

PENINSULA TOWNSHIP

13235 Center Road, Traverse City MI 49686

www.peninsulatownship.com

Township Board Regular Meeting

Township Hall

August 13, 2019, 7:00 p.m.

(Amended August 26, 2019, and September 3, 2019, by Becky Chown)

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

Present: Wahl, Achorn, Chown, Manigold, Bickle, Wunsch, Sanger

Bickle moved that the agenda be approved with a second by Wunsch. PASSED UNAN

Manigold explained that he will recuse himself from business item two, Bowers Harbor Vineyards, due to a conflict of interest.

Nancy Heller, 3091 Blue Water Road: requested that item six be removed from the consent agenda. While this is not necessarily a bad idea, the township is involved in many projects. These include the master plan, blight committee, the Bowers Harbor Park trail expansion, and the DNR boat launch. There are too many projects that need to be completed before taking on another task. Also informed the board that the Streamspot system is not working properly.

Wunsch moved that item six from the consent agenda be tabled, that item three be moved under business item four, and that the rest of the items on the consent agenda be approved. Bickle seconded the motion.

Roll call vote: PASSED UNAN

Chown: the carpet in the township offices was installed in 2000. The carpet is worn and stained. We received three bids and have selected Bodamer Brothers to do the work. Copies of the carpet bids are in the packet.

Chown moved to accept the bid from Bodamer Brothers to replace all the township office carpeting with 10x40 inch square tiles for \$23,700. This includes all labor, moving furniture, repair to any sub-flooring, and redoing the tile in the kitchen with a second from Bickle.

Roll call vote: PASSED UNAN

Wahl moved that Manigold recuse himself from the vote on Bowers Harbor Vineyards with a second by Bickle. PASSED UNAN

Kristy McClellan (representing Bower’s Harbor Vineyards): requested holding the additional 10 Dining in the Vines events they were granted in SUP #32, second amendment. Explained that 10 previous Dining in the Vines events were previously approved in the spring by the board.

Board discussed the issue.

Moved by Wunsch to approve the additional ten Dining in the Vines events under SUP #32, seconded by Wahl.

Sanger: requested clarification on the motion; would like the motion to limit each event to 50 guests, to have the additional events held in the pavilion between now and the end of 2019, and to hold the events after the tasting room is closed.

Wunsch moved to approve the additional 10 Dining in the Vines under SUP #32, to limit the events to 50 guests, to hold the events in the pavilion between now and the end of 2019, and to have the events occur after the tasting room is closed, seconded by Wahl.

Roll call vote: PASSED UNAN

Moved by Wunsch to have the supervisor return to the board, seconded by Wahl.

Roll call vote: PASSED UNAN

Bickle: regarding the closeout paperwork for the Logan Hills Special Assessment District (SAD) project, we have had eight special assessment districts and this has been monitored closely by the treasurer’s office every step of the way. This represents the final payment.

Bickle moved that this final payment be made with a second by Chown.

Board action with an “aye” vote: PASSED UNAN

Manigold gave a slideshow history of the Old Moorings property, now Kelley Park, and then invited public comment on the DNR’s Waterways Grant to improve the boat launch at Haserot Beach and address parking issues. See attachment for printed copies of the slideshow.

Anne Griffiths: served on the park commission and recalls the DNR emphatically stating it would not be feasible to put a boat launch at Kelley Park due to the sand and shallow depth of the water. Today that is a different story; however, we do not know what the future brings.

Manigold: the cost to the township for Haserot repairs at \$170,000 is more than what it would cost to dredge Kelley Park (\$162,000 per the dredge analysis). We are not going to make a decision tonight. We want to do this right. We do have to have a boat launch.

Unidentified Citizen: I live on the north side of Kelley Park. I have a 50-foot dock. At times I need to put at least 150 feet of additional dock to get a boat launched. It varies year to year. So that is a lot of dredging.

Manigold: this is not a public meeting tonight, but all of you who want to speak can. If we cannot provide you with an answer tonight, we will be getting in touch with our engineer.

Bickle: what is really encouraging to us is to see that you have organized and come before the town board meeting tonight. The focus tonight is for us to listen and hear what you have to say. There is more than one solution, and we are interested in finding that middle ground that provides safety for people who come to use the water and those who come to use the beach. We might not have all the answers tonight. This meeting is an important step in that process. We have the ability to punt and say if it takes more time and more meetings, that is what we are going to do.

Manigold: we are trying to give you as much information and history as we can and will continue doing so on the township website from the minutes of the trust fund meeting to everything going forward. We want to get everyone up to speed.

Another Unidentified Citizen: before we start the comments, can you tell me if there is really a need to change the boat launch right now?

Manigold: they gave us the opportunity to choose. They gave us \$2.5 million dollars (for Kelley Park). We are not using taxpayer dollars. For our match (for the grant), the money comes out of the township's Enterprise Fund. This is money that companies like Verizon and AT&T pay us to use our cell tower. The Waterways grant comes from fishing licenses and boat registration.

The Same Unidentified Citizen: is there something wrong with the current launch?

Manigold: the current launch is a problem when the water is low and it's unsafe.

Chown: we do not have a recording secretary here tonight, so when you come up to speak, would you please write your name and address on the ledger at the podium so that we can create minutes from tonight's meeting? We are thrilled that so many of you are here tonight. The individuals on this township board, just like you, love Haserot Beach, love the historic village of Old Mission, and love Kelley Park. What is the best path going forward? We need your input.

Rochelle Stark, 18978 Traverse Street: this proposal negates what you said about safety with boaters and swimmers using the beach. The traffic is just horrible. When I bought my property about eleven years ago, the beach traffic was not what it is today. The beach is on every magazine cover, and ads from Pure Michigan show how this pristine little lagoon looks without a high water level. This does not seem like the right solution to me when you have a swim area right next to a boat launch and parking lot. The more parking we provide, that parking will get full and people will then start parking on the street again.

Fred Woodruff, 4824 Forest Avenue: according to the report, it is less costly to dredge Old Moorings than to build a new boat launch. My understanding is that the engineering for the plan is coming out of the Enterprise Fund and not from taxpayer money.

Bickle: correct, the money is from the Enterprise Fund and not taxpayer dollars.

Manigold: the cost of this dredging estimate for a 26-foot boat with an eight and one-half beam to get to the four-foot dropoff is \$162,000. The \$170,000 is a match from us.

Morgan Kelsey, 18910 Bay Street: if the issue is safety, why are we focused on the boat launch? Why don't we focus on getting traffic off the road?

Wunsch: when the State of Michigan gave the township the \$2.5 million dollar grant for Kelley Park in 2013, it came with some strings attached and we are required by that grant to have a boat launch.

Mickey King 4878 Forest Avenue: I have been launching a boat there for more than fifty years and there have been some horrible years. Last year was tough as there were rocks placed around. This year that boat launch has been the easiest in that fifty-year period. This is all dependent on the water level. We still do not have lifeguards and we could hire a couple for about \$7,000 to keep children away from the boat launch area. The traffic is another issue entirely.

John Jacobs, 5290 Forest Avenue: where is the logic in building a bigger boat ramp when the township and residents have long known there is a safety problem? Where is the logic in launching more boats and bigger boats closer to swimmers? Where is the logic in applying for a grant to expand parking when the DNR policy states the money cannot be used by beach goers and only for boaters? That grant money cannot be used for beach shore parking. Where is the logic in applying for a grant without first studying if the sand and water flow at Haserot Beach will be impacted? Where is the logic in taking a \$170,000 grant to increase parking when the existing parking is not fully utilized because there is no enforcement to get the parking off the street? Where is the logic in applying for a grant that Peninsula Township residents clearly don't favor? Where are the residents who are in favor of this grant? This issue has been widely discussed on social media and people who support this are not here. Therefore I am confused and can only think that this exercise is a red herring. We are neighbors and friends living in a wonderful place and

political games are beneath the township officials. We also do not want or need a bigger launch and the DNR entanglements that come with it. The DNR purchase was not contingent upon us putting in a boat launch at Kelley Park. It was contingent on providing access to the water. This bay is uniquely suited for carry-down crafts such as small sailboats, paddleboards, and kayaks. Haserot serves our little community fine. It needs a little bit of improvement, but it does not need to be bigger. We can probably do the same thing with less money and get the parking off the street without accepting this grant.

Linda Keely, 19535 Brinkman Road: I have been to most of the meetings regarding Haserot Beach and Kelley Park. What I heard you say is that it is unsafe at Haserot Beach. Several years ago it was discussed to have the boat launch moved from Haserot Beach to Kelley Park. The DNR came and discouraged that plan due to the cost of dredging. However, I lived here when the Haserots had their successful business there and they had the docks for their boats at Kelley Park. So how about if we move the boat launch to Kelley Park; it would be way safer and the water at Haserot Beach would be cleaner for the swimmers. I would be in total agreement to move the boat launch to Kelley Park.

Jenni Glysson, 18800 Bay Street: it is my family that owns part of Haserot Beach, and I have lived in the house across the street for the past 60 years. We care about what happens at Haserot. Our primary concern is the parking. We have put objects out along the roadside to keep them from parking on our property. I have five tiny grandchildren and I worry about them every time they cross the road. So the parking is our main concern. I am okay with improving the boat launch. Even if we do create a big parking lot, it is an enforcement issue. People do not always use the current lot even when there is space available and park up the road where it is shady. I think that enforcement is the primary issue. I want to thank the township board and the park committee for the buoys, trees, and the picnic tables. Lastly, I look forward to working with the parks committee to replace the playground equipment.

Manigold: Jenni Gleason has donated \$5,000 for new playground equipment at Haserot Beach.

Bill Hyslop, 18842 Eastern Road: the DNR agenda is getting boats into the water and our agenda is safety and that is an inherent built-in conflict. What local control do we lose if we take their money? What if we take their money and do something they are not happy with; do we need to change the plan? I am concerned with various legal technicalities. Is there a possibility of the DNR taking over control or ownership of our park? I would like to move the boat launch over to Kelley Park. The DNR problem is not the shallow water but its own guidelines. This is the ability to launch a 27-foot boat with four feet of drop off. I have lived next to the Haserot launch all of my life and there is no need for a four-foot drop off. Back in the 1980s, moorings were placed on the bottom of Kelley. They have not shifted and the bottom is quite stable. Haserot is not the same. If you pay attention to the wave action and the way the sand moves, there is a dynamic shoreline by Haserot. Two years ago, I kayaked out 50 feet out from shore and the water was at least two feet deep. All they would need to do is dredge out 50 to 60 feet for the boats to float off their trailers and about 99% of boats would float. There are six or seven deep-water launches in Grand

Traverse Bay and two of them are on the peninsula, so a DNR-approved double-wide deep-water boat launch is not necessary.

Norm Thompson, 18680 Old Mission Road: on the weekends, we can get large boats (30-, 40-, or 50-foot) tying up together at Kelley. Most of them will respect you, but some do not. There have been times when they drop anchor and still float out onto the other side of my dock. When this happens, I cannot go out that day. When they leave, they go north, and I do not think they are local. They tie that park up just tight on the weekends. Someone needs to look into this. This situation needs to work for everybody.

Manigold: I think they are coming from Elk Rapids. Enforcement is an issue and we are working on it. We would like to be able to go out and give them all tickets if they are impeding other boats. Regarding the parking, we were successful in getting the 25 mph street signs up and the flashing speed sign. We have learned that if a car is parked on the side of the road but there is not one tire on the pavement, we cannot issue a ticket.

Lisa LaBonte, 4006 Swaney Road: I am now living in the house my father built in 1973. We have seen a lot of changes over the years. If our children were playing on the beach and there was a stranger on the beach, we would look after each other. We have a beach with a finite area. I don't know the history of how these developments were approved, but the ones who do not have beach property want to come to this beach. Why do we have to burden the entire peninsula due to outside people entering the area? If you look at the parking on Bay Street, the street gets choked off to one lane. I know that the pavement is broken down on both sides. They are off the payment and you have one lane for two lanes of traffic. Pedestrians cannot walk on the shoulder and are forced to walk in the street, and if someone has their car door open, you cannot even get past them until they close their door. The people who go to this beach like Bay Street because it is shady and they don't use the parking lot. Instead of trying to squeeze more people onto a beach that is not big enough, we should be working long term on purchasing beach property and worrying about the improvements later. The opportunity to buy property gets smaller and smaller each year. A reasonable person would expect to want to have beach access if they build a house on the peninsula.

Dave Baumann, 18810 Traverse Street: people are attracted to this special historical area. You will negate all the good work you have done in the last year. The plan calls for graveling that parking lot and right now it is grass. The grass gets mowed and it drains great. There are no puddles and there is no dust. The steel walls built into the plan are a terrible idea. This probably is going to restrict some of the sand movement in the area. I think we should improve and maintain what we have. We should put the sand on the beach. I like the new trees and we should plant more trees. We can improve the playground equipment. If dredging is a problem at Haserot and you have \$170,000, how much dredging will that buy in the next thirty years? If we already have overcrowding and we build this boat launch, it will bring more boats and more traffic to the area. If we build it, they will come.

Sarah Thomas, 4856 Forest Avenue: my family has been coming here since the 1890s. The DNR mission statement states that the DNR is “committed to the conservation, protection, management, use, and enjoyment of the state's natural and cultural resources for current and future generations.” If you read this carefully, what they are saying is they want more people to enjoy these natural resources. However, what destroys natural resources more than people? The story of Old Mission was written in the summer of 1956 by a summer resident. Perhaps the greatest gift Old Mission has for those who return each year is a sense of belonging to one familiar spot on Earth that does not change and that one’s family has known for generations. In addition to this, there is beauty, as Old Mission’s name is written on our hearts.

Nancy Heller, 3091 Blue Water Road: the paperwork from the DNR is one page and the township’s portion is six pages. The DNR states there is to be no deviation from the plan. My request is that no paperwork be signed without a public meeting. I attend these public meetings and there is a tremendous amount of discussion. I understand you cannot hold a public meeting every time you need to conduct business, but please invite the public before signing any agreements.

Donna Hornberger, 6730 Mission Ridge: Haserot is a magical place, and I would hate to see anything happen that would make a change. I have talked to others who could not be here tonight and they are just as passionate as we are.

Ron Lawrence, 18827 Bay Street: the DNR has regulations about swimming 100 yards from the beach. I asked them on the phone if there are recommendations or regulations and they cannot tell you. If you get into bed with these people, there needs to be an iron-clad agreement that their lawyers have signed off on regarding any stipulations about swimming. The DNR has a lot of rules and set procedures. The previous administration was not nearly as transparent as you are, and I applaud you for that. There was a time when the community felt the DNR agenda was driving the township board. I remember asking a DNR representative if there is any number of boats out in Old Mooring Harbor that the DNR would begin to have a problem with, and the answer was no. I think the DNR is changing under the new governor, but I don’t know. It is dedicated with great tenacity to improving motor boat access on the Great Lakes. Balancing the interests of boaters, swimmers, bicyclists, and paddle boarders is a challenge on your part. Before you sign anything, really make sure you understand the DNR.

Priscilla Worrall, 4998 Forest Avenue: a few years ago, it was decided that carry-down boats such as kayaks would be allowed at Kelley Park but motor boats would not be allowed because of the repeated dredging that would be required. Could you remind me how many parking spaces were recommended at Kelley for the non-motorized launch and how many were requested for Haserot? You are comparing 45 parking spaces at Kelley to 77 proposed parking spots at Haserot. Increased parking does not increase safety for the beachgoers.

Joe Heagany, 18806 Brinkman Road: I came here tonight after being made aware of this large DNR grant that was going to put in steel barriers and expand the boat launch at Haserot Beach. I would be extremely careful about giving the DNR any autonomy in how we use our park resources. There are rules and regulations that they have to obey. Let's be wise of serpents and harmless of doves.

Jim Worrall, 4998 Forest Avenue: I have been coming here since 1943, and to me you talk to the people and then you go out for the grant. I have not heard too many people here tonight backing what you applied for. I don't understand how elected members of the community just go out and obtain money for projects people don't want. You need to build from the bottom up instead of from the top down and you would be able to get something that more people support. Throw this proposal out and start over.

Manigold: this money is specifically for Haserot Beach. If we want to look at Kelley Park for the boat launch, a different grant would need to be written. We have not accepted the money for this grant yet. The whole intent was for safety and the entire public process seems to have shifted to Kelley. We will have a public meeting next month. Please check the township website for more information.

Manigold asked for citizen comments on other topics. There were none. Asked for board comments.

Chown: regarding the parking around Haserot Beach, we have not been able to get the county to enforce the no parking signs and the township lacks the authority to do so. Perhaps we can come up with some creative ways to solve this serious, ongoing problem.

Wunsch moved to adjourn the meeting with a second from Bickle.

Meeting adjourned at 8:50 p.m.

Haserot Beach Park & Old Mooring Place Property

(Location & Aerial Maps - 2010)

Old Mooring Place Property Information

Road Frontage:
450 Feet on
Mission Rd.

Water Frontage:
525 Feet on
Old Mission Harbor

Total Acres: 8.17
Zoning District: R1-C



Current On-site Development: Land is currently host to ten (10) residential lots who share approximately 525' feet of beach frontage on Lake Michigan's East Bay. At this time no construction has taken place on any of the proposed lots and the properties are currently under the ownership of three (3) separate parties.

Peninsula Township, Grand Traverse County

2012 DNR Site Visit

Old Mooring Place



Peninsula Township Planning Dept.
12/6/2012

Contact Information

Rob Manigold; Peninsula Township Supervisor
supervisor@peninsulatownship.com (ph) 231-223-7322

Dan Leonard, Peninsula Township Planner
planner@peninsulatownship.com (ph) 231-223-7314
Fax: 231-223-7117

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The following photos demonstrate site conditions observed throughout the summer months at Haserot Beach and its current boat launch facility.



Figure 1 - Parking at capacity



Figure 2 - Parking on adjacent streets



Figure 3 - Parking w/Boat trailers, etc .



Figure 4 - Beach w/ full usage



Figure 5 - Boat Launch @ Haserot Beach

The following map and photographs illustrate existing site conditions at the Old Mooring Place and its shoreline.



Photo 1



Photo 2



Photo 3



Photo 4

Example of the Peninsula Township 2010 resolution passed by the Township Board authorizing submittal of application to the DNR Trust Fund Grant related to the Old Mooring Place site.

Peninsula Township
Grand Traverse County, Michigan
Township Board Resolution of Adoption – July 13, 2010
Trust Fund Grant Application Submittal

Whereas, the Township Board has held a Public Hearing at their regular meeting on July 13, 2010; and

Whereas, in July of 2010 the Township of Peninsula supports the application to the Michigan Department of Natural Resources for a grant from the Michigan Natural Resources Trust Fund pursuant to the requirements of said grant application; and

Whereas, the Township wishes to proceed with the submittal of said grant application for the acquisition of an approximately seven (7) acre parcel with roughly five hundred (500') feet of beach frontage in the Old Mission Harbor of Lake Michigan; and

Whereas, Peninsula Township has prepared and updated existing plans for acquisition and management of other open space and recreational opportunities that are heavily supported and utilized by the community today; and

Whereas, the Township recognizes this acquisition as a means of supporting the goals of the existing 2006 Recreation Plan by preserving and protecting a unique piece of Lake Michigan's shoreline as a resource for water quality, wildlife habitat and providing a much needed relief from the existing water access sites throughout the region; and

Whereas, the source of the local twenty-five (25%) percent match as required within said grant will comprise of a charitable donation from each of the current property owners for an amount as determined by the State of Michigan's accepted appraisal value; and

Whereas, those current property owners understand that in any case where the MDNRE requires environmental remediation must be implemented, those costs shall be incurred by said property owner to fully restore the land; and

Now, THEREFORE BE IT RESOLVED, that the Peninsula Township Board supports submittal of the application to the Michigan Natural Resource Trust Fund for the acquisition of the previously described property as outlined within the Recreational Grant Application and hereby adopts Resolution _____,

Motion by _____, support by _____ to adopt the foregoing Resolution.

Voting: Yes -
 No -

Resolution Adopted July 13, 2010

Robert Manigold, Peninsula Township Supervisor