

APPENDIX A: RECORD OF PROCESS

1. Copy of Letter transmitting adopted Recreation Plan to Grand Traverse County Planning Commission, dated January 16, 2009.
2. Copy of letter transmitting adopted Recreation Plan to Northwest Michigan Council of Governments dated January 16, 2009.
3. Hearing Process on Plan Revisions, Legal Notice, Agenda Notice, Minutes from Township Planning Commission, Township Board, Township Parks Commission.

Williams & Works

January 16, 2009

Mr. John Sych, AICP
Planning Director
Grand Traverse County
400 Boardman Ave.
Traverse City, MI 49684

Dear Mr. Sych:

On January 12, 2009, the East Bay Charter Township adopted the attached revised Township Parks and Recreation Plan.

On behalf of the Township, and in accord with MDNR standards for Recreation planning, we are hereby providing a copy of the adopted plan to the County Planning Department.

Please feel free to call me or Susanne Courtade, East Bay Charter Township Clerk, if there are any questions.

Sincerely,

Williams & Works. Inc.



Jay Kilpatrick, AICP
Principal-in-Charge of Planning

c: Susanne M. Courtade,
East Bay Charter Township Clerk

Enc.

Williams & Works

January 16, 2009

Mr. Bud Shipstead, Director
Northwest Michigan Council of Governments
PO Box 506
Traverse City, MI 49685-0506

Dear Mr. Shipstead:

On January 12, 2009, the East Bay Charter Township adopted the attached revised Township Parks and Recreation Plan.

On behalf of the Township, and in accord with MDNR standards for Recreation planning, we are hereby providing a copy of the adopted plan to the Council of Governments.

Please feel free to call me or Susanne Courtade, East Bay Charter Township Clerk, if there are any questions.

Sincerely,

Williams & Works, Inc.



Jay Kilpatrick, AICP
Principal-in-Charge of Planning

c: Susanne M. Courtade,
East Bay Charter Township Clerk

Enc.

NOTICE OF PUBLIC HEARING East Bay Township Planning Commission

Please take notice that the East Bay Township Planning Commission will hold a public hearing at their regular meeting on Tuesday, December 9, 2008, at 6:30 p.m. in the Township Hall, located at 1965 Three Mile Road North, Traverse City, Michigan for the purpose of receiving public input regarding proposed amendments to the Township's Recreation Plan drafted by the East Bay Township Parks Commission.

The proposed plan amendments would include language referencing possible property acquisition for trails and park expansion and it extends the 5-year action plan that would operate for a term from 2009 through 2013.

A copy of the Township Recreation Plans are available in the Office of Planning and Zoning, 1965 Three Mile Road, Traverse City, MI, during regular office hours.

If you are planning to attend this public hearing and are physically challenged requiring any special assistance, please notify the Township Clerk at (231) 948-8647 or call TDD (231) 922-4766 as soon as possible.

Mike Nickels, Chairman
East Bay Township Planning Commission
Office of Planning and Zoning (231) 947-8681

**REGULAR MEETING OF THE EAST BAY CHARTER TOWNSHIP
PLANNING COMMISSION**

Tuesday, December 9, 2008 6:30 p.m.

East Bay Charter Township Hall
1965 N. Three Mile Road
Traverse City, MI 49686

Present: Planning Commission Members Judy Nemitz, Ted Hentschel, Jim McDowell, Mike Nickels, Tracey Bartlett and Mindy Walters

Absent and Excused: Robert Tubbs

Also Present: Township Attorney Peter Wendling; Recording Secretary, Anne Wendling; Jay Kilpatrick, Township Planner from Williams & Works

One (1) guest was in attendance.

1. Call to Order: Chairman Nickels called the meeting to order at 6:34p.m.

2. Roll Call: Roll was called by the Recording Secretary.

3. Review for Conflict of Interest: There were no conflicts of interest reported.

4. Approval of the Agenda: Couturier asked to delete agenda items B3 and B5. A motion was made by Hentschel and seconded by Nemitz to approve the agenda as amended. The motion carried unanimously.

5. Approval of the Minutes: Hentschel made a motion to approve the Regular Minutes of November 18, 2008 and Walters seconded the motion and the motion carried unanimously.

6. Public Input: None at this time.

7. Reports:

A. *Township Board:* Bartlett reported that at the regular board meeting the Lakes Overlay district was approved and water and sewer rates were increased and the proposed noise ordinance did not pass. Bartlett stated that there would be a special meeting for the proposed East Towne PUD and another special meeting for the 2009 budget next Tuesday, December 16, 2008.

B. Appeals Board: Hentschel had no report at this time.

C. Planners Report: Planner Jay Kilpatrick had no report at this time.

D. ZA Report: Couturier reported that there were 115 permits and 26 of them were single home dwellings.

E. Attorneys Report: Township Attorney Wendling had no report at this time.

F. Correspondence: Included in packets.

G. CIP Committee: Walters had no report at this time.

8. New Business:

A. Public Hearings

1. ***Recreation Plan Amendment; Public Hearing and Recommendation to the Township Board***

Kilpatrick stated the recreation plan was approved last winter but since then there has been some expanded language. There is the possibility of obtaining a grant for a new park and for a project at the corner of Hammond and Three Mile Roads. The two proposed projects would need to be referenced in the recreation plan in order to get the grant. One audience member had a comment on the trail system. Nickels questioned p. 38 of the plan regarding the timeframe of the building of a park. Kilpatrick said a project may begin with fundraising only and not true construction and he will change the language in question to make it clearer.

The hearing was closed.

McDowell made a motion to approve the proposed Recreation Plan Amendment and forward it to the Township Board. Walters supported the motion and the motion carried unanimously.

B. 1. Request for Extension of SLU 1-07 (approved 3/20/2007);

Steve Ingersoll for Grand Traverse Academy

Steve Ingersoll stated that he needed another year to look things over and make sure of what they are doing before expansion takes place. He requested an extension of eighteen months due to the construction time frame and the school year.

Nemitz moved to recommend to the Township Board to extend Nemitz moved to recommend to the Township Board to extend SLU 1-07 for 18 months with supporting documents. The motion was supported by Walters and carried unanimously.

2. Draft Zoning Ordinance Text Amendment Pertaining to Adult Foster Care;

Shelly Skiver

Township Planner Kilpatrick spoke to the commissioners about adding Adult Foster Care facilities as a special land use in the LDR district. He stated that this use is not permitted in LDR with more than six residents. Kilpatrick did cite some compatibility concerns with the master plan but could be undertaken carefully. The commissioners could add another standard to require that the home be located on a larger parcel or have lots of buffering in place. In any case, commissioners would be able to look at a site plan at the time of approval. Kilpatrick said that this is simply a draft but he could come back in January with firm language for a text amendment if commissioners chose to do so. Commissioners commented about the proposed ordinance. Couturier wanted to...

APPENDIX B: DEVELOPMENT OF GENS PARK

A New Direction; Creating a Bayfront Park

As the Grand Traverse area increasingly becomes popular as a place to visit and reside, growth pressures have caused more lands along Grand Traverse Bay to be sold for the development of motels, hotels, condominiums and other forms of commercial activity. With this growth the view and public access to Grand Traverse Bay has rapidly disappeared in a few short years. In 1988, the East Bay Township Planning Commission conducted a Township-wide opinion survey and found that the majority supported preserving the view and access of Grand Traverse Bay. 51% of Township residents also supported the concept of transferring development rights from bayfront property, and 69% supported the Township to purchase property for use by the public.

The Township's Comprehensive Land Use Plan's general goal is to maximize utilization of water and scenic features and other resources for the overall benefit of the community. Since transferring development rights procedures are currently unlawful in the State of Michigan, the Township's Planning Commission and Parks Commission studied the feasibility of purchasing property for open space and park purposes. In February 1990, both Commissions sponsored a public hearing on purchasing bayfront property on Grand Traverse Bay for this specific purpose. 30 interested residents attended the meeting, with the consensus of opinion established, that because of the exploding rise in property values, it would be very difficult to obtain all property along the bay, and instead, the Township should seek small parcels as they become available, for purchase, to develop into passive access to the bay while preserving the view and retaining the open space. Township representatives since had discussed this concept with some of the property owners, with no success.

Township Officials sought input from their residents to provide funding through a millage to purchase lands for Parks. Unfortunately, since the question was not specifically written for purchase of Grand Traverse Bayfront only, the voters turned down the request in late 1990. Township Officials then sought other avenues of funding to prepare for a purchase of land, should land become available in the future.

With the concept in hand, a 100 foot wide lot (Lot 34, Baker's Acres) became available for purchase on Grand Traverse Bay in 1991, located near the intersection of Holiday Road and US-31 North, in Section 9, T27N-R10W.

The parcel was vacant and undeveloped at the time, and located between two major motel condominium developments; the North Shore Inn and Points North Development. The parcel is approximately 270 feet deep, contains mature forest cover, consisting of a mixture of deciduous and coniferous species, with 100 feet of pure sandy beach, ideal for the family with a gradual shallow depth of water. Road access is from US-31 North, the only State trunk-line within the Township. The lot contains municipal water and sewer, natural gas and electricity. The lot would make an ideal day-use park, providing sufficient room for off-street parking, a bath-house, and barrier-free accesses to the bay

In 1991, Township Officials contacted the owner and owner's representative with an interest in purchasing this parcel. The owner had received numerous offers to sell to private developers, but chose to sell the parcel to East Bay Township for the specific purpose of preserving the view and creation of a Township Park. With the assistance of State, local, and private funding sources, the Township purchased this property on May 25th of 1994, with a long range plan to create a Township Park. Refer to maps titled General location; Proposed Bay-front Park, Bay-front Park; Preliminary Site Survey and Bay-front Park; Conceptual Plan, for a location and preliminary concept.

In the last six years since the purchase was made, the Parks Commission has cleaned up the site of debris and deadwood, established a name now as Gens Park, placed a small freestanding sign on the property, and most recently drafted and designed an engineered site plan that proceeded through zoning site plan review and approval after first conducting a public hearing, including notification to adjoining property owners.

Current Status. Gens Park is a 0.62 acre site located on Grand Traverse Bay in Government Lot 4, Section 9, T27N-R10W. The parcel was purchased in 1994 with the assistance of Michigan's Natural Resources Trust Fund. Improvements include barrier free pedestrian access to Grand Traverse Bay, bathroom facilities serviced by public sewer and water, handicap picnic table, paved parking lot, sidewalks, wood fencing and landscaping.

Appendix C: Mitchell Creek Watershed Protection Strategy Excerpt

Mitchell Creek Watershed Protection Strategy
Grand Traverse County, Michigan
February 1995



Project Sponsor

Grand Traverse County, Michigan
Michigan Department of Natural Resources
East Bay Township
Garfield Township
City of Traverse City

Mitchell Creek Watershed Planning Team

Bruce Ortenburger, *East Bay Township Planner*
Gary Harsch, *Garfield Township Planner*
Russell Soyring, *Traverse City Planner*
Don Wolf, *Blair Township Planning Commission*
Maureen Kennedy Templeton, *Grand Traverse County Drain Commissioner*
Paul Benington, *Grand Traverse Regional Land Conservancy*
Michael Stifler, *Michigan Department of Natural Resources*
Roger Williams, *Grand Traverse County Planner*

Project Consultants

Beckett and Raeder, Inc.
Resource Management Group, Inc.
Gourdie / Fraser & Associates, Inc.

Wildlife Species List

<u>Common Name</u>	<u>Scientific Name</u>
<i>Mammals:</i>	
white-tailed deer	(<i>Odocoileus virginianus</i>)
Eastern cottontail rabbit	(<i>Sylvilagus floridanus</i>)
muskrat	(<i>Ondatra zibethica</i>)
red fox	(<i>Vulpes fulva</i>)
coyote	(<i>Canis latrans</i>)
mink	(<i>Mustela vison</i>)
beaver	(<i>Castor canadensis</i>)
Eastern gray squirrel	(<i>Sciurus carolinensis</i>)
Eastern fox squirrel	(<i>Sciurus niger</i>)
grey fox	(<i>Urocyon cinereoargenteus</i>)
least weasel	(<i>Mustela rixosa</i>)
deer mouse	(<i>Peromyscus maniculatus</i>)
river otter	(<i>Lutra canadensis</i>)
striped skunk	(<i>Mephitis mephitis</i>)
white-footed mouse	(<i>Peromyscus leucopus</i>)
snowshoe hare	(<i>Lepus americanus</i>)
bobcat	(<i>Lynx rufus</i>)
raccoon	(<i>Procyon lotor</i>)
porcupine	(<i>Erethizon dorsatum</i>)
meadow vole	(<i>Microtus pennsylvanicus</i>)
short-tailed shrew	(<i>Blarina brevicauda</i>)
woodchuck	(<i>Marmota monax</i>)
<i>Birds (a representative list):</i>	
wild turkey	(<i>Meleagris gallopavo</i>)
great horned owl	(<i>Bubo virginianus</i>)
black-capped chickadee	(<i>Parus atricapillus</i>)
Northern cardinal	(<i>Cardinalis cardinalis</i>)
mallard	(<i>Anas platyrhynchos</i>)
house sparrow	(<i>Passer domesticus</i>)
white-breasted nuthatch	(<i>Sitta carolinensis</i>)
ruffed grouse	(<i>Bonasa umbellus</i>)
American woodcock	(<i>Scolopax minor</i>)
red-tailed hawk	(<i>Buteo jamaicensis</i>)
pileated woodpecker	(<i>Dryocopus pileatus</i>)
Northern harrier	(<i>Circus cyaneus</i>)
American kestrel	(<i>Falco sparverius</i>)
red-winged black bird	(<i>Agelaius phoeniceus</i>)
tufted titmouse	(<i>Parus bicolor</i>)
rufous-sided towhee	(<i>Pipilo erythrophthalmus</i>)

Overall, wildlife habitat within the Mitchell Creek Watershed is well suited for a variety of wildlife species. There presently exists large tracts of undeveloped land which comprise a mix of habitat types. In the lower (northern) portion of the Mitchell Creek Watershed, forested wetlands comprise approximately 1800 acres of the land area. This large forested wetland complex is interspersed with other habitat types including scrub-shrub/emergent wetland, upland old field, and upland forested communities. Wetlands within the Mitchell Creek Watershed are described in more detail in the wetlands section of this report.

Lower Watershed

The lower portion of the watershed has seen the most development pressure due to its proximity to Grand Traverse Bay and Traverse City. A major portion of the remaining undeveloped land in the lower portion of the watershed is wetland. Typically, in developed areas, smaller pockets of habitat are found with only a few travel corridors available for wildlife to access them. The Mitchell Creek Watershed appears to be an exception to this rule, although existing roads and development likely impede wildlife travel between some areas of the watershed.

The dense cover of the forested wetlands in the lower (northern) portions of the watershed is an example of excellent habitat for wildlife. Upland wildlife habitat is also present in the lower watershed in areas where limited development has taken place. Existing upland wildlife habitat consists of forested and old field communities.

There has been an increase in new development in the upper portion of the Mitchell Creek Watershed resulting in the conversion of land from agricultural to residential use. This conversion can lead to increased habitat fragmentation and disturbance to wildlife. The increased disturbance and loss of habitat forces wildlife to relocate into less suitable habitat, which may result in a localized population decline.

Upper Watershed

The upper (southern) end of the watershed consists of primarily active and historic agricultural land. Most agricultural areas have been cleared of native vegetation and are currently used for orchards (cherry and apple), row crops, and hay production. Fallow agricultural land is reverting into old field communities, which are utilized by a variety of small mammals and other wildlife. Several species of wildlife use open fields as feeding grounds. One bird species which is dependant upon old fields is the loggerhead shrike (*Lanius ludovicianus*). The shrike is a State of Michigan endangered species. There are recorded sightings of this species in Grand Traverse County. However, there is no known occurrence of loggerhead shrikes specifically in the Mitchell Creek

Watershed. Although there are known occurrences of threatened or endangered plant or animal species in Grand Traverse County, a review of the State of Michigan's database has revealed that there are no known occurrences of threatened or endangered plant or animal species within the Mitchell Creek Watershed.

Forested uplands in the upper portion of the watershed are limited in size and comprise approximately 880 acres of land area. Wetlands located in the upper watershed comprise approximately 9% of the land area.

Most residents within the watershed enjoy either active (e.g. hunting) or passive (e.g. bird watching) utilization of wildlife within the watershed. A survey of residents conducted at local workshops, and through personal interaction indicated that a large percentage enjoyed feeding, hunting, or observing wildlife within the watershed.

Human/Wildlife Interaction

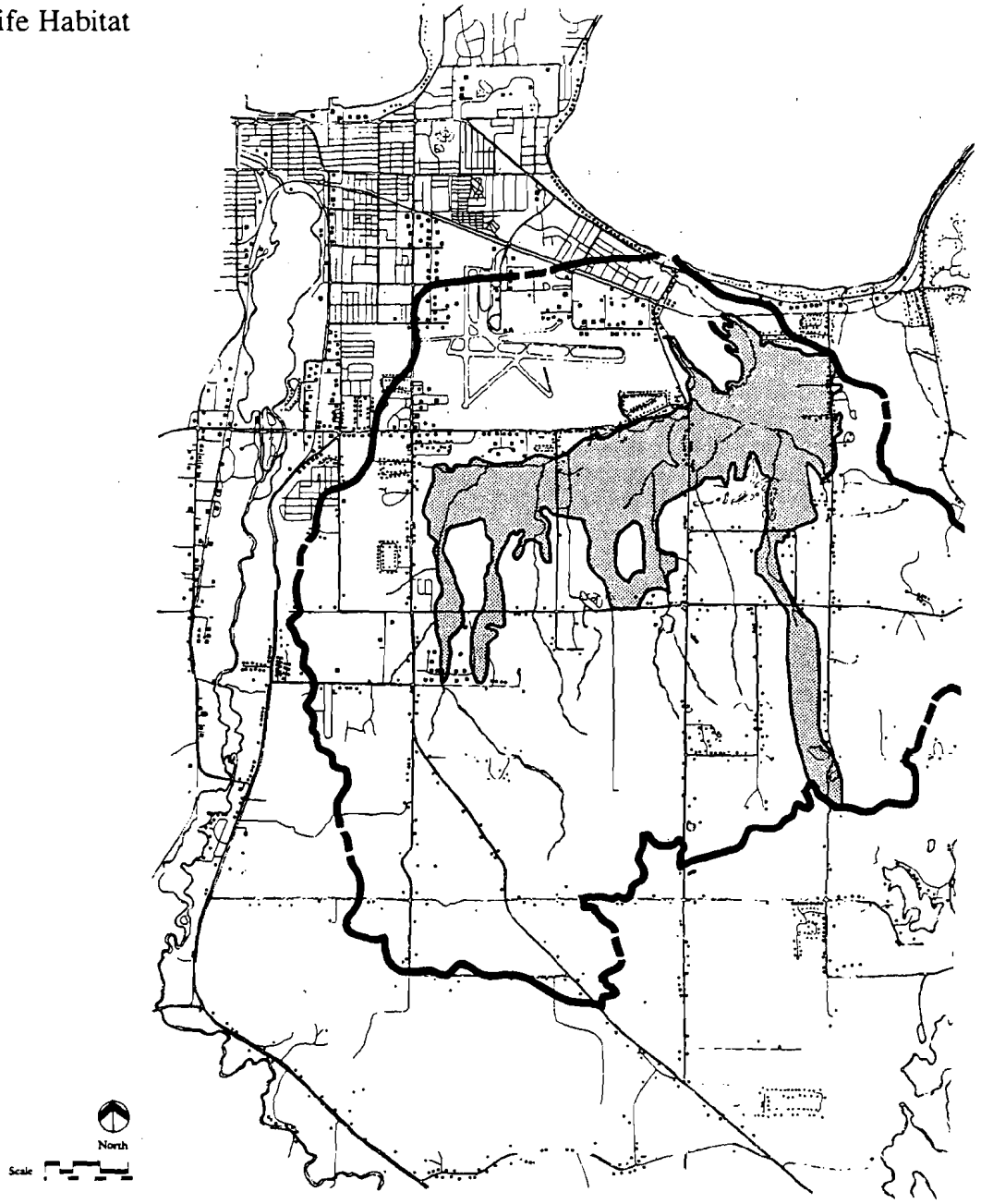
However, in developing areas, human/wildlife interactions increase and in some instances, wildlife can become a nuisance. The Cherry Capitol Airport has reported continual problems with the local deer herd and is attempting to restrict their access onto the airport grounds by the construction of deer proof fencing. Another wildlife nuisance for the airport is birds, gulls (*Larus sp.*) in particular. Gulls have proven to be difficult to discourage and ongoing control methods are having little effect. Wildlife can have a devastating effect on airplanes by interfering with takeoffs and landings. A plane-deer accident could result in the loss of control or a malfunction of the landing gear. Large numbers of birds around the airport increase the chance of having a bird become lodged in the jet intake, potentially causing an engine malfunction.

Wildlife can also be perceived as a nuisance by damaging agricultural crops, landscape plants, and gardens. Wildlife damage is more prevalent in developing areas as human/wildlife interactions increase.

Due primarily to the lack of regulatory protection, uplands are often overlooked when considering the impact of a development on the landscape. Certain upland habitats are critical to many species of wildlife. Upland areas are important due to the diversity which they can provide to the land, which is often attributed to the quality of life or aesthetic qualities within an area. Uplands also provide the most desirable building and development locations. This can create a potential problem for wildlife species which utilize these areas as travel corridors, feeding, and nesting habitat.

Upland Habitat

Critical Wildlife Habitat
and Corridors



Critical Wildlife Habitat

Critical Wildlife Habitats were identified during the course of field investigations for the Mitchell Creek Watershed study. Due to the lack of specific available data, as explained previously, rating of habitats *other than the Critical rating* were not done. The identification of the Critical Wildlife Habitats, however, will allow informed land use decisions, even though some of these habitats may not be regulated by any state statutes. Most Critical Wildlife Habitats are wetlands, which usually are subject to state and federal regulations. Existing statutes should help protect these sensitive areas from development.

Wildlife Corridors

The term "wildlife", when used in the context of this study, means terrestrial mammals, birds, reptiles, and amphibians. Many wildlife species do not spend their entire lives in one location. They travel within their range of habitat for breeding, nesting, rearing young, feeding or some other critical life function. Wildlife corridors are multiple movement pathways, linkages of similar habitat to, from, and within the Mitchell Creek Watershed. Many species of wildlife have been documented as using wildlife corridors as habitat.

Wildlife habitat is more valuable to wildlife species if the habitats are linked by *corridors* which facilitate wildlife to travel from one habitat to another without undue stress, vulnerability to predation, or mortality from vehicles or other hazards. A system of wildlife habitats, when linked by corridors, has increased value as a wildlife *ecosystem*. If corridors are too narrow, predation can be a factor in wildlife mortality due to a higher concentration of prey species in a specific area, although this is a real benefit to the predator. Dispersal of wildlife by corridors has been found to be a particularly critical function in landscapes where the wildlife habitat is fragmented by development or other land use.

Wildlife corridors were evaluated for the Mitchell Creek Watershed. The evaluation involved the assessment of perceived wildlife movements within the watershed, based upon habitat types and known species of wildlife inhabiting the area. Although birds are dependent to some degree on wildlife corridors, their mobility reduces their dependency on corridors to travel within their range. Many species of wildlife use stream corridors for travel, either because these corridors offer the preferred mode of travel (such as swimming), or they are the only undeveloped corridor remaining.

The Mitchell Creek Watershed, with its numerous stream corridors connecting large blocks of wetland and other wildlife habitat, presently has an abundance of wildlife corridors available. Protection of these corridors, which should be accomplished with the protection of the conservation corridors as described later in this report, will help to protect wildlife species in the Mitchell Creek Watershed.

Critical Wildlife Habitats and Corridors are determined to have at least one of the following attributes:

- ♦ An area of the highest quality wildlife habitat which provides a diversity of plant species, food sources, and protective cover, which, if destroyed or degraded, would result in the loss of wildlife populations in the Mitchell Creek Watershed;
- ♦ A habitat of large size, at least 100 acres; or
- ♦ An area which serves as a travel corridor for wildlife species to/from Critical Wildlife Habitats.

Critical Wildlife Habitats and Corridors are shown on the map entitled "*Wildlife Corridors*". (page 58)
