

PENINSULA TOWNSHIP

13235 Center Road, Traverse City MI 49686

www.peninsulatownship.com

Township Board Regular Meeting

Tuesday, July 14, 2020

7:00 p.m.

Township Hall

Amended Agenda

1. **Call to Order:** by Supervisor Manigold at 7:00 p.m.
2. **Pledge**
3. **Roll Call:** Bickle, Sanger, Manigold, Achorn, and Chown
Absent: Wahl and Wunsch
4. **Brief Citizen Comments (for agenda items only):** none
5. **Approve Agenda**
6. **Mangiold and Achorn had additional items to add to the consent agenda (see items 6 and 7)**

Moved by Bickle to approve the agenda as amended, seconded by Sanger. Passed unan

7. **Conflict of Interest**
8. **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. Trash Collection at Lighthouse Park for June 2020
 - B. Peninsula Township Fire Department for June 2020
 - C. Peninsula Township Parks Committee through June 2020
 - D. Peninsula Township Ordinance Enforcement Officer for June 2020
 - E. Minutes from June 23, 2020, township board regular meeting (recommend approval)
 3. Appoint Peninsula Township Election Commission consisting of Chown, Bickle, and Manigold
 4. Request for special road study on Bluff Road (recommend approval)
 5. Correspondence
 - A. Dave and Deb LaGuire
 - B. Mimi Lemanski
 - C. Ken and Pat Musson
 - D. Chris and Angie Baldyga
 - E. John Haggard (two letters)
 - F. Kylie Carpenter, Grand Traverse County Road Commission
 6. Petition from residents on Peninsula Drive to the Grand Traverse County Road Commission requesting that the road be double striped in a residential zone
 7. A budget amendment requesting to move \$25,000.00 from the lighthouse fund from the lighthouse gift shop fund

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

Roll call:

Passed unan

9. Business:

1. Peninsula Township Parks Committee PowerPoint presentation and recommendation on the purchase of playground equipment for Haserot Beach (Eric Dreier and Beth Karczewski)

Eric Dreier: introduced members of the subcommittee who have been involved in researching playground equipment at our parks. Gave a PowerPoint presentation and history of the existing equipment as well as its current condition.

Three vendors toured the parks after references were obtained on each. The site visits were done in February and March; more than 80 separate contacts occurred. The vendors were evaluated by build, quality, options, and costs specific to the equipment at Haserot and suitable for ages two to 12, with two slides and swings separate from the structure facing the water. The swings will be ADA compliant with bucket style swings for smaller children. The committee would like to purchase engineered wood chips for the base that the equipment will sit on.

Dreier outlined specific details on each vendor, including how each met the specifications outlined by the committee, and said the committee recommends selecting Sinclair Recreation. Showed conceptual drawings of the chosen playground equipment, whose estimated cost is \$57,000.00. Noted that examples of the proposed equipment are located at Traverse City State Park.

The board discussed the proposal and asked questions about the vendor and materials; also thanked the committee for its extensive research.

Don Atkinson: the parks committee is thrilled to have this come before the board as it was a collaborative effort with the neighbors. Read a note from Jenni Glysson in support of replacing the playground equipment at Haserot Beach. Read a note from Fred Woodruff that asked the following questions:

- How will the new playground equipment be a part of the overall redevelopment of Haserot Beach and Kelley Park with the relocation of the boat launch.
- If funds need to be raised to pay for part of the cost of the playground equipment, will this be part of larger fundraising effort for Haserot Beach after the boat launch is moved to Kelley Park.
- Will there be a formal "fundraising campaign" for the playground equipment (and any other funds needed) and, if so, I think the Committee needs to answer the four key questions that are part of any such campaign: "**Who** is going to do **What** by **When** and **How**?" A long time ago I was part of the group that raised the funds for the Dougherty House project and there are good lessons to be learned from that. The folks at the Land Conservancy are well versed in fundraising campaigns and would also be a good resource.

Board discussion followed.

Manigold moved to accept Sinclair Recreation's proposal not to exceed \$57,000.00 for the purchase of the playground equipment and installation at Haserot, seconded by Bickle.

Roll call:

Passed unan

Achorn: Expressed concerns on where the money will come from to purchase this equipment.

The board discussed using money from the Enterprise Fund and possibly fundraising along with monies from the Traverse City Track Club that are specifically earmarked for Bower's Harbor Park. Chown suggested looking into starting a 501c3 organization to fundraise on behalf of the parks.

2. Public hearing on Mapleton Farms SUP #136 (Mielnik)

Manigold closed the regular scheduled meeting and opened the public hearing for Mapleton Farms SUP #136.

Mielnik: introduced the details of the SUP for Mapleton Farms. The planning commission hearing for this new SUP was in February; it passed in June so is now coming to the township board for approval. The SUP is the proper way of allowing public and private utilities to be placed on an adjoining property.

Doug Mansfield, 830 Cottage View Dr.: introduced himself as the representative for the application. Stated that Mapleton Farms did not develop, it evolved, and no area was ever reserved for the growth of this property in terms of a septic system. No suitable soils or area was located on the property for an expansion of the septic system, but a site was located on the adjacent land where the land is flat enough to support a new and expanded system. Conveyance documents will be prepared so that this property can be sold and will be in conformity with the regulations required by the Grand Traverse County Health Department.

No public comment was made during the public hearing.

Manigold closed the public hearing.

Moved by Chown to approve Mapleton Farms SUP #136, as described in the attached findings of fact and conclusions, which includes five conditions described therein. These conditions are: 1) Continued compliance with permitting the necessary with the Grand Traverse County Health Department (Exhibit). 2) Secure land use permits for any future retaining walls and/or above ground septic system appurtenances. 3) All disturbed areas will be professionally seeded promptly upon the completion of construction work. 4) In the event that the total wastewater generation reaches 10,000 gallons/day, a Groundwater Discharge Permit would be required to be obtained from the Department of Environment, Great Lakes & Energy (EGLE). 5) Combination of the 3.77 acre lot and the parcel to the east occurs within 3 years, seconded by Bickle.

Roll call:

Passed unan

3. Public hearing on Hawthorne Vineyards SUP #135 (Mielnik)

Manigold closed the regular scheduled meeting and opened the public hearing for Hawthorne Vineyards SUP #135.

Mielnik: informed the board that the COVID shutdown has slowed the process of this SUP. Hawthorne Vineyards is currently operating under use by right and would like to move to chateau status, which requires a special use permit. It has existed as a use by right winery for several years. The planning commission held its public hearing in February and recommended that this SUP request be forwarded to the township board for consideration and approval.

Anne Pettyjohn, general manager for Hawthorne Vineyards, and Marie Chantal-Dalese: gave a PowerPoint presentation on the winery. Hawthorne has been in existence since 2012 and is seeking approval as a winery-chateau. There is no proposal to have guest housing or any additional single family residences. Hawthorne Vineyards supports Peninsula Township's agriculture and land preservation. Gave a history of its acreage and how much is under crop coverage and the types of crops planted. There are no changes with its current liquor license or the designated area specified within the license. They are proposing to add a 40-x60-foot pavilion to be built at a later time and will ensure that the proper permits are secured for the construction of this proposed structure. An additional parking area will be

added to the property to comply with the regulations in the zoning ordinance.

Jennifer Anderson: has resided at this location for the past 15 years and is concerned about increased traffic, speed, and noise along Montague Road and the impact this change will have on the residential community. Also expressed concern about the methods used to scare the birds from existing crops. Also questioned the need to add additional parking to the property.

Marie Chantal-Dalese: ensured the board that all guest activities held will end by 9:30 p.m.

Mielnik: stated that a maximum number of guests is capped by the ordinance.

Manigold: amplified box bird calls are used under the Right to Farm Act to protect crops. In some cases, cannons are used to also scare the birds. These are acceptable practices under the act.

Manigold closed the public hearing and returned to the regularly scheduled meeting.

Board discussion followed.

Moved by Chown to approve Hawthorn Vineyards SUP #135, as described in the attached findings of fact and conclusions, which includes four conditions as described therein. These are: 1) All future lighting associated with the proposed pavilion shall conform to the requirements of Section 7.14. 2) Compliance with requirements articulated by the Fire Chief in a letter dated 2-25-20 (Exhibit 4). 3) Provide required overflow parking as shown on the site plan (approximately 62 spaces). 4) Apply for land use permit to construct the pavilion within 3 years, seconded by Bickle.
Roll call: Passed unan

4. Purchase of Bang the Table software for one year (Mielnik)

Mielnik: Bang the Table software was previewed by employees and board members of the township via a demonstration of the software, which, if purchased, will aid in moving forward with the master plan. This informational tool will allow for committee members and citizens to engage in this process without the need to meet in large groups. Since the COVID-19 shutdown and related restrictions decrease the number of people able to gather in one location, this software would allow the township to continue to move this process forward without having large group gatherings. The proposal is for a one-year contract for this software. The information on the website will be ADA compliant.

Board discussion followed on utilizing the software for topics other than just the master plan, including its potential use as an additional resource for informational purposes.

Moved by Chown to purchase Bang the Table software for \$5,900.00 for a one-year/twelve-month trial and to have the supervisor sign the contract, seconded by Manigold.

Roll call: Passed unan

10. Citizen Comments;

Nancy R. Heller, 3901 Bluewater Rd.: expressed concerns with the way money is being spent as revenue at this time is uncertain given how uncertain these times are.

11. Board Comments:

Manigold: Fred Woodruff was supportive of Kelley Park from the beginning. Due to the pandemic,

permitting to move the launch has been delayed. The launch needs to be removed from Haserot. The beach area needs to be increased along with the parking areas within the park and the contiguous property across the road from the park. Pedestrian crossings need to be moved and additional planning needs to be done. Stated that if money is available in a fund, it should be used to support the purchase of playground equipment that is safe for the residents. The board has a responsibility to take care of the residents, especially in a pandemic as the parks are being used, so this is a great time to use the money and improve the equipment.

Chown: again mentioned starting a Friends of Peninsula Parks 501c3 organization. Said this is not a task the board can assume but perhaps members of the parks committee could establish a study group to see how other organizations do this, such as Friends of Sleeping Bear National Lakeshore. Noted that our township can learn a lot from successful friends groups and believes that implementing one for the peninsula could be a great resource of revenue to help take care of the parks, whose needs are greater than the township's resources.

Achorn: wants to ensure the board follows Woodruff's line of questions stated in his letter regarding the future of the parks.

Further discussion by the board on this issue.

Manigold: has received several complaints and concerns with the road ends. Reiterated that the road ends are a public access to the lake and that they dead end at the water's edge. There are five road ends within the township. These are access points to the water, but people cannot lie on the beach or camp on the shore. The road ends are also designated watering points for the fire department, so cars are not allowed to block these access sites. Manigold also stated there is an increase in short-term rentals in the township.

Sanger: received five complaints on air B&B's within the township within the last two weeks but was only able to locate two of these via the websites used to advertise these locations. Recently received an email from Host Compliance, which is a company that helps monitor short-term rentals and sites and provides information on the locations and rental agreements. A presentation to hire Host Compliance was made before the board and a proposal to contract with them was made during the budget period. From March to June there was a decrease in short-term rentals of approximately three percent and from June to current date these listings have increased to 27 percent. Host Compliance helps identify and track listings, which would give additional evidence to help with enforcement of these rentals. As of today, 46 properties within the township have been identified by Host Compliance as rental properties. The zoning department and code enforcement are having difficulty identifying all of these properties.

Chown: Township Attorney Greg Meihn is giving an educational forum at the July 28 regular township board meeting on short-term rentals. (THIS PRESENTATION HAS NOW BEEN MOVED TO THE AUGUST 11 REGULAR TOWNSHIP BOARD MEETING.)

12. Adjournment:

Moved by Chown to adjourn, seconded by Bickle.

Passed unan

Final adjournment: 8:35 p.m.