

PENINSULA TOWNSHIP

13235 Center Road, Traverse City MI 49686

Ph: 231.223.7322 Fax: 231.223.7117

www.peninsulatownship.com

PETER A. CORREIA
SUPERVISOR

MONICA A. HOFFMAN
CLERK

DAVID K. WEATHERHOLT
TREASURER

MARK D. AVERY
TRUSTEE

JILL C. BYRON
TRUSTEE

PENELOPE S. ROSI
TRUSTEE

WENDY L. WITKOP
TRUSTEE

REGULAR TOWNSHIP BOARD MEETING

April 12, 2016

7:00 p.m.

Township Hall

Agenda

1. **Call to Order**
2. **Pledge**
3. **Roll Call**
4. **Approve Agenda**
5. **Brief Citizen Comments – for items not on the Agenda**
6. **Conflict of Interest**
7. **Consent Agenda**

Any member of the Board, staff, or the public may ask that any item on the Consent Agenda be removed and placed elsewhere on the agenda for full discussion.

1. Reports and Announcements (as provided in packet)
 - A. Officers – Clerk, Supervisor, Treasurer
 - B. Departmental – Planning Commission, Zoning Board of Appeals, Attorney, Engineer, Library, Fire Board, Park Commission and Township Deputy.
 2. Correspondence (as provided in packet)
 3. Edit lists of invoices (recommend approval)
 4. Meeting Minutes
 - March 7, 2016 Special Budget Meeting
 - March 14, 2016 Special Meeting
 - March 15, 2016 Regular Meeting
 - March 22, 2016 Special Meeting
 - March 28, 2016 Special Y/E Budget Meeting
(recommend approval)
 5. March 2016 Payroll (recommend approval)
 6. Log Cabin Days Sign Request
8. **Township Board Business**
1. Kahn Update- Memo Dated March 23, 2016 and Verbal
 2. Safe Boat Update
 3. Leelanau County Request

4. Fire Board - Verbal
5. Bluff Road Speed Limit Reduction
6. School Board Resolution (Tabled from March 28, 2016)
7. Bonobo Update
8. Fifarek ZBA Refund Request
9. Large Event Fee

9. Citizen Comments

10. Board Comments

11. Adjournment

Peninsula Township has several portable hearing devices available for audience members. If you would like to use one, please ask the Clerk.

Clerks Report – Township Board Meeting

April 6, 2016

Our new fiscal year started April 1, 2016. Adopted budgets are available on the website, as well as in the office.

Monica A. Hoffman CMMC/CMC

Peninsula Township Clerk

Clerks Report April 12, 2016 meeting.docx

Treasurer's Report

4/4/2016

To: Peninsula Township Board

Re: Treasurer Report for April Board meeting

Fellow Board Members:

Treasurer Report:

AT&T has sent a request to extend their lease on our communication tower. The request has been sent to our attorney's office for review.

Find Cash Balance Sheet attached

I welcome any questions or comments.

David K. Weatherholt

Peninsula Township Treasurer

03/31/2016

CASH SUMMARY BY FUND FOR PENINSULA TOWNSHIP

Fund	Description	Beginning Balance		Ending Balance	
		03/31/2015	03/31/2016	03/31/2015	03/31/2016
101	GENERAL FUND	651,142.26	742,246.71		
206	Fire Fund	645,245.08	356,713.67		
207	Police Fund	131,211.75	125,519.70		
208	PARKS/HASSEROT/BHP/ARCHIE/BIG JON	255,091.27	107,404.25		
211	Bata/Sr. Center	23,152.41	23,204.27		
212	Pelizzari Natural Area	487,726.68	242,718.70		
213	HESSLER LOG HOME	0.00	12,547.05		
215	DOUGHERTY HOUSE	8,664.13	8,683.06		
225	Summer Tax Collection	(5,131.70)	826.49		
245	Roads	11,219.41	3,477.33		
248	Building Fund	2,580.41	2,589.03		
297	Purchase of Development Rights	1,432,583.78	1,659,061.44		
298	Cable Council Fund	319,592.99	414,009.48		
502	Tower Fund	451,712.22	474,283.90		
508	Lighthouse Fund	53,515.35	19,935.99		
509	LIGHTHOUSE GIFT SHOP	0.00	106,363.47		
590	Sewer Fund	211,915.68	216,421.70		
591	Water Fund	620,258.90	568,583.57		
596	Compactor Station	26,035.66	26,070.48		
701	Trust and Agency	46,266.14	41,333.58		
703	Tax Collection	78,074.79	61,484.40		
708	Library Trust and Agency Fund	504,764.92	516,017.00		
	TOTAL - ALL FUNDS	5,955,622.13	5,729,495.27		

Planning Commission Report for the April 2016 Town Board Meeting

The PC met with the McKenna representative (Leslie Sickterman) from 5:30 to 7pm and discussed the organization of the Zoning Code. Our current Zoning Code is confusing in part because of its piecemeal organization. After all, it was adopted in 1972 and has had many iterations. We identifies 14 Articles, each with specific concerns. Next month, we will review the first draft of Zoning Districts, General Regulations, Administration and the Zoning Map.

We are right on schedule with our working agreement with McKenna.

At our regular PC meeting at 7pm, we approved the following definition for the B&B section:

Bed and Breakfast Establishment: A private residence that offers sleeping accommodations to registered guests in five (5) or fewer guest rooms. An owner resides in the establishment while managing and renting rooms to paying registered guests. Food and/or beverages may be served to registered guests.

We will continue our definition discussion of 7.10.11 – Existing Non-Conforming Frontage Roads

Our next topic was the 5-year review of the Master Plan. Monnie Peters provided recent census research regarding population growth. It is important to note that the Master Plan used 2000 census data when it was approved in 2011 because the 2010 census figures were not available.

- Our recent population growth is now slower than in the past 5 to 6 decades.
- Our population is older (median age 56.5 years)
- Our households have fewer members
- Our households have fewer children under 18
-

SUP 32(2nd amendment) and SUP 125 (Bowers Harbor Vineyard). The township will enforce operation standards regarding compliance with the underlying zoning that refers to seasonality. At that point the township may move forward with amendments to allow the current uses. I will defer to our township attorney regarding the actual process.

We briefly discussed access management on M-37, referring to a previous report on the issue as it applied to the southern section from the city limits to McKinley.

Penny Rosi

Director's Report

Statistics for March

Circulation March 2015 – 4520
Circulation March 2016 – 3146
Outgoing Hold Transits – 812
Incoming Hold Transits – 170
Internet Users – 425 + 53 (TCAPS Units)
Reference Questions – 269
Special Requests – 10
New Card Registrations – 5 (Temp. 0)
TumbleBooks Users – 8 (11,686 since 4/11)
Manual Checkouts - 55
Volunteer Hours – 34 Hours, 7 Volunteers
Garden Volunteers – 0 Hours, 0 Volunteers
Student Volunteers – 2 Hours, 1 Volunteers

March Activity Attendance

(477 @ 18 programs)

Books at The Boathouse – 97
Mardi Jo Link - 17
Pageturners Book Club – 12
Yoga - 30 (5 sessions)
Novel Knights - 4
What is Funny - 12
Story Stew – 43 (2 sessions)
Tech Help – 3
Table Crafts - 132
Reading Dog – 8 (1 sessions)
Stoney River - 8
Breakfast & Reading @ PCL - 81
Playgroup - 30

Odds & Ends

Our Books at the Boathouse fundraiser was held March 1st and was a great success. Over \$4800.00 was earned for the library. Many thanks are due Doug Kosch and the Boathouse crew. They are phenomenal hosts. Thanks to a financial sponsorship by Acentek Communications and silent auction donations by Horizon Books, virtually all funds earned come back to PCL.

Talbots downtown is sponsoring a fundraiser for the Friends of PCL April 22 from 5-8. Spring styles will be available for purchase and refreshments will be served. 10% of all pre-tax sales will be donated to the Friends.

The PCL Board has formed an ad hoc long range planning committee to take an in depth look at the library – who we serve, how we want to provide that service and where we can best provide that service for the greater part of our users, especially in a township where the average age is 53.4. A first meeting was held March 21 and several patrons were in attendance. There is great support for the library and the feeling is that it may be time for us to consider growing up and moving out. While the library may not always look the same, while it may evolve into something entirely different – which all good libraries must do to serve the greater good – our promise to our community is that there will always be a library on Old Mission. Stay tuned!

Just a reminder that when Traverse City Area Public Schools are closed due to weather, PCL is also closed.

Peninsula Township

Invoice Approval Report

VENDOR	DESCRIPTION/DISTRIBUTION	AMOUNT
ACENTEK	PHONES	\$544.00
	206-000-850.000	41.45
	101-253-850.000	42.25
	206-000-850.000	36.11
	206-000-850.000	40.61
	101-173-850.000	38.17
	101-209-850.000	58.66
	101-400-850.000	52.49
	101-420-850.000	37.20
	101-215-850.000	28.79
	101-191-850.000	28.79
	101-173-850.000	54.60
	101-173-850.000	47.85
	508-000-850.000	35.94
	101-173-850.000	1.09
ACENTEK	LIGHTHOUSE INTERNET AND TV	\$52.49
	508-000-850.000	52.49
ALADTEC, INC	SUBSCRIPTION RENEWAL	\$1,150.00
	206-000-818.000	1,150.00
APOLLO FIRE EQUIPMENT	INTAKE VALVE AND STOZ CAP	\$1,476.11
	206-000-933.000	1,476.11
ARGUS-HAZCO	EVALUATE	\$8.37
	206-000-933.000	8.37
ARTS AUTO ELECTRIC	DIESEL EXH FUIILD 2.5 GAL	\$19.90
	206-000-939.000	19.90
ARTS AUTO ELECTRIC	FLAT CONNECTOR & TAIL GATE HANDLE	\$26.14
	206-000-939.000	26.14
CAPITAL ONE PUBLIC FUNDING, LLC	PDR BOND NEW # 100361021 ACCT # 3124063607	\$31,779.01
	297-000-970.BND	31,779.01
CHARTER COMMUNICATIONS	INTERNET	\$81.18
	206-000-818.000	81.18
CHARTER COMMUNICATIONS	APRIL 2016 TOWNHALL INTERNET	\$64.98
	101-173-818.000	64.98
CHARTER COMMUNICATIONS	APRIL 2016 OFFICE INTERNET	\$89.98
	101-173-818.000	89.98
DEWEESE HARDWARE	WEED PREVENTER	\$17.99
	101-265-726.000	17.99

VENDOR	DESCRIPTION/DISTRIBUTION	AMOUNT
DEWEESE HARDWARE	CABLE CORD 206-000-939.000	14.90 \$14.90
DISH NETWORK	TV 206-000-818.000	106.99 \$106.99
HURST MECHANICAL	STATION 2 FURNANCE 206-000-818.000	268.99 \$268.99
HURST MECHANICAL	LABOR AND MATERIAL TO PERFORM PREVENTATIVE MAINTENANCE 206-000-818.000	194.00 \$194.00
ISABELLA BANK	PDR BOND CUSIP # PENIN20XX 297-000-970.BND	28,271.25 \$28,271.25
KOPY SALES, INC.	COPIES 206-000-726.000	40.00 \$40.00
MCCARDEL CULLIGAN WATER	COOLER RENTAL & WATER 101-173-818.000	23.00 \$23.00
MICHIGAN RESCUE CONCEPTS	REPLACEMENT BELT FOR ICE COMMANDER SUIT 206-000-933.000	121.80 \$121.80
MICHIGAN STATE POLICE	800 MHZ RADION TRAIN THE TRAINER 206-000-960.000	100.00 \$100.00
NORTH FLIGHT, INC	BILLING AND COLLECTIONS 206-000-225.000	325.00 \$325.00
NORTHERN FIRE & SAFETY	FD1 ANNUAL FORE EXT INSP, HIGH FLOW PACK PLAN AND OTHER P 206-000-818.000	1,258.00 \$1,258.00
NORTHERN FIRE & SAFETY	FD2 ANNUAL FIRE EXT INSP AND MAINTENANCE 206-000-818.000	98.00 \$98.00
NYE UNIFORM	CARGO PANTS (2) 206-000-935.000	143.39 \$143.39
NYE UNIFORM	1 CAP 206-000-935.000	15.50 \$15.50
NYE UNIFORM	CANVAS COLLAR WORK SHIRT AND BADGE EMBLEM EACH SLEEVE A 206-000-935.000	74.96 \$74.96
NYE UNIFORM	CANVAS COLLAR WORK SHIRT BADGE EMBLEM EACH SLEEVE AND L 206-000-935.000	62.50 \$62.50
NYE UNIFORM	CANVAS COLLAR WORK SHIRT BADGE EMBLEM LEFT FRONT EACH S 206-000-935.000	62.50 \$62.50
ROSI PENELOPE S	MILEAGE 101-101-870.000	17.82 \$17.82

VENDOR	DESCRIPTION/DISTRIBUTION	AMOUNT
SMIELEWSKI JAMES	MEDICAL CEU FEBRUARY 16, 2016 <i>206-000-960.000</i> <i>150.00</i>	\$150.00
SMIELEWSKI JAMES	MEDICAL CEU MARCH 15, 2016 <i>206-000-960.000</i> <i>150.00</i>	\$150.00
STAPLES CREDIT PLAN	SUPPLIES <i>101-191-726.000</i> <i>27.98</i> <i>101-215-726.000</i> <i>17.49</i> <i>101-209-726.000</i> <i>10.99</i> <i>101-173-726.000</i> <i>107.98</i> <i>101-209-726.000</i> <i>35.79</i> <i>101-173-726.000</i> <i>8.29</i> <i>508-000-726.000</i> <i>25.99</i> <i>101-191-726.000</i> <i>66.99</i> <i>101-173-726.000</i> <i>83.97</i> <i>101-420-726.000</i> <i>45.38</i> <i>101-215-726.000</i> <i>17.99</i> <i>101-173-726.000</i> <i>2.99</i> <i>101-420-726.000</i> <i>109.99</i> <i>101-191-726.000</i> <i>11.99</i>	\$573.81
TRAVERSE CITY LIGHT & POWER	HOMESTEAD STREET LIGHT <i>101-000-226.080</i> <i>7.97</i>	\$7.97
VERIZON WIRELESS	OFFICE TABLETS <i>101-191-850.000</i> <i>12.88</i> <i>101-209-850.000</i> <i>12.88</i> <i>101-171-850.000</i> <i>12.88</i> <i>101-253-850.000</i> <i>12.87</i> <i>101-215-850.000</i> <i>12.88</i> <i>101-420-850.000</i> <i>12.88</i> <i>101-253-850.000</i> <i>12.87</i>	\$90.14
VERIZON WIRELESS	CELL PHONES <i>206-000-850.000</i> <i>50.04</i> <i>207-000-850.000</i> <i>55.27</i> <i>206-000-850.000</i> <i>172.62</i> <i>508-000-850.000</i> <i>17.29</i>	\$295.22
VERIZON WIRELESS	4 TB TABLETS AND 2 OFFICE TABLETS <i>101-101-850.000</i> <i>53.42</i> <i>101-173-850.000</i> <i>13.35</i> <i>101-400-850.000</i> <i>13.35</i>	\$80.12
VERIZON WIRELESS	FD TRAINING TABLETS <i>206-000-850.000</i> <i>82.10</i>	\$82.10
WILKINSON ROBERT	SEXTON CONTRACT <i>101-265-818.100</i> <i>1,800.00</i>	\$1,800.00
WILKINSON ROBERT	CLEANING <i>101-265-818.000</i> <i>840.00</i>	\$840.00
Total:		\$70,578.11

**PENINSULA TOWNSHIP BOARD
SPECIAL MEETING - CONFERENCE ROOM
March 7, 2016**

Meeting called to order at 9:00 a.m.

PRESENT: Correia, Hoffman, Weatherholt, Avery, Byron, Rosi and Witkop

ABSENT: None

1. Call to order
2. Roll Call
3. Approve Agenda – Motion: Rosi/Byron to approve. **Passed Unan**
4. Brief Audience Comments – for items not on the agenda – None
5. Conflict of Interest – None
6. Business

1. Review of 2015 – 2016 Budgets

Discussion and review continued on the budget. The board discussed different ways to notify the public regarding the website, Facebook, post cards and newsletters. Discussion took place on the Peninsula Cemetery, the board consensus was not to put any money in the budget at this time for Capital Outlay but, understand that the Cemetery Committee may request funding at a later date. At which time the budget can be amended. Review and discussion took place on a salary study after which the following motions were made.

Motion: Avery/Weatherholt to increase elected official, the assessor and the planner a 3% increase, all other office staff a 4% increase and election workers a \$1/hour increase.

Roll Call Vote: Avery yes, Weatherholt yes, Hoffman yes, Rosi yes, Byron no, Correia yes, and Witkop no. **Motion Passed**

Motion: Correia/ to increase all per-diums to \$80/per meeting, to include chairs and members. Motion failed for lack of support.

Motion: Witkop/Weatherholt to increase per-diums to \$90/per meeting for chairs and \$80/per meeting for members.

Roll Call Vote: Weatherholt yes, Hoffman yes, Rosi no, Byron no, Witkop yes, Avery no, and Correia yes. **Motion Passed**

The board also discussed reviewing the fee schedule for SUP (Special Use Permits) ZBA (Zoning Board of Appeals) applications and all other permit fees as well.

7. Citizen Comments – Margaret Achron, 11284 Peninsula Dr. commented on Fire Department Nancy Heller 3091 Blue Water Rd., commented on the TB working with the Parks Commission on the Bowers Harbor Park expansion.

8. Board Comments – Avery informed the TB of Fire Boards decision on the Fire Boat.

Motion: Avery/Witkop to adjourn at 12:15 p.m.

These minutes stand to be approved at the next meeting.

Respectfully Submitted,
Monica A. Hoffman CMMC/CMC
Peninsula Township Clerk

**PENINSULA TOWNSHIP BOARD
SPECIAL MEETING
CONFERENCE ROOM
March 14, 2016**

Meeting called to order at 9:00 a.m.

PRESENT: Hoffman, Weatherholt, Byron and Rosi. Avery (connected via phone during conference call)

ABSENT: Correia (excused)

ABSTAIN: Witkop (abstain)

1. Call to order
2. Roll Call - Motion: Byron/Weatherholt to appoint Hoffman as chair. **Passed Unan**
3. Approve Agenda – Motion: Byron/Weatherholt to approve agenda. **Passed Unan**
4. Brief Audience Comments – for items not on the agenda – None
5. Conflict of Interest – None
6. Business

Motion: Byron/Rosi to go into closed session.

Roll Call Vote: Rosi yes, Weatherholt yes. Hoffman yes and Bryon yes. **Passed Unan**

1. Conference Call with Attorney to discuss labor negotiations and attorney option – Closed session.

Closed Session portion

Motion: Weatherholt/Byron to come out of closed session. **Passed Unan**

Roll Call Vote: Weatherholt yes. Hoffman yes Bryon yes and Rosi yes. **Passed Unan**

Return to open session of meeting

2. Library voucher request – recommend approval

Motion: Byron/Rosi to approve Peninsula Library voucher for \$25,000.

Roll Call Vote: Hoffman yes, Bryon yes, Rosi yes and Weatherholt yes. **Passed Unan**

7. Citizen Comments – None

8. Board Comments – None

Motion: Weatherholt/Byron to adjourn at 9:40 a.m.

These minutes stand to be approved at the next meeting.

Respectfully Submitted,
Monica A. Hoffman CMMC/CMC
Peninsula Township Clerk

**Peninsula Township Town Board
Regular Meeting
March 15, 2016**

Meeting called to order at 7:00 P.M.

Present: **Correia, Chair; Rosi; Weatherholt; Witkop, Byron; Avery.** Also present were *Michelle Reardon*, Director of Planning and Zoning; *Claire Schoolmaster*, Planning and Zoning Coordinator; *Peter Wendling*, Township Attorney and *Mary Ann Abbott*, Recording Secretary.

Absent: Hoffman (excused)

Approve Agenda

Correia An amended Agenda was posted on the website and available in the back of the room. The Public Hearing on Item #3 The 81 on East Bay Special Use Permit has been cancelled at the request of the applicant. *Reardon* The Public Hearing will be rescheduled and republished. *Wendling* The applicant wanted to have the full board present for the hearing and Monica is absent.

MOTION: Weatherholt/Byron to approve agenda as amended.

PASSED UNAN

Brief Citizen Comments -- for items not on the Agenda

Brad Lyman, 18420 Center Road spoke on the Green Lake School Resolution supporting their community school and hopes that this community takes such an aggressive and spirited approach to defending their community schools.

Monnie Peters 1425 Neahtawanta sent comments in an email dated 3/14 to the Town Board and wanted to emphasize how her comment was characterized in the minutes. She wanted to make sure it got there as she thought it was important to appropriately characterize citizen comments.

Brit Eaton, 1465 Neahtawanta Road states as a resident of the Township, for the second time, I want to express my deep concern regarding the lack of transparency involving the Township's actions, through its Attorney, and the Grand Traverse County Prosecutor concerning the approval of the Land Division #212 for the Township Supervisor.

The Prosecutor concluded that the land division was improper and has taken actions to oppose the division. This whole process has created an appearance of impropriety, with the lack of the Township publicly addressing the issue and continues to perpetuate the public's perception of impropriety.

I don't know how much Township money has been spent so far in defending the Supervisor's personal Land Division, but the issue should be independently reviewed by another attorney for the good of the Township, its taxpayers and the integrity of this Board.

Jim Konendera, 4168 Rocky Shore Trail spoke on the past relationship of the Township Supervisor and the Attorney for 81. Would like to have this dispelled so that there isn't a lingering doubt among the residents and homeowners about a conflict of interest with this issue and would like to have it addressed. And if there is any activity currently going on between Mr. Quant and the supervisor that this be addressed as well. Answering these questions would clear the air and contribute to the transparency and the objectivity of this board.

Conflict of Interest

None

Consent Agenda

Any member of the Board, staff, or the public may ask that any item on the Consent Agenda be removed and placed elsewhere on the agenda for full discussion.

1. Reports and Announcements (as provided in packet)
 - A. Officers - Clerk, Supervisor, Treasurer
 - B. Departmental - Planning Commission, Zoning Board of Appeals, Attorney, Engineer, Library, Fire Board, Park Commission and Township Deputy.
2. Correspondence (as provided in packet)
3. Edit lists of invoices (recommend approval)
4. Meeting Minutes
 - February 1, 2016 Special Joint Meeting Township Board and Fire Board
 - February 8, 2016 Special Budget Meeting

February 9, 2016 Special Joint Meeting Township Board and Fire Board and Regular Township Board Meeting
February 22, 2016 Special Budget Meeting
February 22, 2016 Special Joint Meeting Township Board and Planning Commission (recommend approval)
February 29, 2016 Special Budget Meeting

5. February 2016 Payroll (recommend approval)
6. Old Mission Women's Club Sign Request (recommend approval)
7. Daughters of the American Revolution Request (recommend approval)
8. 2016-2017 Regular Meeting Calendar (recommend approval)
9. Bloomer Storm Water Permit Fee Refund (recommend approval)
10. Park Commission Request for Township to be Chamber of Commerce Members (recommend approval)

Byron would like item #10 Park Commission Request for Township to be Chamber of Commerce Members to be moved to Business #9.

MOTION: Byron/Rosi to approved Agenda as amended.

PASSED UNAN

MOTION: Avery/Witkop to accept the Consent Agenda as amended.

Roll Call Vote: Rosi-Yes; Witkop-Yes, Weatherholt-Yes; Correia-Yes; Byron-Yes; Avery-Yes

PASSED UNAN

Business

1. Mari Vineyards Winery- Chateau-Public hearing

Reardon presented opening statements on this issue. There are Findings of Fact in the packet and increased information for the special use permit application for the Winery –Chateau. Planning Commission has reviewed this application and has held two public hearings, deliberated and recommends approval by the Town Board. The Public Hearing can continue, the engineers and applicant are present to answer any questions on the information presented tonight and the Town Board may decide if it wishes to deliberate and decide at a later meeting or would like to proceed at this time. The applicant is aware of the policy.

Discussion continued on deliberation options, clarification of the 75% planting and subsequent approval of the SUP, maximum rooms that will be allowed for the Guest House

Public Hearing Open at 7:27 p.m.

Applicant *Marty Laguina, 232 W. McKinley* spoke asking the Town Board to vote on this tonight. Due to the diligence of the staff the 75% planting is ready. The information which resulted in this change of information tonight is highly technical and was reviewed of the Township engineer who has given his approval.

Applicant presented four clarifications: 1.) 15.7 acres of maple production is what they are doing right now. That is how we are meeting the ordinance, but it should not be interpreted that this will always be maple. We need to have 15.7 acres of fruit. They may plant grapes in the future 2.) Water Processing: to meet the ordinance we are hauling our waste water until we get a valid DEQ permit and we will then use an on-site system. 3.) Findings of Fact say Bed and Breakfast rather than Guest House. It is a Guest House not a B&B. 4.) Guest Activities limited to 50 people, but that is a moving target under the ordinance. If we put more production out this number could change.

Avery Opening Date? *Applicant* Late April? *Witkop* Plants in the ground *Applicant* first week in May *Witkop* we do not want to hold you up but we are not giving SUP until the grapes are in the ground. *Applicant* Not a Chateau until the grapes are in the ground *Byron* Why didn't you apply for the Chateau SUP originally. *Applicant* process takes a long time. *Rosi* Planning Commission reviewed extensively, there was public opposition, and then reconciliation and the audience did approve.

Public Hearing Open at 7:27 p.m.

Correia Any comments from the audience? None

Avery would like to ask *Gourdie-Fraser* is there is any reason that we should have concerns. *Brian Boals, Gourdie- Fraser* No. This is the kind of information I would like to see on any of these plans. You could move forward with construction.

Avery to *Wendling* Is there anything here that people would questions if we choose to move forward. You can proceed or defer to next meeting. **Avery** to *Rosi* Due to being on the planning commission is it your opinion that this has been well vented? **Rosi** Yes I think it has.

Witkop Asked for clarification on Waste Water and DEQ permits. *Reardon* This is for the discharge of waste water from production to the Septic Treatment plant .

Discussion by the Board on how to proceed.

Reardon would like that staff be allowed to change Findings to read Guest House where ever it says Bed and Breakfast; that a statement under Guest Activities be added which says "The Board finds that the maximum number of participants in attendance shall not exceed 111 upon verification of the required documentation as per Section 8.7.3 (10) (u)3." And requests that be added to the section that says at this time it is only 50; and then a statement be added that says "The Board finds that the site will be in compliance of Waste Water Disposal in perpetuity"; and wherever the acreage is detailed and what it is planted in that a statement be added that "The Board finds that the site shall remain in compliance with the Section 8.7.3 (10) (u).", so that they have the freedom to put in more grapes should they wish and take out part of the woods or switch from crap apples to grapes, or grapes to apples. I don't think the board has ever been in the business of telling them what to plant as long as they are in compliance with the ordinance.

The final Findings of Fact read as follows:

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

**SPECIAL USE PERMIT
FINDINGS OF FACT
SUP #126 Mari Vineyards (Winery-Chateau)
March 15, 2016**

1. General Findings of Fact

1.1 Property Description-

- a. The Board finds that the subject parcels are located in Section 19 of the Township and has approximately 1,200 feet of road frontage on Center Road. (Exhibit 2)
- b. The Board finds the total acreage utilized for the Winery-Chateau site is measured at roughly 50.61 acres. (Exhibit 4)

1.2 Action Request-

- a. The Board finds that the applicant is seeking site plan and special use permit approval to allow a Winery-Chateau and the associated, permitted accessory uses. (Exhibit 4)
- b. The Board finds that the final site plan and special use permit are subject to the requirements of Sections 8.1.3 Basis of Determination and 8.7.3 (10) Winery-Chateau of the Peninsula Township Zoning Ordinance. (Exhibit 2)

1.3 Zoning/Use-

- a. The Board finds that the proposed winery chateau site is zoned A-1, Agricultural District encompassing portions or all of six (6) parcels which are considered conforming to local zoning. (Exhibit 2, 4)

- b. The Board finds that the Mari Vineyard Winery was approved as a Farm Processing Facility by Land Use Permit (LUP) #5221 in 2014. (Exhibit 3)
- c. The Board finds that the applicant is working with the local permitting agencies to obtain compliance for the proposed site plan. (Exhibits 4)

1.4 Land Use Pattern- The Board finds the following land uses to be in existence per the date of this report adjacent to the amended development.

- a. **North-** The land adjacent to the north of the subject properties is zoned A-1, Agriculture and is primarily utilized for large lot single-family residential use. The future land use plan indicates this area will continue to be considered as an agricultural preservation region of the Township.
- b. **South-** The properties adjacent to the south are is zoned A-1, Agriculture and are primarily utilized for large lot single-family residential use. The future land use plan indicates this area will be both an agricultural preservation and rural agricultural uses within the Township.
- c. **East-** Property to the east is zoned R-1C and is primarily single family residential housing uses. The future land use plan indicates this area will continue to be a low density residential use area.
- d. **West-** The property located west of the subject is dual zoned, A-1 & R-1B, and is primarily agriculturally used. The future land use plan indicates this area will continue to be considered as an agricultural preservation region of the Township.
- e. The Board finds that the applicant is subject to all local, state, and federal agencies, including but not limited to the Grand Traverse County Health Department, Soil Erosion, Construction Code, Michigan Liquor Control Commission and Department of Environmental Quality.
- f. The Board finds that the proposed winery-chateau shall not utilize amplified sound measures in an effort towards minimizing sound generated from any outdoor event.
- g. The Board finds that any proposed lighting implemented onsite shall comply with the existing Ordinance found within section 7.14, added by Amendment 175A, Exterior Lighting Regulations. (Exhibit 13)

2. Specific Findings of Fact – Section 8.1.3 (Basis for Determinations)

2.1 General Standards- The 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 board finds that the proposed winery-chateau is an agricultural use. This type of land use is specifically supported within the 2011 Master Plan as one of the goals in this district to encourage local growers to produce, process, and market agricultural

products. The plan preserves 15+ acres of sugar maples which are being cultivated for product made at the winery. Further the property hosts significant vineyard. (Exhibit 1, 2, 4)

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 Board finds that the winery structure has been designed in accordance with the Farm Processing Facility site design standards and has been permitted by LUP #5221. The winery structure is 500+ feet from all pre-existing residential structures. The guest house is 300+ feet from all pre-existing residential structures. (Exhibit 3, 4)

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 Board finds that the proposed winery chateau operation shall be accessed via a commercial driveway from Center Rd. as reviewed and permitted by the Michigan Department of Transportation. (Exhibit 7 & 12)

The Board finds that the County Sheriff has conducted a review of the submitted plans and offered comments. The Sheriff finds no issues with the proposed plan. (Exhibit 16)

The Board finds that the applicant has supplied on site fire suppression as requested by the Peninsula Township Fire Department. (Exhibit 4)

The Board finds that the proposal has been reviewed by the Township Engineer of Record is determined to be in compliance with the Storm Water Control Ordinance. (Exhibit 3, 4, 8, 18)

The Board finds that the applicant has constructed a water main for water supply on site in compliance with the Grand Traverse County DPW Standard Water and Sewer Specifications and the Recommended Standards for Water Works. (Exhibit 10)

The Board finds that at this time wine production waste water disposal shall be transported off site to the Grand Traverse County Septage Treatment Facility as allowed by the Grand Traverse County Department of Public Works. (Exhibit 15)

The Board finds that the site shall remain in compliance with the appropriate regulations as it relates to wine production waste water disposal in perpetuity. (Exhibit 2)

This standard HAS been met.

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

The Board finds that the applicant will be responsible for any improvements required as part of this proposal. (Exhibit 4)

The Board finds that the development as presented will not create excessive additional requirements at public cost for public facilities and services given that development of a winery chateau is allowed in the zoning district in which the property is located. The Board further finds that the Applicant's plans incorporate private roads within the development which meet the requirements of this standard and which do not create any excessive additional requirements at public cost with respect to the utilization of public facilities and services. (Exhibit 4)

This standard HAS been met.

- e. Not involve use, 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 use of the site shall not involve any uses or activities which produce negative impacts upon the existing neighborhood via fumes, glare, noise or odors. (Exhibit 4 & 13)

This standard HAS been met.

2.2 Conditions and Safeguards- the Board may suggest 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 the Ordinance will be observed. The breach of any condition, safeguard or requirement shall automatically invalidate the permit granted.

2.3 Specific Requirements- In reviewing an impact assessment and site plan, the Board shall consider the following standards:

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

The Board finds that the applicant is the owner/operator of the petitioned property and Winery-Chateau operation and may legally apply for the review process. (Exhibit 4)

This standard HAS been met.

- b. That all required information has been provided.

The Board finds that the applicant has provided the required information for the issuance of a special use permit, inclusive of details site plans. With the exception of the winery structure, the manager's residence, and the existing agricultural buildings on site, each accessory structure prior to construction will require the issuance of a land use permit from the Township in compliance with the approved SUP and the Peninsula Township Zoning Ordinance. (Exhibit 4)

This standard HAS been met.

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

The Board finds that the applicant's proposal meets all of the lot coverage, signage, landscaping and size requirements of the ordinance. (Exhibit 4)

The Board finds that the winery structure permitted by LUP #5221 has been reviewed and permitted as required per this ordinance. (Exhibit 8)

This standard HAS been met.

- 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 applicant has applied for an MDOT permit regarding the location of the commercial access along M-37/Center Rd. The commercial driveway from Center Rd. has been reviewed and approved by the Michigan Department of Transportation. (Exhibit 4, 7 & 12)

The Board finds that the County Sheriff has conducted a review of the submitted plans and offered comments. The Sheriff finds no issues with the proposed plan. (Exhibit 16)

The Board finds that the applicant has supplied on site fire suppression as requested by the Peninsula Township Fire Department. (Exhibit 4)

The Board finds that the proposal has been reviewed by the Township Engineer of Record is determined to be in compliance with the Storm Water Control Ordinance. (Exhibit 3, 4, 8, 18)

The Board finds that the winery structure permitted by LUP #5221 has been reviewed and permitted as required by the Storm Water Control Ordinance. (Exhibit 3, 4, 8)

The Board finds that the applicant has constructed a water main for water supply on site in compliance with the Grand Traverse County DPW Standard Water and Sewer Specifications and the Recommended Standards for Water Works. (Exhibit 10)

The Board finds that the well and septic systems proposed as part of this project have been conceptually reviewed by the Grand Traverse County Health Department and permits are reasonably assured. (Exhibit 17)

The Board finds that the winery structure permitted by LUP #5221 has been reviewed and permitted as required by the Grand Traverse County Health Department. (Exhibit 9)

This standard HAS been met.

- 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 applicant has received all appropriate approvals from governmental entities or, to the extent possible, based upon the regulations of other governmental entities, reasonable assurances that approval from these agencies will be granted. The Board further recognizes that certain agencies will not provide approval until the township approves the special use permit. Once approval has been received and submitted to the Township Planning & Zoning Department as well as to the Township Board, the special use permit will be issued. (Exhibit 4)

This standard HAS been met.

- 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 applicant has proposed to preserve and cultivate 15+ acres of sugar maples. (Exhibit 4)

The Board finds that the applicant is in the process of compliance with local permitting agencies and is in compliance with permitting agencies to the extent such agencies will grant permits prior to the township taking action approving the special use permit. This includes the Grand Traverse County Soil Erosion and Sedimentation Control Department. (Exhibit 4)

The Board finds that the winery structure permitted by LUP #5221 and appurtenant hard surfaces have been reviewed and permitted by the Grand Traverse Soil Erosion and Sedimentation Department. (Exhibit 11)

This standard HAS been met.

- 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 there is no indication that any existing drains, floodways or flood plains exist on the site; and further that proposal has been reviewed and complies with the regulations of the Peninsula Township Storm Water Control Ordinance. (Exhibit 3, 4, 18)

This standard HAS been met.

- 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 winery structure permitted by LUP #5221 and appurtenant hard surfaces have been reviewed and permitted by the Grand Traverse Soil Erosion and Sedimentation Department. (Exhibit 11)

This standard HAS been met.

- i. That the proposed development will not cause soil erosion or sedimentation problems.

The Board finds that the winery structure permitted by LUP #5221 and appurtenant hard surfaces have been reviewed and permitted by the Grand Traverse Soil Erosion and Sedimentation Department. (Exhibit 11)

This standard HAS been met.

- 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 Board finds that the proposal has been reviewed by the Township Engineer of Record is determined to be in compliance with the Storm Water Control Ordinance. (Exhibit 3, 4, 8, 18)

The Board finds that the winery structure permitted by LUP #5221 has been reviewed and permitted as required by the Storm Water Control Ordinance. (Exhibit 3, 4, 8)

This standard HAS been met.

- 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 winery structure permitted by LUP #5221 and appurtenant hard surfaces have been reviewed and permitted by the Grand Traverse Soil Erosion and Sedimentation Department. (Exhibit 11)

The Board finds that the proposal has been reviewed by the Township Engineer of Record is determined to be in compliance with the Storm Water Control Ordinance. (Exhibit 3, 4, 8, 18)

This standard HAS been met.

- l. That structures, landscaping, landfills or other land uses will not disrupt air drainage systems necessary for agricultural uses.

The Board finds that that Michigan State University Extension staff have evaluated the site plan and have concluded that the use is not anticipated to negatively impact the local air drainage system. (Exhibit 5)

This standard HAS been met.

- 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 construction is planned in multiple phases. Each phase shall be subject to review and approval by all jurisdictional agencies to ensure each phase will not be dependent upon a subsequent phase for adequate access, public utility service, drainage or erosion control. (Exhibit 3 & 4)

This standard HAS been met.

- 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 applicant has constructed a water main for water supply on site in compliance with the Grand Traverse County DPW Standard Water and Sewer Specifications and the Recommended Standards for Water Works. (Exhibit 10)

This standard HAS been met.

- o. That landscaping, fences or walls may be required by the Board in pursuance of the objectives of this Ordinance.

The Board finds that the guest house is located within the wooded portion of the site and is 371' from the nearest residential structure. (Exhibit 4)

The Board finds that the proposed agricultural acreage and site design shall provide adequate buffering and screening for adjacent parcels. (Exhibit 4)

This standard HAS been met.

- 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 site plan was developed to accommodate the anticipated usage of the site and the proposal should not adversely affect the flow of traffic to or from the public roads. (Exhibit 4)

The Board finds that parking regulations are established and enforced under Section 7.6.3, Parking Space Requirements. (Exhibit 2)

The Board finds that a Winery-Chateau requires one (1) space per one hundred fifty (150) square foot of retail floor space in the tasting room, plus one (1) for each employee of maximum working shift, plus three (3) spaces for tour busses or cars with trailers, plus one (1) space for each one (1) guest room. (Exhibit 2)

The Board finds that the plans indicate 2,151 square feet of retail floor space in the tasting room, nineteen (19) employees on the largest shift and nine (9) guest rooms. This proposed use will require forty-two (42) vehicle and three (3) bus parking spaces. (Exhibit 4)

The Board finds that the site plans propose fifty-six (56) vehicle and three (3) bus parking spaces for the site. (Exhibit 4)

The Board finds that a single family residential use requires two (2) parking spaces per residential unit. (Exhibit 2)

The Board finds that the plans show sufficient area within the residential lots to accommodate this requirement. (Exhibit 4)

This standard HAS been 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.

The Board finds that infrastructure servicing onsite pedestrian traffic appears to be adequately designed for the proposed uses. (Exhibit 4)

This standard HAS been met.

- 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 all outdoor storage of refuse is proposed to the south of the main winery structure and fully screened within a stone veneer walled area. (Exhibit 4)

This standard HAS been 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.

The Board finds that the proposed usage and implementation of the site is consistent with the requirements of the ordinance as it is a use allowed by Special Use Permit and is designed in accordance with the standards of the Ordinance. (Exhibit 1, 2, 3 & 4)

This standard HAS been met.

3. SECTION 8.7.3 (10) WINERY – CHATEAU REGULATIONS-

The Board finds that under Section 8.7.3 (10), the presented site plan and special use permit request meets the conditions associated with said provision as explained within the following:

- 1. It is the intent of this section to permit construction and use of a winery, guest rooms, and single family residences as a part of a single site subject to the provisions of this ordinance. The developed site must maintain the agricultural environment, be harmonious with the character of the surrounding land and uses, and shall not create undue traffic congestion, noise, or other conflict with the surrounding properties.

The Board finds that the proposed site plan indicates that the special use will take place upon a 50.61 acre site within six parcels of land. The site has been designed to host 43.64 acres of land dedicated to crops that can be used for wine production; including grapes, sugar maple trees, berries, crabapple trees and cold air drainage areas that surround the proposed structures. (Exhibit 4)

The Board finds that the main winery and guest house site access is via an MDOT permitted commercial driveway from M-37/Center Rd. (Exhibit 4 & 12)

The Board finds that the proposed residential structures shall be accessed via private road from Underwood Ridge Drive; a private road that has been reviewed for compliance as required by Section 7.10 of the Ordinance. (Exhibits 4, 6, 18)

This standard HAS been met.

2. The use shall be subject to all requirements of Article VII, Section 8.5, Food Processing Plants in A-1 Districts and the contents of this subsection. Data specified in Section 8.5.2, Required Information, shall be submitted as a basis for judging the suitability of the proposed plan. Each of the principal uses shall be subject to the terms and conditions of this ordinance except as specifically set forth herein.

The Board finds that the applicant's request is in compliance with the requirements under section 8.5 and section 8.5.2 as reviewed below:

Authorization – The Township Board may authorize the construction, maintenance and operation in the Agricultural District of food processing plant related to local agricultural production, by the issuance of a special use permit, subject to the procedures and requirements of Section 8.1 and provided that it has been demonstrated that the operation will not create any nuisance which will be detrimental to the health, safety and welfare of the Township residents or adversely affect adjoining property owners.

The Board finds that the proposal shall be in compliance with the standards found in Section 8.1 of the Ordinance as it pertains to special use permits as has been evaluated above. (Exhibit 2, 4)

Required Information: The following information shall be submitted as a basis for judging the suitability of the proposed operation:

- 1) A site plan of the property showing the location of all present and proposed buildings, drives, parking areas, waste disposal fields, landscaping, plant materials, screening fences or walls, and other construction features which shall be proposed.
The Board finds that the application has been submitted with a site plan that shall govern the site in compliance with this standard. (Exhibit 4)
- 2) A description of the operations proposed in sufficient detail to indicate the effect of those operations in producing traffic congestion, noise, glare, air pollution, fire or safety hazards, or the emission of any potentially harmful or obnoxious matter or radiation.

The Board finds that the operations shall be in compliance with the ordinance standards for a winery chateau and that a significant portion of the processing activity shall be conducted below grade. (Exhibit 4)

The Board finds that wine production does not generally produce traffic congestion, noise, glare, air pollution, fire or safety hazards, or the emission of any potentially harmful or obnoxious matter or radiation. (Exhibit 4)

The Board finds that the biomass alternative heating source has been reviewed by the Township Engineer and does not have the potential for objectionable fumes or discharges. (Exhibit 13)

3) Engineering and Architectural plans for:

- a. The treatment and disposal of sewage and industrial waste or unusable by-products.

The Board finds that at this time wine production waste water disposal shall be transported off site to the Grand Traverse County Septage Treatment Facility as allowed by the Grand Traverse County Department of Public Works. (Exhibit 15)

The Board finds that the site shall remain in compliance with the appropriate regulations as it relates to wine production waste water disposal in perpetuity. (Exhibit 2)

- b. The proposed handling of any excess traffic congestion, noise, glare, air pollution, fire or safety hazards, or the emission of any potentially harmful or obnoxious matter or radiation.

The Board finds that wine production does not generally produce traffic congestion, noise, glare, air pollution, fire or safety hazards, or the emission of any potentially harmful or obnoxious matter or radiation. (Exhibit 4)

4) The proposed number of shifts to be worked and the maximum number of employees on each shift.

The Board finds that parking regulations are established and enforced under Section 7.6.3, Parking Space Requirements. (Exhibit 2)

The Board finds that a Winery-Chateau requires one (1) space for each employee of maximum working shift. (Exhibit 2)

The Board finds that the plans indicate nineteen (19) employees on the largest shift.

The Board finds that the site plans propose fifty-six (56) vehicle and three (3) bus parking spaces for the site, including the required nineteen (19) for employee parking. (Exhibit 4)

This standard HAS been met.

3. The minimum site shall be fifty (50) acres which shall be planned and developed as an integrated whole. All of the principal and accessory uses shall be set forth on the approved site plan.

The Board finds that the applicant's site encompasses a total of 50.61 acres of land under common ownership and operation. (Exhibits 4)

The Board finds that the site plan illustrates a winery structure, a guest house, manager's residence, five (5) single family home sites and associated accessory structures to be developed as part of this Winery-Chateau proposal. (Exhibit 4)

This standard HAS been met.

4. The principal use permitted upon the site shall be Winery, Guest Rooms, Manager's Residence, and Single Family Residences shall be allowed as support uses on the same property as the Winery. In addition to the principal and support uses, accessory uses for each such use shall be permitted provided, that all such accessory uses shall be no greater in extent than those reasonably necessary to serve the principal use.

The Board finds that the winery-chateau shall the principal use onsite. (Exhibit 4)

The Board finds that the existing single family home located to the south of the proposed winery will accommodate the onsite manager's residence. (Exhibit 4)

The Board finds that the applicant is proposing a guest house, five (5) single family home sites and associated accessory structures as additional support uses on site. (Exhibit 4)

This standard HAS been met.

5. For purpose of computation, the principal and each support use identified in sub-section (d) above shall be assigned and "area equivalent" as set forth herein. The total "area equivalent" assigned to the principal uses shall not exceed the actual area of the site.

Refer to the following assessment below.

6. "Area equivalents" shall be calculated as follows:

Winery: five (5) acres or the actual area to be occupied by the winery including parking, whichever is greater;

The Board finds the area equivalent for the winery is five (5) acres. (Exhibit 4)

This standard HAS been met.

Manager's Residence: five (5) acres;

The Board finds that the area equivalent for the manager's residence is five (5) acres. (Exhibit 4)

This standard HAS been met.

Single Family Residences: five (5);

The Board finds that the area equivalent for the proposed five (5) single family home sites is twenty-five (25) acres. (Exhibit 4)

This standard HAS been met.

Guest Rooms: five (5) acres for each 3 rooms, not to exceed a total of twelve (12) guest rooms;

The Board finds that the area equivalent for the proposed nine (9) guest rooms is fifteen (15) acres. (Exhibit 4)

This standard HAS been met.

7. The number of single family residences shall not exceed six (6). The manager's residence shall not contain or be used for rental guest rooms. The number of guest rooms shall not exceed twelve (12).

The Board finds that the applicant is applying for one (1) manager's residence and five (5) single family home sites for a total of six (6) single family residences. (Exhibit 4)

This standard HAS been met.

8. Not less than seventy-five percent (75%) of the site shall be used for the active production of crops that can be used for wine production, such as fruit growing on vines or trees.

The Board finds that the applicant is proposing to preserve and cultivate 15.78 acres of sugar maples for maple syrup production. (Exhibit 4)

The Board finds that the site currently hosts 8.22 acres of existing vineyard. (Exhibit 4)

The Board finds that the applicant is proposing 8.13 acres of vineyard to be planted in 2016. (Exhibit 4)

The Board finds that the applicant is proposing .68 acres of berries to be planted in 2016. (Exhibit 4)

The Board finds that the applicant is proposing 1.19 acres of crabapple trees to be planted in 2017. (Exhibit 4)

The Board finds that the applicant is proposing 4.14 acres of vineyard to be planted in 2018. (Exhibit 4)

The Board finds that the agricultural use on the site is supported by 5.5 acres of cold air drainage areas along M-37/Center Road. (Exhibit 4)

The Board finds that there are 29.74 acres, 59%, currently used for the active production of crops that can be used in the making of wine on site; including the air drainage areas indicated on the site plan. (Exhibit 4)

The Board finds that the applicant proposes 38.31 acres, 76%, to be used for the active production of crops on site by the end of 2016 and prior to the issuance of the Special Use Permit; including the air drainage areas indicated on the site plan. (Exhibit 4)

The Board finds that the site shall remain in compliance with Section 8.7.3 (10) (h) as required by the Peninsula Township Zoning Ordinance. (Exhibit 2)

This standard HAS been met.

9. The facility shall have at least two hundred feet (200') of frontage on a state or county road.

The applicant's site has approximately 1,200 feet of frontage on Center Road. (Exhibit 4)

This standard HAS been met.

10. The winery chateau shall be the principal building on the site and shall have an onsite resident manager.

The Board finds that the proposed winery shall be the principal building onsite and the onsite resident manager shall reside in the existing single family structure located to the south of the winery structure. (Exhibit 4)

This standard HAS been met.

11. All guest rooms shall have floor areas greater than two hundred fifty (250) square feet. Maximum occupancy shall be limited to five (5) persons per unit. No time sharing shall be permitted.

The Board finds that the applicant is proposing a guest house in a future phase of the special use permit. (Exhibit 4)

The Board finds that this structure shall be located within a defined 2.3 acre building envelope, shall have a footprint no greater than 14,000 square feet, shall not exceed a height of 35 feet, and shall have a maximum of 9 guest rooms that shall not exceed 800 square feet in size each. (Exhibit 4)

The Board finds that this structure shall be reviewed and approved through a land use permit process administered by the Planning & Zoning Department and shall comply with the standards of the Ordinance. (Exhibit 4)

This standard HAS been met.

12. No exterior lighting shall have a source of illumination or light lenses visible outside the property line of the site and shall in no way impair safe movement of traffic on any street or highway.

The Board finds that the applicant has submitted examples of lighting fixtures as part of this application and that all exterior lighting shall comply with the dark night sky portion of the Peninsula Township Zoning Ordinance. (Exhibit 4)

The Board finds that the Township Engineer has reviewed the lighting submission, including fixture specifications and the photometric plan, and has determined the site as proposed is in compliance with Section 7.14 of the Ordinance. (Exhibit 13)

This standard HAS been met.

13. Accessory uses such as facilities, meeting rooms, and food and beverage services shall be for registered guests only. These uses shall be located on the same site as the principal use to which they are accessory and are included on the approved Site Plan. Facilities for accessory uses shall not be greater in size or number than those reasonably required for the use of registered guests.

The Board finds that the applicant is proposing a guest house in a future phase of the special use permit. (Exhibit 4)

The Board finds that accessory uses for registered guests may be provided as part of this future phase. (Exhibit 4)

The Board finds that the guest house structure shall be located within a defined 2.3 acre building envelope, shall have a footprint no greater than 14,000 square feet, shall not exceed a height of 35 feet, and shall have a maximum of 9 guest rooms that shall not exceed 800 square feet in size each. (Exhibit 4)

The Board finds that this structure and use shall be reviewed and approved through a land use permit process administered by the Planning & Zoning Department and shall comply with the standards of the Ordinance. (Exhibit 4)

This standard HAS been met.

14. Well and septic system- Proof of evaluation of the well and septic system by the Health Department and conformance to that agency's requirements shall be supplied by the owner.

The Board finds that the well and septic systems proposed as part of this project have been conceptually reviewed by the Grand Traverse County Health Department and permits are reasonably assured. (Exhibit 17)

This standard HAS been met.

15. Fire safety-

- I. All transient lodging facilities shall conform to the Michigan State Construction Code section regulating fire safety.

- II. An onsite water supply shall be available and meet the uniform published standards of the Peninsula Township Fire Department.
- III. A floor plan drawn to an architectural scale of not less than 1/8" = 1 foot shall be on file with the Fire Department.
- IV. Each operator of a transient lodging facility shall keep a guest registry which shall be available for inspection by the Zoning Administrator and police and fire officials at any time.
- V. Master keys for all rooms shall be available at all times.

The Board finds that the applicant has supplied on site fire suppression as requested by the Peninsula Township Fire Department. (Exhibit 4)

The Board finds that the guest house shall comply with the standards of this Ordinance.

This standard HAS been met.

16. Fencing or Planting Buffer- In the event that the Board determines that noise generation may be disturbing to the neighbors or that the establishment is in an area where trespass onto adjacent properties is likely to occur, then the Board may require that fencing or a planting buffer be constructed and maintained.

The Board finds that the proposed guest house is located within the wooded portion of the site and is 371' from the nearest residential structure. (Exhibit 4)

The Board finds that no fencing or planting buffers have been proposed at this time however, the agricultural crops and site design shall provide sufficient barrier to trespass and noise generation for neighboring properties. (Exhibit 4)

This standard HAS been met.

17. Rental of Equipment- Rental of snowmobiles, ATVs or similar vehicles, boats and other marine equipment in conjunction with the operation of the establishment shall be prohibited.

The Board finds that rental of equipment has not been proposed by the applicant and shall not be allowed on site. (Exhibit 4)

This standard HAS been met.

18. Activities and Outdoor Gatherings- Activities made available to registered guests shall be on the site used for the facility or on lands under the direct control of the operator either by ownership or lease. Outdoor activities shall be permitted if conducted at such hours, and in such manner, as to not be disruptive to neighboring properties.

The Board finds that the applicant is proposing a guest house in a future phase of the special use permit. (Exhibit 4)

The Board finds that activities and outdoor gatherings may be made available to registered guests on site as part of the guest house use phase. (Exhibit 4)

The Board finds that this structure and use shall be reviewed and approved through a land use permit process administered by the Planning & Zoning Department and shall comply with the standards of the Ordinance and the governing Special Use Permit documents. (Exhibit 2, 4)

This standard HAS been met.

19. Signs shall be in accordance with Section 7.2.2 (4) which governs signs in the A-1 Agricultural District.

The Board finds that the application proposes one (1) winery entrance sign, eight (8) interior informational signs, and one (1) residential entrance signs. All signs on site shall be in conformance with Section 7.11 Signs of the ordinance. (Exhibit 4)

This standard HAS been met.

20. A two hundred foot (200') setback shall be maintained between guest accommodations and facilities and agricultural crops, unless it is demonstrated that a lesser setback can be maintained which will provide for an equal level of protection from agricultural activities to residents, visitors and guests of the Winery-Chateau. Upon such demonstration, the Board may permit a lesser setback.

The Board finds that the applicant has requested and is approved for a lesser setback between guest accommodations/facilities and agricultural crops as the management of these crops shall be done using low impact and sustainable techniques; no spray/low spray and ozone, as well as scheduling management activities to accommodate guest and their activities. (Exhibit 4)

This standard HAS been met.

21. Guest Activities Uses- The Board may approve Guest Activity Uses (Activities by persons who may or may not be registered guests) as an additional Support Use, subject to the following:
1. Intent
 - i. The current Winery-Chateau section of the ordinance requires 75% of the site to be used for the active production of crops that can be used for wine production such as fruit growing on vines or trees, but does not requires that any of the wine produced on the site be made from wine fruit grown on Old Mission Peninsula. To assure that, in addition to the minimum parcel required for a Winery-Chateau, there is additional farm land in wine fruit production in Peninsula Township if Guest Activity Uses are allowed to take place at a Winery-Chateau facility.

The Board finds that the applicant is proposing to preserve and cultivate 15.78 acres of sugar maples for maple syrup production. (Exhibit 4)

The Board finds that the site currently hosts 8.22 acres of existing vineyard. (Exhibit 4)

The Board finds that the applicant is proposing 8.13 acres of vineyard to be planted in 2016. (Exhibit 4)

The Board finds that the applicant is proposing .68 acres of berries to be planted in 2016. (Exhibit 4)

The Board finds that the applicant is proposing 1.19 acres of crabapple trees to be planted in 2017. (Exhibit 4)

The Board finds that the applicant is proposing 4.14 acres of vineyard to be planted in 2018. (Exhibit 4)

The Board finds that the agricultural use on the site is supported by 5.5 acres of cold air drainage areas along M-37/Center Road. (Exhibit 4)

The Board finds that there are 29.74 acres, 59%, currently used for the active production of crops that can be used in the making of wine on site; including the air drainage areas indicated on the site plan. (Exhibit 4)

The Board finds that the applicant proposes 38.31 acres, 76%, to be used for the active production of crops on site by the end of 2016; including the air drainage areas indicated on the site plan. (Exhibit 4)

The Board finds that the applicant proposes 43.63 acres, 86%, to be used for the active production of crops on site by the end of 2018; including the air drainage areas indicated on the site plan. (Exhibit 4)

The Board finds that the site shall be, and shall remain, in compliance with the 75% standard as found in Section 8.7.3 (10) (h) prior to commencement of Guest Activity Uses on site. (Exhibit 4)

The Board finds that the applicant has an additional 82+ acres in wine fruit production on the Old Mission Peninsula. (Exhibit 4)

This standard HAS been met.

- b) Guest Activity Uses are intended to help in the promotion of Peninsula agriculture by: a) identifying "Peninsula Produced" food or beverage for consumption by the attendees; b) providing "Peninsula Agriculture" promotional brochures, maps and awards; and/or c) including tours through the winery and/or other Peninsula agriculture locations.
- c) Guest Activity Uses are limited to (2) below.
- d) Guest Activity Uses do not include wine tasting and such related promotional activities as political rallies, winery tours, and free entertainment (Example - "Jazz at Sunset") which are limited to the tasting room and for which no fee or donation of any kind is received.
- e) Guest Activity Uses are in addition to accessory uses for registered guests that are otherwise allowed.
- f) Overnight stays at the Winery-Chateau are not required for these Guest Activity Uses.

- g) Fees may be charged for these Guest Activity Uses.

The Board finds that the Guest Activity Uses shall comply with the standards of this Ordinance. (Exhibit 4)

This standard HAS been met.

- 2. Uses Allowed. Notwithstanding Section 8.7.3 (10) (m); The following Guest Activity Uses may be approved with a Special Use Permit by the Township Board:
 - a) Wine and food seminars and cooking classes that are scheduled at least thirty days in advance with notice provided to the Zoning Administrator. Attendees may consume food prepared in the class.
 - b) Meeting of 501©3 non-profit groups within Grand Traverse County. These activities are not intended to be or resemble a bar or restaurant use there therefore full course meals are not allowed, however light lunch or buffet may be served.
 - c) Meeting of Agriculture Related Groups that have a direct relationship to agriculture production, provided that:
 - i. The meetings are scheduled at least one month in advance with the Zoning Administrator given adequate advance notice of the scheduling so that the Zoning Administrator can give prior approval;
 - ii. The Zoning Administrator shall use the following types of Agricultural Related Groups as a guide for determining "direct relationship to agricultural production";
 - a) Food/wine educational demonstrations;
 - b) Cooking show showcasing Peninsula produce and wine;
 - c) Farmer's conferences;
 - d) Regional farm producers;
 - e) Cherry Marketing Institute and Wine Industry Conference;
 - f) Farm Bureau Conference;
 - g) Future Farmers of America and 4-H;
 - h) Michigan State University/agricultural industry seminars.
 - iii. These meetings may include full course meals to demonstrate connections between wine and other foods.
 - iv. An appeal of the Zoning Administrators determination can be made to the Township Board.
 - d) Guest Activity Uses do not include entertainment, weddings, wedding receptions, family reunions or sale of wine by the glass.
 - e) No food service other than as allowed above or as allowed for wine tasting may be provided by the Winery-Chateau. If wine is served, it shall only be served with food and shall be limited to Old Mission Peninsula appellation wine produced at the Winery, except as allowed by Section 6 below.

The Board finds that the Guest Activity Uses shall comply with the standards of this Ordinance. (Exhibit 4)

This standard HAS been met.

3. Relation to Agriculture Production in Peninsula Township. In order to offer Guest Activity Uses, the owner of the Winery-Chateau shall, in addition to the agricultural production on the minimum acreage required for the Winery-Chateau, grow in Peninsula Township for the previous growing season equal to 1.25 tons of grapes for each person allowed to participate in Guest Activity Uses up to the maximum number approved by the Township Board in a Special Use Permit. If the amount of grapes cannot be documented by the Zoning Administrator, the numbers of persons allowed to participate in Guest Activity Uses shall be reduced proportionately.

The Board finds that the applicant is proposing to preserve and cultivate 15.78 acres of sugar maples for maple syrup production. (Exhibit 4)

(Exhibit 4) The Board finds that the site currently hosts 8.22 acres of existing vineyard.

The Board finds that the applicant is proposing 8.13 acres of vineyard to be planted in 2016. (Exhibit 4)

The Board finds that the applicant is proposing .68 acres of berries to be planted in 2016. (Exhibit 4)

The Board finds that the applicant is proposing 1.19 acres of crabapple trees to be planted in 2017. (Exhibit 4)

The Board finds that the applicant is proposing 4.14 acres of vineyard to be planted in 2018. (Exhibit 4)

The Board finds that the agricultural use on the site is supported by 5.5 acres of cold air drainage areas along M-37/Center Road. (Exhibit 4)

The Board finds that there are 29.74 acres, 59%, currently used for the active production of crops that can be used in the making of wine on site; including the air drainage areas indicated on the site plan. (Exhibit 4)

The Board finds that the applicant proposes 38.31 acres, 76%, to be used for the active production of crops on site by the end of 2016; including the air drainage areas indicated on the site plan. (Exhibit 4)

The Board finds that the applicant proposes 43.63 acres, 86%, to be used for the active production of crops on site by the end of 2018; including the air drainage areas indicated on the site plan. (Exhibit 4)

The Board finds that the site shall be, and shall remain, in compliance with the 75% standard as found in Section 8.7.3 (10) (h) prior to commencement of Guest Activity Uses on site. (Exhibit 4)

The Board finds that the applicant has an additional 82+ acres in wine fruit production on the Old Mission Peninsula which has produced an average of 63 tons of grapes per year from 2009-2014 and therefore the maximum allowed

participants shall be 50 per guest activity use based on this documentation. (Exhibit 4)

The Board finds that in the future the maximum number of participants in attendance shall not exceed 111 upon verification of the required documentation as per Section 8.7.3 (10) (u) 3. (Exhibit 2)

This standard HAS been met.

4. The number of persons allowed to participate in Guest Activity Uses shall be determined as follows:
- a) The Township Board as part of the Special Use Permit approval process shall determine the room(s) provided and a maximum number of attendees for Guest Activity Uses.
- i. The maximum number of attendees shall not exceed one attendee for each fifteen (15) square feet of the room or rooms provided for Guest Activity Uses. These rooms shall exclude guest rooms, rest rooms, hallways, stairways, entries, spaces used in the normal operation of wine making and storage, out of doors areas and any other spaces not usual for guest assembly. In no case will the number exceed one hundred-eleven (111) or the Fire Marshall maximum capacity, whichever is less.

The Board finds that the applicant has submitted a scaled plan to verify the maximum number of allowed guest per square feet. (Exhibit 4, 14)

The Board finds that the site plan indicates a total of 4,687.5 square feet in area for Guest Activity Uses which would accommodate up to 312 persons per Peninsula Township Ordinance standards. (Exhibit 14)

The Board finds that the maximum number of participants in attendance shall not exceed 111 upon verification of the required documentation as per Section 8.7.3 (10) (u) 3. (Exhibit 2)

This standard HAS been met.

- ii. The maximum number of attendees may be less than, but not more than, the maximum number described in i above at the discretion of the Township Board based on possible adverse impact on adjacent properties, lack of parking spaces or other site specific conditions.

The Board finds that there is parking has be designed in accordance with section 7.6 of the Ordinance to accommodate the maximum number of guests. (Exhibit 2, 4)

The Board finds there is sufficient buffering from adjacent neighbors to allow the maximum of 50 attendees per guest activity use. Further all guest activity uses shall occur indoors. (Exhibit 4)

This standard HAS been met.

- iii. A building floor plan showing spaces for all approved uses including the maximum capacity of each shall be attached to the site plan.

Upon approval this plan will be attached to the site plan in the Special Use Permit #126 file. (Exhibit 4)

This standard HAS been met.

5. Requirements for Guest Activity Uses

- a) All Guest Activity Uses shall include Agricultural Production Promotion as part of the activity as follows:
 - i. Identify "Peninsula Produced" food or beverage that is consumed by the attendees;
 - ii. Provide "Peninsula Agriculture" promotional materials; and
 - iii. Include tours through the winery and/or other Peninsula agriculture locations.
- b) Hours of Operation for Guest Activity Uses shall be as determined by the Town Board, but no later than 9:30 PM daily.
- c) No alcoholic beverages, except those produced on site, are allowed with Guest Activity Uses.
- d) Sales of wine by the glass or sales of bottles of wine for ON PREMISES consumption are NOT ALLOWED except as provided in Section 2 (e) above.
- e) No outdoor food, beverages or temporary structures are allowed except as allowed by 8 (c) below.
- f) No sounds related to the guest activity shall be discernable at the property lines.
- g) No amplified instrumental music is allowed, however amplified voice and recorded background music is allowed, provided the amplification level is no greater than normal conversation at the edge of the area designated within the building for guest purposes.
- h) No outdoor displays of merchandise, equipment or signs are allowed.
- i) Kitchen facilities may be used for on-site food service related to Guest Activity Uses but not for off-site catering.
- j) No lighting, except the minimum required for safety and sign lighting as allowed by the Ordinance.
- k) The Township Board may consider seasonal weighting of the frequency and/or a maximum number of Guest Activity Uses during the year.

The Board finds that the Guest Activity Uses shall comply with the standards of this Ordinance. (Exhibit 4)

This standard HAS been met.

- 6. If crop conditions or natural disaster result in a shortage of locally-grown fruit for a particular year; the Township Board may reduce the requirement for the amount of grapes for that particular year, provided that verification of such conditions are present to the Township Board by a public organization representing the fruit growers of northwest Michigan that is duly recognized by the Township Board.

The Board finds that the Guest Activity Uses shall comply with the standards of this Ordinance. (Exhibit 4)

This standard HAS been met.

7. Documentation. The owner of the Winery-Chateau shall provide data and records on an annual basis to the Zoning Administrator showing that:
 - a) In addition to the agricultural production on the minimum acreage required for the Winery-Chateau, the winery has grown grapes in Peninsula Township or purchased grapes grown in Peninsula Township equal to 1.25 tons of grapes for each person allowed to participate in Guest Activity Uses.

The Board finds that the applicant is proposing to preserve and cultivate 15.78 acres of sugar maples for maple syrup production. (Exhibit 4)

(Exhibit 4)

The Board finds that the site currently hosts 8.22 acres of existing vineyard.

The Board finds that the applicant is proposing 8.13 acres of vineyard to be planted in 2016. (Exhibit 4)

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The Board finds that the agricultural use on the site is supported by 5.5 acres of cold air drainage areas along M-37/Center Road. (Exhibit 4)

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The Board finds that the applicant proposes 38.31 acres, 76%, to be used for the active production of crops on site by the end of 2016; including the air drainage areas indicated on the site plan. (Exhibit 4)

The Board finds that the applicant proposes 43.63 acres, 86%, to be used for the active production of crops on site by the end of 2018; including the air drainage areas indicated on the site plan. (Exhibit 4)

The Board finds that the site shall be, and shall remain, in compliance with the 75% standard as found in Section 8.7.3 (10) (h) prior to commencement of Guest Activity Uses on site. (Exhibit 4)

The Board finds that the applicant has an additional 82+ acres in wine fruit production on the Old Mission Peninsula which has produced an average of 63 tons of grapes per year from 2009-2014 and therefore the maximum allowed participants shall be 50 per guest activity use. (Exhibit 4)

This standard HAS been met.

- b) That all the grapes from a. above plus the production on the minimum acreage required for the Winery-Chateau have been processed in the winery.

The Board finds that the applicant shall provide sufficient documentation of the processing on site to the Planning & Zoning staff prior to the commencement of any guest activity use. (Exhibit 4)

This standard HAS been met.

8. Additional Conditions

- a) Special Use Permits approved under this section any number of restrictions or requirements approved by the Township Board such as additional set back requirements, days of the week restrictions, number of guest activity days per year or other requirements deemed beneficial to the township or its residents.
- b) Nothing in this section shall prohibit the Township Board from approving a larger special community event such as Blessing of the Blossoms, harvest days or other community event for which no fee is charged to the participants, except as specifically approved by the Township Board and is open to the public.
- c) No temporary structures including tents or canopies are allowed except that the Township Board may approve the reasonable use of temporary structures tents or canopies in conjunction with community events approved in b. above.
- d) Any violation of the Special Use Permit issued for this use shall in addition to the provision of Section 4.2.1 Violations and Penalties, serve as grounds for closing the Guest Activity Uses use by the Township Board. In the event any such alleged violation is made in writing to the Township Board, the Township shall give written notice of such alleged violation to the Applicant at the last address furnished to the Township by the Applicant. The notice shall state that unless the violation is corrected or resolved to the satisfaction of the Township Board within 30 days from the date of the notice, the Township Board shall Owner to close all Guest Activity uses on the premises, after hearing, until such time as the Township Board removes the restriction. In the event a hearing becomes necessary, the Township Board shall establish the notice requirements and such other conditions with respect to the hearing as the township Board shall deem appropriate.

The Board finds that the Guest Activity Uses shall comply with the standards of this Ordinance. (Exhibit 4)

This standard HAS been met.

MOTION: Witkop/Byron that the Board approves the General and Specific Findings of Fact with the additions as stated by the planner previously and that the Standards have been met.

Roll Call Vote: Rosi-Yes; Witkop-Yes, Weatherholt-Yes; Correia-Yes; Byron-Yes; Avery-Yes

PASSED UNAN

MOTION: Weatherholt/ Witkop to approve SUP#126 based upon the General findings of fact and the specific findings of fact under sections 8.1.3 and 8.7.3(10) of the Peninsula Township Zoning Ordinance, SUP #126 is approved with the following conditions:

Conditions:

1. Proof of compliance with all Federal, State, County, Township and other governmental regulations relative to the establishment of a Winery-Chateau shall be submitted to the Peninsula Township Planning & Zoning Department prior to issuance of the Special Use Permit.
2. The site shall be in compliance with Section 8.7.3(10)(h) prior to the issuance of the Special Use Permit.
3. The site shall be in compliance with Section 7.11, Signs, of the Ordinance
4. The site shall be in compliance with Section 7.14, Exterior Lighting Regulations, of the Ordinance.

**Roll Call Vote: Rosi-Yes; Witkop-Yes, Weatherholt-Yes; Correia-Yes; Byron-Yes; Avery-Yes
PASSED UNAN**

2. Bayshore Marathon 2016 Large Event Permit –Public Hearing

Reardon presented a request for a Large Event Permit for the Bayshore Marathon 2016 – Traverse City Track Club to be held on Saturday, May 28, 2016. This year there will be new parking introduced on Gray Road to alleviate the congestion and illegal parking along Peninsula Drive.

Board asked questions of the applicant about the parking on Gray Road.

Correia opened the Public Hearing at 8:17 p.m.

Christine Hosmer, 17593 Shitake Lane spoke of the congestion and safety concerns over pedestrian traffic on Peninsula drive.

Monnie Peters 1425 Neahtawanta Road has been a participant in this event for many years. People along the route get excited. Bayshore Marathon gives a lot of support to the community. Approves of this event.

Daniel Siderman, Race Director for the Bayshore Marathon spoke of the amount that the Bayshore puts back into the community and the fact that it is a 34 -year old event.

Rob Manigold, 2876 Old Mission Road has been involved with this group for many years. They have meetings following each race. It is a good thing for the community.

Public hearing closed at 8:23

Board continued further discussion concerning alternate routes, staggered starts, and concerns about congestion areas, and emergency care for both racers and residents. Race Director and various medical advisors spoke to how they have discussed these concerns in the past and how they have medical assistance located around the race event.

MOTION: Byron/Witkop to approve the Bayshore Marathon Event for 2016 for one year as discussed.

**Roll Call Vote: Rosi-Yes; Witkop-Yes, Weatherholt-Yes; Correia-Yes; Byron-Yes; Avery-Yes
PASSED UNAN**

3. Fire Department Budget –Public Hearing

Weatherholt Fire Department Budget as presented on paper is \$709,500.00 for income (1.1 mils) The Board has taken the step to form a committee to possibly improve Fire Department facilities, Fire Department personnel and to go to Advance Life Support. The Board did approve 1.4 mils. The committee will decide and come up with a plan and present to the board for approval.

Public Hearing opened at 8:46 p.m.

No Public Comment

Public Hearing closed at 8:47 p.m.

4. General Fund & Special Funds Budgets –Public Hearing

Weatherholt presented a synopsis of General Fund.

Public Hearing opened at 8:47p.m.

No Public Comment
Public Hearing closed at 8:48 p.m.

Weatherholt presented Parks Fund Budget synopsis

Public Hearing opened at 8:48 p.m.

Maura Sanders, 20202 Center Road, Park Commission Chair spoke that a large amount of the Gift Shop Lighthouse funds are being moved over for the Parks to use. They are not receiving what they requested last year. This is fine knowing that she has presented to the Board that Parks has quite a few capital projects coming up and she just wants to state again that they will be putting their thoughts on paper and that the Town Board is supportive of that.

No further public comments
Public Hearing closed at 8:49 p.m.

Weatherholt presented the Special Funds synopsis.

Public Hearing opened at 8:49 p.m.

No Public Comments

Public Hearing closed at 8:50 p.m.

Drafts of these budgets are available on the Peninsula Township Website.

5. Resolution Declining Responsibility for Operation and Maintenance of Sewerage System for the 81 Development PUD

Wendling gave a history of the DNR requirements requiring a statement declining responsibility of the operation and maintenance of a private sewer system.

Applicant Joe Quant available on behalf of The 81 development. Quant indicates that this resolution is one of the reasons that they put off the Public Hearing so they could have the DNR approval in place at the time of the Public Hearing.

MOTION: Avery/Byron to accept the Resolution declining responsibility for the operation and maintenance of sewerage system for the 81 Development PUD.

Roll Call Vote: Rosi-Yes; Witkop-Yes, Weatherholt-Yes; Correia-Yes; Byron-Yes; Avery-Yes
PASSED UNAN

6. James and Nancy Kieft PA 116 Request

Sally Ackerly, Peninsula Township Assessor presented a Part 361, Farmland and Open Space Preservation, P.A. No. 451 of 1994, Natural Resources and Environmental Preservation Act application on behalf of James and Nancy Kieft of P.O. Box 252, Spring Lake, MI 49456 for property Id No 28-11-132-009-00 more commonly known as 1775 Nelson Road, Traverse City, MI 49686.

This is a temporary restrictive development agreement that the property owner undertakes with the state. This agreement is for an initial term of not less than 10 years. The Township needs to review some of the standards for this agreement to move forward with the State.

MOTION: Byron/Weatherholt that based upon the Findings of Fact that there is sufficient information provided by the applicant for the Township to approve the application for Farmland Open Space Preservation under PA 451 of 1994 as amended.

Roll Call Vote: Rosi-Yes; Witkop-Yes, Weatherholt-Yes; Correia-Yes; Byron-Yes; Avery-Yes
PASSED UNAN

7. North Flight Medicaid Provider Information Request

MOTION:Byron/Avery so moved to allow the Clerk to fill out the form and send it in to fulfill the Medicaid Provider information request from Northflight.

PASSED UNAN

8. Safe Boat Update

Correia in your packet there is a resolution by the Fire Board to not sell the safe boat at this time signed by 3 of the 5 Fire Board members. **Witkop** asked is the township attorney had looked into who had the authority to make this decision. **Byron** asked for an update on the Safe Boat. **Wendling** spoke to the appropriate government agency. The Safe Boat would need to have an appraisal and the Township would get a percentage back in relationship to their grant percentages. It would not harm the Township to apply for any other grants from Homeland in the future, but they may frown upon it, and you may not be able to get another boat in the future. **Avery** if we do decide to keep it there is a question of where to keep it. And there are ongoing costs.

Witkop it is important who has the authority to make this decision regarding this Safe Boat.

Correia Bigger question is what do we do with the Fire Department. When we decide that it will tell us if we keep or sell the Fire Boat. Thinks we need to make a big overall decision rather than small decisions that may hinder us in the future. Would like to hear what attorney says about who can make the decision.

Consensus is to move to future meeting. Township attorney to report back on the who has the authority to make this decision.

9. Park Commission Request for Township to be Chamber of Commerce Members

Maura Sanders, 20202 Center Road, Park Commission Chair would like to see the Township as a whole become members of the Chamber of Commerce so that the Township Leadership could take advantage of some of the programs and network of the Chamber. The cost to join is \$335.00 for first year.

MOTION: Byron/Weatherholt try a one-year membership with the Chamber.

Roll Call Vote: Rosi-Yes; Witkop-Yes, Weatherholt-Yes; Correia-Yes; Byron-Yes; Avery-Yes
PASSED UNAN

Citizen Comments

None

Board Comments

Rosi on 2/1 Anne Griffiths mentioned to the Town Board that they have not discussed the question about the land division complaint. This was before the prosecuting attorney. On 2/9 Monnie, Britt and someone else asked about the land division complaint and Monica said that it would be on next month's agenda. And it is not on the Agenda. I have sent this request to Sally that I wanted to see the land division documents for Townships in the area from Frankfort to Leelanau and down to Acme. The ones that she was given did not refer to the Great Lakes. She would like to see how the various townships respond to the State with regard to the land division. Wondered why citizens were not notified of the land division and the appeal process. She would simply like to see the differences.

Sally Ackerly indicated that she did compile a file and can physically print this out.

Byron. Are we going to do anything in support of the School?

Wendling directed to put together a Resolution. The Board will send comments to Peter. Some of the points will be the impact on the Library, Impact on Students, Impact on Property Values, One school in our Township. Citizen Comments can be sent to Michelle Reardon who will compile them and forward to the Attorney.

Brad Lyman, 18420 Center Road indicated that you have the time between now and the time they authorize making Eastern bigger than it is now.

MOTION: Avery/Witkop to adjourn at 9:29 p.m.

PASSED UNAN

Respectfully submitted by Mary Ann Abbott, Recording Secretary.

Peninsula Township Town Board

29

March 15, 2016

**PENINSULA TOWNSHIP BOARD
SPECIAL MEETING
CONFERENCE ROOM
March 22, 2016**

Meeting called to order at 9:00 a.m.

PRESENT: Correia, Hoffman, Weatherholt and Byron.

ABSENT: Avery, Witkop and Rosi (excused)

1. Call to order
2. Roll Call
3. Approve Agenda – Motion: Weatherholt/Byron to approve agenda.
4. Brief Audience Comments – for items not on the agenda – None
5. Conflict of Interest – None
6. Business

Passed Unan

1. Approve Bond Payment

Motion: Hoffman/Byron to approve payment of the Drinking Water Revolving Fund Bond Interest payment in the amount of \$20,487.70

Roll Call Vote: Byron yes, Correia yes, Weatherholt yes and Hoffman yes.

Passed Unan

7. Citizen Comments – None
8. Board Comments – None

Motion: Weatherholt/Byron to adjourn at 9:05 a.m.

These minutes stand to be approved at the next meeting.

Respectfully Submitted,
Monica A. Hoffman CMMC/CMC
Peninsula Township Clerk

**PENINSULA TOWNSHIP BOARD
SPECIAL MEETING
CONFERENCE ROOM
March 28, 2016**

Meeting called to order at 9:00 a.m.

PRESENT: Correia, Hoffman, Weatherholt, Byron, Rosi and Witkop

ABSENT: Avery (excused)

1. **Call to order**
2. **Pledge**
3. **Roll Call**
4. **Approve Agenda** –Motion: Byron/Witkop to approve the agenda. **Passed Unan**
5. **Brief Audience Comments** – for items not on the agenda = Anne Griffiths regarding lot split #212.
6. **Conflict of Interest – None**
7. **Business**

1. **Transfer Equipment Sale of Money to Parks \$12,069.**

Motion: Hoffman/Witkop to approve the transfer of \$12,069 from the General Fund 101, fund balance to the Parks Fund 208 fund balance.

Roll Call Vote: Witkop yes, Byron yes, Weatherholt yes, Hoffman yes, Rosi yes, and Correia yes.

Passed Unan

2. **Steve Schwartz Legal Services Letter**

Hoffman this letter from Schwartz is to provide legal services with regards to the Michigan Employment Commission.

Motion: Weatherholt/Byron to authorize the Clerk and Supervisor to sign the Legal Services letter from Steve Schwartz.

Roll Call Vote: Witkop yes, Byron yes, Weatherholt yes, Hoffman yes, Rosi yes, and Correia yes.

Passed Unan

3. **School Board Resolution (discussion and possible adoption)**

Correia stated that the Town Board had asked for a resolution at the last TB meeting. Correia had provided a resolution to the TB in their packets; however the Library Chair has asked that there not be any reference to the Library in the resolution. The board briefly discussed the request by the Library chair as well as the resolution that the Green Lake Board had passed, and had decided to review that resolution and table this until the next meeting.

Motion: Weatherholt/Byron to table the School Board Resolution until the next Township Board meeting.

Passed Unan

4. **Consider Payment of Bills**

Hoffman also provided the board members additional bills totaling \$920.00 as well as the \$17,349.29 that was provided to the board earlier.

Motion: Weatherholt/Rosi to approve payment of bills.

Roll Call Vote: Witkop yes, Byron yes, Weatherholt yes, Hoffman yes, Rosi yes, and Correia yes.

Passed Unan

5. **Fiscal Year-end Budget Amendments**

Motion: Witkop/Weatherholt to transfer within the General Fund (101) \$40,000 as stated on the attach worksheet, and allow the Clerk and Treasurer to amend between the line items.

Roll Call Vote: Witkop yes, Byron yes, Weatherholt yes, Hoffman yes, Rosi yes, and Correia yes.

Passed Unan

Motion: Witkop/Weatherholt to transfer \$190,000 from the Fire Fund 206 fund balance into the fund.

Roll Call Vote: Witkop yes, Byron yes, Weatherholt yes, Hoffman yes, Rosi yes, and Correia yes.

Passed Unan

Motion: Rosi/Byron Fund (206) Fire Department to allow the Clerk and Treasurer to amend line items within the fund.

Roll Call Vote: Witkop yes, Byron yes, Weatherholt yes, Hoffman yes, Rosi yes, and Correia yes.

Passed Unan

Motion: Bryon/Witkop Fund (208) Parks to allow the Clerk and Treasurer to amend the line items within the fund.

Roll Call Vote: Witkop yes, Byron yes, Weatherholt yes, Hoffman yes, Rosi yes, and Correia yes.

Passed Unan

Motion: Bryon/Witkop Fund (508) Lighthouse to allow the Clerk and Treasurer to amend the line items within the fund.

Roll Call Vote: Witkop yes, Byron yes, Weatherholt yes, Hoffman yes, Rosi yes, and Correia yes.

Passed Unan

Motion: Byron/Hoffman Fund (212) Pelizzari to move the payment form current fiscal year into 2016/2017 or amend from the fund balance.

Roll Call Vote: Witkop yes, Byron yes, Weatherholt yes, Hoffman yes, Rosi yes, and Correia yes.

Passed Unan

Motion: Hoffman/Bryon Fund (207) Police to amend \$19,000 from the fund balance and to allow the Clerk and Treasurer to amend the line items within the fund.

Roll Call Vote: Witkop yes, Byron yes, Weatherholt yes, Hoffman yes, Rosi yes, and Correia yes.

Passed Unan

Motion: Witkop/ Byron Fund (225) Summer Tax Collection to transfer \$4,700 from the (101) fund balance and to allow the Clerk and Treasurer to amend the line items within the fund.

Roll Call Vote: Witkop yes, Byron yes, Weatherholt yes, Hoffman yes, Rosi yes, and Correia yes.

Passed Unan

Motion: Witkop/Byron Fund (502) Tower to transfer \$109,000 from the fund balance into 502-000-967 for Expansion to Bowers Harbor Park.

Roll Call Vote: Witkop yes, Byron yes, Weatherholt yes, Hoffman yes, Rosi yes, and Correia yes.

Passed Unan

6. Adoption of General Fund, Special Funds Budget, Fire Department Budget and appropriate resolutions

Motion: Witkop/Hoffman to approve Resolution 2016-03-28#1 to adopt the General Fund Budget for fiscal year 2016-2017 at the department level and to appropriate spending the budgeted money.

Roll Call Vote: Witkop yes, Byron No (opposed to increases), Weatherholt yes, Hoffman yes, Rosi yes, and Correia yes.

Passed

Motion: Hoffman/Weatherholt to approve Resolution 2016-03-28#2 to adopt the Fire Department Budget for fiscal year 2016-2017 at the department level, and to appropriate spending the budgeted money.

Roll Call Vote: Witkop yes, Byron yes, Weatherholt yes, Hoffman yes, Rosi yes, and Correia yes.

Passed Unan

Motion: Rosi/Byron to approve Resolution 2016-03-28#3 to set the 2016-2017 millage for the Fire Department at 1.1 mil.

Roll Call Vote: Witkop yes, Byron yes, Weatherholt yes, Hoffman yes, Rosi yes, and Correia yes.

Passed Unan

Motion: Hoffman/Witkop to approve Resolution 2016-03-28#4 to adopt the Special Fund budget for fiscal year 2016-2017 at the department level and to appropriate spending the budgeted money.

Roll Call Vote: Witkop yes, Byron yes, Weatherholt yes, Hoffman yes, Rosi yes, and Correia yes.

Passed Unan

Motion: Witkop/Weatherholt to approve Resolution 2016-03-28#5 that as of April 1, 2016 the salary of the Township Clerk shall be \$46,935.00 annually.

Roll Call Vote: Witkop yes, Byron No, Weatherholt yes, Hoffman yes, Rosi no, and Correia yes.

Passed

Motion: Witkop/Hoffman to approve Resolution 2016-03-28#6 that as of April 1, 2016 the salary of the Township Supervisor shall be \$46,935.00 annually.

Roll Call Vote: Witkop yes, Byron No, Weatherholt yes, Hoffman yes, Rosi no, and Correia yes.

Passed

Motion: Hoffman/Witkop to approve Resolution 2016-03-28#7 that as of April 1, 2016 the salary of the Township Treasurer shall be \$44,290.00 annually.

Roll Call Vote: Witkop yes, Byron No, Weatherholt yes, Hoffman yes, Rosi no, and Correia yes.

Passed

Motion: Hoffman/Weatherholt to approve Resolution 2016-03-28#8 that as of April 1, 2016 the salary of each Township Trustee shall be \$5,391.00 annually.

Roll Call Vote: Witkop yes, Byron No, Weatherholt yes, Hoffman yes, Rosi no, and Correia yes.

Passed

Motion: Byron/Weatherholt to approve Resolution 2016-03-28#9 authorizing the Clerk and Treasurer to pay recurring bills to avoid late charges and/or finance charges, and authorizing the Supervisor to make budget adjustments and authorize bills up to \$1000.00 if necessary.

Roll Call Vote: Witkop yes, Byron yes, Weatherholt yes, Hoffman yes, Rosi yes, and Correia yes.

Passed Unan

Motion: Witkop/Hoffman to adopt Resolution 2016-03-28#10 authorizing the Treasurer to utilize financial institutions of his choice as provided by law.

Roll Call Vote: Witkop yes, Byron yes, Weatherholt yes, Hoffman yes, Rosi yes, and Correia yes.

Passed Unan

Motion: Witkop/Hoffman to adopt Resolution 2016-03-28#11 authorizing the Treasurer's Office to access On-Line Banking through Traverse City State Bank and Chemical Bank.

Roll Call Vote: Witkop yes, Byron yes, Weatherholt yes, Hoffman yes, Rosi yes, and Correia yes.

Passed Unan

7. Adopt fiscal year 2014/2015 calendar

Motion: Byron/Rosi to approve the Fiscal Year 2016/2017 Calendar

Roll Call Vote: Witkop yes, Byron yes, Weatherholt yes, Hoffman yes, Rosi yes, and Correia yes.

Passed Unan

8. Citizen Comments – Nancy Heller asked about getting handouts, is the City Fire Department union, have the Supervisor give an update on the safe boat.

Anne Griffiths asked about correspondence, and when is the FB/TB committee going to meet.

Brad Lyman will email the Green Lake resolution to Hoffman.

9. Board Comments – Byron will contact Wendling regarding recusing on “The 81”. Reference the Conservancy letter, wondered if the township could look into a tracking system for items discussed. Rosi asked about copies of the deeds for the Old Mission School, and said the township does not have an Activity Center. Witkop asked about video taking meetings and was glad that packets for the TB meeting are on line. Hoffman asked about future Monday meetings it was suggested that we spend time with the FB/TB committee. Hoffman I keep track of the percent of the increases for employees and elected officials. For the last 16 years the percent for employees is 2.65 and elected officials is 1.77. Hoffman is going to adding the Kahn land division to the next agenda and ask for an update from our attorney’s office. Correia said he that he has hired another attorney and surveyor regarding his land division.

MOTION: Witkop/Weatherholt to adjourn at 11:55 a.m.

Respectfully submitted by
Monica A. Hoffman CMC
Peninsula Township Clerk

Employee Hours and Gross by GL Number Report
For Check Dates 03/01/2016 to 03/31/2016

Pay Code ID	Distribution	Sup Hours	Reg Hours	Reg Gross	Ot Hours	OT Gross	Gross	Check Date
10001 - ABBOTT, MARY ANN								
HOURLY	101-191-707.000	0.00	3.00	42.00	0.00	0.00	42.00	03/15/2016
MEETING	101-101-818.000	1.00	0.00	120.00	0.00	0.00	120.00	03/15/2016
MEETING	101-101-818.000	1.00	0.00	120.00	0.00	0.00	120.00	03/31/2016
MEETING	206-106-818.010	1.00	0.00	120.00	0.00	0.00	120.00	03/15/2016
Employee Totals:		3.00	3.00	402.00	0.00	0.00	402.00	
10005 - AKERLEY, SALLY A								
MEETING	101-209-703.000	1.00	0.00	60.00	0.00	0.00	60.00	03/31/2016
SALARY	S. AKERLEY	0.00	0.00	2,047.37	0.00	0.00	2,047.37	03/15/2016
SALARY	S. AKERLEY	0.00	0.00	2,018.23	0.00	0.00	2,018.23	03/31/2016
SICK/PERS	S. AKERLEY	0.00	11.00	320.59	0.00	0.00	320.59	03/15/2016
SICK/PERS	S. AKERLEY	0.00	12.00	349.73	0.00	0.00	349.73	03/31/2016
Employee Totals:		1.00	23.00	4,795.92	0.00	0.00	4,795.92	
10009 - AVERY, MARY A								
SALARY	M. AVERY	0.00	0.00	1,374.31	0.00	0.00	1,374.31	03/15/2016
SALARY	M. AVERY	0.00	0.00	1,009.09	0.00	0.00	1,009.09	03/31/2016
VAC	M. AVERY	0.00	9.00	171.19	0.00	0.00	171.19	03/15/2016
VAC	M. AVERY	0.00	28.20	536.41	0.00	0.00	536.41	03/31/2016
Employee Totals:		0.00	37.20	3,091.00	0.00	0.00	3,091.00	
10010 - ATKINSON, EDWARD S								
MEETING	206-106-703.FBD	6.00	0.00	300.00	0.00	0.00	300.00	03/31/2016
Employee Totals:		6.00	0.00	300.00	0.00	0.00	300.00	
10011 - AVERY, MARK D								
MEETING	206-106-703.FBD	3.00	0.00	150.00	0.00	0.00	150.00	03/31/2016
SALARY	101-101-702.000	0.00	0.00	218.08	0.00	0.00	218.08	03/15/2016
SALARY	101-101-702.000	0.00	0.00	218.08	0.00	0.00	218.08	03/31/2016
Employee Totals:		3.00	0.00	586.16	0.00	0.00	586.16	
10018 - BALL, MICHAEL B								
RUNS	206-000-706.000	1.00	0.00	13.25	0.00	0.00	13.25	03/15/2016
STAWK	206-000-706.000	0.00	60.00	795.00	0.00	0.00	795.00	03/15/2016
STAWK	206-000-706.000	0.00	49.25	652.56	0.00	0.00	652.56	03/31/2016
Employee Totals:		1.00	109.25	1,460.81	0.00	0.00	1,460.81	
10020 - BRYAN, MICHAEL G								
STAWK	206-000-706.000	0.00	12.00	159.00	0.00	0.00	159.00	03/15/2016

Employee Hours and Gross by GI Number Report
For Check Dates 03/01/2016 to 03/31/2016

Pay Code ID	Distribution	Sup Hours	Reg Hours	Reg Gross	Ot Hours	OT Gross	Gross	Check Date
STAWK	206-000-706.000	0.00	24.00	318.00	0.00	0.00	318.00	03/31/2016
Employee Totals:		0.00	36.00	477.00	0.00	0.00	477.00	

10026 - BLACKHER, GRANT J								
RUNS	206-000-706.000	3.00	0.00	37.50	0.00	0.00	37.50	03/31/2016
STAWK	206-000-706.000	0.00	72.50	906.25	0.00	0.00	906.25	03/15/2016
STAWK	206-000-706.000	0.00	91.00	1,137.50	0.00	0.00	1,137.50	03/31/2016
Employee Totals:		3.00	163.50	2,081.25	0.00	0.00	2,081.25	

10045 - BYRON, JILL C								
HOURLY	101-191-707.000	0.00	11.50	138.00	0.00	0.00	138.00	03/15/2016
SALARY	101-101-702.000	0.00	0.00	218.08	0.00	0.00	218.08	03/15/2016
SALARY	101-101-702.000	0.00	0.00	218.08	0.00	0.00	218.08	03/31/2016
Employee Totals:		0.00	11.50	574.16	0.00	0.00	574.16	

10060 - CORREIA, PETER A								
INS	101-851-712.000	0.00	0.00	428.82	0.00	0.00	428.82	03/31/2016
SALARY	101-171-702.000	0.00	0.00	1,898.67	0.00	0.00	1,898.67	03/15/2016
SALARY	101-171-702.000	0.00	0.00	1,898.67	0.00	0.00	1,898.67	03/31/2016
Employee Totals:		0.00	0.00	4,226.16	0.00	0.00	4,226.16	

10061 - COUTURE, ALAN J								
MEETING	101-410-703.PLC	4.00	0.00	200.00	0.00	0.00	200.00	03/31/2016
Employee Totals:		4.00	0.00	200.00	0.00	0.00	200.00	

10101 - ELLIOTT, MARILYN A								
MEETING	101-430-703.ZBA	1.00	0.00	50.00	0.00	0.00	50.00	03/31/2016
Employee Totals:		1.00	0.00	50.00	0.00	0.00	50.00	

10135 - GOODE, JONATHAN K								
HOURLY	101-191-707.000	0.00	16.75	201.00	0.00	0.00	201.00	03/15/2016
MEETING	206-106-703.FBD	5.00	0.00	250.00	0.00	0.00	250.00	03/31/2016
Employee Totals:		5.00	16.75	451.00	0.00	0.00	451.00	

10147 - HAMILTON, DEBORAH A								
MEETING	101-410-818.010	1.00	0.00	120.00	0.00	0.00	120.00	03/31/2016
MEETING	101-430-818.010	1.00	0.00	120.00	0.00	0.00	120.00	03/31/2016
MEETING	208-751-818.010	1.00	0.00	120.00	0.00	0.00	120.00	03/15/2016
SALARY	D. HAMILTON	0.00	0.00	1,545.50	0.00	0.00	1,545.50	03/15/2016
SALARY	D. HAMILTON	0.00	0.00	1,243.06	0.00	0.00	1,243.06	03/31/2016

Employee Hours and Gross by GL Number Report
For Check Dates 03/01/2016 to 03/31/2016

Pay Code ID	Distribution	Sup Hours	Reg Hours	Reg Gross	Ot Hours	OT Gross	Gross	Check Date
SICK/PERS	D. HAMILTON	0.00	1.50	28.53	0.00	0.00	28.53	03/31/2016
VAC	D. HAMILTON	0.00	14.40	273.91	0.00	0.00	273.91	03/31/2016
Employee Totals:		3.00	15.90	3,451.00	0.00	0.00	3,451.00	

10148 - HAINES, NICHOLAS								
OT	206-000-704.000	0.00	0.00	0.00	28.00	230.44	230.44	03/31/2016
SICK/PERS	206-000-704.000	0.00	14.00	230.30	0.00	0.00	230.30	03/31/2016
STAWK	206-000-704.000	0.00	120.00	1,974.00	0.00	0.00	1,974.00	03/15/2016
STAWK	206-000-704.000	0.00	150.00	2,467.50	0.00	0.00	2,467.50	03/31/2016
Employee Totals:		0.00	284.00	4,671.80	28.00	230.44	4,902.24	

10165 - HOFFMAN, MONICA A								
SALARY	101-215-702.000	0.00	0.00	1,898.67	0.00	0.00	1,898.67	03/15/2016
SALARY	101-215-702.000	0.00	0.00	1,898.67	0.00	0.00	1,898.67	03/31/2016
Employee Totals:		0.00	0.00	3,797.34	0.00	0.00	3,797.34	

10170 - HORNBURGER, DONNA S								
MEETING	101-410-703.PLC	6.00	0.00	300.00	0.00	0.00	300.00	03/31/2016
Employee Totals:		6.00	0.00	300.00	0.00	0.00	300.00	

10195 - JANIGA, FREDERICA A								
HOURLY	101-209-707.000	0.00	3.00	450.00	0.00	0.00	450.00	03/31/2016
Employee Totals:		0.00	3.00	450.00	0.00	0.00	450.00	

10231 - KENNEDY, EDWARD R								
MEETING	101-247-703.000	3.00	0.00	450.00	0.00	0.00	450.00	03/31/2016
Employee Totals:		3.00	0.00	450.00	0.00	0.00	450.00	

10258 - LEAK, KEITH L								
MEETING	101-410-703.PLC	6.00	0.00	360.00	0.00	0.00	360.00	03/31/2016
Employee Totals:		6.00	0.00	360.00	0.00	0.00	360.00	

10263 - LIPE, CODY E								
STAWK	206-000-706.000	0.00	25.00	331.25	0.00	0.00	331.25	03/15/2016
STAWK	206-000-706.000	0.00	112.00	1,484.00	0.00	0.00	1,484.00	03/31/2016
Employee Totals:		0.00	137.00	1,815.25	0.00	0.00	1,815.25	

10316 - PIEHL, SUSAN L								
HOURLY	101-173-704.000	0.00	68.00	1,255.96	0.00	0.00	1,255.96	03/15/2016

Employee Hours and Gross by GI Number Report
For Check Dates 03/01/2016 to 03/31/2016

Pay Code ID	Distribution	Sup Hours	Reg Hours	Reg Gross	Ot Hours	OT Gross	Gross Check Date
10317 - REAMER, CORY J							
HOURLY	101-173-704.000	0.00	77.00	1,422.19	0.00	0.00	1,422.19 03/31/2016
Employee Totals:		0.00	145.00	2,678.15	0.00	0.00	2,678.15

RUNS	206-000-706.000	3.00	0.00	36.75	0.00	0.00	36.75 03/15/2016
RUNS	206-000-706.000	7.00	0.00	85.75	0.00	0.00	85.75 03/31/2016
Employee Totals:		10.00	0.00	122.50	0.00	0.00	122.50
10318 - PETERS, MARY G							
MEETING	101-410-703.PLC	7.00	0.00	350.00	0.00	0.00	350.00 03/31/2016
Employee Totals:		7.00	0.00	350.00	0.00	0.00	350.00

10321 - RITTENHOUSE, RANDY J							
OT	206-000-704.000	0.00	0.00	0.00	4.00	32.92	32.92 03/15/2016
OT	206-000-704.000	0.00	0.00	0.00	18.00	148.14	148.14 03/31/2016
RUNS	206-000-704.000	2.00	0.00	32.90	0.00	0.00	32.90 03/15/2016
STAWK	206-000-704.000	0.00	120.00	1,974.00	0.00	0.00	1,974.00 03/15/2016
STAWK	206-000-704.000	0.00	164.00	2,697.80	0.00	0.00	2,697.80 03/31/2016
Employee Totals:		2.00	284.00	4,704.70	22.00	181.06	4,885.76

10326 - ROSE, PENNELOPE S							
MEETING	101-410-703.PLC	6.00	0.00	300.00	0.00	0.00	300.00 03/31/2016
SALARY	101-101-702.000	0.00	0.00	218.08	0.00	0.00	218.08 03/15/2016
SALARY	101-101-702.000	0.00	0.00	218.08	0.00	0.00	218.08 03/31/2016
Employee Totals:		6.00	0.00	736.16	0.00	0.00	736.16

10329 - SARBBER, KYLE C							
STAWK	206-000-706.000	0.00	50.00	662.50	0.00	0.00	662.50 03/15/2016
STAWK	206-000-706.000	0.00	97.50	1,291.88	0.00	0.00	1,291.88 03/31/2016
Employee Totals:		0.00	147.50	1,954.38	0.00	0.00	1,954.38

10331 - SCHULTZ, GINGER M							
HOURLY	508-000-707.000	0.00	62.00	992.00	0.00	0.00	992.00 03/15/2016
HOURLY	508-000-707.000	0.00	72.50	1,160.00	0.00	0.00	1,160.00 03/31/2016
Employee Totals:		0.00	134.50	2,152.00	0.00	0.00	2,152.00

10332 - SCHOOLMASTER, CLAIRE E							
MEETING	101-420-702.000	2.00	0.00	100.00	0.00	0.00	100.00 03/31/2016
SALARY	101-420-702.000	0.00	0.00	1,458.33	0.00	0.00	1,458.33 03/15/2016
SALARY	101-420-702.000	0.00	0.00	1,458.33	0.00	0.00	1,458.33 03/31/2016

Employee Hours and Gross by GL Number Report
For Check Dates 03/01/2016 to 03/31/2016

Pay Code ID	Distribution	Sup Hours	Reg Hours	Reg Gross	Ot Hours	OT Gross	Gross	Check Date
10333 - SCHULTZ, NATHAN A		Employee Totals:						
MEETING	101-247-703.000	3.00	0.00	450.00	0.00	0.00	450.00	03/31/2016
		3.00	0.00	450.00	0.00	0.00	450.00	
10334 - REARDON, MICHELLE L		Employee Totals:						
MEETING	101-400-703.000	3.00	0.00	180.00	0.00	0.00	180.00	03/31/2016
SALARY	101-400-702.000	0.00	0.00	2,299.25	0.00	0.00	2,299.25	03/15/2016
SALARY	101-400-702.000	0.00	0.00	2,033.24	0.00	0.00	2,033.24	03/31/2016
VAC	101-400-702.000	0.00	9.40	266.01	0.00	0.00	266.01	03/31/2016
		3.00	9.40	4,778.50	0.00	0.00	4,778.50	
10340 - WADDELL-SEROCKI, LAURA A		Employee Totals:						
MEETING	101-410-703.PLC	6.00	0.00	300.00	0.00	0.00	300.00	03/31/2016
		6.00	0.00	300.00	0.00	0.00	300.00	
10365 - SOUTPAR, BERNOL F		Employee Totals:						
HOURLY	101-191-707.000	0.00	17.00	238.00	0.00	0.00	238.00	03/15/2016
MEETING	101-430-703.ZBA	3.00	0.00	170.00	0.00	0.00	170.00	03/31/2016
		3.00	17.00	408.00	0.00	0.00	408.00	
10373 - STROM, BRENT J		Employee Totals:						
OT	206-000-704.000	0.00	0.00	0.00	28.00	230.44	230.44	03/15/2016
OT	206-000-704.000	0.00	0.00	0.00	12.00	98.76	98.76	03/31/2016
RUNS	206-000-704.000	2.00	0.00	32.90	0.00	0.00	32.90	03/15/2016
STAWK	206-000-704.000	0.00	126.00	2,072.70	0.00	0.00	2,072.70	03/15/2016
STAWK	206-000-704.000	0.00	188.00	3,092.60	0.00	0.00	3,092.60	03/31/2016
		2.00	314.00	5,198.20	40.00	329.20	5,527.40	
10374 - STROM, RYAN J		Employee Totals:						
STAWK	206-000-706.000	0.00	12.00	159.00	0.00	0.00	159.00	03/15/2016
STAWK	206-000-706.000	0.00	12.00	159.00	0.00	0.00	159.00	03/31/2016
		0.00	24.00	318.00	0.00	0.00	318.00	
10399 - SKURSKI, MICHAEL J		Employee Totals:						
MEETING	208-751-703.000	4.00	0.00	200.00	0.00	0.00	200.00	03/31/2016
		4.00	0.00	200.00	0.00	0.00	200.00	

Employee Hours and Gross by GL Number Report
For Check Dates 03/01/2016 to 03/31/2016

Pay Code ID	Distribution	Sup Hours	Reg Hours	Reg Gross	Ot Hours	OT Gross	Gross	Check Date
10412 - VANDERMEY, THOMAS J								
STAWK	206-000-706.000	0.00	37.00	462.50	0.00	0.00	462.50	03/15/2016
STAWK	206-000-706.000	0.00	25.50	318.75	0.00	0.00	318.75	03/31/2016
Employee Totals:		0.00	62.50	781.25	0.00	0.00	781.25	
10417 - VANDER ROEST, LANDON C								
STAWK	206-000-706.000	0.00	12.00	155.00	0.00	0.00	159.00	03/15/2016
STAWK	206-000-706.000	0.00	23.50	311.38	0.00	0.00	311.38	03/31/2016
Employee Totals:		0.00	35.50	470.38	0.00	0.00	470.38	
10422 - VIDA, RICHARD								
MEETING	101-430-703.ZBA	1.00	0.00	60.00	0.00	0.00	60.00	03/31/2016
Employee Totals:		1.00	0.00	60.00	0.00	0.00	60.00	
10428 - WALTERS, KATHRYN N								
STAWK	206-000-706.000	0.00	50.50	669.13	0.00	0.00	669.13	03/15/2016
Employee Totals:		0.00	50.50	669.13	0.00	0.00	669.13	
10429 - WALTERS, CURTIS J.								
STAWK	206-000-706.000	0.00	24.00	318.00	0.00	0.00	318.00	03/15/2016
Employee Totals:		0.00	24.00	318.00	0.00	0.00	318.00	
10430 - WEATHERHOLT, DAVID R								
SALARY	101-253-702.000	0.00	0.00	1,791.67	0.00	0.00	1,791.67	03/15/2016
SALARY	101-253-702.000	0.00	0.00	1,791.67	0.00	0.00	1,791.67	03/31/2016
Employee Totals:		0.00	0.00	3,583.34	0.00	0.00	3,583.34	
10439 - WITKOP, WENDY L								
MEETING	101-430-703.ZBA	4.00	0.00	200.00	0.00	0.00	200.00	03/31/2016
SALARY	101-101-702.000	0.00	0.00	218.08	0.00	0.00	218.08	03/15/2016
SALARY	101-101-702.000	0.00	0.00	218.08	0.00	0.00	218.08	03/31/2016
Employee Totals:		4.00	0.00	636.16	0.00	0.00	636.16	
Grand Totals:		98.00	2,088.00	67,876.36	90.00	740.70	68,617.06	

3464 Kroupa Rd.
Traverse City, MI 49686
April 4, 2016

Peninsula Township Board
Peninsula Township
13235 Center Rd.
Traverse City, MI 49686

Dear Township Board Member:

Log Cabin Day this year is Sunday, June 26, 2016. On behalf of the Old Mission Peninsula Historical Society, this is a request to allow signage to promote the event and indicate direction to the historical sites, as follows:

- 1) Up to 20 directional/informational signs strategically located along Peninsula roads and at Lighthouse Park, directing people to and from Lighthouse Park for the Hessler Log Cabin and Mission Point Lighthouse, and to and from Old Mission for the Dougherty Mission House and Log Church. Signs to be placed before the event and removed shortly after.
- 2) A sign to be placed at Fire Station No. 2, ideally using the existing pole frame. The sign to be placed approximately a week before the event and removed shortly after.

Thank you for your consideration of this request.

Sincerely,



Laura Johnson
Log Cabin Day Committee
Old Mission Peninsula Historical Society

YOUNG, GRAHAM, ELSENHEIMER & WENDLING, P.C.

Attorneys at Law
104 E. Forest Home Avenue, P.O. Box 398
Bellaire, Michigan 49615
(231) 533-8635
Facsimile (231) 533-6225
pwendling@upnorthlaw.com

Bryan E. Graham
Peter R. Wendling
Eugene W. Smith

James G. Young, *Of Counsel*

MEMORANDUM

TO: Peninsula Township Board

FROM: Peter R. Wendling

DATE: March 23, 2016

SUBJECT: Status of land division issue

As discussed at the February, 2016 meeting our office has never received a response from Robert Cooney, the Grand Traverse County Prosecuting Attorney. This remains the case as of the date of this memo. Also discussed at the February meeting, the prosecuting attorney has, under the Land Division Act, the authority to take enforcement action if the prosecutor believes there has been a violation.

As everyone is aware, Mr. Cooney sent out a letter and a sample injunctive complaint based upon what he apparently felt could be a violation involving the Correia land split. In turn, attorney Bryan Graham responded to Mr. Cooney in writing and also had a discussion with Mr. Cooney. Two telephone calls were made subsequent to the letter sent by Bryan Graham and Mr. Graham's initial discussion with Mr. Cooney. No return call has ever been received from Mr. Cooney or anyone from his office to our firm. Mr. Cooney has taken no legal action whatsoever related this issue as of the date of this memo.

As previously stated, we believe that the sample injunctive complaint that Mr. Cooney drafted had numerous factual and legal positions which were erroneous and which we believe would not be supported if filed in the 13th Circuit Court based upon existing law. Our position regarding this matter has not changed. Our review of the facts and circumstances related to the land division had to do with the land division itself, and is not related to any individual, including the township supervisor. As also previously discussed, we were not aware of the land division when it took place in 2012, but only reviewed the matter upon request of the assessor and the township.

The township is free on any matter to always seek a second opinion from of the professionals it employs, whether it is the township attorney, township engineer or township accountant. We would only ask that if the township seeks a second legal opinion with respect to this matter, that it provide all of the materials on this matter, including all research and memos from our office to the township as well as materials from Mr. Cooney's office. I would note that prior to Mr. Cooney's original letter and sample injunctive complaint, it is my understanding he did not obtain information regarding this land division from the township nor did he request any information from our law office.

PRW/tac

YOUNG, GRAHAM, ELSENHEIMER & WENDLING, P.C.

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www.upnorthlaw.com

Bryan E. Graham
Peter R. Wendling

Eugene W. Smith
James G. Young, *Of Counsel*

M E M O R A N D U M

TO: Peninsula Township Board

VIA EMAIL

FROM: Bryan E. Graham

DATE: March 21, 2016

BEG

SUBJECT: Authority to sell safe boat

On March 7, 2016 the Peninsula Township Fire Board passed a motion that the safe boat should not be sold at this time. The question has now arisen whether the Fire Board or the Township Board has the ultimate authority to decide whether to sell that township asset.

As you know, the Township Board created the fire administrative board, known as the Peninsula Township Fire Board by resolution in early 2010. In Section 9 of the resolution the Township Board retained control of the fire department budget. The Fire Board, in subsection 10.c of the resolution, was given the authority "for creating and enforcing all policies and procedures related to the Peninsula Township Fire Department, including but not limited to . . . policies related to the acquisition and maintenance of emergency vehicles, apparatus, equipment, and other property of the fire department."

The Fire Board, as the creation of the Township Board, does not have the ultimate authority to decide if the safe boat should be retained or sold. Ultimately, that authority is vested in the Township Board.

If the Township Board desires to sell the safe boat, then this matter can be handled in one of two ways. The first, and more economical way, is for the Fire Board to rescind its motion and acknowledge the authority of the Township Board to decide whether to sell the boat. If the Fire Board is not willing to do that, then the Township Board can amend Section 11 of the resolution creating the Fire Board to read as follows:

Section 11. Powers Retained by Township Board.

In addition to control of the fire department budget as provided in Section 9 above, the Peninsula Township Board hereby reserves to itself the responsibility for determining the number of fire department employees

and the number and types of vehicles, boats, and equipment needed for the proper and efficient operation and maintenance of the fire department, after receiving a recommendation by the Fire Board.

This revised language makes clear that the Township Board retains the right to decide what vehicles and equipment are needed for the department. This authority was implied by the Township Board's retention of budgetary control. However, the revised language makes the authority expressly provided.

If there are further questions concerning this matter, or if the Township Board desires that we prepare the formal amendment to the resolution, please contact us.

BEG

Treasurer

From: cbelanger@co.leelanau.mi.us
Sent: Thursday, March 31, 2016 2:26 PM
To: treasurer@peninsulatownship.com
Subject: Safe Boat

David Weatherholt,

Thank you for meeting with us today and thank you to the firemen who gave us the tour of your fireboat. As we discussed, Leelanau County Sheriff's Office is interested in obtaining a Great Lakes patrol boat similar in size and make as your fire boat. If we can arrange it, we would like to bring some of our county commissioners out to see the boat as well.

Pending board approval, we will be seeking a Port Security grant to obtain a boat. Should Peninsula Township decide to dispose of the Safe Boat, Leelanau County would be interested in obtaining it for use as a Port Security Patrol Boat.

We would also like a few minutes of your April 12th Board Meeting to further discuss our interest in the boat. We would base the boat at Leland Harbor and it would be part of a larger Homeland Security/Port Security regional asset.

Sincerely,

Sheriff Mike Borkovich.

Marine Patrol Commander Charlie Belanger

Leelanau County Sheriff's Office
8525 E Government Center Dr
Suttons Bay MI 49682
Dispatch: 231-256-8600
Marine Patrol: 231-256-8650
Cell: 231-866-1733
Fax: 231-256-8611

Monica Hoffman

From: James C <GLSBCJC@hotmail.com>
Sent: Monday, April 04, 2016 8:51 PM
To: clerk@peninsulatownship.com
Subject: Bluff Rd. Speed Limit

Ms. Hoffman,

My name is Sandy Floraday and I live at 13617 Bluff Rd. I am writing you as I have been notified that the Township Board may be taking up the ongoing drive to reduce the speed limit on Bluff Rd., north of Blue Water.

I am hoping that if The Board does review this, as an agenda item, then this letter would be shared with Board Members during the review. While I could speak for the number of non vehicle users (dog walkers, joggers, bikers, casual walkers, and physical exercise walkers) that traverse this section of Bluff Rd, I will concentrate my concerns on my own use of the road, that being a physical exercise walker.

I walk Bluff Rd. everyday (rain, snow, sunshine, below zero, above 80) it does not matter as this is my daily exercise routine. I walk from my residence north to Mission Hills, up and around Mission Hills cul-de-sac, back down to Bluff Rd, south to approximately ¼ mile south of Blue Water, and then return to my home.

This part of Bluff Rd. has many bends and curves and there are times I do not see approaching cars, since they are blinded by one of the bends/curves, and equally so, they do not see me until we round a curve and are within each others view. Unfortunately, there is little time to react which causes the oncoming vehicle to swerve across the center line and for me to jump off the road and onto the berm. I have learned that I have an equal responsibility to jump off the road as there are times that a vehicle crosses the center line only to quickly return to the lane due to an unseen oncoming vehicle.

I am amazed at the number of times there is what I refer to as the “point of triangulation”, that being; myself, a north bound vehicle, and a south bound vehicle all end up at the same point. When we purchased our residence 18 years ago there was less traffic and thus the point of triangulation seldom occurred, but now it can happen 2 or 3 times during a single morning walk.

It saddens me to say that at the present rate of speed, there will someday be a tragic accident which may cause the loss of a precious soul. To this fact, the residents at 14088 Bluff Rd. have two grade school children who started using the bus service this past fall. The parents wait every morning with the children, at the end of the

driveway, and when the bus arrives, the children then cross over to the west side of the road and board the bus. This residence sits beyond one of the blind spots and I fear that a delivery truck will come around the corner and being weighted down, will have too much momentum to stop...thus that driver now has one of four choices to make in a split second...1) ditch the vehicle in the west ditch, 2) run into the back end of the bus, 3) swerve across the center line and hope both children jump out of the way, 4) swerve to the shoulder on the other side and hope the parents jump out of the way. I was so concerned about this specific situation that I sent a letter to the school district asking them to find a way to make this situation safer for all involved.

As you can see from the length of this letter, I am most concerned about the speed on this part of Bluff Rd. More than this though, I am concerned for the loss of a life due to blind spots, a highway speed limit, and continuous non vehicle use on the road.

I would like to invite any one of you to join me for a morning walk. You may venture down the road in your vehicle, and while this may provide you with a glimpse of the issues related to the curves and blind spot, what it does not afford you with is to actually face the vehicle coming towards you at 55 MPH and the unfortunate realization that you have to jump out of the way as you are not sure if they might have to swerve back towards you to avoid an oncoming car.

My final request is that you not only support and thus forward an official document to the Road Commission regarding a reduction of the speed limit but that you actually specify that you would like the speed limit set at 40 MPH based on the speed study, the percent variance as defined in the state guidelines, the six blind curves and bends on this part of Bluff Rd, and the amount of non vehicular traffic (bikers, walkers, roller bladders, and joggers) that utilize this road for leisure or exercise.

Thank you for your consideration into this matter!

Sincerely,

Sandy Floraday

13617 Bluff Rd,

Traverse City, MI 49686

Peninsula Township Board of Trustees
Monica Hoffman, Township Clerk
Peninsula Township
Grand Traverse County, Michigan

March 24, 2016

Dear Monica and Town Board Members,

Many thanks to Clerk Hoffman and Supervisor Correia for guiding our inquiry and how to direct our concerns and make this request.

We are requesting the Town Board support in urging the Grand Traverse County Road Commission (GTCRC) to adopt a Modified Speed * * Limit of 40 or 45 MPH on the approximately one and a half (1+1/4) mile long segment of north Bluff Rd. which is presently posted at the Statutory 55 MPH. This segment begins 2/10 of a mile north of the junction at Blue Water Rd., northbound, where a posted 55 MPH speed limit sign appears and increases the prevailing 45 MPH speed limit that guides traffic coming up Bluff Rd. for miles and miles from the south.

* * According to the current Michigan State Police booklet included here, "Establishing Realistic Speed Limits", the Michigan Vehicle Code (MVC) provides the basis for Modified speed limits in Section 257.628, primarily upon the setting a speed limit at the 85th percentile speed, based upon a Traffic Speed Study (Speed Study) of the road segment being addressed.

The 85th percentile speed is the highest speed at which 85% of vehicle traffic moves according to the Speed Study. The GTCRC Traffic Speed Study for this road segment was initiated and completed last August under specified *ideal conditions*. The Speed Study found the 85th percentile is the speed at which 85 % of the vehicle traffic speed is moving at 42.6 MPH or less, and according to the Michigan State Police, is the speed at which motor vehicle accidents are least likely to occur.

Therefore, with an 85th percentile speed of 42.6 MPH, our request is the speed limit for this segment be Modified to a posted 40 or 45 MPH. The mechanism for this modification is a Traffic Control Order generated and signed by the Director of the GTCRC, Mr. Jim Cook, and forwarded to the Michigan State Police for signature.

The conditions of this segment of north Bluff Rd. are noted by some "s" curves limiting visibility often combined with a narrow gravel shoulder and at times the absence of a vehicle's width gravel shoulder due to Bluff Rd's right of way adjacent to the East Bay.

According to the Statute, if there are hidden hazards of any exceptional nature, then a modified speed limit may be set within five to seven mph of the 85th percentile speed.

In addition, according to the Statute, there is no need to count the number of driveways and access points when requesting a *Modified* 40 to 45 MPH Modified Speed Limit. This is unlike cases of residential and business zones where a 25 MPH speed limit must be justified by such a count under Statute, unless in a home rule city or village where there is latitude to establish local speed limits.

As a matter of background, Bluff Rd. is a County controlled local collector road which begins at Center Rd., in Section 9 of Peninsula Township and meanders along the edge East Bay in a north, northeast direction.

From Center Rd. north, the first 25 percent of the road's length has a Modified speed limit posted at 35 MPH.

The next 55% of Bluff Rd.'s total length has a posted limit transitioned from the 35MPH to a Modified Speed Limit of 45 MPH, at a point near The Bluffs, and this 45MPH Modified limit remains in effect to the point 2/10 of a mile north of Blue Water Rd., where the 45MPH speed limit changes to a posted Statutory 55MPH speed limit. The 55 MPH limit remains in effect for a little more than 1 mile north to the point where Bluff Rd. terminates at the Boursaw curve.

This 55 MPH speed limit has been in effect to my knowledge since at least 1968, when uncle Jack built our current residence. Since that time, the amount of homes, access points and subdivision roads on north Bluff has increased, along with more vehicle, pedestrian, and bicycle traffic. There have been some conflicts, notably in summer months when we experience more tourist vehicles, which caused residents to request a review and a decision as to whether the current 55 MPH speed limit is safe, reasonable and realistic given current density and patterns.

Attached in pdf is the Michigan State Police publication for Establishing Realistic Speed Limits.

In addition to the Speed Study finding, isn't it sensible to continue on with the 45 MPH speed limit coming up Bluff from the south, rather than an abrupt change to posting 55 MPH a few hundred feet from the beginnings of a short segment of blind curves over such a short distance before the 55 MPH road segment ends at Boursaw's curve?

Peninsula Township Board of Trustees,
Monica Hoffman, Clerk,

March 24, 2016 Pg.4

We conclude the safe, realistic and reasonable speed limit for the segment of Bluff Rd. which is north 2/10 of a mile from the Blue Water Rd. junction, consistent with the Speed Study's finding of a 42.6 MPH 85th percentile and the GTCRC engineering review of this segment of Bluff Rd. last August is 45MPH.

We ask the Town Board's recognition and support at this Meeting, in presenting the request to the County Road Commission urging their Director to generate and sign the *Traffic Control Order* authorizing the *Modified Speed Limit* of 45MPH, based upon the 85th percentile finding, and that GTCRC submit this for the Michigan Department of State Police signature in the very near future.

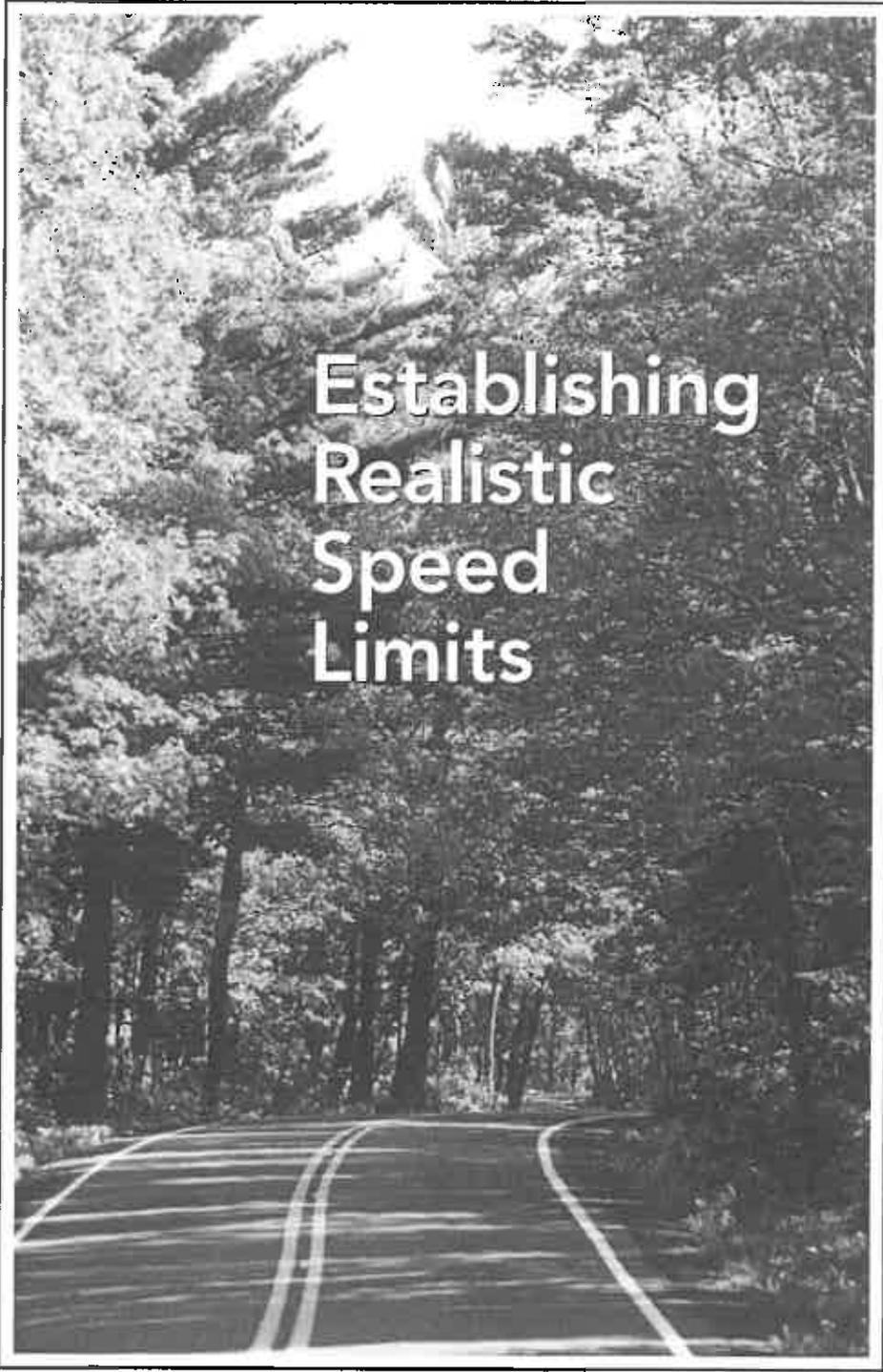
Our motivation is improving safety, achieving a safe and reasonable speed limit and the prevention of an injury or worse.

Respectfully,

Joe W. Gorka

Bluff Rd. Resident
Peninsula Township

Attachment: Michigan Department of State Police Publication



Establishing Realistic Speed Limits

Establishing Realistic Speed Limits

This publication updates the Setting Realistic Speed Limits booklet which was originally produced in the 1970s.

Technical references used to produce this booklet include:

Transportation and Traffic Engineering Handbook

Michigan Manual of Uniform Traffic Control Devices

Michigan State Police Standards for Traffic
Engineering Investigations

Uniform Vehicle Code, National Committee on
Uniform Laws and Ordinances

“Speed Zoning on Texas Highways,” Texas
Department of Highway and Public Transportation

Introduction

The purpose of a speed limit is to provide for the safety of all highway users. To meet this purpose a speed limit must be acceptable to the public and be enforceable by police. This booklet provides background information regarding how this purpose is met through establishing realistic speed limits.

From a historical perspective, the imposition of speed limits became necessary because of changing times and conditions. In the early days of the automobile, the difference between rural and urban areas was well defined. Thus, it was simple to set speed limits—one for the open countryside and one for population centers.

With the spread of urbanization and the development of suburban communities, the situation changed. The differences between rural and urban areas became less clearly defined. During this same period, the number of motor vehicles and their speeds increased as did the number of miles traveled. A need developed for modified speed limits in these transitions between rural and urban areas.



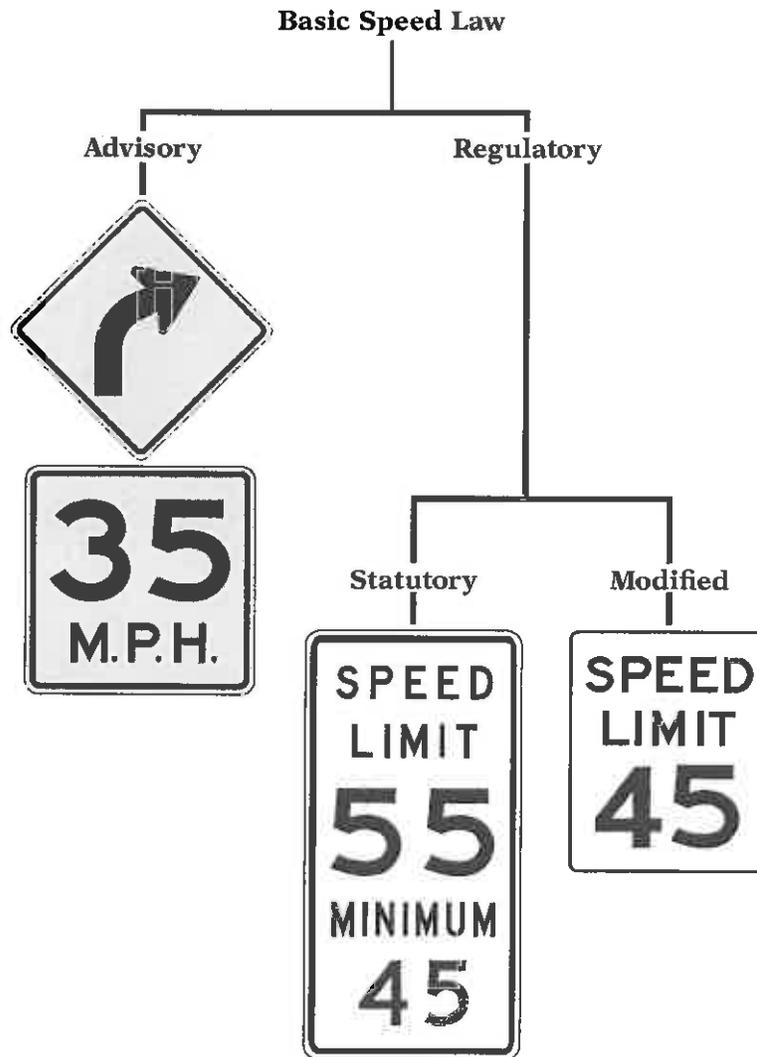
Types of Speed Limits

The basis of all speed limits predicated upon the nationally accepted principle that the majority of drivers are cautious, prudent and drive at speeds that are reasonable and proper, regardless of the posted speed limit. This “reasonable and proper” theme is part of the Basic Speed Law as set forth in the Michigan Vehicle Code. In part it reads:

“A person driving a vehicle on a highway shall drive at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to the traffic, surface, and width of the highway and of any other condition then existing. A person shall not drive a vehicle upon a highway at a speed greater than that which will permit a stop within the assured, clear distance ahead.” [Sec. 257.627]

In other words, motorists must always drive at a speed which allows them to stop safely. The Basic Speed Law governs the speed of all drivers regardless of any posted speed limits. This is an important point because there are several types of speed limits.

The following chart shows the types of speed limits in use in Michigan:



Advisory speed limits are recommended safe driving speeds to alert drivers of the maximum recommended speed through a curve or for other special roadway conditions. They are posted only in combination with an appropriate warning sign. *Advisory* speeds are not enforceable in Michigan courts except under the *Basic Speed Law* provisions.

Regulatory speed limits are enforceable and are categorized as either statutory or modified.

Statutory speed limits are set either as maximum/minimum speed limits or a *prima facie* restrictions. *Prima facie* is Latin for “on the face of it” and is the speed limit under most conditions. These limits are established by the legislature and apply throughout the State. An example of maximum/minimum speed limits is freeway limits. There are also maximum speed limits set for school buses, heavy trucks and other special vehicles. *Prima facie* restrictions are primarily for residential and business districts and city and village streets and highways.

Modified speed limits are utilized in areas requiring speed limits between the statutory maximum speed limits on state and country roadways and the 25 mph *prima facie* speed limits in business and residential areas. These *modified* speed limits are established by administrative action based upon a traffic engineering study. They can only be set by agencies having legal authority and jurisdiction over the respective roadway. These *modified* speed limits are often referred to as absolute speed limits and are not to be exceeded regardless of conditions.

The remainder of this booklet describes how modified speed limits are established and the responsibilities we all share in their implementation.

Authority to Establish Speed Limits

The Michigan Department of Transportation and county road commissions working with the Michigan Department of State Police, are authorized to establish modified speed limits. Representatives from these agencies comprise a traffic survey team which consists of an engineer and a state police officer. They conduct studies and recommend speed limits on state and county roadways including those within cities and villages.



The speed limits on streets under the jurisdiction of cities and villages are determined solely by the local authorities.

The establishment or review of speed zones originates for a variety of reasons. These may be road construction, changes in land use, violations, crashes, or poor compliance with an established speed limit. A study may also be conducted following a spectacular traffic crash or through periodic reviews. Usually, speed zones are reviewed as a result of concerns expressed by interested citizens who live nearby or drive along the roads in question. Their concerns are referred to the traffic survey team for review.

Occasionally citizens or public officials under citizen pressure, request that a particular speed limit be imposed or that some other type of corrective action be taken. For example, the idea persists that simply posting lower speed limits in the community will reduce speeds and improve safety. Any decisions regarding speed limits must be based on facts and an objective analysis of the characteristics of the roadway.

Once a study begins, the person requesting the survey may be contacted for further input or clarification of the problem. If a group of persons is involved, the traffic survey team may conduct a public meeting to explain why a study is necessary, what types of data will be collected and how the speed limit evaluation will be conducted. The meeting also provides an opportunity for public comment on proposed speed study locations, crash experience and other factors which may have a significant impact on the evaluation. The traffic survey team also requests input and participation of local representatives in the process.

The traffic survey team then gathers all the information needed to analyze the roadway conditions. This includes: speed studies, traffic crash data, the driving environment, and other pertinent information.

Speed Limit Survey

Before discussing the gathering and analysis of the speed study data, there are some facts about driver behavior which are the basis of all traffic laws, including modified speed limits.

Driver behavior is an extension of societal attitudes. Most drivers respond to traffic regulations in a safe and reasonable manner as demonstrated by their consistently favorable driving records. Traffic laws which reflect the behavior of the majority of motorists are usually respected and obeyed. In order for any traffic law to be enforceable, voluntary compliance must be practiced by the vast majority of drivers so violators can be easily identified. Realistic speed limits reflect this fact and recognize that unreasonable restrictions encourage widespread violations and disrespect for the entire traffic control system. Arbitrary laws unnecessarily restrict drivers, encourage violations and lack public support.

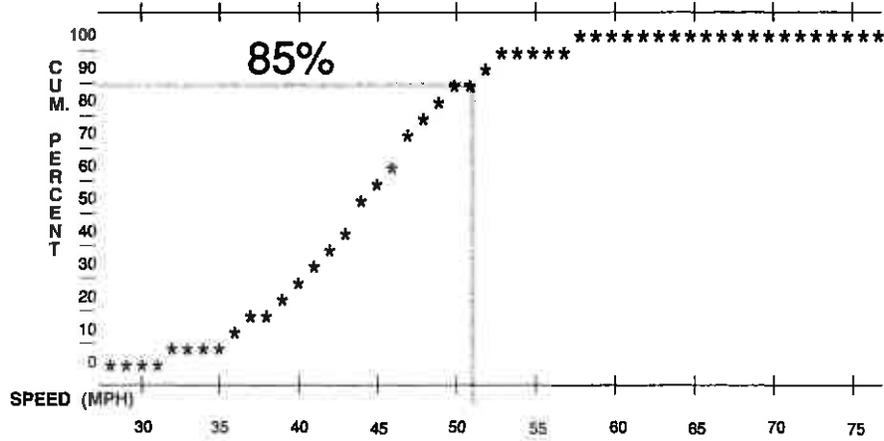
Posting unrealistically low speed limits may create a false sense of security. Actually, studies show that the driving environment, not the posted speed limit, is the main influence on motorists' speeds.

Speed Studies

Speed studies are taken during light to medium traffic conditions on a weekday. Rush hours and adverse weather conditions are avoided because they do not represent normal, free-flow traffic. Areas such as intersections, railroad tracks, or other

Speed Distribution Graph

Figure 1



DIRECTION(S) E-W
 DATE 01/10/91
 TIME 1:30 PM
 POSTED SPEED LIMIT 45

50TH PERCENTILE SPEED 45
 85TH PERCENTILE SPEED 51
 10 MPH PACE SPEED 40 through 49
 PERCENT IN PACE SPEED 63.3
 PERCENT OVER PACE SPEED 18.8
 PERCENT UNDER PACE SPEED 17.9
 RANGE OF SPEEDS 28 to 61
 VEHICLES OBSERVED 218
 AVERAGE SPEED 44.6

SPEED	NO.	PCT.	CUM. PCT.
30	2	0.9	1.4
31	1	0.5	1.8
32	2	0.9	2.8
33	4	1.8	4.6
34	3	1.4	6.0
35	2	0.9	6.9
36	6	2.8	9.6
37	7	3.2	12.8
38	4	1.8	14.7
39	7	3.2	17.9
40	12	5.5	23.4
41	12	5.5	28.9
42	10	4.6	33.5
43	17	7.8	41.3
44	15	6.9	48.2
45	15	6.9	55.0
46	14	6.4	61.5
47	18	8.3	69.7
48	16	7.3	77.1
49	9	4.1	81.2
50	8	3.7	84.9
51	5	2.3	87.2
52	9	4.1	91.3
53	4	1.8	93.1
54	3	1.4	94.5
55	3	1.4	95.9
56	2	0.9	96.5
57	1	0.5	97.2
58	2	0.9	98.2
59	0	0.0	98.2
60	2	0.9	99.1
61	2	0.9	100.0

factors that will influence speed are avoided. Since modified speed limits are the maximum allowable speeds, the conditions under which speed studies are taken must be close to ideal.

The primary basis for establishing a proper, realistic speed limit is the nationally recognized method of using the 85th percentile speed. This is the speed at or below which 85% of the traffic moves. For example, if 85 of each 100 motor vehicles were recorded at 45 mph or under, then 45 mph is the 85th percentile speed.

Historically, before and after traffic engineering studies have shown that changing the posted speed limit does not significantly affect the 85th percentile speed. The driving environment, which includes other traffic on the road and roadway conditions, is the primary factor which influences the prevailing speed.

The driving environment is reflected by the 85th percentile speed. The majority of drivers, consciously or unconsciously, consider the factors in the driving environment and travel at a speed that is safe and comfortable regardless of the posted speed limit.

The speed data are collected by recording the speeds of free flowing motor vehicles using a radar or other speed measuring device. A representative sample of vehicular speeds is recorded and these speeds would include local residents who drive through the zone.

Use of the 85th percentile speed acknowledges that 15% of the drivers are traveling above a speed that is reasonable and proper. This is the 15% of motorists at which enforcement action is directed. Studies have shown that this is the group of motorists that cause many of the crashes and have the worst driving records.

There are other parameters used to evaluate speed data, such as the average, median and pace speeds. However, the 85th percentile speed is the most critical criterion in establishing realistic speed limits.

Traffic Crash Data

Contrary to popular belief, lower speed limits do not necessarily improve safety. The more uniform the speeds of vehicles in a traffic stream, the less chance there is for conflict and crashes. Posting speed limits lower or higher than what the majority of drivers are traveling produces two distinct groups of drivers: those attempting to observe the speed limit and those driving at a speed they feel is reasonable and prudent. These differences in speeds can result in increased crashes due to tailgating, improper passing, reckless driving, and weaving from lane to lane. However, the number of traffic crashes along any highway is related to numerous factors.

Regardless of the roadway involved, there is a statistical number of crashes that can be expected to occur no matter how safe a roadway is made. The traffic survey team determines if the number of crashes is unusually high by analyzing the crash rate for the section of roadway under study. A crash

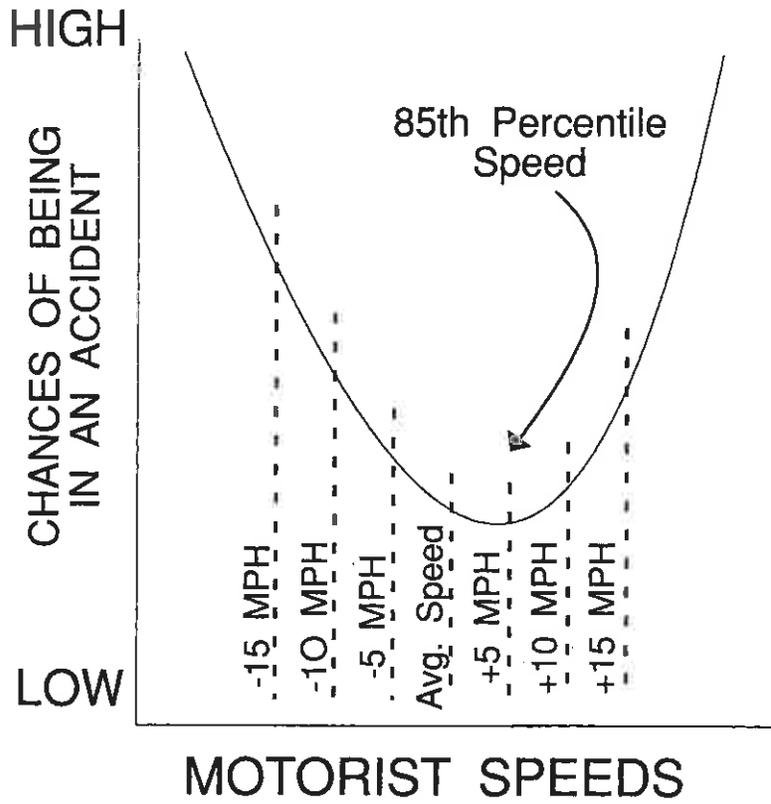


rate is based on the number of crashes and amount of traffic for a given segment of roadway. The traffic crash pattern is then taken into consideration when determining the speed limit.

Investigations of crashes reveal that in the majority of cases there was a clear violation of a traffic law or rule of good driving. A review of crash experience is an important component of any analysis of speed limits. Proper analysis and evaluation of these factors require the experience and expertise of the traffic survey team.

Studies have been conducted over the years to relate crashes to speed. Based on these studies and as illustrated in the graph, the lowest risk of being involved in a crash occurs at approximately the 85th percentile speed.

Accident Involvement vs. Motorist Speeds



Source: "Speed Zoning on Texas Highways" State Department of Highways and Public Transportation, Austin, Texas, October 1990 Figure 2

Driving Environment

The design, physical condition, and use of a roadway has a profound effect on vehicle speeds because motorists vary their speeds depending on the driving environment. The traffic survey team considers significant items in the driving environment which are all reflected in the 85th percentile speed. For example these may include: traffic volumes, road-side development, roadway and shoulder widths, condition of the roadway, and the number of lanes, intersections, driveways, hills, curves, sidewalks, schools, parks, and any other factors recorded by the team.

The traffic survey team makes a personal inspection of the roadway to verify the accuracy of their data. They drive the roadway to determine if there are any hazards not readily apparent to the motoring public. Sometimes consideration is given to reduce a speed limit due to a certain condition. If a hazardous condition is found, an attempt should be made to



correct it. If it cannot be corrected, consideration should be given to posting an advisory speed control sign or, if several conditions are present, then the speed limit may be reduced. Of particular concern are hills and curves where vision is restricted. On long stretches of roadway, one or two hills or curves should not dictate the speed for the entire roadway. Motorists are warned of the reduced sight distance through the use of warning signs with advisory speed controls.

The number of changes in the speed limit along a given route should be minimized. With this in mind, the length of the speed zone should be a least one-half mile. Survey team members base their recommendation on the conditions that exist at the time of their evaluation and should not attempt to consider such things as future growth, anticipated enforcement, or concerns for something that hasn't happened.

Realistic speed limits provide for a uniform and orderly movement of traffic. There is a need for uniformity on all roadways especially where they carry large volumes of traffic through various roadside conditions or numerous adjoining communities.

Recommendation

Once all the data have been collected and reviewed by the traffic survey team, the facts are analyzed and a recommendation is made. When the survey members agree that a modified speed zone should be established, their proposal is communicated to the requestor as well as any local units of government. If requested, a public presentation of their findings may be conducted. While local concurrence is desirable, it is not required by law. If the traffic survey team agrees that a modified speed limit is not justified, or if they cannot agree on a recommendation, the survey is concluded with no change in the existing speed limit.

The traffic survey team then submits a written report of their findings and recommendations to their respective agencies. When a modified speed limit is recommended, a Traffic Control Order is submitted to the respective road agency and the Director of the Michigan Department of State Police for their approval and signatures.

Posting Speed Limit Signs

The modified speed limit becomes effective when the Traffic Control Order has been signed by both agencies, a copy of the order has been filed with the County Clerk and the signs have been installed. The *Michigan Manual of Uniform Traffic Control Devices* sets forth standards for installing speed limit signs and specifies the size, shape, color and location of the signs.

Signs should be installed at the start of a zone, beyond major intersections and at approximately one-half mile intervals. The speed limit is established in increments of 5 mph, as close as possible to the 85th percentile speed. "REDUCED SPEED AHEAD" signs may be posted to advise motorists of speed limit reductions. These signs are not normally required in urban areas where speeds are relatively low.

Generally the entire speed survey process from request to signs being posted takes anywhere from 3 to 9 months, depending on the complexity of the situation.



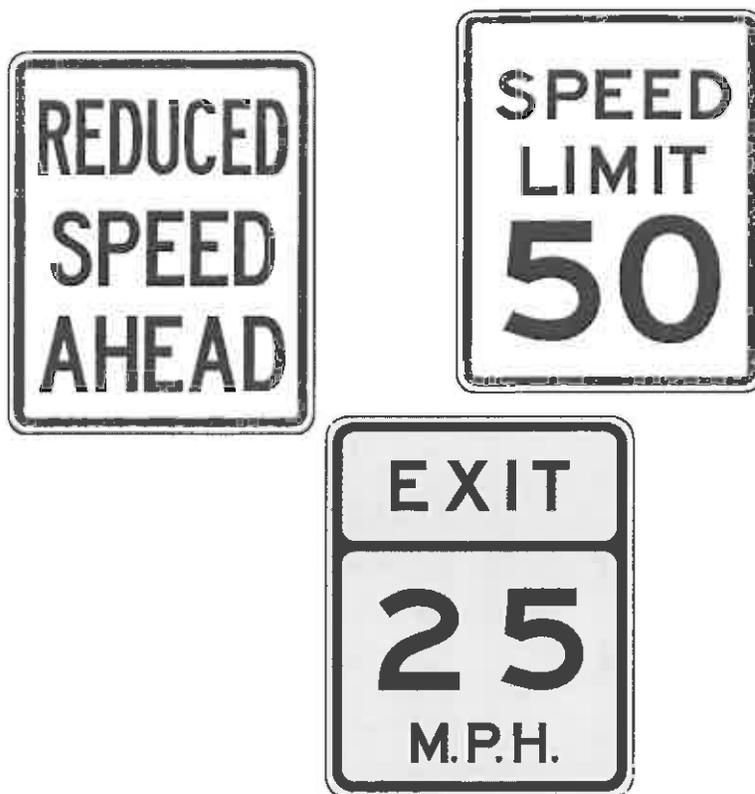
Summary

Realistic speed limits are important for safe highways. A few points to remember about realistic speed limits are that they:

- Represent maximum speeds under ideal conditions and when conditions change, drivers must accordingly reduce their speed;
- Reinforce the credibility and acceptance of all traffic control devices;
- Provide smooth, orderly flow of traffic, a major factor in preventing highway crashes;
- Offer an effective traffic enforcement tool for police by clearly separating the flagrant violator from the majority of drivers; and
- Are based on the 85th percentile speed which is the *most critical* criterion in establishing realistic speed limits.

Realistic speed limits provide for a uniform and orderly movement of traffic. Some of our roadways carry large volumes of traffic through various roadside conditions and through numerous adjoining communities. It is important to encourage smooth traffic flow, not only for safety, but for the convenience and economy of every motorist.

Speed limits are based upon driving speeds—yours, your neighbors, and a percentage of everyone traveling on a roadway. You have shown that you are concerned about speed limits just by taking the time to read this booklet. Please obey the speed limit, not only on your street but on all street and highways of our state.



The Office of Highway Safety Planning wishes to express thanks to the Traffic Engineering Enforcement Committee.



Office of Highway Safety Planning
4000 Collins Rd
PO Box 30633
Lansing, MI 48909-8133
(517) 336-6477

Monica Hoffman

From: Howard Lyman <ablyman999@gmail.com>
Sent: Monday, March 28, 2016 4:59 PM
To: clerk@peninsulatownship.com
Subject: Old Mission School Resolution Materials
Attachments: Green Lake Resolution.docx; SFP-Update-January-25-2016-BOE-FINAL.pdf; TCAPS 2015 comprehensive-annual-financial-report.pdf; TCAPS-Boundary-Map-color-08_rev.pdf; 2008 Close Eastern.docx; TCAPS 2007 School Closings.pptx; Peninsula Resolution Draft.docx; OP ED REM.docx; Peninsula School District.xlsx

Good Afternoon,

I know you only asked for the Green Lake Township Resolution but I think the Township Board needs more information. They also need to determine an approach for their resolution. Some possibilities are:

1. The importance of the school to the community
2. The TCAPS process leading to the closing recommendation is flawed.
3. There are other alternatives that can save \$400,000 a year.
4. Support for a Regional Enhancement Millage to provide a continuity of TCAPS services.(including outlying schools)
5. That small schools have an educational purpose and should be a choice, just like Montessori, IB, etc.

The following documents are attached for your consideration, they mostly suggest a flawed process.

1. Green Lake Township Resolution
2. SFP Update January 26 (The TCAPS closing recommendation)
3. TCAPS 2015 Comprehensive Financial Report (See page 149-50 for school capacities over the last 10 years.
4. TCAPS Boundary Map
5. 2008 Close Eastern Map (page 23 from the 2007 School closing recommendations) (Note: The OM focus group was specifically prohibited from making the recommendation to redistrict)
6. 2007 Recommendation to close three elementary schools.(note that on page 21, you will find that Old Mission was specifically excluded from closing consideration due to recent reconstruction. In 2015 the criteria was changed to less than 200 students to consider closure.)
7. Peninsula Township Draft Resolution (Draft 2) These are ideas to impeach the TCAPS process with comparisons to the 2007process.
8. My OP ED REM (Regional Enhancement Millage) that appeared in the Record Eagle proposing new revenue.
9. Peninsula School District Spreadsheet (shows funds sent to TCAPS, etc as well as how much would be available for an independent Peninsula School district)

If anyone would like to go over this material, feel free to call 443 243 7042.

Brad Lyman

Green Lake Township

Resolution Regarding Local Charter School

Resolution Number: 02292016.1

Whereas the Interlochen Elementary School did not join the Traverse City Area Public School system until 1968, and was an independent school up to that point in time; and

Whereas it is the belief of the Green Lake Township Board, that implicit in the decision to join the Traverse City Area Public Schools, was an agreement that the Interlochen Elementary School would not be shut down; and

Whereas several other satellite communities in Grand Traverse County have chosen to belong to other school districts, including Kingsley, Fife Lake and Williamsburg; and

Whereas the Green Lake Township Board believes a geographical bias exists within the Traverse City Area Public Schools administration in favor of facilities and services located closer to the center of Traverse City; and

Whereas the Green Lake Township Board believes the administration of the Traverse City Area Public Schools decided immediately after the failure of the last Capital Improvements Millage in 2013, before the issue of declining enrollment was ever raised, to take punitive action against Green Lake Township for failing to pass the millage, as evidenced by the statement of the school board vice-president in January 2014, that she did not realize school closings were on the table if the millage failed; and

Whereas the Green Lake Township Board believes that the cloud that has hung over the Interlochen Elementary School for the past two years, of the threat of closure, has been a contributing factor to the decline of enrollment at the Interlochen Elementary School, as evidenced by the huge drop in enrollment in the school year following the threat, from 239 students to 192 students, primarily new kindergarten students being enrolled in other schools; and

Whereas the Green Lake Township Board believes the shuttling of numerous Principals into and out of the school in recent years has also contributed to the decline in enrollment and to a decline in the reputation of the school; and

Whereas the Traverse City Area Public School administration is ultimately responsible for the failure of Interlochen Elementary School to attract, and to retain, students; and

Whereas the Green Lake Township Board believes other actions could be taken by the Traverse City Area Public Schools to save the purported expenses projected to be saved by closing the Interlochen Elementary School, and that due diligence has not been exercised in regard to fully exploring these numerous other options; and

Whereas demographic statistics indicate that there are approximately 374 students, grades Kindergarten through 5th grade, currently residing in the Interlochen Elementary School District, with an average of 82 kids per year, of pre-school age, also living in the district, which leads to a near term projected increase up to 492 students of grade school age in the district if the trend continues; and

Whereas the Green Lake Township Board is convinced that with the threat of closure removed, and with appropriate attention and resources being directed toward the Interlochen Elementary School, the number of students attending the school could be greatly expanded given the large number of school age students and pre-school age students currently living in the Interlochen Elementary School district; and

Whereas by deed the Interlochen Elementary School building reverts to the Interlochen Center for the Arts when it is no longer used for "public school purposes"; and

Whereas the taxpayers of Green Lake Township have the right to expect that some of their tax dollars should be returned to the community in which they live, through the location of a grade school in their community; and

Whereas the parents of the children in Green Lake Township have the right to enjoy the convenience and security of having their grade school, that their young children are attending, be in close proximity to their homes; and

Whereas the children of Green Lake Township deserve a local grade school, in order to meet and bond with their fellow neighborhood children, to be able to attend special school events in a close community atmosphere, and which will help form the future foundation of the community; and

Whereas Green Lake Township has been made aware of significant interest from parents and other citizens in Green Lake Township in maintaining a local community grade school; and

Whereas historically in Michigan townships have been involved in helping to create schools and school districts.

NOW THEREFORE, IT IS HEREBY RESOLVED:

1. That the Green Lake Township Board urges the school board members to recognize that grade schools located in satellite communities of Grand Traverse County deserve special consideration as "community schools" when it comes to trying to save expenses by closing schools, and that with their students being siphoned off by open enrollment and programs like Talented and Gifted, they can't be expected to attract and retain students at an economical level when they are neglected and with the constant threat of closure hanging over them, and for them to consider that the loss of revenues from students leaving the district, at over \$7,000.00 per student per year, which is more likely in a satellite community, will cost the school district more money than it will save by closing the school, and in recognition of the increasing number of potential students in the district, that the school board should decide that closure will no longer be considered until after strenuous efforts have been made to make Interlochen Elementary School a high quality, attractive school and not until other options for saving expenses have been more fully and thoroughly explored and future revenue amounts reviewed.

2. That should the Traverse City Area Public schools choose to close the Interlochen Elementary School, the Green Lake Township Board authorizes and directs the use of township resources to contact every parent in the township to determine if they would have an interest in their children attending a charter grade school located in or near the Village of Interlochen in Green Lake Township.

3. The Green Lake Township Board further directs that a copy of this resolution and an immediate written notice be sent to the members of the Traverse City Area Public Schools Board of Education requesting their written agreement, should they decide to close the Interlochen Elementary School, to honor the deed restrictions and to immediately release their rights to the Interlochen Elementary School property and buildings upon notice that a charter school has been created made up of local school children and is ready to operate a grade school at the location, and requesting their cooperation with preliminary requirements such as allowing building inspections, and asking that they consider offering to authorize the charter school, such as they do with the Greenspire Middle School in Traverse City.

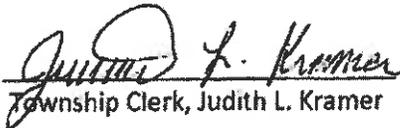
Dated: 3/1/2016


Paul Biondo, Supervisor
Green Lake Township

CERTIFICATION

The undersigned being the duly qualified and acting Clerk of the Township of Green Lake hereby certifies: (1) the foregoing is a true and complete copy of a resolution duly adopted by the Board of Trustees of the Township at a special meeting held on February 29, 2016, at which meeting a quorum was present and remained throughout, (2) that an original of said resolution is on file in the records of the Township, (3) that the meeting was conducted and public notice was given pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended), and (4) that minutes of such meetings were kept and will be made available as required by law.

Dated: 3/1/2016


Township Clerk, Judith L. Kramer

11/26/72



Prepared in The Law Office of
MURCHIE, CALCUTT & BROWN
405 State Bank Building
Traverse City, Michigan

LIBER 331 PAGE 718

AGREEMENT

THIS AGREEMENT, made and entered into this 8th day of
June, 1972, by and between SCHOOL DISTRICT OF THE
CITY OF TRAVERSE CITY, a municipal corporation, hereinafter re-
ferred to as "First Party", and THOMAS LLOYD HOFFMAN and IRENE
HOFFMAN, husband and wife, and ISMA H. HOFFMAN, hereinafter
referred to as "Second Parties" ;

WITNESSETH:

WHEREAS, on the 22nd day of April, 1955, Second Parties exe-
cuted and delivered to Old Mission Peninsula School District, a muni-
cipal corporation, a warranty deed conveying property therein described
situated in the Township of Peninsula, County of Grand Traverse, State
of Michigan, and which deed was recorded on June 20, 1955, in Liber
206, page 601, Grand Traverse County records, in which deed a right-
of-way was reserved to Second Parties in the following language, to-wit:

"Reserving, however, to the grantors, their heirs and
assigns, the right-of-way for purposes of ingress and
egress across the North 20 feet of the above-described
parcel."

and

WHEREAS, it now appears that the reservation as worded in said
warranty deed did not express the true intent of the parties to said deed;
and

WHEREAS, all right, title and interest of Old Mission Peninsula
School District to the property described in said warranty deed has since
been transferred to First Party;

REGISTER'S OFFICE
SERIALIZED 10/24/72 BY [unclear] } RECORDED 11/4th of June
1972 AT 3:45 PM
Deanna Helfrich REGISTER

NOW, THEREFORE, IT IS AGREED that the reservation of a right-of-way in said warranty deed may be and is hereby reformed to read as follows:

"Reserving, however, to the grantors, their heirs and assigns, a right-of-way for purposes of ingress and egress for farm purposes across a 20-foot strip of land lying Southeasterly of and immediately adjacent to the Northwest boundary of the property hereby conveyed. "

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

In the Presence of:

SCHOOL DISTRICT OF THE CITY OF TRAVERSE CITY

Eleanor A. Okulanis
Eleanor A. Okulanis

By: Bob D. Hilty
Bob D. Hilty, President

Shirley A. Wehr
Shirley A. Wehr

By: Ida M. Tompkins
Ida M. Tompkins, Secretary

Robert B. Murchie
Robert B. Murchie

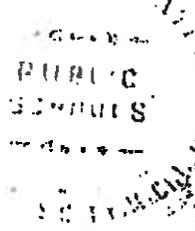
Thomas Lloyd Hoffman
THOMAS LLOYD HOFFMAN

Dorothy Melichar
Dorothy Melichar

Irene Hoffman
IRENE HOFFMAN

Isma H. Hoffmann
ISMA H. HOFFMANN

STATE OF MICHIGAN)
) ss.
COUNTY OF GRAND TRAVERSE)



On this 12th day of June, 1972, before me, a Notary Public in and for said County, appeared Bob D. Hilty and Ida M. Tompkins, to me personally known, who, being by me duly sworn, did each for himself say that they are respectively the President and the Secretary of SCHOOL DISTRICT OF THE CITY OF TRAVERSE CITY, the corporation named in and which executed the within instrument, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Education; and said Bob D. Hilty and Ida M. Tompkins acknowledged said instrument to be the free act and deed of said corporation.

Shirley A. Wehr
Shirley A. Wehr
Notary Public, Grand Traverse County, Michigan.
My commission expires: July 22, 1974

STATE OF MICHIGAN)
) ss.
COUNTY OF GRAND TRAVERSE)

On this 8th day of June, 1972, before me, a Notary Public in and for said County, personally appeared THOMAS LLOYD HOFFMAN and IRENE HOFFMAN, husband and wife, and ISMA H. HOFFMAN, a woman, to me known to be the same persons described in and who executed the within instrument, who acknowledged the same to be their free act and deed.

Dorothy Melichar
Dorothy Melichar
Notary Public, Grand Traverse County, Mich.
My commission expires: July 29, 1972.

RECORDED IN DEEDS

204 532

Recorded December 8, 1954
at 11:10 o'clock A.M.
Liber 304 of Deeds, Page 332
Robert F. Giffin
Notary Public

WARRANTY DEED - 401
(Grand Traverse County)

Under Signature, made this 3rd day of December 1954,
WILLIAM RAYMOND CARROLL and WILMINA CARROLL, husband and wife,

and
OLD MISSION PENINSULA SCHOOL DISTRICT, a Municipal Corporation, of Grand Traverse County, Michigan, of the first part.

Witnesseth, That the said parties of the first part, for and in consideration of the sum of One Dollar and other good and valuable consideration therein in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, do hereby grant, bargain, sell, convey, release, alien and confirm unto the said party of the second part, and its heirs, assigns, executors, administrators, legal representatives and assigns, all that certain place or parcel of land situate and being in the Township of Peninsula County of Grand Traverse and State of Michigan, and described as follows, to-wit:

That part of Section 33, Town 29 North, Range 10 West, more fully described as follows: Commencing at the East one-quarter part of said Section 33; thence West (assumed) along the East and West one-quarter line, 1,997.25 feet to the point of beginning; thence North 1° East 671.23 feet; thence South 39° 46' East 75.0 feet; thence South 16° 41' West, 156.27 feet; thence South 1° West, 521.22 feet; thence West 33.0 feet to the point of beginning.

File
33 feet
existing
"ESM"

(Consideration less than \$100.00. No revenue stamps required.)

Together with all and singular the benefits and appurtenances thereto in anywise appertaining: To Have and to Hold the said premises, to be had and enjoyed by the said party of the second part and to its heirs, assigns, executors, administrators, legal representatives and assigns, unto the said William Raymond Carroll and Wilmina Carroll, parties of the second part, their heirs, executors and administrators, do covenant, grant, bargain and agree and bind with the said party of the second part and its heirs, assigns, executors, administrators, legal representatives and assigns, that all the title of the premises and delivery of these presents they are well seized of the above granted premises in fee simple and they are free from all incumbrances whatsoever.

and that they, all, or their heirs, executors, and administrators shall forever and defend the same against all lawful claims whatsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals, the day and date first above written.

Witness my hand and seal of office this 3rd day of December 1954.
Notary Public
Robert F. Giffin
Notary Public
Grand Traverse County, Michigan
William Raymond Carroll
Wilmina Carroll

STATE OF MICHIGAN }
County of Grand Traverse }
On this 3rd day of December 1954,
before me, a Notary Public,
in and for said County, personally appeared WILLIAM RAYMOND CARROLL and WILMINA CARROLL,
husband and wife,
to me known to be the same persons described in and who executed the within instrument, who
acknowledged the same to be their free act and deed.
My commission expires Dec. 17 1954.
Robert F. Giffin
Notary Public
Grand Traverse County, Michigan

FOR DOCUMENTARY STAMPS

12/8/54
Ruth Foreman

To: Peninsula Township Board

From: Michelle Reardon  Planning & Zoning Department

Re: Planning & Zoning Report

Date: April 4, 2016

Three (3) enforcement citations have been issued to Bonobo Winery for violation of the Special Use Permit. Specifically, the winery has hosted guest activity uses without the Township Board approval. The violations occurred on January 15, February 11, and February 12, 2016. On March 3, 2016 a letter was issued to the winery providing a fifteen (15) day notification of the violations, and notice that future scheduled events will also be treated as a violation, as required by section 4.2.1 of the Zoning Ordinance. The citations were issued on March 18, 2016. A hearing regarding these citations is scheduled for 1:30 PM on April 20, 2016 at the 86th District Court in Traverse City. Staff continues to monitor operations at the winery and shall issue citations for future violations as necessary.

Five (5) residential LUPs (accessory structures and additions to pre-existing structures) have been issued since our last Township Board meeting.

The Mission Point Lighthouse South Face Project is currently in the bid process. Two contractors attended the mandatory walk-through held on March 17, 2016; National Restoration, Inc. and Mihm Enterprises, Inc. Bids are due today, April 4, 2016 at 4 PM.

The Planning Commission continues to review Amendment #190; the outstanding issue pertains to pre-existing private roads. Consensus is anticipated in April from this Commission and these text amendments will be forwarded to the Township Board upon completion.

The Planning Commission has begun the 5-year review of the Master Plan. Staff continues to compile fact book materials as requested by the Planning Commission for this process.

The planning consultant has prepared the draft of the new Zoning Ordinance. Staff is currently reviewing this document. Presentation of this document will be at the April 18, 2016 Planning Commission meeting at 5:30 PM. **I would like to suggest this meeting be a joint meeting with the Township Board.**

Feel free to contact me should you have any questions.

To: Peninsula Township Board

From: Michelle Reardon,  Planning & Zoning Department

Re: Fifarek Variance Application Fee – Request for Return

Date: April 5, 2016

Chris Fifarek was pursuing the use of his barn for a fundraiser to support a local nonprofit under the Special Open Space Uses special use as defined and regulated by Sections 8.7.2 (3) and 8.7.3 (3) of the Ordinance. The pre-existing structure proposed to be used as part of this application needs a dimensional variance from the standard outlined above prior to application for the special use permit. Mr. Fifarek submitted an application to the ZBA to be heard at the March 10, 2016 meeting.

During review of the application staff discovered the need for four (4) dimensional variances rather than the three (3) that were published (attached). Specifically, the applicant needed an additional 30 foot variance from the required 200 foot setback from any property or street line.

This omission required that the item be pulled from the March meeting agenda and re-published for the regular April meeting of the ZBA. The applicant also had the option of requesting a special meeting prior to the April meeting. The applicant chose to have the withdraw the request due to timing of the proposed use in 2016 and is now requesting a refund of his variance application fee of \$375.

Feel free to contact me should you have any questions.

LEGAL NOTICE

PENINSULA TOWNSHIP
ZONING BOARD OF APPEALS
NOTICE OF HEARING

PLEASE TAKE NOTICE that the Peninsula Township Zoning Board of Appeals will hold a regular meeting on March 10, 2016 at 7:00 PM at the Peninsula Township Hall, 13235 Center Road, Traverse City, MI 49686, (231) 223-7322. The following applicants will be heard:

Request No. 843, Zoning A1

Applicant: Chris Fifarek, 13046 Center Rd., Traverse City, MI 49686

Owner: Christopher Fifarek & Melissa Russell, 13046 Center Rd., Traverse City, MI 49686

Property Address: 13046 Center Rd., Traverse City, MI 49686

Request: (1) a variance of one hundred forty-nine feet (149') from the required 200 feet (200') setback for the use of a pre-existing barn; (2) a variance of seventy-five feet (75') from the required 200 feet (200') setback to allow the placement of a temporary tent structure; and (3) a variance of fifty-five feet (55') from the required two hundred feet (200') setback to allow the placement of a temporary port-a-john structure. These variances are requested as part of an application for a Special Open Space Uses special use permit as regulated by Section 8.7.3 (3) of the Ordinance.

Parcel Code No. 28-11-127-020-00

Please be advised that the public may appear at the public hearing in person or by council.

Written comment may be submitted to Peninsula Township Planning & Zoning Department at 13235 Center Rd., Traverse City, MI 49686 no later than 4:30 PM on the date of the hearing.

If you are planning to attend the meeting and are disabled requiring any special assistance, please so notify the Planning & Zoning Department at (231) 223-7322 or call TDD at (231) 922-4766.

SUBJECT PROPERTY



To: Peninsula Township Board

From: Michelle Reardon,  Planning & Zoning Department

Re: Large Event Permit fee

Date: April 4, 2016

The Large Event Permit fee was established in 2014 upon adoption of Ordinance #52 at \$100.00 per application.

Since that time staff has reviewed the costs associated with an application:

Staff time reviewing the application (approximately 5 hours total) – \$150.00

Assessor mailing list - \$25.00

Publication of the public hearing – approximately \$75.00

This brings the estimated costs to \$250.00 per application.

The only item that was not considered by staff at the time of the original discussion are the costs associated with publishing the notice of the public hearing. The Township Board has the right to approve an event for up to three (3) years which would negate this publication costs annually but it is not common practice to authorize a 3-year permit at this time.

The Township Board may wish to review the permit fee to assess if the current fee is appropriate as it relates to the real costs of the Township.

Feel free to contact me should you have any questions.