

Packet
April 11, 2023,
Township Board Regular Meeting and Joint Township
Board and Planning Commission Special Meeting

Consent

Invoices

**PENINSULA TOWNSHIP
INVOICE REGISTER**

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CEM

For Invoices Scheduled for Payment on: 4/11/2023 12:

VENDOR INFORMATION

ACCIDENT FUND INS CO OF AMERICA

INVOICE INFORMATION

Amount of Invoice Paid: \$0.27

WORKERS COMP INS 2023-2024

Distribution:

209-567-710.WRK

Workers Comp

0.27

Total Amount Disbursed: \$0.27

**PENINSULA TOWNSHIP
INVOICE REGISTER**

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COM

For Invoices Scheduled for Payment on: 4/11/2023 12:

VENDOR INFORMATION

ACCIDENT FUND INS CO OF AMERICA

INVOICE INFORMATION

**Amount of Invoice Paid: \$6,867.29
WORKERS COMP PREMIUM - 2023-2024**

Distribution:

101-171-710.WRK	Workers Comp	614.51
101-253-710.WRK	Workers Comp	1,207.77
101-215-710.WRK	Workers Compensation	1,404.45
101-257-710.WRK	Workers Comp	838.42
101-701-710.WRK	Workers Comp	1,611.10
101-261-710.WRK	Workers Comp	472.16
101-101-710.WRK	Workers Comp	292.82
101-247-710.WRK	Workers Comp	22.45
101-704-710.WRK	Workers Comp	68.32
208-751-710.WRK	Workers Comp	65.88
101-703-710.WRK	Workers Comp	78.09
101-262-710.WRK	Workers Comp	191.32

ACENTEK

**Amount of Invoice Paid: \$726.46
OFFICE PHONES - APRIL 2023**

Distribution:

101-261-850.000	COM/TELEPHONE - OFFICE-TWP HALL	393.46
101-257-850.000	COM/TELEPHONE - ASSESSOR	60.55
101-215-850.000	COM/TELEPHONE - CLERK	90.82
101-253-850.000	COM/TELEPHONE - TREASURER	90.82
101-701-850.000	COM/TELEPHONE - PLANNING	30.27
101-702-850.000	COM/TELEPHONE - ZONING	30.27
101-171-850.000	COM/TELEPHONE - SUPERVISOR	30.27

AFLAC

**Amount of Invoice Paid: \$1,794.75
SUPPLEMENTAL INSURANCE - MARCH 23**

Distribution:

704-000-227.050	Supplemental Insurance - Due to Aflac	1,794.75
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FP MAILING SOLUTIONS

**Amount of Invoice Paid: \$165.00
POSTAGE METER EQUIPMENT**

Distribution:

101-261-905.100	Postage Machine Rental	165.00
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KATIE CLARK

**Amount of Invoice Paid: \$104.16
MILEAGE - MARCH 2023**

Distribution:

101-253-870.000	Mileage	104.16
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KCI

**Amount of Invoice Paid: \$754.48
ASSESSMNT MAILING POSTAGE**

Distribution:

101-257-905.000	Postage	754.48
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PENINSULA TOWNSHIP INVOICE REGISTER

For Invoices Scheduled for Payment on: 4/11/2023 12:

VENDOR INFORMATION**INVOICE INFORMATION****KRAFT BUSINESS SYSTEMS**

Amount of Invoice Paid: \$397.60
COPIER CHARGES - MARCH 23

Distribution:

101-261-818.COP	Copier & Copier Supplies	397.60
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MCCARDEL CULLIGAN WATER

Amount of Invoice Paid: \$23.00
WATER COOLER

Distribution:

101-261-818.WTR	Water Cooler	11.00
101-261-818.WTR	Water Cooler	12.00

MICHIGAN ASSOCIATION PLANNING

Amount of Invoice Paid: \$75.00
PLNG/ZNG ADMIN JOB POST

Distribution:

101-701-900.000	Legal Notices	75.00
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NORTHERN MICHIGAN GLASS, LLC

Amount of Invoice Paid: \$313.80
FRONT DOOR REPAIR

Distribution:

101-265-930.000	Repairs and Maintenance	313.80
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PENINSULA TOWNSHIP

Amount of Invoice Paid: \$31.76
PETTY CASH/ OFFICE SUPPLIES - MAR 202

Distribution:

101-261-726.000	Supplies	31.76
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PICTOMETRY INT'L CORP

Amount of Invoice Paid: \$6,093.91
EAGLEVIEW IMAGERY 2023-2024 FLIGHT 2

Distribution:

101-701-970.000	Capital Outlay/MiscExpenditures	2,031.30
101-702-970.000	Capital Outlay/MiscExpenditures	2,031.30
101-257-970.000	Capital Outlay/MiscExpenditures	2,031.31

PROFILE

Amount of Invoice Paid: \$90.00
SHREDDING - MAR 23

Distribution:

101-261-820.000	Shredding	90.00
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TKS SECURITY

Amount of Invoice Paid: \$216.00
HOSTING & CLOUD APP - SECURITY

Distribution:

PENINSULA TOWNSHIP
INVOICE REGISTER

For Invoices Scheduled for Payment on: 4/11/2023 12:

VENDOR INFORMATION		INVOICE INFORMATION	
	101-265-818.SEC	SECURITY	216.00
TRAVERSE CITY BOOM BOOM CLUB		Amount of Invoice Paid:	\$250.00
		COMMUNITY SUPPORT - JULY 4 FIREWORK	
	Distribution: 101-101-881.400	Community Activity/Newsletter	250.00
Total Amount Disbursed:			\$17,903.21

PENINSULA TOWNSHIP
INVOICE REGISTER

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FIRE

For Invoices Scheduled for Payment on: 4/11/2023 12:

VENDOR INFORMATION

ACCIDENT FUND INS CO OF AMERICA

INVOICE INFORMATION

Amount of Invoice Paid: **\$13,746.34**
WORKERS COMP INS 2023-2024

Distribution:

206-336-710.WRK Workers Comp 13,746.34

AIRGAS USA

Amount of Invoice Paid: **\$156.00**
OXYGEN SUPPLIES

Distribution:

206-336-932.000 Ambulance Supplies 156.00

AIRGAS USA

Amount of Invoice Paid: **\$40.74**
OXYGEN SUPPLIES

Distribution:

206-336-932.000 Ambulance Supplies 40.74

AIRGAS USA

Amount of Invoice Paid: **\$271.96**
OXYGEN SUPPLIES

Distribution:

206-336-932.000 Ambulance Supplies 271.96

AIRGAS USA

Amount of Invoice Paid: **\$259.37**
OXYGEN SUPPLIES

Distribution:

206-336-932.000 Ambulance Supplies 259.37

ARTS AUTO & TRUCK PARTS, INC.

Amount of Invoice Paid: **\$274.77**
VEHICLE SUPPLIES

Distribution:

206-336-939.000 Vehicle Maintenance 274.77

BCI CAPITAL, INC

Amount of Invoice Paid: **\$40,492.26**
2021 AMBULANCE PRINCIPLE/INTEREST

Distribution:

206-336-993.000 Debt Service - Interest-Vehicles 5,350.24
206-336-991.000 Debt Service - Principal-Vehicles 35,142.02

BOUND TREE MEDICAL

Amount of Invoice Paid: **\$339.39**
EMS SUPPLIES

Distribution:

206-336-932.000 Ambulance Supplies 339.39

PENINSULA TOWNSHIP INVOICE REGISTER

For Invoices Scheduled for Payment on: 4/11/2023 12:

VENDOR INFORMATION**INVOICE INFORMATION****CHARTER COMMUNICATIONS****Amount of Invoice Paid:****\$184.98****INTERNET SERVICES***Distribution:**206-336-850.CHC**Internet Services**184.98***CRYSTAL FLASH PETROLEUM****Amount of Invoice Paid:****\$999.48****DIESEL FUEL***Distribution:**206-336-751.000**Vehicle-Gas & Oil**999.48***CSI EMERGENCY APPARATUS****Amount of Invoice Paid:****\$959.40****REPLCMNT ENG 1 REAR WINDOW CRANK A***Distribution:**206-336-939.000**Vehicle Maintenance**959.40***FRED DANIELSON****Amount of Invoice Paid:****\$182.50****PLATINUM PLNR SFTWRE FOR PARAMEDIC***Distribution:**206-336-960.000**Education & Training**182.50***JOSEPH M. SICOLI****Amount of Invoice Paid:****\$29.50****ONLINE BOATER SAFETY COURSE***Distribution:**206-336-960.000**Education & Training**29.50***KALKASKA MEMORIAL HEALTH CENTER****Amount of Invoice Paid:****\$150.00****JOHNSON ACLS CLASS***Distribution:**206-336-960.000**Education & Training**150.00***MAX'S SERVICE INC****Amount of Invoice Paid:****\$1,194.00****STN 1 NEW LAUNDRY WASHER***Distribution:**206-336-970.000**Capital Outlay**1,194.00***MCCARDEL CULLIGAN WATER****Amount of Invoice Paid:****\$55.00****STN 1 WATER SOFTENER***Distribution:**206-336-818.000**Contractual Services**55.00*

PENINSULA TOWNSHIP INVOICE REGISTER

For Invoices Scheduled for Payment on: 4/11/2023 12:

VENDOR INFORMATION		INVOICE INFORMATION	
MCCARDEL CULLIGAN WATER		Amount of Invoice Paid:	\$87.00
		STN 3 WATER SOFTENER	
Distribution:			
206-336-818.000	Contractual Services		87.00
MUNSON MEDICAL CENTER		Amount of Invoice Paid:	\$93.00
		SICOLI CPR CARD	
Distribution:			
206-336-932.000	Ambulance Supplies		93.00
PICTOMETRY INT'L CORP		Amount of Invoice Paid:	\$2,031.30
		EAGLEVIEW IMAGERY - 2023-2024 FLIGHT	
Distribution:			
206-336-970.000	Capital Outlay		2,031.30
TELE-RAD		Amount of Invoice Paid:	\$814.97
		WINTER JACKTS FOR NEW MEMBER	
Distribution:			
206-336-935.000	Uniforms		814.97
VERIZON		Amount of Invoice Paid:	\$14.10
		HEART MONITOR MODEM	
Distribution:			
206-336-850.000	Communications/Telephone		14.10
VERIZON WIRELESS		Amount of Invoice Paid:	\$110.37
		CELL PHONES	
Distribution:			
206-336-850.000	Communications/Telephone		110.37
VERIZON WIRELESS		Amount of Invoice Paid:	\$292.29
		PHONES/DATA	
Distribution:			
206-336-850.000	Communications/Telephone		292.29
VFIS		Amount of Invoice Paid:	\$7,827.00
		ACCIDENT/SICKNESS RENEWAL POLICY	
Distribution:			
206-336-712.000	Medical/Life Insurance		7,827.00
Total Amount Disbursed:			\$70,605.72

**PENINSULA TOWNSHIP
INVOICE REGISTER**

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LLH

For Invoices Scheduled for Payment on: 4/11/2023 12:

VENDOR INFORMATION

ACCIDENT FUND INS CO OF AMERICA

INVOICE INFORMATION

Amount of Invoice Paid: \$518.57
WORKERS COMP INS 2023-2024

Distribution:

508-804-710.WRK	Workers Comp	240.90
509-804-710.WRK	Workers Comp	277.67

ACENTEK

Amount of Invoice Paid: \$98.41
VIDEO SERVICE

Distribution:

508-804-850.000	Com/Telephone	98.41
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ACENTEK

Amount of Invoice Paid: \$40.89
OFFICE PHONE

Distribution:

508-804-850.000	Com/Telephone	40.89
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ENDEAVOR AG & ENERGY

Amount of Invoice Paid: \$669.20
PROPANE FUEL - FEB 23

Distribution:

508-804-745.000	Heating Fuel	669.20
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TRAVERSE CITY TOURISM

Amount of Invoice Paid: \$550.00
VISITOR GUIDE ADVERTISING 2023

Distribution:

508-804-900.PNP	Printing & Advertising	550.00
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VERIZON WIRELESS

Amount of Invoice Paid: \$43.72
WIRELESS PHONES DATA

Distribution:

508-804-850.000	Com/Telephone	43.72
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Total Amount Disbursed: \$1,920.79

PENINSULA TOWNSHIP
INVOICE REGISTER

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PDR

For Invoices Scheduled for Payment on: 4/11/2023 12:

VENDOR INFORMATION

PICTOMETRY INT'L CORP

INVOICE INFORMATION

Amount of Invoice Paid: \$2,031.31
EAGLEVIEW IMAGERY - 2023-2024 FLIGHT

Distribution:

397-703-970.000

Capital Outlay

2,031.31

Total Amount Disbursed: \$2,031.31

**PENINSULA TOWNSHIP
INVOICE REGISTER**

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POW

For Invoices Scheduled for Payment on: 4/11/2023 12:

VENDOR INFORMATION

ACENTEK

INVOICE INFORMATION

Amount of Invoice Paid:

\$30.27

OFFICE PHONE

Distribution:

207-301-850.000

Communications/Telephone

30.27

VERIZON WIRELESS

Amount of Invoice Paid:

\$29.14

WIRELESS PHONE DATA

Distribution:

207-301-850.000

Communications/Telephone

29.14

Total Amount Disbursed:

\$59.41

Reports

PENINSULA TOWNSHIP

13235 Center Road Traverse City, MI 49686

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

www.peninsulatownship.com

CASH SUMMARY BY FUND FOR PENINSULA TOWNSHIP

FROM 03/31/2023 TO 03/31/2023

CASH AND INVESTMENT ACCOUNTS

Fund	Description	Ending Balance 03/31/2023
101	GENERAL FUND	1,211,226.99
204	Roads Fund	6,274.33
206	Fire Fund	2,542,417.45
207	Police Fund	499,505.38
208	Parks Fund	20,417.52
209	Cemetery Fund	67,174.22
213	Hessler Log Home Fund	5,668.17
214	Pelizzari Natural Area Fund	297,441.63
216	Dougherty House/Replica Log Church Fund	6,741.27
252	Building Fund	2,731.43
298	Cable Council Fund	748,848.67
299	Spec Assesmt-2017-Landing Account	7,262.03
397	Purchase of Development Rights	3,082,081.40
502	Tower Fund	845,146.23
508	Lighthouse Fund	77,656.17
509	Lighthouse Gift Shop Fund	90,668.27
590	Sewer Fund	255,246.62
591	Water Fund	168,263.03
596	Compactor Station Fund	6,299.32
701	Trust and Agency Fund	53,964.37
703	Tax Collection	79,232.47
704	Imprest Payroll Fund	72,225.49
708	Library Trust and Agency Fund	470,218.31
853	Spec Assessmt-Braemar Drainage District	39,443.65
854	Spec Assessmt-Logan-MapleTerrace Drain	116,110.20
861	Spec Assessmt-Braemar Road Improvement	29,089.70
863	Spec Assessmt-Logan Hills Road Improvemt	37,248.20
864	Spec Assesmt-MapleTerrace Road Improvemt	70,030.57
865	Spec Asses-Old Mission Estate Rd Improve	67,524.72
866	Spec Assessmt-West Winds Road Improvemt	69,639.21
867	Spec Assessmt-Maple Terrace Water System	107,322.66
	TOTAL - ALL FUNDS	11,153,119.68



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



MARCH 2023 FIRE DEPARTMENT REPORT

RUNS:

Incident Type Details

Click Row for Breakdown	2023	Total
300 - EMS	19	19
400 - HAZMAT	3	3
500 - Service Call	2	2
600 - Series	1	1
700 - False Alarm	3	3
Total	28	28

Mutual Aid Summary

Aid Given Or Received	2023	Total
Mutual aid given	2	2
None	26	26
Total	28	28

Mutual Aid for Structure Fires

Aid Given Or Received	Total
Total	

Level of Service	2023	Total
Basic Life Support	10	10
Advanced Life Support	13	13
Total	23	23

Disposition	911 Response	Public Assistance/Other Not Listed	Total
Patient Evaluated, No Treatment/Transport Required	5		5
Patient Refused Evaluation/Care (Without Transport)	1	2	3
Transported No Lights/Siren	13		13
Assist, Public	1	1	2
Total	20	3	23



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



TRAINING: For the month of March 2023 included EMS education, officer training, drivers training and fire suppression training. Four members are continuing firefighter 1 and 2 training. Three members completed prerequisites for paramedic class which starts in April 2023. Chief attended the winter conference for fire inspector in Mount Pleasant.

OTHER ACTIVITY: Chief completed the budget for 2023/2024, was presented to town board and approved on March 30th, 2023. Chief had conversation with Jay from road commission about Bluff Road closure and new barricade fence that is to be installed. Fire safety inspections started for year 2023. Department completed EMS state inspection for our EMS license, passed with no issues noted. Chief started to gather information for station 1 replacement and looking at potential land that would be needed to construct. Chief met with CSI apparatus sales for starting the specifications for a new engine to replace engine 2. Chief attended local emergency planning meetings and local fire chief meetings.

2023 through March

[illegible]

Minutes

PENINSULA TOWNSHIP

13235 Center Road, Traverse City MI 49686

www.peninsulatownship.com

Township Board Special Meeting

March 20, 2023, 3:00 p.m.

Township Conference Room

Minutes

1. **Call to Order** by Wunsch at 3:00 p.m.

2. **Pledge**

3. **Roll Call**

Present: Achorn, Sanger, Shanafelt, Rudolph, Chown, Wunsch, Wahl

4. **Citizen Comments:**

Mike Dettmer, 7003 Leorie Drive: I'm here today to represent Protect the Peninsula. I want to thank the township board for hiring its new great legal counsel. PTP is here to help in any way that it can.

5. **Approve Agenda**

Rudolph moved to approve the agenda with a second by Sanger. Motion approved by consensus

6. **Conflict of interest:** none

7. **Consent Agenda:** none

8. **Business**

1. Motion to go into closed session (two-thirds roll call vote required) to discuss the WOMP lawsuit with the township's new insurance-appointed attorney pursuant to MCL 15.268(1)(h) and MCL 15.243(1)(g)

Wunsch moved to go into closed session pursuant to MCL 15.268(e) to consult with the township attorney regarding strategy in the pending case *Wineries of the Old Mission Peninsula Association v. Peninsula Township*, Case No. 1:20-cv-1008, because doing so in an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body with a second by Sanger.

Roll call vote: yes - Achorn, Wahl, Rudolph, Shanafelt, Wunsch, Sanger, Chown **Passed unan**

Wunsch moved to return to regular session with a second by Rudolph.

Roll call vote: yes - Wahl, Rudolph, Shanafelt, Wunsch, Sanger, Chown, Achorn **Passed unan**

Township board discussed liability insurance and the Michigan Liquor Control Commission with Attorneys Chris Patterson and Tom McGraw.

9. **Citizen Comments:** none

10. **Board Comments:** none

11. **Adjournment**

Chown moved to adjourn with a second by Sanger.

Motion approved by consensus

Adjourned at 4:48 p.m.



PENINSULA TOWNSHIP

13235 Center Road, Traverse City

MI 49686

www.peninsulatownship.com

Township Board Special Meeting

March 28, 2023, 7:00 p.m.

Township Hall

Minutes

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

2. **Pledge**

3. **Roll Call**

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

Absent: Wahl

4. **Citizen Comments:** none

5. **Approve Agenda**

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

Motion approved by consensus

6. **Conflict of interest:** none

7. **Consent Agenda:**

1. Invoices (recommend approval)

2. Minutes from March 14, 2023, Township Board Regular Meeting

3. Old Mission Peninsula Historical Society request to hold annual Log Cabin Day celebration at Mission Point Lighthouse Park on June 25, 2023

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

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

8. **Business**

1. Second public hearing on fire fund millage rate for next fiscal year

Wunsch: closed the special meeting and opened the public hearing on the fire fund millage for the next fiscal year.

Chief Gilstorff: I'm sorry I couldn't attend the last meeting due to illness. Thank you to Jenn Cram for giving my PowerPoint presentation. I already talked to the resident who asked the questions last time. One question was, am I still being paid \$100 each time I attend a run. The answer is yes; it's part of my contract. I responded last year to 29 of these significant events. As we've increased staff, my need to do that has lessened. As far as where I rate in the county with salary, a chief elsewhere in the county did a study a year or so ago and I came in third. The budget is balanced. There's extra money in case something happens and we need to dive into it. As the supervisor stated, the millage rate will stay at 2.6. Any questions?

Chown: for the benefit of the residents here tonight and those who are listening, can you please give us an overview of the union contract that's expiring and what we can expect next

year.

Gilstorff: thanks for bringing that up. It expires March 31, 2024. We are required to start negotiations for the next contract by December 1. I'd like to see that start a lot earlier. Having studied other area contracts and wages and so on, I want to get going on this and hopefully settle it sooner rather than later. We still have two fulltime spots to fill and we need to be competitive with what we're paying folks. We're all trying to steal from the same pot. We need to draw interested people. We've done a lot of good things but we're not yet where we need to be to keep the three stations staffed 24/7. The negotiations are going to be complicated and it's going to take a long time. I strongly suggest the board pick those people who are going to negotiate this. I did talk to the supervisor about the law firm we're going to work with. I had a conversation with Lizzie [Helen Mills from Fahey Schultz]. She has dealt with quite a few contracts up here. I am pleased with that. The union wants to get going on this as well. It will ease everybody's mind. From a budgetary standpoint, it also helps me.

Chown: that's why I brought it up. The current contract is good for this upcoming year and then it expires. We're good for this upcoming year at 2.6 mils.

Gilstorff: correct. That's not going to change. But the negotiation coming up could be long, with a lot of back and forth. The sooner we get on it and start figuring it out, the better for everyone. I appreciate the time everyone took to see my budget and how much time and thought I put into it. Without the support of this community, we wouldn't be where we are now. But we still have things we need to do.

Wunsch: any public questions or comments on the fire millage rate?

Nancy R. Heller, 3091 Blue Water Road: thank you to the chief for the time and patience he took to answer my questions. I'm still hung up on the salary. His base salary is \$102,000. I think the \$100 cost should be a separate line item because it is separate. Many times people seek information regarding salaries. Unless they see the chief's contract, they won't know so it should be separate. Thank you.

Achorn: starting April 1, I can add that line item and will coordinate with payroll.

Sanger: my recollection is that when we sought a new chief years ago, part of the package was \$5,000 if you were a resident. That should be on the public record. I want to recognize and thank our chief.

Shanafelt: there is a line item for Peninsula residency bonus.

Sanger: did I miss that? I'm sorry.

Chown: all of this is in the chief's contract. It's not something we decide to do or not do each year.

Achorn: it's not only for the chief. It's for all...

Gilstorff: we have a \$2,500 residency bonus for a firefighter paramedic. Currently we don't have any residing in the township but hopefully that will change before long. The money for going on the runs does show on the payroll. It is broken out there.

Heller: as I stated before, this is no reflection on the chief. He has done a fine job. I want it made clear I'm not questioning what he makes; I'm only questioning how it's presented on the budget.

Wunsch: closed the public hearing on the fire fund millage rate and resumed the special meeting. Closed the special meeting and opened the public hearing on the police fund millage

rate for next fiscal year.

2. Second public hearing on police fund millage rate for next fiscal year

Achorn: the first two pages in the packet, fire and police, were from the first public hearing. The second time, when you find police, note the change for the electric speed sign management as determined at the prior hearing. It went down from \$4,250 to \$1,500. Once again, the millage stays the same at .23 mils. No change from the prior year.

Wunsch: any board comments or questions?

Shanafelt: we're approving the same amount as last year so it feels like enough. My question has more to do with the concept of enforcement and also ordinance enforcement. We're looking to do better with that. Does our sheriff support help us with ordinance enforcement?

Wunsch: not generally but they will accompany township staff if they feel there's a safety issue.

Shanafelt: or in a short-term rental situation if people are misbehaving, presumably. Maybe we should increase the millage to cover a third officer. Short-term rentals are only going to get worse. I wanted to bring it up for conversation.

Sanger: I wish Lt. Brinks were here tonight. Lt. Oose, the previous patrol lieutenant and departmental director, said the role of the CPO is to assist the ordinance enforcement officer. I've had terrific support from our CPOs. The one technicality is that ordinance violations are prosecuted by the township whereas a normal citation by a police office is prosecuted by the prosecutor's office. We end up with a little bit of an issue.

Shanafelt: are you saying it's a good idea?

Sanger: we are getting support. If I need help when neither of our two CPOs are working, central dispatch sends out an officer. I like your idea, but given that we have additional funding here, we could look at our after-hours needs such as at the boat launch after fireworks, for example, or at our parks. We could perhaps obtain additional hours for when the police officer is the only one who can do the job. In tonight's parks ordinance, we've done a good job of specifying who can take action in our parks.

Wunsch: we'll be setting up a three-person negotiating team with the fire department. We can flex up or down in the millage rate, and we have a fund balance right now. We're between CPOs at the moment and have the option of increasing if we want to. My preference is to put a bit of pressure on the sheriff's department to demonstrate that it can staff up.

I don't know if you're all aware that Sean Megurian is leaving us. He's moving to Long Lake Township, and there's an opening for a CPO, so he's taking that. In preliminary conversations with Lt. Brinks, the liaison for the sheriff's department and the townships, we're looking at bringing someone in who can do more of that after-hours work.

Township discussion.

Wunsch: closed the public hearing on the police fund millage rate and resumed the special meeting. Closed the special meeting and opened the public hearing on the general fund budget for the 2022-2023 [actually 2023-2024] fiscal year.

3. Public hearing on general fund budget for fiscal year 2023–2024 [these are the corrected dates]

Achorn: your eyes will go blind if you look at page after page. I provided a summary of the totals for each of the departments and funds thereafter. Rather than go through each one, I will assume you have looked at them and can ask questions.

John Dolton, 10862 Eagles Landing Dr.: confirmed that this is the 2023-2024 budget discussion.

Chown: yes, this is a misprint.

Dolton: my concern is with the legal fees. We had nearly \$637,000 in legal fees at the end of the year. Only \$54,000 were matched against the budget at \$46,000. That includes \$493,000 in WOMP expenses. This next year, we're only budgeting \$250,000 for next year, none of which is under the WOMP line item. That seems surprising to me with a trial coming up.

Achorn: I don't know where the legal fees are going to be. It depends on what happens day by day and month by month. So it is only on the main line and not sub-classified.

Dolton: so you're comfortable budgeting \$400,000 less next year in legal fees than you spent this year?

Wunsch: we essentially had a gap in legal coverage where the township was not fully satisfied with the legal coverage provided by the insurer and a number of issues came up in the brief period between the preliminary decision [in June of 2022 by the federal judge] and what was an impending August trial. There was a lot of research and prep work needed for what was anticipated to be an August trial baked into that budget. We've also been negotiating with our insurance carriers to provide some stepped-up legal coverage. Marge and I discussed it and are comfortable significantly reducing the legal budget for next year because we feel we have better insurance coverage now. We were concerned that with the track we were on, if we didn't dip into general fund reserves, we would be exposing the taxpayers to a lot of financial risk if things had gone to trial last August.

Dolton: thank you for that explanation. I appreciated Marge's comment earlier as well. I see that she has that \$250,000 in one line item.

Achorn: when the bills come in, they'll be classified. Regarding the actual revenues versus the projected ones from a year ago, we had increased revenues from the 1% property tax administration fee. Additionally, the state decided to give us an extra bonus for the COVID years, so we had an increase in state funding this year. This year, it will go back down again, but it helped us this year. Also, interest rates have gone up. We haven't gone into our savings account. We have only worked with our general cash accounts.

Susie Shipman, 14735 Shipman Road: quick question to follow up on John's comments about the legal fees. I appreciate the transparency of noting what these legal fees are tied to. I think that's important in our community. To that point, I want to confirm, when the planning department goes through applications and has legal review, that's captured in the line for legal in that department and is completely separate from the township board section. Also, in the planning budget, there is a line specific to one entity, Mari Vineyards. It's in planning and also in the general legal fees. I'm curious as to why Mari Vineyards is in the planning budget and also general legal fees. I'm curious as to why it's in planning and in the other budget with significant numbers.

Achorn: I think the one in planning had to do with a specific issue...If it had anything to do with a SUP, it was in planning.

Susie Shipman: as a general comment, I'm glad to see there are some bumps in salary in a few different places; they are well deserved.

David Taft, 952 Neahtawanta Road: I'm still trying to understand. The moratorium that was put in place, the first one, expired last July?

Cram: correct. But the most recent moratorium that was adopted as a zoning ordinance amendment expired February 15, 2023.

David Taft: that was the six-month extension of the first one?

Cram: no, that one was adopted as a zoning ordinance amendment and had its own timeframe. The police power moratorium that was adopted prior to the zoning ordinance amendment – because there were questions about transparency and process – was an extension to the original resolution. There were actually three moratoria: there was a resolution and then there was one police power ordinance and then one zoning ordinance amendment.

Taft: I'm not trying to waste time. I'm trying to understand the process and get to the facts. As I understand, during the moratorium, Family Orchards sued you in federal court – same court, same judge as WOMP – saying he felt his rights were interfered with. In October, he sued you because he wanted to go ahead with his SUP. As a citizen, I really feel you guys were caught between a rock and a hard place. You have a judge and a lawsuit and how can you go forward and take an SUP when you have an ordinance that's in flux? I'm trying to understand. The typical time to prepare an SUP for approval, on the fast side, would be four to six months?

Cram: yes.

Taft: the fact that he presented a lawsuit in October on an ordinance or amendment to an ordinance that lasts six months and to end in February – he might have spent his time more fruitfully preparing his SUP, correct?

Cram: one could assume that.

Taft: I want to bring it up. It seems logical to me. I see you've now separated those legal fees as separate fees. Do you feel those fees will balloon? So far, we have \$18,000. Will they balloon in the next year? Why doesn't someone tell him he can prepare his SUP? He can present it now, correct? I'd like to make sure that's in the record.

Number two, I have the same question as relates to Mari Vineyards. When did he file his lawsuit? His suit is a state suit rather than a federal suit. He's using the same lawyer as WOMP. Is that correct? I want that in the record too. When did he file?

Wunsch: we were served on March 23, 2023.

Taft: when did the moratorium expire?

Cram: February 15.

Taft: wouldn't his time be better spent working on his SUP?

Cram: I don't know how we can address this without exposing details of the lawsuit.

Taft: I'm not asking for details. I just want the public to know that he could be spending his time better on an SUP rather than suing the township, which he has already done once. I'd like that to be in the record so the people can read that. Thank you.

Nancy R. Heller, 3091 Blue Water Road: this is not an amended budget. It's a true factual budget but not an amended budget. I hope you can answer this question. I was under the impression that the insurance company retained Greg Meihn. Is he still their attorney? It's okay if you can't answer it.

Wunsch: I believe it's public record. He's no longer listed as an attorney on the WOMP versus Peninsula Township litigation. It's also fair to say publicly that during the time I've been township supervisor, I haven't spoken with Greg Meihn even though he was listed...

Heller: who is the attorney now through the insurance company?

Wunsch: Tom McGraw. I can look up his firm.

Heller: I appreciate knowing for the record the name of the attorney and firm.

Sanger: he has an office in Grand Rapids per my recollection.

Wunsch: it's a relatively new appointment.

Heller: you can give the name of the firm later.

John Dolton, 10862 Eagles Landing Drive: when the insurance company reimburses some of our legal fees, how does that get recorded?

Achorn: all revenues are listed under revenues. If they were legal reimbursements, they would appear there.

Dolton: so in 2022 and 2023, we did not get any at all.

Wunsch: no. we were concerned about protecting the financial and policy interests of residents so we took action more hastily than our insurance company was willing to. We were looking at that August trial date, and it took our insurance company until a few weeks ago to come to the same conclusion. I don't want to speak for the whole board, but I feel like that was a good choice even though it was an expensive choice.

Dalton: [some words are unintelligible] seeking reimbursement?

Wunsch: I'll certainly be pushing for it. Closed the public hearing on the budget for 2023-2024.

4. Designate \$10,000 for work on the Kelley Park boat launch concept plan and \$18,000 for comprehensive signage to the Parks Fund from ARPA funds (Achorn)

Achorn: when we were looking at the parks budget, we saw that we had the opportunity to use ARPA funds for some of these smaller projects, but we need a special vote to designate them accordingly. We've already designated \$30,000 for the north playground at BHP, which is here and waiting to be installed. This request is for formal approval of use of the ARPA funds.

Achorn moved to use \$18,000 of ARPA funds for the parks signage project and \$10,000 for the Kelley Park grant application with support by Shanafelt.

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

5. Appropriate \$10,000 from Tower Fund to Parks Fund to replenish cash bank account to cover ongoing operational expenses (Achorn)

Achorn: as I was going through the detailed numbers and looking at the bank balance, I didn't want parks to run out of money before March 31st, so I'm requesting that we appropriate \$10,000 from the Tower Fund to put in the Parks Fund.

Motion by Achorn with a second by Rudolph to appropriate \$10,000 from the Tower Fund to the Parks Fund to replenish the cash bank account to cover ongoing operational expenses.

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

6. Proposed increase in cemetery rates for non-residents (Chown)

Chown: we last increased our cemetery rates two years ago. We barely nudged the resident rates up at that time but we sought and implemented a higher increase for non-residents. Our acreage is limited, even though we are expanding the green section this year. Interest is great at these beautiful memorial parks and needs are great too, as we have maintenance needs we have not undertaken in many years. Because they require perpetual care, because it is our obligation to provide that care, and because we do not have a dedicated budget for cemeteries, Marge, Isaiah, and I felt it wise to raise the rates for non-residents.

Please see the proposed rates on the information in the packet.

We added a line item this year called Perpetual Care Fund. Going forward, one-third of the sales price of every plot that's sold will go into this restricted fund to be used exclusively for the care of our cemeteries.

We've also never had a cemetery ordinance, but I've been working with an attorney with Fahey Schultz and expect to bring that forward in May.

Rudolph: can we name the cemeteries?

Chown: yes, the one on Peninsula Drive just north of here is Peninsula Township Cemetery. It's the newest cemetery, created in 2010, and it was prescient of the individuals who worked to create this cemetery – Mary Swift, Nancy Heller, and others – to research and create a green section. We also own and oversee Ogdensburg Cemetery next to the Methodist Church on Center Road and Bohemian Cemetery at Neahtawanta. The rates would apply to all the cemeteries but we don't have any plots available at Ogdensburg or Bohemian.

Rudolph: so Seven Hills is the only cemetery that has plots available.

Chown: correct. Seven Hills changes into Peninsula Drive before you reach the cemetery.

Rudolph: can anyone tell me the status of the cemetery at Bagley Pond? Is that township property?

Chown: I think it is. I need to talk to Bob [Wilkinson, cemetery sexton] about that. It's been on my list. You're talking about the cemetery in the village of Old Mission, correct?

Rudolph: Yes. there are some old graves there.

Chown: I believe it was privately owned and then there was a change of ownership and the cemetery had to be assumed by the township. I think.

Sanger: these costs are for the land –

Chown: they're not for the land. The land is owned by the township. They're for the right to bury –

Sanger: that's right. We all know there are additional operating costs involved in burials. Grave opening and closing and so forth. As you manage the cemeteries, does the family deal directly with Bob, for example, or does the township have a standard set of fees in terms of these services?

Chown: we sell the burial rights and we pay Bob an annual sum to be our sexton of \$4,000/year. Above and beyond that, he has opening and closing fees and deals directly with the family and the funeral home. We don't deal with that but I know what those fees are.

Sanger: do you have standards regarding body burial versus cremains?

Chown: oh sure. All that information is available on our website. The website isn't as comprehensive as our ordinance will be, but it gives a good idea of what is allowed and of how to proceed. I update it pretty regularly.

Sanger: I applaud you and Marge for adding the concept of perpetual care. It's easy not to think about. It's a great idea.

Chown: we have a little bit of money right now in the Cemetery Fund. It's been a busy couple of years and we've sold a lot of plots, but Bob has been so busy – he's our maintenance man for the entire township as well as sexton for other cemeteries in other townships – that he hasn't had time to make these improvements. The money has been sitting and it's waiting. We will make some significant improvements this spring at Peninsula Township Cemetery. We will also

fix the split-rail fences at the other two cemeteries. We took out dangerous trees a year ago and cleaned things up considerably, but these are memorial parks and they need care too. It's a lot more gratifying for folks to go there and reflect and feel a sense of peace and beauty when the properties are well cared for.

Shanafelt: I second Dave. It's great to have this perpetual care fund set up. Is the idea for the fund to last forever? Have we done financial projections on what the costs will be for all the cemeteries and is the revenue we will bring in sufficient to fund them in perpetuity?

Chown: it is not.

Shanafelt: then we need to raise the rates.

Chown: I don't see any way to do some of the improvements that are desperately desired. There's been talk since 2010 – when the township board approved a plan – to construct a rural columbarium, but that's a very expensive undertaking. There's never been money to do it.

Sanger: I can tell you from my work down the road that a columbarium is a very expensive proposition, but it does address issues of land use and running out of space down the road.

Chown: that's just it. We could conceivably accommodate people forever with a series of columbaria, so I'm beginning to research that and I have people coming up to chat with us. I do think there would have to be some hard thought given to creative ways to bring in more money.

Wunsch: regarding the perpetual care fund, there's a finance project that needs to be undertaken where we look realistically at the forecasts and future costs of maintaining these cemeteries.

Shanafelt: my reaction is that these are incredibly modest increases and we should think about the fund concept in its entirety. The other place to potentially get funding is from Bob's work. I'm not saying reduce what he gets but increase that fee so the township gets a piece of it. I actually don't want to approve this fee increase now because I don't think it's right yet. We need to get a better handle on it and what better numbers might be.

Wunsch: to be fair and totally transparent, we hadn't thought about a perpetual care fund until Becky became the clerk. Our cemeteries have basically operated as a Ponzi scheme where the people buying plots today are funding maintenance for everyone so we do need to look at forecasts realistically and figure out how to achieve that, whether it's plot fees or other fees. I don't feel good about leaving an ongoing financial burden for others to deal with.

Shanafelt: I do think the non-resident differentiation is really important. We're far below the ceiling on what that price could be.

Sanger: I would add too that the columbarium is something we really should plan for. My experience with [St. Joseph Catholic Church] is that we're running out of land. At the same time, the demand for columbariums will grow. More than half the interments today are for cremations. Twelve or 13 years ago, the columbarium down the road cost \$200,000. My other question has to do with selling a plot. Do they have to sell it back to the township or can they sell it on their own?

Chown: they have to sell it back to the township. I want to emphasize that. Otherwise our records will be inaccurate.

Achorn: in the past, the cemetery was buried within the clerk's budget. I divided it out and set up its own checking and chart of accounts so at least we know what's going on in there. The

money was going into the General Fund and all the expenses were coming out of the General Fund so there was no way to track the cost of the cemeteries.

Chown: in 2022, we sold 19 regular plots at Peninsula Township Cemetery and 11 green plots. That number is down. Typically we sell more green plots. Right now, I'm contacting all the families who have someone buried in the green section – 25 people are buried there now although many more plots have been sold. The rule back in 2010 was not to allow any headstones or memorial markers in the green section for a variety of reasons. The prevailing desire and belief has evolved and now most green sections do allow a flat marker made of fieldstone or natural stone that's flush with the ground. Our area funeral homes have told me a lot of people want to be buried in our green section but when they learn they can't have a marker, they go away. I am regularly contacted by family members asking me to please allow a memorial. It hurts to come to the cemetery and not see their loved one's name or to know exactly where they are buried. I am contacting every one of these families because the rule was different when their loved one was buried. I want to let them know what we're contemplating and see if they have any concerns. Allowing a flat marker will help us sell more green plots. Adding a flat natural stone would be an additional cost. Bob and I have to have a conversation about that.

Rudolph: I think you have to be careful where you place the stone.

Chown: yes, it has to be at the head.

Rudolph: it's very important for genealogical tracking for people to be able to come and see the headstone.

Chown: Isaiah can vouch for this. For a long time now, I've been trying to locate a large stone to use as a memorial for the green section. That was the original vision and the plan was to engrave peoples' names on it. We have found several appropriately sized stones but their composition is inappropriate for engraving. I've talked to Isaiah, Rob Manigold, Andy Valdmanis, and Lou Coulter and have pretty much given up on finding the right stone. That's why I want to explore allowing the flat individual memorial markers in the green section. Armen, I'd like to count on you to help with the numbers if you're willing.

Shanafelt: I'll follow Marge's lead.

Chown: we've not done the projections. So you'd like to hold off on the price increase?

Shanafelt: I would. That being said, we should hold off on selling more plots until we figure this out.

Chown: I'm not comfortable telling someone who comes in that they can't buy a plot because we're trying to figure out how much to increase our rates.

Shanafelt: I am.

Chown: no, I'm not comfortable with that. I think we'd better just get the job done [of doing the projections and raising the rates].

Shanafelt: okay.

Achorn: I think we need to raise the rates now because we have a lot of projects that have to be done.

Chown: we can raise the rates now and still do the projections and then raise them again.

Shanafelt: okay, that's fine.

Wunsch moved to adopt the increased cemetery rates as proposed by the clerk –

Sanger: can we add effective April 1 or something like that?

Chown: yes, it's actually on the information sheet that the rates become effective April 1, 2023.

Wunsch: sure.

Sanger: I'll second that motion to adopt the increased cemetery rates as proposed by the clerk effective April 1, 2023.

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

7. Public hearing on Peninsula Township Parks Ordinance 57 (Cram and Sanger)

Wunsch: closed the public meeting and opened the public hearing on the proposed parks ordinance.

Cram: the latest draft of Peninsula Township Parks Ordinance #57 is in your packet. This has been in the works since the fall and winter of 2022. It's been vetted by the parks committee, staff, and legal counsel. It's an improvement over the existing ordinance and helps clarify rules and regulations and makes them enforceable. We recommend the township board adopt the ordinance as presented. It will repeal and replace ordinances 5 and 7. The parks committee asked if alcohol would be addressed. As proposed, the ordinance says everybody has to abide by state and local laws. We feel that covers us adequately. There doesn't seem to be any concern about this. People like to pack a cooler and go watch the sunset. As long as they operate under the law, we see no reason to address it, but I did want to note the parks committee asked the question.

Sanger: the existing ordinance is really no longer effective because it refers to the parks board. That was part of the motivation to move on this quickly. From an enforcement perspective, I'm pleased that we have defined a number of terms. We looked at the Grand Traverse County Parks Ordinance. The enforcement of this now can be taken by an enforcement officer. See p. 2. This means a sheriff's deputy or the sheriff, a DNR officer, a Michigan State trooper, or the Peninsula Township Enforcement Officer. I like this as a template for all our ordinances. On p. 7, thanks to township legal counsel Chris Patterson, it makes sure that persons using the parks cannot retaliate or refuse to comply or interfere. This allows the law enforcement official to write a citation. It doesn't have to escalate to physical assault for the officer to be able to write the citation.

Rudolph: will this cost us in terms of needed additional signage? Do we have to address that?

Sanger: I assumed the money we approved earlier for signage would incorporate these changes.

Chown: yes, the timing is perfect. Our signage is inadequate physically but also in terms of what it says. We have to give our enforcement officer teeth, and the signage goes hand in hand with the passage of the ordinance.

Cram: those were some of my questions when I got involved. Basically, does the public know these things? I am highlighting where we need to address items that are referenced in the ordinance with signage.

Mike Skurski, 14696 Mallard Drive: I'm chairman of the parks [committee]. This is a very good reset. Jenn did a good job of pulling everything together and taking everyone through it and incorporating their comments. The only thing that's missing is large events and the whole process of doing that. Addressing that would make the lives of the parks committee members a lot easier.

Nancy R. Heller, 301 Blue Water Road: I understand this covers all parks. On p. 4, I couldn't help but notice, have you discarded the pavilion rentals at Bowers Harbor Park? There's no mention of that.

Cram: pavilion rentals are still available and all that information is on our website. This ordinance specifically addresses the regulations of use at our parks –

Heller: it led me to believe they aren't allowed any longer. I think they should be included.

Sanger: on p. 3 B, it says any group or person wanting to rent a facility should apply for a permit, so I read that to say you would still be able to rent one of the pavilions at Bowers Harbor Park.

Heller: I think there will be confusion. That's just me.

Sanger: that can get into the signage issue we just discussed.

Heller: just so it's clear. I'd hate to see a disagreement over a pavilion.

Achorn: in B, it says "park facility" – that means any facility, including a pavilion. We don't want to limit it just to the pavilion. Might be baseball, soccer, or something else.

Heller: the bottom line is, there's a fee for the pavilion rental whereas you don't charge –

Achorn: maybe not now but we're not limiting what can be charged.

Cram: or what could be reserved.

Heller: you're not limiting but you're not informing the public who might possibly request a use of this facility. It just wasn't clear. You used to have to be a resident also to rent a pavilion. I don't know if that's a prerequisite, for what it's worth.

Chown: could we just add under B "any person or group wanting to reserve or rent a park facility"?

Sanger: I think the word "reserve" is very strong. You're not just going to show up unannounced and expect that you can use it, whether it's a bench or a covered pavilion. You have to apply for that.

Achorn: it might be the tennis court, it might be the basketball court...

Cram: and then you'd go to the website to see that and/or call to ask questions. Generally, you want an ordinance broad enough to cover everything but not so specific that if something changes we have to go in and amend it. I believe we are covered. I hear Nancy's concern. We don't want to miss out on revenue or have any misunderstandings, but the ordinance does cover us. Future signage will help, and we will need to continue to update our website as well.

Wunsch: we want to be careful too because we don't want a list in the ordinance that excludes the volleyball court, for example. It's easier to update a fee schedule or item schedule than an ordinance. I would guess that's what the parks [committee] is doing currently with item fees.

Sanger: you don't put fees in an ordinance. The only thing you might put in is a maximum penalty for a civil infraction.

Achorn: it also says under 5 C "a person with a permit for a facility has priority use," so I think we're covered without being too specific.

Sanger: there are three prongs to it. If you show up unannounced, you can use almost anything if it's open. It talks about freeing up the grills and picnic tables for others to use. Second, if you are fewer than 50 people, there are some regulations regarding if you want to reserve. The number 50 is a large group that requires proof of insurance.

Wunsch: Jenn, what's the next step?

Cram: our legal counsel has advised us that we should not adopt something the night of the public hearing, so we could adopt this at our next regular meeting on April 11.

Wunsch: so we can table it.

Cram: yes, table your action so we don't have to re-notice this.

Wunsch: as a public hearing, we can stay open for any other comments or feedback.

Susie Shipman, 14735 Shipman Road: I commend the team for doing this. It's a substantial improvement and much needed so thank you very much. Seeing an improved ordinance makes me think of the township newsletter and how important it is to keep letting the residents know what they can't do in the parks but it shouldn't just be what you can't do but also what you can do. I think of the Grand Traverse Regional Land Conservancy's wonderful signs – here's what you can do next to what you can't do. Things that jump to mind here: you're not allowed to do commercial things in parks without getting a permit. Many people may not realize that. Let's keep pushing these things out there. Shoreline regulations...There's a long list, and we need to keep educating people about our township resources.

I have one quick comment on the document itself. It seems a bit silly when we are talking about police and fire budgets and memorial parks, but in the interests of having the very best ordinance possible, I'd like to request a very small change to the binomial for cat and dog. The second word should not be capitalized. I apologize for not catching it before now.

Wunsch: closed the public hearing on Peninsula Township Parks Ordinance #57.

Shanafelt moved to table a decision on Peninsula Township Parks Ordinance #57 until the next meeting with a second by Rudolph. **Motion approved by consensus**

8. Citizen Comments: none

9. Board Comments

Shanafelt: thank you, Marge, for all the budget work. You've done a nice job of parsing it out.

Achorn: it started with four people gathering all the information and going back and forth, back and forth. My biggest challenge was learning how to put it all into the computer.

Shanafelt: I also want to talk about the meeting I wasn't at where you talked about the Bayshore Marathon. Reading the minutes was quite enlightening. A few things came to mind: just in participant revenues, they pull in \$100,000 plus ad revenue. They're taking advantage of the peninsula. We get a single dollar per person. That feels negligible and silly. It raises the question, how do we take advantage of situations where people are taking advantage of the peninsula? For things like this, I'd like us to consider a much higher registered participant fee, at least \$10, so it's a significant return to the township for making it available and dealing with all the hassle it causes. Some people like the marathon in front of their houses. I do not. We could put the money in the General Fund or Parks Fund. I particularly want to consider it for these for-profit entities that are making a lot of money off of us. We could have exemptions for township-based entities so there is no fee. I really want to do this for the big three – the triathlon, the Cherry Festival race, and the Bayshore. They are all really disruptive.

Chown: the Bayshore is put on by the Traverse City Track Club. Is that a for-profit?

Achorn: no.

Shanafelt: it doesn't benefit the township, is my point.

Chown: I understand that.

Achorn: that is an example of what was put into an ordinance that we are stuck with right now.

Cram: I can't wait to update it.

Achorn: I have been pushing for an event ordinance because we have many times heard about small events that have closed roads that nobody knew about. There could have been an ambulance run through there but there were a lot of people on the streets because of a small group that no one knew about. That's another good one to work on.

Shanafelt: that's another good one for Jenn.

Wunsch: my sense reading the large events ordinance was that it was written for events to be held on private property but then modified over time to create a nebulous path for events that use a lot of public infrastructure, so Jenn has definitely been talking about proposing some major overhauls to it.

Shanafelt: it just stuck out to me while reading those minutes. I thought, "Are you kidding me?"

Cram: I agree it could really benefit our parks and the community here.

Shanafelt: and that's how we should frame it.

Chown: it's high on her priority list. We've talked about it many times.

Achorn: the small fees we do get are put into the parks budget.

Sanger: I looked it up and can report that the law firm is McGraw Morris PC with offices in Troy and also Grand Rapids. The individual who came to the board meeting was Tim McGraw –

Cram and Chown: Tom McGraw.

Chown: Jane, I have your recipes and will scan them in and email them to you tomorrow.

Wunsch: I'll reiterate my gratitude to Marge, Chief Gilstorff, everyone who put together a budget. I know it's a lot of work. We've done a solid job of putting it together for the next fiscal year, and I appreciate all the effort that's gone into it.

10. Adjournment

Sanger moved to adjourn with a second by Shanafelt.

Motion approved by consensus

Meeting adjourned at 8:40 p.m.

PENINSULA TOWNSHIP

13235 Center Road, Traverse City MI 49686

www.peninsulatownship.com

Township Board Special Meeting

March 30, 2023, 3:00 p.m.

Township Conference Room

Minutes

1. Call to Order by Wunsch at 3:02 p.m.

2. Pledge

3. Roll Call

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

Absent: Wahl

4. Citizen Comments: none

5. Approve Agenda

Shanafelt moved to approve the agenda with a second by Sanger. Motion approved by consensus

6. Conflict of interest: none

7. Consent Agenda:

A. Adopt Peninsula Township Fiscal Year 2023-2024 Regular Meeting Dates

Chown moved to adopt the Peninsula Township Fiscal Year 2023-2024 regular meeting dates with a second by Rudolph.

Motion approved by consensus

8. Business

A. Adopt fire department millage rate, police department millage rate, General Funds and Special Funds budgets, and appropriate resolutions

Motion by Wunsch, seconded by Rudolph, to approve Resolution 2023-03-30 #1 to adopt the amended General Funds budget for fiscal year 2022-2023 at the department level.

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

Motion by Wunsch, seconded by Chown, to approve Resolution 2023-03-30 #2 to adopt the General Funds budget for fiscal year 2023-2024 at the department level and to appropriate spending the budgeted money.

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

Motion by Wunsch, seconded by Shanafelt, to approve Resolution 2023-03-30 #3 to adopt the fire department budget for fiscal year 2023-2024 at the department level and to appropriate spending the budgeted money.

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

Motion by Wunsch, seconded by Achorn, to approve Resolution 2023-03-30 #4 to set the 2023-2024 millage for the fire department at 2.6 mils.

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

Motion by Wunsch, seconded by Rudolph, to approve Resolution 2023-03-30 #5 to adopt the police department budget for fiscal year 2023-2024 at the department level and to appropriate spending the budgeted money.

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

Motion by Wunsch, seconded by Rudolph, to approve Resolution 2023-03-30 #6 to set the 2023-2024 millage for the police department at .23 mills.

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

Motion by Wunsch, seconded by Shanafelt, to approve Resolution 2022-03-23 #7 to adopt the Special Funds budget for fiscal year 2022-2023 at the department level and to appropriate spending the budgeted money.

Amended motion by Sanger, seconded by Shanafelt, to correct the dates and approve Resolution 2023-03-30 #7 to adopt the special funds budget for fiscal year 2023-2024 at the department level and to appropriate spending the budgeted money.

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

Motion by Shanafelt, seconded by Rudolph, to approve Resolution 2023-03-30 #8 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 \$10,000 if necessary.

Sanger: the language in the motion is correct; only the date at the top of the page needs to be corrected. Authorizing the supervisor to make budget adjustments up to \$10,000 is standard.

Roll call: yes – Achorn, Chown, Rudolph, Sanger, Shanafelt **Passed unan**

Abstain: Wunsch

Motion by Wunsch, seconded by Sanger, to approve Resolution 2023-03-30 #9 authorizing the treasurer to utilize financial institutions of her choice as provided by law.

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

Motion by Wunsch, seconded by Rudolph, to approve Resolution 2023-03-30 #10 authorizing the treasurer's office to access online banking through Independent Bank, State Savings Bank, and Huntington Bank.

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

Motion by Wunsch, seconded by Sanger, to approve Resolution 2023-03-30 #11 adopting the fiscal year 2023-2024 calendar.

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

Motion by Sanger, seconded by Rudolph, to approve Resolution 2023-03-30 #12 authorizing

the township supervisor to receive a 5% cost of living adjustment to \$62,958 annually.

Shanafelt: is this percentage adjustment standard? Is this what other municipalities are doing?

Chown: The COLA (cost of living adjustment) this year is 8.7%. East Bay Township is taking the entire 8.7%. Garfield Township is taking a 7% adjustment. We felt that a 5% adjustment was appropriate.

Shanafelt: I would like to note that we are taking less than what is being done as a best practice. I'd like it in the record that we are being conservative at this time given the expenditures of the last year.

Sanger: does this include the part-time office staff? The trustees got a bump last year.

Achorn: yes, but not the boards or committees.

Chown: or the election inspectors.

Nancy R. Heller, 3091 Blue Water Road: be very explicit in the minutes so there are no questions or lawsuits.

Roll call: yes – Wunsch, Achorn, Chown, Rudolph, Sanger, Shanafelt

Passed unan

Motion by Wunsch, seconded by Shanafelt, to approve Resolution 2023-03-30 #13 authorizing the township clerk to receive a \$3,000 merit increase and a 5% cost of living adjustment to \$66,108 annually.

Sanger: historically, there was a time when the township board voted to make the salaries of the three officers equal. I'm concerned about the language "merit increase." Is it tied to a change in job description or statutory duties?

Chown: yes, as a matter of fact. Constitutional Amendment 22-2 that passed last November has dramatically altered a clerk's statutory duties. Among other things, clerks and deputy clerks will now be required to administrate nine days of early voting before Election Day. This includes both Fridays, Saturdays, and Sundays before every state and federal election going forward. That's eight hours a day with the polls open, plus time each day before and after the polls open and close. That's no days off for weeks at a time and a huge increase in time and responsibility. I believe this is a token amount in acknowledgement of this dramatic increase. We have one election in this coming fiscal year. We could have up to three the following year.

Motion by Sanger, seconded by Rudolph, to amend the prior motion and approve Resolution 2023-03-30 #13 authorizing the township clerk to receive a \$3,000 increase in compensation due to a change in job description mandated by state law and a 5% cost of living adjustment to \$66,108 annually.

Roll call: yes – Wunsch, Achorn, Rudolph, Sanger, Shanafelt

Passed unan

Abstain: Chown

Motion by Wunsch, seconded by Sanger, to approve Resolution 2023-03-30 #14 authorizing the township treasurer to receive a 5% cost of living adjustment to \$62,958 annually; the treasurer waives her salary adjustment for fiscal year 2023-2024 and will receive her current salary of \$59,960.

Shanafelt: I appreciate you doing this, Marge, and I think it's for a good cause, but from a

compensation committee perspective, you should take the increase. Given your role and function, it's not appropriate for you to waive the increase.

Rudolph: I agree. You should take the increase. It introduces a practical issue when you don't take it.

Sanger: I'm concerned about the implication – if you aren't taking it, why are the others? Why aren't they doing the same thing? Why don't you take it and give some away if you so choose?

Rudolph: when I applied to be a trustee, I didn't want to take a salary. You told me I had to take it. I think you should take this.

Achorn: that's right; I did. I'll do what you think best.

Motion by Shanafelt, seconded by Rudolph, to amend the former motion and approve Resolution 2023-03-30 #14 authorizing the township treasurer to receive a 5% cost of living adjustment to \$62,958 annually.

Roll call: yes – Wunsch, Chown, Rudolph, Sanger, Shanafelt

Passed unan

Abstain: Achorn

B. Approve amended fiscal year 2022-2023 budgets as presented.

Achorn: you have a summary in your packet. Under revenues, I amended them down. They are not exactly year to date. On expenditures, you anticipate. We had a payroll this week on the 31st – that's tomorrow. This is an educated guess. When the audit is complete, we'll see how the numbers shake out.

Under township board legal fees, I went through what I had and estimated some additional \$60,000 yet to be paid so I estimated \$70,000. On the whole, we had a loss of \$39,000. What saved us was that we did not anticipate some of the additional income that did come in last year. The administrative fee income was higher than anticipated. Interest rates went up too. We had state revenue sharing funds that we did not anticipate and that we will not have again based on the COVID years. We have to make our best educated guess.

Township board discussion on the intricacies of amending the budget.

Sanger: we need to share these legal costs with the public. We need to include an article in the newsletter and communicate what these legal costs are doing to the budget. People want more information on the legal costs of the WOMP lawsuit. Besides that, how do we get more revenue?

Wunsch: we have a small handful of residents who pay high taxes and who trigger high legal or administrative costs. They don't understand that about 2% of their taxes stay here and the rest goes to the county. How do we pin more of the costs back onto the private resident? Private costs needs to be borne by private citizens, not by township residents.

Township board discussion on legal costs and the need for more revenue.

Wunsch: for zoning violations, we have to make enforcement viable for high cost, high nuisance violations.

Achorn: I am pushing for higher fees and a notice that if fees increase in excess of the application fee, we bill for it. We need more escrow. We have to collect more money up front and then refund it if applicable.

Township board discussion on fees.

Achorn: regarding the cable and tower funds, we are utilizing current year income. Going forward, I only project transfers that are less than I anticipate the income to be. We have lost

the higher paying lease but they still haven't removed their equipment.

Township board discussion on cable and tower leases.

Regarding the lighthouse, we asked Ginger to raise the rates this year to go up into the tower from \$5.00 to \$8.00 per person. Residents will still be free. Everyone on a bus tour pays up front. No discounts for tours.

Wunsch: we budgeted 10 grand to figure out what those lease rates should be. We are probably undercharging for spots on the tower.

Sanger: back to the Bayshore Marathon, charging a dollar per person is practically theft.

Rudolph: if we increase what they pay us to run, will they stop giving to the groups out here that they've historically supported?

Wunsch: how much is Traverse City charging the Bayshore Marathon for the portion of the Bayshore that goes through Traverse City? We need to set a rate administratively outside the ordinance.

Sanger: it's not greed. We want them to share back with us, particularly for our parks.

Wunsch: adjusting rates would allow us to increase the benefit to our parks and clean up a few problems.

Sanger: we have to adopt a mindset that anything we allow, we can be sued for. We have to cover ourselves adequately. I'm shocked to see how much litigation has cost the township.

Achorn: and that's not all of it. There's more to come once I get it coded properly. If we clean up the ordinance – large events, for example – we can bring in more money and save money.

Wunsch: we need to work on accountability with insurance counsel so our township counsel doesn't end up picking up the ball and running with it. We don't want our people doing the nitty gritty work. Take Hidden Ridge. Take Mari Vineyards – the owner threatened to use us if he didn't get what he wanted. We looked at the SUP and that use is no longer allowed. We have a legal opinion because he demanded it. He didn't like it and now is accusing us of an Open Meetings Act violation.

9. Citizen Comments: none

10. Board Comments: none

11. Adjournment

Chown moved to adjourn with a second by Sanger.

Motion approved by consensus

Adjourned at 4:25 p.m.

**Tent and Signage Request
from OMP United
Methodist Church**

3/28/23

Jennifer Cram
Peninsula Township
13235 Center Rd
Traverse, City, MI 49686

Our church, OMP United Methodist Church, located at 16426 Center Rd, would like approval for a tent 20'x20', for our chicken barbeque on 6-24. We had approval last year but we were the ones who installed it and took it down on the day of the bbq. This year we would like the rental company to install and remove it. They have informed me that they would install it the day before and remove it on Monday. We are asking permission for that as well.

Please let me know as soon as possible if this request is honored so I can make sure we can obtain a tent.

Thank you,

A handwritten signature in cursive script, reading "Patricia Sharpnack". The signature is written in dark ink and is positioned below the "Thank you," text.

Patricia Sharpnack



Fire Department Surplus Items Request



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



Re: Surplus fire hose and computers

March 30th, 2023

Dear Town Board,

I am writing to ask for permission to surplus fire hose that does pass annual inspection and is aged. I will put a notice on the township website so if any residents have a need for it, they could request it. In the past some farmers have taken it and used it. I am also requesting to deem some older computers and computer equipment as surplus. The department has upgraded our computers and have no need for the older systems. These computers would be cleaned of all department information and recycled. Please approve this request. Thank you.

Respectfully,

Fire Chief Fred Gilstorff

Correspondence

Rebecca Chown

From: Robin Noval <deputy.clerk@peninsulatownship.com>
Sent: Monday, March 27, 2023 10:47 AM
To: Becky Chown
Subject: FW: March 14, 2023, Township Board Meeting Minutes attached

From: Grant Parsons <parsonsgrantw@gmail.com>
Sent: Thursday, March 23, 2023 11:44 AM
To: Robin Noval <deputy.clerk@peninsulatownship.com>
Subject: Re: March 14, 2023, Township Board Meeting Minutes attached

Robin and Township Board,

Please include this letter in your next meeting packet, if there is space and relevance under general public comment.

I am writing simply to thank you for the detail and clarity of the meeting minutes I routinely receive after township meetings. The minutes of the recent discussions (Bayshore Race, Roadside stands and processing, other topics) were packed with interesting information. Local activists on all sides should attend regular township meetings, like this one, to appreciate the level of discussion, the objective consideration of issues, and the concrete progress that is being accomplished. The board's questioning and direction to Jenn, and Jenn's educated responses, were excellent.

Sincerely,

Grant Parsons
6936 Mission Ridge
TC, MI 49686

On Mar 23, 2023, at 8:55 AM, Robin Noval <deputy.clerk@peninsulatownship.com> wrote:

Good morning,

Attached please find the draft minutes for the March 14, 2023, township board regular meeting.

Sincerely,

Becky

Robin Noval
Peninsula Township Deputy Clerk
13235 Center Road
Traverse City MI 49686
phone - 231-223-7321
deputy.clerk@peninsulatownship.com

<03-14-23 TB Reg Mtg.pdf>

Rebecca Chown

From: John | SBM <john@stringsbymail.com>
Sent: Tuesday, March 28, 2023 12:30 PM
To: Becky Chown
Subject: clerk compensation

Hello Becky,

This message is just to let you know that I fully support your request for a \$3000 raise for each of the clerk and deputy clerk in Peninsula Township.

Given the new added effort handled by those positions around elections, both in terms for hours present to add 9 days for polling and the added paperwork and compliance work it will entail this is an appropriate raise.

Normally handling the office of clerk is one of the most intensive tasks a government official can take on so a higher compensation, which is not uncommon in other municipalities, only makes sense.

In your case you have already lifted the level of communication in the township through the newsletter you manage, increased our chances for funding through grant writing, and improved attention to our parks by being the first town board member to sit on the parks committee.

Adding to that the new responsibilities for 9 extra days of voting makes it clear to me that your position and the position of your deputy deserve this added raise on top of the 5% COLA increase that is under consideration,

Thank You for you many excellent efforts.

jw ~

John A. Wunsch
President
Strings By Mail - Where Your Dreams Come Tonally True

Rebecca Chown

From: Beth Chan <clerkpa@peninsulatownship.com>
Sent: Thursday, March 30, 2023 11:29 AM
To: clerk@peninsulatownship.com; supervisor@peninsulatownship.com
Cc: santucci.louis@gmail.com
Subject: FW: please read this letter at the meeting on the budget

Forwarding this e-mail from Mr. Santucci

From: louis santucci [mailto:santucci.louis@gmail.com]
Sent: Thursday, March 30, 2023 11:14 AM
To: Beth Chan
Subject: please read this letter at the meeting on the budget

I am concerned that there are proposed increases in your salary and the salary of the supervisor. I wonder what justifies these salary increases on top of the ones already instituted in the recent past.

What for example justifies in the case of the clerk's case both a so -called merit raise and a cost of living increase of 5%. What unusual actions on the clerk's part have been done to merit this increase. Have other employees of the township been given a merit raise in similar amounts to yours.

I know the winks and nods that underlie this proposed increase are nothing I can do anything about but I want you to know that it smells of backroom dealing.

Lou

Rebecca Chown

To:
Subject:



From: louis santucci [mailto:santucci.louis@gmail.com]
Sent: Thursday, March 30, 2023 11:07 AM
To: Treasurer <treasurer@peninsulatownship.com>
Subject: budget

I can not reconcile the figure in the budget for legal costs for the womp lawsuit with information I have gathered.

Therefore could you tell me what the total amount of money which has been spent on womp legal fees from the period of the hiring of the fahey law firm until the latest invoice period of march.

Secondly, I do not see in the income side the reimbursement of the legal expense from your insurance carrier. Did I miss it.

Also I am concerned about a merit raise and a cost of living raise for the clerk. What's behind that? Who proposed it? When was it discussed. What has the clerk done that other workers fr the city have not done to justify a merit increase. This double down increase in her salary is troublesome.

I want to commend you for turning down your increase. It shows financial integrity on your part. I do not see how this idea will ever be turned down by people on the board as they all work intandem. This is a waste of our money.

I have a friend who is on the Board of Cooperstown NY none of their members are paid.

Lou

Rebecca Chown

From: Dave Murphy <davemurphy6943@gmail.com>
Sent: Thursday, March 30, 2023 12:50 PM
To: Rebecca Chown
Subject: Regarding township budget

Hello,

In attending Tuesday's (March 28, 2023) budget meeting, I appreciated the thorough responses to various questions raised about the budget. The board did an excellent job of working with the public.

Because the matter was addressed briefly by another party, I opted not to speak to one subject on my mind and that was pay raises. One citizen noted that they were well deserved. No others spoke, so I let it pass.

But upon reflection, I want to note that the work of this town board is drastically undervalued, especially in terms of compensation provided. It's in part why I want to look at a different structure of government to provide not only proper compensation, but full staffing.

I want to note that in particular, my volunteer efforts with the township put me in routine touch with the clerk's office. Becky's years-long efforts with the master planning process and all the communications surrounding that were hugely time consuming but invaluable. Her dive into the parks' needs, non-motorized transportation, grant writing, taking care of the lighthouse, and the incredible job done on the township newsletter that so many citizens value are all add-ons to an already demanding clerk's job. And I know how much Becky counts on our deputy clerk to help carry this heavy load. I'm sure that the other leadership positions in the township also go above and beyond, but because of my frequent interaction's with Becky, I want to emphasize the public's appreciation for her many contributions, which certainly merit the pay raise given and then some.

Thank you.

Dave Murphy
6943 East Shore Road
Traverse City, MI 49686

Business

**Zoning Ordinance
Amendment #203,
Roadside Stands**



PENINSULA TOWNSHIP

MEMO

To: Township Board and Planning Commission
From: Jenn Cram, AICP, Director of Planning and Zoning
Date: April 5, 2023
Re: Zoning Ordinance Amendment #203 – Roadside Stands

The draft amendments to Section 6.7.2 (8) Roadside Stands are proposed to better align with the Right to Farm Act and State of Michigan Generally Accepted Agricultural and Management Practices (GAAMPS) for Farm Markets.

The Planning Commission reviewed proposed amendments to Roadside Stands at a special meeting on March 6, 2023. The Township Board reviewed proposed amendments to Roadside Stands with Planning Commission comments incorporated at their regular meeting on March 14, 2023. The Township's legal counsel has also reviewed the proposed amendments. The latest draft of the proposed amendments to Section 3 – Definitions and Section 6.7.2 (8) Roadside Stands includes all comments received to date.

The proposed amendments utilize definitions that were introduced and adopted with the amendments to farm processing facilities for consistency.

Summary of proposed amendments:

- Changed the use name from Roadside Stand to Farm Stand
- Defined a Farm Stand to be an accessory use to the Active Production of Farm Products
- Removed the maximum square footage requirement for structures
- Clarified what may be sold and what processed products are
- Updated standards for where a Farm Stand may be located
- Included information to help applicants to understand what other permitting may be required as part of the use

The April 11 meeting was publicly noticed as a joint public hearing with the Planning Commission and Township Board to be efficient with time and to allow both the Planning Commission and Township Board to hear public comments at the same time. If the Planning Commission is comfortable with the proposed draft and

recommends approval to the Township Board on April 11, 2023, the Township Board may then take action to adopt Zoning Ordinance Amendment #203 at their next regularly scheduled meeting on May 9, 2023.

Both staff and legal counsel will be available during the joint public hearing on April 11 to answer questions.

**PENINSULA TOWNSHIP
GRAND TRAVERSE COUNTY, MICHIGAN
ZONING ORDINANCE AMENDMENT NO. 203**

Section 1. Amendment of Section 3.2, Definitions: The Peninsula Township Zoning Ordinance, Section 3.2, shall be amended to delete the definition of Roadside Stand and add the definition of Farm Stand as specified below:

Section 3.2 Definitions:

Delete definition of Roadside Stand and replace it with Farm Stand

Farm Stand: A Farm Stand is a structure or display area where marketing and transactions between farm operators and their customers take place. Such Farm Stand shall only be operated as an accessory use of a Farm Operation engaged in the Active Production of Farm Products within Peninsula Township. **(ADDED BY AMENDMENT 203)**

Section 2. Amendment of Subsection 6.7.2 (8), Farm Stand (formerly referred to as a Roadside Stand): The Peninsula Township Zoning Ordinance, Subsection 6.7.2(8), shall be amended to read as follows:

Section 6.7.2 Uses Permitted by Right: **(REVISED BY AMENDMENT 203)**

- (8) Farm Stand: A Farm Stand is an accessory use to the Active Production of Farm Products by a Farm Operation. A Farm Stand is subject to the following conditions:
- (a) The Farm Stand shall be located on a parcel that is owned or controlled by the Farm Operation that produces the products offered for sale at the Farm Stand.
 - (b) One Farm Stand shall be allowed per parcel.
 - (c) The Farm Stand may be located on a parcel controlled by the Farm Operation that is not engaged in Active Production provided the Farm Operation controls another parcel(s) within Peninsula Township that is engaged in the Active Production of Farm Products.
 - (d) The only items that may be offered for sale at a Farm Stand are Raw Produce and processed products as noted below.
 - (e) Processed products will be considered as produced by the Farm Operation if at least 50 percent of the product's primary or namesake ingredient was produced on and by the Farm Operation, such as apples used in apple pie, maple sap in maple syrup, strawberries in

strawberry jam, etc.

- (f) A minimum of 50 percent of all items offered for sale must be produced and/or processed by the Farm Operation that controls the Farm Stand measured by retail floor space during peak production season, or 50 percent of the average gross sales for up to the previous five years or as outlined in a business plan.
- (g) No area may be formally designated for the on-site consumption of items purchased at the Farm Stand.
- (h) No Farm Stand shall be located within a road right-of-way.
- (i) All Farm Stands shall meet the setback requirements of Section 6.8.
- (j) No Farm Stand greater than 120 square feet in area shall be located closer than 165 feet from all existing non-farm residences.
- (k) If a tent or table is used as a Farm Stand it shall be properly staked or weighted to withstand wind and severe weather.
- (l) Parking surfaces for Farm Stands may be vegetative, ground, pavement, or other suitable material. All other aspects of parking for Farm Stands shall meet the requirements of Section 7.6. There shall be a minimum of five (5) parking spaces located outside of the road right-of-way. For structures or areas greater than 150 square feet, there shall be a ratio of one additional parking space per 150 square feet. (As an example, a 300 square foot structure or area will require 6 parking spaces.)
- (m) Signage shall meet the requirements of Section 7.11.
- (n) Exterior lighting shall meet the requirements of Section 7.14.
- (o) A Land Use Permit is required for all Farm Stands.
- (p) Access permits may be required from the Grand Traverse County Road Commission (GTCRC) or the Michigan Department of Transportation (MDOT). Private Road Association approval may also be required.
- (q) All necessary Building, Electrical and Plumbing permits shall be obtained from the Grand Traverse County Building Department per Construction Code for all proposed Farm Stands.

SUP #35, Amendment 2, Seven Hills Development



PENINSULA TOWNSHIP

MEMO

To: Township Board
From: Jenn Cram, AICP, Director of Planning and Zoning
Date: April 5, 2023
Re: Seven Hills Development - SUP #35, Amendment #2

The OMP Seven Hills Development LLC Special Use Permit (SUP) #35, Amendment #2 was introduced to the Planning Commission on November 21, 2022. The Planning Commission held a public hearing on December 19, 2022. The Planning Commission recommended approval of the requested amendments to the Township Board with conditions at a special meeting on March 6, 2023. The draft minutes from that meeting are attached to this memo for reference.

Summary of Requested Amendment:

The property is located at 13795 Seven Hills Road and is zoned C-1 – Commercial. According to the Assessor's records the property is 2.05 acres.

The requested amendment includes increasing the capacity of the whiskey and coffee bar from 32 to 70. The increased capacity includes outdoor seating. In addition, they would like to utilize some space outdoors for gatherings, games, and other activities. Amplified sound may be utilized for outdoor uses.

The applicants have prepared a presentation for the Township Board to help the board to better understand the intent of the requested amendment, also attached to this memo.

The April 11 meeting has been advertised as a public hearing. Draft Findings of Fact and Conditions have been included in the packet. If the board is comfortable with the requested amendment and draft Findings of Fact and Conditions, the board may act to approve the amendment.

Staff will walk the board through the details of the requested amendment and be available to answer any questions.

PENINSULA TOWNSHIP
13235 Center Road, Traverse City Michigan 49686
Ph: 231.223.7322
Planning Commission Special Meeting
March 6, 2023, 7:00 p.m.

1. **Call to Order:** 7:00 p.m. by Shipman
2. **Pledge**
3. **Roll Call:** Present: Shanafelt, Hall, Alexander, Shipman, Hornberger, Couture, Dloski; also present: Jenn Cram, director of planning and Beth Chan, recording secretary
4. **Approve Agenda:**
Moved by Hornberger to approve the agenda as presented, seconded by Alexander
approved by consensus
5. **Brief Citizen Comments (For Non-Agenda Items Only):** None
6. **Conflict of Interest:** None
7. **Consent Agenda:**
 - a. **Approval of Meeting Minutes:** Planning Commission Regular Meeting, December 19, 2022, and January 23, 2023
Moved by Dloski to approve the consent agenda, as presented, seconded by Shanafelt
approved by consensus
8. **Reports and Updates:**
 - a. **Bella Vue SUP/PUD withdrawn**
Cram: the applicant has withdrawn their application. Tree clearing has taken place on the lot. The proper permits were issued for this work from Grand Traverse County Soil Erosion and Sedimentation Control and Peninsula Township Stormwater. Summarized the steps moving forward.
 - b. **Zoning Ordinance Re-write Update**
Cram: gave a brief history and summary of the zoning ordinance rewrite. Explained that the study group and township staff decided, upon discussion, that the zoning ordinance should undergo a complete redo. This process will take one to two years. An RFP will go out in the coming weeks for a firm to help with the process for a complete update.
Dloski: what will the RFP entail?

Cram: a consultant will be hired to assist with the process; it is a large undertaking and since planning practices have changed, a consultant is necessary.

Discussion of expectations for the zoning ordinance rewrite and updating process

9. Business:

a. Coastal Resiliency-Barry Hicks with LIAA

Hicks presented a PowerPoint presentation on coastal resiliency which is included in the packet.

Couture: concerning the rip rap issue, homeowners were constructing sea walls, sometimes without permits, when high water events happened unexpectedly.

Discussion

Alexander: it is important to look at how it affects the neighbor's property

Shipman: education is very important in this case

Hall: explained the shoreline control measures/situation due to erosion at Eagles Landing subdivision.

Cram: explained the importance of the vegetative buffer on the shoreline and the consequences of removal.

Couture: Haserot boat launch was lost due to high water; there is a need to look at future concerns for these lakefront areas.

Hicks: an example is shifting sand as an impact around rip rap; Google Earth will show the buildup of sand. A pier is an interrupter in which sand deposits and it is seen along the coastline.

Discussion of the government entities such as the Grand Traverse County Road Commission's involvement, funding, and responsibility

Hicks: the information presented this evening is an assessment of coastal resiliency and points out the issues that need to be addressed policy-wise and introduces what could happen. Collaboration among state and local government agencies is important.

Cram: will share the link to the assessment, and will review the recommendations for inclusion in the master plan.

b. Bowers Harbor Boat Works SUP #14, Amendment #1-Introduction (16961 Center Road, Traverse City, MI 49686)

Cram: reviews the memo contained in the packet for SUP #14, Amendment #1; the applicant needs to provide additional information. Stated what information is needed to move forward.

Shipman: requests the original SUP for review.

Cram: the original SUP, with findings of fact and conclusions, allowed for boat storage, boat maintenance, manufacturing of fishing poles, and fruit storage.

c. OMP Seven Hills Development LLC SUP #35, Amendment #2 – (13795 Seven Hills Road, Traverse City, MI 49686) Review of new information and continued discussion with potential PC action to occur.

Cram: reviews the draft findings of fact and conditions contained in the packet.

Received an updated site plan; briefly reviewed parking space requirements: the drive aisles have been widened to twenty feet wide and have received approval from the fire chief as a condition of approval. The buildings meet setbacks for the C-1 and meet the zoning requirements. The applicants are asking to increase the coffee and whiskey bar capacity indoors and outdoors to seventy(70) occupants. Grand Traverse County Health Department has approved the onsite septic system. The applicant has submitted a detailed lighting plan. This is the new information received since the December meeting. Amplified sound has been proposed, so it is important to discuss the hours of operation which are proposed to be 9:00 a.m. to 10:00 p.m. Sunday through Thursday and 9:00 a.m. to 11:00 p.m. Friday and Saturday. This condition of approval has been left open. The applicant plans on following the noise ordinance.

Dloski: was there a diagram with the houses?

Cram: there is an aerial view that shows the proximity of the residences. With the hours proposed in mind, other C-1 businesses were polled for hours of operation. These businesses close at 9:00 p.m. in summer and winter. The winter hours proposed by the applicant are Sunday through Thursday 9:00 a.m. to 9:00 p.m., Friday and Saturday 9:00 a.m. to 10:00 p.m. Winter hours are Sunday through Thursday 9:00 am to 10:00 pm, Friday and Saturday 9:00 a.m. to 11:00 p.m.

Hall: concerned with noise from patrons plus amplified music.

Cram: reads the township noise ordinance #40, Amendment #1.

Discussion of decibel measurement and the police power ordinance for enforcement

Alexander: nothing should go that late, outdoor activity should cease at 9:00 p.m. and move indoors.

Cram: in C-1, we want these uses to occur; they need to be harmonious with adjoining properties. The hours proposed are reasonable.

Shanafelt: if the noise ordinance is violated, they should be held accountable.

Cram: legal council will be involved to draft conditions of approval.

Discussion of possible complaints and enforcement mechanisms

Couture: has a concern about the hours of operation and music every single day; amplified music to be limited to weekends for a possible solution.

Dloski: the noise is not limited to amplified music.

Alexander: 11:00 p.m. is too late, with families living near; 10:00 p.m. is the limit, then after that, patrons must move inside.

Discussion of closing time

Cram: sound is not only music; all noise should be taken into consideration.

Alexander: proposed 9:00 p.m. for the week and 10:00 p.m. on the weekends.

Shanafelt: outdoor use should be capped at 10:00 p.m.

Shipman: when looking at other ordinances, everyone capped out at 10:00 p.m.; this is a big issue and a big problem and requires extended discussion.

Dloski: reiterated a closing time to be 9:00 p.m. for the outdoor Sunday through Thursday, and 10:00 p.m. on Friday and Saturday.

Discussion of hours, noise, and compliance with the noise ordinance

Cram: in the updated January packet, they noted they would play music; the outdoor space closure was 10:00 p.m. Sunday through Thursday and 11:00 p.m. Friday and Saturday. We did hear from neighbors in the public hearing about the noise. With valid complaints, the SUP could be revoked under a condition of approval.

Discussion

Dloski: proposed a motion to set hours at seven days with an outdoor closing time of 10:00 p.m. with no limit on the indoor and ongoing compliance with the noise ordinance.

Shanafelt: agree with the motion; are we concerned with the indoor hours?

Cram: staff did find that the applicant has met all of the general standards under 8.1.3(1) and specific requirements under section 8.1.3(3) with the conditions of approval and addressing the hours of operation. For future issues on Seven Hills Road, if parking complaints to the sheriff's department occur, then no parking signs will be placed on Seven Hills Road. Applicants are willing to install no parking signs that could be placed in the parking lot to alert patrons not to park on Seven Hills Road if the business parking lot is full.

Moved by Dloski that the planning commission recommend approval of OMP Seven Hills Development LLC, SUP #35, Amendment #2 to the township board, subject to the approval conditions and safeguards on pages six and seven of the staff report and to include #3 which includes outdoor operation that must cease at 10:00 p.m. seven days a week and compliance with the noise ordinance, as amended, seconded by Hall.

approved by consensus

Cram: this will go before the township board at the April 11, 2023 meeting.

d. Policy Discussion on Roadside Stands

Cram: the main goal of these amendments is to update the zoning ordinance so that the roadside stand regulations are consistent with farm market GAAMPs. The primary changes in the farm market GAAMPs do not limit the maximum square footage for structures. The GAAMPs are included in the packet. Summarized the proposed amendments found on the memo in the packet. Currently, our limit for a roadside stand is one-hundred and fifty (150) square feet. We could still have a square foot limit for farms not following GAAMPs. The maximum square footage applies to farms following the GAAMPs. A roadside stand should not be limited in size as long as it is an accessory

to active production. There are definitions adopted in the farm processing facility that carry forward with the roadside stand. The retail space has been limited in a farm processing facility to fifteen hundred (1500) square feet. Processing is not protected by the Right to Farm Act, that is left to local zoning. The size of the area where the farmer can have the transactions should go back to that fifty (50) percent based on their retail area or sales over a five-year period. Second, there is clarification on what may be sold and what processed products are. It is limited to what they grow and what they process. Thirdly, standards have been updated for where roadside stands may be located. Finally, information was included to help the applicant to understand what other permitting may be required as part of the use. Briefly reviewed building permit standards. In addition, parking was addressed in the updated version; it is consistent with the township parking standards. Also, the sign ordinance should be updated for a larger sign for a roadside stand. The processing kitchen as a use by right will be discussed at a later date.

Alexander: addresses the topic from the e-mail included in the packet: fifty (50) percent of the primary or namesake ingredient produced on and by the farm processing operation that controls the roadside stand. References lavender as an example. Fifty (50) percent in this case is not feasible.

Cram: will discuss this with legal counsel.

Discussion of Right to Farm/GAAMP language and policy for roadside stands for the zoning ordinance amendment

Hall: raises the issue of the location of a roadside stand for multiple farm operation parcels.

Cram: when going through the farm processing ordinance the goal was to make a zoning ordinance that was legally defensible for the commerce clause. The minimum acreage must be sixty-five (65) percent in active production but could process products from another county. Desire a similar thought process for roadside stands.

Discussion of location and product, farmstands and GAAMPS

Cram: proposes a joint meeting with the township board to pass this amendment

e. Process Discussion on Special Use Permits and Site Plan Review

Cram: proposes to update the process documents, they are outdated. For a SUP, suggests: a pre-application meeting and the requirement that a complete application be submitted six (6) weeks before the meeting that will include the introduction. That will allow for review and outside agency review. At that point, the concerns are addressed before a public hearing.

Discussion

Cram: an administrative SUP would notify the neighbors and they could comment, if more than thirty (30) percent responded, a public hearing would occur at the township board level. This will be brought back to the next meeting.

Dloski: the bylaws will need to be updated with this change

10. Public Comments:

Dave Edmondson, 12414 Center Road: commended planner Cram on the farmstand policy, it is very encouraging as a farmstand operator to see it moving in a positive direction. This supports real agriculture. The direction of the zoning ordinance rewrite is appropriate.

Nancy Heller, 3091 Blue Water Road: observed in these meetings the good intentions but there is not a good enforcement system in place for the township. Need to talk to law enforcement and see what Peninsula Township can expect in response to complaints. The time allotment for the township enforcement officer is limited.

11. Other Matters or Comments by Planning Commission Members: None

12. Adjournment: 9:50 p.m.

Moved by Dloski to adjourn, seconded by Hall

approved by consensus

SEVEN HILLS

a community center on old mission peninsula

SUP #35 Amendment 2

The purpose of this amendment is to adjust the capacity of the Seven Hills Community Center from 32 to 70 people and to allow for outdoor use. Capacity is dictated by many things which we have addressed with the county and township and have the ability to increase based on our parking spaces, septic and drain field capacity.

Our proposed outdoor use to include games and gathering in the grassy area south of building and on our covered patio. Low volume music from two 12-inch speakers will add ambiance to guests on the patio at Seven Hills without disrupting neighboring properties.

After meeting the requirements of the planning commission, we are here before the township board asking for the ability to use our outdoor space in a harmonious way without disturbing surrounding properties. Our proposed closing time for the outdoor space is:

Sunday – Thursday 10PM

Friday – Saturday 11PM

We, the owners of Seven Hills Community Center are all Old Mission residents and have the best interests of the community. We wish to only be a positive addition to Old Mission. We feel the proposed hours of operation, in conjunction with our business model, topography, foliage and technology are very reasonable. Operations will NOT negatively affect the neighbors. All operations are being designed for minimal impact.



- Owners live within 1,000 feet of Seven Hills Community Center
- Two other owners live 2 miles from Seven Hills Community Center



Topography and Foliage

Entrance off Seven Hills Road facing West



Facing East from
Seven Hills Entrance

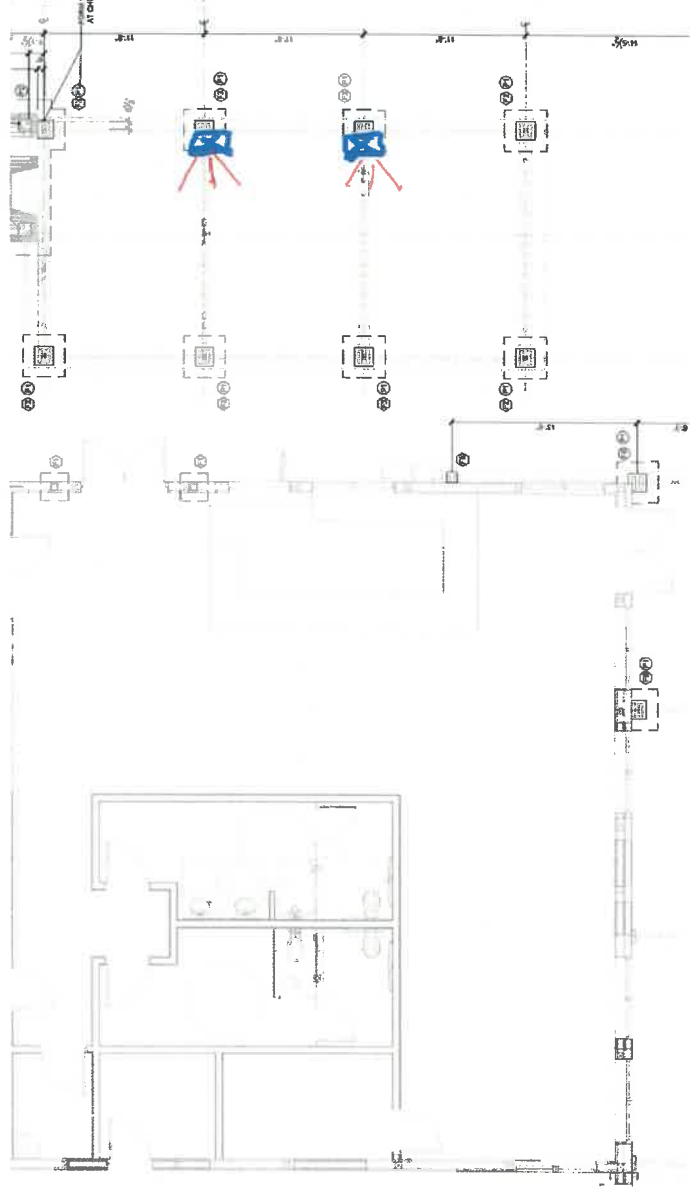
Topography and Foliage



- Seven Hills Community Center is situated in a natural “bowl” with 270 degrees of hills surrounding the property helping to mitigate sound from surrounding properties
- Dense foliage surrounds the property in full 360 degree coverage mitigating sound from surrounding properties

Sound and Speaker Placement

- Two small outdoor speakers specifically designed and placed to only cast music to patio.
- Speaker placement angled down and toward the building to dampen sound
- All speakers/zone volume will be controlled separately allowing for lower volume outdoors vs indoors.



Mariner 66

Height: 12.14" (308mm)
Width: 7.51" (191mm)
Depth: 6.86" (174mm)

Specifications

SKU	WHITE - 93154 BLACK - 93155
UOM	Pair
Tweeter	1" (25mm) powder-coated aluminum dome, Ferraloid cooled, in acoustic back chamber
Woofer	6.5" (165mm) Kevlar/Komex laminated cone with a Santoprene surround
Frequency Response	50Hz - 20kHz ±3dB
Impedance	8 ohms nominal; 6 ohms minimum
Power Handling	5 watts minimum; 100 watts maximum
Sensitivity	90dB SPL (2.83V/1 meter)
Environmental	Conforms to MIL Spec 810 for humidity, salt spray, temperature and UV, IP-66 waterproof rating
Environment Temp	-13° - 149°F (-25°C - 65°C)
Dimensions (W x H x D)	7.51" x 12.14" x 6.86" (191mm x 308mm x 174mm)
Grille	Perforated aluminum
Shipping Weight	17 lbs. (7.7kg) pair



Landscape and Mitigation

In addition to the natural topography, foliage and technology we have implemented to protect the surrounding properties we will also be leveraging the experience and expertise of our partner Jordan Valdmanis. Jordan is the owner of Old Mission Associates, a large landscape company based on Old Mission Peninsula. Jordan has over 20 years of landscape design, privacy screening and sound mitigation experience. Utilizing all these resources will create a positive experience at Seven Hills and for the community of Old Mission for many years.

Conclusion

We (the owners) are all residents and good neighbors of Old Mission Peninsula. We all have families and businesses here in this community. Our goals and intentions for Old Mission are the same as most residents. We are committed to preserving and protecting this beautiful landscape and community for generations to come. By upholding the intent of the zoning ordinance and only developing commercial enterprise on commercially zoned properties we can protect this gorgeous peninsula.

Given the zoning of our property, the steps to mitigate and address concerns of the community and our positive track record, we ask that the Peninsula Township Board take action to approve our proposed increased capacity, outdoor uses and hours of operation.

To address any further concerns related to hours of operation, we would also be amendable to a probationary period of one year, for our proposed 11PM outdoor use closure on Friday and Saturday evenings.

Thank you for your time.

Jordan Valdmanis

Brian Peace

Troy Daily

Jay Milliken

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

SPECIAL USE PERMIT (SUP)
FINDINGS OF FACT AND CONDITIONS
SUP #35, Amendment #2 - 7 Hills Redevelopment
April 11, 2023

PENINSULA TOWNSHIP BOARD

Applicant: OMP Seven Hills Development, LLC – (Troy Daily, Jay Milliken and Jordan Valdmanis)
13795 Seven Hills Road
Traverse City, Michigan 49684

Hearing Date(s): November 21, 2022 – Introduction to Planning Commission
December 19, 2022 – Public Hearing with Planning Commission
March 6, 2023 – Draft Findings of Fact and Conditions at Planning Commission
April 11, 2023 – Public Hearing with Township Board

PROPERTY DESCRIPTION

Parcel ID#: 28-11-128-002-00
Property Address: 13795 Seven Hills Rd
Zoning: C-1 Commercial District

GENERAL INTRODUCTION AND BACKGROUND

Special Use Permit (SUP) #35 was approved on February 9, 1993. The original approval included four buildings for various professional offices and related storage.

The first amendment to SUP #35 was approved on May 11, 2021. The approval of amendment #1 was for a redevelopment of the property that reduced the total number of buildings to two. The uses approved within the two buildings included a restaurant/tavern in the front or eastern building and retail, offices, and storage in the back or western building along with associated parking, drainage facilities, lighting and landscaping. The Findings of Fact and Conditions from the approval of the first amendment is attached for reference under [\(EXHIBIT 9\)](#).

The applicants have requested a second amendment to expand the capacity of the restaurant/tavern from 32 to 70 and to allow outdoor uses in a defined area that includes seating, consumption of food and beverages,

yard games such as corn hole, fitness classes and gatherings. Proposed outdoor uses may utilize amplified sound.

As noted above the subject property is zoned C-1 and is 2.05 acres. The property has an existing improved access from Seven Hills Road.

All approved and proposed uses are allowed within the C-1 zone district with the approval of a Special Use Permit.

The submitted application (as revised) is included in **EXHIBIT 1**.

SECTION 8.1.3 BASIS FOR DETERMINATIONS

FINDINGS - SECTION 8.1.3 (1) GENERAL STANDARDS

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

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

The character of the area surrounding the subject property is generally agricultural and rural residential in nature. The land directly adjacent to the subject property is mostly wooded and Bowers Harbor Vineyard is located to the north and west.

This site has been commercially zoned since the Township adopted its zoning district map and has been utilized with allowed commercial uses.

The buildings meet required setbacks for the C-1 zone district. The proposed architecture, parking areas and landscaping are attractive. The approved and proposed uses conducted indoors should not negatively impact adjacent properties. However, the proposed outdoor uses could impact neighbors with the potential for noise to travel based on the surrounding topography. Negative impacts can be minimized by following the Noise Ordinance #40 as amended and with the establishment of reasonable hours of operation.

The applicants have noted that they intend to abide by all requirements of the Peninsula Township Noise Ordinance as amended. In addition, they have proposed that outdoor uses will be conducted during winter hours Sunday – Thursday until 9 p.m. and Friday-Saturday until 10 p.m. Summer hours for outdoor uses are proposed to be Sunday – Thursday until 10 p.m. and Friday-Saturday until 11 p.m.

Staff has investigated the hours of operation for other commercial restaurant/taverns with outdoor seating and/or uses on the peninsula and found that most close by 9 pm both winter and summer. Staff understands that the property is zoned C-1 and commercial uses are permitted, but because this property is surrounded by rural residential uses there is a concern that later hours for outdoor uses have the potential for noise to be disturbing to neighbors and not be harmonious with the surrounding area. Please see the attached aerial with the distance of surrounding residential uses for reference, attached as [EXHIBIT 2](#).

The Planning Commission discussed the proposed hours of operation for outdoor uses at a special meeting on March 6, 2023. Draft minutes from that meeting are attached for reference. The Planning Commission unanimously approved a motion to recommend approval of the requested amendment with a condition that the hours of operation for outdoor uses cease at 10 p.m. seven days a week and that the applicants abide by the Noise Ordinance as amended.

- 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.

As noted above the proposed project will be attractive. There is no concern with the approved uses conducted indoors. The hours of operation for outdoor uses has been addressed with a recommended condition of approval.

- 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 proposed uses will be served adequately by essential services. The proposed uses do not place any additional burden on adjacent roadways, public emergency services, public utilities, or schools. The Fire Department has conducted a site inspection and noted that they do not have concerns with the proposed increase in capacity and outdoor uses provided all of the requirements noted in their letter from the first amendment approval dated February 10, 2021 have or will be met. ([EXHIBIT 3](#)). Compliance with Fire Department requirements is included as a proposed condition of approval.

The Grand Traverse County Health Department has reviewed the proposed increase in capacity and outdoor uses and has noted that the maximum number of patrons for the restaurant/tavern both indoors and outdoors is appropriate for the capacity of the on-site septic system as currently designed ([EXHIBIT 4](#)). Continued compliance with Health Department requirements is included as a proposed condition of approval.

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

The revised site plan dated February 15, 2023 provides the required number of parking spaces (55) for all uses on the property. However, the Planning Commission noted concerns with parking over flow onto Seven Hills Road. Staff reached out to the Grand Traverse County Road Commission to see if no parking signs could be placed on Seven Hills Road at the owners' expense to discourage this. Unfortunately, the Road Commission noted that this can only be

accomplished if there is documented proof that there is an ongoing issue with cars parking on the roadway (EXHIBIT 5). Staff discussed placing signage near the exit of the property to encourage their patrons to come back another time if parking is full, as no parking on the road is allowed and people will be ticketed and towed. The applicants are agreeable to this and a proposed condition of approval has been included.

With proposed signage in place the applicants are doing their best to minimize the potential impact to roads and need for enforcement. Thus, the proposed uses do not create excessive additional requirements at public cost since all uses are private and do not increase the need for public facilities or services.

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

The proposed uses do not include uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by fumes, glare, or odors.

Storage accessory to the uses on the property is proposed. A condition of approval is that all storage of materials on-site comply with all applicable OSHA regulations, EPA regulations, state of Michigan (EGLE) regulations, and the International Fire Code.

FINDINGS - SECTION 8.1.3(3) SPECIFIC REQUIREMENTS:

***Specific Requirements.** In reviewing an impact assessment and site plan, the town board and the planning commission shall consider the following standards:*

- (a) That the applicant may legally apply for site plan review. **The Assessor's records show that the applicants are the owners of the subject property and may apply for an amendment to the SUP.**
- (b) That all required information has been provided. **All required information is provided as part of this application. (EXHIBIT 1).**
- (c) That the proposed development conforms to all regulations of the zoning district in which it is located. **The proposed development conforms to regulations of the C-1 zoning district, subject to the conditions of approval noted on page 7.**
- (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. **Gourdie Fraser Engineers has reviewed the submitted plans for compliance with storm water control regulations and parking layout. They noted that one additional ADA compliant parking space is required for the proposed number of parking spaces (EXHIBIT 6). A condition of approval has been proposed to address this.**

The Grand Traverse County Health Department has also provided comments (EXHIBIT 4). They

have no concerns with the proposed increase in capacity provided that the restaurant/tavern is limited to 70 total patrons both indoors and outdoors. Outdoor uses should also allow for evaporation over the drain field and not be compacted by heavy weight. A proposed condition of approval has been included.

The fire chief is also comfortable provided that the proposed pervious pavers meet the specifications noted in his email dated February 16, 2023 and conditions of approval from the first amendment continue to be met (EXHIBIT 3). Again, a proposed condition of approval has been included.

- (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 proposed uses, along with plans and relevant information, have been supplied to the necessary governmental agencies for review and approval. In addition to the agencies noted above, the Grand Traverse County Building Department/Construction Code noted that they had no concerns with the increased capacity as long as they were provided with a copy of the approved SUP amendment and/or Land Use Permit (EXHIBIT 7).**
- (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 subject property is largely developed and will remain as such. There will be less building mass on the site after the project is complete since the number of buildings was reduced as part of the approval of the first amendment from four to two. The footprint of the restaurant/tavern was also reduced after approval of the first amendment. The use of pervious pavers in some areas also helps to reduce impervious surfaces.**
- (g) That the proposed development property respects floodways and floodplains on or in the vicinity of the subject property. **There are no floodways or floodplains in the vicinity of this site.**
- (h) That the soil conditions are suitable for excavation and site preparation and that organic, wet, or other soils that are not suitable for development will either be undisturbed or modified in an acceptable manner. **These soils are suitable for construction activities. Soil types are identified on page 2.0 of the drawings submitted (EXHIBIT 1).**
- (i) That the proposed development will not cause soil erosion or sedimentation problems. **Gourdie Fraser Engineers have reviewed the plans for soil erosion control and have no concerns. (EXHIBIT 6).**
- (j) That the drainage plan for the proposed development is adequate to handle anticipated stormwater runoff and will not cause undue runoff onto neighboring property or overloading of water courses in the area. **The proposed uses will not cause any increase in off-site storm water runoff. The site plan illustrates a stormwater detention basin. See letter from Gourdie Fraser Engineers (EXHIBIT 6).**
- (k) That grading or filling will not destroy the character of the property or the surrounding area and will

not adversely affect the adjacent or neighboring properties. **Proposed grading is limited to the north of the site and is associated with drainage and septic system activities. The general character of the site remains essentially unchanged.**

- (l) That structures, landscaping, landfills, or other land uses will not disrupt air drainage systems necessary for agricultural uses. **Proposed grading as part of this project will not change the general cold air drainage flow of the site.**
- (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. **According to the application, this project will not be developed in phases.**
- (n) That the plan provides for the proper expansion of existing facilities such as public streets, drainage systems, and water sewage facilities. **No expansion of public streets, drainage systems, or utility systems is required or proposed.**
- (o) That landscaping, fences, or walls may be required by the town board and planning commission in pursuance of the objectives of this ordinance. **A landscape plan was approved with the first amendment that shows new trees and shrubs throughout the site. Implementation of this plan is a condition of approval.**
- (p) That parking layout will not adversely affect the flow of traffic within the site or to and from the adjacent streets. **The required number of parking spaces has been provided for all proposed uses at 55 total spaces. The parking lot layout is similar to the layout approved with the first amendment except for the conversion of two bus parking spaces to four regular parking spaces and the addition of three new spaces on the north side of the eastern parking area. Those three spaces include the use of pervious pavers. Drive aisles have also been increased to a minimum of 20-feet as required by the Fire Department.**
- (q) That vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks serving the site, shall be safe and convenient. **Vehicular traffic will enter and exit the property on Seven Hills Road. Grand Traverse County Road Commission requirements noted as part of the approval of the first amendment have been completed (EXHIBIT 8).**
- (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. **One single dumpster is located behind the proposed restaurant/tavern. The submitted plans show that this location includes a dumpster enclosure – sheet 3.0. (EXHIBIT 1).**
- (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 proposed development meets the objectives of the ordinance and the principles of sound planning by improving the existing character of the subject parcel and providing opportunities for new commercial uses.**

COMPLIANCE WITH GOVERNMENTAL REGULATIONS:

The petitioner shall comply with all state, county, township, and other governmental regulations relative to the establishment of the special use for a parcel zoned C-1, which includes meeting the requirements of the Michigan Department of Transportation (MDOT), Michigan Liquor Control Commission (MLCC), the Grand Traverse County Drain Commissioner (GTCD), the Grand Traverse County Road Commission (GTCRC), and the Grand Traverse County Health Department (GTCHD). Zoning compliance is based on the governing special land use document, approved site plan, and Articles 6 and 8 of the Peninsula Township Zoning Ordinance.

APPROVAL CONDITIONS AND SAFEGUARDS:

Pursuant to Section 8.1.3 (2), the board may require such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights, and for ensuring that the intent and objectives of the ordinance will be observed. The breach of any condition, safeguard, or requirement shall automatically invalidate the permit granted. Specific conditions and requirements for a land use permit include:

- 1) Uses approved as part of this SUP amendment include the following:
 - a. Restaurant/Coffee Shop with a Market/Retail
 - b. Tasting Room/Bar/Tavern
 - c. Professional Offices
 - d. Single Chair Salon
 - e. Artist Studio/Retail
 - f. Outdoor uses including: Seating/Consumption, Games, Fitness Classes, Gathering all with the potential for amplified sound
 - g. Indoor storage of materials accessory to on-site uses
- 2) The maximum number of patrons for the coffee shop/restaurant/tavern and market/retail space within the eastern building and defined outdoor use areas at any time both indoors and outdoors is seventy (70).
- 3) Outdoor uses shall cease at 10 p.m. seven days a week.
- 4) All use of the property shall comply with the Peninsula Township Noise Ordinance as amended.
- 5) One additional ADA compliant parking space will be striped and signed for a total of three ADA parking spaces on site.
- 6) Continued compliance with permitting necessary with the Grand Traverse County Health Department and Construction Code is required.
- 7) No outside storage of contractor equipment or construction materials is permitted.
- 8) All existing and proposed lighting shall be compliant with Section 7.14.
- 9) Existing signage near Seven Hills Road is reduced to one sign no taller than 5 feet and no larger than 30 square feet.
- 10) The applicant shall install signage at their cost near the exit that notes that no parking is permitted on Peninsula Township roads.
- 11) Full implementation of the landscape plan (Sheet 5.0) as approved with the first amendment is required.
- 12) The outdoor use areas shall be clearly designated to meet the requirements of the Michigan Liquor Control Commission (MLCC). The approved site plan and landscape plan shall be amended to be consistent with MLCC requirements and submitted to the Director of Planning and Zoning for review and approval prior to issuance of a Land Use Permit.

- 13) All storage space shown on the plans shall comply with all applicable OSHA regulations, EPA regulations, state of Michigan (EGLE) regulations and the International Fire Code.
- 14) Full compliance with all Fire Department review requirements stipulated in the letter dated February 10, 2021, and email dated February 16, 2023, is required, see (EXHIBIT 3).
- 15) Compliance with the review requirements stipulated in the letter from Gourdie Fraser Engineers is required, see (EXHIBIT 6).
- 16) Continuing to provide and accommodate access to the property to the south from the drive/parking area is required. Access to the property to the south was established from the drive/parking area pursuant to SUP #35 to eliminate the need for an additional access point on Seven Hills Road.
- 17) This SUP amendment shall expire one year after the final date of approval unless a Land Use Permit is applied for and issued for the increased occupancy and change of uses on the property.

COMMENCEMENT AND COMPLETION

The commencement and completion of special land uses are governed by Section 8.1.2(5) of the Peninsula Township Zoning Ordinance. Violations of the special land use permit and accompanying site plan are enforceable, and remedies are available under Section 3.2 of the zoning ordinance.

EFFECTIVE DATE OF SPECIAL LAND USE:

The special land use shall be effective when the application has been approved by the Peninsula Township Board of Trustees, subject to the above conditions. The board approves by a vote of:

AYES	_____
NAYS	_____
ABSTAINING	_____
ABSENT	_____

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

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

Rebecca Chown, Peninsula Township Clerk

Approved by the Peninsula Township Board on _____

Isaiah Wunsch, Peninsula Township Supervisor

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

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

OMP Seven Hills, LLC – (Jordan Valdmanis, Brian Peace, Troy Daily and Jay Milliken) 16330 Peninsula Drive

Exhibit 1

1/10/2023



SUP #35

Amendment #2

Addendum #1

Outdoor Space:

Given the zoning of our property and the obvious need to operate within the noise and lighting ordinances of Peninsula Township please find our "outdoor space" closure hours:

Sunday – Thursday 10PM Closure

Friday – Saturday 11PM Closure

MLCC:

Final MLCC approval will coincide with the certificate of occupancy from Grand Traverse County and a final inspection by the MLCC. Final issuance contingent on final inspection. Attached is our conditional approval from the MLCC.

Outdoor Space Lighting:

See attached for fixture specifications and photometric data.

While adhering to the Peninsula Township Ordinance and doing what is safe and responsible for the property and our operations, we are requesting conditional approval for our new outdoor space lighting. Our site plan was approved as is with our current and original exterior lighting plan (outlined on site plan and in attached docs) compliant with the Peninsula Township Lighting Ordinance Section 7.14. Per the ordinance, light will NOT bleed into surrounding properties and will provide adequate coverage for parking and outdoor space. As it sits, there are currently no requirements or specifications on minimum or maximum lighting for commercial properties. With that, we will be lighting the outdoor areas with adequate, dark sky approved, shielded fixtures per the Peninsula Township Ordinance.

SUP #35

Amendment #2

January 8, 2023



The purpose of this second amendment is to give OMP Seven Hills LLC the ability to operate successfully, for a long period of time within the confines of the Peninsula Township Ordinance. There is some slight adjustment to the square footage per use as well as an increase of seats within the tasting room and market. Additional seating falls within the allotments based on fire department, health department, environmental agencies (septic and drainage), parking requirements and traffic surveys.

In addition to increasing our seat count, we are also seeking approval for outdoor uses on the property. Commercially zoned (C-1) property is the only zoned property that should truly be allowed to conduct commercial outdoor uses. Outdoor use to include games (ie. cornhole, horseshoes, etc), outdoor yoga/fitness classes, gathering, consumption (eating and drinking).

Given the commercial zoning of our property and state liquor laws we are allowed to serve patrons alcohol until 2am. With that, we will be limiting our outdoor hours of operation for the property, closing 11pm Sunday - Thursday and closing 12am Friday - Saturday. Amplified music may be played during these hours of operation and will remain in compliance with the noise ordinance.

As the ordinance sits now, it is very misleading to state all uses must be conducted in an enclosed building. This is not possible with commercial uses including things like Marinas that are inherently outdoors. All outdoor uses will comply with current noise and lighting ordinances.

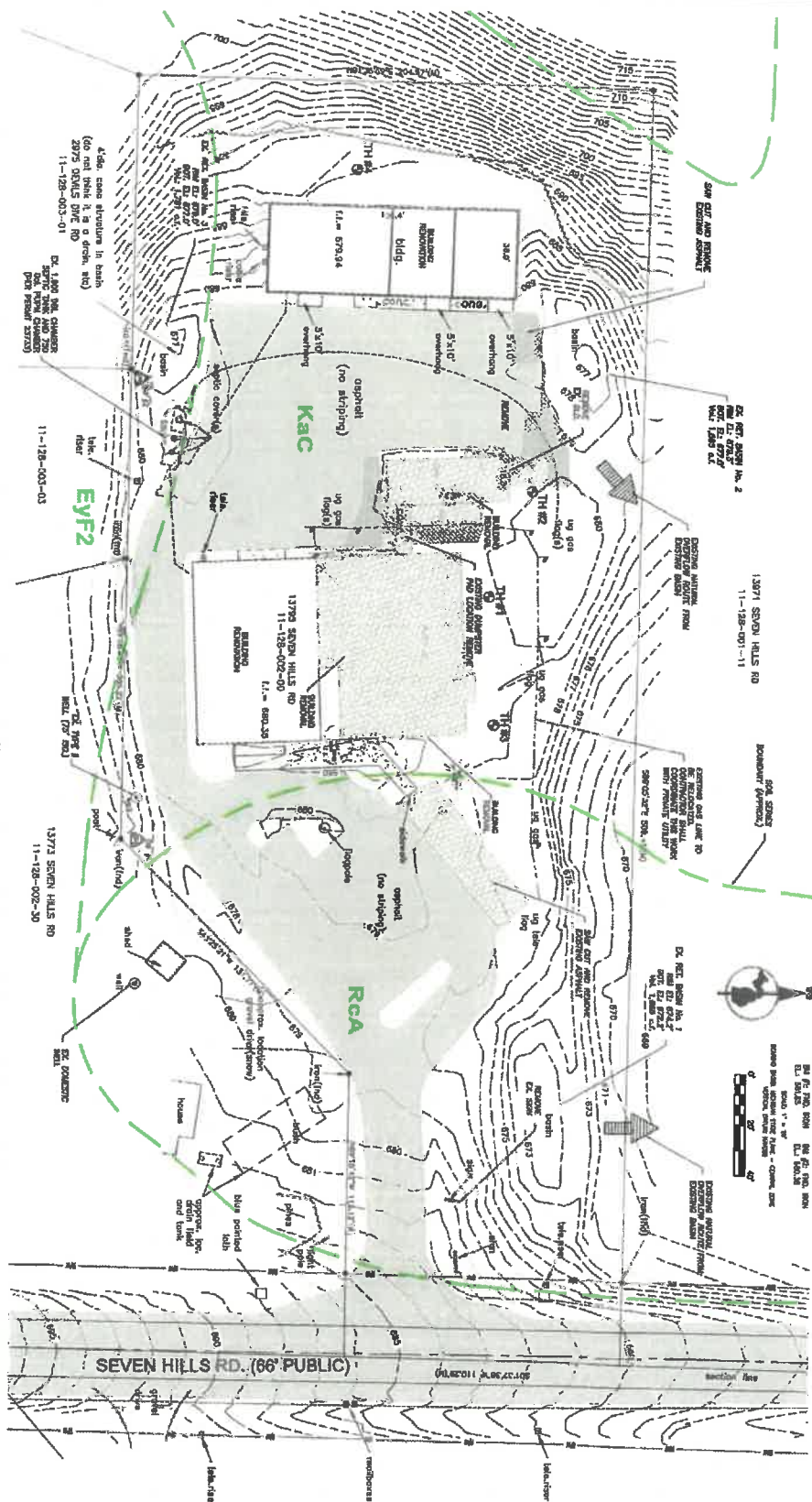
Purpose of Amendment:

Increase seating capacity from 32 to 70 seats

Allow for outdoor uses on property

All other uses and restrictions outlined in the original approved SUP #35 will remain.

A BENCHMARK DATA



USDA / NRCS SOIL SURVEY DATA

1. THE WORK NOT PROVIDED, THEREFORE ESSENTIALS OF RECORD, ETC. ARE NOT KNOWN.
2. UNDERGROUND UTILITIES WERE NOT PLACED AT THE OF SITE TOPOGRAPHY, U.S. PLANS SHOWN ON PLANS WERE PLACED PREVIOUS.
3. SOURCES NAMED "BLUE LIFT" ARE UNKNOWN AS WHY THEY ARE STATED.

COA NE COR SEC 26 TH 1/3 S 671.50 FT TO POB TH S ALG E
LINE 110.65 FT TH W 11.5 FT POB WITH N 1/2 LINE TH S
44 DEC 13 00W 135.00 FT TH S 89 DEC 40 30 W
14 DEC 13 TH N 50.50 FT TH S 89 DEC 40 30 W 909.53
FT TO POB 2.05 ACRES SEC 26 12W N 1/2 ALG E
89 11 28 00W 135.00 FT TO POB 28 11 28 00W 120W ALG E
11 28 00W 135.00 FT TO POB 28 11 28 00W 120W ALG E
JENNINGS, TENNESSEE PER SPECIAL USE PLAT 35.

HAND AUGER BORINGS W/ GTCHE™ A1

[illegible]

DEMOLITION AND ABANDONMENT NOTES

[illegible]

SHEET INDEX

SHEET 20 - EXISTING CONDITIONS AND DEMOLITION
SHEET 30 - BITE PLAN
SHEET 40 - BEBC AND STORMWATER CONTROL PLAN

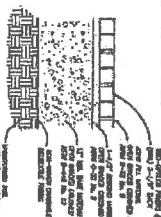


2975 DEVILS DNE RD
11-128-003-01

- ## SOIL EROSION PREVENTION NOTES

- ## RETENTION BASIN CALCULATIONS


 文部科学省



11-128-002-01

2875 DENNIS DR

11-128-002-01

13795 SEVEN HILLS RD

11-128-002-00

13773 SEVEN HILLS RD

11-128-002-00

Label	Contingency Number
A	Healthy (H) 123456789, 1011, 123456789 A111 A22 normal-hump
B	Healthy (H) 123456789, 1011, 123456789 A111 A22 normal-hump
C	Healthy (H) 123456789, 1011, 123456789 A111 A22 normal-hump
D	Healthy (H) 123456789, 1011, 123456789 A111 A22 normal-hump
E	Healthy (H) 123456789, 1011, 123456789 A111 A22 normal-hump
F	Healthy (H) 123456789, 1011, 123456789 A111 A22 normal-hump
G	Healthy (H) 123456789, 1011, 123456789 A111 A22 normal-hump
H	Healthy (H) 123456789, 1011, 123456789 A111 A22 normal-hump
I	Healthy (H) 123456789, 1011, 123456789 A111 A22 normal-hump
J	Healthy (H) 123456789, 1011, 123456789 A111 A22 normal-hump
K	Healthy (H) 123456789, 1011, 123456789 A111 A22 normal-hump
L	Healthy (H) 123456789, 1011, 123456789 A111 A22 normal-hump
M	Healthy (H) 123456789, 1011, 123456789 A111 A22 normal-hump
N	Healthy (H) 123456789, 1011, 123456789 A111 A22 normal-hump
O	Healthy (H) 123456789, 1011, 123456789 A111 A22 normal-hump
P	Healthy (H) 123456789, 1011, 123456789 A111 A22 normal-hump
Q	Healthy (H) 123456789, 1011, 123456789 A111 A22 normal-hump
R	Healthy (H) 123456789, 1011, 123456789 A111 A22 normal-hump
S	Healthy (H) 123456789, 1011, 123456789 A111 A22 normal-hump
T	Healthy (H) 123456789, 1011, 123456789 A111 A22 normal-hump
U	Healthy (H) 123456789, 1011, 123456789 A111 A22 normal-hump
V	Healthy (H) 123456789, 1011, 123456789 A111 A22 normal-hump
W	Healthy (H) 123456789, 1011, 123456789 A111 A22 normal-hump
X	Healthy (H) 123456789, 1011, 123456789 A111 A22 normal-hump
Y	Healthy (H) 123456789, 1011, 123456789 A111 A22 normal-hump
Z	Healthy (H) 123456789, 1011, 123456789 A111 A22 normal-hump

11-128-003-03

13773 SEVEN HILLS RD
11-128-002-30

13971 SEVEN HILLS RD
11-128-001-11

[illegible]

13705 SEVEN HILLS RD
71-128-002-00

2875 DEMUS DRIVE RD
11-128-003-01

11-128-003-03

13775 SEVEN HILLS RD
11-128-002-30

Outdoor space lighting

E26 String Light Bulb LED outdoor with downward shield



Honeywell LED Indoor/Outdoor String Light

The indoor / outdoor LED lighting strand is heavy duty and weatherproof to protect your outdoor lights from damage caused by extreme temperatures and weather conditions.

You can get creative to make your own indoor space warm and cozy with these beautiful string lights.

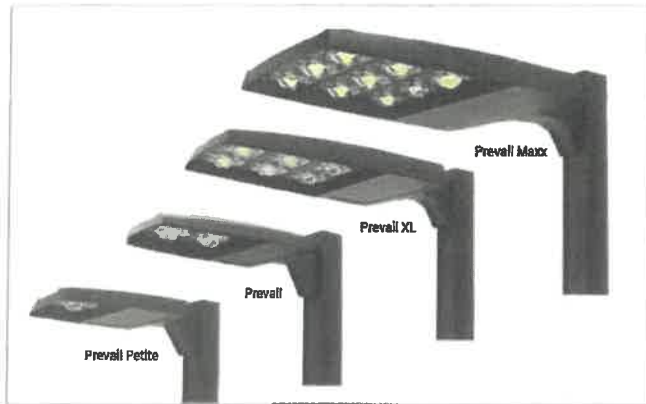
Perfect for Backyards, Gazebos, Gardens, Pergolas, Decks, City Rooftops, Weddings, BBQ, Dinner Parties, Birthday Parties, Gatherings, etc.

Specification:

- Total Length: 24 feet
- Bulb Spacing: 2.92 feet
- Bulb Quantity: 8 E26 LED plastic bulbs
- Lumens: 30 lumens per bulb, 240 lumens total per string
- Power Consumption: 0.5 watts per bulb, 4 watts per string
- Input Voltage: 120V
- LED: 1 pc filament warm white LED, 2700K
- Connectable: Connect up to 70 strands



Project	Catalog #	Type
Prepared by	Notes	Date



Lumark

Prevail LED

Area / Site Luminaire

Product Features



Product Certifications



Interactive Menu

- Ordering Information page 2
- Mounting Details page 3, 4
- Optical Configurations page 5
- Product Specifications page 5
- Energy and Performance Data page 6, 7
- Control Options page 8

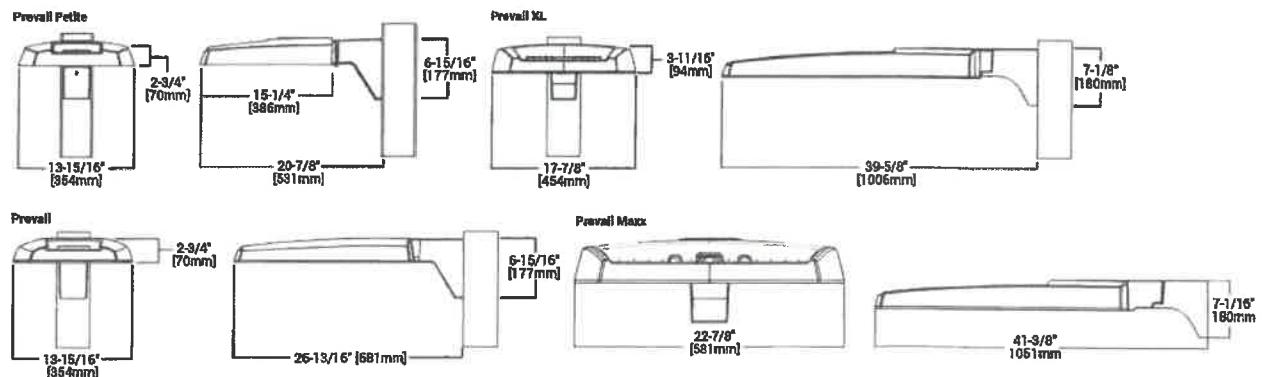
Quick Facts

- Lumen packages range from 4,800 - 84,000 lumens (35W - 588W)
- Replaces 70W up to 1,000W HID equivalents
- Efficacies up to 160 lumens per watt
- Energy and maintenance savings up to 85% versus HID solutions
- Standard universal quick mount arm with universal drill pattern

Connected Systems

- WaveLinX

Dimensional Details



NOTES:
 1. Visit www.cooperlighting.com to confirm qualification. Not all product variations are DLC qualified.
 2. IDA Certified for 5000K CCT and warmer only.

12074BK

ONE LIGHT WALL MOUNT
in Black by Hinkley from the Forge collection

Factory Stock: 273



Inspired by a lighting industry staple barn light, Forge features a practical outdoor lighting solution to withstand the elements. Whether it is enduring harsh sunrays, extreme cold or continuous salt air, Forge is built to last with an industrial chic flair. Forge is available in a Black and Antique Brushed Aluminum finish resistant to rust and corrosion with a 5-year warranty.

Width: 16.00"
Height: 17.50"
Length: 32.50"
Weight: 4.50 lb
Bulbs: 1 x 100.00W E26 Medium
SKU #: 5552570
Collection: Forge

[View Sizing Guide](#)

Measurements

Canopy: 6``X6``
Height: 17.5
Weight: 4.5
Width Diameter: 16

Bulbs

Bulb Base: Medium
Bulb Type: E26
Maximum Wattage: 100
Number Of Bulbs: 1
Voltage: 120

Additional Info

Country Of Origin: CHINA
Manufacturer Finish: Black
Material: Composite
Safety Listing: C-US
Safety Rating: Wet
SKU: 5552570
UPC: 640665120738



SPS-0709 REV A

BARN LIGHT BASICS THE ORIGINAL™ LIGHT SERIES

JOB NAME: _____

FIXTURE TYPE: _____



BLE -

A

B

C

D

E

Order Example: BLE - G - WHS12 - 300 - G11 - NA

A - MOUNTING STYLE

- C** Cord Hung
- G** Gooseneck
- S** Stem Mount

B - SHADE SIZE

THE ORIGINAL™:

- WHS12** 12" Shade
- WHS16** 16" Shade

C - SHADE FINISH

POWDER COAT FINISHES¹:

- 100** Black
- 200** White
- 300** Dark Green
- 605** Rust

D - MOUNTING

Please Note: Cord Canopy, Gooseneck and Stem Mount finish will match finish selected in Section-C

D - MOUNTING (CONTINUED)

CSA LISTED CORD OPTIONS:

- SBK** Standard Black
- SWH** Standard White

GOOSENECK OPTIONS:

- G1**
- G11**
- G22**

D - MOUNTING (CONTINUED)

STEM MOUNT OPTIONS:

- ST512** .5" Stem Mount, 12"
- ST518** .5" Stem Mount, 18"

E - CANOPY OPTION²

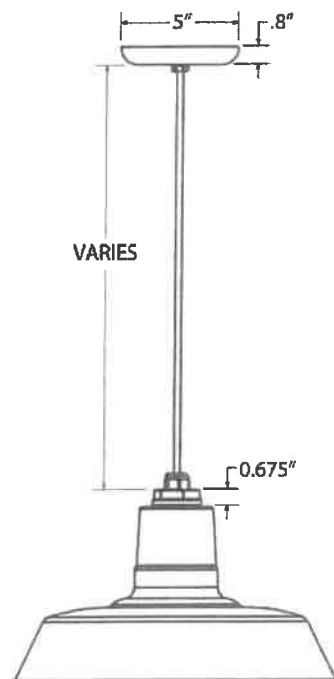
Please Note: Canopy finish will match finish selected in Section-C

- NA** Not Applicable
- SC** Standard Canopy
- HSC** Hang Straight Canopy

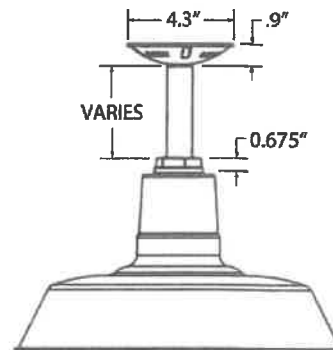
IMPORTANT: (1) All Powder Coat finished shades feature a white interior (2) Only applicable if Stem Mounting style selected in Section A

MOUNTING STYLE

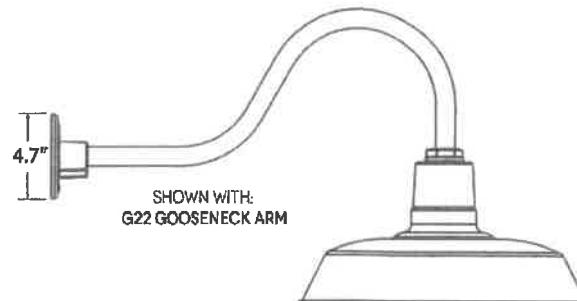
CORD HUNG PENDANT (C)



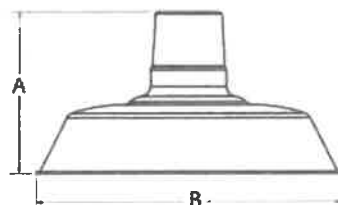
STEM MOUNT PENDANT (S)



GOOSENECK (G)



LUMINAIRE DIMENSIONS



SHADE CODE	HEIGHT (A)	DIAMETER (B)
WHS12	7"	12"
WHS16	7.75"	16"

Bowery 3-Tier LED Chandelier

By Fredrick Ramond



Call Us (877) 445-4486

Bowery 3-Tier LED Chandelier
By Fredrick Ramond

Product Options

Shade Color: Black

Details

Includes 120" lead wire
Round ceiling canopy
Material: Steel
Number of Tiers: 3
Dimmable when used with a Electronic low voltage (ELV)
Dimmer (Not Included)
Title 24 compliant
Sloped ceiling adaptable (0-45)
Comes with One 6.00 in., Two 12.00 in. stem/downrod
UL Listed
Warranty: Limited 5 Year
Made In China



Dimensions

Canopy: Diameter 5.5"

Fixture: Height 11", Diameter 50", Weight 8.5Lbs

Maximum Hanging: Length Adjustable To 41.75"

Notes:

Lighting

Lamp Type	LED Built-in
Total Lumens	2100
Total Watts	36.00
Volts	120
Color Temp	2700 (Warm)
Average Lifespan (Hours)	40,000
CRI	96
Equivalent Halogen, CFL or LED Bulb Can Be Used	No

Prepared
by:

Prepared for:
Project:
Room:
Placement:
Approval:

Additional Details

Product URL:

<https://www.lumens.com/bowery-3-tier-led-chandelier-by-fredrick-ramond-FDR1757440.html>

Rating: UL Listed

ITEM#: FDR1757440

Project		Catalog #		Type	
Prepared by		Notes		Date	



HALO

SMD12 Series

12" Round & Square
Surface Mount Downlight
SMD12R & SMD12S

Typical Applications
Residential



Interactive Menu

- Order Information page 2
- Product Specifications page 2
- Energy Data page 3
- Photometric Data page 4
- Product Warranty
- Dimming Guide

Product Certification



Refer to ENERGY STAR® Certified Products List.
Can be used to comply with California Title 24 High Efficacy requirements.
Certified to California Appliance Efficiency Database under JAB.

Product Features



Top Product Features

- Ultra-low profile surface luminaire with wide distribution
- Ceiling or wall mounting in compatible junction boxes
- 2000 lumen; Field Selectable 2700K, 3000K, 3500K, 4000K, or 5000K CCT ; 90CRI
- Universal Voltage 120V – 277V options
- Dimmable with 0-10V DC low voltage dimmers only

Dimensional Details

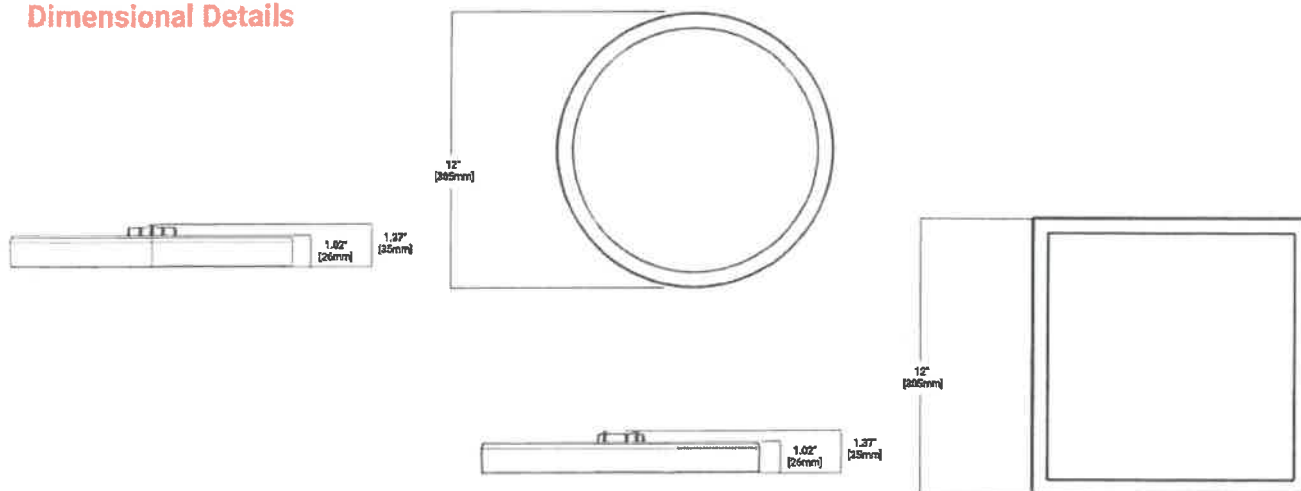


Exhibit 2

04/10/2022 - 04/12/2022

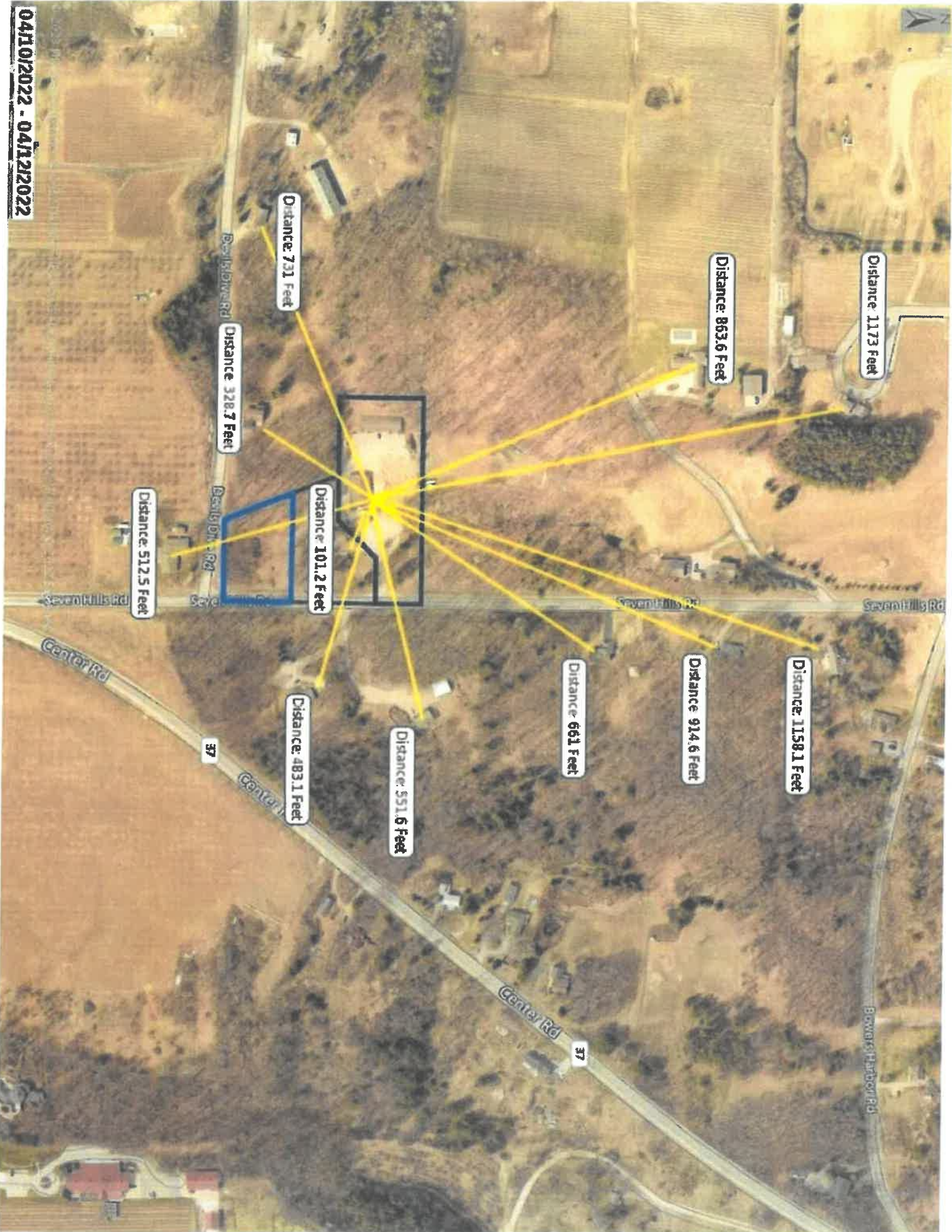


Exhibit 3

Peninsula Township Planning

From: Fred <fire@peninsulatownship.com>
Sent: Thursday, February 16, 2023 10:43 AM
To: 'Peninsula Township Planning'
Subject: RE: Seven Hills Development Revised Site Plan

Jen,

I am fine with the pavers being used as long as they will support the weight of the fire trucks which is approx.. 50,000 lbs., are secured so not to push out when vehicle turning and are flush with existing asphalt. I do not have any other concerns with the occupancy increase. Any questions, let me know. Thanks.

From: Peninsula Township Planning <planner@peninsulatownship.com>
Sent: Thursday, February 16, 2023 9:34 AM
To: Fred Gilstorff <fire@peninsulatownship.com>
Cc: Jennifer Hodges <jennifer@gfa.tc>
Subject: Seven Hills Development Revised Site Plan

Fred, hope you are well. We received a revised site plan (Sheet 3.0) for the Seven Hills Development. They have dimensioned all drive aisles to demonstrate that they are meeting the minimum requirement of 20-feet. In order to meet the 20-feet in a few locations they have added pervious pavers.

Do the pervious pavers meet fire code requirements for weight, etc?

Do you need additional information to confirm this?

Do you have any other comments or concerns with the proposed amendment to expand capacity from 32 to 70 and allow outdoor uses?

I am working on the Findings of Fact and Conditions to move this forward with the Planning Commission.

I appreciate your time and input.

Jenn Cram
Peninsula Township Director of Planning
13235 Center Road
Traverse City MI 49686
phone - 231-223-7314
fax - 231-223-7117
planner@peninsulatownship.com

Office Hours: Mondays 7:30 am to 6:30 pm, Tuesdays – Thursdays 7:30 am to 5 pm and closed Friday – Sunday and Holidays.



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



PRELIMINARY SITE PLAN REVIEW

Permit Number: 2021-002

Date: February 10, 2021

Site: Seven Hills Renovation Project

Location: 13795 Seven Hills

Township: Peninsula

Use Group: Business

Construction Type: Ordinary

Applicable Codes: International Fire Code (2015)

Reviewer: Fred Gilstorff -Fire Chief

This preliminary review is based on preliminary plans submitted for review and does not reflect any changes made without submittal of update information. Final approval is based on submitted sealed plans. Compliance with all applicable codes and standards is the responsibility of the applicant, and items not listed within the review do not negate any requirements of the code or it's referenced standards. Please notify the fire department within 48 hours in advance for request of inspections. This plan review is based on current Peninsula Township Fire Ordinance and the International Fire Code (2015).

SITE ACCESS:

Fire access roads shall be designed to support the imposed load of a fire apparatus weighing 75,000 lb. gross vehicle weight. (503.2.3)

Access roads shall have a minimum of 13 feet 6 inches of vertical clearance and 20 feet unobstructed width. (503.2.1) Additional road width of (26 feet) may be required for buildings that require aerial apparatus access. Required access roads should not travel through parking stalls, stacking lanes, loading areas or other designated use areas.

Fire access roads shall be constructed of an all-weather driving surface such as asphalt, concrete, chip-seal (oil matting) or similar surface along an approved route around the exterior of all buildings. Grass pavers may be permitted for secondary access roads no longer than 200 feet in



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firechief@peninsulatownship.com



length with a low 6-inch concrete curb provided along the edges to outline and identify the driving area along with fire lane signage. (503.2.3)

All portions of the building's exterior walls shall be within 150 feet of the fire access road. (503.1.1) Access roads may be extended to 200 feet for buildings equipped with an approved automatic sprinkler system installed. When fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, an approved alternative means of fire protection may be approved.

Turnarounds shall be provided for any dead-end road in excess of 150 feet in length. (503.2.5) Dead-end roads in excess of 150 feet resulting from a phased project are required to be provided with temporary approved turnarounds.

Additional access road(s) may be required by the fire official based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climate condition or other factors that could limit access. (503.1.2) Commercial buildings may require additional access depending on design.

Fire apparatus access road(s) maximum grade shall not exceed 9 percent unless otherwise approved by township ordinance office. See township ordinance for direction.

The turning radius for the emergency apparatus road(s) shall be in accordance with Peninsula Township Fire Department Turning radius for all apparatus. Overlays of the template shall be shown on the plans with turning in both directions. (503.2.4) Final approval for all turning radii shall be field verified by the fire department prior to construction of street. Currently, the longest length Peninsula Twp. apparatus is approx. 33 feet with a turning radius of 78 feet.

The angles of approach and departure for fire apparatus access shall be within the limits established by the fire code official based on the fire department apparatus. (503.2.8)

A plan for fire access during construction shall be provided. (501.4)

Details for No Parking Fire Lane signage including road striping (cross-hatching) area shall be indicated on the plans. (503.3)

Building review

Sealed plans for all building renovations and construction will be submitted to the fire department for review prior to any construction or renovation. All applicable IFC codes for Use Group will be followed. Limited building planned renovation and demolition were presented in



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14247 Center Rd.
Traverse City, Michigan 49686
PH: 231-223-4443

firechief@peninsulatownship.com



initial drawings. Before construction is approved, sealed plans will need to be submitted to the fire department for review.

Building will be required to have a KNOX BOX placed on the building for fire department use that will have keys to every space in the building.

Building may have to be fire sprinklered, county code office to make determination.

Need more information on what will be stored in the storage areas as the area will have to meet all IFC codes as it pertains to material stored.

All business areas will need to have a calculated occupancy load and be posted.

Submitted sealed plans will show a fire safety plan that meets current IFC code.

A safety plan during construction and demolition will be provided according to IFC Chapter 33.

UTILITY EQUIPMENT & IDENTIFICATION:

1. Utility Identification

All gas shut offs, electric meters, service switches and other utility equipment shall be clearly marked to identify the unit or space that it serves. Identification shall be made in an approved manner, readily visible and shall be maintained. IFC 509.2 Protection for above ground gas meters must comply with IFC 603.9.

2. Upon completion of all construction the fire department will inspect the building for approval for a Certificate of Occupancy. At this time the occupant will be required to develop an emergency evacuation plan for the structure and post in visible areas.



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Traverse City, Michigan 49686
PH: 231-223-4443

firechief@peninsulatownship.com



NOTE: All codes reference in this document are preliminary and are subject to change once sealed plans are received by the Peninsula Township Fire Department and reviewed.

Yours in Life Safety,

Fire Chief Fred Gilstorff

Peninsula Township Fire Department

14247 Center Rd.

Traverse City, Michigan 49686

firechief@peninsulatownship.com

Ph. 231-223-4443

Cell- 231-463-0330

Fax- 231-223-4697

Exhibit 4

Peninsula Township Planning

From: Peninsula Township Planning <planner@peninsulatownship.com>
Sent: Monday, January 9, 2023 12:15 PM
To: 'Caryn Chachulski'
Cc: 'Troy Daily'
Subject: RE: [EXTERNAL SENDER] RE: [EXTERNAL SENDER] 13795 Seven Hills Rd project

Caryn, thank you for your response. This is very helpful. It was also helpful to talk with you today to clarify the seating capacity. I understand that any seating proposed outdoors will need to be included in the total 70 seats.

Hope you have a great day!

Jenn Cram
Peninsula Township Director of Planning
13235 Center Road
Traverse City MI 49686
phone - 231-223-7314
fax - 231-223-7117
planner@peninsulatownship.com

Office Hours: Mondays 7:30 am to 6:30 pm, Tuesdays – Thursdays 7:30 am to 5 pm and closed Friday – Sunday and Holidays.

From: Caryn Chachulski <cchachulski@gtcountymi.gov>
Sent: Wednesday, December 21, 2022 4:55 PM
To: Peninsula Township Planning <planner@peninsulatownship.com>
Cc: 'Troy Daily' <Troy@daily medias.com>
Subject: Re: [EXTERNAL SENDER] RE: [EXTERNAL SENDER] 13795 Seven Hills Rd project

Jenn,

The septic system was designed for 70 seats total.

Corn hole, yoga with mats that are brought in and taken away with each session would be fine for that area. That area needs to be allowed evaporation, so it should not be covered over with things like paving stones, artificial turf, cement, definitely not an ice rink. A fire pit is not a good idea. No weight restriction, per say, but it shouldn't be driven over, it should be kept to foot traffic.

If you have any other questions, please reach out. Hope you enjoy your holiday. Stay safe!

Caryn Chachulski

Sanitarian - Peninsula Twp
Grand Traverse County Health Department

Environmental Health Division
Phone: 231.995.6058

From: Peninsula Township Planning <planner@peninsulatownship.com>
Sent: Wednesday, December 21, 2022 3:45 PM
To: Caryn Chachulski <cchachulski@tcountymi.gov>
Cc: 'Troy Daily' <Troy@dailymedias.com>
Subject: [EXTERNAL SENDER] RE: [EXTERNAL SENDER] 13795 Seven Hills Rd project

Caryn, the OMP Seven Hills Development is proposing to conduct outdoor activities over the area designated as the drain field. I understand that outdoor uses being considered include gathering space (tables & chairs), corn hole, yoga, an ice skating rink in winter and other similar passive recreational uses. Does the proposed design allow for such activities? Are there weight restrictions or any other restrictions to consider?

Also, will additional capacity beyond the 70 patrons indoors impact the wastewater and septic system basis of design?

I appreciate your input and hope you enjoy the Holidays.

Jenn Cram

Peninsula Township Director of Planning

13235 Center Road

Traverse City MI 49686

phone - 231-223-7314

fax - 231-223-7117

planner@peninsulatownship.com

Office Hours: Mondays 7:30 am to 6:30 pm, Tuesdays – Thursdays 7:30 am to 5 pm and closed Friday – Sunday and Holidays.

From: Caryn Chachulski <cchachulski@tcountymi.gov>
Sent: Friday, December 2, 2022 9:37 AM
To: Peninsula Township Planning <planner@peninsulatownship.com>
Cc: zonin@peninsulatownship.com
Subject: Re: [EXTERNAL SENDER] 13795 Seven Hills Rd project

Jenn,

I mis-read the salon calculations at first glance, that looks ok. The OMP Basis of Design that we based our calculations on is the same they sent to you (attached), and I've also included the letter they sent to us about the uses of the property with employee count and seats. Yes, the septic system is designed for 70 seats at the Whiskey Bar. If you have any other questions as you keep moving along, please feel free to reach out. Hope you have a great weekend.

Thank you,

Caryn Chachulski

Sanitarian - Peninsula Twp
Grand Traverse County Health Department

Environmental Health Division
Phone: 231.995.6058

From: Peninsula Township Planning <planner@peninsulatownship.com>
Sent: Thursday, December 1, 2022 2:50 PM
To: Caryn Chachulski <cchachulski@gtcountymi.gov>
Cc: zoning@peninsulatownship.com <zoning@peninsulatownship.com>
Subject: [EXTERNAL SENDER] 13795 Seven Hills Rd project

Caryn, hello, I am the new Director of Planning for Peninsula Township. Christina Deeren forwarded your email to me from October 3, copied below. I am processing an amendment to the Special Use Permit for the Seven Hills project to increase their capacity from 32 to 70. I received updated floor plans and wanted to confirm that the septic system design is still adequate.

The pdf titled 11.21.22 Safety Plan and Use Plan is two pages. The first page is the whiskey and coffee bar and the second page includes that building plus the back building.

I hope to have the opportunity to meet you in person sometime in the near future. Please let me know if you have any questions or need additional information.

Jenn Cram

Peninsula Township Director of Planning

13235 Center Road

Traverse City MI 49686

phone - 231-223-7314

fax - 231-223-7117

planner@peninsulatownship.com

Office Hours: Mondays 7:30 am to 6:30 pm, Tuesdays – Thursdays 7:30 am to 5 pm and closed Friday – Sunday and Holidays.

From: Caryn Chachulski <cchachulski@gtcountymi.gov>

Sent: Monday, October 3, 2022 11:19 AM

To: Christina Deeren <zoning@peninsulatownship.com>

Cc: Ryan Cox <Ryan.cox@gtecusa.com>

Subject: 13795 Seven Hills Rd project

Christina,

The septic system for the 7 Hills Development at 13795 Seven Hills Rd has the proper gallons per day, tank space required, and required square footage of drain field for the submitted uses that are outlined in the attachment. If the proposed uses change, the septic system size will need to be reevaluated by our department.

If you have any questions, please reach out,

Caryn Chachulski

Sanitarian - Peninsula Twp
Grand Traverse County Health Department
Environmental Health Division

Exhibit 5

Peninsula Township Planning

From: Steve Barry <sbarry@gtcrc.org>
Sent: Wednesday, January 11, 2023 12:56 PM
To: Peninsula Township Planning
Subject: RE: Signage Question

Jenn,

The only way that can be done is through MSP with documented proof that this has been a problem. Then we would put them in at the cost of the township or property owner.

Thank you,

Steve Barry
GTCRC Permit and Violations Agent
231-922-4849 EXT 205

From: Peninsula Township Planning <planner@peninsulatownship.com>
Sent: Monday, January 9, 2023 1:57 PM
To: Steve Barry <sbarry@gtcrc.org>
Subject: Signage Question

Steve, hello, I am the new Director of Planning for Peninsula Township.

We currently have an application under review at the Planning Commission level for the Seven Hills Development located at 13795 Seven Hills Road, Traverse City, MI 49686. They would like to expand their seating capacity for a whiskey/coffee bar and include outdoor uses. The neighbors and Planning Commission are concerned that if the business is really successful that if and when the required parking is full that people will start parking along Seven Hills Road. The question was asked if the developer could install no parking signs within the right-of-way along Seven Hills Road to help to educate people that there should be no parking along the road.

Would the Grand Traverse County Road Commission consider installing no parking signs along Seven Hills Road if they were paid for by the developer?

I appreciate your time and input.

Jenn Cram
Peninsula Township Director of Planning
13235 Center Road
Traverse City MI 49686
phone - 231-223-7314
fax - 231-223-7117
planner@peninsulatownship.com

Exhibit 6

Peninsula Township Planning

From: Mark Maguire <Markm@gfa.tc>
Sent: Friday, February 17, 2023 2:14 PM
To: Jenn Cram
Cc: Ryan Cox; Jennifer Hodges
Subject: 20370_ 13795 Seven Hills- SW review_021723.pdf
Attachments: 20370_ 13795 Seven Hills- SW review_021723.pdf

Jenn,

Please find the attached storm water review letter for use in the plan review of Seven Hills SUP 35 Amendment 2. We have found that the provided information satisfies the storm water requirements.

The other comments regarding parking configuration and drive widths provided have been addressed with the revised plans. I believe one additional parking space will need to be designated as an accessible parking space to meet code as there are more than 50 spaces proposed. That can be accomplished with paint striping.

Please let me know if you have any questions or require any more information for this review.

Thanks, and have a great weekend.

-Mark

Mark W. Maguire, PE
Project Engineer



GFA, Inc. - Engineering, Surveying, Operations, Construction Services
123 W Front Street | Traverse City, MI 49684
tel (231) 946.5874 | fax (231) 946.3703

Confidentiality Note: This e-mail and any attachments are confidential and may be protected by legal privilege. If you have received this e-mail in error, please notify us immediately by returning it to the sender and delete this copy from your system. Thank you.



123 West Front Street
Traverse City, Michigan 49684
231 946 5874 ■
231 946 3703 ■

February 17, 2023

Jennifer Cram, Zoning Administrator
Director of Planning Peninsula Township
13235 Center Road, Traverse City MI, 49686
Phone - 231-223-7314
planner@peninsulatownship.com

RE: 13795 Seven Hills Road – SUP No. 35 Amendment No. 2
Storm Water Review and Supplemental Ordinance Plan Review
Peninsula Township, MI
Parcel ID: 28-11-128-002-00

Dear Ms. Cram,

We have reviewed the plans submitted plans for SUP No. 35 Amendment No. 2 related to the improvements to 13795 Seven Hills Road Development.

GFA conducted previous review efforts for this project. First, a preliminary review dated 2/17/2020, then a detailed review dated 5/6/2021 as the site uses and building arrangements have changed. The reviews resulted in recommendations for Township approval as noted in the Findings of Fact. That recommendation required the applicant submit finalized plans and calculations for a more in-depth review by GFA.

Since then, construction has commenced related to the demolition and renovations to site structures. This current submittal package is being reviewed to fulfill the in-depth review recommendation in the 5/6/21 letter. The reviewed material includes plans dated 02/16/2023 and storm water calculations provided on 2/16/23 by GTEC.

We have reviewed the materials for their accordance to Peninsulas Township's Storm Water Control Ordinance. This review will supplement the Township's planners review of the site. A summary of our review is as follows.



Existing Conditions:

The subject parcel is located about 400-ft north of the intersection of Seven Hills Rd and Devils Dive Road. The property consists of approximately 2.0 acres with frontage on Seven Hills Rd. Four (4) buildings of commercial use occupied the site. Paved parking in front and rear of the front buildings with access off Seven Hills with about 47 spaces. Storm water drainage from the buildings and paved parking is managed within existing retention basins located around perimeter of the parking areas. The existing terrain is rolling and drops away from Seven Hills Road then pick back up at the rear of the property. The site ultimately sheds to the north. There are no public utilities available to this property with service private with onsite septic / drainfield and well.

Proposed Improvements:

The plans state new commercial uses: Front building consisting of Whiskey Bar, Market with coffee/limited food services; Rear building consisting of Office, Retail, Storage, and 1-Seat Salon. The plans show demolition of the central storage building to allow space for new on-site septic facilities. The rear building will remain unchanged. Partial demolition and major renovations are scheduled for the front building that reduce its footprint considerably. Minor changes are proposed within the parking lot to ensure adequate circulation width. There is a slight rework of frontage parking spaces by implementing pervious pavers to replace and expand the number of parking spaces to meet the requirements. Modifications of the existing storm water basins servicing the improved areas are indicated to meet the required management volumes.

Storm Water Review

Per the 5/6/21 letter regarding storm water:

- Stormwater Detention – *Reviewed in preliminary review letter. Found to be acceptable except for the following outstanding item.*
 - The applicant shall perform onsite testing compliant with the current standards to demonstrate the infiltration capacity and further data that the ponds will function well in addition to a final review of calculations to ensure compliance with the ordinance.
 - Applicants engineer noted witnessing the basin having adequate infiltration to drain over a few occasions in the past year with minimal ponding noted. This is an acceptable means to show the underlying soils and existing ponds functioning.
 - A full review of the plans and computations will be completed if the PUD/SUP application is approved and these items and others related can be addressed at that time. A condition of the Findings of Fact indicating the Township Engineer shall provide a complete Stormwater review of the application in adherence to the ordinance shall ensure this. Furthermore, a Land Use permit cannot be obtained until all regulatory permits including the Township Stormwater Permit has been approved.
 - The following sections detail the full review of the provided plans and calculations:



Storm water is managed on-site with infiltration/retention practices as provided with the existing site.

1. Basins 1 and 2 are located in the NE and NW corners of the site. These storm water basins are subject to this review.
2. There are two southerly basins that are not reviewed as no improvements were made in these areas.

Determination of Surface Runoff

1. A simplified method was used to determine the required basin volume based on 2" over the connected impervious area. This method is not currently accepted by the ordinance.
2. The applicant provided adequacy calculations based on currently accepted methods. We find these calculations acceptable. The following is noted:
 - 25-year volume criteria was selected. This is acceptable for this retro-fit site with established overflow routes.
 - The modified rational method was used to evaluate Basins 1 and 2 .
 - i. The rainfall intensities match the ordinance design criteria.
 - ii. The outlet rates were based on area soils performing at 4.5 in/hr design infiltration rate. This is reasonable for the soils in the area.
 - iii. The applicant provided drainage area boundaries for our review. We find these are accurate to the site.
 - It's noted that the new pavements are pervious pavers and evaluated at the same runoff coefficient as open lawns. There is adequate storage in the open-graded base to ensure these areas function provided they are properly maintained. Maintenance activities should be included in a maintenance plan for the site.

Storm Water Facilities

1. The plans show expanding Basin 1 and Basin 2 to meet or exceed the required volumes per the record design criteria.
2. Site feasibility requirements for infiltration practices demonstrated the applicant's engineer's observations and no record of issues.
3. The Basins were demonstrated to meet and exceed the 25-year less 2-yr predevelopment volume per the applicant's adequacy calculations. This is acceptable.
4. GFA ran validation calculations and confirmed the presented design meets the intent of the ordinance criteria.
5. The basins drain within the ordinance requirements of 72-hrs.
6. Snow storage areas are shown on the plans and are not interfering with the basins and is acceptable.
7. The basins have adequate volume and access to meet the sedimentation requirements of the ordinance.
8. Overflow spillways are provided to meet the ordinance requirements.



Erosion Control

1. Sufficient measures for erosion control are shown on the plans.

Geometry/Safety

1. The geometry of the basins depict 1:3 slopes are provided and are acceptable.
2. The planned depth and overall depth of the basin are less than 5' and not require any safety measures.

Maintenance:

1. A Site Maintenance Plan needs to be recorded regarding the storm water elements of the site with copies provided to the Township.

RECOMMENDATION

At this point it is requested the Applicant submit a final signed and sealed along with the necessary revisions and confirmations for the above comments. We recommend the Township approve the site for storm water control upon receipt of the final plans, agreements and permits.

We appreciate the opportunity to assist the Township during the approval of this project. If you have any questions, please don't hesitate to contact me at (231) 946-5874.

Respectfully Submitted,

GFA

Jennifer Hodges, P.E.

Sr. Project Manager

Mark Maguire, P.E.

Project Engineer

cc: Ryan Cox, GTEC

Jay Milliken, JMILLI

Exhibit 7

Peninsula Township Planning

From: Greg Snyder <gsnyder@gtcountymi.gov>
Sent: Tuesday, December 6, 2022 8:31 AM
To: planner@peninsulatownship.com
Cc: Zoning; fire@peninsulatownship.com
Subject: 13795 Seven Hills Rd project, B22-2479
Attachments: SEVEN HILLS A3.1 Floor Plan_12-5-22 sealed.pdf; Seven Hills_LS1.1 Life Safety Plan sealed 12-5-22.pdf; land use 6430.pdf

Hi Jenn,

Basically, the Code office would need a copy of the Approved, Amended special use permit or Amended land use permit from Peninsula Township.

Please provide a copy to the code office, if you approve.

Email to: codes@gtcountymi.gov

The applicant already was made aware in a previous Plan Review of the need for signage required to be posted in an Assembly occupancy of max number of occupants. 2015 MBC 1004.3

The occupant load increasing from 51 to 70 would mean the max occupant load sign would go up. There was no fire suppression on the plans, and as long as they stay under threshold amount of 100 occupants, fire suppression would not be required. 2015 MBC 903.2.1.2

The plans already had over 50 occupants.

The doors should already be equipped with panic hardware or fire exit hardware that meets code requirements. 2015 MBC 1010.1.10

The applicant provided amended plan pages for review, attached.

The previous land use permit is attached.

Thanks,
Greg

Greg Snyder, P.E.
Commercial and Residential Building Plan Reviewer
Grand Traverse County Construction Codes
2650 LaFranier Rd., Traverse City, MI 49686
Phone 231-995-6014
gsnyder@gtcountymi.gov

<http://grandtraverse.org/879/Construction-Code>

From: Bruce Remai <bremai@gtcountymi.gov>
Sent: Thursday, December 1, 2022 3:07 PM
To: Greg Snyder <gsnyder@gtcountymi.gov>; Robert Sturdavant <rsturdavant@gtcountymi.gov>
Cc: Ashley Boardwine <aboardwine@gtcountymi.gov>
Subject: Fw: [EXTERNAL SENDER] 13795 Seven Hills Rd project

Bruce A. Remai

Director/Building Official

Grand Traverse County Construction Code

bremai@gtcountymi.gov



From: Peninsula Township Planning <planner@peninsulatownship.com>
Sent: Thursday, December 1, 2022 3:00 PM
To: Bruce Remai <bremai@gtcountymi.gov>
Cc: fire@peninsulatownship.com <fire@peninsulatownship.com>
Subject: [EXTERNAL SENDER] 13795 Seven Hills Rd project

Bruce, I hope this email finds you well. I am working on an amendment to Special Use Permit #35 for the OMP Seven Hills Development LLC located at 13795 Seven Hills Road, Traverse City, 49686, parcel #28-11-128-002-00.

They would like to expand their capacity from 32 to 70. I am attaching a floor plan for the building where the whiskey and coffee bar are located as well as a use plan for that building and the building in the back of the property. I have spoken to Fred Gilstorff our Fire Chief and he is also reviewing the plans. I would greatly appreciate your input on maximum capacity from a Building Code perspective.

Please let me know if there is a formal review process that I need to follow to receive comments from your office, or if additional information is needed.

Thank you for your assistance,

Jenn Cram

Peninsula Township Director of Planning

13235 Center Road

Traverse City MI 49686

phone - 231-223-7314

fax - 231-223-7117

planner@peninsulatownship.com

Office Hours: Mondays 7:30 am to 6:30 pm, Tuesdays – Thursdays 7:30 am to 5 pm and closed Friday – Sunday and Holidays.

Exhibit 8

From: Brian Peace <bp777@teamelmers.com> on behalf of Brian Peace
Sent: Tuesday, January 17, 2023 9:16 AM
To: Jay Milliken (jay@jaymilliken.com)
Subject: FW: [External] 13795 Seven hills drive Permit 2022-025
Attachments: 13795 Sevenhills Rd Comm Drive Permit2022-25.pdf

Flag Status: Flagged

Heres the permit

I did ask the county to close the permit out and will have a letter from them at some point.

Brian Peace
Asphalt Division Manager
Team Elmer's
3600 Rennie School Rd
Traverse City, Mi 49686
(231) 218-5725
bp777@teamelmers.com
www.teamelmers.com

From: Steve Barry [mailto:sbarry@gtcrc.org]
Sent: Tuesday, January 17, 2023 12:13 PM
To: Brian Peace
Subject: [External] 13795 Seven hills drive Permit 2022-025

Warning! External email. (info)

Brian,

Please see attached.

Thank you,

Steve Barry
GTCRC Permit and Violations Agent
231-922-4849 EXT 205

CRA 100 (03/2005)

Grand Traverse County Road Commission
1881 LaFranier Road
Traverse City, MI 49696-0000
Phone: 231-922-4848
Fax: 231-929-1836

Application No. 13956
Permit No. 2022-000025
Issue Date 01/26/2022

Recommended for Issuance By:



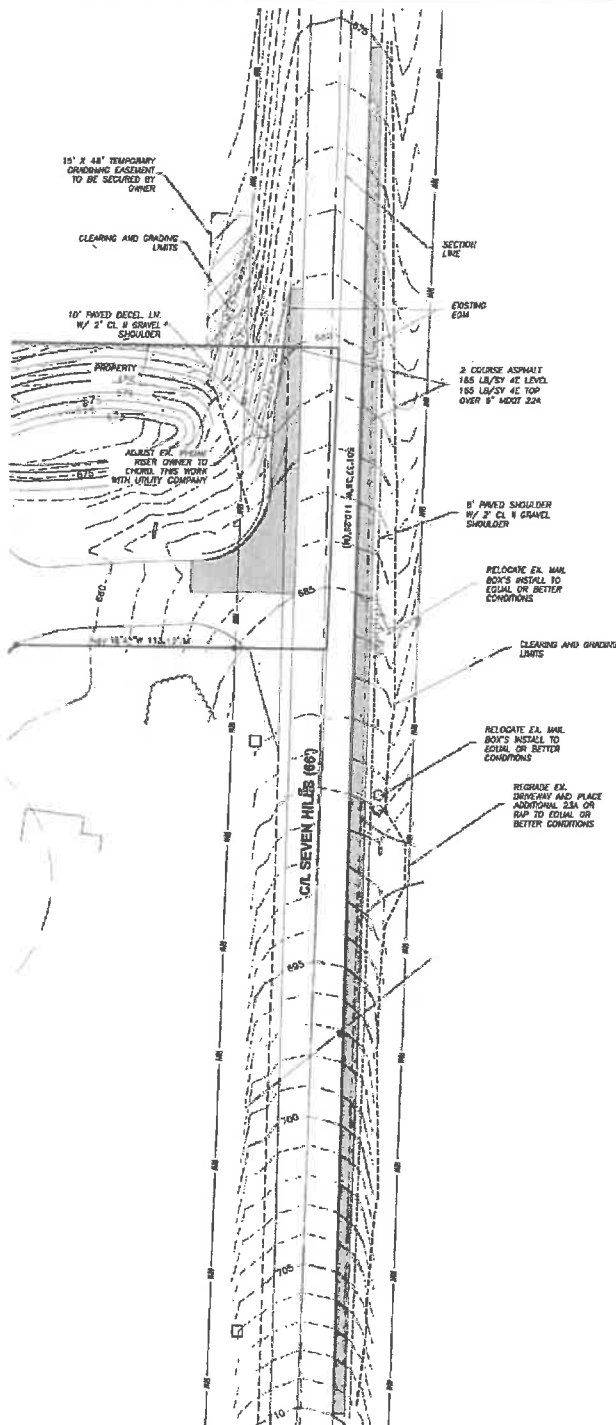
Title: Traffic Services Supervisor Date: 01/25/2022

Approved By:

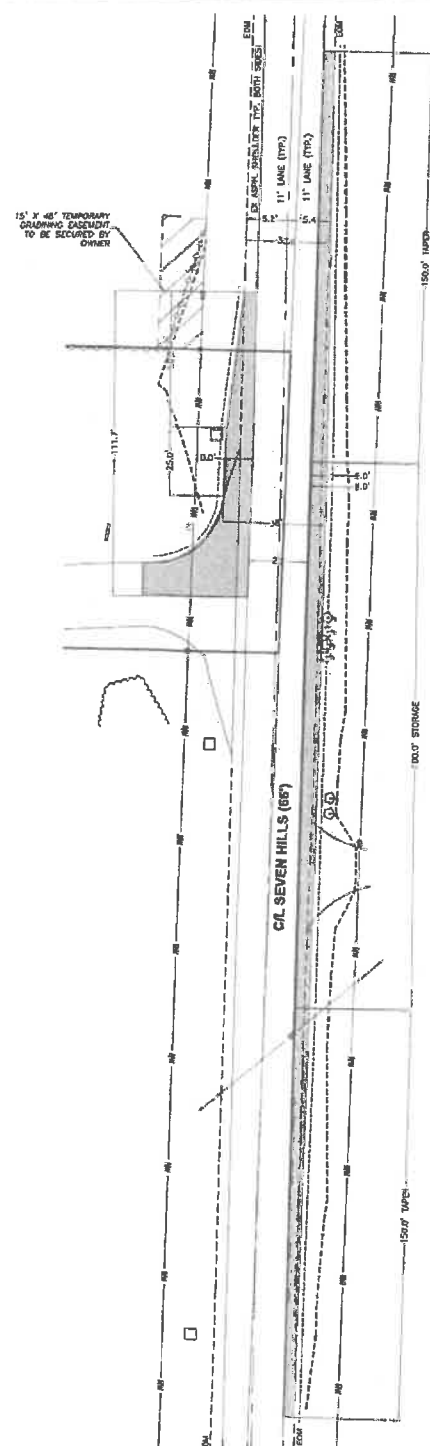
Title: _____ Date: _____

TERMS AND CONDITIONS

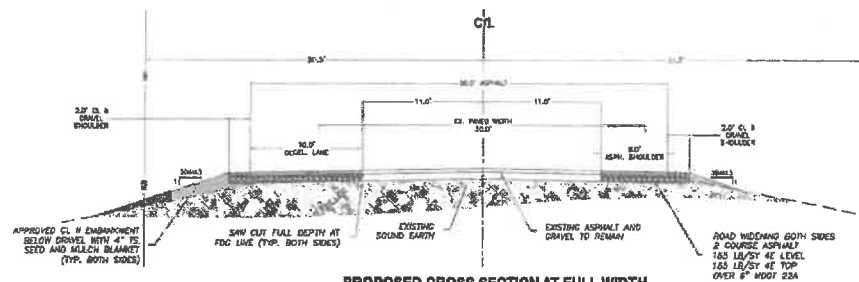
1. **Specifications.** All work performed under this permit must be done in accordance with the application, plans, specifications, maps and statements filed with the County Road Commission ("Road Commission") and must comply with the Road Commission's current procedures and regulations on file at its offices and the current MDOT Standard Specifications for Construction, if applicable.
2. **Fees and Costs.** The Permit Holder shall be responsible for all costs incurred by the Road Commission in connection with this permit and shall deposit estimated fees and costs as determined by the Road Commission, at the time the permit is issued.
3. **Bond.** The Permit Holder shall provide a cash deposit, irrevocable letter of credit or bond in a form and amount acceptable to the Road Commission at the time permit is issued.
4. **Insurance.** The Permit Holder shall furnish proof of general liability insurance in amounts not less than \$1,000,000 each occurrence and general aggregate, proof of automobile liability in amounts not less than \$1,000,000 combined single limit for each accident, bodily injury per accident, and property damage per accident, and in an amount not less than \$500,000 for bodily injury per person. Such proof of insurance shall include a valid certificate of insurance demonstrating that the Road Commission is an additional insured party on the policy. Such insurance shall cover a period not less than the term of this permit and shall provide that it cannot be cancelled without 30 days advance written notice to the Road Commission, by certified mail, first-class, return receipt requested. This permit is invalid if insurance expires during the authorized period of work described herein.
5. **Indemnification.** In addition to any liability or obligation of the Permit Holder that may otherwise exist, Permit Holder shall, to the fullest extent permitted by law, indemnify, defend and hold harmless the Road Commission and its commissioners, officers, agents, and employees from and against any and all claims, actions, proceedings, liabilities, losses, and damages thereof, and any and all costs and expenses, including legal fees, associated therewith which the Road Commission may sustain by reason of claims for or allegations of the negligence or violation of the terms and conditions of this permit by the Permit Holder, its officers, agents, or employees, arising out of the work which is the subject of this permit, or arising out of work not authorized by this permit, or arising out of the continued existence of the operation or facility, which is the subject of this permit.
6. **Miss Dig.** The Permit Holder must comply with the requirements of Act 53 of Public Acts of 1974, as amended. CALL MISS DIG AT (800) 482-7171 or www.missdig.org AT LEAST THREE (3) FULL WORKING DAYS, BUT NOT MORE THAN FOURTEEN (14) CALENDAR DAYS, BEFORE YOU START WORK. The Permit Holder assumes all responsibility for damage to or interruption of underground utilities.
7. **Notification of Start and Completion of Work.** The Permit Holder must notify the Road Commission at least 48 hours before starting work, when work is completed, and additionally as directed by the Road Commission.
8. **Time Restrictions.** All work shall be performed Mondays through Fridays between and unless written approval is obtained from the Road Commission, and work shall be performed only during the period set forth in this permit. Perform no work except emergency work, unless authorized by the Road Commission on Saturdays, Sundays, or from on the day proceeding until the normal starting time the day after the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
9. **Safety.** Furnish, install and maintain all necessary traffic controls and protection during Permit Holder's operations in accordance with the Manual of Uniform Traffic Control Devices, Part 6 and any supplemental specifications set forth herein.
10. **Restoration and Repair of Road.** The construction, operation and maintenance of the activity covered by this permit shall be performed by the Permit Holder without cost to the Road Commission unless specified herein. The Permit Holder shall also be responsible for the cost of restoration and repair of the right-of-way determined by the Road Commission to be damaged as a result of the activity which is the subject of this permit. Restoration shall meet or exceed conditions when work is commenced and be in accordance with specifications. The Permit Holder shall be responsible for costs incurred by the Road Commission for emergency repairs performed by or on behalf of the Road Commission for the safety of the motoring public. Said repairs shall be performed with or without notice to the Permit Holder if immediate action is required. This determination shall be in the sole and reasonable opinion of the Road Commission.
11. **Limitation of Permit.** Issuance of this permit does not relieve Permit Holder from meeting any and all requirements of law, or of other public bodies or agencies. The Permit Holder shall be responsible for securing and shall secure any other permits or permission necessary or required by law from cities, villages, townships, corporations, property owners, or individuals for the activities hereby permitted. Any work not described by the application, including the time and place thereof, is strictly prohibited in the absence of the application for and issuance of an additional permit or amendment to this permit.
12. **Revocation of Permit.** This permit may be suspended or revoked at will, and the Permit Holder shall surrender this permit and alter, relocate or remove its facilities at its expense at the request of the Road Commission. It is understood that the rights granted herein are revocable at the will of the Road Commission and that the Permit Holder acquires no rights in the right-of-way and expressly waives any right to claim damages or compensation in case this permit is revoked.
13. **Assignability.** This permit is not assignable and not transferable unless specifically agreed to by the Road Commission.
14. **Authority.** The statutory authority of the Road Commission to require compliance with permit requirements is predicated upon its jurisdictional authority and is set forth in various statutes including, without limitation and in no particular order, MCL §247.321 et seq; MCL §224.19b; MCL §560.101 et seq; and MCL §247.171 et seq.



LAYOUT AND GRADING



ENTRANCE DIMENSIONS



PROPOSED CROSS SECTION AT FULL WIDTH

2.0

Project Title: **DRIVEWAY LAYOUT**
 Project: **ONE SEVEN HILLS**
 1570 SEVEN HILLS DR.
 Sec. 28, T20N, R12E, S20E, LAND TRAVELERS COUNTY, MI

Client: **ONE SEVEN HILLS**
 6410 CEDAR ROAD
 TRAVELERS CITY, MI 49459

Date: **1-10-22**
 Scale: **VARIES**
 Drawn By: **RAC**
 Checked By:

Revision: **STANDARD CHANGES 1-10-22**
 REVISION
 REVISION
 REVISION

DATE: 1-25-22

TO WHOM IT MAY CONCERN: PLEASE BE ADVISED THAT I,

Troy Daily AM THE OWNER OF THE
PROPERTY LOCATED AT: 13795 Seven Hills Road

COUNTY OF: Grand Traverse TOWNSHIP OF: Pemuncie Twp

PROPERTY TAX ID NUMBER: 11-128-002-00

I AM AUTHORIZING: Brian Peace

PHONE NUMBER OF AUTHORIZED AGENT: 231-218-5725

EMAIL ADDRESS OF AUTHORIZED AGENT: Bp777@teamclmcs.com

TO ACT AS MY DESIGNATED AGENT/CONTRACTOR ON MY BEHALF FOR ANY NECESSARY PERMIT APPLICATIONS AND APPROVALS REQUIRED FOR THE PROPOSED PROJECT ON THIS REFERENCED PROPERTY. MY DESIGNATED AGENT WILL FILE FOR NECESSARY PERMITS, PARTICIPATE IN NECESSARY SITE MEETINGS, AND CONDUCT AGENCY COMMUNICATIONS AS RELATED TO THE SCOPE OF WORK OUTLINED IN THIS APPLICATION.

AS THE LANDOWNER I UNDERSTAND THAT I AM ULTIMATELY RESPONSIBLE FOR THE WORK PERFORMED UNDER THIS PERMIT TO BE IN COMPLIANCE WITH APPLICABLE REGULATIONS AND WITHIN THE SCOPE OF THE CONDITIONS OF THIS PERMIT.

Troy Daily
SIGNATURE

Troy Daily
PRINTED NAME

ADDRESS OF PROPERTY OWNER/GRANTEE:

Troy Daily, Manager OMP 7-Hills
15324 Sandberg Hollow
Traverse City, MI 49686

PHONE NUMBER OF PROPERTY OWNER/GRANTEE: 231-288-7676

GRAND TRAVERSE COUNTY ROAD COMMISSION
1881 LaFranier Road, Traverse City, MI 49696
Phone: (231)922-4848 Fax: (231)929-1836
www.gtcr.org

- ☐ Gravel Residential / Agricultural \$25
☐ Asphalt / Concrete Residential \$75
☐ Private Roads / Utility \$150
☒ Commercial \$150

PLEASE MAKE CHECKS TO: G.T.C.R.C.

RECEIPT # 19093

DRIVEWAY PERMIT APPLICATION FORM

PERMIT APPLICATION # 13956

DATE: 1/24/2022

OWNER (Current owner of property- proof of ownership may be required)	CONTRACTOR/EXCAVATOR **AN ACCEPTABLE INSURANCE CERTIFICATE IS REQUIRED
NAME: OMP Sevenhills LLC	COMPANY: Elmer's Crane & Dozer inc.
ADDRESS: 1224 Milliken Ct	ADDRESS: 3600 Rennie School Rd
CITY, STATE, ZIP: TC MI 49686	CITY, STATE, ZIP: TC MI 49696
DAYTIME PHONE: 231 218 5725	DAYTIME PHONE: 231 218 5725
EMAIL ADDRESS: bp777@teamelmers.com	FAX NO. / EMAIL ADDRESS: bp777@teamelmers.com

SITE INFORMATION

****THIS INFORMATION MUST BE COMPLETE FOR FIELD INSPECTION OR PERMIT ISSUANCE MAY BE DELAYED****

ROAD NAME: Sevenhills rd TOWNSHIP: Peninsula

LOT NO. AND/OR ADDRESS: 13795 Sevenhills Rd IN _____ SUBDIVISION _____

PIN NO.: 28-11-004-012-00 (PROPERTY ID NO.) JOB# _____

PROVIDE DIRECTIONS FROM NEAREST INTERSECTION TO YOUR PROPERTY. MUST BE COMPLETE FOR THE PERMIT TO PROCESS.

THE SITE IS LOCATED: 500 MILES/FEET N S E W FROM Devils Pile ROAD ON THE N S E W

Please select one of the following:

1) ☐ PAVE EXISTING DRIVE 2) ☒ REPAIR/EXTEND EXISTING DRIVE 3) ☐ NEW DRIVE

WIDTH 3' CIRCLE NUMBER OF DRIVES 1 2 3

FINISHED SURFACE TYPE: ☐ GRAVEL ☒ ASPHALT ☐ CONCRETE

REMARKS: widen shoulder for slip lane DATE SITE WILL BE FLAGGED: 5/15/22

Authorized Signature: [Signature]

NOTICE: It is responsibility of the applicant to flag the proposed driveway location so the inspector will be able to determine the exact proposed location. Failure to flag by the specified date may result in a considerable delay. Please allow up to ten business days for processing the permit. Any construction performed before permit is issued may not meet Road Commission standards and is subject to revision or removal at the applicant's expense and could result in a fee being assessed. ****An acceptable Insurance Certificate is required for the contractor or homeowner performing work showing \$500,000.00 of Liability Coverage for the duration of project or permit will not be issued.**

ROAD COMMISSION USE ONLY

DATE REVIEWED: <u>1/24/2022</u>	BY: <u>Rm R.</u>
ROAD NAME: <u>Sevenhills rd</u>	TOWNSHIP: <u>Peninsula</u>
EXACT LOCATION: <u>- 13795 Sevenhills Rd</u>	
CURRENT SURFACE TYPE: _____	WIDTH: <u>Existing</u> NO. OF DRIVES: <u>1</u> CULVERT: _____ ' OF _____
REMARKS:	

TERMS AND CONDITIONS

1. **Specifications.** All work performed under this permit must be done in accordance with the application, plans, specifications, maps and statements filed with the County Road Commission ("Road Commission") and must comply with the Road Commission's current procedures and regulations on file at its offices and the current MDOT Standard Specifications for Construction, if applicable.
2. **Fees and Costs.** The Permit Holder shall be responsible for all costs incurred by the Road Commission in connection with this permit and shall deposit estimated fees and costs as determined by the Road Commission, at the time the permit is issued.
3. **Bond.** The Permit Holder shall provide a cash deposit, irrevocable letter of credit or bond in a form and amount acceptable to the Road Commission at the time permit is issued.
4. **Insurance.** The Permit Holder shall furnish proof of general liability insurance in amounts not less than \$1,000,000 each occurrence and general aggregate, proof of automobile liability in amounts not less than \$1,000,000 combined single limit for each accident, bodily injury per accident, and property damage per accident, and in an amount not less than \$500,000 for bodily injury per person. Such proof of insurance shall include a valid certificate of insurance demonstrating that the Road Commission is an additional insured party on the policy. Such insurance shall cover a period not less than the term of this permit and shall provide that it cannot be cancelled without 30 days advance written notice to the Road Commission, by certified mail, first-class, return receipt requested. This permit is invalid if insurance expires during the authorized period of work described herein.
5. **Indemnification.** In addition to any liability or obligation of the Permit Holder that may otherwise exist, Permit Holder shall, to the fullest extent permitted by law, indemnify, defend and hold harmless the Road Commission and its commissioners, officers, agents, and employees from and against any and all claims, actions, proceedings, liabilities, losses, and damages thereof, and any and all costs and expenses, including legal fees, associated therewith which the Road Commission may sustain by reason of claims for or allegations of the negligence or violation of the terms and conditions of this permit by the Permit Holder, its officers, agents, or employees, arising out of the work which is the subject of this permit, or arising out of work not authorized by this permit, or arising out of the continued existence of the operation or facility, which is the subject of this permit.
6. **Miss Dig.** The Permit Holder must comply with the requirements of Act 53 of Public Acts of 1974, as amended. CALL MISS DIG AT (800) 482-7171 or www.missdig.org AT LEAST THREE (3) FULL WORKING DAYS, BUT NOT MORE THAN FOURTEEN (14) CALENDAR DAYS, BEFORE YOU START WORK. The Permit Holder assumes all responsibility for damage to or interruption of underground utilities.
7. **Notification of Start and Completion of Work.** The Permit Holder must notify the Road Commission at least 48 hours before starting work, when work is completed, and additionally as directed by the Road Commission.
8. **Time Restrictions.** All work shall be performed Mondays through Fridays between 8:00 a.m. and 5:00 p.m. unless written approval is obtained from the Road Commission, and work shall be performed only during the period set forth in this permit. Perform no work except emergency work, unless authorized by the Road Commission on Saturdays, Sundays, or from 3:00 p.m. on the day proceeding until the normal starting time the day after the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
9. **Safety.** Furnish, install and maintain all necessary traffic controls and protection during Permit Holder's operations in accordance with the *Michigan Manual of Uniform Traffic Control Devices, Part 6* and any supplemental specifications set forth herein.
10. **Restoration and Repair of Road.** The construction, operation and maintenance of the activity covered by this permit shall be performed by the Permit Holder without cost to the Road Commission unless specified herein. The Permit Holder shall also be responsible for the cost of restoration and repair of the right-of-way determined by the Road Commission to be damaged as a result of the activity which is the subject of this permit. Restoration shall meet or exceed conditions when work is commenced and be in accordance with specifications. The Permit Holder shall be responsible for costs incurred by the Road Commission for emergency repairs performed by or on behalf of the Road Commission for the safety of the motoring public. Said repairs shall be performed with or without notice to the Permit Holder if immediate action is required. This determination shall be in the sole and reasonable opinion of the Road Commission.
11. **Limitation of Permit.** Issuance of this permit does not relieve Permit Holder from meeting any and all requirements of law, or of other public bodies or agencies. The Permit Holder shall be responsible for securing and shall secure any other permits or permission necessary or required by law from cities, villages, townships, corporations, property owners, or individuals for the activities hereby permitted. Any work not described by the application, including the time and place thereof, is strictly prohibited in the absence of the application for and issuance of an additional permit or amendment to this permit.
12. **Revocation of Permit.** This permit may be suspended or revoked at will, and the Permit Holder shall surrender this permit and alter, relocate or remove its facilities at its expense at the request of the Road Commission. It is understood that the rights granted herein are revocable at the will of the Road Commission and that the Permit Holder acquires no rights in the right-of-way and expressly waives any right to claim damages or compensation in case this permit is revoked.
13. **Assignability.** This permit is not assignable and not transferable unless specifically agreed to by the Road Commission.
14. **Authority.** The statutory authority of the Road Commission to require compliance with permit requirements is predicated upon its jurisdictional authority and is set forth in various statutes including, without limitation and in no particular order, MCL §247.321 et seq; MCL §224.19b; MCL §560.101 et seq; and MCL §247.171 et seq.



BENCHMARK DATA

BM 15.750 B.M. 100' 0" 15.750 B.M.
 BM 15.750 B.M. 100' 0" 15.750 B.M.
 BM 15.750 B.M. 100' 0" 15.750 B.M.
 BM 15.750 B.M. 100' 0" 15.750 B.M.



LAND USE TABLE

SITE CONDITIONS	ASPHALT	CONCRETE	GRAVEL	B.M. AREA	PERCENT PAVEMENT	PERCENT LOT COVERAGE	% B.M. LOT COVERAGE
EXIST. CONDITIONS	28,000 SF	5,000 SF	600 SF	12,000 SF	100%	45,000 SF ±	90.00%
PROPOSED CONDITIONS	28,000 SF	5,000 SF	600 SF	12,000 SF	100%	45,000 SF ±	90.00%
PERCENT CHANGE	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

SNOW STORAGE CALCULATIONS

PROPOSED AREAS ARE SHOWN IN TO TWO DISTRICTS
 SNOW STORAGE PROVIDED = 1,000 S.F. ±
 SNOW STORAGE PROVIDED = 1,000 S.F. ±
 SNOW STORAGE PROVIDED = 1,000 S.F. ±
 SNOW STORAGE PROVIDED = 1,000 S.F. ±

SITE REQUIREMENTS

1. PAVING LOT LAYOUT SHALL BE PROVIDED IN ACCORDANCE WITH DISTRICT SPECIFICATIONS.
2. PAVING LOT LAYOUT SHALL BE PROVIDED IN ACCORDANCE WITH DISTRICT SPECIFICATIONS.
3. ANY AND ALL SHALL BE IN ACCORDANCE WITH DISTRICT SPECIFICATIONS.

SITE INFORMATION

SITE ADDRESS
 13773 SEVEN HILLS RD
 SEVEN HILLS, MD 21156
 DEVELOPER: GTEC
 CONTRACT: JORDAN WILSONS 331-100-0004
 PROJECT: 331-100-0004
 PREPARED BY: J. WILSON
 CHECKED BY: J. WILSON
 DATE: 10/10/2010
 SCALE: 1" = 20' (SEE SHEET 13773-100-0004)
 PROJECTED: SEE TO INCLUDE THE FOLLOWING: - TESTING ROOM/LABORATORY ROAD SERVICE - CONTRACTOR: JORDAN WILSONS 331-100-0004

SETBACK REQUIREMENTS

FRONT: 30 FEET, 10 FEET (SEE SHEET 13773-100-0004)
 REAR: 30 FEET, 10 FEET (SEE SHEET 13773-100-0004)
 SIDE: 30 FEET, 10 FEET (SEE SHEET 13773-100-0004)
 ASSUMPTION: SEE TO INCLUDE THE FOLLOWING: - TESTING ROOM/LABORATORY ROAD SERVICE - CONTRACTOR: JORDAN WILSONS 331-100-0004



Know what's below.
 Call before you dig.

OUTDOOR FORGE LIGHT FIXTURE

MODEL: 1000
 1000 WATT
 120V
 1000 WATT
 120V
 1000 WATT
 120V



Exhibit 9

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

SPECIAL USE PERMIT (SUP)
FINDINGS OF FACT AND CONCLUSIONS
SUP #35 – Amendment #1
May 11, 2021

PENINSULA TOWNSHIP BOARD

Applicant: OMP Seven Hills, LLC – (Jordan Valdmanis, Brian Peace, Troy Daily, and Jay Milliken)
16330 Peninsula Drive
Traverse City, Michigan 49684

Hearing Date(s): December 21, 2020 - Planning Commission
March 23, 2021 – Township Board

PROPERTY DESCRIPTION

Parcel ID#: 28-11-128-002-00
Property Address: 13795 Seven Hills Rd
|

GENERAL INTRODUCTION AND BACKGROUND

The applicants propose to redevelop an existing commercial site that contains 2.05 acres (including the R.O.W). This site is zoned C-1, which is Peninsula Township's only commercial zoning district. The combined total of all C-1 zoned land in Peninsula Township is about 25 acres. All land uses listed in the C-1 zone are special uses that require compliance with Article VIII and site development requirements contained in Section 6.6. Interior and exterior modifications of the existing buildings are proposed as part of this project along with some demolition activity.

SUP #35 was approved in 1993 for this property. Uses approved as part of the original SUP included offices for contractors along with related accessory storage of materials and equipment (see [EXHIBIT 5](#)). This property was recently sold to OMP Seven Hills, LLC (see [EXHIBIT 6](#)). Images of the existing site from recent air photos (Eagleview/Pictometry) are provided in [EXHIBIT 7](#).

The submitted application (as revised) is provided in [EXHIBIT 1](#). Major project elements include the following:

APPROVED _ TOWNSHIP BOARD MEETING – MAY 11, 2021

- Removal of an existing pole building and removal of the back of a building shown as a restaurant/tavern on the site plan;
- Building remodeling, painting, and façade improvements;
- Parking area upgrades;
- Drainage improvements, delineation of snow storage areas, and septic and well enhancements as shown on drawings 3.0 and 4.0;
- Landscaping improvements as shown on drawing 5.0;
- The existing driveway to the site from Seven Hills Road remaining in the same location;
- The proposed restaurant/tavern has three combination sinks, mop sink, bar sink, and an ADA bathroom and will be designed to accommodate no more than 32 guests and three employees;
- Other uses include retail stores/shops and professional offices/services;
- Indoor contractor storage and office space are proposed uses for the three western buildings (1,200 sq. ft. each and previously approved under SUP #35).

SECTION 8.1.3 BASIS FOR DETERMINATIONS

FINDINGS - SECTION 8.1.3 (1) GENERAL STANDARDS

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

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

The character of the area surrounding the project site is generally agricultural in nature. Surrounding property is mostly wooded and Bowers Harbor Vineyard is located to the north and west. This site has been commercially zoned for many years and accommodates the existing commercial structures. Some building construction on the site dates back to the late 1970s.

- 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 project includes both building removal and updates to interior and exterior elements of existing structures. Exterior façade renovations are aimed at replicating the style of the Peninsula Community Library following a pattern of clean exterior elements and white/neutral colors. No parking lot lighting is proposed that could be considered potentially disturbing to existing or future uses in the same general vicinity. New exterior illumination will only be provided from new fixtures on exterior facades of buildings and will be compliant with Section 7.14. (EXHIBIT 8). Environmental checklist is provided (EXHIBIT 10).

A conceptual rendering for façade improvements is provided (EXHIBIT 12). The western-most buildings will only be painted to match the new colors and will receive general clean-up. There are no proposed architectural changes to these western-most buildings.

- 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 proposed uses will be served adequately by essential services as the proposed uses do not place any additional burden on adjacent roadways, public emergency services, public utilities, or schools. The fire department has been on site and has provided a preliminary review and defined specific requirements for final approval. Additionally, GFA has performed a more detailed analysis of specific fire truck turning movements (EXHIBIT 2).

The Grand Traverse County Health Department has reviewed the proposed plans and has articulated necessary steps before permits may be issued (EXHIBIT 4). Compliance with these requirements is included among approval conditions. Notably, the customer occupancy associated with the restaurant/tavern may not exceed 32 patrons at any one time in this space or otherwise waiting for a seat at the site.

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

The proposed uses do not create excessive additional requirements at public cost for public facilities and services.

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

The proposed uses do not include uses, activities, processes, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by fumes, glare, or odors. Buildings to the far west include three 1,200-square-foot buildings for contractor storage. As the specific types of storage materials and quantities are unknown, a condition of approval is that all storage of materials on-site comply with all applicable OSHA regulations, EPA regulations, state of Michigan (EGLE) regulations, and the International Fire Code.

FINDINGS - SECTION 8.1.3(3) SPECIFIC REQUIREMENTS:

Specific Requirements. In reviewing an impact assessment and site plan, the town board and the planning commission shall consider the following standards:

- (a) That the applicant may legally apply for site plan review. The applicant had a purchase contract with the existing owner and has since purchased the property (EXHIBIT 6).
- (b) That all required information has been provided. All required information is provided as part of this application. (EXHIBIT 1).

- (c) That the proposed development conforms to all regulations of the zoning district in which it is located. **The proposed development conforms to regulations of the C-1 zoning district subject to the approval conditions listed on page 5. A list of specific requirements and evidence of compliance is found in the GFA letter (EXHIBIT 3). A portion of the building proposed to be used as a restaurant/tavern includes an enclosed patio (northeast corner). This appears to be consistent with a recently issued formal legal opinion from the township attorney regarding uses being conducted in a permanent enclosed building in the C-1 zoning district (EXHIBIT 9).**
- (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. **GFA has reviewed the submitted plans (EXHIBIT 3) along with other review agencies (EXHIBIT 1) and the fire chief (EXHIBIT 2).**
- (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 proposed uses, along with plans and relevant information, have been supplied to the necessary governmental agencies for review and approval. Communication with the Grand Traverse County Health Department is provided (EXHIBIT 1 AND 4).**
- (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 subject site is largely developed and will remain as such. There will be less building mass on the site after the project is complete since the pole building will be removed and a portion of the existing building area will be removed to accommodate space planned for a restaurant/tavern.**
- (g) That the proposed development property respects floodways and floodplains on or in the vicinity of the subject property. **There are no floodways or floodplains in the vicinity of this site.**
- (h) That the soil conditions are suitable for excavation and site preparation and that organic, wet, or other soils that are not suitable for development will either be undisturbed or modified in an acceptable manner. **These soils are suitable for construction activities. Soil types are identified on page 2.0 of the drawings submitted (EXHIBIT 1).**
- (i) That the proposed development will not cause soil erosion or sedimentation problems. **The maximum disturbance area in total is less than one acre. See letter from GFA (EXHIBIT 3).**
- (j) That the drainage plan for the proposed development is adequate to handle anticipated stormwater runoff and will not cause undue runoff onto neighboring property or overloading of water courses in the area. **The proposed uses will not cause any increase in off-site storm water runoff. The site plan illustrates a stormwater detention basin. See letter from GFA (EXHIBIT 3).**
- (k) That grading or filling will not destroy the character of the property or the surrounding area and will not adversely affect the adjacent or neighboring properties. **Proposed grading is limited to the north of the site and is associated with drainage and septic system activities. The general character**

of the site remains essentially unchanged.

- (l) That structures, landscaping, landfills, or other land uses will not disrupt air drainage systems necessary for agricultural uses. **Proposed grading as part of this project will not change the general cold air drainage flow of the site.**
- (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. **According to the application, this project will not be developed in phases.**
- (n) That the plan provides for the proper expansion of existing facilities such as public streets, drainage systems, and water/sewage facilities. **No expansion of public streets, drainage systems, or water/sewage facilities is proposed.**
- (o) That landscaping, fences, or walls may be required by the town board and planning commission in pursuance of the objectives of this ordinance. **A landscape plan is provided by the applicant that shows new trees and shrubs throughout the site. Implementation of this plan is a condition of approval, and documentation of compliance with zoning ordinance requirements is found in the letter from GFA (EXHIBIT 3).**
- (p) That parking layout will not adversely affect the flow of traffic within the site or to and from the adjacent streets. **The parking lot layout is similar to the existing layout except for the addition of six new spaces in front of the proposed restaurant/tavern and some minor asphalt widening. The six new spaces include the use of pervious pavers.**
- (q) That vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks serving the site, shall be safe and convenient. **Vehicular traffic will enter and exit the property on Seven Hills Road. According to a message contained in the application, this existing drive meets Grand Traverse County Road Commission standards and no improvements are necessary (EXHIBIT 1). Subsequently, a more detailed analysis of traffic generation was performed by a traffic engineer from Fleis & Vandenbrink. This analysis found that the peak hour traffic generation to be between 31 and 34 vehicles per hour (EXHIBIT 13). This was regarded as being below typical traffic study thresholds for further analysis.**

The parking areas will not be illuminated. New exterior site illumination will only be provided from new wall-mounted fixtures on exterior facades of buildings and will be compliant with Section 7.14. (EXHIBIT 8 AND EXHIBIT 1 – SHEET 3.0 IN SITE PLAN).
- (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. **One single dumpster is located behind the proposed restaurant/tavern. The submitted plans show that this location includes a dumpster enclosure – sheet 3.0. (EXHIBIT 1).**
- (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 proposed development meets the objectives of the ordinance and the principles of sound planning by maintaining the existing character of the subject parcel while providing opportunities to update and renovate existing commercial space.

COMPLIANCE WITH GOVERNMENTAL REGULATIONS:

The petitioner shall comply with all state, county, township, and other governmental regulations relative to the establishment of the special use for a parcel zoned C-1, which includes meeting the requirements of the Michigan Department of Transportation (MDOT), the Grand Traverse County Drain Commissioner (GTCDC), the Grand Traverse County Road Commission (GTCRC), and the Grand Traverse County Health Department (GTCHD). Zoning compliance is based on the governing special land use document, approved site plan, and Articles 6 and 8 of the Peninsula Township Zoning Ordinance.

APPROVAL CONDITIONS AND SAFEGUARDS:

Pursuant to Section 8.1.3 (2), the board may require such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights, and for ensuring that the intent and objectives of the ordinance will be observed. The breach of any condition, safeguard, or requirement shall automatically invalidate the permit granted. Specific conditions and requirements for a land use permit include:

- 1) Uses approved as part of this SUP include the following, and as indicated on the approved site plan:
 - a. Restaurant/Tavern (approximately 2,000 square feet shown on the site plan and labeled "restaurant/tavern" with a customer occupancy that does not exceed 32 patrons at any one time in this space, or otherwise waiting for a seat at the site)
 - b. Indoor retail store and professional office uses (approximately 3,840 square feet)
 - c. Indoor contractor storage and office space in the three western buildings (1,200 sq. ft. each and previously approved under SUP #35)
 - d. No outdoor events, meetings or gatherings are permitted as part of this SUP.
 - e. All uses and activities are subject to the Peninsula Township Noise Ordinance #40, and no amplified music is allowed that exceeds a volume level greater than normal conversation at the edge of the area designed for patrons.
- 2) Continued compliance with permitting necessary with the conditions defined by the Grand Traverse County Health Department and Construction Code before a land use permit(s) is granted.
- 3) No outside storage of contractor equipment or construction materials is permitted anywhere on the site.
- 4) No external illumination of buildings is allowed other than fixtures attached to the exterior of the buildings (wall mounted) and compliant with Section 7.14 of the zoning ordinance.
- 5) The existing sign (closest to Seven Hills Road) remains and the other existing sign (furthest from Seven Hills Road) is removed.
- 6) Full implementation of the proposed landscape plan (Sheet 5.0) of the drawings submitted.
- 7) All storage of materials on-site complies with all applicable OSHA regulations, EPA regulations, state of Michigan (EGLE) regulations and the International Fire Code.
- 8) Full compliance with all fire department review requirements stipulated in the letter dated February 10, 2021 ([EXHIBIT 2 AND EXHIBIT 3](#)).
- 9) Compliance with all other requirements stipulated in the letter from GFA ([EXHIBIT 3](#)).

- 10) Continue to provide and accommodate access to the property to the south from the drive/parking area. Access to the property to the south was originally established from the drive/parking area pursuant to SUP #35 in order to eliminate the need for an additional access point on Seven Hills Road.
- 11) Construct a bypass lane (as may be required) in the north-bound lane per requirements from the Grand Traverse County Road Commission. Additionally, no on-street parking for patrons is permitted on Seven Hills Road.
- 12) OMP Seven Hills, LLC understands, agrees, and acknowledges that as part of the board's approval of the requested SUP, OMP Seven Hills, LLC agrees, understands, and acknowledges that at any time it is determined by Peninsula Township that the impact and/or intensity of use of the roads to and from OMP Seven Hills, LLC has increased in a meaningful way, OMP Seven Hills, LLC agrees, at the request of Peninsula Township, to pay for a traffic study to be conducted by a vendor chosen by Peninsula Township to determine the impact and/or increase in intensity of use of the roads to and out from Parcel 28-11-128-002-00 (13795 Seven Hills Road). The information acquired shall be shared with Peninsula Township and OMP Seven Hills, LLC. Provided that a meaningful impact and/or increase in intensity of use is determined, Peninsula Township and OMP Seven Hills, LLC shall work together to find alternatives to mitigate and/or relieve the impact and/or increase in intensity. The cost of all remedial measures agreed upon shall be paid for by OMP Seven Hills, LLC. To the extent that the parties are unable to agree upon an alternative to mitigate and/or relieve the impact and/or increase in intensity, the Peninsula Township board shall be the sole decision maker as to the remedial measures to be implemented. The terms "impact and/or intensity" and "meaningful way" shall mean that the traffic count using the roads to and from 13795 Seven Hills Road has increased beyond five additional vehicles in the peak hour of traffic generation for a period of three consecutive days.

COMMENCEMENT AND COMPLETION

The commencement and completion of special land uses are governed by Section 8.1.2(5) of the Peninsula Township Zoning Ordinance. Violations of the special land use permit and accompanying site plan are enforceable, and remedies are available under Section 3.2 of the zoning ordinance.

EFFECTIVE DATE OF SPECIAL LAND USE:

The special land use shall be effective when the application has been approved by the Peninsula Township Board of Trustees, subject to the above conditions. The board approves by a vote of:

AYES	_____
NAYS	_____
ABSTAINING	_____
ABSENT	_____

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

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

APPROVED _ TOWNSHIP BOARD MEETING – MAY 11, 2021

Rebecca Chown, Peninsula Township Clerk

Approved by the Peninsula Township Board on _____

Rob Manigold, Peninsula Township Supervisor

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

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

OMP Seven Hills, LLC – (Jordan Valdmanis, Brian
Peace, Troy Daily and Jay Milliken) 16330 Peninsula
Drive

Traverse City Triathlon



TRAVERSE CITY TRIATHLONTM

Permit Application for the
Traverse City Triathlon
Sunday, August 20, 2023

Produced by:



Event Overview and Timeline

13th Annual Traverse City Triathlon
Sunday, August 20, 2023

Race Day Events
2995 Sub-Zero Parkway
Fitchburg, WI 53719
Race Director: Ryan Griessmeyer
608-444-2261

Event Date(s)

- August 20, 2023

Event Times

- Setup: Saturday, August 19, 2023, starting at 10:00am
- Event Starting Time: Sunday, August 20, 2023, 8:00am
- Last Finisher: Sunday August 20, 2023, 1:00pm
- Event Teardown Completed By: Sunday, August 20, 2023, 4:00pm

Saturday, August 19, 2023

10:00am-6:00pm Race setup at East Bay Park

Sunday, August 20, 2023

5:00-7:00am	Set up, registration and packet pick up at East Bay Park
6:30-7:45am	Transition area open for ALL athletes to setup
7:45am	Race briefing at transition (Sprint, Olympic, Duathlon)
8:00am	Wave 1: Olympic triathlon (men), open water swim (men)
8:05am	Wave 2: Olympic triathlon (women), Olympic relays (all), open water swim (women)
8:15am	Wave 3: Duathlon (all)
8:20am	Wave 4: Sprint triathlon (men), sprint relays (all)
8:30am	Wave 5: Sprint triathlon (women)
9:20am	Swim course closes
10:40am	Sprint/duathlon bike course cutoff (sprint bike course closes)
10:50am (approximate)	Sprint & duathlon awards ceremony at East Bay Park
11:00am	Olympic Bike course cutoff (Olympic bike course closes)
11:15am (approximate)	Transition area opens for bike/gear retrieval
11:20am (approximate)	Olympic awards ceremony at East Bay Park
1:00pm	Final finisher
1:15pm	Teardown begins
4:00pm	Teardown complete

Event Description

- This event is a multisport event consisting of swimming, cycling, and running. It has sub-divisions that will take place concurrently on race day:
 - Sprint Triathlon: 750M Swim, 20KM Bike, 5KM Run
 - Olympic Triathlon: 1.5KM Swim, 40KM Bike, 10KM Run
 - Duathlon: 1.8-mile Run, 20KM Bike, 5KM Run

Event Location

- The event will start at East Bay Park. This area will also serve as the transition area where participants will switch from the swim to the bike, and bike to run. The event will finish at East Bay Park. Please see included maps for start/finish, transition, and course details.

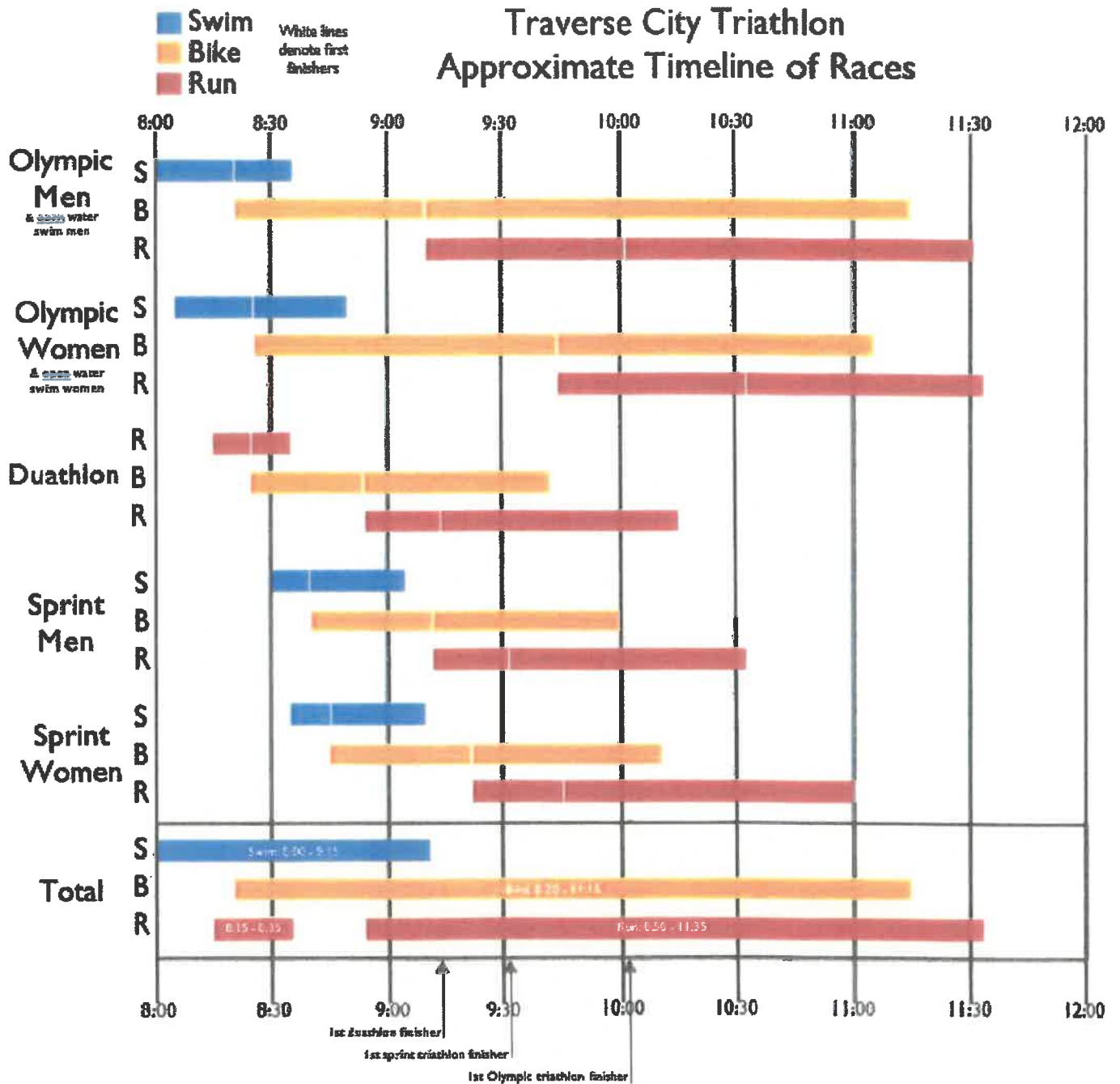
Number of Participants

- The event expects an estimated 500 total participants. Total number of people attending the event, including spectators, is estimated at 800.

Event Pricing

- Participant registration fees: \$79-109 per person. Pricing varies based on event and registration date. Further registration information can be found on the race [website](#).

Traverse City Triathlon Approximate Timeline of Races



Summary Event Information: 13th Annual Traverse City Triathlon – Sunday, August 20, 2023

A Race Day Events Production: Please click [here](#) to see the race website for complete details.

- ❖ The event consists of 2 different length individual triathlon races (participants swim, bike, and run a set distance), a duathlon race (bike, run, bike), and relay versions of triathlon races (a team of people each handle a portion of the race). The triathlon distances are "Sprint" and "Olympic," with the Olympic distance being approximately twice the distance as the Sprint.
- ❖ The event setup for the participants' race equipment is at East Bay Park parking lot - called the "transition" area.
- ❖ The swim course takes place in the waters of East Arm Grand Traverse Bay. Participants enter and exit the water at Traverse City Public Beach, part of East Bay Park.
- ❖ The bike course begins and ends at East Bay Park, proceeding north along various peninsula roads. The roads are not closed; the routes are clearly marked for the participants and motorists. Caution/safety signs are posted, and the routes are monitored by volunteers and deputy sheriff staff. See routes included below.
- ❖ The run course routes begin at East Bay Park. The first Duathlon running route goes north along East Shore Road. The 5K and 10K running routes proceed north and through the Northwestern Michigan College campus and other nearby roads. The roads are not closed; the routes are clearly marked for the participants and public. The race finishes at East Bay Park, where the post-race food and beverages are setup, and the awards ceremony takes place.
- ❖ The start time for the first race is 8:00am, and all participants are typically finished by 12:00pm.
- ❖ All parking for participants, spectators, and volunteers is directed to Northwestern Michigan College campus parking lot(s).
- ❖ Race setup will begin on Saturday, August 19, 2023, at 10:00am, at East Bay Park. This includes equipment in the parking lot for the transition area. And finish line area in the East Bay Park grass area near the playground. Further race setup will begin on Sunday, August 20, 2023, at 5:00am.
- ❖ East Bay Park will be completely cleaned up by mid-afternoon on Sunday. We always make sure to leave the park area even cleaner than when we arrived!
- ❖ All permitting (City of Traverse City, Peninsula Township, DNR, Grand Traverse County Road Commission, etc.) will be in place and route property owners' permissions will be obtained.
- ❖ Emergency personnel are contracted for the event (Fire department, EMS, Deputy patrols).
- ❖ The City of Traverse City is named as additional insured on an event insurance certificate of liability for \$1,000,000.

Large Event Ordinance Information

Police and Fire Protection

- Fire and police protection will be contracted through the City of Traverse City. Fire Department and Sheriff's Department.
- Staffing to include squad cars and deputies stationed along the course as needed at key intersections.

Medical Facilities and Services

- Medical and emergency services will be contracted through Peninsula Township Fire Department
- This will include an ambulance at the East Bay Park area. And an additional vehicle roaming the courses. One rescue boat will be in the water during the swim portion of the event.
- Staffing to include one BLS/ALS rig at East Bay Park, one Fire Department vehicle that roams the course. Additional rigs can be on standby as needed.

Food and Water Supply Facilities

- Food and water will be brought on-site by Race Day Events or participating vendors.

Health and Sanitation Facilities

- Portable toilets will be located at East Bay Park, as well as noted location(s) along the run course.

Vehicle Access and Parking Facilities

- Parking will be at the Northwestern Michigan College's campus parking lots.

Cleanup and Waste Disposal

- Trash will be removed by Race Day Events at the conclusion of the event.

Noise Control and Trespass

- Participants and spectators will be informed to avoid private property while participating in the event. Site plans and maps will be provided to participants, and way finding measures (caution tape, cones, signage) will be in place on race day to remind participants and spectators where they are allowed to travel and spectate. There will be a small PA system at the start and finish area for announcing participant instructions, announcing finisher's names, and playing music as participants finish the event. Volume levels will be kept to those in accordance with the City's Noise Ordinance requirements.

Road Closures

- No roads will be closed for this event.

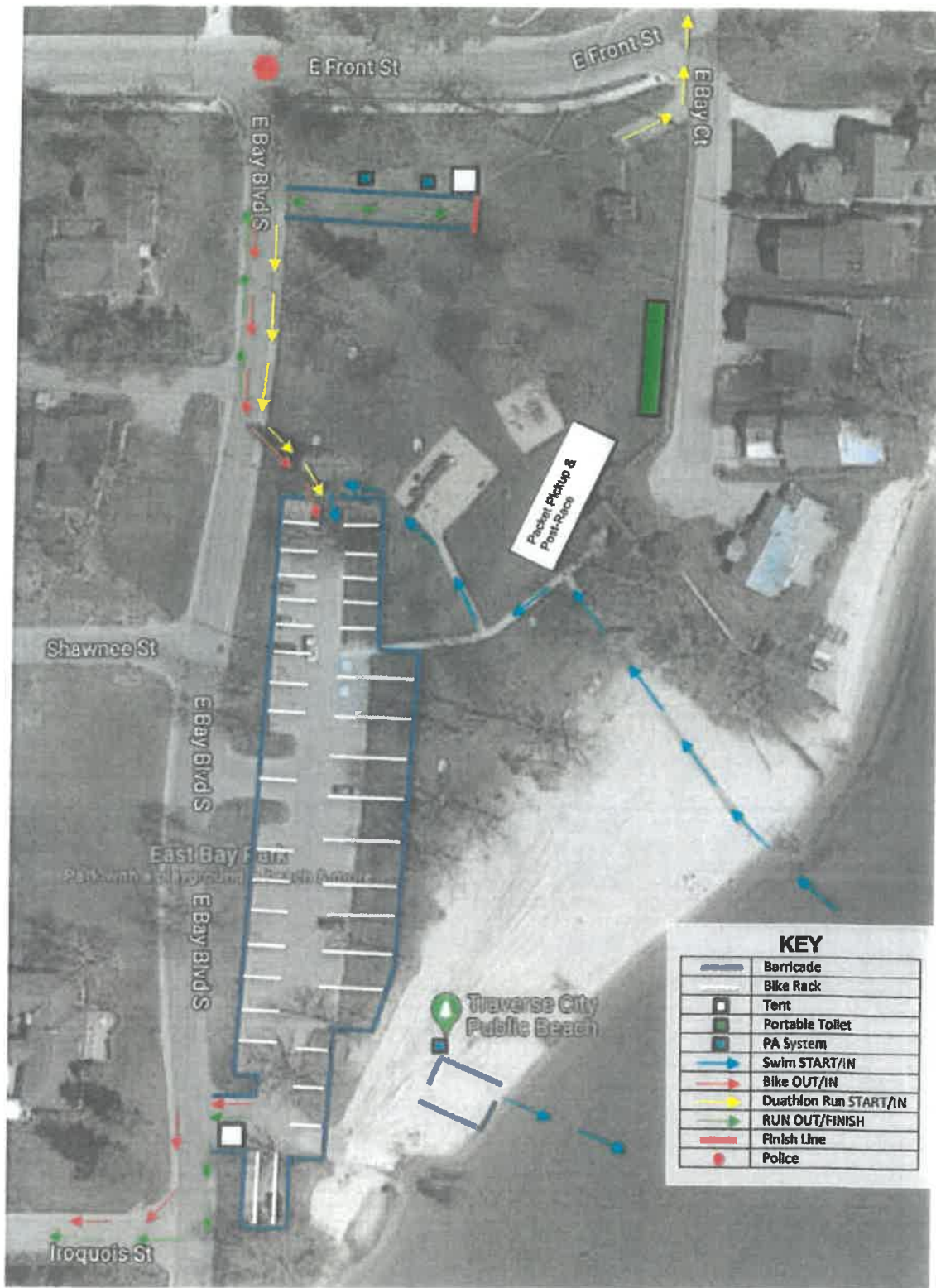
Insurance

- Insurance certificate will be provided through USA Triathlon, the sanctioning body of the event. Actual certificates will be delivered electronically to all required parties prior to the event.

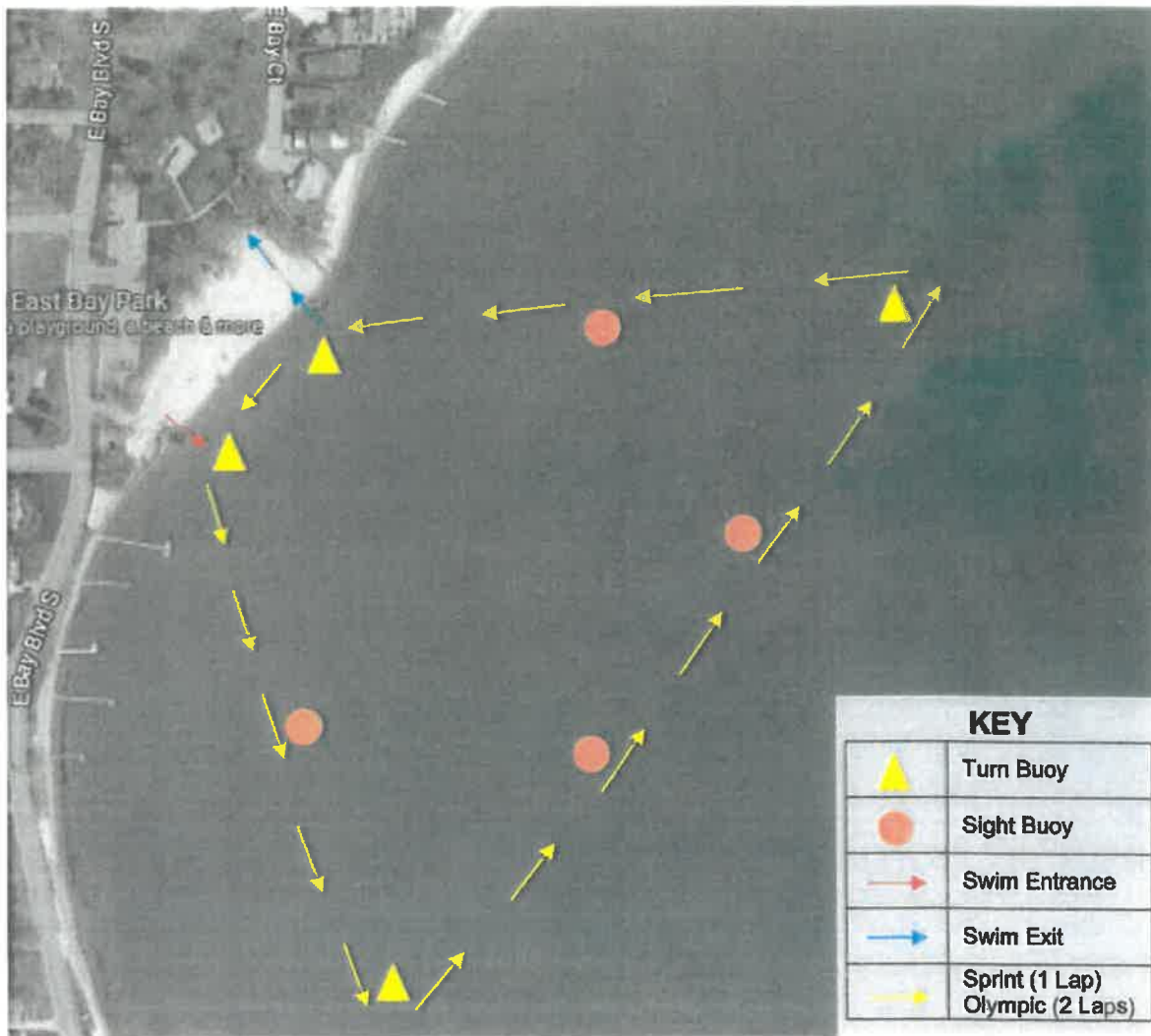
Resident Notification List

- To be provided by the City of Traverse City; postcard to be mailed 3 weeks prior to event.

Site Plan – Overview



Swim Course



Bike Courses

Sprint Bike Course

<https://www.mapmyrun.com/routes/view/5365003942>



Olympic Bike Course

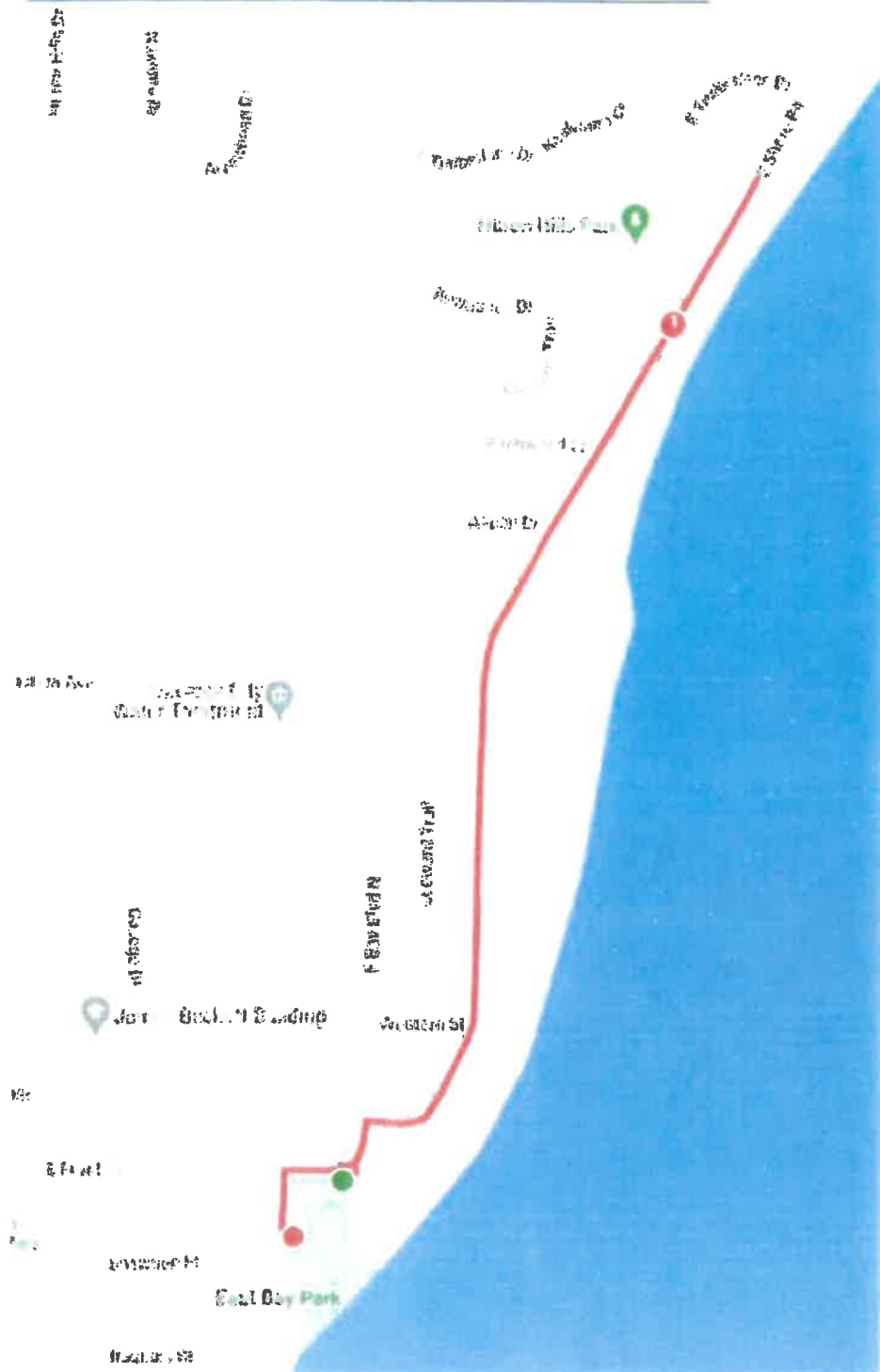
<https://www.mapmyrun.com/routes/view/5365010173>



Running Courses

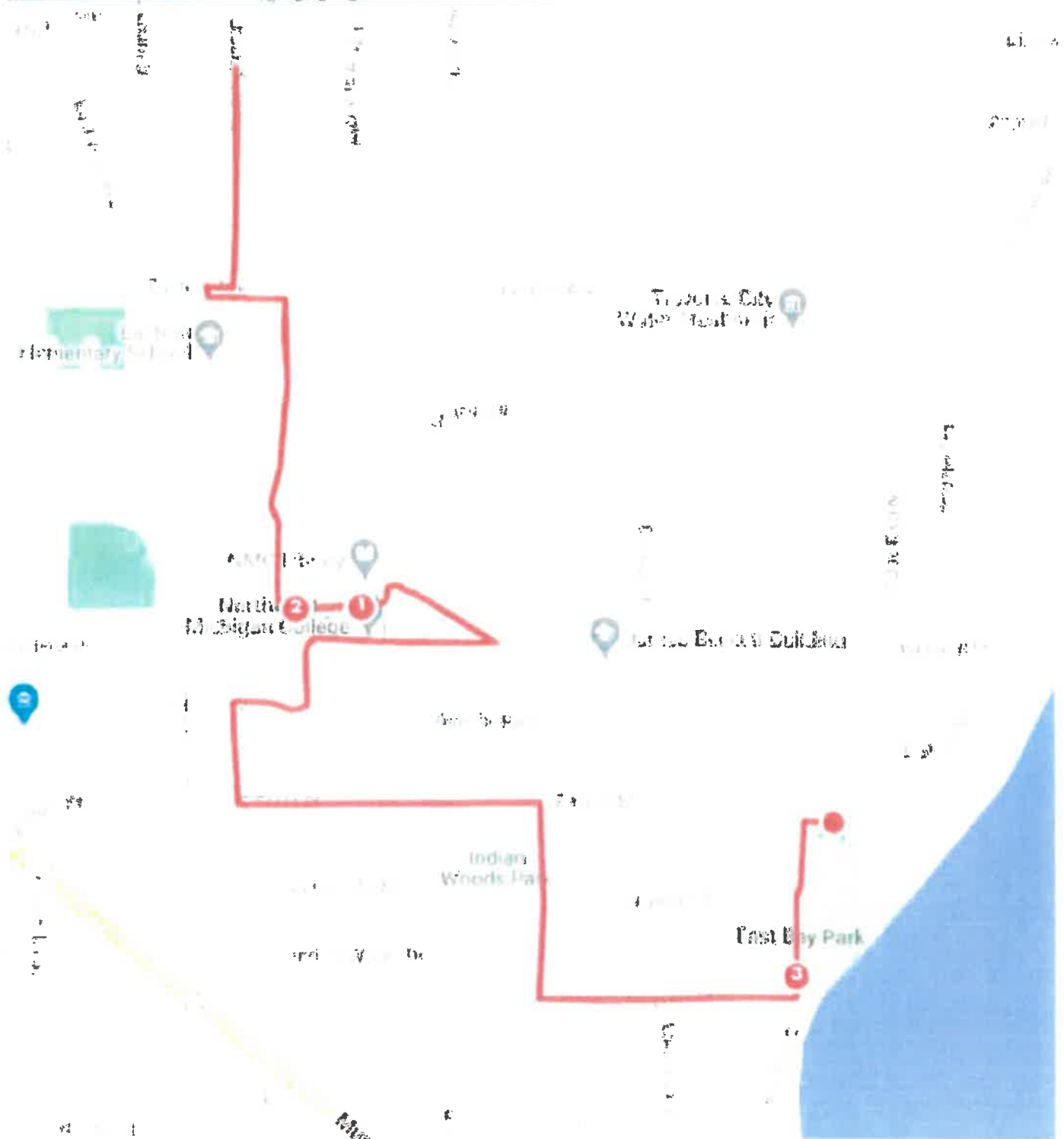
Duathlon Run #1

<https://www.mapmyrun.com/routes/view/5368450768>



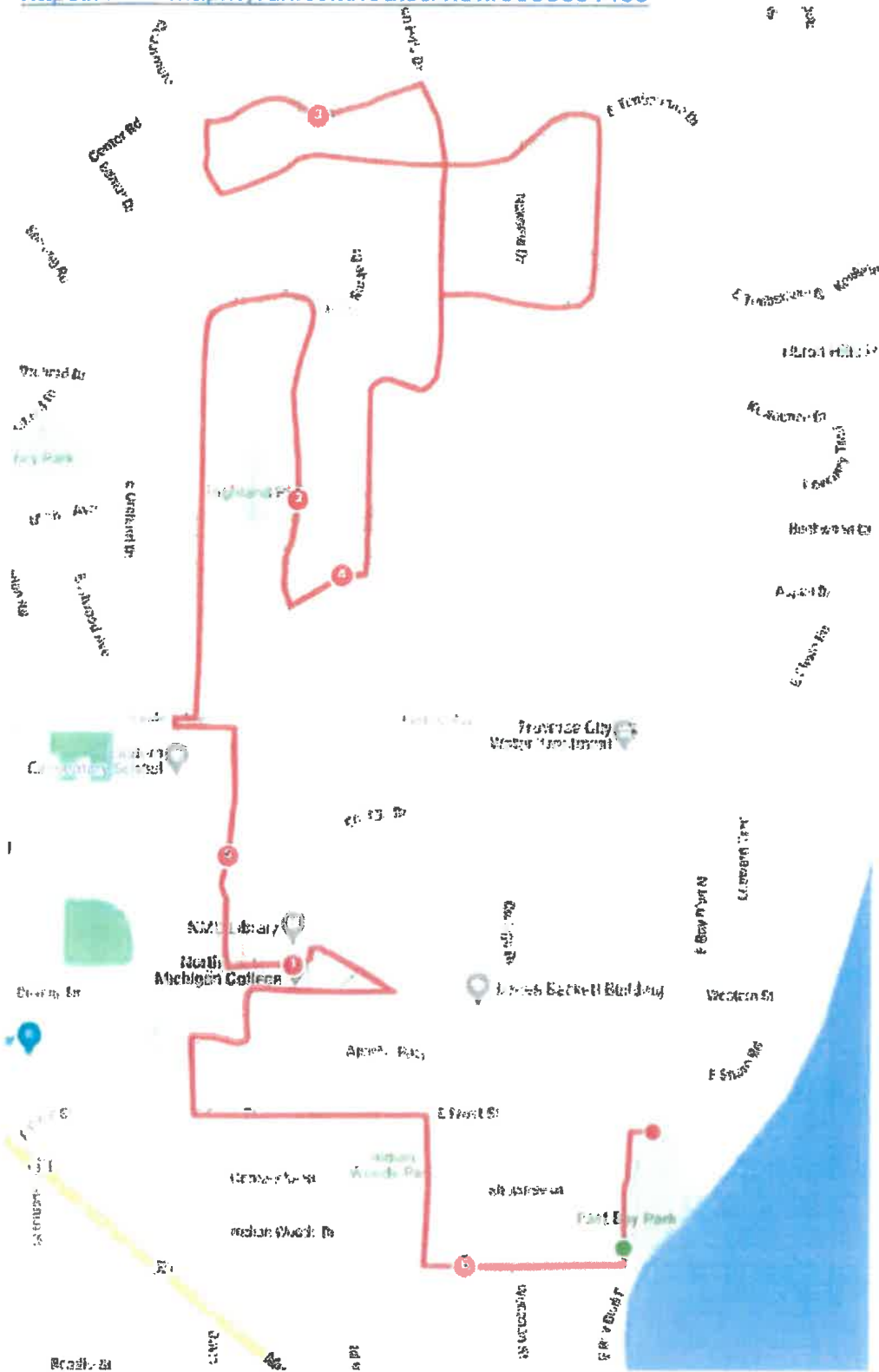
Sprint Run Course

<https://www.mapmyrun.com/routes/view/5365069075>



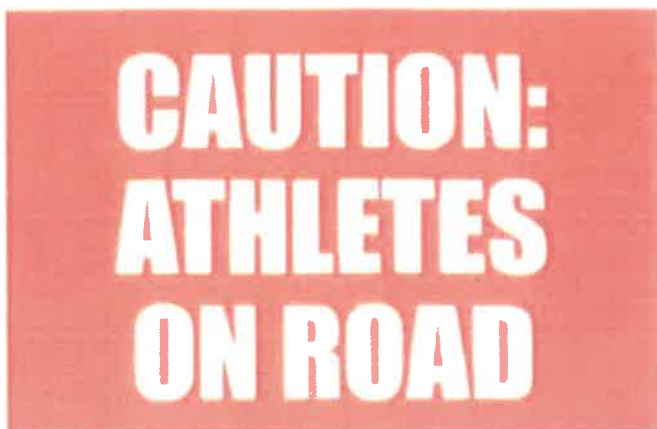
Olympic Run Course

<https://www.mapmyrun.com/routes/view/5365051489>



Event Signage

The following signage will be displayed as needed along the roads utilized by the bike and run courses to inform the public of the event.



Signage and Traffic Control Plan

Visit Google My Maps link to see plan for all routes.

https://www.google.com/maps/d/edit?mid=17LgQIWZTo_fYKwni3kl-HJpq1LXbPGc&usp=sharing

**The Traverse City Triathlon will be occurring on
the Traverse City Old Mission Peninsula
on August 20, 2023, from 8am to 12am.**

To see how you may be affected, please visit:

<https://traversecitytriathlon.com/residents-page/>



Presort Std
US Postage
PAID
UMS

2



Current Resident
13235 Center Rd
Traverse City, MI 49686-8560



RACEDAY-01

SWILLMERING

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

1/17/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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PRODUCER
Robertson Ryan - Madison
330 East Kilbourn Avenue, Suite 850
Milwaukee, WI 53202

CONTACT
NAME:
PHONE
(A/C, No, Ext): (800) 258-0277 **FAX**
(A/C, No): (877) 700-0139
E-MAIL
ADDRESS:

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A: WEST BEND MUTUAL INSURANCE COMPANY 15350

INSURER B: SFM MUTUAL INSURANCE COMPANY 11347

INSURER C:

INSURER D:

INSURER E:

INSURER F:

INSURED
Race Day Events LLC
2995 Sub-Zero Pkwy
Fitchburg, WI 53719

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR			1497361	1/2/2023	1/2/2024	EACH OCCURRENCE \$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
							MED EXP (Any one person) \$ 5,000
							PERSONAL & ADV INJURY \$ 1,000,000
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						
	<input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						
	OTHER:						
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY						
	<input checked="" type="checkbox"/> ANY AUTO			1497361	1/2/2023	1/2/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input type="checkbox"/> OWNED AUTOS ONLY						BODILY INJURY (Per person) \$
	<input type="checkbox"/> SCHEDULED AUTOS						BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS ONLY						PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> NON-OWNED AUTOS ONLY						
	UMBRELLA LIAB						EACH OCCURRENCE \$
	EXCESS LIAB						AGGREGATE \$
	DED						
	RETENTION \$						
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)			72579.108	2/15/2023	2/15/2024	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER \$ 500,000
	If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				E.L. EACH ACCIDENT \$ 500,000
							E.L. DISEASE - EA EMPLOYEE \$ 500,000
							E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	Liquor Liability			2102252	1/2/2023	1/2/2024	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Peninsula Township and Peninsula Township Parks Committee are included as additional insured. Waivers of Subrogation in favor of Peninsula Township is included on the General Liability.

CERTIFICATE HOLDER

Peninsula Township
Peninsula Township Parks Committee
13235 Center Rd
Traverse City, MI 49686

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



RACEDAY-01

SWILLMERING

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
1/17/2023

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PRODUCER
Robertson Ryan - Madison
330 East Kilbourn Avenue, Suite 850
Milwaukee, WI 53202

CONTACT NAME:
PHONE (A/C, No, Ext): (800) 258-0277 **FAX (A/C, No):** (877) 700-0139
E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A : WEST BEND MUTUAL INSURANCE COMPANY 15350**INSURER B : SFM MUTUAL INSURANCE COMPANY 11347****INSURER C :****INSURER D :****INSURER E :****INSURER F :**

INSURED
Race Day Events LLC
2995 Sub-Zero Pkwy
Fitchburg, WI 53719

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

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A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			1497361	1/2/2023	1/2/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY <input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			1497361	1/2/2023	1/2/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ EACH OCCURRENCE \$ AGGREGATE \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in MI) <input type="checkbox"/> Y / <input checked="" type="checkbox"/> N If yes, describe under DESCRIPTION OF OPERATIONS below		N / A	72579.108	2/15/2023	2/15/2024	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
A	Liquor Liability			2102252	1/2/2023	1/2/2024	\$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Traverse City Triathlon -- State of Michigan, its departments, boards, agencies, commissions, officers, and employees is an additional insured in regards to the contract with the above named insured.

CERTIFICATE HOLDER

CANCELLATION

State of Michigan, its departments, boards, agencies, commissions, officers and employees
Grawn Field Office (Bower Harbor BAS)
3730 Mill Road
Grawn, MI 49637

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



RACEDAY-01

SWILLMERING

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

1/17/2023

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PRODUCER Robertson Ryan - Madison 330 East Kilbourn Avenue, Suite 850 Milwaukee, WI 53202	CONTACT NAME: PHONE (A/C, No, Ext): (800) 258-0277 FAX (A/C, No): (877) 700-0139 E-MAIL: ADDRESS:	
	INSURER(S) AFFORDING COVERAGE INSURER A : WEST BEND MUTUAL INSURANCE COMPANY 15350 INSURER B : SFM MUTUAL INSURANCE COMPANY 11347 INSURER C : INSURER D : INSURER E : INSURER F :	
INSURED Race Day Events LLC 2995 Sub-Zero Pkwy Fitchburg, WI 53719		

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

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A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			1497361	1/2/2023	1/2/2024	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000
							MED EXP (Any one person)	\$ 5,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
								\$
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY <input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$			1497361	1/2/2023	1/2/2024	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
							EACH OCCURRENCE	\$
							AGGREGATE	\$
								\$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory In NH) <input type="checkbox"/> Y <input checked="" type="checkbox"/> N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	72579.108	2/15/2023	2/15/2024	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER	
							E.L. EACH ACCIDENT	\$ 500,000
							E.L. DISEASE - EA EMPLOYEE	\$ 500,000
							E.L. DISEASE - POLICY LIMIT	\$ 500,000
A	<input checked="" type="checkbox"/> Liquor Liability			2102252	1/2/2023	1/2/2024		1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Traverse City Triathlon -- Grand Traverse Regional Land Conservancy is an additional insured in regards to the contract with the above named insured.

CERTIFICATE HOLDER

CANCELLATION

Grand Traverse Regional Land Conservancy
3860 N Long Lake Road, Suite D
Traverse City, MI 49684

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



RACEDAY-01

SWILLMERING

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

1/17/2023

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PRODUCER
Robertson Ryan - Madison
330 East Kilbourn Avenue, Suite 850
Milwaukee, WI 53202

CONTACT**NAME:****PHONE**
(A/C, No, Ext): (800) 258-0277**FAX**
(A/C, No): (877) 700-0139**E-MAIL**
ADDRESS:**INSURER(S) AFFORDING COVERAGE****NAIC #****INSURER A:** WEST BEND MUTUAL INSURANCE COMPANY 15350**INSURER B:** SFM MUTUAL INSURANCE COMPANY 11347**INSURER C:****INSURER D:****INSURER E:****INSURER F:**

INSURED
Race Day Events LLC
2995 Sub-Zero Pkwy
Fitchburg, WI 53719

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

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A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR			1497361	1/2/2023	1/2/2024	EACH OCCURRENCE \$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
							MED EXP (Any one person) \$ 5,000
							PERSONAL & ADV INJURY \$ 1,000,000
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						
	<input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						
	OTHER:						
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY						
	<input checked="" type="checkbox"/> ANY AUTO			1497361	1/2/2023	1/2/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input type="checkbox"/> OWNED AUTOS ONLY						BODILY INJURY (Per person) \$
	<input type="checkbox"/> HIRED AUTOS ONLY						BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> UMBRELLA LIAB						EACH OCCURRENCE \$
	<input type="checkbox"/> EXCESS LIAB						AGGREGATE \$
	<input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						
B	<input checked="" type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	N/A		72579.108	2/15/2023	2/15/2024	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. EACH ACCIDENT \$ 500,000
							E.L. DISEASE - EA EMPLOYEE \$ 500,000
							E.L. DISEASE - POLICY LIMIT \$ 500,000
A	<input checked="" type="checkbox"/> Liquor Liability			2102252	1/2/2023	1/2/2024	\$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Traverse City Triathlon -- Grand Traverse County Road Commission is an additional insured in regards to the contract with the above named insured.

CERTIFICATE HOLDER**CANCELLATION**

Grand Traverse County Road Commission
1881 LaFranier Road
Traverse City, MI 49686

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AUTHORIZED REPRESENTATIVE



RACEDAY-01

SWILLMERING

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

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PRODUCER Robertson Ryan - Madison 330 East Kilbourn Avenue, Suite 850 Milwaukee, WI 53202	CONTACT NAME:	PHONE (A/C, No, Ext): (800) 258-0277	FAX (A/C, No): (877) 700-0139
	E-MAIL ADDRESS:		
INSURED Race Day Events LLC 2995 Sub-Zero Pkwy Fitchburg, WI 53719	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : WEST BEND MUTUAL INSURANCE COMPANY		15350
	INSURER B : SFM MUTUAL INSURANCE COMPANY		11347
	INSURER C :		
	INSURER D :		
	INSURER E :		
INSURER F :			

COVERAGES

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A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			1497361	1/2/2023	1/2/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory In NH) <input type="checkbox"/> Y / <input checked="" type="checkbox"/> N If yes, describe under DESCRIPTION OF OPERATIONS below		N / A	72579.108	2/15/2023	2/15/2024	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
A	Liquor Liability			2102252	1/2/2023	1/2/2024	\$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

City of Traverse City
Governmental Center
400 Boardman Avenue
Traverse City, MI 49684

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AUTHORIZED REPRESENTATIVE



RACEDAY-01

SWILLMERING

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CONTACT
NAME:
PHONE
(A/C, No, Ext): (800) 258-0277 **FAX**
(A/C, No): (877) 700-0139
E-MAIL
ADDRESS:

INSURED

Race Day Events LLC
2995 Sub-Zero Pkwy
Fitchburg, WI 53719

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : WEST BEND MUTUAL INSURANCE COMPANY	15350
INSURER B : SFM MUTUAL INSURANCE COMPANY	11347
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			1497361	1/2/2023	1/2/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY <input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$			1497361	1/2/2023	1/2/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ EACH OCCURRENCE \$ AGGREGATE \$
B	<input checked="" type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in RI) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	72579.108	2/15/2023	2/15/2024	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
A	<input checked="" type="checkbox"/> Liquor Liability			2102252	1/2/2023	1/2/2024	\$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Glen Arbor Township is an additional insured in regards to the contract with the above named insured, for the Traverse City Trail Festival, Glen Arbor, Traverse City Triathlon & Sleeping Bear

CERTIFICATE HOLDER

CANCELLATION

Glen Arbor Township
6394 W Western
Glen Arbor, MI 49636

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



RACEDAY-01

SWILLMERING

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

1/17/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Robertson Ryan - Madison
330 East Kilbourn Avenue, Suite 850
Milwaukee, WI 53202

CONTACT

NAME:

PHONE

(A/C, No, Ext): (800) 258-0277

FAX

(A/C, No): (877) 700-0139

E-MAIL

ADDRESS:

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A: WEST BEND MUTUAL INSURANCE COMPANY 15350

INSURER B: SFM MUTUAL INSURANCE COMPANY 11347

INSURER C:

INSURER D:

INSURER E:

INSURER F:

INSURED
Race Day Events LLC
2995 Sub-Zero Pkwy
Fitchburg, WI 53719

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY			1497361	1/2/2023	1/2/2024	EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
							MED EXP (Any one person) \$ 5,000
							PERSONAL & ADV INJURY \$ 1,000,000
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						
	<input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						
	OTHER:						
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY			1497361	1/2/2023	1/2/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input checked="" type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input type="checkbox"/> OWNED AUTOS ONLY						BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS ONLY						PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> SCHEDULED AUTOS						
	<input type="checkbox"/> NON-OWNED AUTOS ONLY						
	UMBRELLA LIAB						EACH OCCURRENCE \$
	EXCESS LIAB						AGGREGATE \$
	DED						
	RETENTION \$						
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			72579.108	2/15/2023	2/15/2024	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N	N/A				E.L. EACH ACCIDENT \$ 500,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$ 500,000
							E.L. DISEASE - POLICY LIMIT \$ 500,000
A	Liquor Liability			2102252	1/2/2023	1/2/2024	1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Traverse City Triathlon - AcenTek is an additional insured in regards to the contract with the above named insured.

CERTIFICATE HOLDER

CANCELLATION

AcenTek
14909 Peninsula Drive
Traverse City, MI 49686

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Parks Ordinance #57

**PENINSULA TOWNSHIP
GRAND TRAVERSE COUNTY, MICHIGAN**

PARKS REGULATION ORDINANCE

ORDINANCE NO. 57 of 2023

At a duly scheduled meeting of the township board of Peninsula Township, Grand Traverse County, Michigan, held at the Peninsula Township Hall on April 11, 2023, at 7:00 p.m., Township Board Member _____ moved to enact the following ordinance for adoption, which was seconded by Township Board Member _____:

An ordinance to provide for the use, conduct, protection, regulation, and control of township parks, township-owned and managed public properties, public facilities, and other matters concerning recreation, conservation, education, and scenic areas and to provide for the adoption of supplementary rules and regulations, and providing for enforcement and penalties for violations of the ordinance, to ensure the protection of the health, safety, and welfare of the township, its citizens, and members of the public and by repealing Ordinances 5 and 7, as amended.

THE TOWNSHIP OF PENINSULA, COUNTY OF GRAND TRAVERSE, ORDAINS:

Section 1: Title.

This ordinance shall be known and referred to as the “Peninsula Township Parks Regulation Ordinance.”

Section 2: Definitions.

- A. “Camp” means the overnight lodging or sleeping of a person or persons on the ground or in any manner, or in any sleeping bag, tent, hammock, bivy sack, trailer-tent, trailer coach, vehicle camper, motor vehicle, watercraft, or in any other conveyance erected, parked, or placed on the premises or waters within any public land under the jurisdiction of Peninsula Township.
- B. “Firework” or “Fireworks” means any composition or device, except for a starting pistol, a flare gun, or a flare, designed for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation. Fireworks consist of consumer fireworks, low-impact fireworks, articles pyrotechnic, display fireworks, homemade fireworks, and special effects.
- C. “Domestic Pets” means a domestic cat (*Felis catus*), domestic dog (*Canis familiaris*), or registered therapy or service animal.

- D. "Enforcement Officer" means a law enforcement officer (e. g., the sheriff or deputy sheriff, Department of Natural Resources officer, Michigan State Police trooper) or Peninsula Township Ordinance Enforcement Officer.
- E. "Facility" means any structure or improvement on or at a township park. By way of illustration and not limitation, facilities include but are not limited to signage, kiosks, benches, pavilions, gazebos, grills, baseball fields, soccer fields, and other buildings and structures.
- F. "Parking Area" means any off-street area, whether paved or not, that is designated for public parking.
- G. "Ordinance Enforcement Officer" means that person designated by the township board to enforce the provisions of township ordinances under Ordinance Number 35.
- H. "Township Park" means the real property owned and controlled by Peninsula Township, including the properties identified below:
 - 1) Archie Roadside Park
 - 2) Bowers Harbor Park
 - 3) Hessler Log Cabin
 - 4) Haserot Beach
 - 5) Robert and Colleen Kelley Park
 - 6) Mission Point Lighthouse Park
 - 7) Old Mission State Park
 - 8) Pelizzari Natural Area
 - 9) Peter Dougherty House
 - 10) Replica Church

This list may be amended by resolution of the township board.

- I. "Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices exclusively moved by human power or used exclusively upon stationary rails or tracks. "Vehicle" specifically includes but is not limited to off-road vehicles ("ORVs") and electric or gas engine bicycles. "Vehicle" does not include wheelchairs or other ADA ambulatory assistance devices.

Section 3: Hours.

The township board or its designee shall establish, as may be amended from time to time, and post reasonable hours for the use of township parks, and may, upon application and permit, extend such hours as it deems reasonably acceptable and in accordance with this ordinance. Unless otherwise posted or extended by permit, no person shall be on a township park earlier than one hour before sunrise or later than one hour after sundown.

Section 4: Township Park Permits.

- A.** Any group of fifty (50) or more people must secure a permit from the township board or its designee before using a township park. Any group of fifty (50) or more people seeking a permit shall submit a certificate of liability insurance naming the township as an additional insured for general liability of at least one million dollars per occurrence and of at least two million dollars aggregate prior to any use or reservation of any facility at a township park.
- B.** Any group or person wanting to reserve a park facility shall apply for and obtain a permit.
- C.** Applications for permits will be made available and evaluated by the township board or its designee.
- D.** Permit applications shall be submitted at least 30 calendar days prior to the date the use of a township park or park facility is requested. The township board or its designee may waive this requirement and consider permit applications on an expedited basis.
- E.** The application for a permit shall contain the information required and listed on the Peninsula Township Special Event Application provided by the township. It shall include the applicant's name, address, phone number, e-mail address, proposed date of event, type of event, number of proposed attendees, name of township park requested for event, whether the applicant will bring tables, chairs, or any other equipment, and any other information reasonably requested to inform the township of the type, size, nature, and intention of the proposed event.
- F.** Applicants must submit their application along with any fees and/or required security deposit(s) to the township board or its designee.
- G.** Fees or security deposits regarding permit applications and events shall be established by the township board by resolution and may be amended from time to time.
- H.** All fees associated with a permit shall be remitted to the township treasurer.
- I.** All security deposits shall be held by the township treasurer until such time that the permitted event has occurred and compliance with this ordinance by the participants is confirmed, but not more than fourteen (14) scheduled workdays after such event.
- J.** The township board or its designee reserves the right to cancel any permit issued or previously approved for any violation of this ordinance or other applicable local, state, or federal law.
- K.** The township reserves the right to deny issuance or approval of a required permit if the issuance and/or approval of the same is, in the opinion of the township board or its designee, likely to be a detriment to the public health, safety, and welfare of the township and its citizens.

- L. Any person or group using a township park pursuant to an issued permit shall be required to present the permit to any enforcement officer upon request.

Section 5: Use of Township Parks.

- A. Stoves, grills, and picnic tables located at township parks shall be used for no longer than necessary to permit their use by the maximum number of people. Any fires for cooking or similar specific purpose shall be made within the stoves or grills provided for that purpose or within privately owned grills or stoves that are designed to retain fire and ashes and prevent their deposit onto the public grounds.
- B. Persons using a township park or facility shall abide by a leave-no-trace policy and are strictly responsible for removing all refuse generated while using these facilities.
- C. Persons with a permit for a facility have priority use and other persons must vacate the facility upon the permittee's request.
- D. All persons within the township parks shall be expected to be courteous, orderly, and to conduct themselves with respect for the rights of others and to act in accordance with local, state, and federal laws.
- E. Any persons using the township parks, facilities, motorized vehicles, or engaging in any other activity on township park property shall assume the risk of any injury, damage, or loss suffered or incurred while on or at a township park. Any person or entity with a permit shall be liable to the township and to all other lawful users of the township parks as indicated in this section for any loss, injury, or damages caused by such permit holder or their guests or from the negligent or reckless use or action arising out of or in connection with any activity, permit, event, or action in which such person, entity, or its guests is or was engaged.
- F. Persons using trails or paths within the township park shall remain on the identified path. Off-trail hiking and biking is expressly prohibited.
- G. Designated parking areas for Township Parks are restricted to park users only. The use of designated parking areas for Township Parks are limited to park hours. No overnight parking is allowed.
- H. Approved events using park resources will be subject to usage fees approved annually by the Township Board as recommended by the Parks Committee.

Section 6: Regulations and Prohibited Conduct.

A. Pets and Animals.

- 1) *Domestic Pets.* Persons may only bring domestic pets to a township park.

- 2) *Leash Required.* Consistent with the Grand Traverse Animal Control Ordinance, persons using township parks must keep domestic pets leashed and under their control at all times. Provided, nothing in this ordinance shall prevent an owner from allowing a dog to go unleashed within the confines of a fenced area identified as a dog park within a township park.
 - 3) *Pet Clean Up.* All persons bringing domestic pets to the township park are strictly required to remove solid waste generated by the domestic animal. Persons shall properly dispose of such solid waste in township-provided disposal receptacles, or carry it out. Pet owners shall leave no trace of pets within the parks.
 - 4) *Other Documentation.* All persons bringing domestic pets to the township park that are not a domestic cat or domestic dog must have documentation showing the animal is a registered therapy or service animal and shall produce the same to any enforcement officer upon request.
- B. No Overnight Stay.** No person shall camp or otherwise remain upon township park property between posted closing times and sunrise.
- C. No Unauthorized Alterations.** Persons may not make unauthorized alterations to a township park. Grooming trails; cutting any trees, tree branches, shrubs, bushes, or woodland; painting; or constructing structures, planting plants, removing plants, landscaping, earth moving, or other alterations are not permitted. Any alterations to township parks must be expressly authorized by the township board or its designee.
- D. Hunting & Firearms.** Except as otherwise provided in park-specific regulations, hunting, target practice, use of a firearm, archery, or use of any other projectile weapon is prohibited in any township park. Hunting, archery, and firearm usage are allowed within portions of Old Mission State Park pursuant to specific regulations in the Department of Natural Resources lease as amended.
- E. No Blinds or Stands.** A person shall not build, affix, place, or erect any tree stand, blind, or other structure for hunting at any time except as allowed within portions of Old Mission State Park pursuant to specific regulations within the Department of Natural Resources lease as amended.
- F. No Structures.** A person shall not build, affix, or erect any structure upon township parks unless authorized by the township board.
- G. Motorized Vehicles, Equipment, Trailers, and Watercraft.**

- 1) No person shall leave, or cause to be left, any vehicle or watercraft on township parks. Enforcement Officers and the township fire department are authorized to remove or have removed any such vehicle or watercraft at the owner's expense.
- 2) No vehicle shall operate, drive, sit, or stand on any township park except for operation on improved roadway designed for vehicle travel or parking within a parking area. Vehicles shall not be driven at speeds of more than ten (10) miles per hour. Drivers shall be responsible and liable for any injury to any pedestrians or any damage caused by the motorized vehicles under their operation or control. Wheelchairs or other ADA ambulatory assistance devices and vehicles necessary for maintenance or emergencies are exempt from this subsection.
- 3) Overnight parking is prohibited unless said parking is approved by the township board or its designee.
- 4) Watercraft shall be launched or beached only at the township's designated sites.

H. No Fires.

- 1) No fires shall be allowed on a township park except for cooking within stoves or grills. No fires including cooking within stoves or grills is allowed within natural areas including Pelizzari Natural Area.
- 2) No person shall willfully or knowingly set or cause to be set on fire any tree, woodland, brush land, shrub or bush, grass, or meadow. The township board may authorize persons to set fires for controlling or eliminating non-native species; promoting or preserving the integrity, quality, and function of the ecological resources; or preserving the public health, safety, or welfare of the township, its citizens, and visitors.
- 3) No person shall drop, throw, or otherwise scatter lighted matches, burning cigars, cigarettes, tobacco paper, or other flammable materials on a township park.

I. No Fireworks. No person shall fire, discharge, or have in their possession any firework within or on a township park.

J. No Destruction of Property. Township property shall not be damaged or destroyed and shall be treated with respect for the next user. Any persons who damage or destroy township property will be liable for said damages or destruction.

K. No Glass or Metal Objects at Swimming Areas. No metal objects that would pose a risk to swimmers or glass containers shall be permitted in the swimming areas of a township park.

L. No Littering, Dumping, or Storage of Equipment. A person shall not knowingly dump, deposit, place, throw, leave, cause, or permit litter on a township park except in

designated trash receptacles. No household refuse or other items shall be brought into the township parks and placed in the trash receptacles or otherwise left within a township park. This prohibition includes individuals leaving trinkets in a township park for decorative purposes. Furthermore, persons may not dispose of trees, treetops, branches, roots, stumps, or other vegetative debris at a township park. Persons, except authorized township personnel, may not store equipment at a township park.

- M. No Commercial Activity.** Only individuals who have received permits may engage in business activities within a township park. Accordingly, individuals without a permit are prohibited from engaging in any business activity in a township park, including but not limited to peddling or soliciting business of any nature in a township park. Individuals who receive a permit to engage in business activities within a township park are limited to conducting the business activities authorized by the permit.
- N. No Rental of Recreational Equipment, Rides or Other Similar Amusements.** Only individuals who have received a permit from the township may, within a township park, provide rental of recreational equipment, rides, or other similar amusements.
- O. No Noise Disturbances.** The following acts and activities are declared to be noise disturbances and are prohibited.
- 1) The playing of any radio, television, speaker, phonograph, other sound reproduction device, or musical instrument in such a manner or at such a volume as to be sufficiently audible to annoy or disturb the quiet, comfort, or repose of persons in the vicinity
 - 2) Possessing a domestic pet that causes frequent or long continued noise that would disturb the comfort or repose of a reasonable person in the vicinity
 - 3) The use of any motor vehicle, off-road vehicle, or other vehicle in such a manner as to create a disturbing noise, including, but not limited to the screeching of tires and the discharge into the open air of exhaust from the engine without a sufficient muffler
 - 4) The use of a loudspeaker or public address system without a permit issued by the township
 - 5) Any other conduct that generates noise that would disturb the comfort or repose of a reasonable person in the vicinity
- P. No Private Signs.** Other than the township, no person shall affix, place, or erect any sign on a township park.
- Q. Failure to Comply with an Enforcement Officer.** Individuals using a township park may not:

- 1) Refuse to comply with this ordinance or township park specific rules
- 2) Interfere with the enforcement officer's enforcement of this ordinance
- 3) Retaliate against another who has made a complaint of a violation
- 4) Interfere with an employee or agent of the township while performing his or her official duties

R. No Violation of Any Other Law or Regulation: Persons are prohibited from violating any other federal, state, or local law or regulation on a township park, including township park-specific regulations created by the township or its designee.

Section 7: Township Park Specific Regulations.

From time to time, the township board may issue additional regulations governing specific township parks. Before becoming effective, the regulations shall be posted in a conspicuous location of the specific township park.

Section 8: Enforcement and Penalties.

- A. A violation of this ordinance is a municipal civil infraction and shall be enforceable through all the authority granted to the district courts under MCL 600.8701 *et seq.*, as amended, for which the fine shall be established by resolution of the township board in an amount not to exceed five hundred dollars (\$500.00) per violation, together with the costs of enforcing this ordinance, including but not limited to collection of attorney fees and court costs, pursuant to and as limited by MCL 600.8727(3).
- B. Any enforcement officer may administer and enforce this ordinance, including but not limited to issuing and serving civil infraction notices and citations.

Section 9: Severability.

The provisions of this ordinance are declared severable. If any part of this ordinance is declared invalid for any reason by a court of competent jurisdiction, that declaration does not affect or impair the validity of all other provisions that are not subject to that declaration.

Section 10: Repeal.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed, including Ordinances Number 7, Number 5, and Number 5, Amendment 1, of Peninsula Township.

Section 11: Effective Date.

This ordinance shall take effect thirty (30) days after its publication following final adoption as required by law.

YEAS: _____

NAYS: _____

ABSENT: _____

ORDINANCE DECLARED ADOPTED.

Isaiah Wunsch, Peninsula Township Supervisor

CERTIFICATION

I hereby certify that:

1. The above is a true copy of an ordinance adopted by the Peninsula Township Board at a duly scheduled and noticed meeting of that township board held on March 28, 2023, pursuant to the required statutory procedures.
2. A summary of the ordinance was duly published in the Record-Eagle, a newspaper that circulates within Peninsula Township, on _____, 2023.
3. Within one week after such publication, I recorded the above ordinance in a book of ordinances kept by me for that purpose, indicating the date of passage of the ordinance, the names of the members of the township board voting, and how each member voted.
4. I filed an attested copy of the above ordinance with the Grand Traverse County Clerk on _____, 2023.

ATTESTED:

Rebecca Chown, Peninsula Township Clerk

**Resolution 04-11-23,
Support for Traverse Transportation
Coordinating Initiative**

Becky Chown

From: Robert Carson <rob.carson@networksnorthwest.org>
Sent: Friday, March 24, 2023 1:11 PM
To: supervisor@peninsulatownship.com; Rebecca Chown
Subject: Traverse Transportation Coordinating Initiative and Metropolitan Planning Organization establishment

Dear Mr. Wunsch and Ms. Chown,

My name is Rob Carson and I am the Community Development Director with Networks Northwest. Networks Northwest Community Development serves as staff and facilitators for TTCI and liaisons to MDOT. I'm reaching out in order to discuss the establishment of the MPO for the TC area.

MDOT has recommended that your community be included in the Metropolitan Planning Area Boundary. Participation is not required and is completely at the discretion of the Township Board on whether to serve on the MPO Policy Board.

I would like to attend an upcoming Board meeting in order to provide a presentation of the information concerning the MPO. Please let me know when an appropriate time would be.

More information can be found at the following links:

Traverse Transportation Coordinating Initiative (TTCI) webpage
<https://www.networksnorthwest.org/community/transportation/ttci/>

MDOT Presentation regarding MPO's

chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.networksnorthwest.org/userfiles/filemanager/soz5wf5xpc_s9fjwg5tgs/

I look forward to hearing from you.

Respectfully,

Rob Carson

--

Robert T. Carson, A.I.C.P.

Regional Director of Community Development
Networks Northwest
600 E. Front St., Suite 205
Traverse City, MI 49686
rob.carson@networksnorthwest.org
PH: 231-929-5057
Cell: 231-342-1198

Becky Chown

From: Robert Carson <rob.carson@networksnorthwest.org>
Sent: Tuesday, April 4, 2023 3:29 PM
To: Isaiah Wunsch
Cc: Becky Chown; Isaiah Wunsch; Jennifer Cram
Subject: Re: Traverse Transportation Coordinating Initiative and Metropolitan Planning Organization establishment
Attachments: PENINSULA TWP - RESOLUTION OF SUPPORT_DRAFT_Dates Highlighted_2023-04-04.docx; Traverse City Urban Area - MPO Presentation_March 2023 (1).pdf

Isaiah,

Please find attached a Draft resolution of support for inclusion in the coordination for the establishment of the MPO through TTCI.

This resolution doesn't commit the Township financially to anything and the Township can remove itself at any time from the coordination process up to the formal intergovernmental agreement which will be negotiated this summer. That formal agreement will be brought before the Peninsula Township Board for consideration following negotiation with the other communities which select to sign on to that agreement.

I have also included a PDF of the presentation I've been giving in regard to TTCI and the MPO. You are added to the email distribution list for TTCI and will be invited to the next meeting and consecutive meetings.

Please don't hesitate to contact me if you have any questions.

Thank you,

Rob Carson

On Tue, Apr 4, 2023 at 11:31 AM Isaiah Wunsch <wunschis23@gmail.com> wrote:

Hey Rob,

From my standpoint, we are interested in participating. Jenn Cram, our planner, recognized that we had not been participating as part of the TTCI, and has been trying to make sure that we remedy our absence with both TTCI and the MPO. The board is aware of and interested in the need to engage, and if you'd like to forward the draft resolution on, I am confident that the board will take a vote on it on 4/11 even if you have a conflict. As you know, the OMA would not allow me to ask for or provide a board consensus outside of a public meeting, but when Jenn mentioned the MPO at a previous meeting, the board seemed supportive.

Thanks,

Isaiah

Sent from my iPhone

On Apr 4, 2023, at 11:15, Robert Carson <rob.carson@networksnorthwest.org> wrote:

**Peninsula Township
Traverse Transportation Coordinating Initiative
Resolution 04-11-2023
April 11, 2023**

**RESOLUTION TO ESTABLISH AN INTERMUNICIPALITY COMMITTEE UNDER MICHIGAN
PUBLIC ACT 200 OF 1957 FOR PURPOSES OF TRANSPORTATION PLANNING IN THE
TRAVERSE CITY STUDY AREA**

WHEREAS, the urban transportation planning regulations implementing sections of the Federal-Aid Highway Act of 1962, and the Urban Mass Transportation Act of 1964, as amended, require that each urbanized area, as a condition of receipt of Federal transportation capital or operating assistance, having a continuing, cooperative and comprehensive (3-C) transportation planning process that results in plans and programs consistent with the comprehensively plan development of the urbanized area; and

WHEREAS, the Traverse Transportation Coordinating Initiative was initiated in 2023 to conduct a transportation planning process in response to the Federal-Aid Highway Act of 1962 and the Urban Mass Transportation Act of 1964, as amended; and

WHEREAS, urban transportation planning funds from the United States Department of Transportation are available, directly or indirectly, to the Traverse Transportation Coordinating Initiative to carry out the transportation planning process in the Traverse Study Area; and

WHEREAS, Peninsula Township wishes to participate with other local municipalities in the comprehensive, cooperative and continuing transportation planning process for that Traverse Study Area; and

WHEREAS, Michigan Public Act 200 of 1957 provides for the creation, by two or more municipalities, of an Intermunicipality Committee for the purpose of studying area problems; and

WHEREAS, the Intermunicipality Committee may accept gifts and grants from the Federal, State and Local Governments, also from private individuals, foundations or agencies, if such grants are made for furtherance of the objectives for which the Intermunicipality Committee is established; and

WHEREAS, resolution to join in creating an Intermunicipality Committee as provided by Michigan Public Act 200 of 1957, does not obligate Peninsula Township to any dues, fees or other financial commitments to the Intermunicipality Committee.

NOW, THEREFORE, BE IT RESOLVED, that Peninsula Township, together with the City of Traverse City, the Charter Township of East Bay, the Charter Township of Garfield, the Charter Township of Elmwood, the Charter Township of Long Lake, Acme Township, Bingham Township, Green Lake Township, the Bay Area Transit Authority, the County of Grand Traverse, the Grand Traverse County Road Commission and the Leelanau County Road Commission has duly considered the creation of such an Intermunicipality Committee and Peninsula Township does hereby agree to join with those municipalities similarly agreeing to jointly and mutually establish and organize an Intermunicipality Committee under Michigan Public Act 200 of 1957 for the purpose of studying the area transportation problems of mutual interest and concern, such Intermunicipality Committee hereinafter referred to as the Traverse Transportation Coordinating Initiative;

BE IT FURTHER RESOLVED THAT:

1. the Intermunicipality Committee created by this resolution shall be that organization previously established and presently operating as a voluntary association under the name Traverse Transportation Coordinating Initiative;
2. in addition to the municipalities herein named, and accordance with the Bylaws, the Traverse Transportation Coordinating Initiative as an Intermunicipality Committee shall include a duly appointed representative from the Grand Traverse County Road Commission, Leelanau County Road Commission, Federal Highway Administration, Michigan Department of Transportation, Bay Area Transportation Area, and Cherry Capital Airport Authority;
3. membership on the Committee may in the future include other such units of government, agencies, commissions or committees that would be eligible in accordance with the Bylaws;
4. the Bylaws, as approved by the Traverse Transportation Coordinating Initiative and attached hereto, shall be the Bylaws of the Intermunicipality Committee;
5. the Traverse Transportation Coordinating Initiative shall operate and act in compliance with and under the authority of Michigan Public Act 200 of 1957 and shall have the duties, privileges and rights prescribed in that Act;
6. the Traverse Transportation Coordinating Initiative shall develop transportation plans and programs for the Traverse Urbanized Area, integrally considering local, county, regional and state plans;
7. the Traverse Transportation Coordinating Initiative broad objectives encompass, but are not limited to the following;
 - a. to develop transportation plans and programs and establish processes for the continuing review of plans, recommendations, and programs to facilitate the movement of persons and goods in the Traverse Study Area;
 - b. to design and carry out the assembling and analysis of information pertaining to transportation within the area;
 - c. to coordinate transportation facility implementation and operation within the Traverse Study Area;
 - d. to review and evaluate the planning and programming of transportation related activities, projects and programs within the Traverse Study Area as they may impact the transportation system;
 - e. to assist in project implementation where such projects require organizational, functional and operational analysis and/or to undertake those implementation functions not reserved to other agencies or as may be appropriately delegated by such other agencies; and
 - f. to establish and implement a continuing program of public information regarding transportation planning, programs and projects.

Signatories to this resolution mutually agree to join in and ascribe to this comprehensive, continuing and cooperative transportation planning process for the Traverse Study Area, in fulfillment of the requirements of the Federal-Aid Highway Act of 1962, the Urban Mass Transportation Administration Act of 1964, as amended, and other relevant acts, regulations, or directives pertaining to Federal and State participation in the transportation planning program and projects in the TC/Garfield Urbanized Area.

On a motion made by _____ seconded by _____, to adopt the Resolution in support of the establishment of an intermunicipality committee, under Michigan Public Act 200 of 1957, for the purposes of transportation planning in the Traverse Study Area.

Roll call vote:

Ayes- _____, _____, _____, _____, _____
Nays- None

CERTIFICATE

I, _____, do hereby certify that the foregoing is a true copy of a resolution adopted by the Peninsula Township Board, at a regular board meeting, held at the Peninsula Township Hall on April 11, 2023.

Name

Title

Agreement for Collection of Summer Property Taxes

Sandra Low
Finance Director

Marge Achorn, Treasurer
PENINSULA TOWNSHIP
13235 Center Road
Traverse City, MI 49686

March 23, 2023

RE: Agreement for Collection of Summer Property Taxes

Traverse City Area Public Schools (TCAPS) is seeking a two year extension of the summer tax collection agreement that is currently in place (through the 2024 tax year). The enclosed agreement states the collection fee for 2023 and 2024 will be \$2.50 per parcel. The fee includes the cost of collection of the summer tax levy for TCAPS, Bay Area Transportation Authority, Northwest Education Services, and Northwestern Michigan College.

Two copies of the agreement are enclosed for you to execute and **return one fully executed copy to our office**. Please feel free to contact me if you have any questions. Thank you.

Sincerely,

TRAVERSE CITY AREA PUBLIC SCHOOLS



Sandra Low
Finance Director

Cc: BATA
NMC
NorthEd

Enclosures (2)


AGREEMENT FOR COLLECTION OF SUMMER PROPERTY TAXES

The parties agree as follows:

- | | | | |
|-----------------|----------------|----------------|---------|
| July 15 | October 1 | January 1, 15 | April 1 |
| August 1, 15 | November 1 | February 1, 15 | May 1 |
| September 1, 15 | December 1, 15 | March 1 | June 1 |

5. In consideration of the agreement, the Township shall retain the interest earned by the investment of the tax collections from the date of collection to the calendar day immediately preceding the due date of remittance of said taxes to the School District, in accordance with the schedule set forth in paragraph above.

PENINSULA TOWNSHIP:


Marge Achorn, Treasurer
MARGARET ACHORN

SIGNATURE AUTHORIZED BY PENINSULA
TOWNSHIP TRUSTEES RESOLUTION OF

_____, 2023.


Rob Manigold, Supervisor
ISAIAH WUNSCH


Becky Chown, Clerk
REBECCA CHOWN

TRAVERSE CITY AREA PUBLIC SCHOOLS:


Christine Thomas-Hill, Assistant Superintendent
of Finance and Operations


Sandra Low, Finance Director

Fire Department Union Negotiations Team



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



Re: Union negotiation team

March 30th, 2023

Dear Town Board,

I am writing to ask the board to assign members to a fire department union negotiation team in preparation of the upcoming expiration of the union contract which is due to expire on March 31st, 2024. I am requesting at least three members of the board participate. I am also requesting that the board determine which law firm will be the labor attorney. I believe the township's current firm can handle this task and would request that we use them. I asking that this be placed on the agenda for the township board meeting on April 11th, 2023. Thank you.

Respectfully,

Fire Chief Fred Gilstorff

**Ordinance #53, Amendment 1,
Addressing Floodplain Management
Provisions of the State Construction
Code**

ORDINANCE ADDRESSING FLOODPLAIN MANAGEMENT PROVISIONS OF THE STATE CONSTRUCTION CODE

Peninsula Township, Grand Traverse County

Ordinance 53, Amendment 1

An ordinance to affirm an enforcing agency to discharge the responsibility of Peninsula Township located in Grand Traverse County and to designate regulated flood hazard areas under the provisions of the State Construction Code Act, Act No. 230 of the Public Acts of 1972, as amended.

The Township of Peninsula ordains:

Section 1. AGENCY DESIGNATED. Pursuant to the provisions of the state construction code, in accordance with Section 8b (6) of Act 230, of the Public Acts of 1972, as amended, the Grand Traverse County Construction Code Department of Grand Traverse County is hereby designated as the enforcing agency to discharge the responsibility of **Peninsula Township** under Act 230, of the Public Acts of 1972, as amended, State of Michigan. **Grand Traverse County** assumes responsibility for the administration and enforcement of said Act throughout the corporate limits of the community adopting this ordinance.

Section 2. CODE APPENDIX ENFORCED. Pursuant to the provisions of the state construction code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, Appendix G of the Michigan Building Code shall be enforced by the enforcing agency within the jurisdiction of the community adopting this ordinance.

Section 3. DESIGNATION OF REGULATED FLOOD PRONE HAZARD AREAS. The Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) titled "Flood Insurance Study for Grand Traverse County, All Jurisdictions," effective April 19, 2023, and the Flood Insurance Rate Map(s) (FIRMS) included on index panel 26055CIND0B, effective April 19, 2023, are adopted by reference for the purposes of administration of the Michigan Construction Code and declared to be a part of Section 1612.3 of the Michigan Building Code and to provide the content of the "Flood Hazards" section of Table R301.2(1) of the Michigan Residential Code.

Section 4. MOST RESTRICTIVE STANDARDS. If another ordinance contains standards inconsistent with the provisions of this ordinance, the most restrictive standards shall apply.

Section 5. PUBLICATION.

This ordinance duly adopted on March 14, 2023, at a regular meeting of the Peninsula Township Board and will become effective March 30, 2023, seven days after publication, slated to occur on March 23, 2023.

Signed on _____ by _____ (Rebecca Chown),
Clerk of Peninsula Township, Grand Traverse County.

Attested on _____ by _____ (Isaiah Wunsch),
Supervisor of Peninsula Township, Grand Traverse County.

Bluff Road

March 23, 2024



*"Our mission is to upgrade and maintain
a safe and efficient road system"*

The Board of Road Commissioners of Grand Traverse County (The Board) has and continues to support the concept of restoring and reopening the closed segment of Bluff Road to public travel. The Board recognizes the importance of this route to Peninsula Township residents, the providers of emergency services, and visitors to the area.

In support of this effort, members of the GTCRC Board and staff, members of the Peninsula Township Board, two engineering firms, residents, and other interested parties have and continue to meet to discuss possible solutions and paths forward. The culmination of these discussions is that the multi-million-dollar cost associated with this effort is simply insurmountable without substantial financial support from outside of both GTCRC and Peninsula Township.

The Board will continue to support applications for grants or other sources of funding which will bring this project to fruition. The Board further commits to providing the necessary administrative support to complete this project when funds are located.

The Board is aware that there are questions regarding the temporary decertification of this small segment of Bluff Road in Peninsula Township as it relates to this ongoing support. The term "decertification" does not constitute an abandonment and should not be considered as such.

All Act 51-eligible local agencies, like the GTCRC, are required to annually certify to the State of Michigan mileage and classification for their roads and streets as they existed on December 31st of the previous year. In its present condition, the closed segment of Bluff Road is neither open to public travel nor maintainable as such. For these reasons, GTCRC will not submit this small segment as certifiable, and it will be decertified.

A temporary decertification of this short segment of Bluff Road means that GTCRC neither receives funds for nor maintains this small segment of road for public travel. However, the public right-of-way continues to exist when funding for rebuilding the bluff and road become available.

Grand Traverse County Road Commission

Joe Underwood, Chair