

# PENINSULA TOWNSHIP

13235 Center Road, Traverse City  
MI 49686

[www.peninsulatownship.com](http://www.peninsulatownship.com)

## Township Board Special Meeting

June 9, 2022, 9:00 a.m.

Township Hall

Minutes

1. **Call to Order** by Manigold at 9:06 a.m.

2. **Pledge**

3. **Roll Call**

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

Absent: Wahl

4. **Brief Citizen Comments (for agenda items only):**

**Brit Eaton, 1465 Neahtawanta Road:** gave a prepared statement (see attachment to minutes)

5. **Approve Agenda**

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

6. **Conflict of Interest:** none

7. **Consent Agenda:** none

8. **Business:**

1. Enter closed session pursuant to MCL 15.268(e) to discuss the winery lawsuit

**Shanafelt moved to enter closed session pursuant to MCL 15.268(e) to discuss the winery lawsuit with a second by Wunsch.**

**Roll call vote: Sanger, Wunsch, Shanafelt, Chown, Manigold, Achorn approved unan**

**Manigold:** we are interviewing prospective legal counsel in closed session because we are dealing with parts of the lawsuit.

Return to open session pursuant to MCL 15.261

**Sanger moved to return to open session with a second by Wunsch.**

**Roll call vote: Achorn, Sanger, Wunsch, Shanafelt, Chown, Manigold approved unan**

**Achorn moved to respectfully accept the resignation letter of Greg Meihn, effective June 28, 2022, as the township's general counsel and thanked him for his services over the years; second, to engage Fahey Schultz Burzych Rhodes to represent us going forward with our ongoing winery lawsuit and to engage Fahey Schultz Burzych Rhodes to represent the township as general counsel following Greg's Meihn's resignation date; and, third, to authorize the supervisor to sign the engagement letter with Fahey Schultz Burzych Rhodes with a second by Chown.**

**Roll call: Wunsch, Shanafelt, Chown, Manigold, Achorn, Sanger approved unan**

9. **Citizen Comments:** none

10. **Board Comments:**

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Becky Chown, Recording Secretary  
DRAFT Minutes

**Manigold:** will resign as of this coming Tuesday to deal with some health issues.

**11. Adjournment**

**Chown moved to adjourn the meeting with a second by Sanger.**

**Motion approved**

**by consensus.**

**Manigold:** it has been a pleasure serving with this board.

**Meeting adjourned at 11:57 a.m.**

Throughout the lawsuit, we heard many times that both sides would not be happy with the outcome, both would feel the pain equally. That wisdom certainly isn't the case here; WOMP succeeded in obtaining 95% of what they demanded. The citizens won on only two points; hours of operation, which is still not totally clear, and the noise issue. Our greatest fear is that the Peninsula will become a Meca for commercial activities on agricultural land with tens of thousands of additional tourists and thousands of cars and vans flocking to the existing 11 wineries over the 46 two-day peak season weekends from May to September each year. Rightly so, the other farm facilities on the Peninsula want parity with the special uses commercial activities the winery's now have because of the court ruling.

The CAAC was/is our best effort to bring parity and equality to the recognition of agricultural land use and agritourism, but the court ruling has put that balance in a very precarious position. I don't have the answer as to how we get to place where all sides feel a sense of unity of purpose in protecting our rural character and beautiful agricultural land, but I'd like to be part of the effort to get there for our children and grandchildren's sake.

The detractors who are now saying, just accept the ruling and get on with your lives, are only saying that because they got everything they sued for. They would not be saying that if the ruling was equally painful for both sides. We must explore all means necessary to enable the Township to retain the ability to mitigate the effects of so much commercial activity on the Peninsula in order to retain our unique rural character. That character which makes so many people want to come here; If we don't, we will lose it forever.

#### Where we are now:

1. No trusted Legal council
2. Original Zoning ordinance still not updated
3. Need to change current zoning Court directed ordinances
4. Wineries achieved almost all of their demands
5. Moratorium about to expire
6. PDR in jeopardy
7. Multiple new Chateau wineries in waiting, 5 or more
8. Citizens feeling frustrated at ruling
9. Ruling not equally painful for both sides
10. Work on CAAC in limbo

#### Possible directions:

1. Extend moratorium
2. Appeal lawsuit
3. Acquire trusted legal council
4. Amend current zoning per court ruling
5. Adopt zoning rewrite with court amendments
6. Expand CAAC to include 3 farmers
7. Revise CAAC recommendations to PC
8. Include CAAC recommendation into new zoning ordinances
9. Adopt zoning ordinances with CAAC recommendations

Brit Eaton  
June 9, 2022