

PENINSULA TOWNSHIP

13235 Center Road, Traverse City MI 49686

www.peninsulatownship.com

Township Board Regular Meeting Minutes

May 11, 2021, 7:00 p.m.

Township Hall

Call to Order by Supervisor Manigold at 7:00 p.m.

Pledge

Roll Call: Achorn, Wunsch, Chown, Manigold, Bickle, and Sanger

Absent: Wahl

Present by phone: Greg Meihn, township attorney

Brief Citizen Comments (for agenda items only):

Nancy R. Heller, 3901 Bluewater Rd.: at the March 23, 2021, board meeting, a motion was made and seconded to send the Seven Hills development's special use permit back to the planning commission. When [Heller] received the township board packet by email, she saw this item appear on the agenda. SUP 139 should have gone back to the planning commission for review and clarity. The applicant should have an understanding of the uses and definitions. The health, safety, and welfare of residents are impacted. Peninsula Township experiences lawsuits. This application needs to be defensible.

Todd Oosterhouse, 7700 Peninsula Dr.: read the attached letter into the meeting minutes.

5. Approve Agenda

Moved by Wunsch to approve the agenda as presented, seconded by Bickle.

Passed Unan

6. Conflict of Interest: none

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

1. Invoices (recommend approval)

2. Reports

A. Grand Traverse County Sheriff Daily Officer Summary for March and April 2021

B. Treasurer's Office Cash Summary by Fund for April 2021

C. Peninsula Township Fire Department Report for April 2021

D. Mission Point Lighthouse Park Litter Collection for April 2021

E. Peninsula Township Ordinance Officer through April 2021

F. Peninsula Community Library for May 2021

3. Minutes from April 13, 2021, township board special meeting and April 13, 2021, township board regular meeting (recommend approval)

4. Announcement of Annual Blessing of the Blossoms event on May 16, 2021

5. Request from Old Mission Peninsula Historical Society to hold Harvest Our History event on Sunday, August 29, 2021 (recommend approval)

6. Request from Old Mission Peninsula United Methodist Church regarding signs for its upcoming events (recommend approval)

7. Authorization for additional services from Gourdie-Fraser & Associates related to the construction of Fire

Station #3 (recommend approval)

- ~~8. Resolution 2021-05-11 #1 regarding House Bill 4722 (recommend approval) (Moved to business item 5)~~
9. Copy of deed from the Grand Traverse Regional Land Conservancy to the state of MI containing the perpetual covenant that the Moorings property (i.e., Kelley Park) be named "The Robert and Colleen Kelley Park"
10. Correspondence
 - A. Fire Chief Fred Gilstorff
 - B. Bud Stych
 - C. Eric Dreier
 - D. Marie-Chantal Dalese
 - E. Dave Murphy
 - F. Jeff Haas
 - G. Dan Wagner
 - H. Grant Parsons
 - I. Jim Raphael
 - J. David Taft

Louis Santucci, 12602 Center Rd.: requested that consent agenda item 8 be removed and placed on the agenda for full discussion.

Manigold: this will become business item 5.

Moved by Sanger to approve the consent agenda as amended, seconded by Chown.

Roll call:

Passed Unan

8. Business:

1. Public Hearing regarding the proposed 2021 (Cherry Festival) Festival of Races (Deeren)

Manigold closed regularly scheduled meeting and opened the public hearing for the 2021 (Cherry Festival) Festival of Races.

Deeren: before you is large event permit no. 2021-01 for the Meijer Festival of Races, which is proposed to take place on Saturday, July 10, 2021. This will be a half marathon and a 15K race. The race is scheduled to begin at 7:00 a.m. The half marathon portion of the race will begin at the school and continue down Island View to the Lyon property and come out on Devils Dive Rd., then continue back down Peninsula Dr. We will have a rolling closure for Peninsula Dr. There will also be a road closure at McKinley and Center Rd., where additional racers will cross for the 15k portion of the marathon. One of the requirements for the permit is an emergency meeting prior to the public hearing with staff, Chief Gilstorff, Deputy France, and the representatives of the Cherry Festival. Three of these representatives are also present and can come forward if the board wishes to address them.

Garrett Boursaw, 2155 Winter Ridge (East Bay Township): this year the route looks a little different as it will go through the orchards a little farther north than in the past. We met with Christina, Fred, and the sheriff's deputy to go over the proposed road closures. We have a safe plan in place from the starting line and throughout the race courses.

Bickle: is this a longer race?

Boursaw: it is the same race.

Bickle: will there be fewer participants?

Boursaw: it is capped due to COVID.

Deeren: signage will go up sooner this year than previously just as a reminder.

Boursaw: signage will be at Center Rd. and McKinley.

Bickle: have you thought of putting a notice in the *Gazette* and the *TC Ticker* as a reminder? Postcards just aren't informative enough.

Manigold: the normal procedure is for the applicant to have an emergency staff meeting. The staff for the race are paid for by the Cherry Festival. If there are complaints, we ask that improvements are made for the next year.

Asked if anyone in the public wished to speak. Hearing no public comment, [Manigold] closed the public hearing, returned to the regularly scheduled board meeting, and opened up the topic for board discussion.

Moved by Wunsch to approve Large Event Permit No. 2021-01 for the Meijer Festival of Races for 2021, seconded by Chown.

Roll call:

Passed Unan

2. Proposed Seven Hills Development (Mielnik)

Mielnik: this development was on the agenda in late March and a public hearing was held. Several residents stepped forward to voice concerns. The township board decided not to approve this. Since then, the application has been amended. There will not be a farmers' market or rentals of equipment. GFA has done a number of reviews, including looking at the turning radius with a fire truck. The road commission is somewhat fluid. Is requesting additional survey work. This has been renamed SUP #35, Amendment No. 1. It amends the existing special use permit instead of creating a new special use permit. The plans have been revised, and changes in the uses and capacity are outlined.

Jordan Valdmanis, 16330 Peninsula Dr.: site visits were done with staff and board members yesterday. Extensive research and changes have been made with the engineers involved with the project.

Manigold: are there any questions from the board? Thanked Valdmanis for allowing the board to visit the site.

Valdmanis: has received additional communication from the road commission via Ron Rolhoff. There is a fifteen-foot change to the entry and potential for a passing lane on the north-bound side of Seven Hills Rd. on the east side. Additional research with the road commission will be done to determine what will be required. They are unable to open the business until the issues are resolved with the road commission.

Chown: thanked Jordan for inviting the board to the location so that members could see the site and have a visual of the development. Has a lingering concern about the road and the potential traffic. Is happy there is a method by which to make changes if it's deemed necessary.

Bickle: all the invested individuals are locals of the community. They are going to do what is best and right as they are citizens of Peninsula Township.

Mielnik: items 11 and 12 work together. This was done with Greg's help. Should the road commission require it, this can be addressed at a later time.

Sanger: asked Jordan if he is comfortable with the language, as it requires no on-street parking so the road can be open and have a continuous flow of traffic.

Valdmanis: we discussed this yesterday.

Meihn: clarified that parking on the road would mean a vehicle is subject to being towed.

Achorn: from the original packet to the last data, it seems that everything has been thought through so that this development will be successful.

Moved by Chown to approve the amended findings of fact and conclusions for SUP No. 35, Amendment #1, including all exhibits and approval conditions and safeguards listed on pages six and seven,

seconded by Wunsch.

Roll call:

Passed Unan

3. Update from Peninsula Township Parks Committee and recommendation to approve proposal from LIAA for a feasibility study to investigate long-term parks funding in the township (Murphy)

Dave Murphy, 6943 East Shore Rd.: Michele Zebell joined the parks committee, replacing Eric Dreier. Don Atkinson recently resigned, which will be a loss to the committee. Everyone is impressed with Becky attending the meetings. Becky is willing to work with parks informally as well. We have one party interested in renting a pavilion. Mike Skurski supplied a list of needed items totaling \$1,500.00. The parks have a lot of needs. LIAA and Matt Cowall are willing to look at budgeted numbers and help raise funds for the parks and assist on other various issues.

Matt Cowall, 117 Homestead Ct., (LIAA): the proposal from LIAA reflects a feasibility study. Will set a baseline for the parks, especially around improvement costs and long-term funding. Will work with the parks committee on how they are operating year to year, what kind of services are desired, and what the priorities are. The most successful parks' systems are on some kind of funding basis. There is a lot of information that is not always captured in one spot.

Chown: we have chatted quite a bit about this. The process will include public involvement.

Cowall: we will communicate throughout the process with the township and provide information for people to work from and set the township up with base information and costs.

Bickle: invited residents to participate.

Cowall: civic engagement is at the focus of this effort to track and establish priorities.

Bickle: working through the budgeting process with the parks is a real benefit. This will give us a roadmap and is a smart investment for the township.

Moved by Wunsch to approve the proposal from LIAA, seconded by Bickle.

Roll call:

Passed Unan

4. Legal Update on township matters (Meihn)

Meihn: filed response for motion to summary judgment; the disposition issue is on hold per our request. Dave and Christina have land use permit issues. Regarding additional lawsuits, we are in good shape. The insurance carriers are to reimburse the township on the costs that have already been paid on the winery lawsuit. Western District Federal Court will make a ruling on the summary judgment within the next 30-45 days. There is no response from PTP, as the court has not acted on its request. There has been resolution with the Seven Hills matter with good legal planning and zoning.

5. Resolution 2021-05-11 #1 regarding House Bill 4722 (recommend approval).

Manigold: this item was removed from the consent agenda per Mr. Santucci's request. [Read the resolution out loud.] This came in through the planner. Peninsula Township supports the Michigan Townships Association in going against this bill.

Mielnik: the community survey showed that two-thirds of the residents are satisfied with the township's position on short-term rentals. COVID has slowed things down on the state passing any new related bills.

Bickle: looking to continue having local control.

Wunsch: has major issues with the state trying to preempt local zoning. Townships are not cookie cutters or all identical with the same issues and problems.

Moved by Wunsch to pass the proposed resolution, seconded by Chown.

Roll call:

Passed Unan

Meihn: this is not a vote against short-term rentals but rather a vote to retain the ability of municipalities to regulate short-term rentals.

9. Citizen Comments:

Dave Murphy, 6943 East Shore Rd.: there was an article in the *Record-Eagle* that may be worth reviewing. Eight percent of the housing in Northern Michigan is short-term rentals. Has twenty-five years of endorsing local control of short-term rentals. Thanked the board for its stance opposing the loosening of restrictions.

10. Board Comments:

Manigold: M-37 will remain under MDOT's control. This was a major move. Thanked the responsible parties for their efforts. The holes in the pavement at the compactor station have been filled.

Chown: asked if a motion was required for granting the requested funds to the parks.

Board Response: no.

Achorn: received an email for tree planting grants. Parks have invested in another grant proposal for this year.

Murphy: BHP (Bowers Harbor Park) is a great location for this. Provides citizen engagement opportunities.

Manigold: introduced Julie Alexander, who was just appointed to the planning commission.

Sanger: we are working on an amendment to the noise ordinance with a change to the starting and finishing times for contractors. Hope to have this amendment at the next township board meeting.

11. Adjournment:

Moved by Wunsch to adjourn, seconded by Sanger.

Passed Unan

Final adjournment: 8:03 p.m.