one major road on and off) along with the existing above ground infrastructure present challenges to delivering a reliable power source consistently. Alternative energy sources provide opportunities to supplement gaps. The township will continue to implement policies to regulate solar and wind energy generation while protecting viewsheds.
Balance demand for a local hospitality industry against the need to control growth and manage traffic.	Land Use	There is a role for a local hospitality industry in Peninsula Township in three major categories: wineries (with guest rooms), bed and breakfasts (independent of wineries), and possibly small, quaint "boutique" hotels. The balance between additional hospitality functions and added traffic is a critical one related to numbers of available rooms and specific locations. The connection between offering accommodations in a rural B&B and supporting agricultural viability is also recognized.
Make pedestrian and bike travel safer and more convenient	Mobility	Residents and visitors alike deeply appreciate all that Peninsula Township has to offer pedestrians and bicyclists. However, planning for and implementing even modest local projects to support non-motorized travel have been nonexistent. Evidence of support for steps in this direction is abundantly clear from recent survey results. There also seems to be increasing recognition that it is time for ramped-up non-motorized transportation planning, even among those who are not inclined to bike or walk, simply from the standpoint of safety and impacts on vehicular traffic flow.

Vision	Subject Category	Summary
Make vehicular travel safer and more convenient	Mobility	Associated with the desire to make pedestrian and bike travel safer and more convenient is the need to control vehicular speeds and improve safety.
Operate under the best possible form of government, with suitable and essential public facilities.	Character, Facilities, and Governance	As unique and special as Peninsula Township is, it shares one key attribute with most other townships in Michigan: its form of government. Increasingly, people are asking if a general township is the optimal form of government for the residents of the Old Mission Peninsula. State laws provide options for different structures of local government, which could improve service delivery and local control.
Continue developing an outstanding park system throughout the township with “hubs” at Mission Point Lighthouse Park, Bowers Harbor Park, and Pelizzari Natural Area.	Character, Facilities, and Governance	The township maintains three large parks strategically located at the north, middle, and south latitudes of the township along with several additional smaller parks. The township will continue to improve these parks through upgrades and expansions consistent with the needs of each area. Additionally, the township is now poised to move forward with a new boat launch at Kelley Park.
Continue preserving, enhancing, and celebrating local history and culture.	Character, Facilities, and Governance	People enjoy living in an area with a sense of place, and an important attribute of our identity is local history and culture. There are four primary historical sites in the township: the replica Log Church and Peter Dougherty Home in Old Mission and the Hessler Log Cabin and Mission Point Lighthouse at the tip of the peninsula. Two historic businesses also survive, the Old Mission Inn and the Old Mission General Store, along with three remaining historic private resort associations, Illini Cottagers Association, Leffingwell, and Neahtawanta. Much of the story of nineteenth and twentieth century local history arcs through and across these places. More can and should be done to strengthen and support these offerings.

6. Land Use



INTRODUCTION

Peninsula Township encompasses approximately 17,858 acres of land. Wise land-use decisions made over time are often at the heart of why some places are more livable, attractive, and appealing than others. Fundamental private and public decisions about how land on the Old Mission Peninsula is used are central to a sense of careful stewardship of Peninsula Township.

This chapter begins with a description of existing land-use patterns followed by a brief description of existing zoning, which regulates how land can be used, along with associated development standards and review procedures. Following this background material is a description of important land-use issues facing Peninsula Township and a future land-use map.

EXISTING LAND-USE PATTERNS

A map illustrating existing land uses appears on the following page. Reflecting data provided by the Peninsula Township assessor and generalized to some degree in terms of residential use, the map provides a platform for developing the future land-use map provided later in this chapter. It also provides a means to track and monitor land-use changes over time. The table below categorizes and quantifies existing land uses shown in the map on page 57.

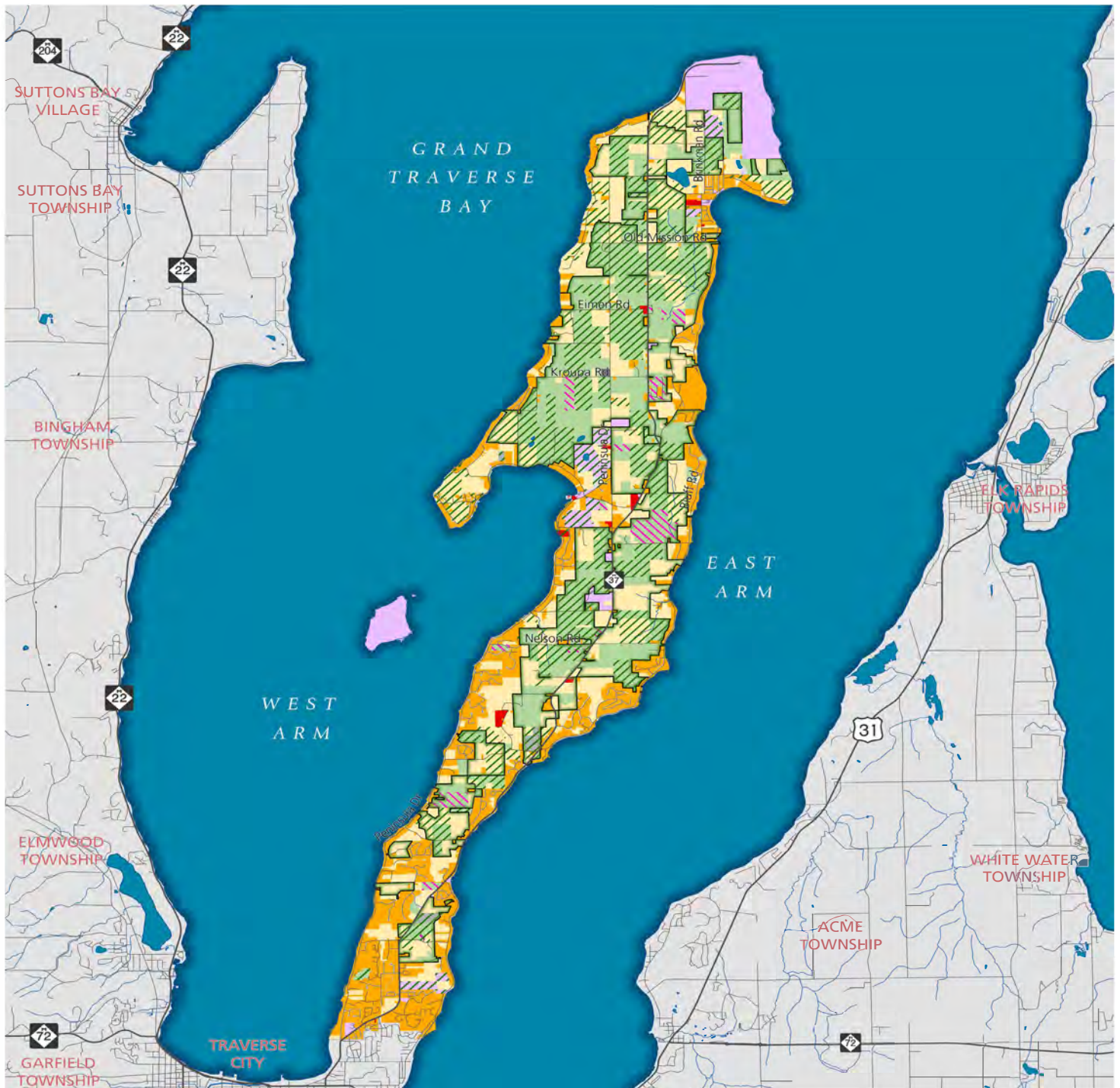
Land-Use Background

- » Existing Land-Use Patterns
- » Existing Zoning

Land-Use Issues

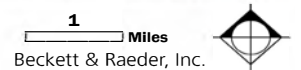
- » PDR Program
- » Shoreline Protection
- » Alternative Energy
- » Mixed Commercial Area/TDR
- » Agricultural Viability/Wineries/Other Agri-business
- » Lodging and Short-Term Rentals
- » Special Land-Use Permits
- » General Review of Uses/Development Standards

Land Use	Related Zoning District	Percent
Agricultural- Land primarily used for production agriculture	A-1	37.2%
Commercial- Land primarily used for commercial uses	C-1	0.5%
Industrial- Land primarily used for industrial uses	Varies	0.1%
Suburban Residential- Land primarily used for residential uses on less than 5 acres	R1-B, R1-C, R1-D	17.4%
Rural Residential- Land primarily used for residential uses on more than 5 acres	A-1, R1-A	34.2%
Public / Institutional- Land primarily used for parks, library, fire stations, public buildings, etc.	Varies	10.6%
Total		100.0%
Additional Land Use Designations		
Value Added Agriculture- Land used for production agriculture with a value added element (processing, tasting room, etc.)	A-1 Zoning District	
Land with Conservation Easement- Land that has donated or sold future development rights	Underlying Zoning May Vary	



Existing Land Use

Sources: Michigan Open Data Portal, Peninsula Township



- | | | |
|--|----------------------|---------------------------------|
| Agricultural | Industrial | Value Added Agriculture |
| Commercial | Public/Institutional | Land with Conservation Easement |
| Suburban Residential
<small>** Classified as residential use on less than 5 acres</small> | | Agricultural Protection Area |
| Rural Residential
<small>** Classified as residential use on more than 5 acres</small> | | |

**This map is generated based on the use classification in the assessing records and parcel layout/data from 2021. The existing land use map shows how the land is currently being used and is independent from the zoning classification on the zoning map. These uses may be classified differently than zoning districts or uses allowed in the zoning ordinance. For instance, residential uses may be classified as agricultural uses depending on the amount of agricultural production for assessing purposes. This is a snapshot in time and used as one of the many tools to determine future land use and zoning in the future.

EXISTING ZONING

For about five decades, land use in Peninsula Township has been guided by regulations contained in the Peninsula Township Zoning Ordinance. Although the zoning ordinance has been amended many times to address specific issues, the general framework remains unchanged in terms of zoning districts, allowed land uses, and basic development requirements such as minimum lot sizes and building setbacks.

In the summer of 2021, a comprehensive update of the zoning ordinance was under consideration. It was passed by the planning commission in May 2021 after several years of effort and is moving on to the township board for final approval.

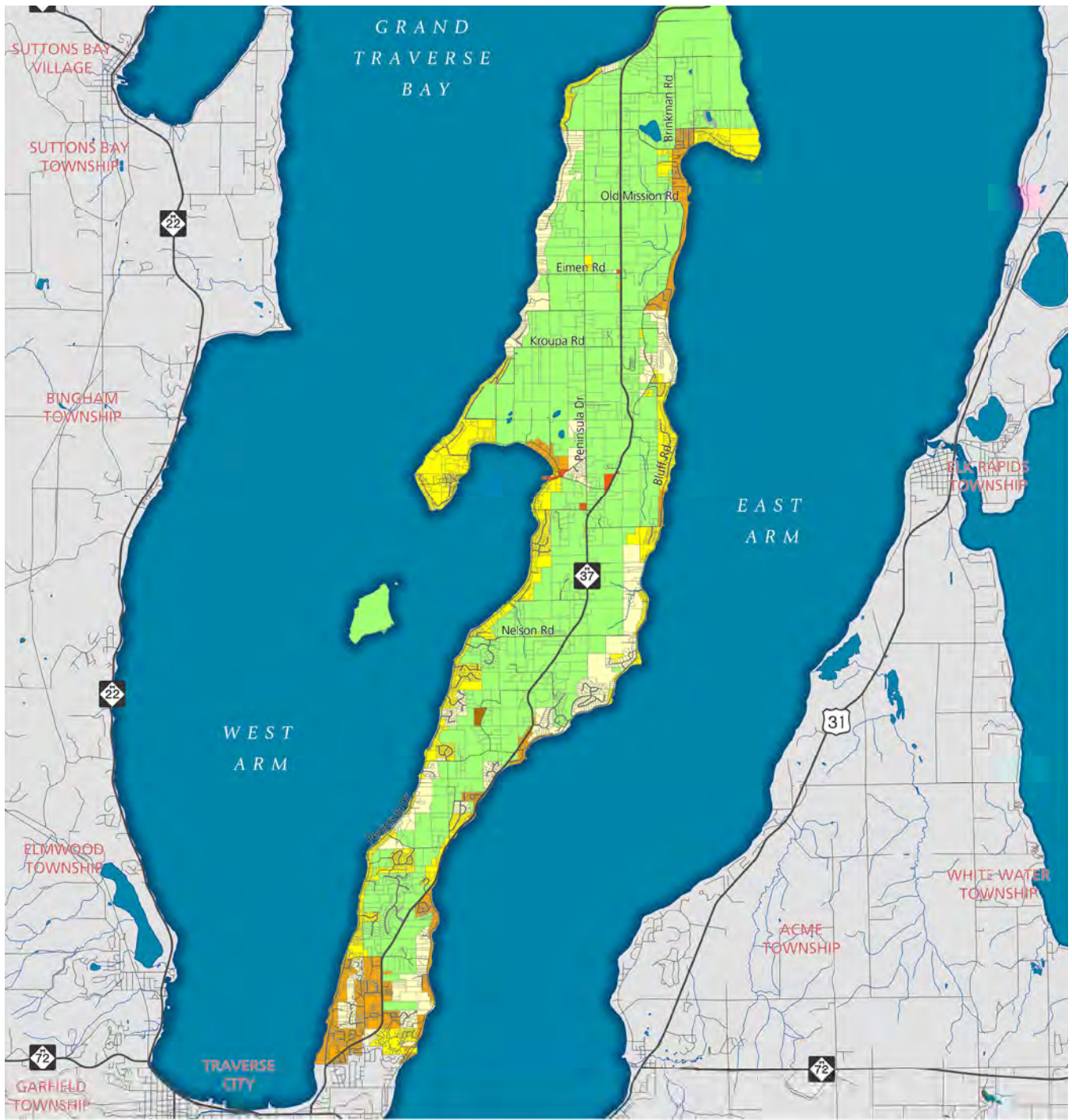
This update is aimed at issues such as organization, improved graphics, added definitions, improved cross-referencing conformance with other laws, and regulatory clarification. In large part, substantive changes to regulations were set aside until after this master plan is complete.

Six primary zoning districts apply to all parcels in the township. Generally, the interior portions of the township are zoned agricultural (A-1), and the waterfront areas are zoned residential (R-1A, R-1B, R-1C and R1-D). There are also several small areas zoned commercial (C-1). Descriptions of each zoning district, acreages related to each, and a map showing the location of zoning districts follow on page 60.



Existing Zoning Structure

Zoning District Name	Minimum Lot Size	Description / Purpose
A-1 Agricultural District	5 acres	The agricultural district is intended to recognize the unique ecological character of the peninsula and to preserve, enhance, and stabilize existing areas within the township that are presently being used predominately for farming purposes while recognizing there are lands within the district that are not suited to agriculture; therefore, the district allows other limited uses that are deemed to be compatible with agricultural and open space uses.
R-1A Districts: Rural and Hillside Residential District	1 acre	The R-1A rural and hillside residential district sets standards for the continued development of: (1) rural areas suited to very low-density residential development; (2) fragile hillside areas; and (3) interface areas between more intensive residential uses and agricultural land uses. This district includes existing low density residential developments as well as areas within which such development appears both likely and desirable.
R-1B District: Coastal Zone Residential District	25,000 sq.ft.	The R-1B coastal zone residential district sets standards for the development of residential properties of a semi-rural character along lakeshore drives and in areas of high scenic value where more intensive development would deteriorate the peninsula's environment and less intensive development is essential to maintain the established environment.
R-1C Districts: Suburban Residential Development District	20,000 sq.ft	The R-1C suburban residential district encourages medium density residential development associated with proximate areas of Traverse City. Such development shall fall within the logical service pattern of the Regional Wastewater Treatment System, whether or not serviced by that system.
R-1D Districts: Community Residential District	15,000 sq.ft.	The R-1D community residential district encourages moderately high density development where community services such as fire protection, schools, commercial development, community parks, and services are available.
C-1 Commercial District	25,000 sq.ft.	The C-1 commercial district allows for convenience-type shopping for township residents and for limited marina and transient lodging facilities. It is the purpose of this district regulation to avoid undue congestion on major highways and to promote smooth and safe traffic flow along highway routes. Commercial activities within this district are those that primarily offer goods and services that are generally required by a family at intervals of a week or less.
PUD Planned Unit Development	Varies	The PUD zoning designation can be applied to another zoning district to allow for more creative and imaginative land development and a more desirable living environment by preserving the natural character of open fields, stands of trees, and steep slopes as well as brooks, ponds, lakeshore, hills, and similar natural assets. PUDs concentrate density to areas of the site with the fewest environmental constraints and preserve sensitive areas in common open space. PUDs require additional plan review steps. When approved, PUD developments include the PUD notation with the zoning district.



Unofficial Zoning Map

Sources: Michigan Open Data Portal, Peninsula Township

1 Miles
Beckett & Raeder, Inc.

- A1 Agricultural
- R1B Coastal Zone Residential
- C1 Commercial
- R1C Suburban Residential Development
- R1A Rural and Hillside Residential
- R1D Community Residential

** This map is for reference only and should not be used to determine current zoning classification. The official zoning map is provided at the Township Hall.

LAND-USE ISSUES

A number of primary land-use issues surfaced from results of the 2019 community survey, information gained from Participate Old Mission, and discussions among the master plan steering committee. These issues are described below and are associated with specific initiatives and action steps.

PDR Program

As described in Chapter 2, the PDR program has had a tremendous impact on land use in Peninsula Township, and, along with the zoning ordinance, has been the most impactful land-use policy the township has adopted. To date, this program, along with other forms of land protection, has protected about 34 percent of the township from development. The PDR program was originally put in place to protect valuable and unique farmland and to limit the build-out potential of Peninsula Township. “Build-out” is a largely theoretical term that gauges what happens if development trends continue under existing regulations and other constraints; it refers to the state at which Peninsula Township would not have any available parcels for development given current zoning restrictions. The desire to limit build-out is associated with the need to protect farmland and rural character and reduce the number of vehicles on the roads as well as congestion at the base of the peninsula.

The PDR program is largely viewed as a tremendous success. To date, the funds from the two prior tax levies (in 1994 and again in 2002) have been expended, and a new millage is being contemplated in the near future. An oft-overlooked element is the fact that PDR programs require attention well beyond the time devoted to acquiring the PDR easement. In other words, Peninsula Township has an ongoing obligation to monitor program compliance and to ensure that land-use and construction activity are compliant with easement terms. Additionally, when all or part of an agricultural parcel is encumbered by a PDR easement, the relationship between the PDR easement and the zoning ordinance can become more complicated.

Initiatives and Action Steps

PDR Renewal

Renewal of a PDR levy is an essential step if Peninsula Township is to complete the job of preserving agricultural land and limiting growth. The importance of renewing the PDR program cannot be overstated in terms of expanding upon the local legacy of land stewardship and resource protection. It is also critically important in terms of reducing future traffic congestion. The 2019 community survey provides clear evidence that overdevelopment and traffic congestion are among the top reasons given by residents who perceive a declining quality of life on the peninsula. Renewing the PDR program is one direct way to address this concern. In simplistic terms, for every 100 acres of land that might be included in a PDR easement funded by a future levy, the number of new homes potentially drops by as many as 20 and the corresponding vehicle trips drop by as many as 200.

POTENTIAL IMPACT OF PDR ON FUTURE TRAFFIC

The A-1 zoning district allows one home to be constructed on a five-acre parcel.

A 100-acre parcel theoretically yields 15-20 homes (assuming lot frontage and related requirements are met).

According to the Institute of Transportation Engineers (ITE) and its published Trip Generation Manual, the number of vehicle trips associated with a single-family home is about 9.57 trips per day (it actually can range from 4.3 to more than 21 trips per day).

Therefore, it might be said that for every 100 acres of new PDR land, future potential traffic traveling on Peninsula Township roads is reduced by between 140 and 200 vehicles per day.

Shoreline Protection

The shoreline and water quality are precious to residents. According to the 2019 survey, protecting the water quality of the bays should be a top priority for the township. At the same time, current high lake levels have produced erosion and obvious concerns. According to the Army Corps of Engineers in its October 2020 Great Lakes Water Level Summary, the mean level of 581.53 feet was 31 inches above the long-term average and just 10 inches below the record high. This recent report actually indicates a drop in lake levels from similar reports earlier in 2020.

Record lake levels combined with storm events produced well-documented and severe erosion problems that are very evident on Bluff Road, where the magnitude of erosion led to the road's recent closure. Similar problems are familiar to residents who live along the shoreline elsewhere in the township and in the greater region.

Many shoreline areas also include roadways that provide access to waterfront residences. These include principally Bluff Road, East Shore Road, and Peninsula Drive. The relationship between roadway maintenance and shoreline management has been challenging. In most areas, pavement and shoulder drainage improvements have not included sufficient measures to prevent erosion, and, in some areas, conditions have been made worse by tree and vegetation removal. The classic example of this occurs along Bluff Road, where a variety of factors contributed to the recent road closure, creating substantial tension between area residents, the Grand Traverse County Road Commission, and Peninsula Township. Going forward, more efforts to utilize "green infrastructure" in road projects is needed to help slow and purify runoff draining into the bays. An excellent resource for roadway-related green infrastructure techniques is found in the Great Lakes Green Streets Guidebook produced by the Southeast Michigan Council of Governments (SEMCOG).

In response to high water problems, a common approach is to "armor" the shoreline with seawalls, boulders, or structures. While these efforts can provide short-term relief, experts warn that such structures can actually worsen erosion elsewhere, and the issue of what seawalls will look like when water levels recede also becomes relevant. Fewer than 10 years ago, Lake Michigan water levels

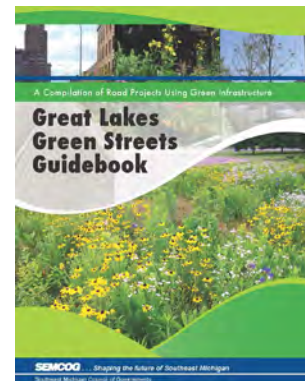
were at very low levels. More "natural" solutions are often promoted by professionals to help prevent erosion. These include establishing and/or protecting existing natural deep-rooted vegetation, which can hold soil in place, and requiring buildings and structures to be set back further from the shoreline so that the natural shoreline can be more "elastic" and adjust to changing lake levels over time.

The Peninsula Township Zoning Ordinance has related requirements in place to help ensure vegetated cover along the shoreline. Most significantly, tree cutting along a strip paralleling the shoreline and extending 35 feet inland from all points along the normal high-water mark of the shoreline is limited to 30 percent. In other words, at least 70 percent of this strip must remain vegetated. See image on page 63.

In large part, these requirements need attention and updates to clarify and better articulate requirements that benefit both landowners and zoning enforcement. Additional measures to consider include potential limitations on construction of specific types of shoreline armoring.



Erosion damage at Bluff Road



http://www.watershedcouncil.org/uploads/7/2/5/1/7251350/greatlakesgreenstreetsguidebookseptember2013_1_.pdf

Initiatives and Action Steps

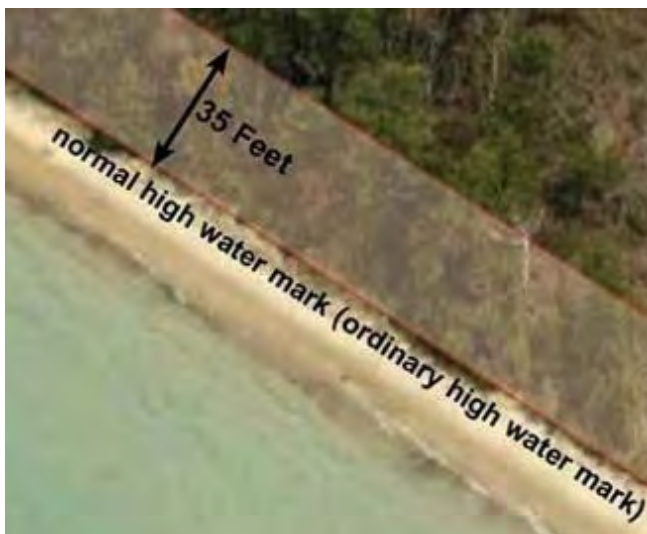
Update Shoreline Regulations

A complete review and update of the shoreline regulations are needed to better align with best practices. Definitions and explanations of best management practices are available from national resources as well as state and local sources. Much more clarity is needed to more specifically and completely define requirements that limit vegetation removal along with a strong and reliable enforcement mechanism. A detailed survey of coastal characteristics may also be needed to support the development of new regulations. This study could identify wetlands, unique coastal features, and relationships between local permitting and state and federal regulatory measures. The 2011 master plan identified the potential for overlay zoning districts to address environmental issues. There are other options as well that should be explored. The goal is to achieve a high level of clarity in terms of what shoreline vegetation may be removed along with an effective enforcement mechanism.

Additionally, as described on page 31, an inventory of shoreline areas depicting waterfront viewsheds, existing trees and vegetation, and other natural features is needed.

Encourage Shoreline Protection Education

Past efforts and events aimed at educating residents about shoreline protection have been



35 foot vegetated strip

well received. In November of 2019, township resident Monnie Peters organized a workshop for township residents who own shoreline property to help educate property owners on how to be good stewards of the shoreline they own and how they might go beyond basic regulatory compliance. Experts who spoke at this workshop included Baykeeper Heather Smith of the Grand Traverse Bay Watershed Center and Mark Breederland from Michigan Sea Grant. Copies of the recently updated booklet published by the Watershed Center, "**Up North Shoreline: Stewardship Guide for Living on Grand Traverse Bay,**" were given to residents who attended the workshop. The township should continue to support and encourage the education of shoreline property owners.

Alternative Energy

The subject of alternative energy (both wind and solar designed to serve on-site energy demands) and larger community systems has become more relevant in recent years for both environmental and economic reasons. In Peninsula Township, the issues are complex, given the desire to protect significant views and maintain valued rural atmosphere. To some, alternative energy equipment and fixtures diminish scenic views and rural character.

Roof-mounted solar panels have been allowed in Peninsula Township for some time. More recently, zoning amendments were enacted to allow free-standing solar panels of various sizes. In all scenarios, free-standing solar panel installations are related to a net metering agreement; this means that the power generated is roughly equivalent to the power needs of the site. In this way, energy generated on site simply offsets demand for power from the grid. In other words, there is no net production of electricity beyond the need of the property upon which the solar panel equipment is located.

There have been no discussions about larger-scale solar energy systems that would connect directly to the electric grid and serve off-site customers. Such a project in Peninsula Township might resemble a solar project in Elmwood Township on M-72 W. This project was approved in the spring of 2021.



Wind energy is also a component of the alternative energy discussion. Existing zoning regulations permit wind energy conversions systems (WECS) as a special use in all zoning districts. These provisions require attention to address shortcomings. As examples, existing WECS provisions do not reference a “net metering” agreement as recent solar amendments do, and they allow for heights of up to 100 feet in all districts.

Initiatives and Action Steps

Update alternative energy provisions in zoning ordinance with more public input.

The 2019 community survey provided some evidence of support for alternative energy equipment, particularly as it relates to equipment generating power for on-site needs (i.e., as part of a net metering agreement). However, support seems to decline with the potential for larger equipment and facilities. More public opinion research is needed to explore this issue further as wind and solar are lumped together under the heading of “alternative energy.” It is not clear if an alternative energy facility similar to what is being constructed in Elmwood Township would be acceptable anywhere in Peninsula Township. Setting that question aside, it is clear that the existing WECS provisions require attention and updating so that they better align with the recent solar amendments.

Mixed-Use Commercial Area/Transfer of Development Rights (TDR)

In the 1990s, considerable effort went into studying a village center concept in Peninsula Township. One past effort considered the Mapleton area as a potential location for a town/village

concept. More recently, the 2011 Peninsula Township Master Plan recommended reconsidering this conceptual development idea. Conversations at that time occurred along with the notion of a new PDR program.

At the present time, a commercial area concept has no identified details, potential sites, or specific parcels. Generally, the concept consists of a small mixed-use area with small-format buildings providing consumer service establishments as well as limited retail, housing, and offices. A range of potential uses could include establishments such as bakeries, small restaurants, specialty markets, art studios, barber/ beauty shops, etc. Offices and/ or housing in upper floors could also be part of the land-use mix. The appeal of the concept includes the potential to offer greater local housing choices and opportunities to provide limited goods and services while showcasing local culture, art, food, agricultural products, and community identity. Providing some services on Old Mission Peninsula might help reduce the need for residents to travel to Traverse City (and thereby potentially reduce traffic congestion at the base of the peninsula).

An important underpinning of the 1997 “Preservation Village Concept Planning Report” was the idea of transferring development density from the agricultural preservation area to a new village development area. A program called Transfer of Development Rights (which exists elsewhere across the country) was proposed in which landowners could sell the right to develop houses on properties they own in a “Transfer Sending Area” to someone wishing to develop land in a “Transfer Receiving Area.” In this way, the transfer of development rights would help maintain rural areas by redirecting development toward a specific area, in this case, a mixed-use

village development. Housing units could continue to be scattered across the landscape on five-acre lots or could be concentrated in a more mixed-use setting with a greater variety of housing formats supported by a limited number of commercial/retail facilities. An overarching goal was for the outcome to remain “density neutral,” meaning the amount of potential development activity would remain unchanged with or without a TDR program/ village center concept.

If, after more community dialogue and study, a TDR program/village center concept receives more attention, the focus should also include investigating a form-based code as a means to control and design the development of a village center so that future building mass, lot placement, and other site design elements correctly relate to the site.

Initiatives and Action Steps

Continue to study and investigate the concept of TDR and a commercial center.

The 2019 survey asked one question about the village center concept without mentioning the connection to “density neutral aspects” of a TDR program. Only a minority of residents favored this concept, but it is complex, and a more complete explanation may be necessary. Developing a TDR program/commercial center should only be pursued if and when there is evidence such a concept aligns with community goals. More research, community dialogue, and study are needed to fully define, assess, and consider the TDR and commercial center concept. This work should include identifying best practices and success stories from elsewhere.

Agri-Tourism and Agricultural Viability

Peninsula Township has made major strides toward preserving agricultural land. Working in partnership with the Grand Traverse Regional Land Conservancy (GTRLC) since the early 1990s, the township has now permanently preserved about 34 percent of the township’s agricultural areas. Existing easements with restrictions on future development guarantee that this land will be used solely for agricultural purposes. As important as these strides are, most people agree that since residential development pressures remain high, more effort is needed to continue protecting agricultural land to preserve the township’s rural character.

Preserving agricultural land inevitably invites discussions about the continued viability of agricultural operations. Between fluctuating commodity prices, weather-related issues, operational costs, and the like, the profitability of farming often comes into question, driving the conversation toward finding the delicate balance between allowing additional activities that make the land more profitable and maintaining rural character. Possible additional activities might include those that add value to agricultural products grown on site. Of course, if the property is subject to a purchase of development rights (PDR) easement, all options are subject to the restrictions contained in the easement.

Existing township zoning sets boundaries concerning the extent to which agricultural land can be used for activities that begin to approach the realm of commercial activity. For the most part, these restrictions have been in place for many years. For example, roadside stands selling fresh or processed farm produce are allowed. On the



other side of the spectrum, larger uses such as food processing plants, winery-chateaus, and nurseries are potentially permitted only by special use permit. The zoning ordinance does not currently include medium scale value added agriculture.

Wineries

The development of wineries has become an area of concern in recent years. Existing zoning regulations were put in place years ago to carefully allow owners of large tracts of agricultural land to develop wineries that offer tastings and some level of guest activities. An important objective was the desire to support production agriculture by linking products sold in wine-related operations to producing grapes grown on the peninsula. Peninsula Township became designated as a viticultural area known as Old Mission Peninsula (a viticultural area is associated with an appellation of origin on wine labels and in advertisements). Over time, the number of wineries expanded substantially, and many now seek to develop business models with a greater variety of events and activities to draw customers. Interest in establishing new wineries also continues.

In late 2019, work began on updating the winery regulations to clarify and simplify the requirements. Ultimately, winery owners filed a lawsuit against the township, and the matter is currently being litigated over constitutional issues at the time this master plan is being updated. In the meantime, concerns remain regarding traffic, noise, and other off-site impacts. If existing wineries continue to expand activities (and new wineries come into play), traffic naturally increases. Winery patrons are principally tourists who must travel through the “chokepoint” at the base of the peninsula (see page 28).

Going forward, continued consideration should be given to updating the regulatory approach to wineries. All wineries are zoned agricultural and fall into one of two categories, either farm processing facilities or winery-chateaus. Wineries in the farm processing facility category must consist of at least 40 acres. They are allowed as a “use by right” in the agricultural zoning district with restrictions on building size, allowed activities, sales, and limitations on sources of produce. Winery-chateaus are also allowed in the agricultural district but as a special use that requires a special use permit (SUP). This is because winery-chateaus allow more intensive uses that may include guest rooms, guest activities, and single-family residences. In addition, winery-chateaus

were required to consist of at least 50 acres, with at least 75 percent of the site used for producing crops that can be used for wine production. Essentially, the farm processing winery is oriented more toward agricultural production while the winery-chateau potentially includes more nonproduction or “commercial” activities.

Updating winery regulations in the future should occur in the context of distinguishing between agricultural production and non-production or value added uses that are more commercial in nature that may accompany a farming operation. There is broad consensus that normal agricultural production activities should be allowed in the agricultural district with few restrictions. This is generally the case with existing farm processing regulations. Here, non-production activities are quite limited given requirements concerning size.

History of Winery-Related Zoning Amendments

Winery regulations have been amended multiple times in past decades. Specifically:

Amendment 95, Section 6.7.2 (8), April 14, 1992, removed the ability to sell alcohol at roadside stands.

Amendment 100, Parts A, B, and C, August 10, 1993, added winery-chateau use.

1994 PDR vote approved 1.25 mills.

Amendment 120, May 12, 1998, added remote wine tasting.

2002 PDR vote approved 2.0 mills.

Amendment 139, July 9, 2002, added farm processing facilities.

Amendment 146, Dec. 10, 2002, allowed residences in farm processing buildings.

Amendment 141, August 10, 2004, added guest activity uses for non-registered guests.

Amendment 181, August 11, 2009, added sales of wine by the glass.

Amendment 197, Jan. 8, 2019, increases farm processing facility building sizes.

On the other hand, when winery-chateaus wish to include non-production or “commercial” activities, additional restrictions and limitations and review processes are needed to address concerns over traffic, safety, and noise along with concerns over loss of rural character and surrounding neighborhood stability. When property is zoned agricultural, the principal use of the property should be production agriculture.

Given this framework, future updates to winery regulations also allow for the opportunity to shift toward more of a site capacity and neighborhood context focus when addressing the “commercial” dimensions. This might mean less emphasis on defining allowed and prohibited activities and events by types and categories and more emphasis on limiting capacity in terms of measurable thresholds such as maximum numbers of customers allowed (indoor and outdoor) based on attributes such as the size of the site itself (larger sites = more capacity), surrounding neighborhood features, and other physical and natural landscape considerations. Capacity issues also relate to water/wastewater (most areas are on wells and septic systems), road capacity and characteristics, proximity of neighboring homes, potential noise, etc. In terms of road capacity, it makes sense that any new wineries should be located on M-37 to help reduce traffic on local roads.

Capacity is also important from the larger perspective of the township as a whole. As such, overall context is needed in terms of considering an increasing number of wineries compared with the capacity of the area to support more traffic flow through the “chokepoint” at M-37 in Traverse City (discussed on page 28). As noted, winery customers are typically tourists who enter and exit the area via M-37. While tourist buses reduce the number of private vehicles, traffic demands increase incrementally with each new winery.

Continued careful study of these options is needed to achieve reasonable flexibility while maintaining rural character.

Other Agri-Business

Apart from wineries, other agricultural operations add value to agricultural produce and sell products on site. However, it is generally felt that the zoning ordinance does not provide adequate flexibility for a more complete range of potential agri-business

uses. The township has many farm stands, but farm stands are limited to 150 square feet in size. Farm processing facilities (including wineries as discussed above) are allowed in the agricultural zoning district as a permitted use (use by right), but 40 acres are needed. Food processing plants are allowed in A-1 but only as a special use. Greenhouses and nurseries are also special uses in A-1. In essence, there are limited opportunities for owners of agricultural land to grow or raise products, add value to these products, and sell them on the same site.

Carefully relaxing certain requirements is considered to be a logical step toward enhancing and supporting local agri-business. The associated challenge is to do so in a manner that does not diminish rural character by allowing an excessive amount of “commercial” activity in more rural areas, in viewsheds, and in other sensitive locations. As with wineries, it makes sense that larger agri-businesses should be located on M-37 to help reduce traffic on local roads.

As discussed above, there is a need to seek a balance between agricultural production and non-production or value-added activities. Like wineries, limited non-production or value-added activities should be allowed “as a use by right,” while higher levels of non-production, value-added, or “commercial” activities that are associated with traffic generation should be subject to a special layer of development standards and operational thresholds applicable in the Special Use Permit approval process.

Initiatives and Action Steps

Pursue development of updated zoning to address winery issues and add more flexibility to other agri-businesses.

As described above, steps are needed to update the winery regulations and add flexibility for other forms of agri-businesses. In terms of refinements to winery regulations (apart from the need to wait for a resolution to the lawsuit), the planning commission has developed a working document and framework that can be revisited and further refined. Similarly, updates are needed to provide greater flexibility to allow for the strategic blending of agricultural production and non-production agri-business to occur under the proper circumstances. This process will likely include updating special use

and use-by-right requirements within the existing zoning ordinance structure. Finally, consideration can be given to allowing shared remote sales and/or remote processing facilities. New buildings of modest size could be built (or existing underutilized buildings could be repurposed) on M-37 to increase opportunities for shared processing and sales of local agricultural products. This concept aligns with the desire to keep commercial activity off local roads and on M-37, which has the capacity to support higher traffic volumes in the safest manner possible.

It should also be noted that the context within which this discussion of agricultural uses takes place includes the fact that residents of Peninsula Township have essentially paid for PDR easements in the agricultural preservation areas and have a vested interest in such land-use issues as they relate to maintaining a rural atmosphere with lower levels of traffic and noise.

Lodging and Short-Term Rentals

Under current ordinances, lodging options include bed and breakfasts (B&Bs), approved guest rooms in winery-chateaus, and hotels (hotels are only allowed under a special use permit [SUP] within the C-1 zoned district in Peninsula Township). Apart from guest rooms at winery-chateaus and a few rooms at B&Bs, there are few lodging options in Peninsula Township.

The 2019 survey results suggest a majority of residents do not support short-term rentals (STRs) in Peninsula Township. Additionally, Peninsula Township officially opposes STRs (see Resolution 2021-05-11, passed on May 11, 2021). However, a proposed bill in the Michigan legislature seeks to limit local governments' ability to regulate STRs by amending the MZEA. A similar bill introduced in past legislative sessions received considerable attention. Peninsula Township adamantly opposes such legislation. It is interesting to note that the impacts of STRs are not felt evenly across the state. According to a recent Record-Eagle article (May 9, 2021), the Grand Traverse region is home to only three percent of the state's population but has 25 percent of the short-term rental units in all of Michigan. Nationally, a similar trend towards more short-term rentals exists. In highly desirable vacation/tourist areas, it is not uncommon for single family homes to be purchased by out-of-town investors who buy properties for the sole

purpose of using them exclusively as STRs. This drives up housing prices and erodes the notion that people know their neighbors and are part of a familiar neighborhood.

Public opinion supports the current position/policy of the prohibition on STRs. Regarding other forms of local lodging, there is support for investigating options to improve policies with respect to B&Bs, guest rooms at winery-chateaus, and hotels and to perhaps create a new category of "country inns." The exact definition of a "country inn" needs to be developed further and should be distinguished from existing B&Bs or winery-chateaus with guest rooms. Conceptually, a country inn is a building with unique character, food offerings, and guest rooms on a large rural tract of land. There is also the potential to connect lodging with an offering of a deeper agricultural experience and appreciation that includes opportunities to learn about agricultural practices, methods, challenges, and food processing.

The subject of hotels should also be addressed. Presently, a hotel is permitted on the limited amount of C-1 zoned land as a special use. A five-acre parcel size is also required. This minimum parcel size should be reviewed, as it might have unintended consequences such as nudging developers toward larger facilities than would likely be desired. Given a five-acre site and the existing maximum lot coverage of 35 percent, a building footprint could be more than 75,000 square feet. A building this size would likely be way out of scale with the surrounding rural area. For this reason, a revision is needed.

Initiatives and Action Steps

Develop updated regulations for B&Bs and/or create a new category of lodging called "country inns."

A review of allowed numbers of guest rooms given the size of a site and allowed guest activities is particularly relevant. Often, a related issue is the topic of allowed events such as weddings and other gatherings for small groups, which should be clearly addressed and limited. As mentioned previously, residents of Peninsula Township have paid for PDR easements and have a right to express a strong preference regarding land-use issues as they relate to maintaining a rural atmosphere with lower levels of traffic and noise.

Special Use Permits

The Michigan Zoning Enabling Act (MZEA) of 2006 establishes parameters under which a local zoning ordinance can be created and administered. A component of these parameters is the authority to define special land uses and activities that may be approved subject to special standards and requirements. The Peninsula Township Zoning Ordinance relies heavily on special land-use approvals to address sensitive issues such as wineries and related commercial activities. Since the zoning ordinance was first adopted 50 years ago, nearly 140 special use permits (SUPs) have been approved. Public hearings are conducted and notices are sent to adjoining property owners before an official statement of findings and conclusions is produced; this document specifies the basis for the decision and any conditions imposed.

One area of concern is the need for minor amendments to previously approved SUPs. Typically, SUP approval requires at least four months in order to allow two public hearings and approval by both the planning commission and township board. This process can be onerous, especially when a change or modification is small and inconsequential. The MZEA seems to allow for such procedural flexibility.

Special Use Permits in Peninsula Township

Zoning ordinances typically divide communities into different zoning districts that include the distinct land uses allowed in each one and the development standards that must be met. Uses listed in each zoning district include those permitted "as-of-right" or by right and those that are "special uses," which are also known as SUPs. ("SUP" literally stands for "special use permit.") Uses permitted "as-of-right" or by right can be approved administratively when the applicant demonstrates that the proposed project meets all zoning requirements (minimum lot sizes, setbacks, height restrictions, lot coverage, etc.). Generally, these uses include construction projects such as single-family homes, home additions, garages,

decks, sheds, sea walls, etc. SUPs, on the other hand, are more intense and potentially more impactful and include uses such as winery-chateaus and churches. Potential impacts from these uses in terms of traffic and noise justify an additional review process, requirements, and examination. The town board can approve projects with specific conditions and safeguards put in place to address potential impacts.

The process to approve an SUP (or a planned unit development, or PUD) takes several months. The first requirement is for the landowner to file an application with the township's planning commission. The planning commission then considers the application at one or more scheduled meetings, a key part of which is a legally advertised public hearing. The advertisement for the public hearing is placed in the Record-Eagle, and people within 300 feet of the project are required by law to receive a written notice in the mail. Ideally, before the public hearing, interested residents take the time to learn what is being proposed. Township staff welcome questions about proposed projects, and residents can also seek answers from the comfort of their own homes by emailing the Planning & Zoning Department.

The planning commission considers the testimony provided at the public hearing and works with staff and outside assistance from engineering and legal counsel to produce a document that describes how the proposed project does or does not meet the requirements of the zoning ordinance; this document also defines any specific approval conditions that are necessary to address concerns or mitigate negative impacts. After the planning commission reaches consensus on an actionable document and votes to approve it, the matter moves to the township board. Similarly, the township board holds a public hearing and considers the findings of fact of the planning commission before taking final action. The process, while time consuming, is designed to provide ample opportunities for public comment and deliberation by appointed and elected officials. At the conclusion of the process, the township may act to deny, approve, or approve a project with conditions.

Initiatives and Action Steps

Review and update procedures for SUP approvals and amendments.

The zoning ordinance should be amended to provide for an abbreviated process to consider minor amendments to SUPs. The choices could include only staff approval or just planning commission/township board action. Again, the Michigan Zoning Enabling Act of 2006 allows for options to be considered in terms of how SUPs are reviewed and acted on.

General Review of Uses and Development Standards in All Zoning Districts

The list of uses permitted as-of-right and by SUP has been largely unchanged for many years. Land uses exist today that did not exist in 1972 when the ordinance was adopted.

Initiatives and Action Steps

Review and update lists of permitted and special uses and developments. Some particular focus areas include the following:

1. The MZEA generally states that a zoning ordinance shall not have the effect of totally prohibiting the establishment of a land use within a local unit of government in the presence of a demonstrated need for that land use. Given this requirement, a review of permitted and special uses should be conducted. Few (if any) land uses have been added to the zoning ordinance since its adoption nearly 50 years ago.
2. The C-1 zoning district does not include any uses permitted by right. Uses are only allowed via a SUP, and land-use descriptions are very broad. For example, the term “retail sales” is used, but that term potentially includes everything from a small market to a big box superstore. Only a small amount of land is zoned C-1 in Peninsula Township, and no areas are appropriate for large-format commercial activity. C-1 should be clearly defined in the context of “neighborhood scale” establishments that include retail sales and consumer services (barber/beauty shops, photo studio, computer repair, etc.). To address concerns over building mass and

scale, development standards such as maximum building size should be considered. Developing a form-based code should also be investigated and considered. According to the Form-Based Code Institute, this regulation is adopted as an alternative to conventional zoning regulation. It provides more predictable build results and a high-quality public realm by using physical form rather than separation of uses as its organizing principle. This tool could prove to be useful in the future to more clearly and specifically define the form, mass, and placement of new buildings in C-1 zoning districts.

3. Existing provisions related to “dark sky” issues should be addressed. Peninsula Township demonstrated leadership many years ago with regulations aimed at curbing light pollution. Existing provisions in Peninsula Township’s Zoning Ordinance could be improved, however, by utilizing material found in a model ordinance produced by the International Dark Sky Association and the Illuminating Engineering Society of North America.
4. Parking standards should be reviewed and updated. The cost of building and maintaining parking areas plus environmental issues related to impervious surfaces and the volume and velocity of runoff that washes chemicals into water sources are strong reasons to ensure that minimum parking standards do not require larger parking lots than necessary. Parking standards in the Peninsula Township Zoning Ordinance have been in place for several decades, and better research now exists to consider updated standards for Peninsula Township such as including bicycle parking equipment and areas and delineating non-motorized use space in parking lots (see Parking Standards, American Planning Association, PAS Report 510/511). Bicycle parking requirements can be based on the amount of floor area or as a fraction of vehicular parking requirements. Requiring bicycle parking is another way to promote non-motorized travel in Peninsula Township.
5. Efforts are needed to examine existing zoning requirements in places like Neahtawanta. Areas such as these were platted long before local zoning was enacted and include many non-conforming lots. The Neahtawanta area is zoned R-1B, which requires 100 feet of frontage and 25,000 square feet of lot area

in order to comply with the minimum lot size in that zoning district necessary for home construction.

6. Improvements to regulations concerning the number of docks and hoists that are permitted on shared waterfront are needed, particularly as they relate to new developments located on or near the bays. The draft zoning ordinance re-write clarifies existing requirements for docks and hoists for individual properties, but the larger issue of shared waterfront access and allowable docks and hoists still needs attention.

FUTURE LAND USE

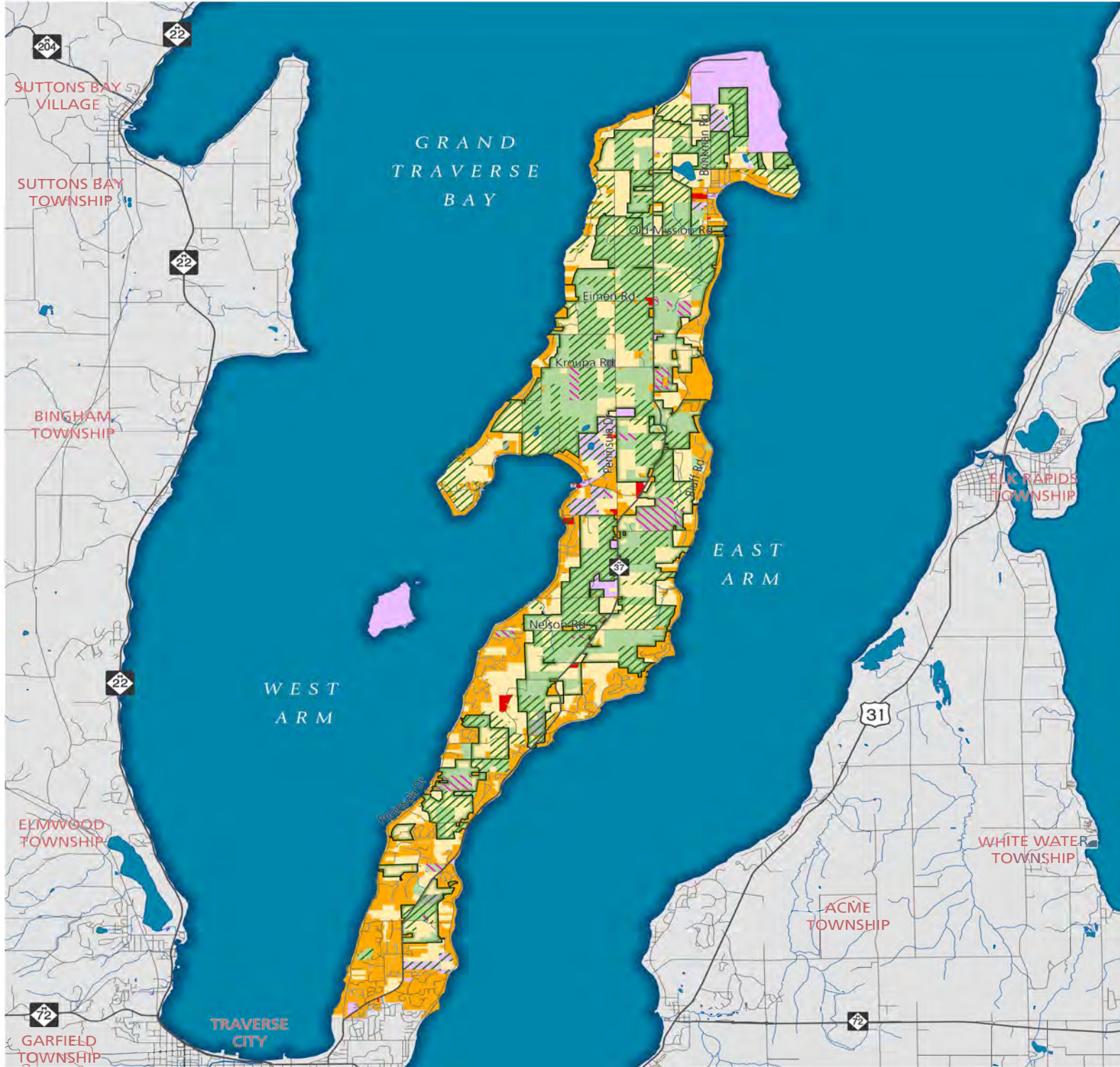
A future land-use map has been prepared that largely reflects existing land-use patterns in Peninsula Township. Future land uses throughout large portions of Peninsula Township are likely to be unchanged in the future for several reasons. First, township PDR easements restricting development were created to run with the land in perpetuity. Second, much of the land along the shorelines has been built upon, and few vacant sites remain.

It is important to note that this master plan does not propose potential large-scale rezoning of land

in order to achieve the future land-use pattern illustrated in the map on page 72. The differences between the existing land-use map provided earlier and this future land-use map largely reflect some degree of “build-out” that will naturally occur within the confines and parameters of existing zoning requirements. It should also be noted that the designated agricultural areas are not to be regarded as “undeveloped” properties awaiting development plans. Land designated as agricultural is land that is intentionally designated for agricultural use now and into the future.

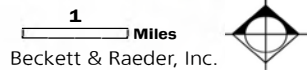
This master plan does, however, recognize that some “small scale” rezonings (i.e., involving only a few acres) may prove to be necessary in the future in two specific ways. First, minor adjustments to zoning district boundaries might be needed in instances where odd-shaped parcels are involved and impacted. Second, more than 1,100 acres of property in Peninsula Township are “dual zoned,” which means a zoning district boundary divides a given parcel. That said, dual-zoned properties are generally avoided with good planning and zoning practices that reduce ambiguity and confusion over requirements.














Future Land Use

Sources: Michigan Open Data Portal, Peninsula Township



-  Agricultural
 -  Industrial
 -  Value Added Agriculture
 -  Commercial
 -  Public/Institutional
 -  Land with Conservation Easement
 -  Suburban Residential
 -  Agricultural Protection Area
 -  Rural Residential
- ** Classified as residential use on less than 5 acres
- ** Classified as residential use on more than 5 acres

**The map is based on the existing land use map with changes for how the Township land use should be developed into the future. These uses may be classified differently than zoning districts or uses allowed in the zoning district. This is one of the many tools used to help determine zoning in the future.

7. Mobility



According to the Michigan Planning Enabling Act, a master plan addresses land-use and infrastructure issues and shows the planning commission's recommendations for physical development. It also includes all components of a transportation system and interconnectivity between streets, bridges, public transit, bicycle facilities, pedestrian ways, freight facilities, port facilities, railroad facilities, and airports with the aim of providing safe and efficient movement of people and goods for the community now and in the future. Mobility issues fall into several groups in terms of both vehicular and non-motorized travel.

VEHICULAR MOBILITY

M-37 – Center Road

M-37 is Peninsula Township's primary throughfare. It provides the most efficient route from north to south and sees by far the heaviest traffic volumes. To the south, just past the intersection with Peninsula Drive, the annual average daily traffic (AADT) is 11,817 (2020) according to MDOT. Toward the north a few miles, south of McKinley Road, AADT drops to 6,081 (2020). Further north (but south of Wilson Road), AADT is the same at 6,081 (2020). Just south of Gray Road, AADT drops to 4,364 (2020) (It is worth noting that the 2020 counts are substantially lower than 2019 counts, which might be attributed to COVID-19-related travel impacts.)

Clearly, M-37 acts as a funnel, moving greater and greater numbers of vehicles closer to Traverse City and M-72/Front Street. The largest jump in traffic counts occurs south of McKinley Road as adjacent subdivisions add traffic generation. As described previously, the intersection of M-37 with the road network in Traverse City is a major chokepoint with busy intersections and a finite capacity to move traffic.

One attribute of M-37 is that it slopes and curves, particularly toward the southern end of the township. Horizontal and vertical curves add considerable visual interest, revealing spectacular views of both East and West Grand Traverse bays and breathtaking agricultural landscapes. This same attribute, however, impacts vehicular travel, as it limits opportunities for passing zones and

sight distances associated with driveways and intersecting streets.

As noted on page 32, M-37 was designated as a Pure Michigan Byway in 2008. A corresponding Old Mission Peninsula Scenic Heritage Route Management Plan was developed to provide an understanding of the designated route, what makes it special, and why it should be preserved. This plan includes:

- » A map and photographic inventory displaying the location of intrinsic qualities;
- » Maps displaying land use along the corridor;
- » Maps of road use and crash data;
- » Inventory of the natural, historical, cultural, and recreational resources;
- » A list of potential threats or challenges affecting the character of the corridor;
- » Goals and objectives that offer insight into the issues with recommendations for attaining the goals; and
- » Recommendations and strategies for making future management decisions with a prioritized project list.

The current master plan calls for maintaining M-37 as a free-flowing major road unrestricted by stop signs or signals. This objective relates not only to the convenience of residents and visitors but also reflects the belief that the agricultural nature of the area depends on supporting the movement of agricultural trucks and equipment on and off the peninsula.

Strategy

Peninsula Township has identified the need for a corridor study of M-37 for several years. Most recently, this issue stalled during discussions about whether or not the Grand Traverse County Road Commission would take over control of this road. Now that MDOT has declared that it will retain control of M-37, some of the answers/results sought from such a study include the following (some issues overlap with recommendations in the Old Mission Peninsula Scenic Heritage Route Management Plan):

1. What can be done to improve safety at the scenic turnout near Chateau Grand Traverse? Increasing numbers of vehicles park there,

taking in the views and watching sunsets, particularly during peak tourist seasons.

2. What should be done to improve intersecting roads with M-37 that are not at 90-degree intersections, a circumstance that inhibits safe sight distances and creates safety issues? Some examples include Seven Hills, Smokey Hollow, and Bluff roads.
3. What opportunities exist to construct turn lanes, passing lanes, or similar improvements to help support traffic flow that can be encompassed in future planning and development review activities?
4. How can we address issues related to the parking needs associated with the DNR boat launch near the East Shore Road intersection? Seasonal demand for boat launch access regularly results in spillover on-street parking on M-37, leading to safety issues as turning movements (often involving vehicles towing boats) are restricted and congested roadway conditions inhibit sight distances.
5. How can we clearly identify where sight distances are optimum for future driveways and new private roads?
6. Can we consider the need for an overlay zoning district along M-37? An overlay zoning district can define uniform setbacks from the right-of-way. A-1 is a common zoning district along M-37, and it requires only a 35-foot front setback. An overlay zoning district could require a larger setback along the corridor regardless of the requirements of the various underlying zoning districts. Other augmented development standards might also make sense.

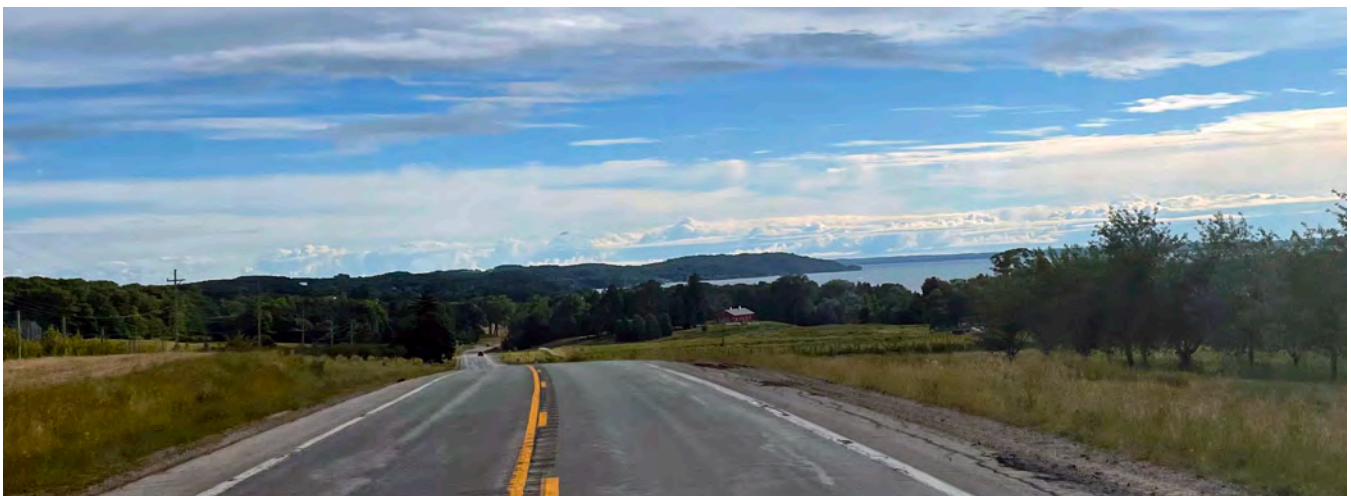
Additional Study of Local Roads

The general discussion about mobility in Peninsula Township has highlighted the need for a township-wide traffic study. This study could occur with, or apart from, the M-37 corridor plan mentioned above. There are unique issues with the shoreline roads and the east/west connectors that relate to both vehicular and non-motorized mobility. This work should be aimed at determining how best to handle vehicular traffic while identifying which right-of-ways could support non-motorized traffic with designated travel areas. Identified right-of-way widths throughout the township would make it possible to determine which roads might support non-motorized transportation outside the motorized lane (i.e., separate walks and/or cycle tracks).

Another aspect of this study should consider the desirability of one-way vehicular traffic on roads such as East Shore. A single one-way travel lane would allow space for non-motorized travel within the existing paved surface, eliminating the need to widen the road and take down trees along the shoreline to accommodate non-motorized travel. Such an evaluation should also take into account any potential impacts on emergency vehicle response times.

Strategy

As part of the corridor planning related to M-37, additional attention should be placed on local roads as described above. If local roads are studied as part of an M-37 corridor plan, overall costs will likely be reduced. For this reason, local roads should be included in any M-37 corridor plan.



Initiatives and Action Steps

Pursue development of a corridor plan and a study of local roads focused on the identified strategy elements.

NON-MOTORIZED MOBILITY

In the 2019 community survey, residents spoke convincingly about the need to plan for more non-motorized transportation opportunities in Peninsula Township. In fact, the 2019 survey results suggest that nearly eight in 10 respondents support the concept of more planning for bike and pedestrian travel. Related to this level of support is the fact that the larger Traverse City region continues to offer an expanding non-motorized transportation system in response to an increasing interest in biking, walking, fitness, and generally healthy living. Simultaneously, we see complaints surfacing from visitors to the peninsula who experience dangerous circumstances they attribute to a lack of accommodation for non-motorized travel. Recently, an experience was so significant that a visitor took the time to write a letter stating he'd been run off the road several times while biking; he made it clear he will not return to the peninsula unless improvements are made to protect cyclists.



Bicyclists on Blue Water Road heading toward Center Road

Non-motorized travel is not just about casual recreational cyclists or walkers. The base of the township serves as training grounds for local sports teams (football, basketball, hockey, and of course track and cross country). The Bayshore Marathon has been identified as one of the nation's most scenic races and is considered an ideal qualifying race for the Boston Marathon. Other races are similarly popular, and the local road system draws visitors from all over the nation, especially the Midwest. People visit with the intention of enjoying the roads and scenery but find conditions that raise important safety issues.

These long-standing circumstances present an opportunity to update the master plan and provide a compelling and exciting opportunity to begin a significant dialogue about the future of non-motorized mobility. Recent conversations during the planning process about non-motorized travel include a wide range of projects from minor pavement markings to dedicated trails extending throughout the peninsula with connections to parks and community facilities such as the library and school.

These early conversations have been supported with input from local organizations such as TART Trails, Cherry Capital Cycling Club, and Norte. In April 2021, Peninsula Township specifically reached out to these three organizations for assistance and input. All three attended a master plan steering committee meeting in early May, 2021. Conversations were fruitful but led to the acknowledgement that there are significant questions to be addressed if we are to move forward. These include the subjects of:

- » Creating an overall vision for non-motorized travel on the Old Mission Peninsula;
- » Identifying additional information to support informed conversations about viable options and alternatives, some of which is engineering related;
- » Determining if non-motorized trails are permitted on agricultural land included in an existing PDR easement;
- » Identifying issues that are related and ancillary to non-motorized travel (these include existing speed limits, existing passing zones, general roadway safety, and related matters);
- » Identifying potential construction and non-

construction projects that support the vision of non-motorized travel (non-construction projects might include printed materials, information campaigns, signage, websites, organizational partnerships, etc., and potential projects include those related to the Safe Routes to School program);

- » Prioritizing projects and possible timetables and comparing short-term/low-cost projects with longer-term/high-cost projects; and
- » Funding (federal, state, local, and private).

Strategy

The complexity of the above issues suggests it is not possible to instantly develop a complete plan and aggressive timetable for constructing projects that immediately result in better bicycle and pedestrian mobility for Peninsula Township. Rather, what lies ahead is the need for a working group of planning commission members, master plan committee members, and park committee members to collaborate with TART, Cherry Capital Cycling Club, and Norte with the goal of responding to the seven issues identified above. Ultimately, this work should include more community engagement so that the vision, projects, and implementation steps enjoy as much support as possible as well as the insights residents have about how to make Peninsula Township more healthy, livable, and sustainable.

Once complete, a non-motorized transportation plan should appear as an amendment to the master plan for two primary reasons:

- » If private development is proposed adjacent to a planned non-motorized improvement, potential connections should be considered; and
- » If funding is sought for a major project, the fact that the project is part of the master plan helps to identify its validity and importance.

As starting points for further study and planning for non-motorized travel in Peninsula Township, the following ideas should be explored:

- » Paving roadway shoulders in the high-use Bowers Harbor area that connect the boat launch, Bowers Harbor Park, the Mapleton Area, and the Seven Hills and Devils Dive areas;
- » Adding segments of paved shoulders in areas

where there are steep hills and/or poor sight distances or low visibility;

- » Utilizing one-way roads where low vehicular speeds and low traffic volumes exist, a change that would potentially allow for one vehicular travel lane and one lane for non-motorized travel;
- » Implementing better bicycle/pedestrian crossings at Gray Road and Center, Seven Hills and Center, and Smokey Hollow and Center;
- » Collaborating with Old Mission Peninsula School and Norte as well as Eastern Elementary School and Traverse City Central High School at the base of the peninsula to explore options for Safe Routes to School projects and associated funding (Norte administers Safe Routes to School programs in the Traverse City area as well as in Northport and Elk Rapids); and
- » Developing a specific recommendation for 1) updating the township zoning ordinance to require bicycle parking improvements (racks and/or bicycle parking areas) in much the same way that off-street automobile parking spaces are required now for non-residential developments and 2) requiring pavement markings to designate pedestrian/bicycle areas in new parking lots.

Initiatives and Action Steps

Form a working group to begin developing a non-motorized transportation plan to represent an amendment to this master plan. This plan includes exploring options for Safe Routes to School funding and zoning amendments to require bicycle parking improvements related to new construction.



8. Character, Facilities, & Governance



CHARACTER, FACILITIES, AND GOVERNANCE

Apart from land use and mobility, various places, public facilities, and aspects of governance in Peninsula Township collectively help support the attachment people feel to this special place. Historic landmarks and old farm buildings that dot the landscape remind people of what came before.

Architectural themes related to coastal homes, beach houses, and farmsteads are common. Finally, public facilities such as the school, library, town hall, and fire stations help anchor residents to a sense of community. In addition, our local form of government has much to do with how people relate to their community and the sense of empowerment they feel about shaping the future.

History and Culture

There are four primary historical sites on the Old Mission Peninsula:

- » The replica Log Church
- » Peter Dougherty House in Old Mission
- » Hessler Log Cabin
- » Mission Point Lighthouse at the tip of the peninsula

In addition, two historic businesses still exist:

- » Old Mission Inn
- » General Store

Moreover, three historic private resort associations remain:

- » Illini Cottagers' Association
- » Leffingwell
- » Neahtawanta

Much of the story of nineteenth and twentieth century America arcs through and across these places.

To present the peninsula's diverse history at easily accessible sites that best consolidate private and public funds, on-going strategic planning should be aimed toward centralizing the history of Old Mission Peninsula at the Dougherty House and Mission Point Lighthouse sites.

Dougherty House

The Dougherty property is the appropriate place with the necessary acreage to eventually house the lengthy story of the Old Mission Peninsula. This story ought to include the lives of the Native Americans and the story of agriculture, starting with the Anishinabek, including the many changes brought by Dougherty and subsequent settlers, and acknowledging Old Mission Peninsula's vital importance today as a unique, world-class fruit-growing zone. This story should also highlight the conservation movement on the peninsula via a facility on the Dougherty grounds that shares the innovative PDR and land conservation efforts undertaken by local leaders. Finally, it ought to include the dynamic nature of Lake Michigan, including changes in water levels, changes in the ecosystem (including the effect of invasive species), and ongoing efforts to protect the lake from manmade threats.

Mission Point Lighthouse

The lighthouse restoration is complete and tells the local story of light service, lifesaving, and maritime history. Regular cultural events, a popular keeper program, successful fundraisers, and a planned Michigan lighthouse program should continue. A tour of the lighthouse grounds presents the opportunity to showcase our unique maritime history.

Strategies

Although there has been historically strong grassroots support and funding for separate local historic pursuits, the idea of merging the Peter Dougherty Society and the Old Mission Peninsula Historical Society has been suggested as a means to improve strategic planning, branding, and the pursuit of project funding. This idea has not been accepted or pursued, and there is no consensus about whether this step would be wholly beneficial. The organizations themselves are best equipped to evaluate how to enhance the presentation of local history at our historical sites. The township encourages them to explore this idea and also to develop a mechanism by which Native American history continues to be recognized and elevated.

Initiatives and Action Steps

- » Centralize the history of the Old Mission Peninsula at the Dougherty House/replica Log

Church and Mission Point Lighthouse.

- » Create a single website to act as a portal to all things historical and cultural on Old Mission Peninsula.
- » Create and maintain seasonal displays at Peninsula Community Library to encourage an interest in the preservation movement among younger residents.
- » Identify and implement sustainable ways to maintain, operate, and improve the township's most valuable historic sites and parks.
- » Continue to draw increasing attention to Native American history.
- » Review the zoning ordinance and consider new ways to support historic preservation.
- » Study best practices in terms of how to accommodate visitor parking and increased traffic without increasing paved surfaces at the lighthouse.

Public Facilities

Public facilities support the needs of residents and visitors in various ways and generally include the public library, town hall/office building, and fire stations. The public library is new and will serve community needs for many years to come. However, looking forward into the coming decades, decisions are likely to be needed with respect to the town hall/office building and fire stations. Specifically, the town hall/office building may need to be expanded to accommodate new government functions and to reach higher levels of accessibility for those with mobility impairments. In terms of the fire stations, three facilities now serve the township. The recent addition of the third station in the spring of 2021 dramatically improved emergency response times for residents at the northern end of the peninsula. However, the two fire stations located to the south are older facilities that will soon need to be upgraded. Additionally, apart from the town hall (which has ADA compliance issues), the township lacks a public space that can be used for training purposes and larger events/ meetings.

Strategy

Upgrades/changes to the two southernmost fire stations will be needed in the future. Similarly, it is not unrealistic to expect that more township office space will be needed. Both issues would be

tremendously impacted by any future steps taken toward pursuing another form of government to better meet the needs of residents. Although it will always be possible to contract out services, local space and facility needs would likely still increase.

Along with providing procedural and content-related requirements for master plans, the Michigan Planning Enabling Act (MEPA) defines requirements for capital improvement plans (CIPs). CIPs typically refer to major expenditures on things such as land, buildings, public infrastructure, and equipment. CIPs provide a description of proposed capital improvement projects that are prioritized and scheduled with a cost estimate and identified funding source. CIPs consist of a working document that looks forward six years and is updated annually to reflect changing priorities and funding opportunities. The CIP should also reference water and sewer infrastructure needs (as described previously in Chapter 2) and potential capital projects at the parks as described below.

Peninsula Township (like many townships) does not currently have a CIP. However, steps in this direction should be taken. The MPEA indicates that the planning commission is responsible for creating a CIP, but such an undertaking requires close coordination with the township board and staff. The process to develop a CIP generally includes project identification, ranking/prioritization, public input, plan development, and adoption. Note: CIPs do not include maintenance items.

Initiatives and Action Steps

- » Launch an effort to formally develop and adopt a CIP for Peninsula Township.

Parks

Peninsula Township has a well-established park system that has developed and expanded over many years. In Michigan, park and recreation planning is typically done within the context of the five-year Community Park, Recreation, Open Space, and Greenway plans required by the Michigan Department of Natural Resources (MDNR). MDNR offers grant programs that represent major funding sources for both parkland acquisition and parkland development. Projects proposed by a local government must be consistent with the planning and priorities established in these plans. Peninsula Township's park and recreation plan was adopted in 2018 and is now undergoing an

update to refresh and realign goals and priorities with proposed projects.

In 2018, Peninsula Township residents voted to change the organizational responsibilities for park management from an independently elected parks commission to a township board-appointed committee. This committee has seven members and works closely with the township board; members of the committee are also assigned to specific parks.

Recently, Peninsula Township entered into a contract with LIAA (Land Information Access Association) to assist with updating the township's five-year park and recreation plan and to develop a list of capital improvements and a sustainable operating budget. So as not to duplicate efforts, specific park development projects will be defined in this updated park and recreation plan rather than here.

However, as parks are such an important factor in terms of the quality of life, it is important to draw attention to overarching planning considerations and strategies aimed at the four major hubs of park and recreation activity in Peninsula Township.

Specific Park Strategies

- » Pelizzari Natural Area (PNA): located in the most heavily populated area of Peninsula Township, PNA offers a place to walk and hike in a natural and peaceful setting. With expected residential growth in the general area, future opportunities that may present themselves to expand Pelizzari should be pursued and encouraged.
- » Bowers Harbor Park: Bowers Harbor Park is centrally located, and a new master plan for the recent park addition sets the stage for many improvements to increase functionality for both active and passive recreational activities.
- » Haserot Beach and Kelley Park: Haserot Beach is the only public beach on the Old Mission Peninsula, and a new boat launch is being planned at nearby Kelley Park and should be in place in the next few years. This area is appropriately focused on water-related recreational activities that should continue.
- » Mission Point Lighthouse Park and environs: Mission Point Lighthouse, Mission Point Lighthouse Park, and the adjoining Mission Point State Park are a major tourist destination. The parks' 655 acres include trails, picnic

facilities, and beach access. The lighthouse itself attracts visitors from all 50 states and abroad. When residents were asked how the township should continue to manage the lighthouse, most were in favor of maintaining the current practice.

Initiatives and Action Steps

- » Continue steps toward developing an updated park and recreation plan.
- » In conjunction with non-motorized transportation planning, identify opportunities to connect the four major park hubs in Peninsula Township – PNA, Bowers Harbor Park, Haserot Beach, and Mission Point Lighthouse Park – to other township facilities such as Archie Park, also owned by the township, and Pyatt Lake Natural Area, owned by the Grand Traverse Regional Land Conservancy.

GOVERNANCE

As described earlier, Peninsula Township is quite geographically unique among Michigan townships, yet it governs and operates like most other townships in Michigan and nearby states. Township government has been in place for hundreds of years and is rooted in New England traditions of local self-governance.

According to the Michigan Townships Association, township governments were actually in place in most Midwestern states before they achieved statehood, which is why they reflect the six-mile-square land divisions established in the original federal land surveys.

Today, the issues that local officials confront on a daily basis could not have been imagined hundreds of years ago. The logical question going forward is whether or not to consider other options for how to deliver services to residents in the most responsive and cost-effective way possible.

Michigan law provides for two types of townships, general law and charter townships. Charter townships have additional powers, streamlined administration, and greater protection against annexation by a city. In the immediate area, charter townships include Garfield, East Bay, and Elmwood; all the rest are general law townships, including Peninsula Township.

An alternative Peninsula Township could consider is incorporating as a village. There are substantial complexities to the status of municipalities in Michigan, but essentially they include both villages and cities. One important difference relates to the relationship to the existing township. In the case of a village, the township is not replaced, and it retains some governmental functions. Cities, on the other hand, fully replace township government. The appeal of creating a village relates to the ability to exercise more regulatory authority, an ability to provide more local services, and the ability to take responsibility for public works and utilities. To be a village, an area must have a population of at least 150 and a density of 100 or more people per square mile. Cities have much higher population thresholds.

The issue of municipal incorporation should be carefully considered after weighing the advantages and disadvantages. Peninsula Township might have the tax base necessary to support the full range of services provided by a Michigan village. Most importantly, incorporation might provide the means needed to effectively respond to current and emerging problems associated with road maintenance, repair of collapsing roads, and speed limits. An incorporated Peninsula Township might also have greater access to grants to fund infrastructure projects.

An alternative to municipal incorporation is the appointment of a professional township manager. In a few Michigan Townships, (where governance issues are complex and demanding) a township manager is appointed and performs duties in much the same way as a city manager does in a municipality. A township manager would work directly for the Township Board and oversee the day-to-day operations of the Township, with department directors reporting directly to the township manager. Much more investigation is needed to weigh the pros and cons of this option.

Initiatives and Action Steps

Convene a study group to evaluate the advantages and disadvantages to incorporation or hiring a township manager, then recommend action accordingly to the township board. This group should be convened soon after this master plan is adopted and should be given specific action steps and time frames. Primary focus should be on options to consider, precedents from elsewhere in Michigan via similar townships that have undergone organizational change, and a complete list of pros and cons for each alternative. Consideration should be given to the need for increased control over local road design and management.





9. Implementation Summary

IMPLEMENTATION

The following chart is a summary of implementation steps necessary to achieve the vision Peninsula Township has established for itself. Vision elements described in Chapter 5 are aligned with initiatives and action steps described previously in this document. This material is intended to serve as a “quick reference” to summarize necessary steps forward toward implementing community goals.

TOPIC	VISON AND ORGANIZING PRINCIPLES (FROM CHAPTER 5)	ACTION STEPS	REFERENCE
LAND USE	Recognize and make the most of an “island-like geography.”	Conduct a comprehensive corridor/traffic study to understand existing and future traffic patterns and service levels.	Pages 74 and 75
	Continue to implement any policies that reduce build-out potential.	PDR renewal and park expansions	Pages 25, 40, and 61
	Ensure that future development is constructed in ways that thoughtfully balance all land-use needs.	General review of uses and development standards in all zoning districts.	Page 59
		Review and update procedures for SUP approvals and amendments. Review and update PUD standards to further incentivize creative options for residential development and the clustering of residential units around larger tracts of open space.	Page 69 and 70
		Continue to study and investigate the concept of TDR and a commerical center.	Page 65
	Constructively and collaboratively work toward the goal of adding value to local agricultural products without creating areas that add noise and traffic congestion.	Pursue development of updated zoning to address wineries and add more flexibility to other agri-businesses.	Page 67
	Protect the shoreline and wetlands to the maximum extent possible through both regulation and education centered on vegetation protection and enhancement. Areas like Pyatt Lake and other beach and coastal wetlands are an important buffer against pollution and flooding.	Update shoreline regulations (potentially including an overlay zoning district) and encourage shoreline protection education.	Page 63
	Continue to view alternative energy (solar/wind) as having a potential role for Peninsula Township.	Update alternative energy provisions in zoning ordinance with more public input.	Page 64
	Balance demand for a local hospitality industry against the need to control growth and manage traffic.	Pursue development of updated regulations for B&Bs and/or create a new category of lodging called “country inns.”	Page 68
Continue developing an outstanding park system throughout Peninsula Township with “hubs” at Mission Point Lighthouse Park, Bowers Harbor Park, and Pelizzari Natural Area (PNA).	Continue steps toward developing an updated park and recreation plan. Pursue park expansion opportunities at PNA and elsewhere. In conjunction with non-motorized transportation planning, identify opportunities to connect the four major park hubs in Peninsula Township.	Page 81	

TOPIC	VISION AND ORGANIZING PRINCIPLES (FROM CHAPTER 5)	ACTION STEPS	REFERENCE
MOBILITY	<p>Make vehicular travel safer and more convenient.</p>	<p>Pursue development of a corridor plan and a study of local roads focused on the identified strategy elements. This planning is aimed at identified issues such as:</p> <ul style="list-style-type: none"> » Improving safety at the scenic turnout near Chateau Grand Traverse; » Improving certain intersection roads; » Identifying potential turn lanes, passing lanes, etc.; » Addressing parking issues near the MDNR boat ramp; » Identifying optimum locations for future driveways; and » Evaluating the potential for an overlay zoning district along M-37 to establish uniform setbacks and other development standards. 	<p>Page 74</p>
	<p>Make pedestrian and bike travel safer and more convenient.</p>	<p>Form a working group to begin developing a non-motorized transportation plan to represent an amendment to this master plan. This plan includes exploring options for Safe Routes to School funding and zoning amendments to require bike parking improvements related to new construction.</p> <p>This non-motorized plan (developed in coordination with neighbors) should ultimately become an amendment to this master plan and include work to evaluate issues such as:</p> <ul style="list-style-type: none"> » Paving roadway shoulders in high-use areas; » Considering one-way roads where feasible; » Improving crossings at specific road intersections with M-37; » Collaborating with Old Mission Peninsula School and NORTE to explore Safe Routes to School projects and potential funding; and » Conducting additional studies of local roads (potentially along with the M-37 corridor plan) to specifically identify right-of-way widths and options for non-motorized travel. 	<p>Page 76 and 77</p>

CHARACTER, FACILITIES, AND GOVERNANCE

TOPIC	VISION AND ORGANIZING PRINCIPLES (FROM CHAPTER 5)	ACTION STEPS	REFERENCE
	Continue preserving, enhancing, and celebrating local history and culture.	<ul style="list-style-type: none"> » Centralize the history of the Old Mission Peninsula at the Dougherty House/Log Church and the lighthouse. » Create a single website to act as a portal to all things historical and cultural on the Old Mission Peninsula. » Create and maintain seasonal displays at the library to encourage an interest in the preservation movement among younger residents. » Identify and implement sustainable ways to maintain, operate, and improve the township’s most valuable historic sites and parks. » Review the zoning ordinance and consider new ways to support historic preservation. 	Pages 79 and 80
	Continue developing an outstanding park system throughout Peninsula Township with “hubs” at Mission Point Lighthouse Park, Haserot Beach, Bowers Harbor Park, and Pelizzari Natural Area.	<ul style="list-style-type: none"> » Continue steps toward developing an updated park and recreation plan. » In conjunction with non-motorized transportation planning, identify opportunities to connect the four major park hubs in Peninsula Township – PNA, Bowers Harbor Park, Haserot Beach, and Mission Point Lighthouse Park – with other township facilities such as Archie Park, also owned by the township, and Pyatt Lake Natural Area, owned by the Grand Traverse Regional Land Conservancy. 	Pages 80 and 81
	Operate under the best possible form of government, with suitable and essential public facilities.	<ul style="list-style-type: none"> » Launch an effort to formally develop and adopt a capital improvement plan (CIP) for Peninsula Township. » Convene a study group (appointed by the township board) to evaluate the advantages and disadvantages of incorporation as a municipality, or change to a charter township. Alternatively, consider other management options such as hiring a township manager. Give evaluative weight to options that take into account the need for increased control over local road design and management. 	Page 80 Page 82

Appendix

Peninsula Township Survey on Citizen Satisfaction and Policy Preferences

Red Tart Cherry Site Inventory Map Summary

This map depicts site suitability for red tart cherry production. Areas shown in green are the most desirable areas. Areas shown in yellow require more intensive management practices to overcome limitations. Areas shown in red have severe limitations for red tart cherry production which are difficult to overcome by management practices. The original document should be reviewed for a detailed review of mapping and an explanation of study methodology and conclusions.



**Resolution 2024-07-09 #1,
Moratorium on Political Signs
in the ROW**

PENINSULA TOWNSHIP BOARD

RESOLUTION ISSUING A MORATORIUM TO SUSPEND THE ENFORCEMENT OF SPECIFIC PROVISIONS OF SECTIONS 7.11.1(16) 7.11.2(1), and 7.11.2(11) OF THE PENINSULA TOWNSHIP ZONING ORDINANCE

RESOLUTION 2024-07-09 #1

At a meeting of the Peninsula Township Board, Grand Traverse County, Michigan, held at the Peninsula Township Hall, on the ____ day of July, 2024 at _____ p.m.

A resolution to enact a temporary moratorium until December 31, 2024, on the enforcement of the enumerated provisions of the Peninsula Township Zoning Ordinance relating to signage in the public roads right-of-way for political candidates and ballot issues.

PRESENT: _____

ABSENT: _____

The following was moved by _____ and seconded by _____.

WHEREAS, Peninsula Township is in the process of updating and reviewing its existing zoning ordinance regulations to ensure their consistency with the needs and goals of the Township, and its residents.

WHEREAS, the Peninsula Township Zoning Ordinance regulates the placement of signs in the right-of-way of public roads within the Township.

WHEREAS, the Peninsula Township Zoning Ordinance prohibits signs which do not relate to existing businesses or products.

WHEREAS, the Grand Traverse County Road Commission has adopted a policy for the placement of political and other temporary road signs in the right-of-way of County roads within Peninsula Township.

WHEREAS, the Michigan Department of Transportation has adopted rules for the placement of political signs on state roads including state highway M-37 within Peninsula Township.

WHEREAS, the Township determines that the adoption of this resolution and moratorium is necessary to correct the unintended conflict between the provisions of the Township Zoning Ordinance and the policies and rules for the placement of political signs adopted by the governmental agencies with authority over the public roads within Peninsula Township.

WHEREAS, the Ordinance provisions relevant to this moratorium read as follows:

Section 7.11.1 Sign Placement and Design Requirements: All signs shall conform with Table 7.11.6 and all other provisions of this ordinance.

(16) Signs shall not be placed within the road rights-of-way.

Section 7.11.2 Prohibited Signs: The following signs shall NOT be allowed in any district:

(1) Signs which do not relate to existing businesses or products.

(11) Signs within a road right-of-way except traffic direction and control signs placed by the County Road Commission or Michigan Department of Transportation.

NOW, THEREFORE, the Township Board hereby resolves that a Moratorium on the enforcement of the above-listed provisions of the Ordinance as they apply to signage for political candidates and ballot issues in the public roads right-of-way within Peninsula Township is enacted, from the date of adoption of this resolution to December 31, 2024; and

NOW, THEREFORE, the Township Board hereby further resolves that administrative staff and Township officials will continue to engage in the review and potential amendment of the above sections of the Ordinance to ensure the effects of the Ordinance are consistent with the goals of the Township.

Roll call vote:

Yes: _____

No: _____

The Supervisor declared the resolution adopted.

Isaiah Wunsch, Supervisor
Peninsula Township

CERTIFICATE

STATE OF MICHIGAN)

)

COUNTY OF GRAND TRAVERSE)

I, the undersigned, the duly qualified and acting Clerk for Peninsula Township, Grand Traverse County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Peninsula Township Board at a meeting held on the _____ day of July 2024, and further certify that the above Resolution was adopted at said meeting.

Becky Chown, Clerk
Peninsula Township