

**ACME TOWNSHIP  
PLANNING COMMISSION  
Special Meeting  
Shores Beach Road  
12:00 Noon, Thursday, March 25, 2004**

**Meeting called to Order at 12:10 p.m.**

**Members Present:** H. Smith, Chair, B. Carstens, P. Salathiel, O. Sherberneau  
**Members Excused:** D. Hoxsie, D. Krause, M. Vermetten  
**Staff Present:** S. Corpe, Office & Planning Coordinator/Recording Secretary  
J. Hull, Zoning Administrator  
T. Henkel, Parks & Maintenance Supervisor  
**Also Present:** John Nelson, Grand Traverse Baykeeper  
D. Amon, Township Supervisor

The purpose of today's meeting is to give Planning Commission officials an opportunity to visit Shores Beach Road and visualize how this county right-of-way interfaces with the boundaries of Acme Township's Bayside Park to the south and the beach area of The Shores condominiums to the north. This meeting was properly noticed according to the Open Meetings Act by posting of a meeting notice more than 18 hours prior to the gathering at the Acme Township offices.

Grand Traverse Resort LLC has applied for an amendment to their existing Special Use Permits to allow them to lengthen an existing dock that extends into East Grand Traverse Bay, and to operate a motorized watercraft rental facility on that dock. The Resort has also applied to the State of Michigan to obtain a bottomlands lease, which is required in order for them to operate a business on state land. The bottomlands of the Great Lakes below the ordinary high water mark (OHWM, defined as 581.0' above sea level) belong to the state.

Those present walked on Shores Beach Road and on the beach and dock at The Shores. Henkel pointed out key markers from recent surveys that establish boundary lines between properties. Corpe stated that she had been informed by Russ Clark, formerly employed by the Resort, that a rock wall which abutting Shores Beach Road on the north side is representative of where the northern right-of-way boundary is. Two shed structures, presumed to belong to the Resort are currently located within the county road right-of-way. Has the County permitted these structures to be so located? What do they contain?

Discussion consisted primarily of the raising of the following questions as items that should be answered/addressed during the SUP application process:

- Will the proposed dock be seasonal (removed from the water in the fall, winter and spring) or will it be permanently affixed to the bottomlands? Mr. Nelson would have less concerns regarding a temporary dock than as to a permanent structure.
- Mr. Nelson felt less concern about negative impacts on the bay and on the mouth of Acme Creek being generated by the dock length than about the fact that fuel would be in use at the end of the dock.

- Is fuel proposed to be sold, or just to be used to refuel business-related motorized watercraft? How will it be handled?
  - Is any dredging of the proposed bottomlands lease area proposed?
- There is an impression that the lengthening of the dock is requested primarily to allow it to reach a depth suitable for boats and boat docks. Can the township require itself, or request that the state require as part of the bottomlands lease, that when lake levels rise again the dock be shortened accordingly?
- Does anything in the DEQ permit or related process address beach maintenance (permit or prohibit cutting and/or tilling of exposed vegetation)?
  - Mr. Nelson stated that his contacts at the Grand Traverse Band's Natural Resources Group favor mowing but not tilling. Is the Resort branch of the Tribal-related entities in sync with this outlook?
  - Would it be advisable to request a joint statement from the Tribal Natural Resources Group and the Resort stating that there may be mowing but no tilling of exposed bottomlands areas?
- What is the highest point on shore those present can recall the water reached? Mr. Nelson stated that the highest recent water levels were experienced around 1986. Henkel stated that at that time, the water would have come up to about the area where the current park boundary sign on the beach is located.
- With whom does jurisdiction over the dock most fully rest?
  - The township's oversight may be limited to on-shore impacts of the offshore use (needs for parking, shoreline safety, nuisance impacts on nearby residents and landowners, etc.)
  - DEQ's role?
  - Army Corps of Engineers' role?
- Public Health/Safety/Welfare concerns:
  - How will nearby property owners be impacted? Many already have concerns about personal watercraft operators "buzzing" their beaches and possibly endangering swimmers (who must go far out with the low water levels right now.)
  - What about fuel spills and normal oil and gas leakage from boat motors from a concentrated number of watercraft proposed at the end of the dock?
  - A floating trampoline has been in use periodically in this location in the past. Since it has to be quite far from shore to be in deep enough water for it to be safe for children to jump on and off, it's also far enough out that if a child has an emergency, adult assistance is far away on shore. It may also be too close to the motorized watercraft high-traffic area.
  - How many parking spaces are needed for staff and facility customers? Would they be bussed from the main Resort property? How can parking at the public water access at the end of the right-of-way by business-related traffic be controlled effectively so that emergency and public access use is not blocked?
  - What is the history of the previous and existing commitments by prior Resort ownership to the Township regarding use of the beach, dock and amenities. Corpe believes much of this information is in our file relating to the existing SUP for The Shores, but other sources of this information would be welcome as well.

- Should an environmental expert such as Chris Grobbel, Ball Environmental be hired to assess the probable impact of the dock and business operation on the bay, beach, nearby landowners and Acme Creek?
- Jet skis and their operators are commonly perceived to be more of a public and private nuisance than other watercraft. Can they be more highly regulated than other watercraft to mitigate these factors?

**Meeting adjourned at 1:03 p.m.**