



November 15, 2023

Zoning Board of Appeals
Charter Township of Garfield
3848 Veterans Drive
Traverse City, MI 49684

Dear Garfield Township Zoning Board of Appeals,

I am writing regarding the variance request made by Cornwell Architects for a variance from the lakefront setback requirements at 820 N. West Silver Lake Road that will be discussed at your November 16, 2023, meeting. The Watershed Center advocates for clean water in Grand Traverse Bay and works to preserve and protect its watershed. We applaud Garfield Township for developing and adopting protective water's edge setback and vegetative buffer provisions in Section 535 of the Zoning Ordinance. We encourage you to carefully consider this request and offer the following perspective.

Water's edge setbacks provide the opportunity for runoff from impervious surfaces to infiltrate before washing into waterbodies. In addition, water's edge setbacks allow for riparian vegetation that stabilizes shorelines, controls flooding, cools near-shore waters, and provides fish and wildlife habitat. The provisions in Section 535 of the township's Zoning Ordinance represent community consensus that these sensitive areas need protecting. We appreciate that township staff recognize the need to both comply with building setback standards in 535.A.2 and the vegetative buffer standards in 535.C. The staff report (page 5 of agenda packet) states that "[a] recent site visit confirms that the proposed stairwell would protrude into an existing vegetative buffer between the house and the lake. In light of the thirty-five (35) foot vegetative buffer requirement found in Section 535.C of the Zoning Ordinance, the applicant would also need to seek a separate variance to encroach on this existing buffer."

Water-side Stairwell Increases Noncompliance

While a variance request for an addition contained within the current building footprint would not further reduce ecological functionality at the shoreline, the configuration of this addition has the potential to lead to additional ecological compromise because of the proposed attached water-side stairwell. The current house and front concrete patio area are set back less than 20 feet from the water's edge. According to site plans, the proposed water-side stairwell would be less than 10 feet from the water's edge, bringing this home further from



compliance with Section 535. It appears that additional riparian vegetation would also be lost if the stairwell was located water-side. If the Zoning Board of Appeals chooses to grant this variance, they should condition it on having the stairwell moved to the southwest, further from the water's edge.

Opportunity to Evaluate Current Buffer

We encourage the township to evaluate whether the current buffer meets the standards in 535.C in terms of vegetation composition and non-vegetated areas within the 35-foot buffer area. From both aerial photographs and photographs included in the agenda packet, we speculate that the current landscaping does not comply with 535.C, particularly the artificial beach area, and know that a zoning permit is a trigger for compliance.

We know the township has a strong desire to protect the township's water resources. We encourage the township to carefully consider this variance request since ecosystem services provided by the natural, vegetated shoreline area are limited due to the numerous encroachments into the water's edge setback and riparian buffer. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Heather Smith'.

Heather Smith
Grand Traverse Bay WATERKEEPER®