

**CHARTER TOWNSHIP OF GARFIELD
ZONING BOARD OF APPEALS MEETING**

Thursday, June 19, 2025 @ 6:00 p.m.
Garfield Township Hall
3848 Veterans Drive
Traverse City, MI 49684

A G E N D A

ORDER OF BUSINESS

Call meeting to order
Pledge of Allegiance
Roll call of Board Members

1. Review and approval of the Agenda and declaration of a Conflict of Interest
2. Minutes – January 16, 2025
3. Public Hearing:
 - a. A request made by Kathy Boyd, a resident at 1669 Lake Drive, to appeal various decisions by the Zoning Administrator regarding the enforcement of the Township Soil Erosion, Stormwater, and Zoning Ordinances. The subject property is located at 1661 Lake Drive with the property number of 05-295-035-00
4. Unfinished Business
5. Other Business
6. Items for next agenda
7. Public Comment
8. Adjournment

The Garfield Township Board will provide necessary reasonable auxiliary aids and services, such as signers for hearing impaired and audio tapes of printed materials being considered at the meeting to individuals with disabilities upon the provision of reasonable advance notice to the Garfield Township Board. Individuals with Disabilities requiring auxiliary aids or services should contact the Garfield Township Board by writing or calling Lanie McManus, Clerk, Ph: (231) 941-1620.

**CHARTER TOWNSHIP OF GARFIELD
ZONING BOARD OF APPEALS
MEETING MINUTES
January 16, 2025**

Call to Order: Chair Smith called the meeting to order at 6:00pm.

Pledge of Allegiance: Recited by everyone in attendance.

Roll Call of Board Members:

Members Present: Robert Fudge, Scott Swan, Ben Castiglione, Kent Rozycki, and Rick Smith

Also in Attendance: Zoning Administrator Mike Green

1. Review and Approval of the Agenda – Conflicts of Interest (6:01)

Fudge moved and Swan seconded to approve the agenda as presented.

Yeas: Swan, Fudge, Rozycki, Castiglione, Smith

Nays: None

2. Election of Officers

Fudge moved and Swan seconded to elect Smith as Chair, Rozycki as Vice Chair and Fricke as Treasurer.

Yeas: Fudge, Swan, Castiglione, Rozycki, Smith

Nays: None

3. Review and Approval of Meeting Minutes – November 21, 2024 (6:02)

Swan moved and Rozycki seconded to approve the minutes of November 21, 2024 as presented.

Yeas: Swan, Rozycki, Fudge, Castiglione, Smith

Nays: None

3. Public Hearings (6:02)

- a. A request made by Randy Guild for a six (6) ft variance from the side setback requirements. The specific request is asking for a variance from ten (10) ft to four (4) ft to allow construction of an addition to an existing dwelling along the north side lot line. The property is zoned R-1 Single Family Residential and is currently used as single-family residential. The property is located at 1571 Lake Drive with a property number of 05- 295-025-00**

The parcel is located within the Silver Pines Resort subdivision and is described as Lots 25 & 26 excluding the north twenty-five (25) feet thereof. Adjacent properties within the subdivision and surrounding areas are also zoned R-1 One Family Residential. According to Township records and information supplied by the application, the property contains

a dwelling with an attached garage along with a detached accessory building. The matter was tabled in November to allow the property owner to discuss a possible easement with the neighbor. The applicant informed this office that he was unable to obtain any easement or other property grant from the adjacent property to the north and has agreed to allow the Zoning Board of Appeals to act on the request.

Fudge moved and Swan seconded to DENY the request for variance from Sections 313.E of the Garfield Township Zoning Ordinance to allow a six (6) foot variance based on findings for each Practical Difficulty standard and General Criteria for granting such request NOT being met. Board members cited the resulting encroachment on the neighboring lot as the most important factor in the denial.

Yeas: Fudge, Swan, Rozycki, Castiglione, Smith

Nays: None

4. Unfinished Business

None

5. Other Business (6:05)

- a. Approve 2025 Meeting Schedule

Swan moved and Fudge seconded to adopt the 2025 ZBA Meeting Schedule.

Yeas: Swan, Fudge, Rozycki, Castiglione, Smith

Nays: None

6. Items for Next Agenda (6:05)

None

7. Public Comment

None

8. Adjournment: *Swan moved and Fudge seconded to adjourn the meeting at 6:07pm.*

Lynn Fricke, Secretary



Charter Township of Garfield

Grand Traverse County

3848 VETERANS DRIVE
TRAVERSE CITY, MICHIGAN 49684
PH: (231) 941-1620 • FAX: (231) 941-1588

ZONING BOARD OF APPEALS STAFF REPORT

Meeting Date: Thursday, June 19, 2025
Case #: 2025-01 Appeal of Zoning Administrator issuance of Land Use Permit
 Owner: Bill Waggener & Donna Wytaske
 Appellant: Kathy Boyd, resident and owner of 1669 Lake Drive
 Property ID #: 05-295-035-00
 Property Location: 1661 Lake Drive
 Zoning District: R-1 One Family Residential

Parcel Overview and History

The parcel is described as Lot 35 and the North 10 feet of Lot 34 of Silver Pines Resort subdivision. The property is zoned R-1 One Family Residential, and is located at 1661 Lake Drive, with a property number of 05-295-035-00. Adjacent properties within the subdivision and surrounding areas are also zoned R-1 One Family Residential. According to Township records and information supplied by the application, the property contains a dwelling with an attached garage.

Basis of Appeal

The basis of this appeal, as stated in the application, is twofold. The first part of the appeal is a request to reverse the decision to grant a Soil Erosion and Sedimentation Control permit on the property due to “multiple ongoing” Zoning Ordinance violations and ongoing work without a permit. The second part of the appeal is what the applicant maintains is an improper approval of walls and fences in the riparian and side yard setback areas per Section 515 and 535 of the Zoning Ordinance and noncompliance with the Township Stormwater Ordinance (Ordinance #49). A copy of the Appeal is provided as an attachment to this report. Staff review of the appeal has been provided in the following pages of this report.

Authority of the ZBA to Consider Appeals (Section 453)

A. Applicability

The Zoning Board of Appeals shall hear and decide appeals where it is alleged that there is an error in a previously granted written order, requirement, decision, interpretation, or determination made by the Zoning Administrator or the Director of Planning in the enforcement of this zoning ordinance that specifically provides for appeal to the Zoning Board of Appeals. Appeals may be filed by any person aggrieved, by the Zoning Administrator, or by an officer of the Township.

B. Initiation

An appeal and supporting documents shall be filed with the Zoning Administrator. The application shall state fully and in detail the basis of the appeal, the variance requested and the special conditions and circumstances applying to the building, other structure or land for which such variance is sought.

The Zoning Administrator may reject an application that does not meet the requirements of this ordinance.

C. Stay of Proceedings

When an appeal is filed to the Zoning Board of Appeals, all proceedings in furtherance of the action affected by the decision being appealed shall be stayed unless a stay would, in the opinion of the Zoning Administrator, cause imminent peril to life or property.

D. Decision

- (1) The Zoning Board of Appeals shall give public notice of the hearing in accordance with State Law, shall hold the hearing, and shall decide the appeal within a reasonable time.
- (2) Any person may appear before the Zoning Board of Appeals at any hearing, in person, or by agent or attorney.
- (3) The Zoning Board of Appeals may:
 - (a) Reverse or affirm, wholly or partly, or may modify a previously granted order, requirement, decision, or determination appealed;
 - (b) Make such order, requirement, decision, or determination as ought to be made; and
 - (c) Exercise all the powers of the officer or agency from whom the appeal is taken.

Aerial view of subject parcel and adjacent properties
(subject property is highlighted in light blue)



- 2023 Parcels
- Addresses
- Roads
- Public Right-of-Way

This map is based on digital data provided by Garfield Township. The Township does not warrant, expressly or impliedly, that the information on this map is correct or proportionally accurate. Always consult a surveyor to be sure of where your property lines are located.

0 20 40 80 120 160 Feet

Garfield Charter Township
3848 Veterans Drive
Traverse City, MI 49684
Phone: 231.941.1620
Fax: 231.941.1688
www.garfield-twp.com



NOT A LEGAL SURVEY

Garfield Township Zoning Dept. - Printed on: 5/8/2024

Staff Response to Appeal***Part 1 – Appeals decision to uphold Soil and Erosion Permit despite multiple ongoing Township Zoning violations and ongoing work performed without a permit.***

The Zoning Board of Appeals has not been set up to act as an appeals board for decisions made under the Township Soil Erosion and Sedimentation Control Ordinance. Ms. Boyd was advised of this was advised that complaints may be directed to the Michigan Department of Environment, Great Lakes, and Energy. Nonetheless, I wanted to assure this Board that we have acted within our authority to issue a Soil Erosion and Sedimentation Control (SESC) Permit as it gives us the authority to inspect the site on a regular basis and take the necessary actions to address violations and other deficiencies as they arise. The SESC permit is not a construction permit and does not allow Mr. Waggener to move forward on his project contrary to the ZBA Decision. As you may not be aware, the Township took steps to become a Municipal Enforcement Agency for Soil Erosion and Sedimentation Control and took over existing permits and responsibilities earlier this year. As part of the transition, we were advised that we need to take over the program and honor existing permits issued by Grand Traverse County once our Ordinance was adopted. The permit we inherited for 1661 Lake Drive was active and was recently extended until August 11, 2025. Since then, we have been to the site as authorized under the permit and have required the owner to upgrade and repair SESC measures to prevent erosion. In addition, I invited Matthew Anderson, Environmental Quality Analyst and SESC Agency Contact with the Michigan Department of Environment, Great Lakes, and Energy to review the permit file and perform an onsite inspection of 1661 Lake Drive. Mr. Anderson assured me and Chris Barsheff, Township Manager, that the permit file and site conditions appears to meet and exceed all state requirements. Please see Attachment #5 for County and Township permits and other correspondence.

Part 2 – Appeal decision to not uphold the Zoning Board of Appeals ruling made on September 19, 2024, based on the following:

- a. Noncompliance with the Stormwater Ordinance. The September 19, 2024, Zoning Board of Appeals ruling was to suspend the Land Use Permit until the following issues are addressed by the property owner:***
 - 1. Grading and wall construction has been commenced that was not previously reviewed by the Township Engineer, particularly the lower wall near the lake and the grading work along the south side of the property.*** A revised site plan was submitted to the Township on 10-7-2024 and reviewed by the Township Engineer. The Township Engineer and I did a pre-review meeting at the site on 10-15-2024. The Township Engineer provided a Stormwater Review on 10-31-2024 (see attached GFA Review dated 10-31-2024 as part of Attachment #3)
 - 2. Performance and maintenance issues allowing concentrated flows through the retaining wall located along the north property line as evidenced by photos and video supplied by Kathy Boyd as part of her appeal.*** The property owner is required to maintain SESC controls until project completion to prevent concentrated flows onto neighboring properties or into Silver Lake. Post-construction, per item #6 below, the applicant will be subject to maintenance inspections as recommended by the Township Engineer and will be responsible for repairs, including concentrated flows. The Township will be able to enter the property to complete needed repairs using the Performance Bond if the applicant fails to do so per the Stormwater Ordinance.
 - 3. The Board may also want to consider giving a deadline for completion of the activities listed above. Doing so would allow staff to take enforcement action if the work is not completed by the deadline.*** This was a recommendation that was not supported by the Zoning Board of Appeals and not made part of the final decision. Manager Barsheff and I are working with the Township Attorney and Township Engineer to come up with

a set of action deadlines that will need to be met to avoid further enforcements. While it is our desire to work with Mr. Waggener to obtain compliance with the ZBA Order, the Township is prepared to take necessary actions if the established deadlines aren't met.

4. ***Requiring the submittal of a Performance Guarantee per Section 6 of the Stormwater Ordinance to the Township in an amount recommended by the Township Engineer to ensure completion and proper maintenance of the stormwater system.*** Due to nonpayment of outstanding engineering invoices until recently by Mr. Waggener, our Engineer was unable to provide the recommended Performance Guarantee until a few weeks ago. We recently received an email from GFA recommending a \$10,000 Performance Bond and other terms.
5. ***Require the submittal and review of a stormwater maintenance agreement by the Township Engineer prior to reissuing or reactivating the permit.*** We haven't issued a permit yet but will make sure this is provided to us and reviewed by the Township Engineer prior to issuance of a permit per the September 19, 2024 ZBA Order.
6. ***Require the applicant to submit to Maintenance Inspections per the Stormwater Ordinance.*** We will require inspections post construction per recommendations by our Township Engineer.
7. ***As built drawings are to be submitted to the Garfield Township Building Department, EGLE, Soil Erosion, Land Use, and the Township Engineer for approval prior to restart:*** We have not yet received as-built drawings that show all current improvements and no approvals have been granted.

In addition to meeting the requirements above instituted by the Zoning Board of Appeals in their September 19, 2024, the project was subject to a series of stormwater reviews, inspections, and certifications by the Township Engineer as documented in Attachment #3.

- b. ***Noncompliance with Section 515 Fences and Walls and Section 535 Riparian Buffers.*** The appellant maintains that fences and walls are not permitted in the ten (10) foot side yard or within the riparian buffer area (35 feet setback to Silver Lake) – This decision was appealed at the September 19, 2024 Hearing but not incorporated into the Order. Nonetheless, I would like to reiterate that the plain language of Section 515 and 535 shows that walls and fences are permitted in front, rear, side yards as well as riparian buffer areas provided they don't exceed four (4) foot in height in a front yard and seven (7) feet in a side or rear yard. (see Attachments 6.a and 6.b with highlighted text).

Recommended Motion

I am forwarding this report to our Township Attorney for their review and am looking for guidance as to potential motions. I will be sure to forward any communications intended for this Board as soon as they are available.

Please feel free to contact me if you have any questions before the meeting.

Sincerely,

Michael Green, Zoning Administrator

Attachments:

1. ZBA Appeal Application filed by Kathy Boyd, Resident and owner of 1669 Lake Drive and supplemental packet.
2. Land Use Permit application and drawings for site grading and drainage structures filed by Bill Waggener that is subject of appeal by Kathy Boyd.
3. Gourdie Fraser and Associates (GFA) Stormwater reviews and other correspondence from 2023 to the present.
4. Various correspondence regarding Zoning and Stormwater Ordinance enforcement actions taken.
5. Various Zoning Ordinance excerpts, including:
 - a. Section 515 – Fences and Walls,
 - b. Section 535 – Supplemental Shoreline Regulations, and
 - c. Section 405 – Performance Guarantee.
 - d. Section 401 – Procedural Requirements
6. Grand Traverse County and Garfield Township SESC permits and other correspondence.
7. MSU Extension article entitled “How to handle appeals of administrative decisions”.

Case # _____



Charter Township of Garfield

Grand Traverse County

3848 VETERANS DRIVE
TRAVERSE CITY, MICHIGAN 49684
PH: (231) 941-1620 • FAX: (231) 941-1588

MAY 06, 2025

FOR ZBA mtg: 06/19/25

ZONING BOARD OF APPEALS APPLICATION

1. Owner / Applicant information

KATHY BOYD
Owner:
1669 LAKE DRIVE
Address:
TRAVERSE CITY, MI 49685
City, State, Zip Code
615-400-8342
Phone Numbers

KATHY BOYD
Applicant:
1669 LAKE DRIVE
Address:
TRAVERSE CITY, MI 49685
City, State, Zip Code
615-400-8342
Phone Numbers

2. Property Information:

OWNER: WILLIAM WAGGENER

- a. Property Address: 1661 LAKE DRIVE TRAVERSE CITY MI 49685
- b. Property Location: _____
- c. Lot # _____ Subdivision Name: SILVER PINES
- d. Parcel ID# 28-05- 295-035-00
- e. Current Zoning: _____
- f. Current Use: Residential

3. Purpose For Request:

Variance _____ Appeal X Interpretation _____ Review _____

Other _____ Please explain request / List section(s) related to request: _____

1) Appeal decision by M. Green to uphold Soil and Erosion permit at 1661 Lake Drive despite multiple ongoing Garfield Township Zoning Ordinance violations and ongoing work performed without permit.

2) Appeal decision by M. Green to NOT ENFORCE Garfield Township Ordinances / Failure to uphold Ruling of Garfield Township Zoning Board of Appeals date: September 19, 2024.

- Stormwater Ordinance 49
- Ordinance # 515 and 535 Construction of new structure within 10 foot side yard setback and within Riparian Buffer of Silver Lake. 06/2015

Affidavit:

The undersigned affirms that he/she or they is (are) the owner, or authorized agent of the owner, and that the answers and statements herein contained and the information submitted are in all respects true and correct. In addition, the undersigned represents that he/she or they is authorized and does hereby grant a right of entry to Township officials for the purpose of inspecting the premises and uses thereon for the sole purpose of gathering information regarding the request.


Owner signature

06 MAY 2025
Date


Applicants signature

06 MAY 2025
Date

Any party aggrieved by the decision of the Zoning Board of Appeals may appeal the decision to circuit court. An Appeal of the decision shall be filed in accordance with PA 110 of 2006, as amended.

SECTION 454 VARIANCES

A. Applicability – Dimensional Variances

The Zoning Board of Appeals may authorize a non-use variance relating to the construction, structural changes, or alterations of buildings or structures related to dimensional requirements of this ordinance, or to any other non-use related standard of this ordinance, that comply with the requirements of this section.

B. Applicability – Use Variances

The Zoning Board of Appeals shall not grant a use variance or take any action that would have the effect of granting a variance from the permitted use of land.

E. Approval Criteria

(1) Practical Difficulty

To qualify for a dimensional variance, the applicant shall be required to show “practical difficulty” by demonstrating compliance with all of the following criteria:

- (a) Special conditions or circumstances exist that are peculiar to the land, buildings, or other structures for which the variance is sought, do not apply generally to lands, buildings, or other structures in the same district, and could not reasonably be addressed through the formation of general regulation for such conditions. Special circumstances or conditions to be considered for variances shall include, but not be limited to, the circumstances as described in § 454.E.(3);
- (b) The special conditions and circumstances peculiar to the land, buildings or other structures did not result from a self-created condition or action taken by the applicant or an owner of the lands;
- (c) The special conditions and circumstances are such that strict application of the provisions of this ordinance would deprive the applicant of any reasonable use of the land, building, or structure authorized by this Zoning Ordinance;
- (d) Literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this ordinance; and
- (e) For the purpose of this section, a practical difficulty shall not exist because an applicant would incur additional costs to achieve full compliance or could receive additional income with less than full compliance with the ordinance.

(2) General Criteria

Where the applicant is able to demonstrate “practical difficulty” by satisfying all of the criteria of § 454.E.(1), a dimensional variance may be granted if it meets the following general criteria:

- (a) The requested variance shall relate only to property that is under the control of the applicant;
- (b) No nonconforming neighboring lands, buildings, or other structures, legal or illegal, in the same district, and no permitted buildings, or other structures in adjacent districts, shall be considered as grounds for the issuance of a variance;
- (c) The requested variance shall be in harmony with the general purpose and intent of this ordinance and shall not be detrimental to the public health, safety and welfare;
- (d) The requested variance shall not alter the essential character of the area or cause a substantial adverse effect upon properties in the immediate vicinity or in the district in which the property of the applicant is located; and
- (e) The requested variance is the minimum variance that will make possible the reasonable use of the land, building, or structure, and there is no reasonable alternative location on the parcel for the proposed improvements for which a variance is sought where such alternative location would eliminate the need for the requested variance or reduce the extent of the condition(s) necessitating the variance.

(3) Special Conditions or Circumstances

Special conditions or circumstances to be considered for the purposes of § 454.E.(1) shall include, but not be limited to, the circumstances as described below:

(a) Physical Conditions

The proposed project site contains physical conditions such as narrowness, shallowness, shape, or topography of the property involved that do not generally apply to other property or uses in the same zoning district.

(b) Significant Vegetation or Natural Features

The proposed project site contains significant vegetation or other natural features identified as Stream Environment/Wetland by the Garfield Township Master Plan.

(c) Substandard Lot(s)

The proposed project involves the utilization of an existing legal nonconforming lot(s).

(d) Historic Resources

The proposed project site contains historical significance.

(e) Neighborhood Character

The proposed project promotes the established historic or traditional development pattern of a blockface, including setbacks, building height, and other dimensional requirements.

Kathy Boyd
1669 Lake Drive
Traverse City, Michigan 49685
Klboyd7@gmail.com

June 10, 2025

Zoning Board of Appeals
Attn: Rick Smith, Chairman
Kent Rozycki, Vice-Chair
Robert Fudge, Planning Commission Representative
Scott Swan
Lynn Fricke, Secretary
Garfield Township Zoning Department
The Charter Township of Garfield, Grand Traverse County, Michigan
3848 Veterans Drive
Traverse City, Michigan 49684

RE: Appeal decision by Zoning Administrator Mike Green to grant SESC permit
Property: 1661 Lake Drive, Traverse City, MI 49685
Property owners: Donna Mae Wytaske and William Waggener

Mr. Smith, Mr. Rozycki, Mr. Fudge, Mr. Swan, and Ms. Fricke:

It is with great disappointment that I stand before the Zoning Board for the third time to again appeal decisions made by Mr. Mike Green, Zoning Administrator for Garfield Township. The last nine months have continued to be extremely difficult for me, a longtime taxpayer and resident of Garfield Township. Mr. Green's failure to enforce Township Ordinances has caused irreparable harm to my property and has cost me thousands of dollars. Further, I am obligated to monitor my neighbor's projects as Mr. Green has failed to consistently apply and enforce the established ordinances of Garfield Township.

You may remember my second appeal presentation in September 2024. Due to circumvention of the first appeal ruling from May 16, 2024, the ZBA issued an order to Mr. Green on September 19, 2024 with six provisions:

*"1. Grading and wall construction that has commenced and was not previously reviewed by the Township Engineer, particularly the lower wall near the lake and grading work along the south of the property be addressed by the proper authorities.
2. That performance and maintenance issues allowing concentrated flows through the retaining wall located along the north property line as evidenced by photos and video supplied by Kathy Boyd as part of her appeal be addressed.*

AND that the following conditions be added to the permit to address past and present performance issues and to account for work being done prior to the issuance of any permits and the resulting questions as to whether the systems were built according to the plans provided and reviewed by the Township Engineer:

- 1. Submittal of a Performance Guarantee per Section 6 of the Stormwater Ordinance to the Township in an amount recommended by the Township Engineer to ensure completion and proper maintenance of the stormwater system will be required*
- 2. Submittal and review of a stormwater maintenance agreement by the Township Engineer prior to reissuing or reactivating the permit will be required*
- 3. The applicant will be required to submit to maintenance inspections per the Stormwater Ordinance.*
- 4. As built drawings are to be submitted to the Garfield Township Building Department, EGLE, soil erosion, land use and the township's engineer for approval prior to restart."*

Unfortunately, since the September 2024 ruling, **none** of the requirements stipulated by the ZBA ruling in September 2024 have been met. Yet, on March 11, 2025, Mr. Green granted a Soil and Erosion (SESC) permit for the property owner at 1661 Lake Drive. Mr. Green's decision to issue a SESC permit to this property owner not only directly violated Garfield Township Zoning Ordinance #78 (Control of Soil Erosion and Sedimentation), but also directly violated the order issued by the ZBA on September 19, 2024.

Township Zoning Administrator Mike Green continues to ignore direct violations of Township ordinances to appease a repeat offender.

More concerning, my recent requests made to Garfield Township under the Freedom of Information Act (FOIA) have been delayed and selectively fulfilled. Specifically, the latest site plan revision and other key documents were excluded from FOIA fulfillment in May 2025.

Mr. Green has also required permit applications from several other individuals on Silver Lake within the past two years. Mr. Green even halted a project on Lake Drive, 6 houses down from my residence, for failure to meet Township permit requirements. Allowing the property owner at 1661 Lake Drive to continue to make permanent dramatic property changes without a valid permit constitutes *selective enforcement* of the Township Ordinances, which violates basic principles of equal protection under Constitutional law.

Today, I again request your oversight of Mr. Green's recent decisions. Specifically, I request your help in enforcement of Zoning Ordinance 49 (Stormwater ordinance), enforcement of Zoning Ordinance 312 (setback requirements), enforcement of Zoning Ordinances 515 and 535 (permanent structures within the Riparian setback of Silver Lake), and Zoning Ordinance 78 (Control of Soil Erosion and Sedimentation).

Again, the premise for this request is simple. The property owner at 1661 Lake Drive has committed many intentional violations of Garfield Township Zoning ordinances. If Garfield Township has authority by the State of Michigan to establish and enforce the Township Zoning ordinances (Michigan Zoning Enabling Act), then Garfield Township must enforce violations of these ordinances at 1661 Lake Drive.

I request that the Board enforce Garfield Township Ordinance 78 by revoking the SESC permit granted to the property owner at 1661 Lake Drive by Mike Green on March 11, 2025. Again, I request that the Board require inspection of the stormwater drain system at 1661 Lake Drive. Again, I request that work be stopped, and **no additional permits** be granted to the property owner at 1661 Lake Drive until the current property changes have been brought into compliance with Garfield Township Ordinances. Thank you for upholding the integrity of the established laws and ordinances for the residents of Garfield Township and protecting my property from the consequences of these blatant violations.

Thank you for your time and attention to this matter.

Very respectfully,



Kathy Boyd

List of Violations

Issued to the property owner at: 1661 Lake Drive, Traverse City, MI 49685
From: The State of Michigan, Grand Traverse County, and Garfield Township

1. May 11, 2023 Stop work order from Fred Morse for work without permit
2. May 30, 2023 Letter of Information from Garfield Township re: concrete within 10 foot setback
3. June 21, 2023 Violation letter from Garfield Township re: Stormwater Ordinance #49
4. June 30, 2023 Violation letter from Grand Traverse County Soil and Erosion
5. August 9, 2023 Violation letter from EGLE for retaining wall built at lakeshore without permit
6. August 29, 2023 Ticket from Garfield Township for grading without permit
7. December 21, 2023 Grand Traverse County Electrical Inspection Fail
8. June 26, 2024 STOP WORK order from Garfield Township
9. July 14, 2024 TICKET from Garfield Township for continued work in violation of STOP WORK order
10. August 14, 2024 STOP WORK order from Garfield Township
11. April 14, 2025 Violation letter from Garfield Township Soil and Erosion
12. Week of May 5, 2025 STOP WORK order (this document was not included in FOIA fulfillment)

Swan moved and Fricke seconded that the permit that was issued on June 12, 2024 and amended on August 1, 2024 be suspended until the following issues are addressed by the property owner:

- 1. Grading and wall construction that has commenced and was not previously reviewed by the Township Engineer, particularly the lower wall near the lake and grading work along the south side of the property be addressed by the proper authorities.*
- 2. That performance and maintenance issues allowing concentrated flows through the retaining wall located along the north property line as evidenced by photos and video supplied by Kathy Boyd as part of her appeal be addressed.*

AND that the following conditions be added to the permit to address past and present performance issues and to account for work being done prior to the issuance of any permits and the resulting questions as to whether the systems were built according to the plans provided and reviewed by the Township Engineer:

- 1. Submittal of a Performance Guarantee per Section 6 of the Stormwater Ordinance to the Township in an amount recommended by the Township Engineer to ensure completion and proper maintenance of the stormwater system will be required.*
- 2. Submittal and review of a stormwater maintenance agreement by the Township Engineer prior to reissuing or reactivating the permit will be required.*
- 3. The applicant will be required to submit to maintenance inspections per the Stormwater Ordinance.*
- 4. As built drawings are to be submitted to the Garfield Township Building Department, EGLE, soil erosion, land use and the township's engineer for approval prior to restart.*

Yeas: Swan, Fricke, Duell, Fudge, Smith

Nays: None

OFFICIAL MEETING MINUTES: RULING
Zoning Board of Appeals meeting
September 19, 2024.

Part 1: “Appeal decision by M. Green to uphold Soil and Erosion permit at 1661 Lake Drive despite ongoing Garfield Township Zoning Ordinance and ongoing work performed without permit.”

The premise for this appeal is simple. The property owner at 1661 Lake Drive has not corrected the many Township Ordinance violations at the property.

The original application for the Soil and Erosion permit at 1661 Lake Drive was made in 2023. In January 2025 the Charter Township of Garfield signed into effect Ordinance No. 78: Control of Soil Erosion and Sedimentation Ordinance. This ordinance stipulates that work and plans approved prior to the adoption of the ordinance may proceed to completion. “However, any modification of said plans or work shall comply with the terms and requirements of this Ordinance, as well as those of the prior approving agency.” Ordinance No. 78 Section 10.

Ordinance No. 78 Section 11 is quoted below:

Section 11. Modification of Approved Soil Erosion and Sedimentation Control Plans

“A. All modifications of the approved soil erosion and sedimentation control plans must be submitted and approved by the Department. All necessary sustaining reports shall be submitted with any proposal to modify the approved soil erosion and sedimentation control plan.

B. No earth change in connection with any proposed modifications shall be permitted without the approval of the Department.

C. If an earth change in connection with any proposed modification commences or is completed prior to approval of the proposed change by the Department, the Department will issue a notice of violation and the existing permit for the site may, at the sole discretion of the Department, be revoked if it is judged necessary in order to ensure that the purpose of this Ordinance is achieved. If the permit is revoked, no further work on the site will be allowed until a new permit has been issued by the Department and all applicable permit fees paid.”

The site plan at 1661 Lake Drive has undergone EIGHT revisions since 2023.

Additionally, from the ZBA ruling September 2024:

“AND that the following conditions be added to the permit to address past and present performance issues and to account for work being done prior to the issuance of any permits and the resulting questions as to whether the systems were built according to the plans provided and reviewed by the Township Engineer...

- 5. Submittal of a Performance Guarantee per Section 6 of the Stormwater Ordinance to the Township in an amount recommended by the Township Engineer to ensure completion and proper maintenance of the stormwater system will be required*
- 6. Submittal and review of a stormwater maintenance agreement by the Township Engineer prior to reissuing or reactivating the permit will required*
- 7. The applicant will be required to submit to maintenance inspections per the Stormwater Ordinance.*
- 8. As built drawings are to be submitted to the Garfield Township Building Department, EGLE, soil erosion, land use and the township’s engineer for approval prior to restart.”*

NONE of these conditions have been met (to my knowledge, based on FOIA request fulfillment).

1. The property owner has NOT submitted payment into a Performance Guarantee account.
2. The template for a maintenance agreement was submitted but has not been finalized
3. The drain system has NOT undergone a maintenance inspection
4. AS BUILT DRAWINGS have not been submitted. The current engineer plan submitted by W.Crain on April 17, 2025 is not an As Built drawing. It contains many inaccuracies (including misrepresentation of actual drain stone on site, and complete exclusion of the new large deck onsite within the riparian buffer).



Charter Township of Garfield

Grand Traverse County
3848 VETERANS DRIVE
TRAVERSE CITY, MICHIGAN 49684
PH: (231) 941-1620 FAX: (231) 941-1588

SOIL EROSION AND SEDIMENTATION CONTROL PERMIT

(Issued under the authority of Part 91, Soil Erosion and Sedimentation Control,
of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended)

PERMIT #: PSE2025-013	ISSUED: 03/11/2025	EXPIRES: 08/11/2025
PROJECT LOCATION:	OWNER:	PERMITTEE:
1661 LAKE DR TRAVERSE CITY, MI, 49685 05-295-035-00 Town: 27 North Range: 11 West Section: 30	WILLIAM WAGGENER 1661 LAKE DR TRAVERSE CITY, MI 49685-8918	WILLIAM WAGGENER 1661 LAKE RD. TRAVERSE CITY, MI 49685 Phone: (231) 883-9321

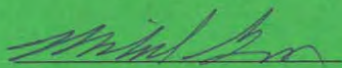
Onsite Responsible Person: BILL WAGGENER
Onsite Responsible Person Company: N/A
Onsite Responsible Person Phone: (231)883-9321

Permitted Activity: EXTENSION OF GRAND TRAVERSE COUNTY PERMIT # 23-02135 FOR
INSTALLATION OF RETAINING WALLS

Fee Description	Fee Total
EXTENSION	\$0.00

Permit Conditions:

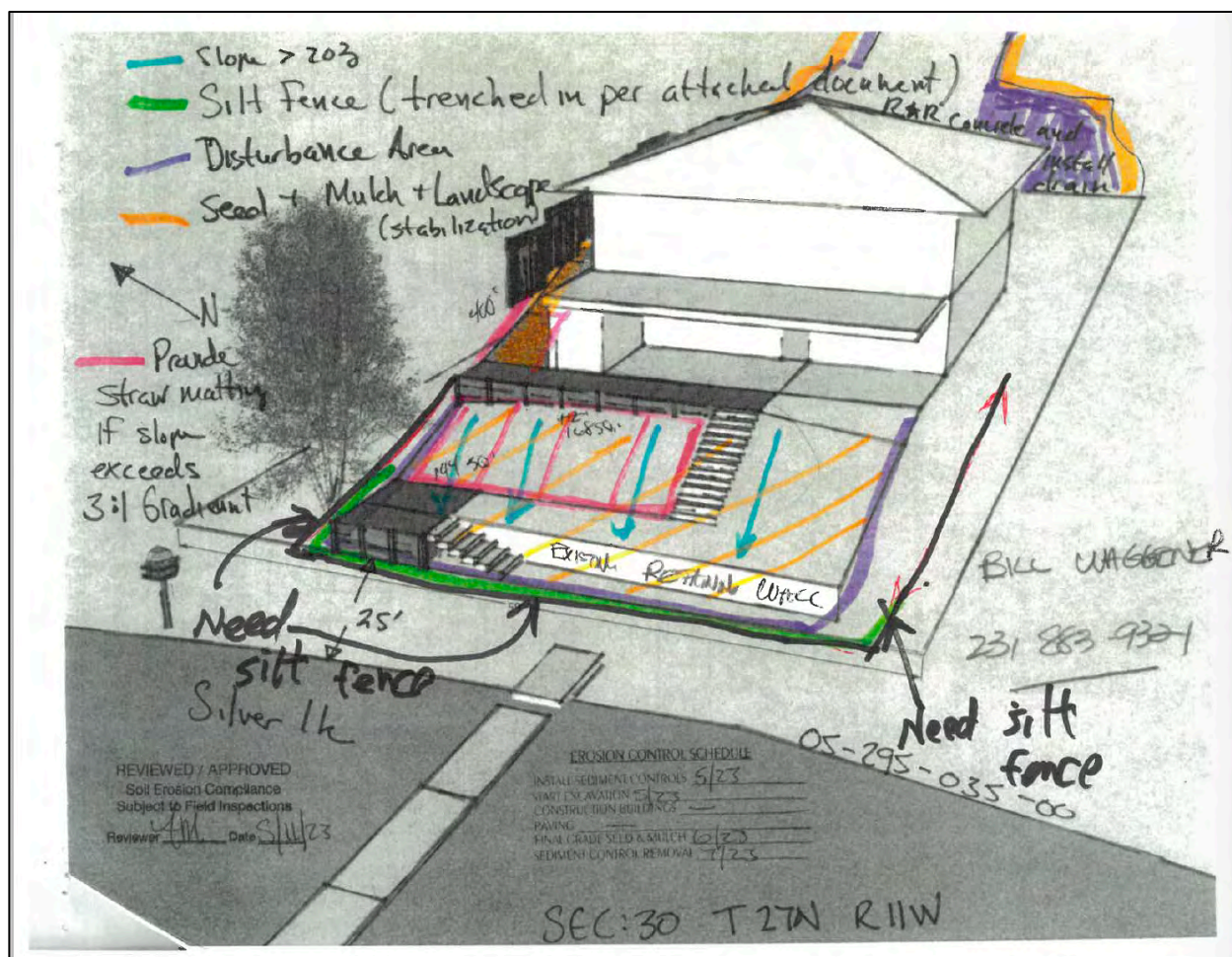
1. The permitted activity shall be completed in accordance with the approved plans and specifications, and the attached general and specific conditions.
2. This permit does not waive the necessity for obtaining all other required federal, state, or local permits.
3. Permittee shall notify the permitting agency within one week after completing the permitted activity or one week prior to the permit expiration date, whichever comes first.


Permitting Agent

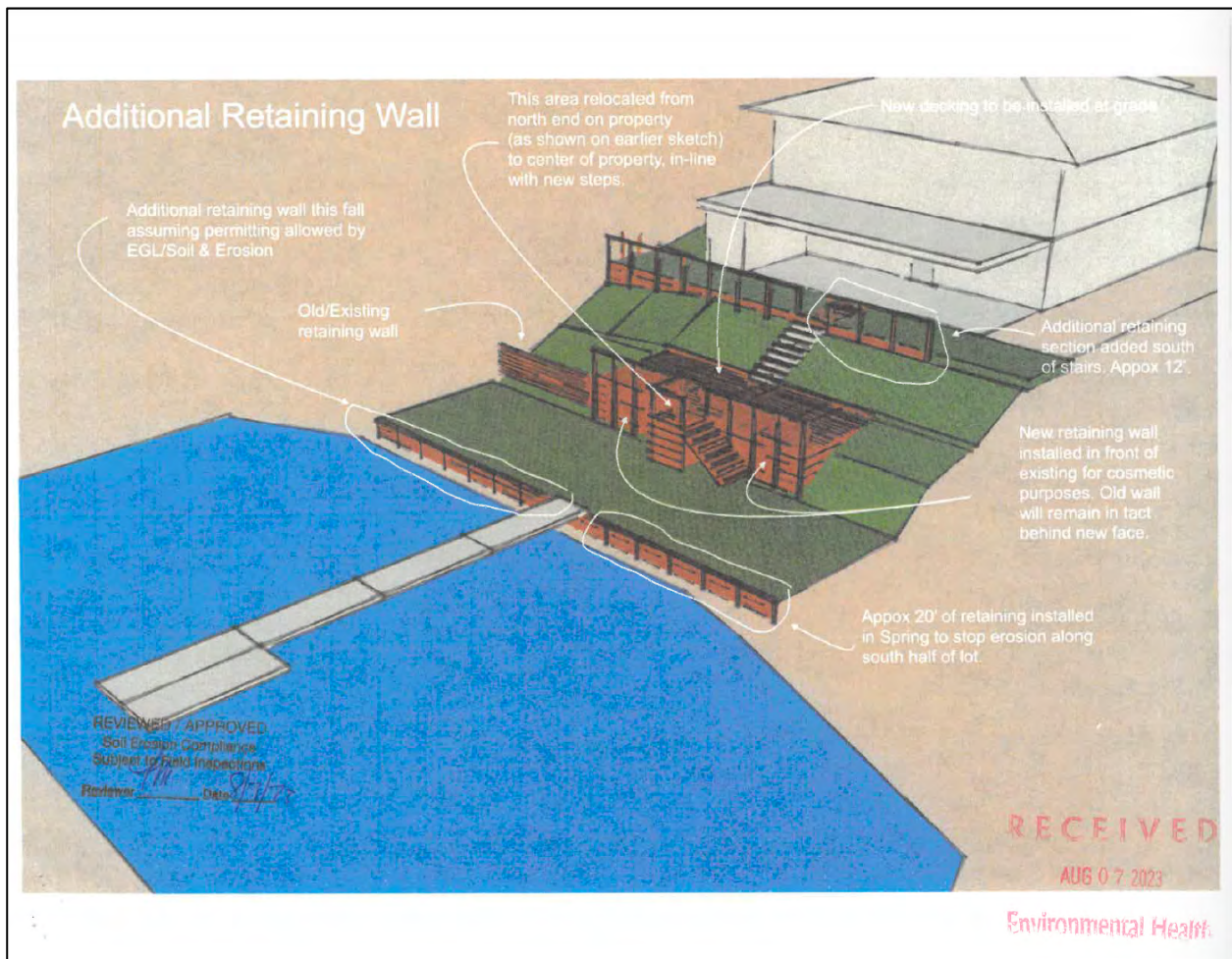
(231) 941-1620
Telephone Number

THIS PERMIT MUST BE POSTED AT THE PROJECT SITE

MARCH 11, 2025 Mr. Green issued yet another permit to the property owner at 1661 Lake Drive.



Site plan approved by M.Green for permit issued March 11, 2025. Note the date on the site plan: 5/11/23. The plan is not to scale and the property does not resemble this plan.



Site plan #2 approved by M.Green for permit issued March 11, 2025. Note the date on the site plan: 8/7/23. There is no depiction of the walls that have been built at the shared property line with 1669 Lake Drive.

THE SITE PLAN FOR THE 1661 LAKE DRIVE PROPERTY HAS BEEN REVISED EIGHT TIMES SINCE AUGUST 2023.

The Charter Township of Garfield

Ordinance No. 78

Page 8 of 14

Section 10. Work and Plans Approved Prior to Adoption of this Ordinance Work pursuant to plans and permits issued by an approving agency prior to adoption of this Ordinance may proceed to completion pursuant to said previously approved plans and permits. However, any modification of said plans or work shall comply with the terms and requirements of this Ordinance, as well as those of the prior approving agency.

The Charter Township of Garfield

Ordinance No. 78

Page 9 of 14

Section 11. Modification of Approved Soil Erosion and Sedimentation Control Plans

- A. All modifications of the approved soil erosion and sedimentation control plans must be submitted and approved by the Department. All necessary sustaining reports shall be submitted with any proposal to modify the approved soil erosion and sedimentation control plan.
- B. No earth change in connection with any proposed modifications shall be permitted without the approval of the Department.
- C. If an earth change in connection with any proposed modification commences or is completed prior to approval of the proposed change by the Department, the Department will issue a notice of violation and the existing permit for the site may, at the sole discretion of the Department, be revoked if it is judged necessary in order to ensure that the purpose of this Ordinance is achieved. If the permit is revoked, no further work on the site will be allowed until a new permit has been issued by the Department and all applicable permit fees paid.

Invoice

MR CHUCK KORN
CHARTER TWP OF GARFIELD
3848 VETERANS DR
TRAVERSE CITY, MI 49684

Gourdie-Fraser, Inc.
123 West Front Street, Suite A
Traverse City, MI 49684
Phone: 231-946-5874 Ext. 310
melanie@gfa.tc Pay By Credit Card:
<https://quickclick.com/r/xsgjxl869prhal82eeeljlzhd>

11/18 sent email to Bill for payment

12/26 - sent email reminder

1/15 sent email reminder

231-883-9321 - cell

November 02, 2024

Project No: 23209

Invoice No: 2320907

11/27 - called cell,
left message

3/19 - Bill came in. I reminded him that
this is still due. ~~due~~

Re: Waggener Drive, Storm Water Review, Escrow No. 215.814

Services Performed: Engineering Services for storm water review including review of plans, computations and specifications for compliance with Ordinance 49. Services include supplement review of post construction as required by ZBA and letter of acceptance.

Project Location: 1661 Lake Drive, Traverse City

Professional Services from September 15, 2024 to November 02, 2024

Professional Personnel

	Hours	Rate	Amount
Project Engineer II	10.00	135.00	1,350.00
Totals	10.00		1,350.00
Total Labor			1,350.00
Total this Invoice			\$1,350.00

Billings to Date

	Current	Prior	Total
Labor	1,350.00	3,492.50	4,842.50
Totals	1,350.00	3,492.50	4,842.50

As of May 28, 2025:

The property owner at 1661 Lake Drive has not paid the escrow balance for the stormwater review (work already performed by Gourdie Fraser, Inc).

The property owner at 1661 Lake Drive has not paid into a stormwater guarantee account as ordered by the ZBA on September 19, 2024.

Jamie Douglass

From: Jennifer Graham <jennifer@gfa.tc>
Sent: Tuesday, February 11, 2025 10:24 AM
To: Jamie Douglass
Cc: Mark Maguire
Subject: RE: Bill Waggener 215.814

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

I don't think we have any more billable time on this but appreciate the heads up

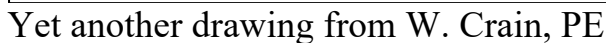
From: Jamie Douglass <jdouglass@garfieldmi.gov>
Sent: Monday, February 10, 2025 11:15 AM
To: Jennifer Graham <jennifer@gfa.tc>
Subject: Bill Waggener 215.814

Hi Jen,
I wanted to email you and let you know that I cannot get Bill Waggener to return any of my calls or emails. My last message to him last week said if he didn't call me back then we would halt all reviews until the account is made current. He did not respond. I think you might want to stop working on this one. I don't know how difficult it will be for me to get him to pay the account current. This might be a process.

Thank you,
Jamie

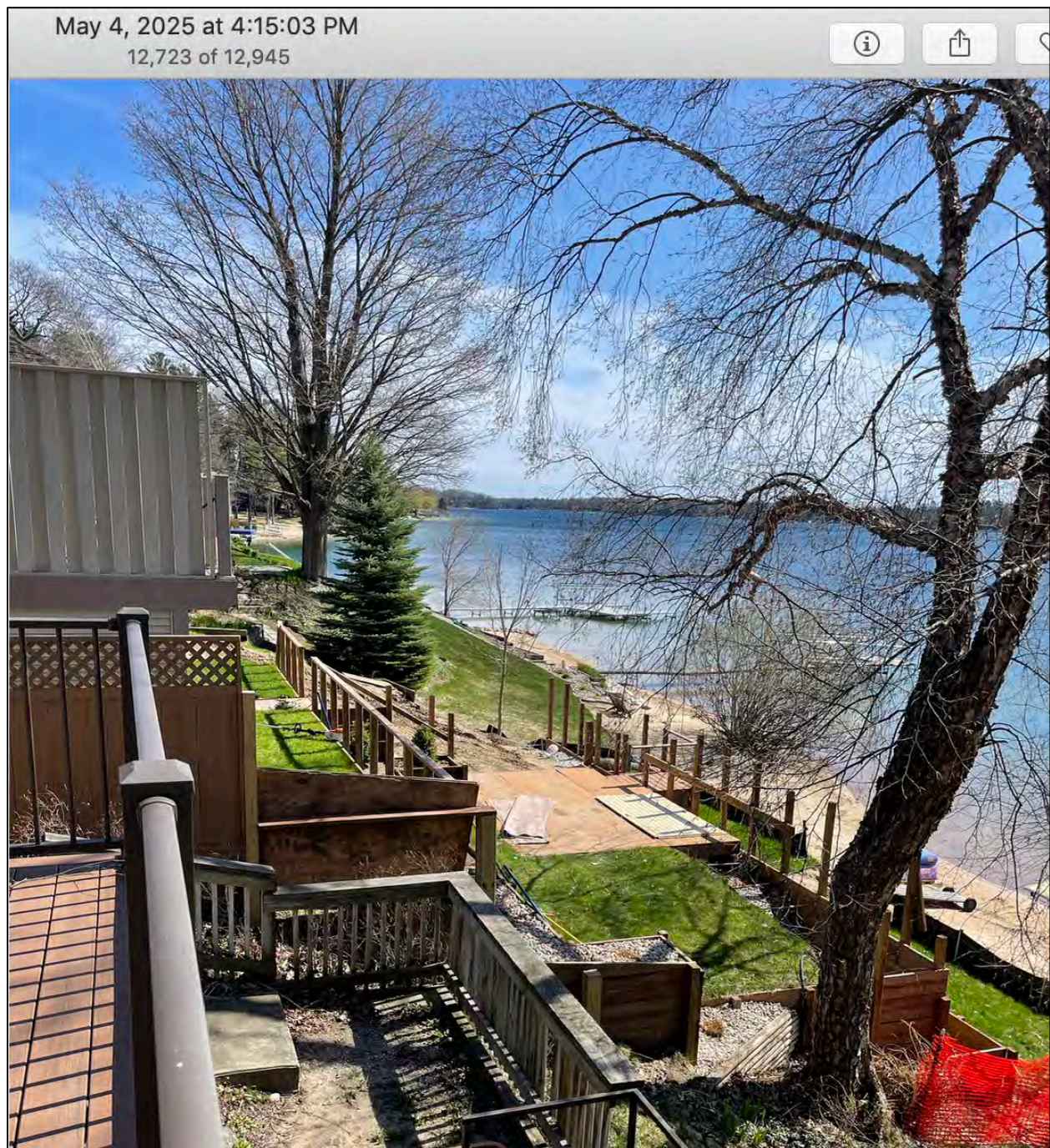


Jamie Douglass
Building & Land Use Asst.
Phone (231)941-1620 Desk (231)225-3175
Web www.garfield-twp.com
3848 Veterans Dr. Traverse City, MI. 49684
Monday - Thursday 7:30am to 6:00pm



Recall that this same engineer submitted a fraudulent certification for the drain system on July 1, 2024

14



May 4, 2025: Notice the large deck not depicted on the latest revised drawing from W.Crain on April 17, 2025.



Charter Township of Garfield

Grand Traverse County

3848 VETERANS DRIVE

TRAVERSE CITY, MICHIGAN 49684

PH: (231) 941-1620 • FAX: (231) 941-1588

SESC PERMIT VIOLATION NOTICE

04/14/2025

WILLIAM WAGGENER
1661 LAKE RD.
TRAVERSE CITY, MI 49685
(sent via certified mail)


Permit Number: PSE2025-013
Permit Address: 1661 LAKE DR

It has been determined that the above referenced property is in violation of Part 91, Soil Erosion and Sedimentation Control of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and the Garfield Township Control of Soil Erosion and Sedimentation Ordinance No. 78 as noted below:

1. Soil appears to have migrated into neighboring property located south of the subject property. Need to install silt fence as depicted on plans submitted as part of the Grand Traverse County SESC application.

Corrective actions listed above must be completed within five (5) calendar days of receipt of this letter. Feel free to contact our office at (231) 941-1620 or at mgreen@garfieldmi.gov if you have any questions.

Sincerely


Michael Green, SESC Permitting Agent
Charter Township of Garfield

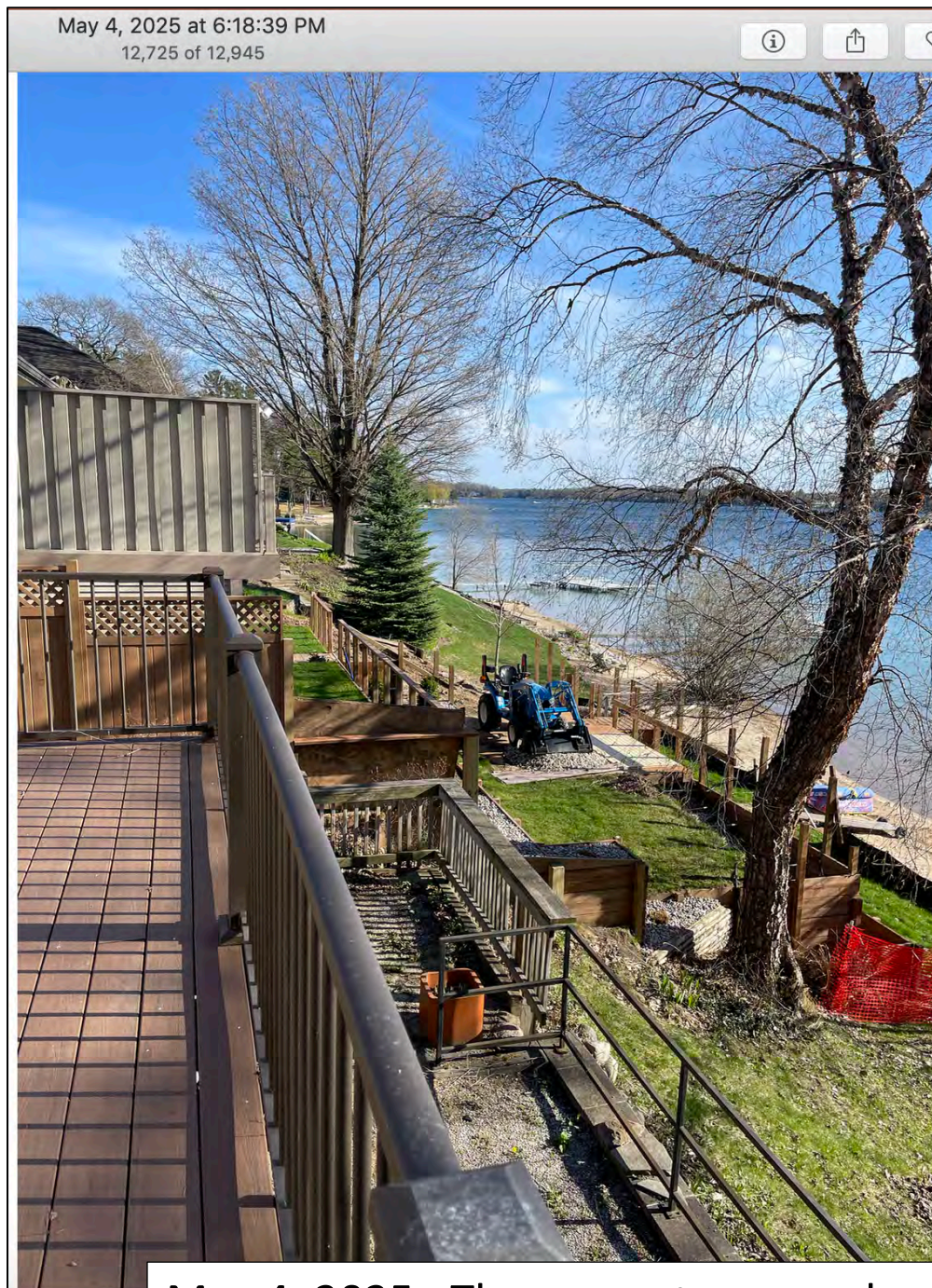
Attachments:

1. Site photos with inspector's notes
2. Site plan with inspector's notes

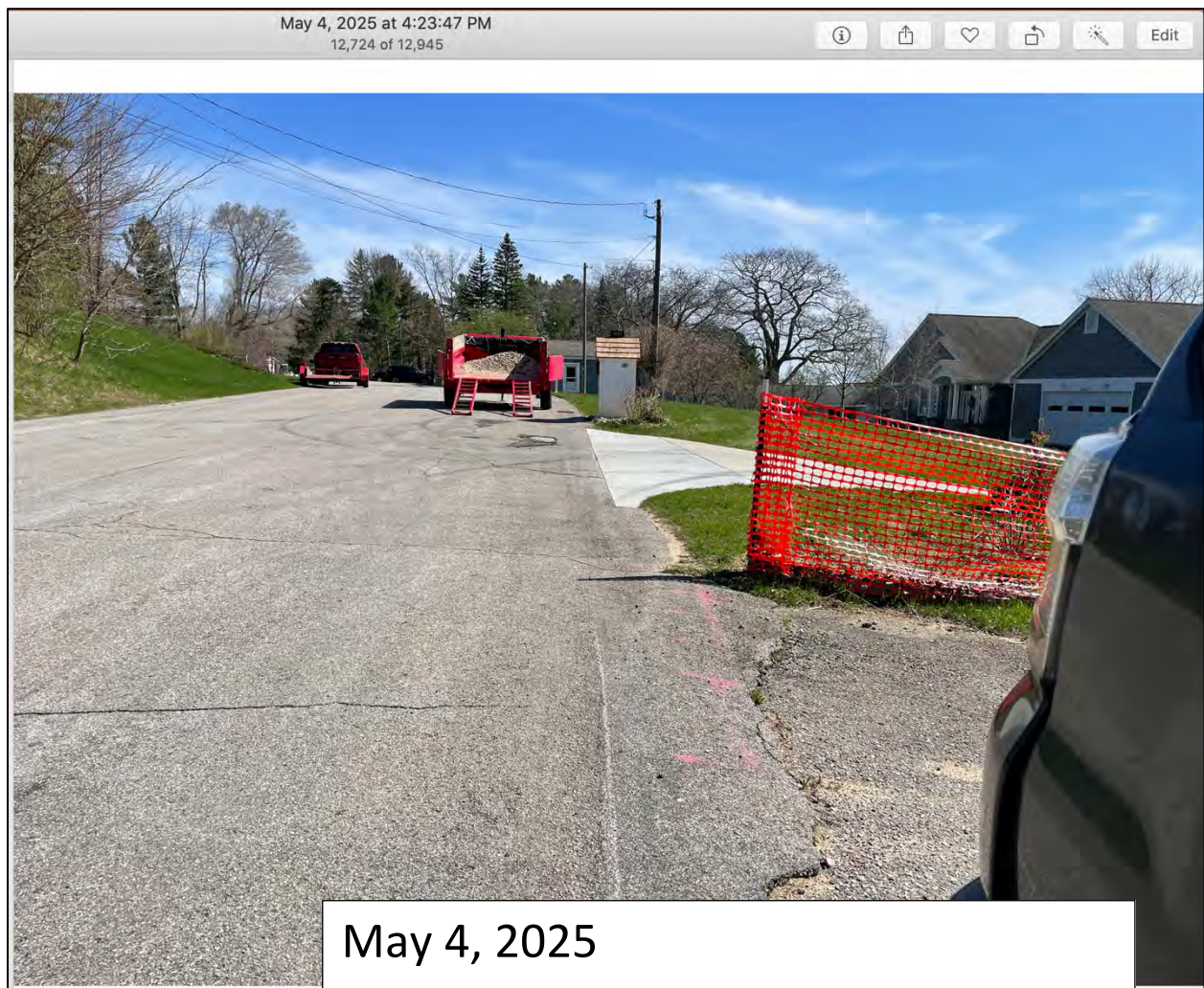
April 14, 2025

The property owner at 1661 Lake Dr.
received yet another violation.

M.Green did not follow up.



May 4, 2025: The property owner brought in yet another dump trailer full of stone and started to fill along the north border of the property. The additional dirt and stone mask the water overflow from the drain but do not correct the malfunction.





MAY 5, 2025: Inspection photo (M. Green) from SESC inspection. Notice the sand/sediment at the north border of the property and the absence of silt fences (Ref: SESC Violation 4/14/25 M.Green)

This page left blank for STOP WORK ORDER issued the week of May 4, 2025 that was not included in FOIA fulfillment



May 27, 2025: Notice where the water seeps through the wall with just sprinklers running. Also, sod has been packed against the wall to mask water escaping from the drain.

Conclusion:

- The site plans attached to the original permit include structures that violate other Garfield Township zoning ordinances
- The site plans attached to the original permit do NOT include structures that have been built in violation of other Garfield Township zoning ordinances
- Garfield Township Zoning Ordinance states that any modification of the site plan approved by the other agency (Grand Traverse County) must comply with the terms of Ordinance 78.
- Mr. Green granted the SESC permit on March 11, 2025, AFTER Ordinance 78 was signed into law in Garfield Township. The permit was granted in violation of the established ordinance, as the many modifications of the site require.
- Mr. Green granted the SESC permit on March 11, 2025 in violation of the ZBA ruling from September 2024.

Township Zoning Administrator Mike Green continues to ignore direct violations of Township ordinances to appease a repeat offender.

I request that you revoke the Soil and Erosion permit at 1661 Lake Drive, as the permit was granted in violation of Garfield Township zoning ordinance No. 78, and in violation of the September 19, 2024 ZBA ruling.

Part 2:

SELECTIVE ENFORCEMENT of Garfield Township Ordinances

This page is for updated list of Permit Applicants on Silver Lake in Garfield Township, MI from January 1, 2023 to present.

Mr. Green has required permit applications and variance requests from other residents on Silver Lake.

Mr. Green has even halted a building project on Lake Drive (6 houses south): within the past year due to the property owner not meeting permit requirements.

Yet, Mr. Green has allowed construction at 1661 Lake Drive for TWO YEARS without appropriate permits and despite multiple Township Ordinance violations.

Part 3: Incomplete FOIA fulfillment

Most notable documents not released for FOIA fulfillment:

1. Engineer plan submitted by W.Crain, PE on April 17, 2025
2. STOP WORK order issued by the Township for the week of May 4, 2025

This page left blank for updated list of documents missing from FOIA fulfillment.



Charter Township of Garfield

Grand Traverse County

3848 VETERANS DRIVE
TRAVERSE CITY, MICHIGAN 49684
PH: (231) 941-1620 • FAX: (231) 941-1588
www.garfield-twp.com

Attachment 2.

LAND USE PERMIT APPLICATION

1) Owner / Applicant Information

Wm Waggener/D Wytaske

Same

Owner

Applicant

1661 Lake Dr.

Address

Address 2

Traverse City, MI 49685

City, State, Zip Code

City, State, Zip Code 2

231-883-9321

Phone Number

Phone Number 2

billwaggs@gmail.com

Email

Email 2

An applicant who is acting as the authorized agent for the owner of the property listed above shall provide a date of birth and Drivers License number.

11/8/49

W256887297858

Date of Birth

Drivers License #

2) Property Information

Property Address: 1661 Lake Dr.

Parcel ID #: 28-05-295-035-00

Subdivision Name: Silver Lk Estates

Lot#: _____

Proposed Use: Driveway

Current Use: Driveway

Setbacks: F 50 LS 10 RS 10 R 50 Bldg Height: NA

3) Request

Single Family Home: ☒ Duplex: _____ Multi-Family: _____ Change of Use: ☐ No

Commercial Bldg: _____ Industrial Bldg: _____ Grading: _____ Road: _____

Accessory Structure: _____ Addition: _____ Deck: _____ Other: ☒

Description: Maintenance work on original drive.

4) **Permits:**

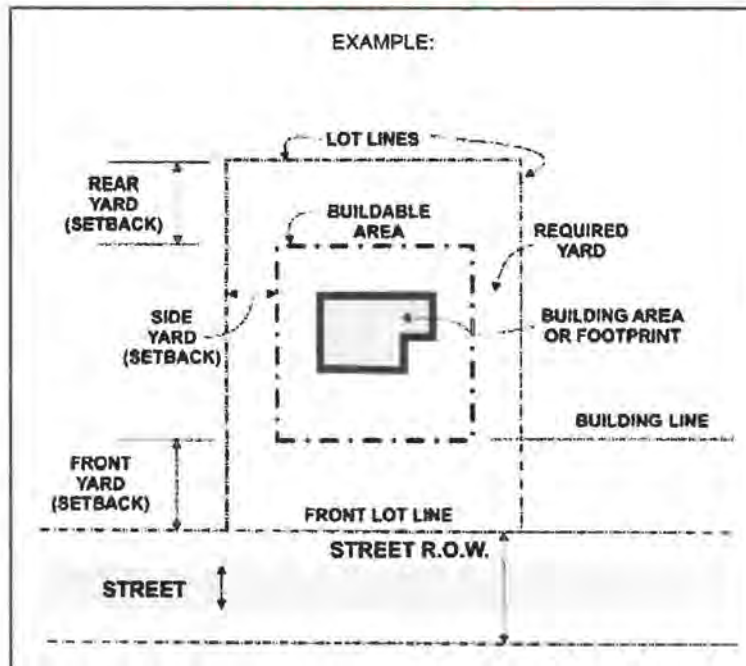
The following agency permits are required (if applicable) prior to the issuance of a Land Use Permit and at the time of submittal of the application:

- Soil Erosion Permit
- Health Department (well/septic) or DPW Permit (water/sewer)
- Driveway Permit (Road Commission or M-DOT)
- MDEQ & Great Lakes Energy Permits
- METRO Fire Site Plan Review

5) **Dimensional Site Plan:**

Please provide a detailed sketch is required, which includes all structures on the property, proposed structures with dimensions, parcel dimensions, setbacks, Road Right of Way, and height. See example below.

See attachment



6) **Affidavit:**

The undersigned affirms that he/she or they is (are) the owner, or authorized agent of the owner, involved in the application and all of the information submitted in this application, including any supplemental information, is in all respects true and correct. The undersigned further acknowledges that willful misrepresentation of information will terminate this permit application and any permit associated with this document.


Owner Signature

Wm Waggener

2/29/24

Print Name

Date

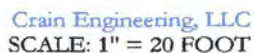

Applicant Signature

Wm Waggener

2/29/24

Print Name

Date



GUTTER ALONG HOUSE TIED INTO CATCHBASIN AND STONE DRAIN

STONE DRAIN #2
INSTALL STONE BEDS ALONG HOUSE
2'WX3'DEEP

PROPOSED FENCE ALONG NORTH
PROPERTY LINE

CATCHBASIN: 18" PERFORATED RISER
36" TALL ENCASED WITH SAND

Bill,
I did not install the drain stone along the house. I don't think it would do anything. I observed the system during the recent rain we had this week (approx. .5") and the system, as built, had no issues whatsoever. Drain #1 contained all the runoff with no evidence of even escaping the stone bed.

ALL EXPOSED/DISTURBED
AREAS TO BE SODDED

SITE DATA

PROPERTY OWNER & APPLICANT:

BILL WAGGENER
1661 LAKE DRIVE
TRAVERSE CITY, MI 49686
PH: 231-883-9321

PARCEL ADDRESS - 1661 LAKE DRIVE TRAVERSE CITY
PARCEL NUMBER - 05-295-035-00

Engineering, LLC
& Design
Cell: (231) 632-4207
email: crainengineeringllc@gmail.com

Crain Eng
Engineering, Consult
7622 Bott Road
Buckley, MI 49620

DRAWN BY: WLC
 DESGN BY: WLC
 DATE: 07-12-2023
 REV DATE:

1661 LAKE DRIVE S'IEPLAN
BILL WAGGENER
GARFIELD TOWNSHIP
GRAND TRAVERSE COUNTY, MICHIGAN

JOB NUMBER:
202223

SHEET C-1

SILVER LAKE

EXISTING RETAINING WALL

COCONUT LOG
SEDIMENT BARRIER

STONE DRAIN #1-

Overhead view of new driveway and water runoff system for 1661 Lake Dr., Traverse City

CONCRETE PADS FOR GENERATOR
& A/C UNITS

PRIVACY FENCE W/
SMALL RETAINING ALL ALONG
BASE OF FENCE.

TRENCH DRAIN

STONE DRAIN # 1

Location	
Drainage Area	1763 sq.ft
Design Inches	3.89 inches
Storage Required	572 cu.ft
Void Ratio for Stone	40 %

Calculated depth based on length & width

Basin Volume	0 cu ft
Length	10 ft
Width	10 ft
Area	100 sq ft
Infiltration	100 cu ft
Remaining	471.61 cu ft
Depth req.	11.79 ft
Depth Prov.	8 ft
Storage Provided	400 cu ft

STONE DRAIN # 2

Location	
Drainage Area	0 sq.ft
Design Inches	3.89 inches
Storage Required	0 cu.ft
Void Ratio for Stone	40 %

^b Calculated depth based on length & width

Calculated depth based on length & width	
Basin Volume	0 cu.
Length	35 ft.
Width	2 ft.
Area	70 sq.ft.
Infiltration	70 cu.ft.
Remaining	-70.00 cu.ft.
Depth req.	-2.50 ft.
Depth Prov.	3 ft.
Storage Provided	175 cu.ft.

DRAINAGE AREA: 1,213 SFT (CONCRETE)
550 SFT(HOUSE)
TOTAL AREA: 1,763 SFT
REQ'D VOL: 572 CFT
PROV VOL: CFT

ALL EXPOSED/DISTURBED
AREAS TO BE SODDED

CONCRETE SLURRY
TRENCH DRAIN

Cell: (231) 632-4207
Email: crainengineeringllc@gmail.com

1861 Lake Dr



Exit Street View



© 2024 Google

Google Earth

1861 Lake Dr



Exit Street View



© 2024 Google

Google Earth



1661 Lake Dr



dsat / Copernicus

ubtract.

GARFIELD TOWNSHIP
3848 VETERANS DR
TRAVERSE CITY, MI 49684

Permit Type: LAND USE
Permit No: PZ2024-076

ZONING DEPARTMENT Phone:(231)941-1620 Fax: (231) 941-1588
Hours: Monday-Thursday 7:30am - 6:00pm

1661 LAKE DR Location
05-295-035-00

WYTRASKE DONNA MAE & WAGGENER Owner
1661 LAKE DR
TRAVERSE CITY MI 49685-8918

Issued: 06/12/2024
Expires: 06/12/2025
**PLEASE CALL (231)941-1620
FOR AN INSPECTION 24 HOURS IN ADVANCE**

WYTRASKE DONNA MAE & WAGGENER Applicant
1661 LAKE DR
TRAVERSE CITY MI 49685-8918

Work Description: PERMIT FOR GRADING AND DRAINAGE IMPROVEMENTS AS REVIEWED BY GOURDIE FRASER ON MAY 28, 2024. THE APPLICANT IS REQUIRED TO HAVE THE WORK INSPECTED BY A LICENSED ENGINEER WITH AN INSPECTION REPORT PROVIDED TO GOURDIE FRASER FOR THEIR REVIEW AND APPROVAL WITH THE REPORT SIGNED AND SEALED BY A LICENSED ENGINEER.

Permit Item	Work Type	No. of Items	Item Total
EARTH CHANGE/MASS GRADING	STANDARD ITEM	50.00	50.00


Zoning Official

Fee Total: \$50.00

LAND USE PERMIT Zoning District: R-1

THIS PERMIT IS ONLY FOR THE WORK DESCRIBED AND DOES NOT GRANT PERMISSION TO THE OWNER, APPLICANT OR CONTRACTOR FOR ADDITIONAL OR RELATED WORK FOR WHICH OTHER PERMITS ARE REQUIRED. THIS PERMIT WILL EXPIRE AND BECOME NULL AND VOID IF THE PERMITTED WORK IS NOT STARTED WITHIN 365 DAYS OF THE ISSUANCE OF THIS PERMIT. IT IS ASSUMED THAT THE PROPOSED WORK HAS BEEN AUTHORIZED BY THE OWNER AND THAT THE APPLICANT OR CONTRACTOR HAS BEEN GIVEN THE AUTHORITY TO APPLY FOR SAID PERMIT. THE PERMIT, OWNER, CONTACTOR AND APPLICANT AGREE TO CONFORM TO ALL APPLICABLE TOWNSHIP ORDINANCES AND LAWS OF THE STATE OF MICHIGAN.



Charter Township of Garfield

Grand Traverse County

3848 VETERANS DRIVE
TRAVERSE CITY, MICHIGAN 49684
PH: (231) 941-1620 • FAX: (231) 941-1588
www.garfield-twp.com

LAND USE PERMIT APPLICATION

1) Owner / Applicant Information

William Waggener

Owner

1661 Lake Dr.

Address

Traverse City, MI 49685

City, State, Zip Code

231-883-9321

Phone Number

billwaggs@gmail.com

Email

Same

Applicant

Same

Address 2

Same

City, State, Zip Code 2

Same

Phone Number 2

Same

Email 2

An applicant who is acting as the authorized agent for the owner of the property listed above shall provide a date of birth and Drivers License number.

11/08/1949

Date of Birth

W256887297858

Drivers License #

2) Property Information

Property Address: 1661 Lake Dr.

Parcel ID #: 28-05- 295-035-00

Subdivision Name: Silver Lake Lot#: 35

Proposed Use: Residential Current Use: Same

Setbacks: F _____ LS 10' RS 10' R 50' Bldg Height: < 18'

3) Request

Single Family Home: ☒ Duplex: _____ Multi-Family: _____ Change of Use: ☐ No

Commercial Bldg: _____ Industrial Bldg: _____ Grading: _____ Road: _____

Accessory Structure: _____ Addition: _____ Deck: _____ Other: _____

Description: Increase runoff capacity to address erosion concern and
continuation of retaining wall construction west elevation.

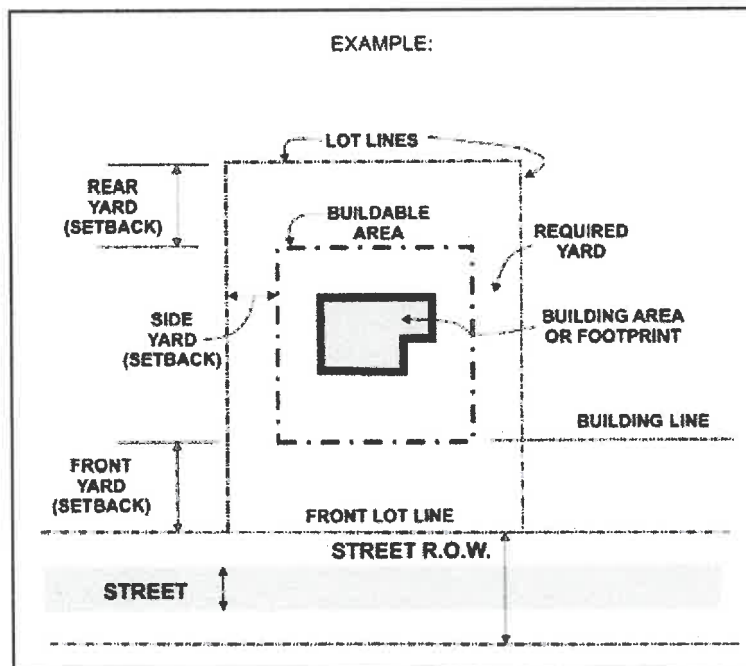
4) Permits:

The following agency permits are required (if applicable) prior to the issuance of a Land Use Permit and at the time of submittal of the application:

- Soil Erosion Permit
- Health Department (well/septic) or DPW Permit (water/sewer)
- Driveway Permit (Road Commission or M-DOT)
- MDEQ & Great Lakes Energy Permits
- METRO Fire Site Plan Review

5) Dimensional Site Plan:

Please provide a detailed sketch is required, which includes all structures on the property, proposed structures with dimensions, parcel dimensions, setbacks, Road Right of Way, and height. See example below.



6) Affidavit:

The undersigned affirms that he/she or they is (are) the owner, or authorized agent of the owner, involved in the application and all of the information submitted in this application, including any supplemental information, is in all respects true and correct. The undersigned further acknowledges that willful misrepresentation of information will terminate this permit application and any permit associated with this document.

Owner Signature

William Waggener 6/6/24

Print Name

Date

Applicant Signature

William Waggener 6/6/24

Print Name

Date



Engineering
Surveying
Testing &
Operations

123 West Front Street
Traverse City, Michigan 49684
231 946 5874 
231 946 3703 

May 28, 2024

**Mr. Michael Green, Zoning Administrator
Charter Township of Garfield
3848 Veterans Drive
Traverse City, MI 49684**

**RE: 1661 Lake Drive
Storm Water Review – Driveway and Drainage Improvements Paving
Parcel #: 05-295-035-00
Garfield Township, Grand Traverse County**

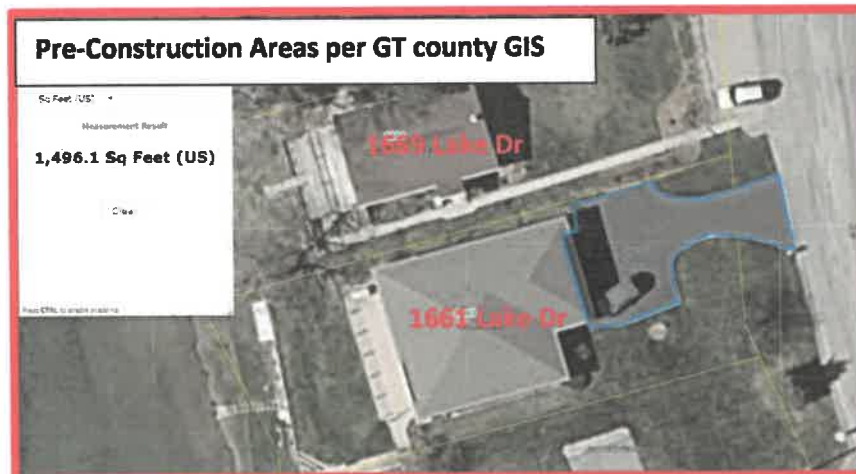
Dear Mr. Green,

GFA has reviewed the revised plans for 1661 Lake Drive, dated 05/23/24, prepared by Crain Engineering, LLC. The plans were submitted in response to the ZBA actions requiring corrective measures to the concentrated flows resulting from the apparent functional issues with the previously reviewed system. The plans indicate new measure to provide a constructed outlet to mitigate these functional issues.



PRE-CONSTRUCTION CONDITIONS

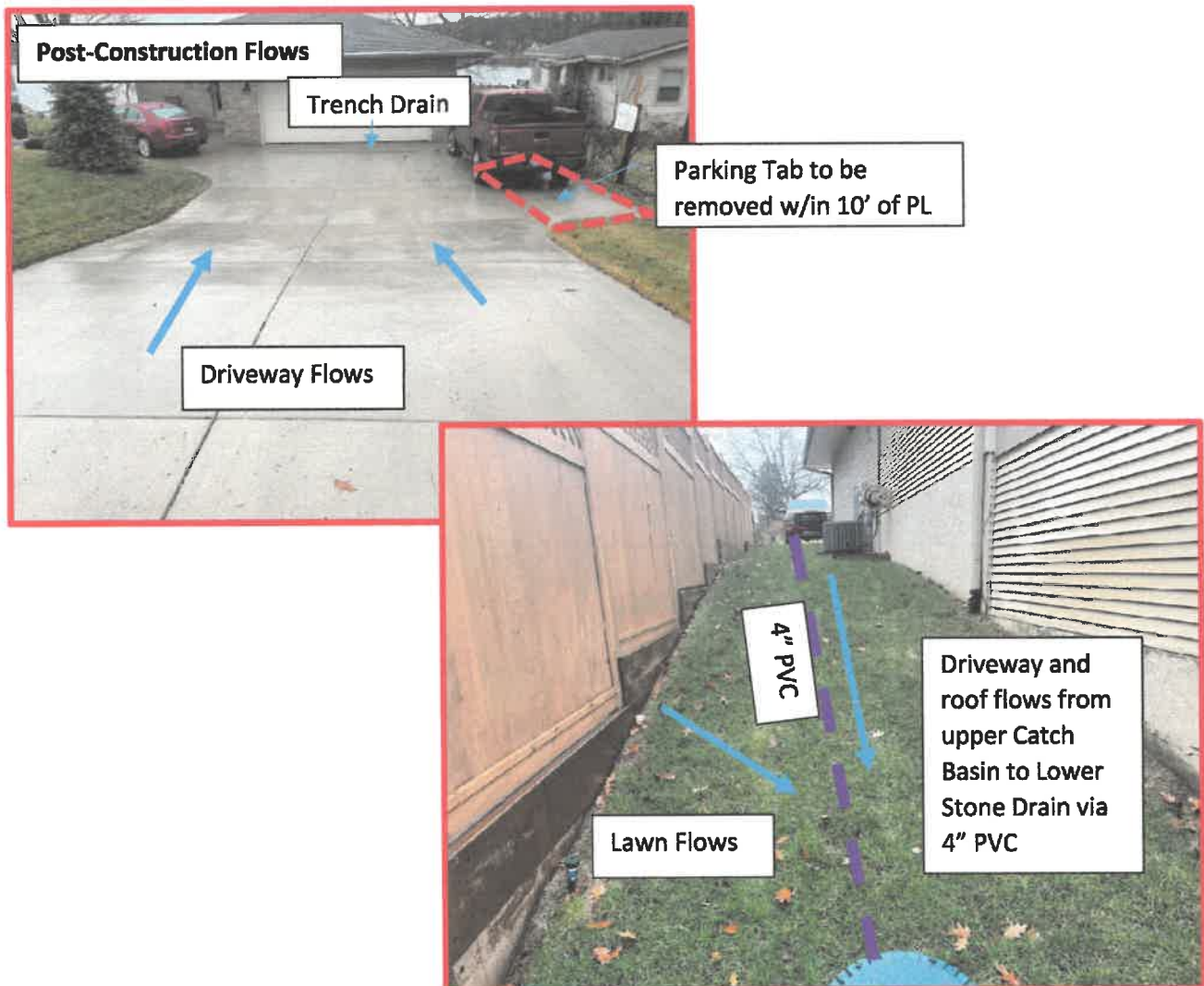
1. The existing site is located on Silver Lake. It is approximately 0.2 ac and slopes east to west towards Silver Lake.
2. The parcel is bound by Lake Dr to the east, Silver Lake to the west, and single family residential to the north and south.
3. Driveway reconstruction took place. Prior to construction there were limited drainage facilities for the site. The existing driveway was steep and appears to shed west towards the existing home. The exiting outlet was to run along the 1661/1669 property line. The north shedding roofs were collected with gutters/downspouts piped to shed westerly towards Silver Lake.

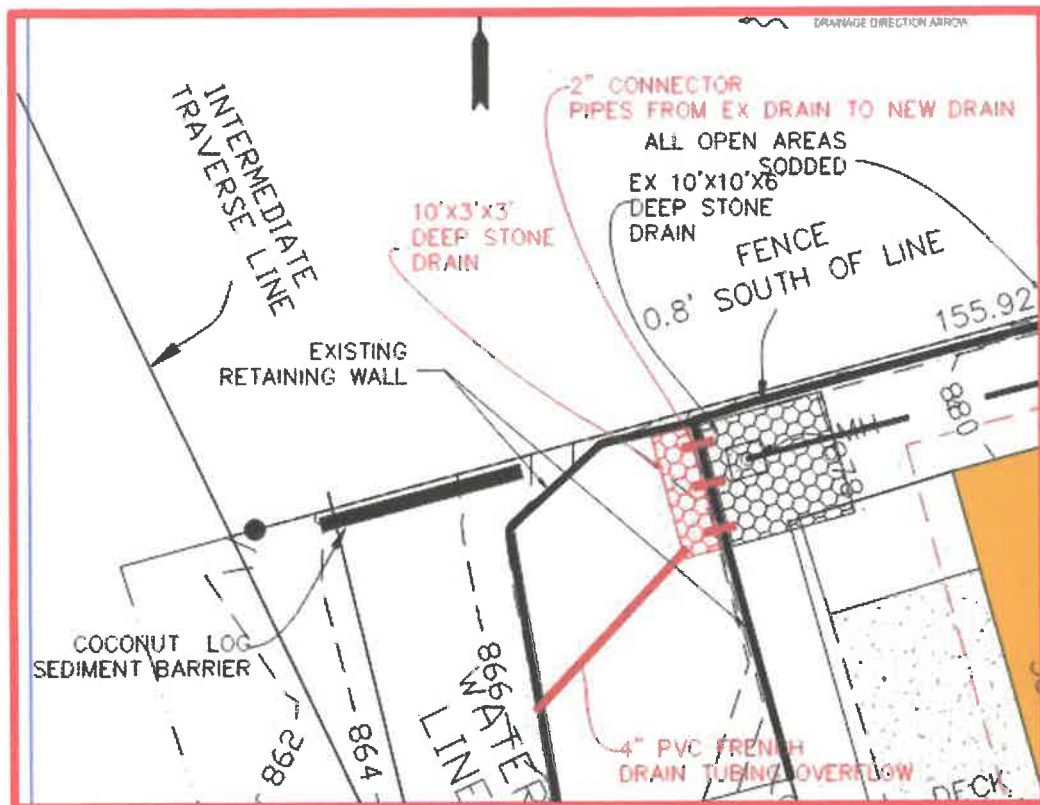




POST-CONSTRUCTION CONDITIONS

1. The revised plans depicts the installed driveway with removal of the northern parking tab to a 10' offset line. Estimated driveway areas are **1138 SF** within the property limits and **1425 sf, ~71 sf decrease from the preconstruction conditions.**
2. Previously installed storm water management facilities were installed, limited to a trench drain along the garage opening, a catch basin at the NE building corner, and solid drain piping to the a stone infiltration area located along the upper retaining wall.
3. A new 10'x3'x3' stone drain is proposed located on a lower terrace from the previous system. This provides additional storage capacity for overflow dispersion/conveyance through the 1661 property.





Storm Water Facilities

1. Additional 10x3x3 stone drain added to at the toe of the retaining wall.
2. Additional stone drain which provides a means to disperse excess flows through the 1661 property. 2" connector pipes provide hydraulic connection between the upper existing stone drain system and the lower proposed system. Additional 4" French drain extends 15' from the lower stone drain stone to provide direction for excess flows to pass through the 1661 property and away from the 1669 property.

Erosion Control

1. Coconut log sediment barrier is shown along the property to limit construction mitigation of soils. This seems reasonable to protect the site from new construction.



RECOMMENDATION (Updated)

We find the proposed corrective measures provide a means for excess flow to leave the site through the applicants' property and does minimize potential for discharge onto adjacent parcels. The conditions on the existing system causing the noncompliant concentrated flows off-site would be reasonably reduced with the introduction of piped conveyances which provide a means for low-flow outlet as proposed by the amended plans. The proposed improvements appear to redirect flows away from the existing structures.

Therefore, we recommend the Township consider the site for storm water approval at a reduced criteria, established with the previous review letter. Please note the site does not meet full compliance as indicated in our previous reviews, but dose demonstrate controlling flows for the projects expanded impervious areas, and implements controls that directs flow away from structures and limits the potential for harm to the off-site properties.

We appreciate the opportunity to assist the Township during the approval of this project. If you have any questions, please don't hesitate to contact me at (231) 946-5874.

Sincerely,

GFA

A handwritten signature in black ink, appearing to read 'Mark Maguire'.

Mark Maguire, P.E.
Project Engineer
cc: Applicant

Mike Green

From: bwaggener <billwaggs@gmail.com>
Sent: Thursday, June 6, 2024 3:36 PM
To: Mike Green
Subject: Re: Lake Dr

Mike,

Here's a copy of the S&E permit.

EARTH CHANGE PERMIT
GRAND TRAVERSE COUNTY
Soil Erosion & Sedimentation Control Department
2650 LaFranier Road
Traverse City, MI 49686
(231) 995-8051

Permit No. 23-02135 Township Garfield
Address 11661 Lake Dr
Section No. 30 Town 27N Range 11W
Date of Issue 5/11/23 Date of Expiration 11/11/24
Inspector [Signature]
PLEASE POST PERMIT VISIBLE FROM STREET OR HIGHWAY.

Tax Number: 05-285-035-00 Section: 30 Town: 27N Range: 11W
Subdivision: SILVER PINES RESORT Lot #: 35

PERMITTED ACTIVITY:
INSTALLATION OF RETAINING WALLS
CONDITIONS
Activity shall be completed in accordance with the approved plans and specifications, and the attached conditions.
necessity for obtaining all other required federal, state, or local permits.
copy within one week after completing the permitted activity or on receipt of first.
AND GREEN CARD MUST BE POSTED AT THE

On Thu, Jun 6, 2024 at 10:59 AM Mike Green <Mgreen@garfield-twp.com> wrote:

Ok. I haven't seen anything yet but will be on the lookout. In addition to GFA recommendation to approve, I will also need a completed Land Use Permit application and a copy of your SESC Permit from the county. Given the ZBA decision on the previous permit, I need a new application filed. Let me know if you have any questions.

Mike Green

From: Crane, Joshua (EGLE) <CraneJ3@michigan.gov>
Sent: Tuesday, June 11, 2024 8:06 AM
To: Mike Green
Cc: Mark Maguire; Jennifer Hodges; Chuck Korn; Jamie Douglass
Subject: RE: EGLE Permit required?

As long as they are not doing any work at the land/water interface itself, no EGLE permit would be required from EGLE.

Joshua Crane

Department of Environment, Great Lakes, and Energy (EGLE)
Senior Environmental Quality Analyst
Water Resources Division
Cadillac District Office
120 W. Chapin Street
Cadillac, Michigan 49601
(231)-577-8112
CraneJ3@michigan.gov

From: Mike Green <Mgreen@garfield-twp.com>
Sent: Thursday, June 6, 2024 3:50 PM
To: Crane, Joshua (EGLE) <CraneJ3@michigan.gov>
Cc: Mark Maguire <Markm@gfa.tc>; Jennifer Hodges <jennifer@gfa.tc>; Chuck Korn <ckorn@garfield-twp.com>; Jamie Douglass <jdouglass@garfield-twp.com>
Subject: EGLE Permit required?

CAUTION: This is an External email. Please send suspicious emails to abuse@michigan.gov

Good afternoon, Josh,

Our office has received a request for a Land Use Permit for various grading and drainage improvements on a lot fronting Silver Lake located at 1661 Lake Drive in Garfield Township, Grand Traverse County. Given the proposed drainage modifications in the proximity of the lake, I wanted to check with you to see if they need permits from EGLE. I have included their Land Use Permit application with attached review by Gourdie Fraser Engineering and their site plan. Feel free to contact me if you have any questions.

Sincerely,

Michael Green, Zoning Administrator
Charter Township of Garfield
Phone: 231-941-1620
Fax: 231-941-1588

OFFICIAL TREASURER'S RECEIPT OF FUNDS

CHARTER TOWNSHIP OF GARFIELD
Chloe Macomber, Treasurer
3848 Veterans Dr.
Traverse City, MI 49684

Contact us at:
Ph: (231) 941-1620
online: www.garfield-twp.com

Checks are accepted as conditional payment. If the check does not clear, this receipt is considered VOID. A \$25 NSF fee will be added to the balance due.

Received From: WYTRASKE DONNA MAE & WAGGENER
1661 LAKE DR
TRAVERSE CITY MI 49685-8918

Date: 06/06/2024

Receipt #: 101312
Cashier: jamie
Total Received: \$50.00
Batch #:

Notes:

RECEIPT ITEM	DESCRIPTION	AMOUNT
BLD INVC	00016879	\$50.00
Total Amount Due:		\$50.00
PAYMENTS RECEIVED		
Tendered:	CHECKS 1446	\$50.00
CHANGE:		\$0.00

GARFIELD TOWNSHIP
3848 VETERANS DR
TRAVERSE CITY, MI 49684

Permit Type: LAND USE
Permit No: PZ2024-076

ZONING DEPARTMENT Phone:(231)941-1620 Fax: (231) 941-1588
Hours: Monday-Thursday 7:30am - 6:00pm

1661 LAKE DR Location
05-295-035-00

Issued: 06/12/2024
Expires: 06/12/2025

PLEASE CALL (231)941-1620
FOR AN INSPECTION 24 HOURS IN ADVANCE

WYTRASKE DONNA MAE & WAGGENER Owner
1661 LAKE DR
TRAVERSE CITY MI 49685-8918

WYTRASKE DONNA MAE & WAGGENER Applicant
1661 LAKE DR
TRAVERSE CITY MI 49685-8918

Work Description: PERMIT FOR GRADING AND DRAINAGE IMPROVEMENTS AS REVIEWED BY GOURDIE FRASER ON MAY 28, 2024 AND REVISED DRAWINGS REVIEWED ON AUGUST 1, 2024. THE APPLICANT IS REQUIRED TO HAVE THE WORK INSPECTED BY A LICENSED ENGINEER WITH AN INSPECTION REPORT PROVIDED TO GOURDIE FRASER FOR THEIR REVIEW AND APPROVAL WITH THE REPORT SIGNED AND SEALED BY A LICENSED ENGINEER. RETAINING WALLS ARE SUBJECT TO SECTION 515 & 535 REQUIREMENTS.

Permit Item	Work Type	No. of Items	Item Total
EARTH CHANGE/MASS GRADING	STANDARD ITEM	50.00	50.00



Zoning Official

Fee Total: \$50.00

LAND USE PERMIT

Zoning District: R-1

THIS PERMIT IS ONLY FOR THE WORK DESCRIBED AND DOES NOT GRANT PERMISSION TO THE OWNER, APPLICANT OR CONTRACTOR FOR ADDITIONAL OR RELATED WORK FOR WHICH OTHER PERMITS ARE REQUIRED. THIS PERMIT WILL EXPIRE AND BECOME NULL AND VOID IF THE PERMITTED WORK IS NOT STARTED WITHIN 365 DAYS OF THE ISSUANCE OF THIS PERMIT. IT IS ASSUMED THAT THE PROPOSED WORK HAS BEEN AUTHORIZED BY THE OWNER AND THAT THE APPLICANT OR CONTRACTOR HAS BEEN GIVEN THE AUTHORITY TO APPLY FOR SAID PERMIT. THE PERMIT, OWNER, CONTRACTOR AND APPLICANT AGREE TO CONFORM TO ALL APPLICABLE TOWNSHIP ORDINANCES AND LAWS OF THE STATE OF MICHIGAN.

parcels and condominiums units with access to the alley. A copy of the recorded easement agreement and maintenance agreement shall be submitted to the Township prior to the issuance of a land use permit.

H. Setback standards shall not apply from the limits of the alley easement.

SECTION 515 FENCES AND WALLS

The intent of this section is to regulate the location, placement, materials, type, and height of fences to ensure safe sight lines at intersections and to minimize any potential negative visual impacts of unsightly fences and storage areas. For screening of outdoor storage areas, also see § 613, Outdoor Storage.

A. Design

(1) Articulation

No fence or wall facing and visible from a public street shall exceed fifty (50) horizontal feet in length unless one of the following architectural features visible from the paved surface of the street is provided as part of the fence:

- (a) A column or pillar; or
- (b) Articulation of the surface plane wall by incorporating plane projections or recesses having a depth of at least six (6) inches and extending a horizontal distance of at least three (3) feet and less than twenty (20) feet.

- (c) Landscaping may be substituted for (a) or (b) above.

Landscaping such as climbing vines, shrubs, or trees planted along the base of that portion of the wall or fence that fronts a public street may be substituted for (a) or (b) above. The remaining setback area between the fence and property line shall be landscaped with grass or other low ground cover. All plants shall be irrigated and maintained consistent with the provisions of this article. Only living vegetation may be used to meet these landscaping requirements.

(2) Exception For Articulation

- (a) Articulation of this article does not apply to a fence or wall constructed of brick, masonry, or decorative iron fencing.
- (b) Individual single family and two family lots are exempt from meeting the articulation requirement except where such lot is located along the perimeter of a tract, parcel, plat, site condominium, or planned unit development approved for residential purposes and abutting a collector or arterial street.

(3) Integration

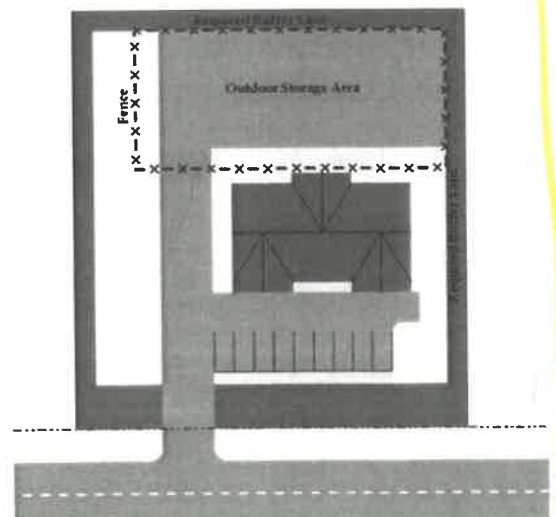
All fencing (in any district) shall be constructed so as to conceal or integrate into the architecture of the fence structural members. In stockade type fencing construction the finished side shall face outward.

(4) Placement

Where fencing is used to screen and/or secure approved outdoor storage areas, the fencing shall be placed interior to any required landscaping buffer (i.e. between the required buffer and the outdoor storage area). See illustration at right.

B. Material

- (1) Residential single family and two family lots may use the following material for fencing:



- (a) Chain link, wood, stone, rock, decorative concrete block, masonry brick, brick, decorative wrought iron, or other materials similar in durability.
- (2) Uses other than residential single family and two family lots are limited to the following types fencing material:
 - (a) Wood, stone, rock, decorative concrete block, masonry brick, brick, decorative wrought iron, or other materials that are similar in durability.
 - (b) Chain link may be acceptable when not in prominent view from a public street and provided a vegetative screen of living plant material is incorporated to provide screening and vegetative enhancement. Chain link fencing shall not incorporate "slats" for screening purposes.
 - (c) Where fencing is to be used for screening purposes, the Zoning Administrator upon review of a site plan or the Planning Commission upon review of a special use may require additional landscaping or allow an alternative fencing material or combination of plantings and materials to adequately screen a use. Also see § 613, Outdoor Storage.
- (3) The following materials shall not be used for fencing or screening in any district:
 - (a) Cast-off, secondhand, or other items not originally intended to be used for constructing or maintaining a fence;
 - (b) Plywood, particle board, paper, and visqueen plastic, plastic tarp, or similar material; and
 - (c) Razor wire and other similar fencing materials capable of inflicting significant physical injury.
- (4) The following materials shall not be used for fencing or screening except for the use or within the district specified unless otherwise approved by the Planning Director:
 - (a) Barbed wire may be used only for livestock enclosures in the A District, for public service installations, or for security purposes in the I-L or I-G Districts.
 - (b) Permanent electrified fencing may be used only for livestock enclosures in the A District and shall be appropriately signed to indicate that the fence is electrified.

C. Height

(1) Front Yard

No fence, vegetative screening or wall shall exceed a height of four (4) feet in the front yard. No fence, vegetative screening or wall shall obscure vision or interfere with safe site lines at street and/or alley intersections.

(2) Side or Rear Yard

Unless specifically permitted in this Ordinance for screening or security purposes, no fence or wall, shall be erected or altered in any side or rear yard to exceed a height of seven (7) feet.

(3) Industrial Districts

Fence height restrictions do not apply in the I-G or I-L district unless:

- (a) The lot abuts a residential or commercial district; or
- (b) The fence height and location adversely affect safe site lines at street and/or alley intersections.

D. Maintenance

All fences and walls shall be maintained in good condition so as not to create a hazard, public nuisance, or blight in the surrounding neighborhood. Chipped paint, missing fence pieces, leaning or fallen portions of a fence or wall, or other forms of deterioration shall be immediately repaired or replaced.

C. Wetland Setbacks

No structure, parking lot area, or snow storage area shall be located within twenty-five (25) feet of such wetland. However, recognized wetlands may be incorporated into a stormwater management strategy provided that the wetland values will not be impaired and provided further that incorporation of the wetland will provide a net ecological benefit to groundwater and surface water.

SECTION 535 SUPPLEMENTAL SHORELINE REGULATIONS

Purpose. The intent of this Section is to preserve and protect the water quality of the lakes and streams of our region. These regulations seek to balance the protection of the ecosystem while allowing development where appropriate. Methods to accomplish this purpose include, but are not limited to, preservation and/or enhancement of vegetation along lake-stream banks, maintaining lake-stream bank stabilization, preventing sediment from entering the water bodies, allowing for nutrient absorption, providing wildlife habitat and corridors, screening man-made structures, and providing shade, wood or wooden fiber material along the shoreline.

A. Setbacks from Lakes, Rivers, and Streams

- (1) Every commercial, industrial or multi-family residential building hereafter erected having frontage on any body of water, with the exception of Silver and Boardman Lakes, and with the exception of on-site storm water ponds and artificial water bodies created as part of the site's landscape treatment, shall be set back at least seventy-five (75) feet from the watermark or normal stream bank. Single family residential uses shall observe a setback of fifty (50) feet. Along those sections of the Boardman River controlled under the Natural River Act, PA 231 of 1970, as amended, setbacks shall be as required by the Act.
- (2) Every building hereafter erected having frontage on Silver and Boardman Lakes shall set back at least fifty (50) feet from the water mark.
- (3) Storm water retention or detention ponds, with the exception of customary release structures including pipe, swales and ditches shall be set back fifty (50) feet from a natural lake or normal stream bank.
- (4) Streets and access drives other than where they intersect lakes or streams and for such a distance as is required to cross a lake or stream shall be set back fifty (50) feet from a watermark or normal stream bank.

B. Minimum Construction Elevations - Silver Lake

Within five hundred (500) feet of Silver Lake, the lowest grade for any building construction or accessory building construction shall be elevation 866.N.V.G.D. (NOTE- SILVER LAKE WATER MARK - 862.32 feet above sea level USGSD.

C. Riparian Vegetative Buffers

- (1) Required. A vegetated buffer strip shall parallel and extend thirty-five (35) feet inland from all points along the water mark of a lake-stream shoreline or normal stream bank, with the exception of on-site storm water ponds and artificial water bodies created as a part of site landscape treatment which does not flow or overflow into a natural lake-stream. The general standards for the buffer strip are as follows:
 - (a) The buffer strip shall consist of native trees, shrubs and other vegetation. Dead, diseased, unsafe or fallen trees and noxious plants and shrubs, including poison ivy, poison sumac and poison oak, may be removed. Trees and shrubs shall not be removed but may be pruned for a filtered view of the lake-stream, however, clear cutting shall be prohibited.

- (b) Subject to (1) above; ground cover vegetation shall be left in a natural state and shall not be removed. Chemical control and/or fertilization of vegetation shall be prohibited.
- (c) Footpaths, bicycle paths and hiking paths as well as fences, walls and stairways may be constructed under the following conditions:
 - (i) All paths and stairways must be constructed in a location and manner to avoid soil and slope failure.
 - (ii) Construction shall avoid removal of existing trees, shrubs and any other vegetation whenever feasible.
- (2) Reduction. In the event that the application of the vegetated buffer strip standards of this Section, together with any other dimensional restrictions applicable under this Ordinance, results in a legal parcel that cannot be reasonably developed for permitted land uses in the district within which the property is located, the Planning Commission may approve a reduction of the buffer area upon a finding that the proposed site plan provides the maximum possible buffer strip, while permitting a reasonable use of the property.

D. Filling and Grading within 200 Feet of the Water Mark or Stream Bank

The following rules shall apply to any filling, grading or any other earth movement within 200 feet of the water mark or normal stream bank of any lake, river, stream, or other body of water to prevent harmful erosion and related sedimentation:

- (1) The smallest amount of bare ground shall be exposed for as short a time as feasible.
- (2) Temporary ground cover such as mulch must be used as soon as possible and permanent cover such as sod be planted.
- (3) Diversions, silting basins, terraces and other methods must be used to trap any sediment.
- (4) Fill must be stabilized according to accepted engineering practices.

DIVISION 3: IMPROVEMENTS - OPERATION AND MAINTENANCE

SECTION 540 PURPOSE

All improvements required by this article shall be operated and maintained as required by this Division. The instruments creating the dedication, easement, transfer, homeowners' association (HOA), or condominium association, shall be provided to and approved by the Township as part of any development application.

The Township may, but is not obligated to, accept or agree to another form of operation and maintenance of any improvement required by this article provided that such is consistent with the intent of this article.

SECTION 541 DEDICATION OF LAND OR EASEMENT

The Township may, but is not required to, accept a dedication of land in the form of fee simple ownership or an easement for public use of any portion or portions of undivided improvement land, the title of which is to remain in ownership by the condominium or HOA, provided that:

- A. Such land is accessible to the residents of the Township;
- B. There is no cost of acquisition other than any costs incidental to the transfer of ownership, such as title insurance; and
- C. The improvement conforms to the applicable standards of this article.

Land dedicated as a natural area, greenway, greenbelt, or trail corridor shall be subject to a duly executed and recorded easement meeting the requirements of and enforceable in accordance with State statute,

Crain Engineering, LLC
SCALE: 1" = 10 FEET

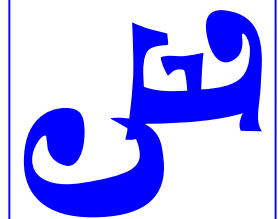
LEGEND
— PROPERTY LINE
- - - EX BUILDING EVE
--- EXISTING CONTOUR
--- DRAINAGE DIRECTION ARROW

SITE DATA

PROPERTY OWNER & APPLICANT:

BILL WAGGENER
1661 LAKE DRIVE
TRAVERSE CITY, MI 49685
PH: 231-883-9321
PARCEL ADDRESS - 1661 LAKE DRIVE TRAVERSE CITY
PARCEL-NUMBER - 05-295-035-00

Crain Engineering, LLC
Engineering, Consulting, & Design
7622 Bott Road
Buckley, MI 49620



DRWN BY: WLC
DSGN BY: WLC
DATE: 11-1-2023
REV DATE: 5-23-2024
5-23-2024 SITE MODIFICATIONS
7-21-2024 SITE MODIFICATIONS

SITEPLAN
BILL WAGGENER

GARFIELD TWP, GRAND TRAVERSE COUNTY, MICHIGAN

JOB NUMBER:
202223
SHEET C-1

Cell: (231) 632-4207
email: crainengineeringllc@gmail.com

2' Deep per photos,
OK as was
intended to provide
supplemental outelt
route. Not
necessarily capcity.

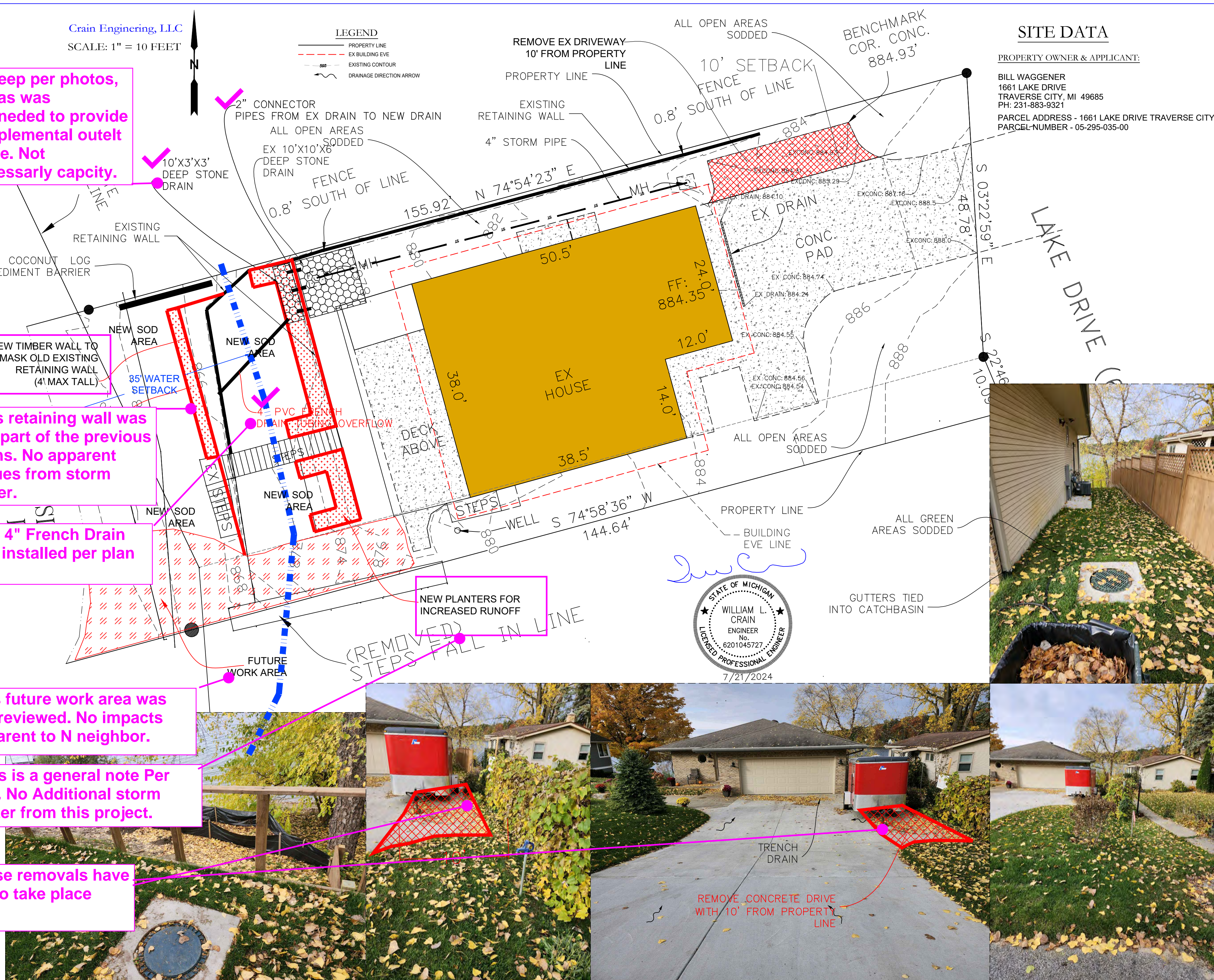
This retaining wall was
not part of the previous
plans. No apparent
issues from storm
water.

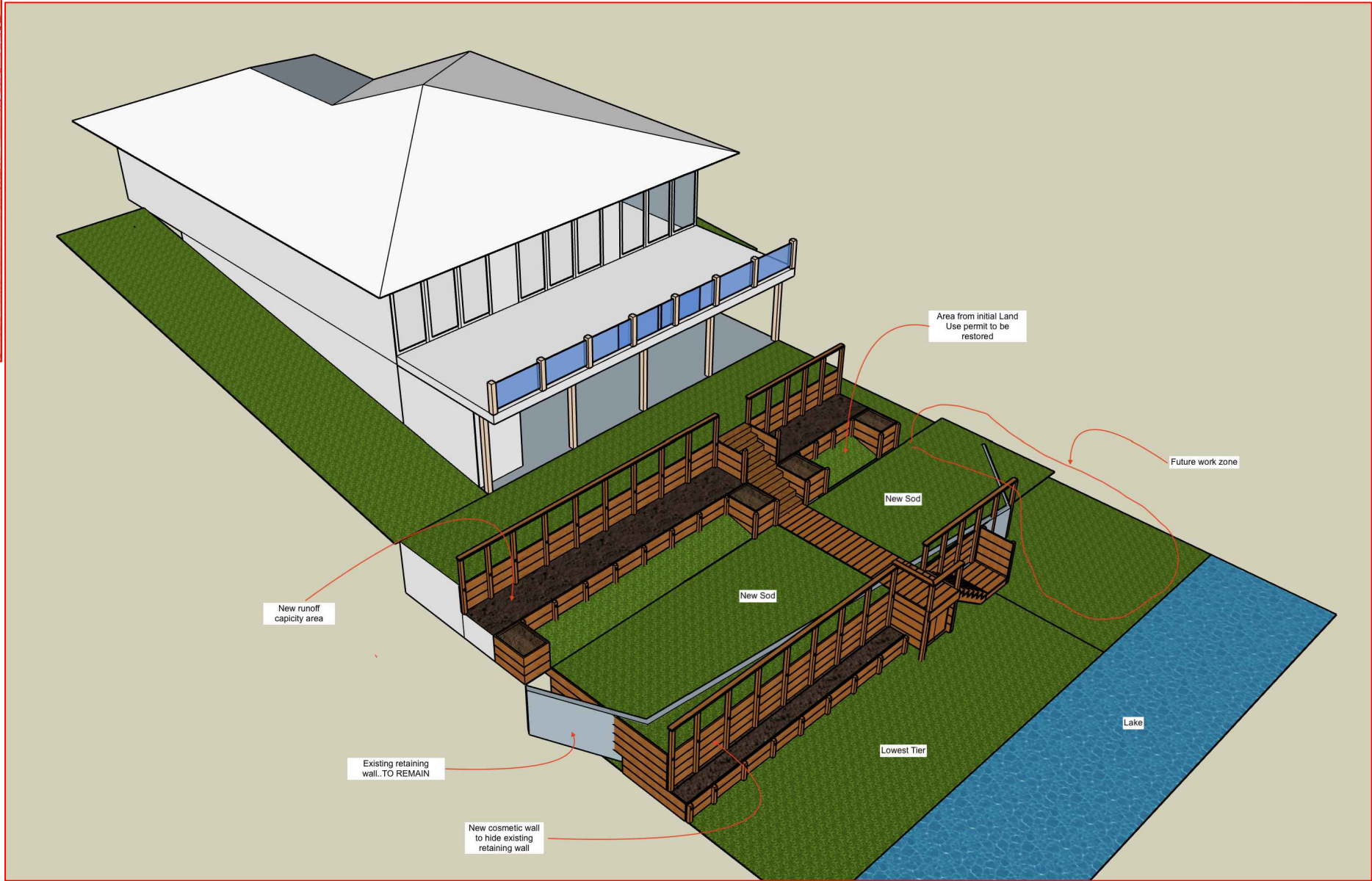
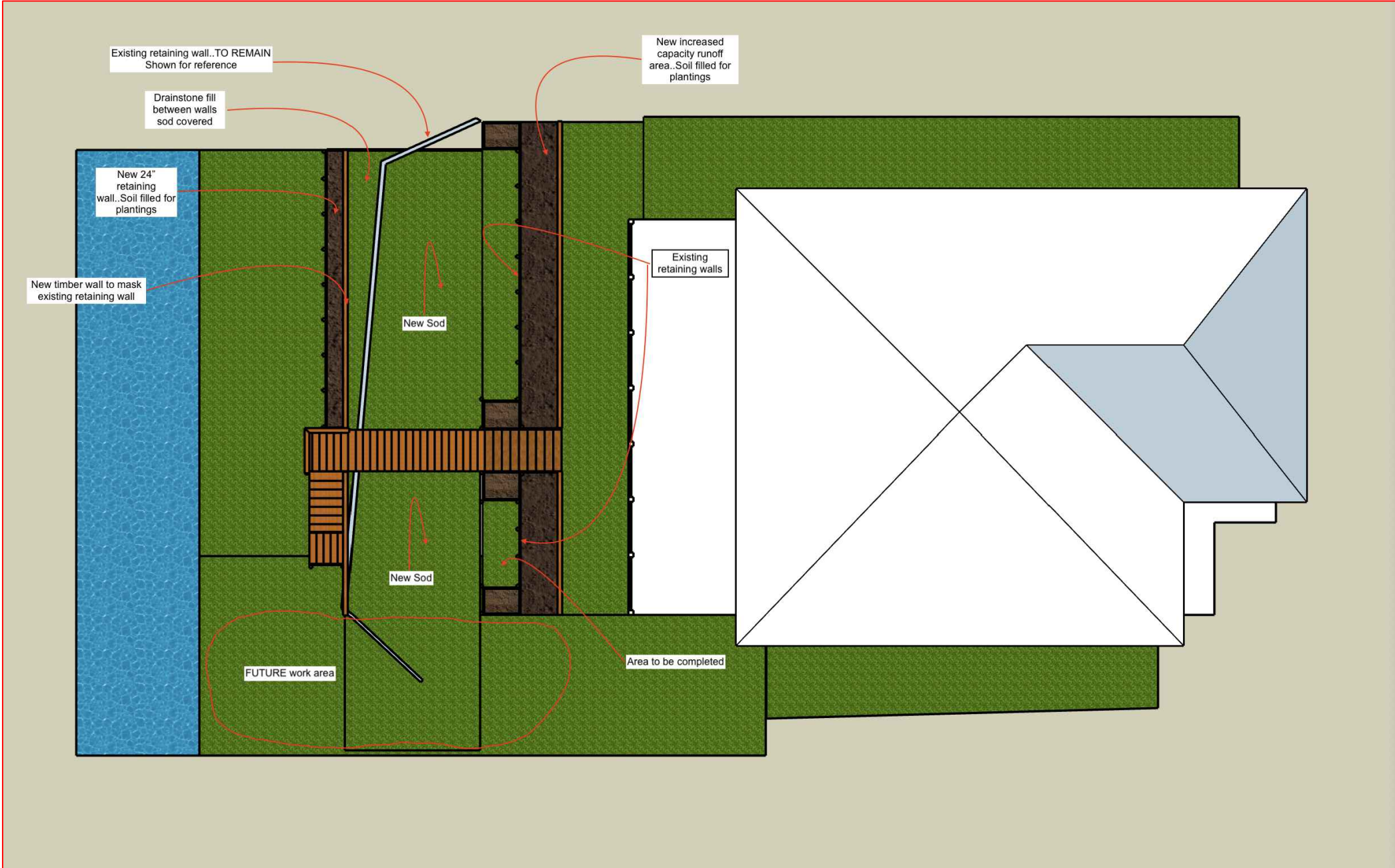
This 4" French Drain
was installed per plan

This future work area was
not reviewed. No impacts
apparent to N neighbor.

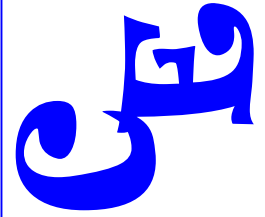
This is a general note Per
BC. No Additional storm
water from this project.

These removals have
yet to take place





Crain Engineering, LLC
Engineering, Consulting, & Design
7622 Bott Road
Buckley, MI 49620
Cell: (231) 632-4207
email:crainengineeringllc@gmail.com



DRWN BY: WLC
DSGN BY: WLC
DATE: 11-1-2023
REV DATE:
5-23-2024 SITE MODIFICATIONS
7-16-2024 SITE MODIFICATIONS
7-21-2024 SITE MODIFICATIONS

SITEPLAN
BILL WAGGONER
GARFIELD TWP, GRAND TRAVERSE COUNTY, MICHIGAN

JOB NUMBER:
202223
SHEET **C-2**

**1) Excavation of Outlet Fix.
Detail of Outlet Pipe flowing SW.
Looking W**



**2) Overflow Pipe flowing SW,
Looking NE**



**3) Outlet Fix Terrace
Excavation, Add Wing Wall,
Looking N.**



**4) Outlet Fix Terrace Excavation,
Add Wing Wall, Looking N.**



**5) Overflow Pipe,
Looking NE**



**6) Overflow Pipe,
Looking NE**



7) Overflow connected to outlet pipe



8) Backfill over outlet pipe



9) Outlet fix. Clean stone over nonwoven geotextile,



10) Outlet Fix, 10% Drain Stone, Over nonwoven geotextile, Below grade of upper system



11) Outlet Fix 50% Drain stone, Note Weep Hole Pipes .



12) Outlet Fix. 70% Drain Stone



13) Outlet Fix Terrace Extension 0% backfill, Note Riser for Overflow Looking N.



14) Outlet Fix Terrace Extension 90% backfill, Note Riser for Overflow set below wing wall. Looking N.



15 & 16) Outlet Fix Terrace Extension 90% backfill, Looking NE.



**17) Outlet Fix Terrace Backfilled 100%,
Looking S.**



**18) 90% restored New Terrace down
grade of Outlet Fix.
Looking NW.**



**19) 90% restored New Terrace down
grade of Outlet Fix.
Looking NW.**



**20) Restored Outlet Fix Add Wing Wall,
Looking N.**





Crain Engineering, LLC
Engineering, Consulting & Design

7622 Bott Road
Buckley, MI 49620
Cell: (231) 632-4207
crainengineeringllc@gmail.com

July 1, 2024

Jennifer Graham
Gourdie Fraser & Associates
123 W Front Street
Traverse City, MI 49684

RE: 1661 Lake Drive, Garfield Twp

Dear Jennifer:

Upon reviewing site and overseeing construction, the proposed modifications from approved plan of 5-23-2024 have been installed including:

1. removal of existing driveway within 10 feet of property line
2. additional stone drain with connector pipes and overflow along waterside of home
3. yard/disturbed areas sodded

pictures attached for reference.

The above items have been completed and fulfill the approved plan requirements as designed.

Crain Engineering, LLC.

William Crain, P.E.
Project Manager

Cc: Mike Green, Garfield Twp





Engineering
Surveying
Testing &
Operations

123 West Front Street
Traverse City, Michigan 49684
231 946 5874 
231 946 3703 

January 26, 2024

Mr. Michael Green, Zoning Administrator
Charter Township of Garfield
3848 Veterans Drive
Traverse City, MI 49684

RE: 1661 Lake Drive
Storm Water Review – Driveway and Drainage Improvements Paving
Parcel #: 05-295-035-00
Garfield Township, Grand Traverse County

Dear Mr. Green,

GFA has reviewed the As-Built plans for 1661 Lake Drive, dated 12-01-23, prepared by Crain Engineering, LLC. The application was submitted following construction of improvements to the driveway.

The following summaries the review to date:

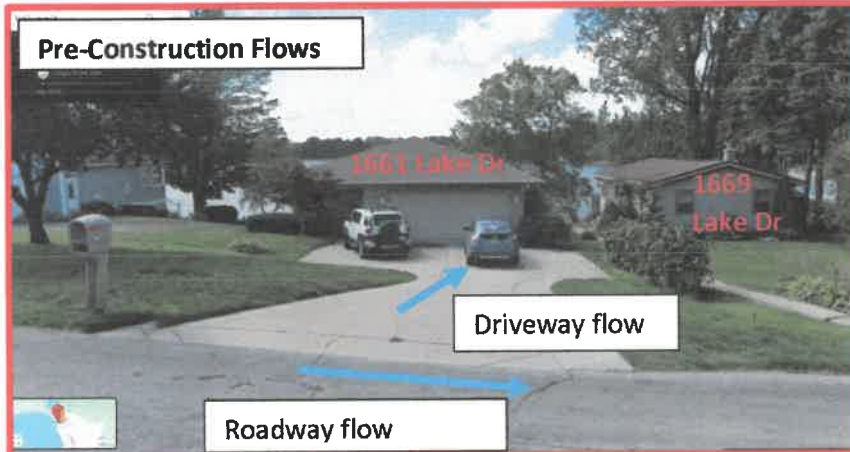
- Initial submittal provided on 7/26/23 prepared by Crain Engineering, LLC. The submittal was made during construction to detail the applicants plan to meet the storm water requirements. Plans indicated measures to collect, convey, and manage storm water from the driveway changes that were under construction at the time.
 - GFA provided an initial review on 8/8/23 requesting additional information to meet the ordinance submittal standards.
 - Plans indicated a trench drain along the garage entrance connecting to a catch basin at the NE corner of the garage. A 2-foot wide by 3-foot deep by 35-foot long stone drain was indicated along the North building line. Storm water from the stone drain and catch basin was routed to a lower-level stone drain bed located at the NW building corner.
 - As-built plans were requested at this time along with clarifications to the provided management volume and more details on the overflow of the NW stone drain.
- As-built plans were provided on 11/1/23.
 - Storm water management items were limited to a trench drain along the garage, catch basin at the NE building corner, and solid drain piping to the lower-level stone infiltration area.
 - GFA provided a second review on 12/12/23 inquiring on the as-built dimensions details on the overflow patterns.
- The applicant provided construction photographs to verify the general dimensions of the installed systems and demonstrate the final drainage patterns.
- GFA performed a wet weather inspection on 12/28/23 following a light rain event.

As the site is less than 500 feet from the OHWM of Silver Lake, the application was reviewed to the requirements of the Uniform Storm Water Control Design and Installation Standards for Municipalities in Grand Traverse County.



PRE-CONSTRUCTION CONDITIONS

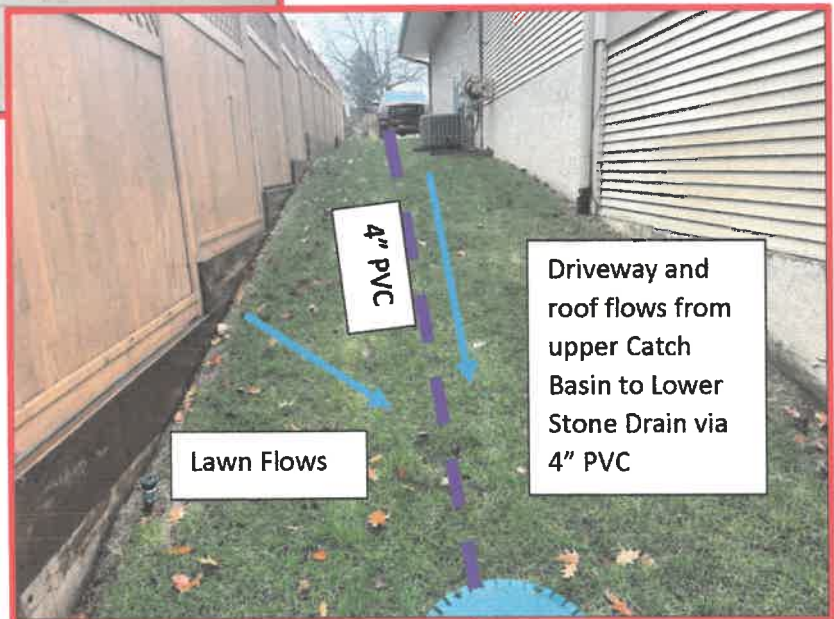
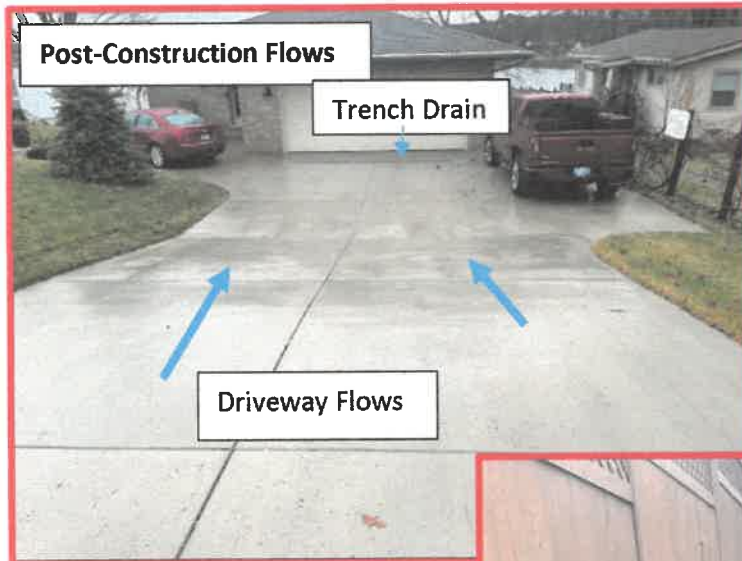
1. The existing site is located on Silver Lake. It is approximately 0.2 ac and slopes east to west towards Silver Lake.
2. The parcel is bound by Lake Dr to the east, Silver Lake to the west, and single family residential to the north and south.
3. Driveway reconstruction took place. Prior to construction there were limited drainage facilities for the site. The existing driveway was steep and appears to shed west towards the existing home. The exiting outlet was to run along the 1661/1669 property line. The north shedding roofs were collected with gutters/downspouts piped to shed westerly towards Silver Lake.





POST-CONSTRUCTION CONDITIONS

1. The As-built plan depicts the installed driveway of ~1325 SF within the property limits. We estimate a total drive area of 1610 SF. ~ 120 SF increase. See attached.
2. Storm water management items were limited to a trench drain along the garage opening, a catch basin at the NE building corner, and solid drain piping to the lower-level stone infiltration area.
3. Field verification made during GFA's wet weather inspection on 12/28/23 as noted below.
 - Grade measurements taken with a level validate the applicant's description of flows in the initial submittal –towards the trench drain.
 - Gutters and trench drain tie into a solid catch basin structure at the NE per the as-built plan.
 - Confirmed 4" pvc solid lines drains west to the lower stone drain per as-built plans.
 - Confirmed depth of stone bed of ~ 32 inch deep. Estimated dimension of 9' x 8' (7 CYDs of stone). This differs from original submittal.
 - Confirmed disturbed areas between home and the 1661 and 1669 property line are stabilized with turf and flow towards the lower stone basin. No surface flows towards 1669.





Determination of Surface Runoff

1. The initial submittal calculation used the ordinance rainfall values to derive the required volumes. This is acceptable.

Storm Water Facilities

1. As-built plans vary for the initial submittal.
2. GFA updated the computation according to the as-built plans and field verifications.
3. Limited management volume is provided by the as-built system.
 - The installed system appears to re-route existing flows away from the 1661/1669 property line and directs them down gradient, away from the existing homes.
 - Full ordinance is not met at the ordinance maximum infiltration rate of 1"/hr for underground storage facilities.
 - We note that a higher infiltration rate can be expected in this area.
 - Reduced criteria to manage the increase impervious and the ability to provide treatment volume for the entire catchment is attained with the as-built system.
 - Potential overflows will spill over the timber retaining wall. Overflows generally follow existing flow paths over the 1661 and 1669 properties, west to the Silver Lake.
 - Applicant to ensure overflows are directed onto 1661 properties.
 - Recommend providing a notch in the retaining wall to ensure flows spread over the southerly length of retaining wall. Or provide alternate overflow pipe to direct flow away from 1669 property.

Erosion Control

1. The site is restored with turf and appears to have no active erosion concerns.

RECOMMENDATION

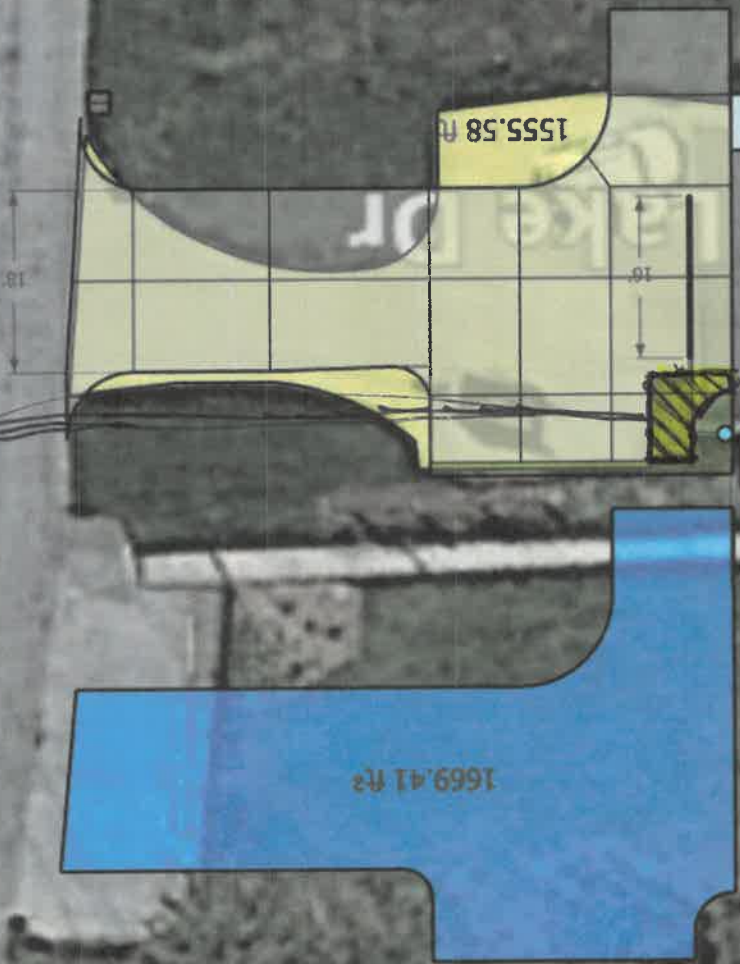
We find the installed system meets the intent of the ordinance at reduced criteria of management. The site being on the lakeward side of Lake Drive is subject to feasibility issues to meet full criteria including existing grades and space limitations. The site appears to be stabilized and does not pose current erosion control issues. The proposed improvements appear to redirect flows away from the existing structures. Therefore, we recommend the township consider the site for storm water approval at a reduced criteria. We appreciate the opportunity to assist the Township during the approval of this project. If you have any questions, please don't hesitate to contact me at (231) 946-5874.

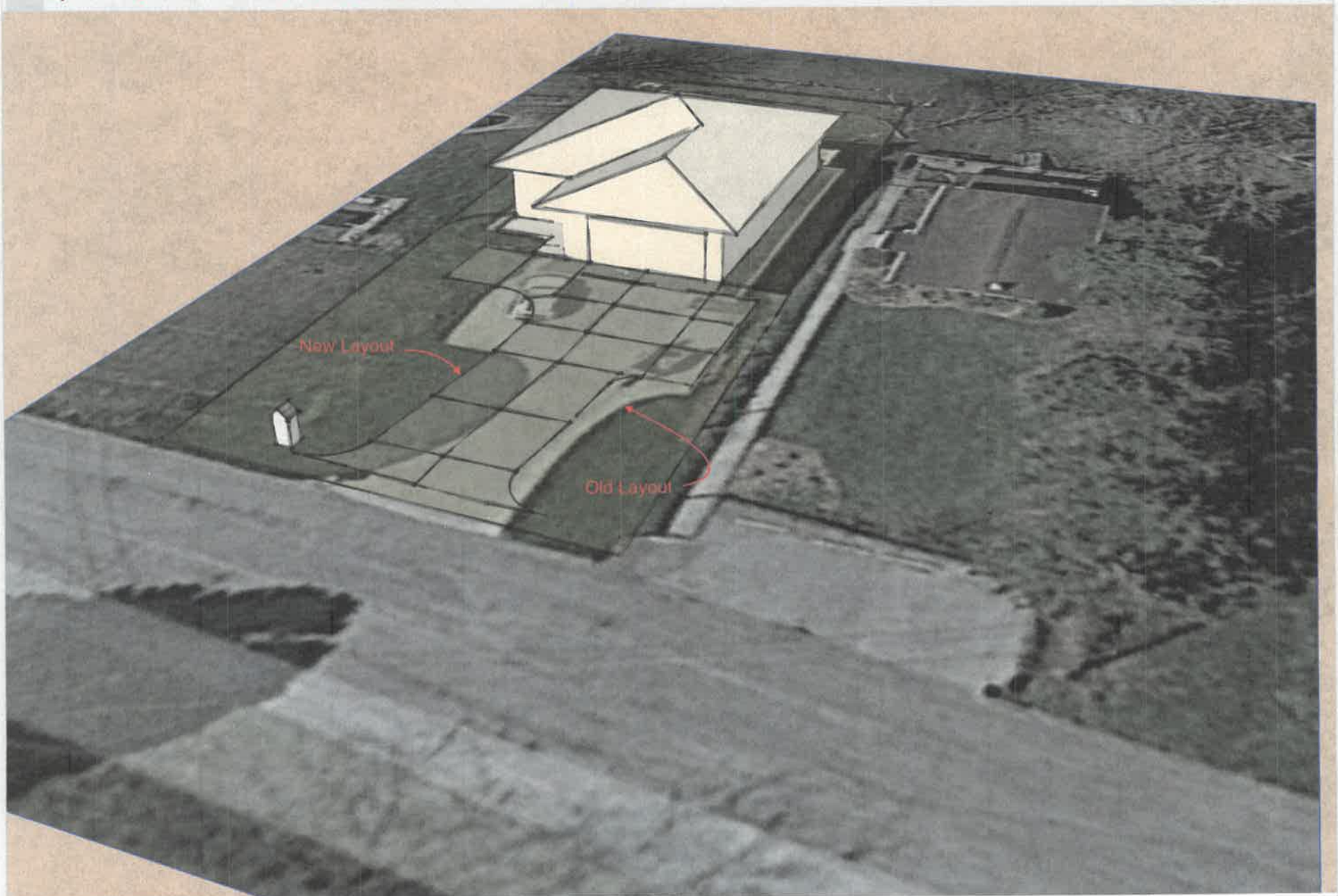
Sincerely,

GFA

Mark Maguire, P.E.
Project Engineer
cc: Applicant

Needs to be removed,
where ~~is~~ located within 10 ft.
of property line.







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Traverse City, Michigan 49684
231.946.5874 
231.946.3703 

January 26, 2024 (Revised 2/28/24)

Mr. Michael Green, Zoning Administrator
Charter Township of Garfield
3848 Veterans Drive
Traverse City, MI 49684

RE: 1661 Lake Drive
Storm Water Review – Driveway and Drainage Improvements Paving
Parcel #: 05-295-035-00
Garfield Township, Grand Traverse County

Dear Mr. Green,

GFA has reviewed the As-Built plans for 1661 Lake Drive, dated 12-01-23, prepared by Crain Engineering, LLC. The application was submitted following construction of improvements to the driveway.

The following summaries the review to date:

- Initial submittal provided on 7/26/23 prepared by Crain Engineering, LLC. The submittal was made during construction to detail the applicants plan to meet the storm water requirements. Plans indicated measures to collect, convey, and manage storm water from the driveway changes that were under construction at the time.
 - GFA provided an initial review on 8/8/23 requesting additional information to meet the ordinance submittal standards.
 - Plans indicated a trench drain along the garage entrance connecting to a catch basin at the NE corner of the garage. A 2-foot wide by 3-foot deep by 35-foot long stone drain was indicated along the North building line. Storm water from the stone drain and catch basin was routed to a lower-level stone drain bed located at the NW building corner.
 - As-built plans were requested at this time along with clarifications to the provided management volume and more details on the overflow of the NW stone drain.
- As-built plans were provided on 11/1/23.
 - Storm water management items were limited to a trench drain along the garage, catch basin at the NE building corner, and solid drain piping to the lower-level stone infiltration area.
 - GFA provided a second review on 12/12/23 inquiring on the as-built dimensions details on the overflow patterns.
- The applicant provided construction photographs to verify the general dimensions of the installed systems and demonstrate the final drainage patterns.
- GFA performed a wet weather inspection on 12/28/23 following a light rain event.

As the site is less than 500 feet from the OHWM of Silver Lake, the application was reviewed to the requirements of the Uniform Storm Water Control Design and Installation Standards for Municipalities in Grand Traverse County.



PRE-CONSTRUCTION CONDITIONS

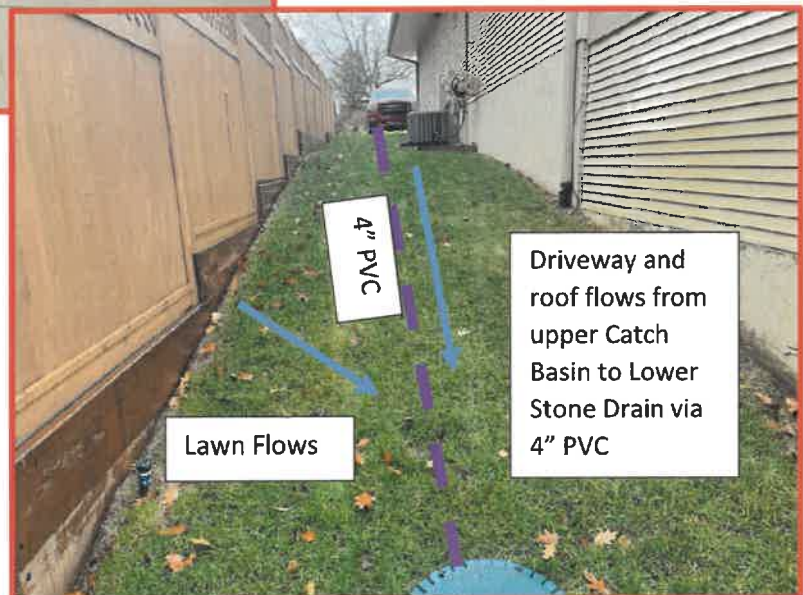
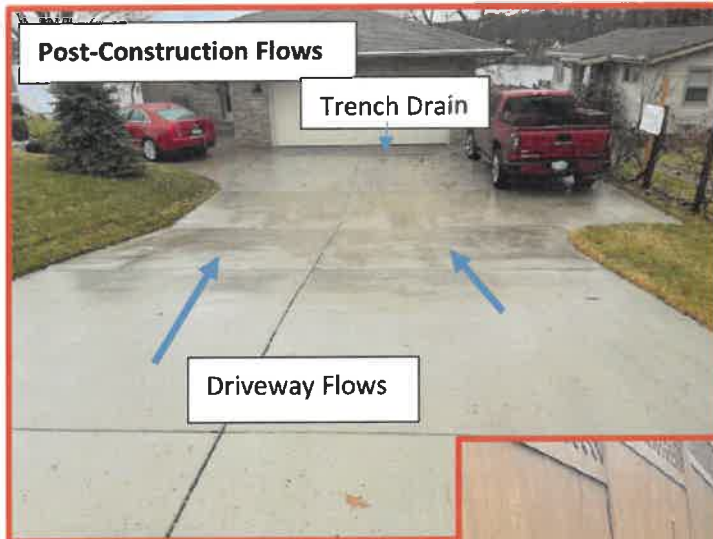
1. The existing site is located on Silver Lake. It is approximately 0.2 ac and slopes east to west towards Silver Lake.
2. The parcel is bound by Lake Dr to the east, Silver Lake to the west, and single family residential to the north and south.
3. Driveway reconstruction took place. Prior to construction there were limited drainage facilities for the site. The existing driveway was steep and appears to shed west towards the existing home. The exiting outlet was to run along the 1661/1669 property line. The north shedding roofs were collected with gutters/downspouts piped to shed westerly towards Silver Lake.





POST-CONSTRUCTION CONDITIONS

1. The As-built plan depicts the installed driveway of ~1325 SF within the property limits. We estimate a total drive area of 1610 SF. ~ 120 SF increase. See attached.
2. Storm water management items were limited to a trench drain along the garage opening, a catch basin at the NE building corner, and solid drain piping to the lower-level stone infiltration area.
3. Field verification made during GFA's wet weather inspection on 12/28/23 as noted below.
 - Grade measurements taken with a level validate the applicant's description of flows in the initial submittal –towards the trench drain.
 - Gutters and trench drain tie into a solid catch basin structure at the NE per the as-built plan.
 - Confirmed 4" pvc solid lines drains west to the lower stone drain per as-built plans.
 - Confirmed depth of stone bed of ~ 32 inch deep. Estimated dimension of 9' x 8' (7 CYDs of stone). This differs from original submittal.
 - Confirmed disturbed areas between home and the 1661 and 1669 property line are stabilized with turf and flow towards the lower stone basin. No surface flows towards 1669.





Determination of Surface Runoff

1. The initial submittal calculation used the ordinance rainfall values to derive the required volumes. This is acceptable.

Storm Water Facilities

1. As-built plans vary for the initial submittal.
2. GFA updated the computation according to the as-built plans and field verifications.
3. Limited management volume is provided by the as-built system.
 - The installed system appears to re-route existing flows away from the 1661/1669 property line and directs them down gradient, away from the existing homes.
 - Full ordinance is not met at the ordinance maximum infiltration rate of 1"/hr for underground storage facilities.
 - We note that a higher infiltration rate can be expected in this area.
 - Reduced criteria to manage the increase impervious and the ability to provide treatment volume for the entire catchment is attained with the as-built system.
 - Potential overflows will spill over the timber retaining wall. Overflows generally follow existing flow paths over the 1661 and 1669 properties, west to the Silver Lake.
 - Applicant to ensure overflows are directed onto 1661 properties.
 - Recommend providing a notch in the retaining wall to ensure flows spread over the southerly length of retaining wall. Or provide alternate overflow pipe to direct flow away from 1669 property.
 - Discussion with applicant on 2/9 regarding overflows. The applicant states excess water would seep through the wood retaining wall first and does not cause a concentrated overflow point. This is reasonable and addresses the above recommendation.

Erosion Control

1. The site is restored with turf and appears to have no active erosion concerns.



RECOMMENDATION

We find the installed system meets the intent of the ordinance at reduced criteria of management. The site being on the lakeward side of Lake Drive is subject to feasibility issues to meet full criteria including existing grades and space limitations. The site appears to be stabilized and does not pose current erosion control issues. The proposed improvements appear to redirect flows away from the existing structures. Therefore, we recommend the township consider the site for storm water approval at a reduced criteria. We appreciate the opportunity to assist the Township during the approval of this project. If you have any questions, please don't hesitate to contact me at (231) 946-5874.

Sincerely,

GFA

Mark Maguire, P.E.
Project Engineer
cc: Applicant

Mike Green

From: Mark Maguire <Markm@gfa.tc>
Sent: Monday, March 18, 2024 9:36 AM
To: Mike Green
Cc: Derek Morton; Jennifer Graham
Subject: RE: Activities at 1661 Lake Drive and Water Runoff photos from 03-04-24 Storm

Mike,

The site meets Reduce Criteria. This is based on the scope of the project and the limitations of the site. This is stated in the recommendations section of our letter.

Additionally, the review letter Storm Water Facilities 3. states the constructed improvements provided limited management volume – not enough to meet ordinance for the entire catchment but enough to manage the increased in flows from the nominal impervious expansion and adequate to meet treatment criteria for the entire catchment. This was found to be reasonable based on the feasibility limitations.

-Mark

Mark W. Maguire, PE

Project Engineer

(231) 409-4415



123 W Front Street
Traverse City, MI 49684
(231) 946.5874

[Website](#) | [Phone](#) | [Facebook](#) | [LinkedIn](#)

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From: Mike Green <Mgreen@garfield-twp.com>
Sent: Tuesday, March 12, 2024 11:18 AM
To: Mark Maguire <Markm@gfa.tc>
Cc: Derek Morton <dmorton@garfield-twp.com>; Jennifer Graham <jennifer@gfa.tc>
Subject: RE: Activities at 1661 Lake Drive and Water Runoff photos from 03-04-24 Storm

Hi Mark,

I appreciate the additional comments. I just want to make sure I'm clear that the plans that you reviewed meet or exceed the requirements of our Stormwater Ordinance and if so am I correct in issuing a permit?

Sincerely,

Michael Green, Zoning Administrator
Charter Township of Garfield

Phone: 231-941-1620

Fax: 231-941-1588

From: Mark Maguire <Markm@gfa.tc>

Sent: Thursday, March 7, 2024 11:58 AM

To: Mike Green <Mgreen@garfield-twp.com>; Jennifer Graham <jennifer@gfa.tc>

Cc: Derek Morton <dmorton@garfield-twp.com>

Subject: RE: Activities at 1661 Lake Drive and Water Runoff photos from 03-04-24 Storm

Mike,

The review we provided is still consistent. Measures are provided to control flows on site that meet the intent of the ordinance considering the limitations of the site. Flows leaving the site should be non-erosive and compare well to existing conditions. These nuisance issues are beyond the details of our review, however are important for the applicant to resolve. See my notes as follows.

-Direct runoff from the parking area that exists within the 10 foot setback . The slopes on the parking minimal and the paving limits appear to be similar to existing condition parking tab. *Possible for 1661 owner to respond with additional fix- such as landscaping curbing or trench drain within stone and connect to CB to eliminate this area?*

-Water from the leaching chamber near my well The upper catch basin and piping to the lower basins are not leaching systems. Lower leaching area has reasonable isolation from the well and is downgrade.

-Runoff from the lower drain that reaches the waters of Silver Lake and causes erosion to my beach Photos show concentrated flows at corner of retaining. I don't see evidence of a gully or rill erosion forming at this time. Some sands are pictures being transported, but again, not seeing a huge cut or source of this. *If this becomes an issue, recommendations on page 4 were provided for the applicant to consider to ensure flows to neighboring property are limited.*

-I also attached previous photos of snow pushed up against my grape trellis and ` piled near the property line as well. This is a new water burden to my property, and would be prevented by requiring a 10 foot setback from the property line No additional comments.

Mark W. Maguire, PE

Project Engineer

(231) 409-4415



123 W Front Street

Traverse City, MI 49684

(231) 946.5874

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From: Mike Green <Mgreen@garfield-twp.com>

Sent: Thursday, March 7, 2024 10:36 AM

To: Jennifer Graham <jennifer@gfa.tc>

Cc: Derek Morton <dmorton@garfield-twp.com>; Mark Maguire <Markm@gfa.tc>

Subject: RE: Activities at 1661 Lake Drive and Water Runoff photos from 03-04-24 Storm

Hi Jennifer,

Thank you for responding. I am in the process of reviewing the Land Use Permit that Bill just turned in this week. Barring any further information that comes from this discussion, my plan is to approve the permit and notify Kathy in case she wishes to appeal the permit issuance with the Zoning Board of Appeals. I would like to make sure you are still OK with the stormwater plan before I release any permits, however.

Sincerely,

Michael Green, Zoning Administrator
Charter Township of Garfield
Phone: 231-941-1620
Fax: 231-941-1588

From: Jennifer Graham <jennifer@gfa.tc>

Sent: Thursday, March 7, 2024 9:00 AM

To: Mike Green <Mgreen@garfield-twp.com>; Mark Maguire <Markm@gfa.tc>

Cc: Derek Morton <dmorton@garfield-twp.com>

Subject: FW: Activities at 1661 Lake Drive and Water Runoff photos from 03-04-24 Storm

So I presume from the email below, she has not been made aware that GFA finalized the SW review for the Wagonner Parcel? I know I spoke to her previously and advised her we were reviewing and Mark even conducted a site visit and found everything to be buttoned up and met the ordinance. Mark can you weigh in on a couple of the items she cited below? I am happy to send her the letter we sent but didn't want to circumvent the process and felt communication should probably come from the Township
Related to snow storage I do believe it can no longer be placed within the setback if I recall, that is new a update?

From: Kathy Boyd <klboyd7@gmail.com>

Sent: Thursday, March 7, 2024 5:45 AM

To: Mike Green <mgreen@garfield-twp.com>; Derek Morton <dmorton@garfield-twp.com>

Cc: Jennifer Graham <jennifer@gfa.tc>

Subject: Activities at 1661 Lake Drive and Water Runoff photos from 03-04-24 Storm

You don't often get email from klboyd7@gmail.com. [Learn why this is important](#)

Good morning Mike and Derek –

I am writing again to inquire about updates and to report continued runoff/drainage from Mr. Waggener's driveway and drain.

It has been *ten months* since I first asked the Township for help in managing the activities at 1661 Lake Drive. Now it seems Mr. Waggener has marked out several more points along the shared property line with snow stakes and pink string. This makes me uncomfortable, as it seems Mr. Waggener is moving forward with projects while the driveway and drain are still under Township review.

Monday night (March 4) we received our first thunderstorm of the season. I have attached photos of the water runoff to my property from Mr. Waggener's property.

- Gravel and water runoff from the apron of Mr. Waggener's driveway
- Direct runoff from the parking area that exists within the 10 foot setback
- Water from the leaching chamber near my well
- Runoff from the lower drain that reaches the waters of Silver Lake and causes erosion to my beach
- I also attached previous photos of snow pushed up against my grape trellis and piled near the property line as well. This is a new water burden to my property, and would be prevented by requiring a 10 foot setback from the property line.

We all know that the driveway and drain were constructed in direct violation of the Township Ordinances (Mr. Waggener was notified in writing of the setback prior to pouring concrete). We all know that the drain was constructed without engineering oversight, and the runoff is directed onto my property. We all know that concentrating water runoff and directing the water toward your neighbor's property is against the law and ethically wrong.

At this point I have spent thousands of dollars to defend myself against Mr. Waggener's shenanigans. My rights as a property owner in Garfield Township have been violated by Mr. Waggener's actions.

I am asking for a response from the Township to correct the violation.

Please enforce the Garfield Township Ordinances. Please require that the concrete within the 10 foot setback be removed, as it was poured with full knowledge of the setback requirements and without an easement. Please require that the water runoff (both rain and snow melt) from Mr. Waggener's property be managed on Mr. Waggener's property.

Sincerely,

Kathy Boyd
1669 Lake Drive

03-05-24WaterRunoffPhotos.zip

Mike Green

From: Andy Smits <asmits@gtcountymi.gov>
Sent: Thursday, April 25, 2024 6:36 PM
To: Mike Green; John Sych
Cc: Mark Maguire; Jennifer Graham
Subject: Re: [EXTERNAL SENDER] 1661 Lake Dr SW Rev- 042624.pdf

Mike

Marks letter captures much of my comments regarding this specific evaluation matter. The 1990s era ordinance is well past due for an amendment. I'm working with 3 other Townships who use this same, outdated model to amend theirs. Please consider joining this movement. Tailored to your Township-specific needs, you may realize efficiency in getting onboard. I look forward to discussing with you.
Andy

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From: Mark Maguire <Markm@gfa.tc>
Sent: Thursday, April 25, 2024 5:30:04 PM
To: Mike Green <Mgreen@garfield-twp.com>; Jennifer Graham <jennifer@gfa.tc>
Cc: Andy Smits <asmits@gtcountymi.gov>
Subject: [EXTERNAL SENDER] 1661 Lake Dr SW Rev- 042624.pdf

Mike and Jenn,

I've drafted the attached letter regarding the 1661 Lake Drive Storm Water appeal and objections to the review letter. This includes a segment summarizing an oversight review meeting with Andy Smits to identify the need for further audit and ethics issues. Ultimately none needed.

Please let me know if you have any comments for clarity. I'm going to take another look at it tomorrow.

Thank you.

Mike Green

From: Mark Maguire <Markm@gfa.tc>
Sent: Thursday, April 25, 2024 5:30 PM
To: Mike Green; Jennifer Graham
Cc: Andy Smits
Subject: 1661 Lake Dr SW Rev- 042624.pdf
Attachments: 1661 Lake Dr SW Rev- 042624.pdf

Mike and Jenn,

I've drafted the attached letter regarding the 1661 Lake Drive Storm Water appeal and objections to the review letter. This includes a segment summarizing an oversight review meeting with Andy Smits to identify the need for further audit and ethics issues. Ultimately none needed.

Please let me know if you have any comments for clarity. I'm going to take another look at it tomorrow.

Thank you.



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April 26, 2024

Mr. Michael Green, Zoning Administrator
Charter Township of Garfield
3848 Veterans Drive
Traverse City, MI 49684

RE: 1661 Lake Drive
Storm Water Review – Objection/Appeal Response & Storm System Performance Issues
Parcel #: 05-295-035-00
Garfield Township, Grand Traverse County

Dear Mr. Green,

The letter is regarding the 1661 Storm Water Review to provide responses to the items identified by the Ms. Kathy Boyd, neighbor at 1669 Lake Drive:

A) Objections to the Storm Water Review letter dated 2/28/24 per email from Ms. Kathy Boyd dated 4/22/24 regarding “certification of the storm water system at 1661 Lake Drive”.

B) 1661 Lake Drive Storm System Performance Issues as identified by Ms. Kathy Boyd.



A) Objections to the Storm Water Review Response

The following section is in response to objections from Ms. Kathy Boyd of 1669 Lake Drive that were emailed to GFA on 4/22/24. This communication followed Ms. Boyd's filing of an appeal before the ZBA to contest Garfield Township issuing 1661 Lake Drive a Land Use Permit for grading based on the stormwater review.

We are providing the following comments and clarifications:

1) Clarifications on GFA's role:

Ms. Boyd's email states GFA provided certification of the storm water system. As a point of clarification, GFA did not certify the work. GFA did not design, did not observe construction of, nor sign and seal the stormwater plan. GFA's sole responsibility was to conduct a cursory review of the submitted items against the Garfield Township Storm Water Control Ordinance 49.

2) The 4/22/24 email prepared by Ms. Boyd lists objections to the Storm Water Review listed as follows in *italics* with GFA's responses in **bold purple**:

Here are my objections to Mr. Maguire's report regarding 1661 Lake Drive:

1. It seems the impervious surface on the property is still underestimated. Were the measurements validated by GFA or accepted from the property owner?

GFA checked the impervious surface areas during the review as detailed on pg. 2 and 3 of the 2/28/24 review letter, attached. GFA scaled the existing driveway areas as viewed on Grand Traverse County GIS website and scaled the proposed from the provided site plan. GFA's review analysis was limited to the work area of the driveway and estimates an addition of 120 sf of pavements. Pavements under existing overhangs were not counted. These area totals were used to evaluate the installed system size as listed in the review letter.

2. Water has obviously poured out of the lower corner of the lower drain onto my property for nearly a year. Countless photos and videos document the water path that is now cut into my property, including photos from the actual day of Mr. Maguire's inspection (12/28/2023). Clearly the inspection of this system was inadequate/incomplete.

No outflow was witnessed during the 12/28/23 site visit. We did not notice a cut into your property during the inspection. There is evidence of flow here as seen in the leaves in the following photo. We did receive your videos which further confirms the presence of concentrated flows. The flows as documented in the video appeared non-erosive.

Concentrated flows, while small, were observed and documented by Ms. Boyd. Persistent concentrated flows that create issues or damage beyond the existing conditions would be non-compliant with the recommended storm system. Ultimately can be the applicant's responsibility to correct. See Section B of this letter for more details.



Evidence of small flows

12/28/23 Photo 1 Looking NW from corner of 1661 retaining wall onto 1669

3. *The upper drain sends water into the ground/overflows just uphill from my water well. Mr. Maguire responded that the system is not a 'leeching system'. While he is correct in the engineering terminology (the upper drain now has an overflow pipe) he has failed to address that the 'catch basin' is actually a perforated riser that sends water onto my property.*

The installed structure appeared to be a solid structure on the 12/28/23 visit, see photo 2. Note that the Crain Engineering 07/12 site plan depicts 18" perforated riser, but is inconsistent with the site plan (as-built) dated 11/1 the only states manhole. This appears to be installed to plan.

To reiterate, GFA was not responsible to provide construction oversight / management of this project and the ownership to maintain and implement stormwater management falls on the property owner. The Ordinance that currently exists does not provide this level of enforcement to require construction oversight and record keeping.



12/23/23 Photo 2 Upstream Catch Basin with no perforations noted and standing water in the sump.

4. The runoff from the land and concrete changes at the apron of the driveway was not addressed. I have many photos and videos that show concentrated runoff from this location.

This was not addressed in the review letter. Lake Drive has an existing HMA valley curb along both edges that sends water north, see photo 3. Pre-construction conditions are difficult to discern based on photographs, but the small area appears to now sheds towards the road. Previously, these waters appeared to have run through the 1661 property to the 1661/1669 property line, then to the lake. This The road is the primary contributing area in this case.



12/23/24 Photo 3 Lake Drive exhibiting flow along the shallow gutter line of the existing valley gutter.

5. Mr. Maguire noted "full ordinance is not met", yet the drain was certified based on verbal reassurance from the property owner at 1661 Lake Drive (phone call). This is a violation of Engineering ethics.

Respectfully disagree that there was a violation of ethics during this review. This review provided a clear evaluation of the installed system as compared to the Ordinance.

The verbal clarification from the property owner was used in-lue of plan details and expressed the system should disperse flows and not concentrate flows off-site. This level of detail is acceptable for projects of this size and scope where there are no apparent impacts to adjacent structures.

To be clear, GFA's review finds the construction does not meet the ordinance and this was documented in the letter. The review letter also provided detailed facts of the site and evaluated the capacity of the system. The review found that the submitted system, while not providing the full ordinance volume, does provide management without causing significant harm. The plans demonstrate adding storm water management volume more than the net



increase from the new impervious surface area. Additional management capacity is probable if soil testing was performed and increasing the infiltration rate of the underlying soils.

At this point, please recognize that I cannot afford continued delays and placations regarding this faulty drain system. I request oversight of Mr. Maguire, and correction of the deficiencies of this report. If these deficiencies are not addressed by Friday, April 26, 2024, I will request a review of this report by the Michigan Board of Professional Engineers for inaccuracy, inadequate inspection, and violation of Engineering ethics.

GFA scheduled an oversight review meeting with Andy Smits, PE, Grand Traverse County Drain Commissioner on 04/25/24. Here, the review letter and submitted plans were provided prior to the meeting. Mr. Smits' review has the following conclusions:

- No objections to content and reasoning of the review letter.
- Notes that the site does not meet the Ordinance 49.
- Notes the Ordinance 49 is poorly suited for small residential sites, specifically infill renovations and retrofits.
- The Ordinance does not directly spell out the review criteria for smaller projects where the net impacts are less than new construction projects.

Overall GFA provided the best level of effort and detailed review taking into account the majority of the proposed work had already been completed. GFA worked with the applicant and their engineer to understand the storm water management installed where previously none existed, attempting to apply the requirements in the Ordinance to the best of our abilities. As stated by Mr. Smits, the existing ordinance that is in place is antiquated and provides negligible guidance for situations as this.

B) 1661 Lake Drive Storm System Performance Issues as identified by Ms. Kathy Boyd

As noted in the above letter, section A.2.2, some concentrated flows are presented near the NW corner of the system. The flow concentration, while small, is not planned for and could be enlarged over the years. This can be addressed as a non-compliance issue with the recommended storm plan as there was no approved concentrated overflow flow point reviewed.

We recommend the Township seek a plan from the applicant to remedy this issue to bring the outlet configuration into compliance.

Fixes for consideration of the applicant could include addition of properly sized weep holes in the base of the retaining wall on the E/W length on the 1661 property, addition of supplemental storage on the lower retaining wall, and providing permanent erosion control measures such as stone trench for dispersion and stabilization along the toe of the retaining walls. We also recommend additional means to ensure overflows are directed to the 1661 property be installed. Ultimately, applicant needs to provide the Township a remedy and means to demonstrate the functional fix.



Closing Remarks

We are confident that this letter adequately responds to Ms. Boyd's objections, validates Ms. Boyd's drainage concerns regarding outflow from the 1661 storm water management system, and finally provides the Township additional notice and guidance to the apparent performance issues with the 1661 storm water management system.

If you have any questions, please feel free to contact me.

Sincerely,

GF

MARK MAGUIRE, P.E.
Project Engineer
cc: Ms. Kathy Boyd

Attached:

2/28/24 1661 Lake Drive Storm Water Letter.

11-1-23 Rev 1 Plans prepared by Crain Engineering, LLC w/ GFA area scaling of driveway.

7/12/23 Initial Plans prepared by Crain Engineering, LLC w/ GFA 12/28/23 field verifications



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231.946.5874 
231.946.3703 

May 28, 2024

Mr. Michael Green, Zoning Administrator
Charter Township of Garfield
3848 Veterans Drive
Traverse City, MI 49684

RE: 1661 Lake Drive
Storm Water Review – Driveway and Drainage Improvements Paving
Parcel #: 05-295-035-00
Garfield Township, Grand Traverse County

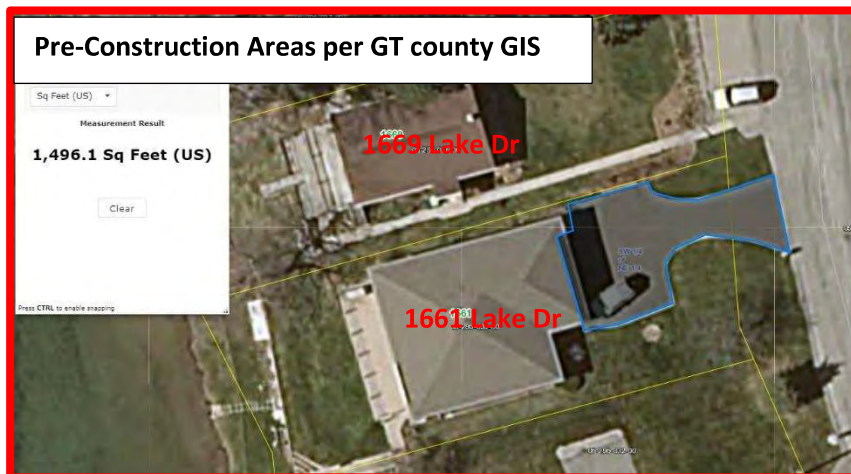
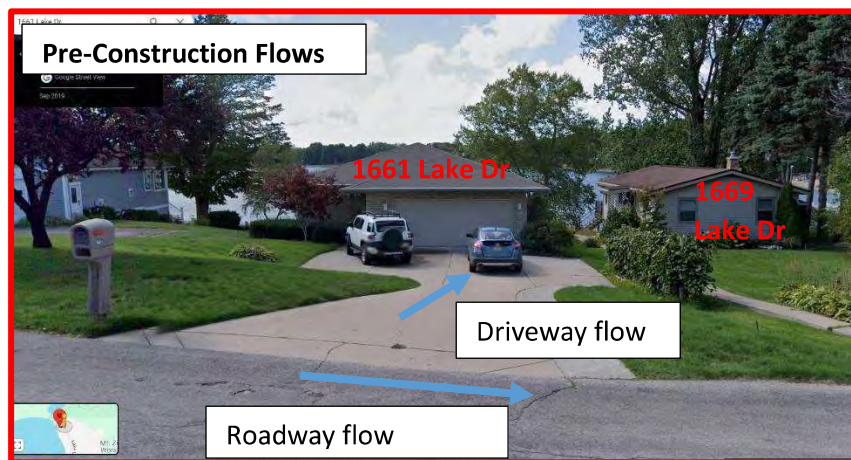
Dear Mr. Green,

GFA has reviewed the revised plans for 1661 Lake Drive, dated 05/23/24, prepared by Crain Engineering, LLC. The plans were submitted in response to the ZBA actions requiring corrective measures to the concentrated flows resulting from the apparent functional issues with the previously reviewed system. The plans indicate new measure to provide a constructed outlet to mitigate these functional issues.



PRE-CONSTRUCTION CONDITIONS

1. The existing site is located on Silver Lake. It is approximately 0.2 ac and slopes east to west towards Silver Lake.
2. The parcel is bound by Lake Dr to the east, Silver Lake to the west, and single family residential to the north and south.
3. Driveway reconstruction took place. Prior to construction there were limited drainage facilities for the site. The existing driveway was steep and appears to shed west towards the existing home. The exiting outlet was to run along the 1661/1669 property line. The north shedding roofs were collected with gutters/downspouts piped to shed westerly towards Silver Lake.

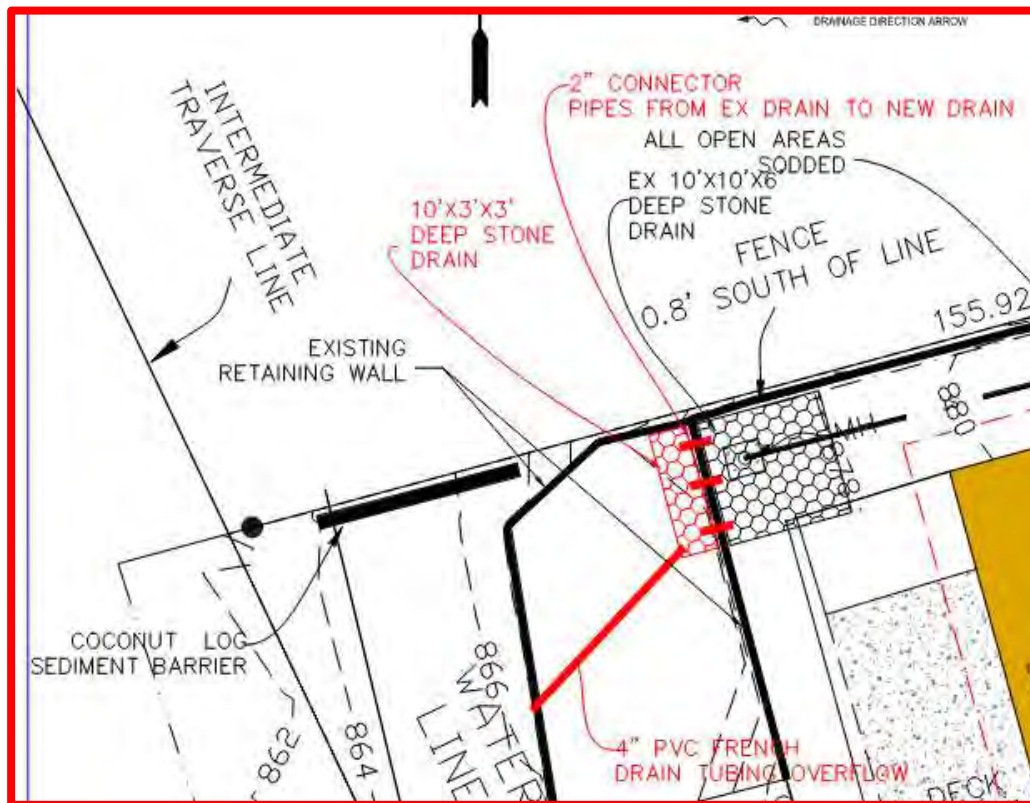




POST-CONSTRUCTION CONDITIONS

1. The revised plans depicts the installed driveway with removal of the northern parking tab to a 10' offset line. Estimated driveway areas are **1138 SF** within the property limits and **1425 sf, ~71 sf decrease from the preconstruction conditions.**
2. Previously installed storm water management facilities were installed, limited to a trench drain along the garage opening, a catch basin at the NE building corner, and solid drain piping to the a stone infiltration area located along the upper retaining wall.
3. A new 10'x3'x3' stone drain is proposed located on a lower terrace from the previous system. This provides additional storage capacity for overflow dispersion/conveyance through the 1661 property.





Storm Water Facilities

1. Additional 10x3x3 stone drain added to at the toe of the retaining wall.
2. Additional stone drain which provides a means to disperse excess flows through the 1661 property. 2" connector pipes provide hydraulic connection between the upper existing stone drain system and the lower proposed system. Additional 4" French drain extends 15' from the lower stone drain stone to provide direction for excess flows to pass through the 1661 property and away from the 1669 property.

Erosion Control

1. Coconut log sediment barrier is shown along the property to limit construction mitigation of soils. This seems reasonable to protect the site from new construction.



RECOMMENDATION (Updated)

We find the proposed corrective measures provide a means for excess flow to leave the site through the applicants' property and does minimize potential for discharge onto adjacent parcels. The conditions on the existing system causing the noncompliant concentrated flows off-site would be reasonably reduced with the introduction of piped conveyances which provide a means for low-flow outlet as proposed by the amended plans. The proposed improvements appear to redirect flows away from the existing structures.

Therefore, we recommend the Township consider the site for storm water approval at a reduced criteria, established with the previous review letter. Please note the site does not meet full compliance as indicated in our previous reviews, but dose demonstrate controlling flows for the projects expanded impervious areas, and implements controls that directs flow away from structures and limits the potential for harm to the off-site properties.

We appreciate the opportunity to assist the Township during the approval of this project. If you have any questions, please don't hesitate to contact me at (231) 946-5874.

Sincerely,

GFA

Mark Maguire, P.E.
Project Engineer
cc: Applicant



July 31, 2024

Mr. Michael Green, Zoning Administrator
Charter Township of Garfield
3848 Veterans Drive
Traverse City, MI 49684

RE: 1661 Lake Drive
Storm Water Review – Driveway and Drainage Improvements Paving
Parcel #: 05-295-035-00
Garfield Township, Grand Traverse County

Dear Mr. Green,

GFA has reviewed the As-built Certification Letter dated 7-1-24, and As-built plan sheet C-1 dated 7-21-24, and site plan sheet C-2 depicting additional retaining wall 7-21-24. Plans were prepared by Crain Engineering, LLC. The as-built plans were compared to the review of the outlet corrective measures to provide a constructed outlet to mitigate functional issues as depicted in GFA's 5-28-24 review letter.

As-built Certification Letter dated 7-1-24

As-built certification letter and photos were provided showing the outlet correction were installed to the intent of the reviewed plans. **We note that the removal of the driveway has yet to be completed.**

Storm Water Facilities – Outlet corrective measures (Site Plan Sheet C-1 & C-2)

- Additional 10x3x3 stone drain added to at the toe of the retaining wall. **Appears 2' deep in photos. No issue as intent is to provide outlet mitigation, not storage capacity.**
- Additional stone drain expands infiltration zone of the system and provides a means to disperse excess flows onto the 1661 property. 2" connector pipes provide hydraulic connection between the upper existing system and the lower proposed system. Additional 4" French drain extends 15'+ from the stone drain stone to provide direction for excess flows to pass through the 1661 property and away from the 1669 property. **This appears to be installed per plan.**
- Outlet pipe is routed to the new lower retaining wall and intended to dead-end in the retaining wall stone backfill stone bed. **This seems reasonable. Primary overflow outlet is via infiltration. Secondary overflow means is provided overland, over the terrace lawn, to the lake. The overflow pipe and wingwalls appear to be configured to maintain flows on the 1661 property.**

Our review validates the applicants' certification letter that the constructed outlet meets the intent of the reviewed plans. The installed improvements appear to redirect flows away from the existing structures and provide the constructed means to mitigate outlet issues.



We appreciate the opportunity to assist the Township during the approval of this project. If you have any questions, please don't hesitate to contact me at (231) 946-5874.

Sincerely,

GFA

Mark Maguire, P.E.
Project Engineer
cc: Applicant

Attached: Applicants' certification letter, applicants site photos with GFA annotations.



July 31, 2024

Mr. Michael Green, Zoning Administrator
Charter Township of Garfield
3848 Veterans Drive
Traverse City, MI 49684

RE: 1661 Lake Drive
Storm Water Review – Driveway and Drainage Improvements Paving
Parcel #: 05-295-035-00
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GFA has reviewed the As-built Certification Letter dated 7-1-24, and As-built plan sheet C-1 dated 7-21-24, and site plan sheet C-2 depicting additional retaining wall 7-21-24. Plans were prepared by Crain Engineering, LLC. The as-built plans were compared to the review of the outlet corrective measures to provide a constructed outlet to mitigate functional issues as depicted in GFA's 5-28-24 review letter.

As-built Certification Letter dated 7-1-24

An as-built certification letter including associated record drawing and site photos were provided by the Michigan licensed engineer whom also performed the design of the project on behalf of the applicant. The information provided was intended to illustrate the outlet correction was installed consistent with the plans reviewed by GFA. **It shall be noted that the removal of the driveway has been approved by the Township with completion pending. Restoration to lawn shall be performed compliant with the Soil Erosion Control Permit.** Based upon the information provided we offer the comments below:

Storm Water Facilities – Outlet corrective measures (Site Plan Sheet C-1 & C-2)

- Additional 10x3x3 stone drain added to at the toe of the retaining wall. **Based upon the photos, the drain depth appears to only be 2' which varies from what is shown on the record drawing.**
- Additional stone drain expands infiltration zone of the system and provides a means to disperse excess flows onto the 1661 property. 2" connector pipes provide hydraulic connection between the upper existing system and the lower proposed system. Additional 4" French drain extends 15'+ from the stone drain stone to provide direction for excess flows to pass through the 1661 property and away from the 1669 property. **Based upon the information provided, the construction appears consistent with the proposed design and record drawing.**
- Outlet pipe is routed to the new lower retaining wall and intended to dead-end in the retaining wall stone backfill stone bed. **This was a modification to the original design we reviewed. With review of this change in our opinion, if properly construction it would have no impact on stormwater / drainage and is for aesthetics only. The**



Primary overflow outlet is via infiltration. Secondary overflow means is provided overland, over the terrace lawn, to the lake. Review of the record drawings and photos, the overflow pipe and wingwalls appear to be configured to maintain flows on the 1661 property.

In summary, we accept the applicants' certification letter and supporting documentation submitted. A certification letter was provided by a licensed engineer and provides validation that the installed improvements redirect flows away from the existing structures and provide the constructed means to mitigate outlet issues.

As previously stated, GFA was responsible to review the design and documents submitted to ensure conformance to the Township Ordinance. Engineered sealed design drawings, , as built, and a certification letter have been provide by the applicant to facilitate this review. Our review and acceptance is based upon the information provided and we cannot attest to the materials and means of construction. If there is concern related to long term function and operations, the Township may want to consider requesting a performance guarantee.

We appreciate the opportunity to assist the Township during the approval of this project. If you have any questions, please don't hesitate to contact me at (231) 946-5874.

Sincerely,

GFA

Mark Maguire, P.E.
Project Engineer
cc: Applicant

Attached: Applicants' certification letter, Applicants site photos with GFA annotations. Sheets C-1 and C-2 with GFA annotations.

Mike Green

From: Jennifer Graham <jennifer@gfa.tc>
Sent: Tuesday, August 27, 2024 7:26 PM
To: Mike Green
Cc: Jamie Douglass; Mark Maguire
Subject: 1661 Lake Dr SW Considerations for the ZBA

Per our phone discussion some considerations your ZBA could require and allowed per your SW ordinance:

- 1) The applicant is responsible for the function and upkeep the drainage system such as not to cause harm to offsite properties. We recommend the Township seek some form of performance guarantee. This is detailed in Section 6, excerpt below. I think asking for this initially for 1 year and revisit with ability to renew depending on how the site looks.

Section 6. Performance Guarantees. As a condition of issuance of a permit, the enforcement agent may require the applicant to deposit cash, a certified check, or an irrevocable letter of credit acceptable to the enforcement agent in an amount sufficient to assure the installation and completion of the storm water control plan. Irrevocable letters of credit, if used as a performance guarantee, shall extend for a minimum of one year with the option of renewal. The required security shall be held in the office of the enforcement agent, and shall be released only upon final inspection and approval of the storm water control systems.

- 2) In addition, considering this was a residential SW application that does not fit the parameters of the antiquated ordinance, at the time a maintenance agreement was not requested, although they are required to maintain the SW system they are proposing. However in light of the changing circumstances of the property owner and concern express by the neighbor, the Township does have the ability with the ordinance to request a formal maintenance agreement as noted in Section 8. Furthermore as part of this process inspections are to be completed as outlined below to include inspections and reports submitted to the Township.

maintenance at the owner/operator's expense.

C) Maintenance Inspections

- 1) The person(s) or organization(s) responsible for maintenance shall inspect storm water control systems on a regular basis, as outlined in the plan.
- 2) Authorized representatives of the enforcement agent may enter at reasonable times to conduct on-site inspections or routine maintenance.
- 3) For storm water control systems maintained by the property owner or homeowner's association, inspection and maintenance reports shall be filed with the enforcement agent as provided in the plan.
- 4) Authorized representatives of the enforcement agent may conduct inspections to confirm the information in the reports filed under section c.

From: Mark Maguire <Markm@gfa.tc>
Sent: Thursday, August 1, 2024 1:48 PM
To: Jennifer Graham <jennifer@gfa.tc>
Subject: 1661 Lake Dr SW As-builts-073024 (002)

Jenn, added some notes on performance guarantee, should the Township want this. Thoughts? I want to send to mike in the next 30 min.

-Mark



Engineering
Surveying
Testing &
Operations

123 West Front Street
Traverse City, Michigan 49684
231.946.5874 
231.946.3703 

October 31, 2024

Mr. Michael Green, Zoning Administrator
Charter Township of Garfield
3848 Veterans Drive
Traverse City, MI 49684

RE: 1661 Lake Drive
Storm Water Review –New Retaining Walls & Grading Refinements Along South Property Line
Parcel #: 05-295-035-00
Garfield Township, Grand Traverse County

Dear Mr. Green,

GFA reviewed the revised submittal provided on 10-07-24 indicating additional work to 1661 Lake Drive. Plans were prepared by Crain Engineering, LLC and dated 10-1-24. Plans depict the new retaining walls and grading to alter the slopes towards Silver Lake.

GFA attended a pre-review meeting on 10-15-24 with Township Zoning and the Applicant to confirm project scope. Site visit photo log with notes is appended to this letter.

GFA has reviewed the plans and intent relayed during the site visit for compliance with requirements of the storm water control ordinance and with respect to the ZBA September 19 2024 Motions.

Storm Water Review:

The subject area affects the rear and south property line of the subject property. The excerpt on the following page depicts submitted plans with GFA's annotations in **purple** identifying the two work areas reviewed.

The submitted plans detail the location of new/updated timber retaining walls, stairs, and planters and general grading information as compared to the previously approved plans per the 05-28-24 corrective action letter. The proposed grading decreases the slope of the site by the creation of new terraced lawn areas between the lower and upper retaining walls. The lower terrace wall appears to be Drainage of the terraced lawn area is controlled with trench drains which connect to stone infill areas behind the lower retaining wall for dissipation infiltration through the soil. The grading work along the south property line removes exiting timber stairs and replaces with short retaining wall and approximately 4' of fill.

Determination of Surface Runoff:

No new storm water calculations were provided. No new impervious surfaces are depicted on the plans. No new roof drain connections are shown. There is a decrease the slope. It appears with no increase in impervious areas, a decrease in slope, and no increase of drainage area, the project imposes no increase in storm water runoff.





Storm Water Facilities:

Work Area 1: Retaining wall work from the previously approved corrective work per the 5-28-24 letter.

- Lower retaining wall work. Addition new timber wall beyond existing lower timber wall. Infill annular space with drain stone. Creates a flat intermediate terrace restored with lawn vegetation and planters. A drainage grate is indicated along north side to provide direct connection to the stone infill. The stone infill would provides 17 CYD @ 0.4 voids = 183 CF of storage.
 - It appears the storage provided is more than adequate for contributing lawn areas.
 - The applicant's engineer to confirm and validate this value related to the contributing area.
 - We recommend eliminating the possibility of weeping through retaining wall to north property line.
 - Add some type of liner between stone infill and inside face of timber wall.
 - Alternatively, ensure flows are not concentrated further by means of grading or provide other conveyance measures such as French drain at toe of wall that outlets on the subject property and directing flows to Silver lake.
- Upper retaining wall work. Planters added along the retaining walls. Planters incorporate the previous outlet corrections.
 - We recommend shifting the drainage grate to the midpoint along the retaining wall to encourage waters to weep towards Silver Lake.

Work Area 2: Grading refinements along the south property line

- Addition of approximately 4' of fill at the lower stair landing. The fill extends beyond the south property line. The intent confirmed onsite is to provide a transition of the slopes to the new terrace lawn area created by the retaining wall work in work area 1. Other objectives include lawn maintenance access with a reasonable slope to the lower side of the retaining walls.
 - Plans require work to be performed on south property and grading agreement will be needed and copy provided to Township for their files
 - Applicant indicates restoration with lawn/sod. Grades steeper than 1:3 will require measures to ensure stabilization and may impose maintenance concerns for the subject property / south property owner. Need for SESC and recommend 1 year warranty

Erosion Control

It was confirmed during the site visit that the applicant has a current SESC permit. Active control measures employed are coir logs and turf filter strip to protect Silver Lake from the migration of sediments and silts while the site areas are currently unrestored.



Recommendation

We find that with the proposed retaining wall and grading work does not cause adverse increase to the storm water runoff from 1661 Lake Drive. We find there is additional management volume provided behind the new timber retaining wall for the storm water to be detained and infiltrate through the soil. It appears there is the improvements decrease flows to the south property and do not direct flows to the north property line. We ask the applicant to respond to the recommendations to limit the possibility of further weeping towards the North property line due to the proximity of the retaining wall.

Regarding the ZBA September 19 2024 Motions:

- 1) GFA recommends the Township considering this site for storm water approval in relation to the new work areas described.
- 2) GFA recommends the applicant to be responsible for bi-annual inspection after a significant rain event of the completed work for a period of 2 years to ensure the function of the corrective actions are functioning and limits concentrated flows to the north neighbor.

We appreciate the opportunity to assist the Township during the approval of this project. If you have any questions, please don't hesitate to contact me at (231) 946-5874.

Sincerely,

GFA

Mark Maguire, P.E.

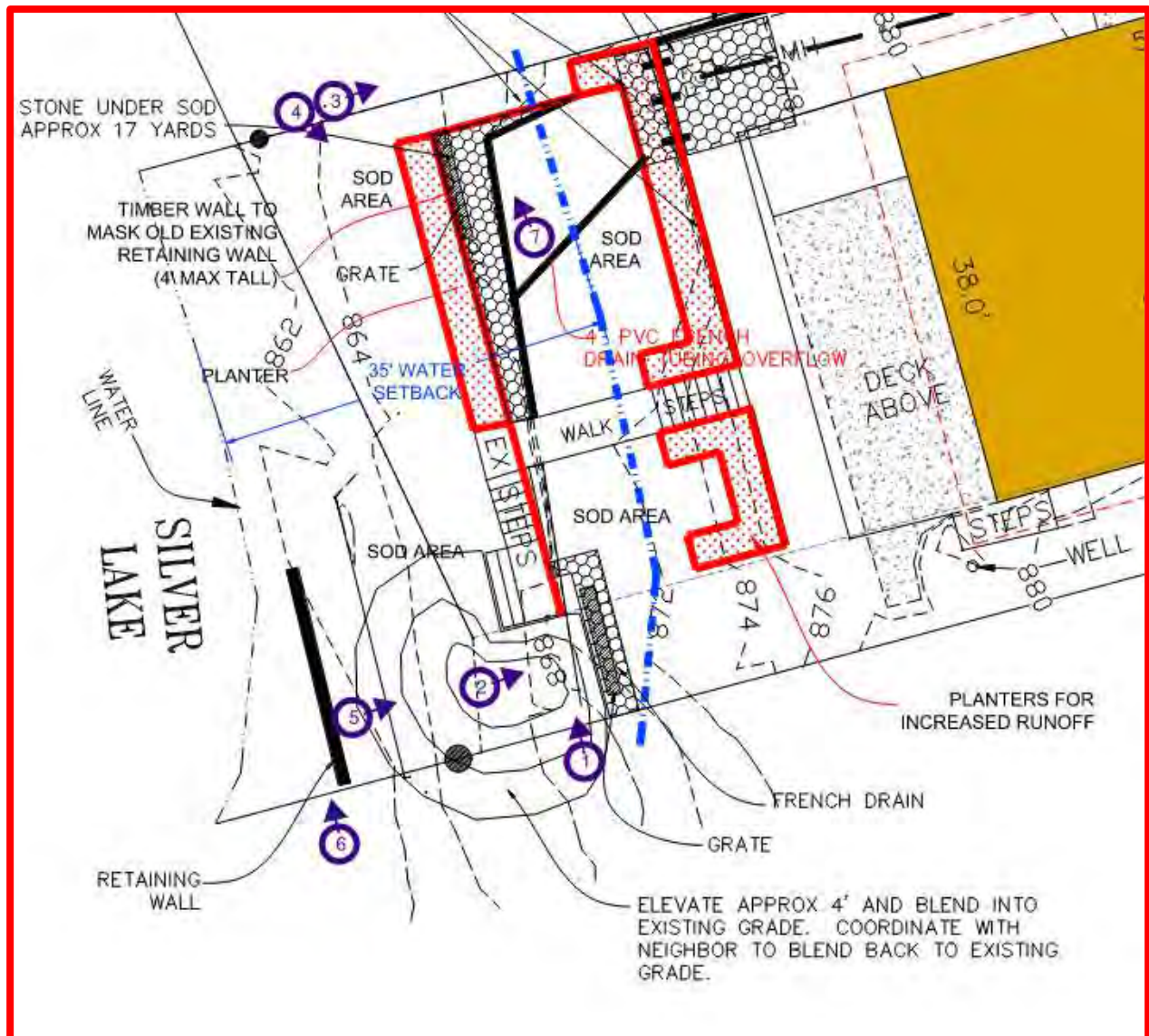
Project Engineer

cc: Applicant

Attached: Photo Log of 10-15-24 Site Visit.



10-15-24 Pre-review Site Visit with Twp Zoning and Applicant to confirm project scope.



10-15-24 Photo Log Map. Annotations in purple show photo number and direction.



Photo 1 – Looking north from south property line detailing French drain outlet into stone fill of lower retaining wall.





Photo 2 – Detail of French Drain at toe of new intermediate timber retaining wall. French drain intercepts flows from lawn and directs to stone infill of lower retaining wall.



Photo 3 – Looking east along north property line at new timber retaining wall and lower planter.



Photo 4 – Looking southeast from north property line a retaining wall and lower planter.



Photo 5 – Looking east from existing retaining wall up the south property line at the new intermediate timber retaining wall and stairs. This unrestored area is the location where up to 4' of fill is proposed.



Photo 6 – Looking north from south property line at the existing retaining wall at beach, This will be the limits of possible fill indicated on the plans.



Photo 7 – Detail of clean stone infill between new and existing lower retaining wall.

See Attachments in this package.

LEGAL NOTICE

Date 6/26/2024

WHEREAS, violations of Zoning Ordinance Section 416 -
Grading w/o permit - lower wall } have been
construction
found on these premises, IT IS HEREBY ORDERED in accordance with the above Code that all persons cease, desist from, and

STOP WORK

at once pertaining to construction, alterations or repairs on these premises known as 1661 Lake Dr.

All persons acting contrary to this order or removing or mutilating this notice are liable to arrest unless such action is authorized by the Department.

CHARTER TOWNSHIP OF GARFIELD

Grand Traverse County
3848 Veterans Drive
TRAVERSE CITY, MICHIGAN 49684

INSPECTOR Michael Green
PHONE 231 941-1620x230
CONTROL NO _____

C. Amendments Not Requiring Re-notification

Proposed amendments which are considered Administrative (§ 423.G.(3)) or Minor (§ 423.G.(4)) shall not require re-notification.

SECTION 407 PUBLIC HEARING

A. Applicability

This section applies to any application or process requiring a public hearing pursuant to § 406.

B. Planning Commission

The Planning Commission shall hold regularly scheduled public hearings to receive and review public input on all applications and processes required by this article. The Planning Commission shall approve, approve with conditions, or deny applications on which it is required to render a final decision. The Planning Commission shall recommend that the Township Board approve, approve with conditions, or deny applications on which the Township Board is required to render a final decision.

C. Township Board

The Township Board shall hold regularly scheduled public hearings to act upon all items required by this article or state statute to be considered by the Township Board. The Township Board shall decide whether or not to approve, approve with conditions (if applicable), or deny such applications.

SECTION 408 REVOCATION OF A DEVELOPMENT APPROVAL

A. Authority

If substantial development and completion of the use and buildings does not proceed in conformance with a development approval, or physical or operational changes which violate the order, application, or data accompanying the application by the applicant, its successors, agents or assigns are identified, the Township shall have full authority to revoke the development approval.

B. Grounds for Revocation

The following are grounds for revocation of a development approval:

- (1) The intentional provision of materially misleading information by the applicant (the provision of information is considered "intentional" where the applicant was aware of the inaccuracies or could have discovered the inaccuracies with reasonable diligence); or
- (2) The failure to comply with any condition of a development approval.

C. Termination, Suspension, or Amendment of Administrative Approval

Upon discovery of an alleged violation, the Zoning Administrator may issue a stop work order.

The Zoning Administrator shall investigate alleged violations and determine whether or not to revoke, suspend, approve a revised site diagram or administrative site plan, or confirm that development is proceeding in conformance with the original administrative approval. No action of the Zoning Administrator to approve a revised site diagram, administrative site plan, or to impose additional conditions and standards, shall take effect without the written consent of the applicant.

D. Termination, Suspension, or Amendment of Quasi-Judicial Approval

Upon discovery of an alleged violation, the Director of Planning may issue a stop work order.

DIVISION 4: ADMINISTRATIVE DEVELOPMENT APPROVALS

PURPOSE

This Division establishes procedures for administration of the Zoning Ordinance.

SECTION 414 DEVELOPMENT APPROVAL

No land shall be disturbed and no building or structure shall be erected, added to, or structurally altered within the zoning jurisdiction until a development approval has been issued by the Zoning Administrator. All development approvals shall comply with the requirements of this ordinance. No grading approval, land use permit, building permit, or certificate of occupancy shall be issued for any building or structure or for any land disturbance where said construction, addition, alteration, or use violates any provision of this ordinance.

SECTION 415 GRADING AND LAND DISTURBANCE

A. Grading Development Approval

Separate grading development approval is required for disturbances of land that require the removal of soil prior to the issuance of any development approval. Such approval may be issued by the Zoning Administrator in the form of a grading permit and shall document the conditions under which the permit is issued, including the duration of the permit; which may be required in the event that development approval is not obtained and construction does not proceed.

- (1) An engineered site plan shall be required, indicating the contour of the land, areas of disturbance, their location to surrounding uses, natural features, and any remediation activities.
- (2) The extension of a permit shall be denied or a permit may be revoked should violations of the permit exist, including stock piling of materials, lack of continuation towards an approval or completion, failure to receive required permits, or disturbances of land exceeding that permitted.
- (3) A performance guarantee per § 405 shall be provided to the Township prior to the issuance of the permit.

B. Land Disturbance Activity

Quarries, sand or gravel excavation, and substantial land alteration activities require a development approval pursuant to Article 7 of this Ordinance.

SECTION 416 LAND USE PERMITS

Purpose: The purpose of this section is to prescribe procedures for development approvals that do not require quasi-judicial, legislative notice, or a public hearing. A public hearing is not required for development approvals set forth in this section for one or more of the following reasons:

- If required, public hearings have already been conducted relating to the development approval application and the development approval application procedure is designed to ensure that the proposed use complies with a previously approved subdivision plat, condominium, site plan, specific plan, special use permit, or conditional rezoning (e.g., certificate of occupancy);
- The proposed use is permitted as of right, or with special conditions in the applicable zoning district (e.g., development approval or certificate of occupancy); or
- The proposed use is subject to expedited review in order to avoid an unconstitutional prior restraint on speech (e.g., sexually oriented businesses or signs) or because of federal law (e.g., telecommunications development approval).

A. Required

A land use permit shall be required for any of the following:

- (1) To erect or move a structure having one hundred (100) or more square feet of floor area;
- (2) To expand an existing structure or increase the height of an existing structure;
- (3) To establish a new use or change in use for any premises or land in any zoning district;
- (4) To establish a temporary use as allowed by this ordinance;
- (5) To move, replace, erect, a sign or change a sign face or convert a sign face to an electronic sign in accordance with § 630 Signs;
- (6) To grade land in accordance with § 415 Grading and Land Disturbance; or
- (7) To move, replace, or erect exterior lighting fixtures to ensure compliance with § 517

B. Initiation

- (1) The applicant shall file a complete application for a land use permit with the Zoning Administrator. If site plan review is required in accordance with this ordinance, the approved site plan shall be submitted with the application. An application is available from the Zoning Department. If the proposed development or development activity is subject to site plan review, the application shall also include the information required by Article 5 of this Ordinance.
- (2) Applications shall require permits or approvals from applicable permitting agencies including the County Health Department, the County Road Commission, the County Soil Erosion Office, the Michigan Department of Natural Resources and/or Department of Environmental Quality or other regulatory agencies before an application is considered complete under § 416.C Completeness Review.

C. Completeness Review

- (1) The Zoning Administrator shall review an application for completeness within ten (10) working days.
- (2) The procedure of step (1) above shall be repeated until a complete application is received, provided that additional review fees may be required for a third or any subsequent completeness review.

D. Decision

The Zoning Administrator shall review the completed application for conformance with this ordinance. Within fifteen (15) working days of receipt of a complete application, the Zoning Administrator shall approve, approve with conditions, or deny the application for a land use permit. Applications that are denied shall have the reasons for denial, in writing, attached to the application. If the Zoning Administrator fails to render a decision relating to the application within this time period, the application shall be deemed approved. The applicant and the Zoning Administrator may agree in writing to extend the response time contained in this section.

E. Approval Criteria

- (1) The land use permit shall be issued by the Zoning Administrator only if the application complies with all applicable provisions of this ordinance and any approved special use permit, rezoning or conditional rezoning, site plan or other development approval.
- (2) Any financial guarantee required under § 405 Performance Guarantee shall be deposited with the Township prior to the issuance of the land use permit.

C. Wetland Setbacks

No structure, parking lot area, or snow storage area shall be located within twenty-five (25) feet of such wetland. However, recognized wetlands may be incorporated into a stormwater management strategy provided that the wetland values will not be impaired and provided further that incorporation of the wetland will provide a net ecological benefit to groundwater and surface water.

SECTION 535 SUPPLEMENTAL SHORELINE REGULATIONS

Purpose. The intent of this Section is to preserve and protect the water quality of the lakes and streams of our region. These regulations seek to balance the protection of the ecosystem while allowing development where appropriate. Methods to accomplish this purpose include, but are not limited to, preservation and/or enhancement of vegetation along lake-stream banks, maintaining lake-stream bank stabilization, preventing sediment from entering the water bodies, allowing for nutrient absorption, providing wildlife habitat and corridors, screening man-made structures, and providing shade, wood or wooden fiber material along the shoreline.

A. Setbacks from Lakes, Rivers, and Streams

- (1) Every commercial, industrial or multi-family residential building hereafter erected having frontage on any body of water, with the exception of Silver and Boardman Lakes, and with the exception of on-site storm water ponds and artificial water bodies created as part of the site's landscape treatment, shall be set back at least seventy-five (75) feet from the watermark or normal stream bank. Single family residential uses shall observe a setback of fifty (50) feet. Along those sections of the Boardman River controlled under the Natural River Act, PA 231 of 1970, as amended, setbacks shall be as required by the Act.
- (2) Every building hereafter erected having frontage on Silver and Boardman Lakes shall set back at least fifty (50) feet from the water mark.
- (3) Storm water retention or detention ponds, with the exception of customary release structures including pipe, swales and ditches shall be set back fifty (50) feet from a natural lake or normal stream bank.
- (4) Streets and access drives other than where they intersect lakes or streams and for such a distance as is required to cross a lake or stream shall be set back fifty (50) feet from a watermark or normal stream bank.

B. Minimum Construction Elevations - Silver Lake

Within five hundred (500) feet of Silver Lake, the lowest grade for any building construction or accessory building construction shall be elevation 866.N.V.G.D. (NOTE- SILVER LAKE WATER MARK - 862.32 feet above sea level USGSD.

C. Riparian Vegetative Buffers

- (1) Required. A vegetated buffer strip shall parallel and extend thirty-five (35) feet inland from all points along the water mark of a lake-stream shoreline or normal stream bank, with the exception of on-site storm water ponds and artificial water bodies created as a part of site landscape treatment which does not flow or overflow into a natural lake-stream. The general standards for the buffer strip are as follows:
 - (a) The buffer strip shall consist of native trees, shrubs and other vegetation. Dead, diseased, unsafe or fallen trees and noxious plants and shrubs, including poison ivy, poison sumac and poison oak, may be removed. Trees and shrubs shall not be removed but may be pruned for a filtered view of the lake-stream, however, clear cutting shall be prohibited.

- (b) Subject to (1) above; ground cover vegetation shall be left in a natural state and shall not be removed. Chemical control and/or fertilization of vegetation shall be prohibited.
- (c) Footpaths, bicycle paths and hiking paths as well as fences, walls and stairways may be constructed under the following conditions:
 - (i) All paths and stairways must be constructed in a location and manner to avoid soil and slope failure.
 - (ii) Construction shall avoid removal of existing trees, shrubs and any other vegetation whenever feasible.
- (2) Reduction. In the event that the application of the vegetated buffer strip standards of this Section, together with any other dimensional restrictions applicable under this Ordinance, results in a legal parcel that cannot be reasonably developed for permitted land uses in the district within which the property is located, the Planning Commission may approve a reduction of the buffer area upon a finding that the proposed site plan provides the maximum possible buffer strip, while permitting a reasonable use of the property.

D. Filling and Grading within 200 Feet of the Water Mark or Stream Bank

The following rules shall apply to any filling, grading or any other earth movement within 200 feet of the water mark or normal stream bank of any lake, river, stream, or other body of water to prevent harmful erosion and related sedimentation:

- (1) The smallest amount of bare ground shall be exposed for as short a time as feasible.
- (2) Temporary ground cover such as mulch must be used as soon as possible and permanent cover such as sod be planted.
- (3) Diversions, silting basins, terraces and other methods must be used to trap any sediment.
- (4) Fill must be stabilized according to accepted engineering practices.

DIVISION 3: IMPROVEMENTS - OPERATION AND MAINTENANCE

SECTION 540 PURPOSE

All improvements required by this article shall be operated and maintained as required by this Division. The instruments creating the dedication, easement, transfer, homeowners' association (HOA), or condominium association, shall be provided to and approved by the Township as part of any development application.

The Township may, but is not obligated to, accept or agree to another form of operation and maintenance of any improvement required by this article provided that such is consistent with the intent of this article.

SECTION 541 DEDICATION OF LAND OR EASEMENT

The Township may, but is not required to, accept a dedication of land in the form of fee simple ownership or an easement for public use of any portion or portions of undivided improvement land, the title of which is to remain in ownership by the condominium or HOA, provided that:

- A. Such land is accessible to the residents of the Township;
- B. There is no cost of acquisition other than any costs incidental to the transfer of ownership, such as title insurance; and
- C. The improvement conforms to the applicable standards of this article.

Land dedicated as a natural area, greenway, greenbelt, or trail corridor shall be subject to a duly executed and recorded easement meeting the requirements of and enforceable in accordance with State statute,

☐ C.I.
☐ MIS.
☐ JUV.

**State of Michigan
Uniform Law Citation**

Ticket No. 0028

☐ Victim
Involved

Incident No.

Dept. No.

The People of: ☐ the State of Michigan

Local Use/Arrest No. 28-05

Offense Code

☐ Township ☐ City ☐ Village ☐ County

BAC

OF:

THE UNDERSIGNED
SAYS THAT ON:

Month Day Year

At approximately

☐ A.M. ☐ P.M.

Date of Birth

Month Day Year

State ☐ Oper./Chauff.

Driver License Number

Race

Sex

Height

Weight

Hair

Eyes

Occupation/Employer

Name (First, Middle, Last)

Street

City

State

Zip Code

E-mail Address

Cellular Phone

Vehicle Plate No.

Year

State

Vehicle Description (Year, Make, Color)

Veh. Type

THE PERSON NAMED ABOVE, in violation of §

☐ Local Ordinance ☐ State Law ☐ Administrative Rule

UPON

AT OR NEAR

WITHIN ☐ CITY ☐ VILLAGE ☐ TOWNSHIP OF

COUNTY OF GRAND TRAVERSE

DID THE FOLLOWING

☐ Nuisance Ordinance

☐ Building Code

☐ Speeding _____ MPH in a _____ MPH Zone (formerly _____ MPH Zone)

☐ Licenses Ordinance

☐ Plumbing Code

☐ Disobey Traffic Signal

☐ Zoning Ordinance

☐ Electrical Code

☐ Disobey Stop Sign

☐ Sign, Lighting & Display Ordinance

☐ Mechanical Code

☐ No Operator's License in Possession

☐ Animal & Fowl Ordinance

☐ Defective Equipment

☐ Other

Describe/Remarks:

VIN:

CHECK IF APPROPRIATE ☐ Damage to Property

☐ Vehicle Impounded

☐ Traffic Crash

☐ Injury

☐ Death

Person in Active Military Service ☐ Yes ☐ No

☐ Local Court Bond \$

☐ License Posted in Lieu of Bond

☐ Appearance Certificate

SEE DATE BELOW. SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS

Appearance Date on or before

Hearing Date (if applicable) on

☐ Contact Court

☐ Juvenile Traffic Misd. (Court will Notify)

☐ Formal Hearing Required. (Court will Notify)

In the 86th DISTRICT

Court of

Court Address & Phone Number

280 WASHINGTON STREET, TRAVERSE CITY, MICHIGAN 48684

(231) 922-4580

☐ I personally served a copy of the complaint upon the defendant.

☒ I served a copy of the complaint upon the owner/occupant by posting and by sending a copy to the owner by first class mail at the last known address.

I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief.

Complainant's Signature and receipt if applicable

Month Day Year

Officer's Name (printed)

Officer's ID No.

Agency ORI

Agency Name

MI-

☐ Violation for Which Court May Waive Fine/Costs: Correct the violation. Present the citation to any law enforcement officer to certify the correction. Mail or bring the citation to the court clerk at the address shown above before your appearance or hearing date.

OFFICER CERTIFICATION I certify that the violation described above has been corrected.

Officer's Signature

Officer's ID No.

Date

Agency ORI

Agency Name

UC-01b, Rev. 3/21

ENFORCEMENT AGENCY COPY

☐ C.I.
☐ MIS.
☐ JUV.

Ticket

Name

Case No.

Mike Green

From: Derek Morton
Sent: Thursday, August 8, 2024 6:57 AM
To: Mike Green; Jamie Douglass
Cc: Chuck Korn
Subject: FW: TICKET 0028 WILLIAM WAGGENER

Morning,

I received this from the Courts. I thought he already paid this one?!?!?

Derek

From: Sue Schaub <sschaub2@86thdistrictcourt.org>
Sent: Wednesday, August 7, 2024 4:34 PM
To: Derek Morton <dmorton@garfield-twp.com>
Subject: TICKET 0028 WILLIAM WAGGENER

Good afternoon,

Deft has requested a formal hearing. Please contact the Townships Attorney and have them file the appearance with 86th District Court. The appearance can be emailed to districtcourt@86thdistrictcourt.org.

If you have any questions, please call 231 922 4565

Thank you!
Sue Schaub
86th District Court

Mike Green

From: Mike Green
Sent: Thursday, August 8, 2024 9:08 AM
To: bwaggener
Cc: Chuck Korn; John Sych
Subject: RE: Lake Dr.

Good morning, Bill,

Thanks for the update. Your neighbor filed an appeal late yesterday on the Land Use Permit issued last week. I will follow up with a copy of the appeal and post a staff report on the website as soon as it's available. In the meantime, no further action may be taken until the appeal is heard unless a stay would result in "imminent peril to life or property" per Section 453.C of the Zoning Ordinance. I would like to set up a site visit to determine if such conditions exist. Let me know what time would be acceptable for you. You don't need to be present. Please cease any further activity until I am able to visit the site and make such determination.

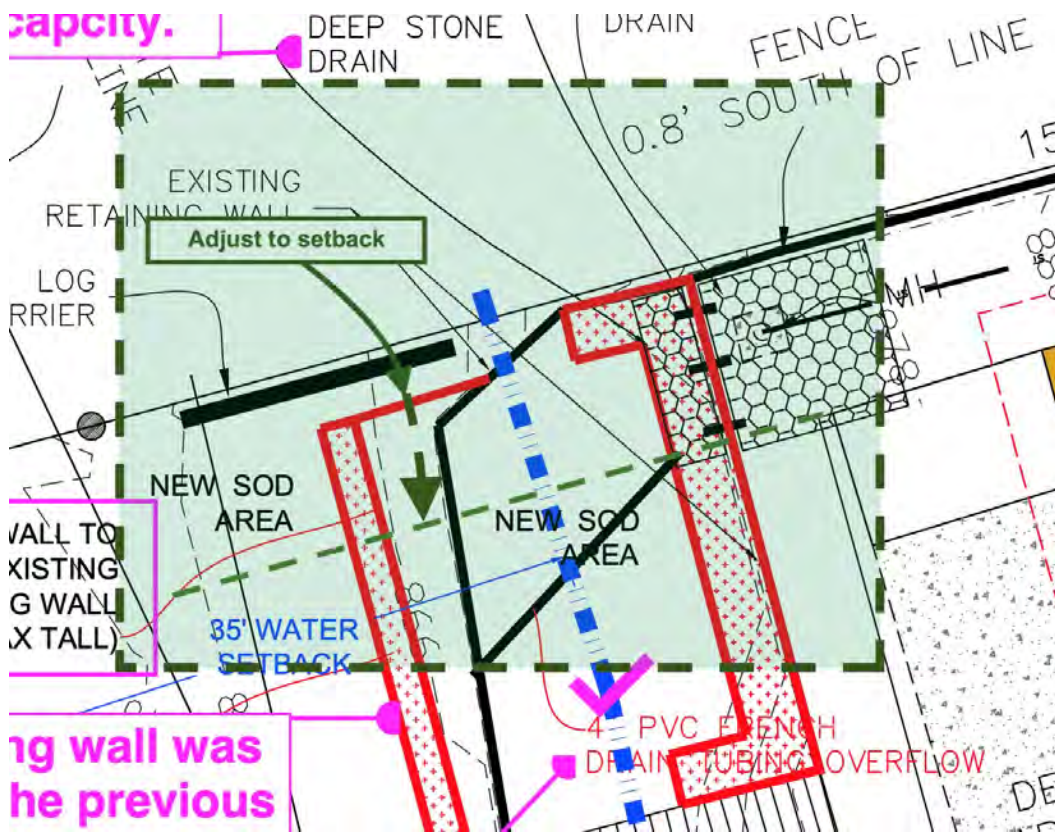
Sincerely,

Michael Green, Zoning Administrator
Charter Township of Garfield
Phone: 231-941-1620
Fax: 231-941-1588

From: bwaggener <billwaggs@gmail.com>
Sent: Wednesday, August 7, 2024 2:30 PM
To: Mike Green <Mgreen@garfield-twp.com>
Subject: Re: Lake Dr.

Mike,

This drawing is pretty cluttered but I highlighted in green the area in question.
Will this work for you?



On Wed, Aug 7, 2024 at 1:57 PM bwaggner <billwaggs@gmail.com> wrote:

Mike,
 Just a heads up.
 I'll try to have that sketch markup tomorrow.
 Just buried in the office today and haven't been able to get to it.

The neighbor has reappeared in town just now, so I expect you'll be contacted.
 Hopefully I can make it through the week before the next inning starts.
 Thanks

--
 Best Regards,

Bill Waggener
 Waggener Electric LLC
 4281 Village Park Dr.
 Traverse City, MI 49685

Office: 231-929-9330
 Fax: 231-929-9305
 Cell: 231-883-9321

Email: bill@wecmi.com

--

Best Regards,

Bill Waggener
Waggener Electric LLC
4281 Village Park Dr.
Traverse City, MI 49685

Office: 231-929-9330

Fax: 231-929-9305

Cell: 231-883-9321

Email: bill@wecmi.com

LEGAL NOTICE

Date

8/14/2024

WHEREAS, violations of

Zoning Ordinance Section 453.C

ZBA Appeal prevents any action or

have been

found on these premises. IT IS HEREBY ORDERED in accordance with the above Code that all persons cease, desist from, and

STOP WORK

at once pertaining to construction, alterations or repairs on these premises known as 1661 Lake Drive

All persons acting contrary to this order or removing or mutilating this notice are liable to arrest unless such action is authorized by the Department.

CHARTER TOWNSHIP OF GARFIELD

Grand Traverse County

3848 Veterans Drive

TRAVERSE CITY, MICHIGAN 49684

INSPECTOR

Michael Green

PHONE

231 941 1620 x 230

CONTROL NO.

Mike Green

From: Alissa Topping <atopping@gtcountymi.gov>
Sent: Monday, August 26, 2024 9:38 AM
To: billwaggs@gmail.com
Cc: Mike Green
Subject: 1661 Lake Dr Soil Erosion Permit
Attachments: 4849_001.pdf; 4848_001.pdf

Good morning Bill,

The slope on the southern side of 1661 Lake Dr has eroded significantly and I'm issuing a permit compliance notice which is attached. The silt fences need to be repaired. To prevent further erosion issues the southern slope needs to be seeded and covered with erosion control blankets that are properly staked down after the gulleys have been filled in. For long term stabilization, it is highly recommended to install retaining walls on slopes that are steeper than 2:1. Corrective measures should be completed by 9/2/24 and I will follow up with another inspection then. If you have any questions, feel free to call me.

Alissa Topping
Environmental Health Sanitarian
Grand Traverse County Health Department
(231) 995-6020



PERMIT COMPLIANCE NOTICE

GRAND TRAVERSE COUNTY ENVIRONMENTAL HEALTH
SOIL EROSION AND SEDIMENTATION CONTROL
2650 LaFranier Road
Traverse City, Michigan 49686
(231) 995-6051 • FAX (231) 995-6033
eh@grandtraverse.org

Location 1661 Lake Dr Permit No. 23-02135

Owner/Contractor William Waggener

The following corrective measures must be taken in order to bring your project into compliance with your permit requirements:

Repair silt fences. Remove sediment near waters edge
and fill in gulleys—seed southern slope and install
erosion control blankets that are properly staked
down.

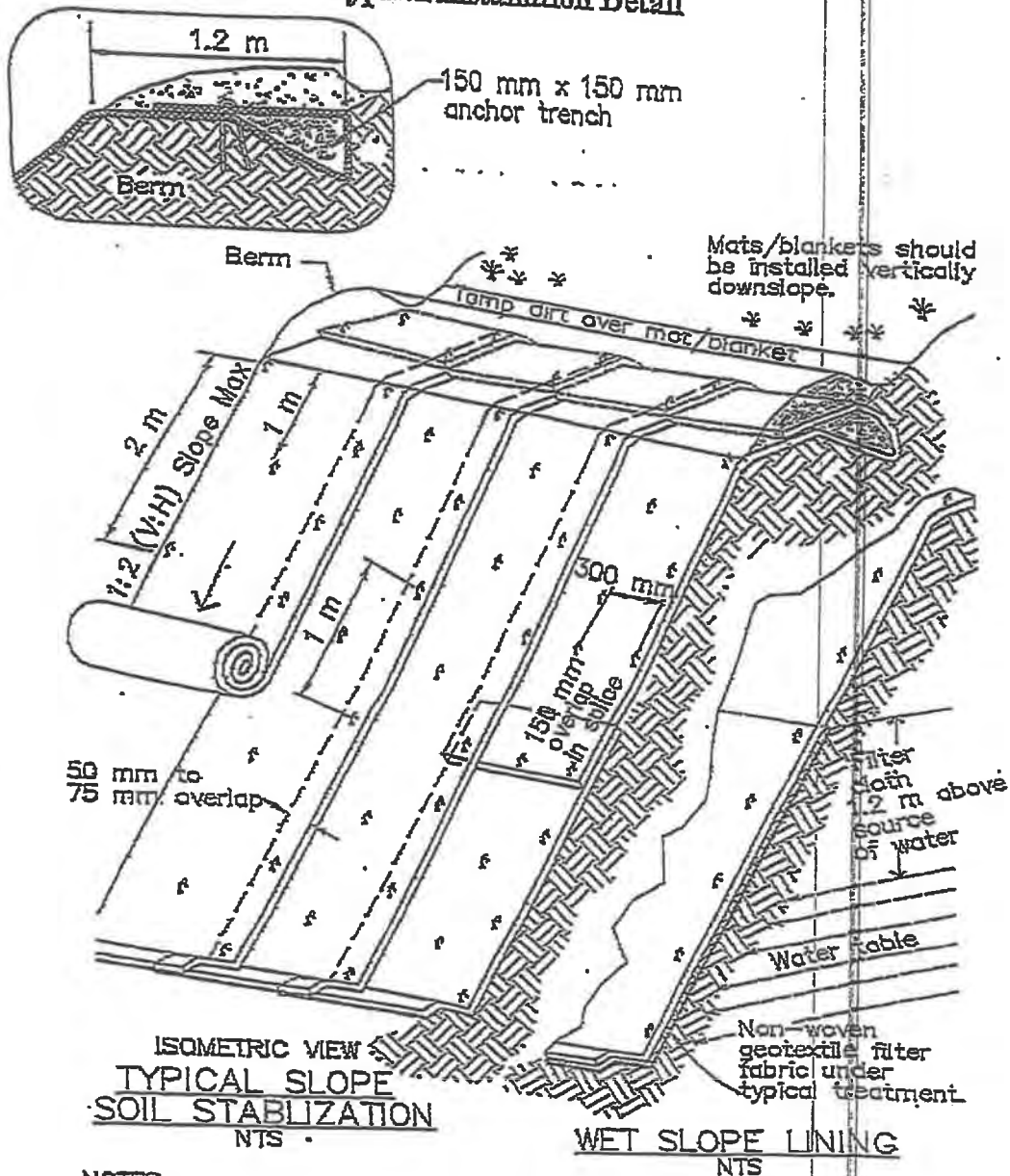
Please contact our office when these measures have been completed so we can verify that compliance with the above referenced permit requirements has been achieved. Corrections must be made on or before 9/2/24.

Date 8/26/24 by Alissa Tapping 231-995-6020
Soil Erosion Inspector

GTC/622
Rev. 9/18

Geotextiles, Mats, Plastic Covers and Erosion Control Blankets

Typical Installation Detail



NOTES:

1. Slope surface shall be free of rocks, clods, sticks and grass. Mats/blankets shall have good soil contact.
2. Lay blankets loosely and stake or staple to maintain direct contact with the soil. Do not stretch.
3. Install per manufacturer's recommendations

Mike Green

From: Mike Green
Sent: Thursday, November 7, 2024 2:05 PM
To: bwaggener.; Bill Crain
Cc: Jamie Douglass
Subject: FW: 1661 Lake Dr SW Rev 7-103124.pdf
Attachments: 1661 Lake Dr SW Rev 7-103124.pdf; Excerpt from 9-19-2024 ZBA Minutes.pdf

Good afternoon, gentlemen,

I wanted to make sure you are aware of the items needed prior to reinstatement of the Land Use Permit, which are stated in the ZBA Minutes (see attached excerpt) and has highlighted in purple text in the attached stormwater review. In the meantime, I am waiting for an estimated performance bond amount from Gourdie Fraser. Just to be clear, I am requiring revisions that the Township Engineer is recommending to prevent runoff onto neighboring properties based on past performance issues. Feel free to contact me if you have any questions.

Sincerely,

Michael Green
Zoning Administrator
Charter Township of Garfield
Phone: 231-941-1620 x 230
Website: www.garfield-twp.com

From: Mark Maguire <Markm@gfa.tc>
Sent: Thursday, October 31, 2024 3:49 PM
To: Mike Green <Mgreen@garfield-twp.com>
Cc: Jennifer Graham <jennifer@gfa.tc>; John Sych <jsych@garfield-twp.com>; billwaggs@gmail.com; Bill Crain <crainengineeringllc@gmail.com>
Subject: 1661 Lake Dr SW Rev 7-103124.pdf

Caution! This message was sent from outside your organization.

Good afternoon Mike,

Please find the attached storm water review letter with recommendations for the applicant to respond to regarding the 1661 Lake Drive additional work. We find the site is compliant but need some more supporting info. We also layout recommendations in response to the ZBA motions.

Thank you,

Mark W. Maguire, PE
Project Engineer



GFA, Inc. - Engineering, Surveying, Operations, Construction Services

123 W Front Street | Traverse City, MI 49684
tel (231) 946.5874 | fax (231) 946.3703

Confidentiality Note: This e-mail and any attachments are confidential and may be protected by legal privilege. If you have received this e-mail in error, please notify us immediately by returning it to the sender and delete this copy from your system. Thank you.



Engineering
Surveying
Testing &
Operations

123 West Front Street
Traverse City, Michigan 49684
231 946 5874 
231 946 3703 

October 31, 2024

Mr. Michael Green, Zoning Administrator
Charter Township of Garfield
3848 Veterans Drive
Traverse City, MI 49684

RE: 1661 Lake Drive
Storm Water Review –New Retaining Walls & Grading Refinements Along South Property Line
Parcel #: 05-295-035-00
Garfield Township, Grand Traverse County

Dear Mr. Green,

GFA reviewed the revised submittal provided on 10-07-24 indicating additional work to 1661 Lake Drive. Plans were prepared by Crain Engineering, LLC and dated 10-1-24. Plans depict the new retaining walls and grading to alter the slopes towards Silver Lake.

GFA attended a pre-review meeting on 10-15-24 with Township Zoning and the Applicant to confirm project scope. Site visit photo log with notes is appended to this letter.

GFA has reviewed the plans and intent relayed during the site visit for compliance with requirements of the storm water control ordinance and with respect to the ZBA September 19 2024 Motions.

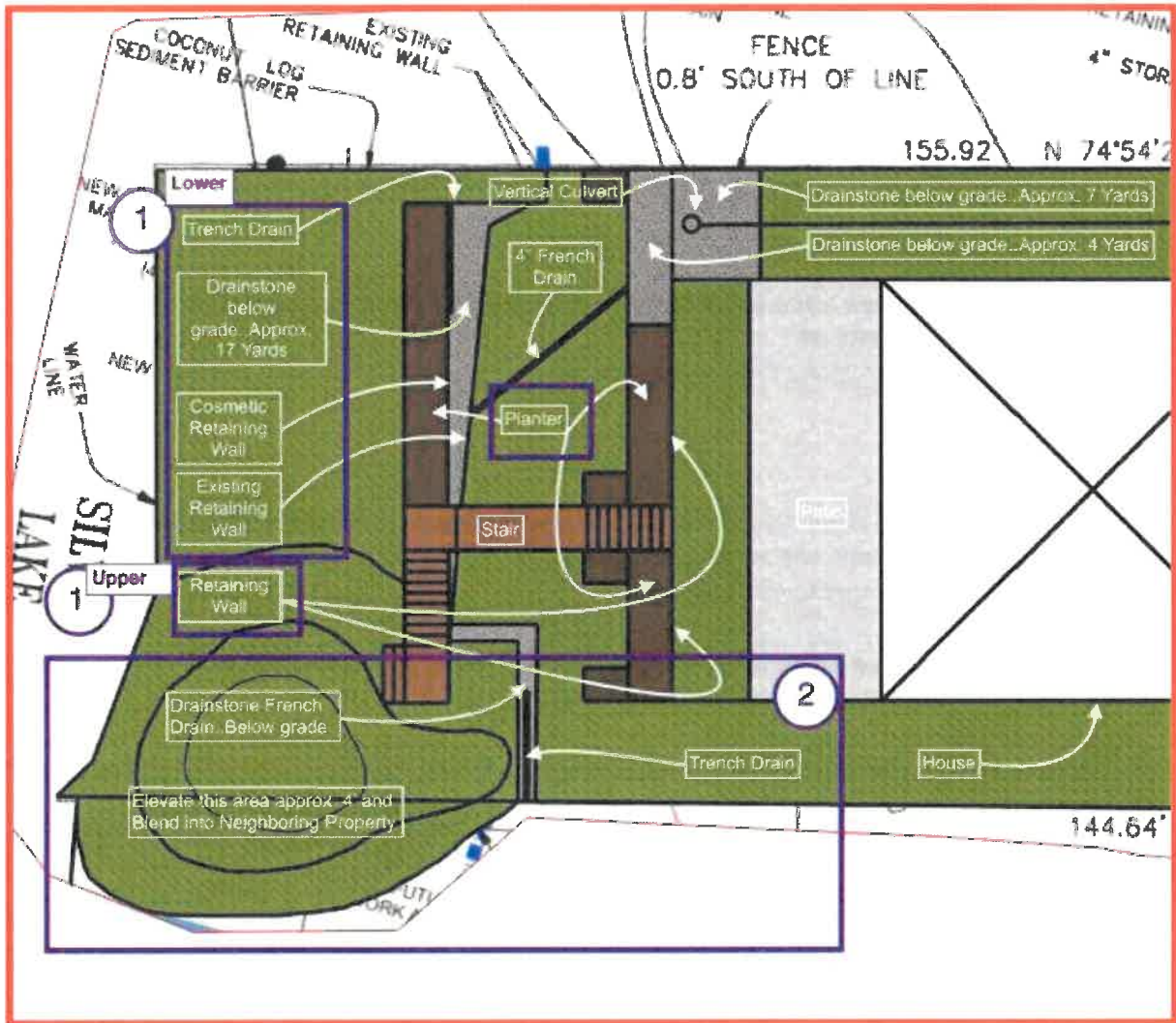
Storm Water Review:

The subject area affects the rear and south property line of the subject property. The excerpt on the following page depicts submitted plans with GFA's annotations in **purple** identifying the two work areas reviewed.

The submitted plans detail the location of new/updated timber retaining walls, stairs, and planters and general grading information as compared to the previously approved plans per the 05-28-24 corrective action letter. The proposed grading decreases the slope of the site by the creation of new terraced lawn areas between the lower and upper retaining walls. The lower terrace wall appears to be Drainage of the terraced lawn area is controlled with trench drains which connect to stone infill areas behind the lower retaining wall for dissipation infiltration through the soil. The grading work along the south property line removes exiting timber stairs and replaces with short retaining wall and approximately 4' of fill.

Determination of Surface Runoff:

No new storm water calculations were provided. No new impervious surfaces are depicted on the plans. No new roof drain connections are shown. There is a decrease the slope. It appears with no increase in impervious areas, a decrease in slope, and no increase of drainage area, the project imposes no increase in storm water runoff.



10-01-24 Plan Excerpt with GFA annotations in purple depicting work areas reviewed that differ from the previously approved plans.



Storm Water Facilities:

Work Area 1: Retaining wall work from the previously approved corrective work per the 5-28-24 letter.

- Lower retaining wall work. Addition new timber wall beyond existing lower timber wall. Infill annular space with drain stone. Creates a flat intermediate terrace restored with lawn vegetation and planters. A drainage grate is indicated along north side to provide direct connection to the stone infill. The stone infill would provides 17 CYD @ 0.4 voids = 183 CF of storage.
 - It appears the storage provided is more than adequate for contributing lawn areas.
 - The applicant's engineer to confirm and validate this value related to the contributing area.
 - We recommend eliminating the possibility of weeping through retaining wall to north property line.
 - Add some type of liner between stone infill and inside face of timber wall.
 - Alternatively, ensure flows are not concentrated further by means of grading or provide other conveyance measures such as French drain at toe of wall that outlets on the subject property and directing flows to Silver lake.
- Upper retaining wall work. Planters added along the retaining walls. Planters incorporate the previous outlet corrections.
 - We recommend shifting the drainage grate to the midpoint along the retaining wall to encourage waters to weep towards Silver Lake.

Work Area 2: Grading refinements along the south property line

- Addition of approximately 4' of fill at the lower stair landing. The fill extends beyond the south property line. The intent confirmed onsite is to provide a transition of the slopes to the new terrace lawn area created by the retaining wall work in work area 1. Other objectives include lawn maintenance access with a reasonable slope to the lower side of the retaining walls.
 - Plans require work to be performed on south property and grading agreement will be needed and copy provided to Township for their files
 - Applicant indicates restoration with lawn/sod. Grades steeper than 1:3 will require measures to ensure stabilization and may impose maintenance concerns for the subject property / south property owner. Need for SESC and recommend 1 year warranty

Erosion Control

It was confirmed during the site visit that the applicant has a current SESC permit. Active control measures employed are coir logs and turf filter strip to protect Silver Lake from the migration of sediments and silts while the site areas are currently unrestored.



Recommendation

We find that with the proposed retaining wall and grading work does not cause adverse increase to the storm water runoff from 1661 Lake Drive. We find there is additional management volume provided behind the new timber retaining wall for the storm water to be detained and infiltrate through the soil. It appears there is the improvements decrease flows to the south property and do not direct flows to the north property line. We ask the applicant to respond to the recommendations to limit the possibility of further weeping towards the North property line due to the proximity of the retaining wall.

Regarding the ZBA September 19 2024 Motions:

- 1) GFA recommends the Township considering this site for storm water approval in relation to the new work areas described.
- 2) GFA recommends the applicant to be responsible for bi-annual inspection after a significant rain event of the completed work for a period of 2 years to ensure the function of the corrective actions are functioning and limits concentrated flows to the north neighbor.

We appreciate the opportunity to assist the Township during the approval of this project. If you have any questions, please don't hesitate to contact me at (231) 946-5874.

Sincerely,

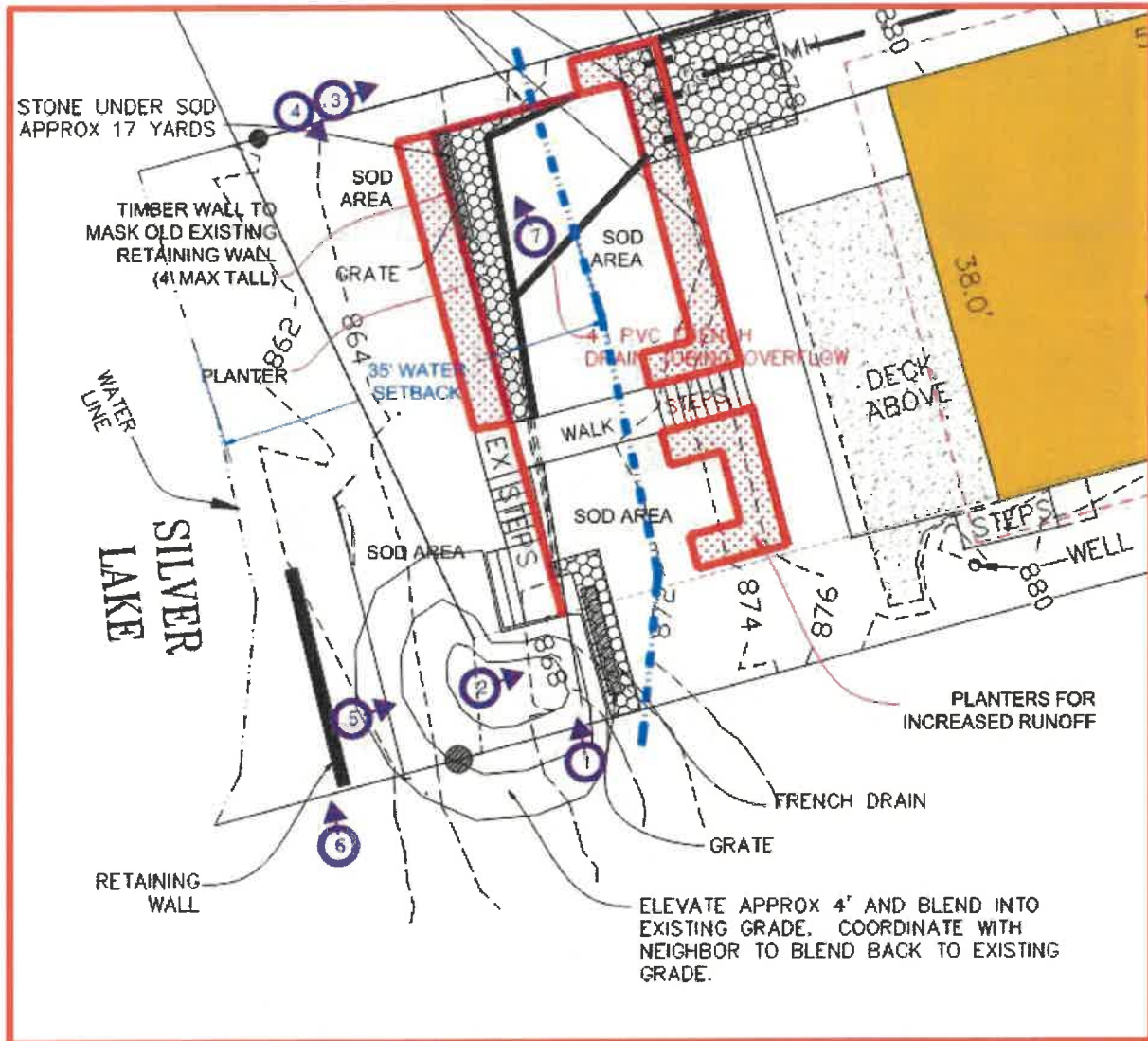
GFA

Mark Maguire, P.E.
Project Engineer
cc: Applicant

Attached: Photo Log of 10-15-24 Site Visit.



10-15-24 Pre-review Site Visit with Twp Zoning and Applicant to confirm project scope.



10-15-24 Photo Log Map. Annotations in purple show photo number and direction.



Photo 1 – Looking north from south property line detailing French drain outlet into stone fill of lower retaining wall.





Photo 2 – Detail of French Drain at toe of new intermediate timber retaining wall. French drain intercepts flows from lawn and directs to stone infill of lower retaining wall.



Photo 3 – Looking east along north property line at new timber retaining wall and lower planter.



Photo 4 – Looking southeast from north property line a retaining wall and lower planter.



Photo 5 – Looking east from existing retaining wall up the south property line at the new intermediate timber retaining wall and stairs. This unrestored area is the location where up to 4' of fill is proposed.



Photo 6 – Looking north from south property line at the existing retaining wall at beach, This will be the limits of possible fill indicated on the plans.



Photo 7 – Detail of clean stone infill between new and existing lower retaining wall.

be satisfied if the water runoff was addressed and if the wall was limited to seven feet in height including any railing and complied with the Zoning Ordinance.

Swan moved and Fricke seconded that the permit that was issued on June 12, 2024 and amended on August 1, 2024 be suspended until the following issues are addressed by the property owner:

- 1. Grading and wall construction that has commenced and was not previously reviewed by the Township Engineer, particularly the lower wall near the lake and grading work along the south side of the property be addressed by the proper authorities.*
- 2. That performance and maintenance issues allowing concentrated flows through the retaining wall located along the north property line as evidenced by photos and video supplied by Kathy Boyd as part of her appeal be addressed.*

AND that the following conditions be added to the permit to address past and present performance issues and to account for work being done prior to the issuance of any permits and the resulting questions as to whether the systems were built according to the plans provided and reviewed by the Township Engineer:

- 1. Submittal of a Performance Guarantee per Section 6 of the Stormwater Ordinance to the Township in an amount recommended by the Township Engineer to ensure completion and proper maintenance of the stormwater system will be required.*
- 2. Submittal and review of a stormwater maintenance agreement by the Township Engineer prior to reissuing or reactivating the permit will be required.*
- 3. The applicant will be required to submit to maintenance inspections per the Stormwater Ordinance.*
- 4. As built drawings are to be submitted to the Garfield Township Building Department, EGLE, soil erosion, land use and the township's engineer for approval prior to restart.*

Yeas: Swan, Fricke, Duell, Fudge, Smith

Nays: None

- 4. Unfinished Business**
None
- 5. Other Business (8:02)**
None

Mike Green

From: Jamie Douglass
Sent: Monday, November 18, 2024 11:43 AM
To: bwaggener
Subject: Gourdie Fraser Invoice
Attachments: Waggener Drive 2320907.pdf

Good morning Bill,
Attached is an invoice we received from Gourdie Fraser for stormwater review. Please deposit \$1,350.00 into your escrow account so we can pay this for you. Please let me know if you have any questions.

Thank you,
Jamie



Jamie Douglass
Building & Land Use Asst.
Phone (231)941-1620 **Desk** (231)225-3175
Web www.garfield-twp.com
3848 Veterans Dr. Traverse City, MI. 49684
Monday - Thursday 7:30am to 6:00pm

Invoice

Gourdie-Fraser, Inc.
123 West Front Street, Suite A
Traverse City, MI 49684
Phone: 231-946-5874 Ext. 310
melanie@gfa.tc Pay By Credit Card:
<https://quickclick.com/r/xsgjxl869prhal82eeeljlzhd>

MR CHUCK KORN
CHARTER TWP OF GARFIELD
3848 VETERANS DR
TRAVERSE CITY, MI 49684

November 02, 2024

Project No: 23209

Invoice No: 2320907

Re: Waggener Drive, Storm Water Review, Escrow No. 215.814

Services Performed: Engineering Services for storm water review including review of plans, computations and specifications for compliance with Ordinance 49. Services include supplement review of post construction as required by ZBA and letter of acceptance.

Project Location: 1661 Lake Drive, Traverse City

Professional Services from September 15, 2024 to November 02, 2024

Professional Personnel

	Hours	Rate	Amount	
Project Engineer II	10.00	135.00	1,350.00	
Totals	10.00		1,350.00	
Total Labor				1,350.00
		Total this Invoice		\$1,350.00

Billings to Date

	Current	Prior	Total
Labor	1,350.00	3,492.50	4,842.50
Totals	1,350.00	3,492.50	4,842.50

Mike Green

From: Mike Green
Sent: Thursday, April 24, 2025 5:11 PM
To: bwaggener
Cc: Bill Crain; Jamie Douglass
Subject: RE: Lake Dr.
Attachments: PSE2025-013 (1661 Lake Dr) Violation Notice 4-14-2025.pdf; 1661 Lake Dr ZBA and escrow Info 4-24-2025.pdf

Good afternoon, Bill,

I did receive plans from Bill Crain as you mentioned. We need to collect the outstanding balance of \$1,350 on your escrow account before I can send the drawings to our engineer for further review. I have attached a copy of the invoice for your reference. I have also included the ZBA decision in the attached file for your guidance moving forward. Finally, I am sending you a copy of an SESC Violation notice that was mailed to you last week. Please respond as soon as possible to avoid any fines or other enforcement actions. Fines for SESC violations by state law can range from \$2,500 to \$25,000 for each day a violation remains.

Sincerely,

Michael Green
Zoning Administrator
Charter Township of Garfield
Phone: 231-941-1620 x 230
Website: www.garfield-twp.com

From: bwaggener <billwaggs@gmail.com>
Sent: Tuesday, April 22, 2025 7:20 AM
To: Mike Green <Mgreen@garfieldmi.gov>
Subject: Lake Dr.

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Mike,

I believe Bill Crain sent you a drawing for the site.
Please review and let me know if it has everything you need.
Then I can make applications for S&E and Land Use or whatever I need so that I can proceed without interruption.
Thanks

--

Best Regards,

Bill Waggener
Waggener Electric LLC
4281 Village Park Dr.

Traverse City, MI 49685

Office: 231-929-9330

Fax: 231-929-9305

Cell: 231-883-9321

Email: bill@wecmi.com

be satisfied if the water runoff was addressed and if the wall was limited to seven feet in height including any railing and complied with the Zoning Ordinance.

Swan moved and Fricke seconded that the permit that was issued on June 12, 2024 and amended on August 1, 2024 be suspended until the following issues are addressed by the property owner:

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- 3. The applicant will be required to submit to maintenance inspections per the Stormwater Ordinance.*
- 4. As built drawings are to be submitted to the Garfield Township Building Department, EGLE, soil erosion, land use and the township's engineer for approval prior to restart.*

Yeas: Swan, Fricke, Duell, Fudge, Smith

Nays: None

4. Unfinished Business

None

5. Other Business (8:02)

None

Invoice

Gourdie-Fraser, Inc.
123 West Front Street, Suite A
Traverse City, MI 49684
Phone: 231-946-5874 Ext. 310

melanie@gfa.tc Pay By Credit Card:
<https://quickclick.com/r/xsgjxl869prha182eeeljlzhd>

MR CHUCK KORN
CHARTER TWP OF GARFIELD
3848 VETERANS DR
TRAVERSE CITY, MI 49684

11/18 sent email to Bill for payment

12/24 - sent email reminder

1/15 sent email reminder

231-883-9321 - cell

November 02, 2024

Project No: 23209

Invoice No: 2320907

11/27 - called cell,
left message

Re: Waggener Drive, Storm Water Review, Escrow No. 215.814

Services Performed: Engineering Services for storm water review including review of plans, computations and specifications for compliance with Ordinance 49. Services include supplement review of post construction as required by ZBA and letter of acceptance.

Project Location: 1661 Lake Drive, Traverse City

Professional Services from September 15, 2024 to November 02, 2024

Professional Personnel

	Hours	Rate	Amount
Project Engineer II	10.00	135.00	1,350.00
Totals	10.00		1,350.00
Total Labor			1,350.00
Total this Invoice			\$1,350.00

Billings to Date

	Current	Prior	Total
Labor	1,350.00	3,492.50	4,842.50
Totals	1,350.00	3,492.50	4,842.50

3/12 - Bill came in. I reminded him that
this is still due.



Charter Township of Garfield

Grand Traverse County

3848 VETERANS DRIVE

TRAVERSE CITY, MICHIGAN 49684

PH: (231) 941-1620 • FAX: (231) 941-1588

SESC PERMIT VIOLATION NOTICE

04/14/2025

WILLIAM WAGGENER
1661 LAKE RD.
TRAVERSE CITY, MI 49685
(sent via certified mail)

Permit Number: PSE2025-013
Permit Address: 1661 LAKE DR

It has been determined that the above referenced property is in violation of Part 91, Soil Erosion and Sedimentation Control of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and the Garfield Township Control of Soil Erosion and Sedimentation Ordinance No. 78 as noted below:

1. Soil appears to have migrated into neighboring property located south of the subject property. Need to install silt fence as depicted on plans submitted as part of the Grand Traverse County SESC application.

Corrective actions listed above must be completed within five (5) calendar days of receipt of this letter. Feel free to contact our office at (231) 941-1620 or at mgreen@garfieldmi.gov if you have any questions.

Sincerely

Michael Green, SESC Permitting Agent
Charter Township of Garfield

Attachments:

1. Site photos with inspector's notes
2. Site plan with inspector's notes



Need
silt
fence
here



Slope > 20%

Silt Fence (trenched in per attached document)

Disturbance Area

Seed + Mulch + Landscape
(stabilization)

R&R course and
install drain

N
Pave
Straw matting
If slope
exceeds
3:1 Gradient

Need
silt fence
Silver 1k

Bill Wagner

231 883 9321

Need silt
fence

05-295-035-00

REVIEWED / APPROVED
Soil Erosion Compliance
Subject to Field Inspections

Reviewer LM Date 5/11/23

EROSION CONTROL SCHEDULE
INSTALL SEDIMENT CONTROLS 5/23
START EXCAVATION 5/23
CONSTRUCT BUILDINGS
PAVING
FINAL GRADE SEED & MULCH 6/23
SEDIMENT CONTROL REMOVAL 7/23

SEC:30 T27N R11W

Mike Green

From: Mike Green
Sent: Thursday, May 8, 2025 4:33 PM
To: bwaggener
Cc: Chris Barsheff; Jamie Douglass
Subject: Stop work order and escrow payment notice
Attachments: IMG_1606.jpg; IMG_1607.jpg

Good afternoon, Bill,

I am writing to let you know that you are under a stop work order preventing any further grading or filling activities at your property at 1661 Lake Drive. In addition, I also want to remind you that you still owe money toward your escrow account that was set up for engineering review. Please take action on or before May 15, 2025 to pay any outstanding balances owed to avoid further enforcement and penalties. Please feel free to reach out to Jamie if you are unsure of the current balance.

Sincerely,

Michael Green
Zoning Administrator
Charter Township of Garfield
Phone: 231-941-1620 x 230
Website: www.garfield-twp.com



LEGAL NOTICE

STOP WORK

CHARTER TOWNSHIP OF CARPENTERS
10000 10th Ave S
Minneapolis, MN 55426

The Genuine
"DOC-BOX"
Made in the USA

WARNING

05/06/2025



Mike Green

From: Bill Crain <crainengineeringllc@gmail.com>
Sent: Monday, June 2, 2025 5:37 PM
To: Mike Green
Cc: bwaggener .; Chris Barsheff
Subject: Re: 1661 Lake Drive

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

thanks, will get added and get revised plan back to you.

Bill Crain
Crain Engineering, LLC
7622 Bott Road
Buckley, MI 49620
Cell: 231-632-4207

On Mon, Jun 2, 2025 at 4:29 PM Mike Green <Mgreen@garfieldmi.gov> wrote:

Good afternoon, Bill,

I recently completed a SESC visit and reviewed the latest plans you sent us. While the retaining walls toward the lake seem to be depicted on the plans, there is a retaining wall/planter box located around the southwest corner of the house. I wanted to give you the opportunity to make the change before I submit the plans to GFA for their review.

Sincerely,

Michael Green



phone (231) 941-1620

fax (231) 346-5984

email mgreen@garfieldmi.gov

website www.garfieldmi.gov

**MICHAEL
GREEN**

ZONING ADMINISTRATOR

Charter Township of Garfield

address 3848 Veterans Drive
Traverse City, MI 49684

From: Bill Crain <crainengineeringllc@gmail.com>

Sent: Thursday, April 17, 2025 8:13 AM

To: Mike Green <Mgreen@garfieldmi.gov>

Cc: bwaggener . <billwaggs@gmail.com>

Subject: 1661 Lake Drive

Mike,

Please find attached updated siteplan for Bill Waggoner and 1661 Lake Drive. Please let me know if anything else is needed.

Thanks

Bill Crain

Crain Engineering,LLC

7622 Bott Road

Buckley, MI 49620

Cell: 231-632-4207

Mike Green

From: Travis Munn <travism@gfa.tc>
Sent: Monday, June 9, 2025 3:58 PM
To: Mike Green; Jennifer Graham; Mark Maguire
Subject: RE: 1661 Lake Drive

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Good afternoon, Mike

Mark, Jennifer and I reviewed the ZBA decision you provided related to the Bill Waggener project located at 1661 Lake Drive, and your request for our input on proposed completion timeline. In response to your request, GFA provides the following input:

- **Cost of Performance Guarantee:** Set a cost to reconstruct/repair with conventional means should the system fail.
 - Performance Guarantee to remain valid and in place for a period of 12 years.
 - Roughly value at \$ 10,000 (\$2,000 Mobilize contractor + \$2,000 clean up, + \$5000 repair + \$1,000 restoration/SESC = \$10,000)
- **Storm Water Management Agreement:** Applicant to provide their plan to provide regular inspections and maintenance of the storm water controls and provide to the Township/Township Engineer for review and approval.
- Recommend the applicant to be responsible for bi-annual inspections by the Township Engineer, or applicants licensed professional engineer, after significant rain events of the completed work for a period of 2 years to ensure the function of the corrective actions are functioning, and limits concentrated flows to the north neighbor. The applicant shall pay for all required/necessary inspections. The applicant shall be responsible for maintaining annual inspection and maintenance records.
- Records to be provided to the Township for a for a period of 3 years.

The above is our recommendations and may be modified or adjusted as directed by the Township's council. Please let us know if you have any questions or if you need any additional information.

Thank you

Travis Munn

Project Specialist

(269) 615-7805



123 W Front Street
Traverse City, MI 49684
(231) 946.5874

[Website](#) | [Phone](#) | [Facebook](#) | [LinkedIn](#)

Confidentiality Note: This e-mail and any attachments are confidential and may be protected by legal privilege. If you have received this e-mail in error, please notify us immediately by returning it to the sender and delete this copy from your system. Thank you.

From: Mike Green <Mgreen@garfieldmi.gov>
Sent: Wednesday, June 4, 2025 12:26 PM
To: Travis Munn <travism@gfa.tc>; Jennifer Graham <jennifer@gfa.tc>; Mark Maguire <Markm@gfa.tc>
Subject: 1661 Lake Drive

You don't often get email from mgreen@garfieldmi.gov. [Learn why this is important](#)

Good afternoon, everyone,

I am reaching out to you in regards to the Bill Waggener project at 1661 Lake Drive to get your input regarding a proposed completion timeline. I have included a scanned copy of the Zoning Board of Appeals decision from last year. Despite my advise, they declined to impose a deadline to complete the items in their order. As a result, Chris and I are working with our attorney to come up with a required completion timeline but would like your input to ensure the timeline is reasonable and defensible should it be challenged in court. Let me know if you have any questions. Just to update you, Bill Crain is working on a minor revision to the plans he recently submitted.

Sincerely,

Michael Green



**MICHAEL
GREEN**

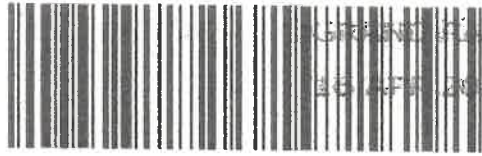
ZONING ADMINISTRATOR
Charter Township of Garfield

phone (231) 941-1620
fax (231) 346-5984
email mgreen@garfieldmi.gov
website www.garfieldmi.gov
address 3848 Veterans Drive
Traverse City, MI 49684



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

CERTIFIED MAIL®



GRAND TRAVERS MI 49684

1661 LAKE DRIVE S L

9589 0710 5270 1495 0522 74

FIRST-CLASS



ZIP 49684
02 7H
0006165924



WILLIAM WAGGENER
1661 LAKE DRIVE
TRAVERSE CITY

NIXIE

482 DE 1

0005/10/25

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

UNC

BC: 49684458899

*2907-06889-16-31

49684458899



3849 4/18/25 ✓
4/23 ✓
5/3

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

WILLIAM WAGGENER
1661 LAKE ROAD
TRAVERSE CITY, MI 49685



9590 9402 8544 3186 2044 70

2. Article Number (Transfer from service label)

9589 0710 5270 1495 0522 74

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

1 Mail Restricted Delivery
500

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

DIVISION 7: ENFORCEMENT, VIOLATIONS, AND PENALTIES

PURPOSE

This Division establishes legal authority and procedures for enforcement of the Zoning Ordinance.

SECTION 461 TYPES OF VIOLATIONS

A. Municipal Civil Infraction

A person who violates any provision of the Ordinance is responsible for a municipal civil infraction. Each day a violation is permitted to exist constitutes a separate offense.

B. Nuisance Per Se

Any structure which is erected, altered or converted, or any use of any structure or land which is commenced or changes after the effective date of this ordinance, in violation of any of the provisions herein, is declared to be a nuisance per se, and may be abated by order of any Court of competent jurisdiction. Any use of land or dwellings, buildings, or structures, including tents and trailer coaches, used, erected, altered, razed or converted in violation of any provision of this ordinance is hereby declared to be a nuisance per se. The Court shall order such nuisance abated and the owners and/or agent in charge of such dwelling, structure, tent, trailer coach or land shall be adjudged guilty of maintaining a nuisance per se.

SECTION 462 CIVIL ENFORCEMENT

A. Enforcement Actions

The Zoning Administrator, or any proper person, may institute any appropriate civil action or proceedings to prevent violations or threatened violations of these regulations. In particular, but without limitation, in case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure, or land is used in violation of this ordinance, the Zoning Administrator, or any proper person, may institute any appropriate action or proceedings to:

- (1) Prevent such unlawful acts and restrain, correct, or abrogate such violation;
- (2) Prevent the occupancy of the building, structure, or land; or
- (3) Prevent any illegal act, conduct, business, or use in or about such premises, including, but not limited to, all remedies provided in the Michigan Zoning Enabling Act.

The imposition of any penalty does not preclude the Township, or any proper person, from instituting any appropriate action or proceedings to require compliance with the provisions of this ordinance, and with administrative orders and determinations made under this ordinance.

In addition to the municipal civil infraction remedies provided above, the violation of any provision of this ordinance may be legally enjoined and otherwise abated in any manner provided by law.

SECTION 463 VIOLATION OF CONDITIONS

A. Penalty

The violation of any condition imposed pursuant to a development order, or a development approval pursuant to this ordinance, including, but not limited to, a special use permit, a planned unit development or a conditional zoning approval, is a violation of this ordinance and may be prosecuted in municipal court regardless of whether civil or administrative action is taken against the development approval holder.

parcels and condominiums units with access to the alley. A copy of the recorded easement agreement and maintenance agreement shall be submitted to the Township prior to the issuance of a land use permit.

H. Setback standards shall not apply from the limits of the alley easement.

SECTION 515 FENCES AND WALLS

The intent of this section is to regulate the location, placement, materials, type, and height of fences to ensure safe sight lines at intersections and to minimize any potential negative visual impacts of unsightly fences and storage areas. For screening of outdoor storage areas, also see § 613, Outdoor Storage.

A. Design

(1) Articulation

No fence or wall facing and visible from a public street shall exceed fifty (50) horizontal feet in length unless one of the following architectural features visible from the paved surface of the street is provided as part of the fence:

- (a) A column or pillar; or
- (b) Articulation of the surface plane wall by incorporating plane projections or recesses having a depth of at least six (6) inches and extending a horizontal distance of at least three (3) feet and less than twenty (20) feet.

- (c) Landscaping may be substituted for (a) or (b) above.

Landscaping such as climbing vines, shrubs, or trees planted along the base of that portion of the wall or fence that fronts a public street may be substituted for (a) or (b) above. The remaining setback area between the fence and property line shall be landscaped with grass or other low ground cover. All plants shall be irrigated and maintained consistent with the provisions of this article. Only living vegetation may be used to meet these landscaping requirements.

(2) Exception For Articulation

- (a) Articulation of this article does not apply to a fence or wall constructed of brick, masonry, or decorative iron fencing.
- (b) Individual single family and two family lots are exempt from meeting the articulation requirement except where such lot is located along the perimeter of a tract, parcel, plat, site condominium, or planned unit development approved for residential purposes and abutting a collector or arterial street.

(3) Integration

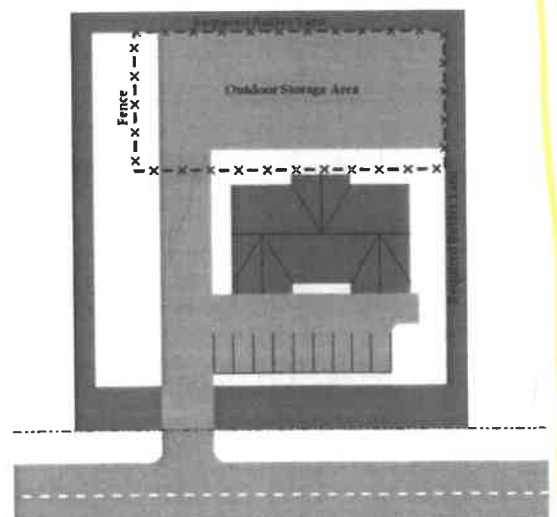
All fencing (in any district) shall be constructed so as to conceal or integrate into the architecture of the fence structural members. In stockade type fencing construction the finished side shall face outward.

(4) Placement

Where fencing is used to screen and/or secure approved outdoor storage areas, the fencing shall be placed interior to any required landscaping buffer (i.e. between the required buffer and the outdoor storage area). See illustration at right.

B. Material

- (1) Residential single family and two family lots may use the following material for fencing:



- (a) Chain link, wood, stone, rock, decorative concrete block, masonry brick, brick, decorative wrought iron, or other materials similar in durability.
- (2) Uses other than residential single family and two family lots are limited to the following types fencing material:
 - (a) Wood, stone, rock, decorative concrete block, masonry brick, brick, decorative wrought iron, or other materials that are similar in durability.
 - (b) Chain link may be acceptable when not in prominent view from a public street and provided a vegetative screen of living plant material is incorporated to provide screening and vegetative enhancement. Chain link fencing shall not incorporate "slats" for screening purposes.
 - (c) Where fencing is to be used for screening purposes, the Zoning Administrator upon review of a site plan or the Planning Commission upon review of a special use may require additional landscaping or allow an alternative fencing material or combination of plantings and materials to adequately screen a use. Also see § 613, Outdoor Storage.
- (3) The following materials shall not be used for fencing or screening in any district:
 - (a) Cast-off, secondhand, or other items not originally intended to be used for constructing or maintaining a fence;
 - (b) Plywood, particle board, paper, and visqueen plastic, plastic tarp, or similar material; and
 - (c) Razor wire and other similar fencing materials capable of inflicting significant physical injury.
- (4) The following materials shall not be used for fencing or screening except for the use or within the district specified unless otherwise approved by the Planning Director:
 - (a) Barbed wire may be used only for livestock enclosures in the A District, for public service installations, or for security purposes in the I-L or I-G Districts.
 - (b) Permanent electrified fencing may be used only for livestock enclosures in the A District and shall be appropriately signed to indicate that the fence is electrified.

C. Height

(1) Front Yard

No fence, vegetative screening or wall shall exceed a height of four (4) feet in the front yard. No fence, vegetative screening or wall shall obscure vision or interfere with safe site lines at street and/or alley intersections.

(2) Side or Rear Yard

Unless specifically permitted in this Ordinance for screening or security purposes, no fence or wall, shall be erected or altered in any side or rear yard to exceed a height of seven (7) feet.

(3) Industrial Districts

Fence height restrictions do not apply in the I-G or I-L district unless:

- (a) The lot abuts a residential or commercial district; or
- (b) The fence height and location adversely affect safe site lines at street and/or alley intersections.

D. Maintenance

All fences and walls shall be maintained in good condition so as not to create a hazard, public nuisance, or blight in the surrounding neighborhood. Chipped paint, missing fence pieces, leaning or fallen portions of a fence or wall, or other forms of deterioration shall be immediately repaired or replaced.

C. Wetland Setbacks

No structure, parking lot area, or snow storage area shall be located within twenty-five (25) feet of such wetland. However, recognized wetlands may be incorporated into a stormwater management strategy provided that the wetland values will not be impaired and provided further that incorporation of the wetland will provide a net ecological benefit to groundwater and surface water.

SECTION 535 SUPPLEMENTAL SHORELINE REGULATIONS

Purpose. The intent of this Section is to preserve and protect the water quality of the lakes and streams of our region. These regulations seek to balance the protection of the ecosystem while allowing development where appropriate. Methods to accomplish this purpose include, but are not limited to, preservation and/or enhancement of vegetation along lake-stream banks, maintaining lake-stream bank stabilization, preventing sediment from entering the water bodies, allowing for nutrient absorption, providing wildlife habitat and corridors, screening man-made structures, and providing shade, wood or wooden fiber material along the shoreline.

A. Setbacks from Lakes, Rivers, and Streams

- (1) Every commercial, industrial or multi-family residential building hereafter erected having frontage on any body of water, with the exception of Silver and Boardman Lakes, and with the exception of on-site storm water ponds and artificial water bodies created as part of the site's landscape treatment, shall be set back at least seventy-five (75) feet from the watermark or normal stream bank. Single family residential uses shall observe a setback of fifty (50) feet. Along those sections of the Boardman River controlled under the Natural River Act, PA 231 of 1970, as amended, setbacks shall be as required by the Act.
- (2) Every building hereafter erected having frontage on Silver and Boardman Lakes shall set back at least fifty (50) feet from the water mark.
- (3) Storm water retention or detention ponds, with the exception of customary release structures including pipe, swales and ditches shall be set back fifty (50) feet from a natural lake or normal stream bank.
- (4) Streets and access drives other than where they intersect lakes or streams and for such a distance as is required to cross a lake or stream shall be set back fifty (50) feet from a watermark or normal stream bank.

B. Minimum Construction Elevations - Silver Lake

Within five hundred (500) feet of Silver Lake, the lowest grade for any building construction or accessory building construction shall be elevation 866.N.V.G.D. (NOTE- SILVER LAKE WATER MARK - 862.32 feet above sea level USGSD.

C. Riparian Vegetative Buffers

- (1) Required. A vegetated buffer strip shall parallel and extend thirty-five (35) feet inland from all points along the water mark of a lake-stream shoreline or normal stream bank, with the exception of on-site storm water ponds and artificial water bodies created as a part of site landscape treatment which does not flow or overflow into a natural lake-stream. The general standards for the buffer strip are as follows:
 - (a) The buffer strip shall consist of native trees, shrubs and other vegetation. Dead, diseased, unsafe or fallen trees and noxious plants and shrubs, including poison ivy, poison sumac and poison oak, may be removed. Trees and shrubs shall not be removed but may be pruned for a filtered view of the lake-stream, however, clear cutting shall be prohibited.

(b) Subject to (1) above; ground cover vegetation shall be left in a natural state and shall not be removed. Chemical control and/or fertilization of vegetation shall be prohibited.

(c) Footpaths, bicycle paths and hiking paths as well as fences, walls and stairways may be constructed under the following conditions:

- (i) All paths and stairways must be constructed in a location and manner to avoid soil and slope failure.
 - (ii) Construction shall avoid removal of existing trees, shrubs and any other vegetation whenever feasible.
- (2) Reduction. In the event that the application of the vegetated buffer strip standards of this Section, together with any other dimensional restrictions applicable under this Ordinance, results in a legal parcel that cannot be reasonably developed for permitted land uses in the district within which the property is located, the Planning Commission may approve a reduction of the buffer area upon a finding that the proposed site plan provides the maximum possible buffer strip, while permitting a reasonable use of the property.

D. Filling and Grading within 200 Feet of the Water Mark or Stream Bank

The following rules shall apply to any filling, grading or any other earth movement within 200 feet of the water mark or normal stream bank of any lake, river, stream, or other body of water to prevent harmful erosion and related sedimentation:

- (1) The smallest amount of bare ground shall be exposed for as short a time as feasible.
- (2) Temporary ground cover such as mulch must be used as soon as possible and permanent cover such as sod be planted.
- (3) Diversions, silting basins, terraces and other methods must be used to trap any sediment.
- (4) Fill must be stabilized according to accepted engineering practices.

DIVISION 3: IMPROVEMENTS - OPERATION AND MAINTENANCE

SECTION 540 PURPOSE

All improvements required by this article shall be operated and maintained as required by this Division. The instruments creating the dedication, easement, transfer, homeowners' association (HOA), or condominium association, shall be provided to and approved by the Township as part of any development application.

The Township may, but is not obligated to, accept or agree to another form of operation and maintenance of any improvement required by this article provided that such is consistent with the intent of this article.

SECTION 541 DEDICATION OF LAND OR EASEMENT

The Township may, but is not required to, accept a dedication of land in the form of fee simple ownership or an easement for public use of any portion or portions of undivided improvement land, the title of which is to remain in ownership by the condominium or HOA, provided that:

- A. Such land is accessible to the residents of the Township;
- B. There is no cost of acquisition other than any costs incidental to the transfer of ownership, such as title insurance; and
- C. The improvement conforms to the applicable standards of this article.

Land dedicated as a natural area, greenway, greenbelt, or trail corridor shall be subject to a duly executed and recorded easement meeting the requirements of and enforceable in accordance with State statute,

- (3) If the Planning Department fails to act within the time period required for completeness review, the application is deemed complete for the purpose of introducing the project before the Planning Commission.
- (4) Nothing in this section precludes an applicant and the Planning Department from mutually agreeing to an extension of any time limit provided by this section.

G. Appeal of Completeness Review

A determination by the Planning Department that an application is not complete may be appealed in writing to the Planning Commission. Such appeal must specify the information provided in the application and relied upon by the applicant, and must include a description as to how such information satisfies the ordinance standard(s) referenced by the Planning Department in the completeness review.

H. Further Information Requests

After the Planning Department or the Planning Commission accepts a development application as substantially complete, the Planning Department or the Planning Commission may, in the course of processing the application, request the applicant to clarify, amplify, correct, or otherwise supplement the information required for the application, if such would be required to render a final determination on the merits. This additional information to be submitted may be required prior to scheduling a public hearing or otherwise acting on the application.

SECTION 404 EXPIRATION OF APPLICATION

During the course of any administrative, legislative, or quasi-judicial application review, if an applicant has failed to proceed meaningfully towards application completion or application decision for a period of one-hundred and twenty (120) consecutive calendar days, then the application shall be considered expired. Following expiration of an application, the applicant shall be provided with written notice of said expiration.

SECTION 405 PERFORMANCE GUARANTEE

A. Generally

To ensure compliance with this ordinance and any conditions imposed there under, the Township may require that a cash deposit, certified check, irrevocable bank letter of credit, surety bond, or other form of financial guarantee acceptable to the Township be deposited with the Township Clerk. The performance guarantee shall be deposited at the time of the issuance of the permit authorizing the activity or project. The Township shall not require the deposit of the performance guarantee until it is prepared to issue the permit.

B. Amount

The performance guarantee shall be sufficient to cover the estimated cost of improvements associated with a project, as submitted by a representative of the applicant and deemed reasonable by the approving authority.

C. Improvements

For the purposes of this section, improvements shall mean those features and actions associated with a project that are considered necessary to protect natural resources or the health, safety and welfare of the residents of the Township and those future users and/or inhabitants of the project or project area. Improvements shall include, but may not be limited to, streets and internal roadways inclusive of

curbs and drainage facilities, lighting, electrical systems, utilities, sidewalks, drainage facilities inclusive of applicable retention and detention ponds and/or systems, landscaping and buffers.

D. Default; Drawing Upon Performance Guarantee

- (1) If a Township official determines that a required improvement has not been made or that a condition of approval has been violated, and that the permit holder has not acted to correct the issue in a timely manner, the official may recommend to the Planning Commission that the performance guarantee be leveraged to bring about compliance. The Planning Commission shall decide whether to approve said recommendation for action to the Township Board. The Township Board shall then consider such action at its first meeting after the Planning Commission's review.
- (2) The performance guarantee may only be drawn upon resolution of the Township Board. Said resolution shall find that the applicant has failed to do one or more of the following:
 - (a) Complete an improvement or improvements pursuant to the requirements of the development approval, as applicable and any required conditions thereto; or
 - (b) Conduct meaningful progress for more than one (1) year toward the completion of one or more of the improvements.
- (3) Any resolution to draw upon the performance guarantee shall also direct the Zoning Administrator to take any action or procure any services which he or she deems necessary to bring about compliance.

E. Rebate of Cash Deposit for Work Completed

For Cash or Certified Check. The Township shall rebate to the applicant forty percent (40%) of the deposited funds when sixty percent (60%) of the required improvements are completed, and the remaining sixty percent (60%) of the deposited funds when one hundred percent (100%) of required improvements have been made. A written assessment of the amount of work completed shall be detailed in writing by the applicant and reviewed by Zoning Administrator, who shall certify in writing to the Township Treasurer that conditions for partial or full rebate of the cash deposit have been met. Such certification shall identify the condition, the amount of deposit specified for its guarantee, and any amount that has been used to enforce compliance with the remaining balance (if any). The Treasurer shall issue a check to the party named on the escrow account in the amount specified, following standard Township procedures for authorization of such disbursements.

F. Land Division

This Section shall not be applicable to improvements for which a cash deposit, certified check, irrevocable bank letter of credit, or surety bond has been deposited under the land division act.

SECTION 406 NOTICE PROVISIONS

A. General

The notice requirements for each process or type of application are prescribed in State statute. Notice shall be provided in accordance with such standards.

B. Action to Be Consistent with Notice

The reviewing body may take any action on the application that is consistent with the notice given, including approval of the application, conditional approval (if applicable) of the application, or denial of the application.

ARTICLE 4 PROCEDURES

DIVISION 1: GENERAL

PURPOSE

The purpose of this article is to consolidate the procedures for filing and processing applications for development approval. The format is designed to allow users to quickly and efficiently ascertain the various steps involved in obtaining development approval—from the initiation and filing of an application, the administrative completeness review, and the review for compliance with substantive standards, through the public hearings.

- *Division 1: General*
- *Division 2: Conceptual Reviews*
- *Division 3: Quasi-Judicial and Legislative Approvals*
- *Division 4: Administrative Development Approvals*
- *Division 5: Zoning Procedures*
- *Division 6: Interpretations, Variances and Appeals*
- *Division 7: Enforcement, Violations, and Penalties*

SECTION 401 PROCEDURAL REQUIREMENTS

No development or development activity is permitted unless all development approvals applicable to the proposed development are issued in accordance with this article. Development approvals are required for all development, unless specifically excepted, to ensure compliance with the various adopted codes, standards, and laws, and to ensure consistency with the master plan and policies of the township. This division describes procedural elements common to all applications. *Division 2: Conceptual Reviews* through *Division 7: Enforcement, Violations, and Penalties* describe the procedures and requirements for processing particular types of applications. No application will be accepted if the affected land(s) are in violation of this Ordinance or any other Township ordinance, including the Township Financial Responsibility Ordinance, unless such application includes remediation of such violation.

SECTION 402 CATEGORIES OF DEVELOPMENT APPROVALS

There are three basic categories of development approvals pursuant to this article, defined in § 402.A. Legislative Development Approvals, § 402.B. Quasi-judicial Development Approval, and § 402.C. Administrative Development Approvals.

A. Legislative Development Approvals

Legislative development approvals involve a change in land-use policy. A public hearing is required but the procedural requirements of a quasi-judicial hearing do not apply. Legislative development approvals include any change in the master or specific plan, any change to the text of this ordinance, and any rezoning.

B. Quasi-judicial Development Approvals

A quasi-judicial development approval involves the application of a discretionary standard required by this article to an application. It requires a public hearing. Procedural due process requirements apply. Examples include planned development approvals, special use permits, variances, and administrative appeals.

PHONE: 231.995.6051 FAX: 231.995.6033 EMAIL: eh@gtcountymi.gov

GRAND TRAVERSE COUNTY ENVIRONMENTAL HEALTH EXPIRED PERMIT NOTICE SOIL EROSION PERMIT

DATE: October 1, 2024

PERMIT HOLDER: WILLIAM WAGGENER
1661 LAKE DR
Traverse City, MI 49685

PERMIT: 23-02135

SITE ADDRESS: 1661 LAKE DR

TOWNSHIP: GARFIELD

EXPIRATION DATE: 11/11/2024

RENEWAL FEE: \$225.00

Upon reviewing our files, we have noted the above referenced permit has expired or will expire soon. You are eligible to renew this permit for an additional 9 months from the expiration date listed above for half of the original permit amount.

Please update the Erosion Control Schedule below and return with required fee.

Grand Traverse County Environmental Health
Soil Erosion and Sedimentation Control
2650 LaFranier Rd
Traverse City MI 49686

EROSION CONTROL SCHEDULE

Install Sediment Controls _____
Start Excavation _____
Construction Buildings _____
Paving _____
Final Grade Seed & Mulch _____
Sediment Control Removal _____



**GRAND TRAVERSE COUNTY ENVIRONMENTAL HEALTH
SOIL EROSION AND SEDIMENTATION CONTROL
SITE INSPECTION FORM**

2650 LaFranier Rd
Traverse City, MI 49686
Phone: 231-995-6051 Fax: 231-995-6033
e-mail: gtsoilerosion@grandtraverse.org

Permit No. 23-02135
Permit Expiration: 11/11/224

Insp. Date: 5/24/2023

Inspector: Fred Morse

Landowner name: Waggener

Contractor Name: Same

Address or location: 1661 Lake Dr

Twp. Garfield

Check one: ☐ Open Permit Inspection ☐ Final Inspection

Complete Only for Open Permit Inspections:

Work started?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Permit posted at site?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>issue PCN</i>
Approved plans available?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>issue PCN</i>
Approved plans accurate?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>update plans</i>
Earth change confined to areas specified on plans?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Evidence sediment migrated off the property/site?	<input type="checkbox"/> Yes <i>issue NOV</i>	<input checked="" type="checkbox"/> No
Evidence sediment discharged to Waters of the State?	<input type="checkbox"/> Yes <i>issue NOV</i>	<input checked="" type="checkbox"/> No

Control Measures:

Controls installed per plans?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Controls adequate for this site?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Controls properly maintained?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Storm sewers being protected?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Final Inspection to Close Permit:

All soils stabilized? ☐ Yes ☐ No Temporary measures removed? ☐ Yes ☐ No

Comments/Conditions:

1. Work Started
2. Rough Grade
3. Grade Work
4. No significant erosion

Concrete driveway installed, landscaping around front not started

Weather Conditions: Choose an item.

Photos taken? ☐ Yes ☐ No

Recommendations

- ☒ None – Site in compliance
- ☐ Repairs needed to soil erosion control tools (silt fence, mulch mat, etc.)
- ☐ Double permit fee for beginning work without SESC permit**
** (remitted to Grand Traverse County Health Department)
- ☐ Permit soon to expire and site not stabilized—request extension or fill out new permit application
- ☐ Immediate remediation needed—see photos; contact our office for help

Corrections (if any) must be made by _____ (date)

Permit Compliance Notice left: On-site

Report mailed to: [Text](#) [Click Here](#)

Notice of Violation (NOV) recommended: ☐ YES ☐ NO

Copies sent to: [Click here to enter text.](#)



GRAND TRAVERSE COUNTY ENVIRONMENTAL HEALTH
SOIL EROSION AND SEDIMENTATION CONTROL
SITE INSPECTION FORM

2650 LaFranier Rd
Traverse City, MI 49686
Phone: 231-995-6051 Fax: 231-995-6033
e-mail: gtsoilerosion@grandtraverse.org

Permit No. 23-02135
Permit Expiration: 11/11/2024

Insp. Date: 6/26/2023

Inspector: Fred Morse

Landowner name: Waggener

Contractor Name

Address or location: 1661 Lake Dr

Twp. Garfield

Check one: ☒ Open Permit Inspection ☐ Final Inspection

Complete Only for Open Permit Inspections:

Work started?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Permit posted at site?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>issue PCN</i>
Approved plans available?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>issue PCN</i>
Approved plans accurate?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>update plans</i>
Earth change confined to areas specified on plans?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Evidence sediment migrated off the property/site?	<input checked="" type="checkbox"/> Yes <i>issue NOV</i>	<input type="checkbox"/> No
Evidence sediment discharged to Waters of the State?	<input type="checkbox"/> Yes <i>issue NOV</i>	<input checked="" type="checkbox"/> No

Control Measures:

Controls installed per plans?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Controls adequate for this site?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Controls properly maintained?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Storm sewers being protected?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Final Inspection to Close Permit:

All soils stabilized? ☐ Yes ☐ No Temporary measures removed? ☐ Yes ☐ No

Comments/Conditions:

1. Work Started
2. Rough Grade
3. Grade Work
4. Soil Movement observed
Small discharge of soils on to neighbors property NOV Mailed

Weather Conditions: Choose an item.

Photos taken? ☐ Yes ☐ No

Recommendations

- ☐ None – Site in compliance
- ☒ Repairs needed to soil erosion control tools (silt fence, mulch mat, etc.)
- ☐ Double permit fee for beginning work without SESC permit**
** (remitted to Grand Traverse County Health Department)
- ☐ Permit soon to expire and site not stabilized—request extension or fill out new permit application
- ☒ Immediate remediation needed—see photos; contact our office for help

Corrections (if any) must be made by _____ (date)

Permit Compliance Notice left: On-site

Report mailed to: [Text](#) [Click Here](#)

Notice of Violation (NOV) recommended: ☒ YES ☐ NO

Copies sent to: Owner

VIA CERTIFIED MAIL

William Waggener
1661 Lake Dr
Traverse City, MI 49685

June 30, 2023

Re: Parcel 28-05-295-035-00
1661 Lake Dr
Traverse City, MI 49685
Permit # 23-02135

It has been determined that the above referenced property is in violation of Part 91, Soil Erosion and Sedimentation Control of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and the Grand Traverse County Soil Erosion and Sedimentation Control Ordinance #32. These violations are specifically noted below:

1. Silt fence overrun with soil and/or sediment.
2. Soil and sediment deposited across south property line onto adjacent parcel.

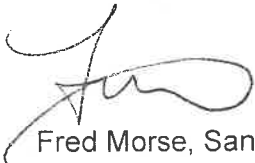
THE FOLLOWING MEASURES SHALL BE IMPLEMENTED IMMEDIATELY TO MEET COMPLIANCE WITH PART 91:

1. **Install temporary measures (straw waddles and/or silt fence) as needed to manufacturer's specifications.**
2. **Work with property owner to remove soil and sediment that has left the project site to the approved earth change area and restore damaged areas as needed.**

SITE CONDITIONS AND STATUS OF SEDIMENTATION CONTROL MEASURES SHALL COMPLY WITH ORDINANCE REQUIREMENTS WITHIN 5 DAYS OF THE MAILING OF THIS NOTICE.

A person who continues to violate this Ordinance or Part 91 after receiving a Notice of Violation (NOV) may be responsible for the payment of a civil fine of not less than \$2,500.00 for each day of violation. Please correct violation(s) within the specified time frame to avoid legal action by the Grand Traverse County Prosecuting Attorney's Office.

Please contact this office with any questions. Your anticipated cooperation is greatly appreciated.



Fred Morse, Sanitarian
Grand Traverse County Environmental Health Department
(231) 995-6057

Cc: Brent Wheat, Environmental Health Director



**GRAND TRAVERSE COUNTY ENVIRONMENTAL HEALTH
SOIL EROSION AND SEDIMENTATION CONTROL
SITE INSPECTION FORM**

2650 LaFranier Rd
Traverse City, MI 49686
Phone: 231-995-6051 Fax: 231-995-6033
e-mail: gtsoilerosion@grandtraverse.org

Permit No. 23-02135
Permit Expiration: 11/11/2024

Insp. Date: 7/20/2023

Inspector: Fred Morse

Landowner name: Waggener

Contractor Name

Address or location: 1661 Lake Dr

Twp. Garfield

Check one: ☒ Open Permit Inspection ☐ Final Inspection

Complete Only for Open Permit Inspections:

Work started?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Permit posted at site?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>issue PCN</i>
Approved plans available?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>issue PCN</i>
Approved plans accurate?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>update plans</i>
Earth change confined to areas specified on plans?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Evidence sediment migrated off the property/site?	<input checked="" type="checkbox"/> Yes <i>issue NOV</i>	<input type="checkbox"/> No
Evidence sediment discharged to Waters of the State?	<input type="checkbox"/> Yes <i>issue NOV</i>	<input checked="" type="checkbox"/> No

Control Measures:

Controls installed per plans?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Controls adequate for this site?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Controls properly maintained?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Storm sewers being protected?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Final Inspection to Close Permit:

All soils stabilized? ☐ Yes ☐ No Temporary measures removed? ☐ Yes ☐ No

Comments/Conditions:

1. Work Started
2. Rough Grade
3. Grade Work
4. Soil Movement observed

Installed retaining wall and drainage pipe and crock

Weather Conditions: Choose an item.

Photos taken? ☐ Yes ☐ No

Recommendations

- ☐ None – Site in compliance
- ☒ Repairs needed to soil erosion control tools (silt fence, mulch mat, etc.)
- ☐ Double permit fee for beginning work without SESC permit**
** (remitted to Grand Traverse County Health Department)
- ☐ Permit soon to expire and site not stabilized—request extension or fill out new permit application
- ☒ Immediate remediation needed—see photos; contact our office for help

Corrections (if any) must be made by _____ (date)

Permit Compliance Notice left: On-site

Report mailed to: [Text](#) [Click Here](#)

Notice of Violation (NOV) recommended: ☒ YES ☐ NO

Copies sent to: Owner



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SOIL EROSION AND SEDIMENTATION CONTROL
SITE INSPECTION FORM**

2650 LaFranier Rd
Traverse City, MI 49686
Phone: 231-995-6051 Fax: 231-995-6033
e-mail: gtsoilerosion@grandtraverse.org

Permit No. 23-02135
Permit Expiration: 11/11/2024

Insp. Date: 8/2/2023

Inspector: Fred Morse

Landowner name: Waggener

Contractor Name

Address or location: 1661 Lake Dr

Twp. Garfield

Check one: ☒ Open Permit Inspection ☐ Final Inspection

Complete Only for Open Permit Inspections:

Work started?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Permit posted at site?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>issue PCN</i>
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Evidence sediment discharged to Waters of the State?	<input type="checkbox"/> Yes <i>issue NOV</i>	<input checked="" type="checkbox"/> No

Control Measures:

Controls installed per plans?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Controls adequate for this site?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Controls properly maintained?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Storm sewers being protected?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Final Inspection to Close Permit:

All soils stabilized? ☐ Yes ☐ No Temporary measures removed? ☐ Yes ☐ No

Comments/Conditions:

1. Work Started
 2. Rough Grade
 3. Grade Work
 4. No significant erosion
- Continued work on landscape

Weather Conditions: Choose an item.

Photos taken? ☐ Yes ☐ No

Recommendations

- ☒ None – Site in compliance
- ☐ Repairs needed to soil erosion control tools (silt fence, mulch mat, etc.)
- ☐ Double permit fee for beginning work without SESC permit**
** (remitted to Grand Traverse County Health Department)
- ☐ Permit soon to expire and site not stabilized—request extension or fill out new permit application
- ☒ Immediate remediation needed—see photos; contact our office for help

Corrections (if any) must be made by _____ (date)

Permit Compliance Notice left: On-site

Report mailed to: [Click Here](#)

Notice of Violation (NOV) recommended: ☒ YES ☐ NO

Copies sent to: Owner



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SOIL EROSION AND SEDIMENTATION CONTROL
SITE INSPECTION FORM**

2650 LaFranier Rd
Traverse City, MI 49686
Phone: 231-995-6051 Fax: 231-995-6033
e-mail: gtsoilerosion@grandtraverse.org

Permit No. 23-02135
Permit Expiration: 11/11/2024

Insp. Date: 8/15/2023

Inspector: Fred Morse

Landowner name: Waggener

Contractor Name

Address or location: 1661 Lake Dr

Twp. Garfield

Check one: ☒ Open Permit Inspection ☐ Final Inspection

Complete Only for Open Permit Inspections:

Work started?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Permit posted at site?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>issue PCN</i>
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Control Measures:

Controls installed per plans?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Controls adequate for this site?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Controls properly maintained?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Storm sewers being protected?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Final Inspection to Close Permit:

All soils stabilized? ☐ Yes ☐ No Temporary measures removed? ☐ Yes ☐ No

Comments/Conditions:

1. Work Started
2. Rough Grade
3. Grade Work
4. No significant erosion

Continued work on landscape (added additional retaining walls)

8/30/23 *FM*

Weather Conditions: Choose an item.

Photos taken? ☐ Yes ☐ No

Recommendations

- ☒ None – Site in compliance
- ☐ Repairs needed to soil erosion control tools (silt fence, mulch mat, etc.)
- ☐ Double permit fee for beginning work without SESC permit**
** (remitted to Grand Traverse County Health Department)
- ☐ Permit soon to expire and site not stabilized—request extension or fill out new permit application
- ☒ Immediate remediation needed—see photos; contact our office for help

Corrections (if any) must be made by _____ (date)

Permit Compliance Notice left: On-site

Report mailed to: [Text](#) [Click Here](#)

Notice of Violation (NOV) recommended: ☒ YES ☐ NO

Copies sent to: Owner



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SOIL EROSION AND SEDIMENTATION CONTROL
SITE INSPECTION FORM**

2650 LaFranier Rd
Traverse City, MI 49686
Phone: 231-995-6051 Fax: 231-995-6033
e-mail: gtsoilerosion@grandtraverse.org

Permit No. 23-02135
Permit Expiration: 11/11/2024

Insp. Date: 9/26/2023

Inspector: Fred Morse

Landowner name: Waggener

Contractor Name

Address or location: 1661 Lake Dr

Twp. Garfield

Check one: ☒ Open Permit Inspection ☐ Final Inspection

Complete Only for Open Permit Inspections:

Work started?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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Control Measures:

Controls installed per plans?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Controls adequate for this site?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Controls properly maintained?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Storm sewers being protected?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Final Inspection to Close Permit:

All soils stabilized? ☐ Yes ☐ No Temporary measures removed? ☐ Yes ☐ No

Comments/Conditions:

1. Work Started
 2. Finish Grade
 3. Grade Work
 4. Soil Movement observed
- Work on retaining was nearly completed (some areas stabilized)

Weather Conditions: Choose an item.

Photos taken? ☐ Yes ☐ No

Recommendations

- ☐ None – Site in compliance
- ☒ Repairs needed to soil erosion control tools (silt fence, mulch mat, etc.)
- ☐ Double permit fee for beginning work without SESC permit**
** (remitted to Grand Traverse County Health Department)
- ☐ Permit soon to expire and site not stabilized—request extension or fill out new permit application
- ☒ Immediate remediation needed—see photos; contact our office for help

Corrections (if any) must be made by _____ (date)

Permit Compliance Notice left: On-site

Report mailed to: [Click Here](#)

Notice of Violation (NOV) recommended: ☒ YES ☐ NO

Copies sent to: Owner



GRAND TRAVERSE COUNTY ENVIRONMENTAL HEALTH
SOIL EROSION AND SEDIMENTATION CONTROL
SITE INSPECTION FORM

2650 LaFranier Rd
Traverse City, MI 49686
Phone: 231-995-6051 Fax: 231-995-6033
e-mail: gtsoilerosion@grandtraverse.org

Permit No. 23-02135
Permit Expiration: 11/11/2024

Insp. Date: 10/26/2023

Inspector: Fred Morse

Landowner name: Waggener

Contractor Name

Address or location: 1661 Lake Dr

Twp. Garfield

Check one: ☒ Open Permit Inspection ☐ Final Inspection

Complete Only for Open Permit Inspections:

Work started?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Permit posted at site?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>issue PCN</i>
Approved plans available?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>issue PCN</i>
Approved plans accurate?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>update plans</i>
Earth change confined to areas specified on plans?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Evidence sediment migrated off the property/site?	<input checked="" type="checkbox"/> Yes <i>issue NOV</i>	<input type="checkbox"/> No
Evidence sediment discharged to Waters of the State?	<input type="checkbox"/> Yes <i>issue NOV</i>	<input checked="" type="checkbox"/> No

Control Measures:

Controls installed per plans?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Controls adequate for this site?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Controls properly maintained?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Storm sewers being protected?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Final Inspection to Close Permit:

All soils stabilized? ☐ Yes ☐ No Temporary measures removed? ☐ Yes ☐ No

Comments/Conditions:

1. Work Started
2. Seeded
3. Grade Work
4. Soil Movement observed

Worked completed areas seeded

Weather Conditions: Choose an item.

Photos taken? ☐ Yes ☐ No

Recommendations

- ☐ None – Site in compliance
- Repairs needed to soil erosion control tools (silt fence, mulch mat, etc.)
- ☐ Double permit fee for beginning work without SESC permit**
** (remitted to Grand Traverse County Health Department)
- ☐ Permit soon to expire and site not stabilized—request extension or fill out new permit application
- ☐ Immediate remediation needed—see photos; contact our office for help

Corrections (if any) must be made by _____ (date)

Permit Compliance Notice left: On-site

Report mailed to: [Text](#) [Click Here](#)

Notice of Violation (NOV) recommended: ☒ YES ☐ NO

Copies sent to: Owner



**GRAND TRAVERSE COUNTY ENVIRONMENTAL HEALTH
SOIL EROSION AND SEDIMENTATION CONTROL
SITE INSPECTION FORM**

2650 LaFranier Rd
Traverse City, MI 49686
Phone: 231-995-6051 Fax: 231-995-6033
e-mail: gtsoilerosion@grandtraverse.org

Permit No. 23-02135
Permit Expiration: 11/11/2024

Insp. Date: 11/9/2023

Inspector: Fred Morse

Landowner name: Waggener

Contractor Name

Address or location: 1661 Lake Dr

Twp. Garfield

Check one: ☒ Open Permit Inspection ☐ Final Inspection

Complete Only for Open Permit Inspections:

Work started?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Permit posted at site?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>issue PCN</i>
Approved plans available?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>issue PCN</i>
Approved plans accurate?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>update plans</i>
Earth change confined to areas specified on plans?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Evidence sediment migrated off the property/site?	<input checked="" type="checkbox"/> Yes <i>issue NOV</i>	<input type="checkbox"/> No
Evidence sediment discharged to Waters of the State?	<input type="checkbox"/> Yes <i>issue NOV</i>	<input checked="" type="checkbox"/> No

Control Measures:

Controls installed per plans?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Controls adequate for this site?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Controls properly maintained?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Storm sewers being protected?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Final Inspection to Close Permit:

All soils stabilized? ☐ Yes ☐ No Temporary measures removed? ☐ Yes ☐ No

Comments/Conditions:

1. Work Started
2. Seeded
3. Grade Work
4. Soil Movement observed

Worked completed areas seeded/ additional work planned for spring

Weather Conditions: Choose an item.

Photos taken? ☐ Yes ☐ No

Recommendations

- ☐ None – Site in compliance
- ☒ Repairs needed to soil erosion control tools (silt fence, mulch mat, etc.)
- ☐ Double permit fee for beginning work without SESC permit**
** (remitted to Grand Traverse County Health Department)
- ☐ Permit soon to expire and site not stabilized—request extension or fill out new permit application
- ☒ Immediate remediation needed—see photos; contact our office for help

Corrections (if any) must be made by _____ (date)

Permit Compliance Notice left: On-site

Report mailed to: [Text](#) [Click Here](#)

Notice of Violation (NOV) recommended: ☒ YES ☐ NO

Copies sent to: Owner



**GRAND TRAVERSE COUNTY ENVIRONMENTAL HEALTH
SOIL EROSION AND SEDIMENTATION CONTROL
SITE INSPECTION FORM**

2650 LaFranier Rd
Traverse City, MI 49686
Phone: 231-995-6051 Fax: 231-995-6033
e-mail: gtsoilerosion@grandtraverse.org

Permit No. 23-02135
Permit Expiration: 11/11/2024

Insp. Date: 2/28/2024

Inspector: Fred Morse

Landowner name: Waggener

Contractor Name

Address or location: 1661 Lake Dr

Twp. Garfield

Check one: ☒ Open Permit Inspection ☐ Final Inspection

Complete Only for Open Permit Inspections:

Work started?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Permit posted at site?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>issue PCN</i>
Approved plans available?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>issue PCN</i>
Approved plans accurate?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>update plans</i>
Earth change confined to areas specified on plans?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Evidence sediment migrated off the property/site?	<input checked="" type="checkbox"/> Yes <i>issue NOV</i>	<input type="checkbox"/> No
Evidence sediment discharged to Waters of the State?	<input type="checkbox"/> Yes <i>issue NOV</i>	<input checked="" type="checkbox"/> No

Control Measures:

Controls installed per plans?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Controls adequate for this site?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Controls properly maintained?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Storm sewers being protected?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Final Inspection to Close Permit:

All soils stabilized? ☐ Yes ☐ No Temporary measures removed? ☐ Yes ☐ No

Comments/Conditions:

1. Work Started
2. Snow Covered
3. Grade Work
4. Soil Movement observed

Worked completed areas seeded/ additional work planned for spring

Weather Conditions: Choose an item.

Photos taken? ☐ Yes ☐ No

Recommendations

- ☐ None – Site in compliance
- ☒ Repairs needed to soil erosion control tools (silt fence, mulch mat, etc.)
- ☐ Double permit fee for beginning work without SESC permit**
** (remitted to Grand Traverse County Health Department)
- ☐ Permit soon to expire and site not stabilized—request extension or fill out new permit application
- ☒ Immediate remediation needed—see photos; contact our office for help

Corrections (if any) must be made by _____ (date)

Permit Compliance Notice left: On-site

Report mailed to: [Text](#) [Click Here](#)

Notice of Violation (NOV) recommended: ☒ YES ☐ NO

Copies sent to: Owner



GRAND TRAVERSE COUNTY ENVIRONMENTAL HEALTH
SOIL EROSION AND SEDIMENTATION CONTROL
SITE INSPECTION FORM

2650 LaFranier Rd
Traverse City, MI 49686
Phone: 231-995-6051 Fax: 231-995-6033
e-mail: gtsoilerosion@grandtraverse.org

Permit No. 23-02135
Permit Expiration: 11/11/2024

Insp. Date: 3/11/2024

Inspector: Fred Morse

Landowner name: Waggener

Contractor Name

Address or location: 1661 Lake Dr

Twp. Garfield

Check one: ☒ Open Permit Inspection ☐ Final Inspection

Complete Only for Open Permit Inspections:

Work started?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Permit posted at site?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>issue PCN</i>
Approved plans available?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>issue PCN</i>
Approved plans accurate?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>update plans</i>
Earth change confined to areas specified on plans?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Evidence sediment migrated off the property/site?	<input checked="" type="checkbox"/> Yes <i>issue NOV</i>	<input type="checkbox"/> No
Evidence sediment discharged to Waters of the State?	<input type="checkbox"/> Yes <i>issue NOV</i>	<input checked="" type="checkbox"/> No

Control Measures:

Controls installed per plans?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Controls adequate for this site?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Controls properly maintained?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Storm sewers being protected?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Final Inspection to Close Permit:

All soils stabilized? ☐ Yes ☐ No Temporary measures removed? ☐ Yes ☐ No

Comments/Conditions:

1. Work Started
 2. Finish Grade
 3. Grade Work
 4. Soil Movement observed
- Worked not started from winter season

Weather Conditions: Choose an item.

Photos taken? ☐ Yes ☐ No

Recommendations

- ☐ None – Site in compliance
- ☒ Repairs needed to soil erosion control tools (silt fence, mulch mat, etc.)
- ☐ Double permit fee for beginning work without SESC permit**
** (remitted to Grand Traverse County Health Department)
- ☐ Permit soon to expire and site not stabilized—request extension or fill out new permit application
- ☒ Immediate remediation needed—see photos; contact our office for help

Corrections (if any) must be made by _____ (date)

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Report mailed to: [Text](#) [Click Here](#)

Notice of Violation (NOV) recommended: ☒ YES ☐ NO

Copies sent to: Owner

GRAND TRAVERSE COUNTY ENVIRONMENTAL HEALTH
SOIL EROSION AND SEDIMENTATION CONTROL
SITE INSPECTION FORM

Permit No 23-02135
Permit Expiration 11/11/24
Issue Date 4/4/24
Inspector: AT

Landowner name Waggener

Contractor Name

Address or location

1661 Lake Dr Twp Garfield

Check one: ☐ Open Permit Inspection ☐ Final Inspection

Complete Only for Open Permit Inspections

Work started?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Permit posted at site?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>issue PCN</i>
Approved plans available?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>issue PCN</i>
Approved plans accurate?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>update plans</i>
Earth change confined to areas specified on plans?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Evidence sediment migrated off the property/site?	<input type="checkbox"/> Yes <i>issue NOV</i>	<input checked="" type="checkbox"/> No
Evidence sediment discharged to Waters of the State?	<input type="checkbox"/> Yes <i>issue NOV</i>	<input checked="" type="checkbox"/> No

Control Measures:

Controls installed per plans?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Controls adequate for this site?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Controls properly maintained?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Storm sewers being protected?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Final Inspection to Close Permit:

All soils stabilized? ☐ Yes ☐ No Temporary measures removed? ☐ Yes ☐ No

Comments/Conditions:

Landscaping
in compliance

Weather Conditions:

Photos taken? ☐ Yes ☐ No

Recommendations

- ☒ None – Site in compliance
- ☐ Repairs needed to soil erosion control tools (silt fence, mulch mat, etc.)
- ☐ Double permit fee for beginning work without SESC permit**
** (remitted to Grand Traverse County Health Department)
- ☐ Permit soon to expire and site not stabilized—request extension or fill out new permit application
- ☐ Immediate remediation needed—see photos; contact our office for help

Corrections (if any) must be made by _____ (date)

Permit Compliance Notice left:

Report mailed to _____

Notice of Violation (NOV) recommended: ☐ YES ☐ NO

Copies sent to _____



**GRAND TRAVERSE COUNTY ENVIRONMENTAL HEALTH
SOIL EROSION AND SEDIMENTATION CONTROL
SITE INSPECTION FORM**

2650 LaFranier Rd
Traverse City, MI 49686
Phone: 231-995-6051 Fax: 231-995-6033
e-mail: gtsoilerosion@grandtraverse.org

Permit No. 23-02135
Permit Expiration 11/11/24
Insp. Date 4/18/24
Inspector: AT

Landowner name WAGGENER Contractor Name _____
Address or location 1661 LAKE DR Twp. GARFIELD

Check one: ☒ Open Permit Inspection ☐ Final Inspection

Complete Only for Open Permit Inspections:

Work started?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
Permit posted at site?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<i>issue PCN</i>
Approved plans available?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<i>issue PCN</i>
Approved plans accurate?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<i>update plans</i>
Earth change confined to areas specified on plans?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
Evidence sediment migrated off the property/site?	<input type="checkbox"/> Yes <i>issue NOV</i>	<input checked="" type="checkbox"/> No	
Evidence sediment discharged to Waters of the State?	<input type="checkbox"/> Yes <i>issue NOV</i>	<input checked="" type="checkbox"/> No	

Control Measures:

Controls installed per plans?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Controls adequate for this site?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Controls properly maintained?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Storm sewers being protected?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Final Inspection to Close Permit:

All soils stabilized? ☐ Yes ☐ No Temporary measures removed? ☐ Yes ☐ No

Comments/Conditions:

LANDSCAPING

Weather Conditions:
42 AND CLOUDY

Photos taken? ☐ Yes ☐ No

Recommendations

- ☒ None – Site in compliance
- ☐ Repairs needed to soil erosion control tools (silt fence, mulch mat, etc.)
- ☐ Double permit fee for beginning work without SESC permit**
** (remitted to Grand Traverse County Health Department)
- ☐ Permit soon to expire and site not stabilized—request extension or fill out new permit application
- ☐ Immediate remediation needed—see photos; contact our office for help

Corrections (if any) must be made by _____/_____/_____ (date)

Permit Compliance Notice (PCN) left on-site with _____ Report mailed to _____



**GRAND TRAVERSE COUNTY ENVIRONMENTAL HEALTH
SOIL EROSION AND SEDIMENTATION CONTROL
SITE INSPECTION FORM**

2650 LaFranier Rd
Traverse City, MI 49686
Phone: 231-995-6051 Fax: 231-995-6033
e-mail: gtsoilerosion@grandtraverse.org

Permit No. 23-02135
Permit Expiration 11/11/24
Insp. Date 5/22/24
Inspector: AT

Landowner name WAGGENER Contractor Name _____
Address or location 1661 LAKE DR Twp. GARFIELD

Check one: ☒ Open Permit Inspection ☐ Final Inspection

Complete Only for Open Permit Inspections:

Work started?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Permit posted at site?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>issue PCN</i>
Approved plans available?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>issue PCN</i>
Approved plans accurate?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>update plans</i>
Earth change confined to areas specified on plans?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Evidence sediment migrated off the property/site?	<input type="checkbox"/> Yes <i>issue NOV</i>	<input checked="" type="checkbox"/> No
Evidence sediment discharged to Waters of the State?	<input type="checkbox"/> Yes <i>issue NOV</i>	<input checked="" type="checkbox"/> No

Control Measures:

Controls installed per plans?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Controls adequate for this site?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Controls properly maintained?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Storm sewers being protected?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Final Inspection to Close Permit:

All soils stabilized? ☐ Yes ☐ No Temporary measures removed? ☐ Yes ☐ No

Comments/Conditions:

LANDSCAPING

Weather Conditions:

Photos taken? ☐ Yes ☐ No

Recommendations

- ☒ None – Site in compliance
- ☐ Repairs needed to soil erosion control tools (silt fence, mulch mat, etc.)
- ☐ Double permit fee for beginning work without SESC permit**
** (remitted to Grand Traverse County Health Department)
- ☐ Permit soon to expire and site not stabilized—request extension or fill out new permit application
- ☐ Immediate remediation needed—see photos; contact our office for help

Corrections (if any) must be made by _____/_____/_____ (date)

Permit Compliance Notice (PCN) left on-site with _____ Report mailed to _____



**GRAND TRAVERSE COUNTY ENVIRONMENTAL HEALTH
SOIL EROSION AND SEDIMENTATION CONTROL
SITE INSPECTION FORM**

2650 LaFranier Rd
Traverse City, MI 49686
Phone: 231-995-6051 Fax: 231-995-6033
e-mail: gtsoilerosion@grandtraverse.org

Permit No. 23-02135
Permit Expiration 11/11/24
Insp. Date 6/5/24
Inspector: AT

Landowner name WAGGENER Contractor Name _____
Address or location 1661 LAKE DR Twp. GARFIELD

Check one: ☒ Open Permit Inspection ☐ Final Inspection

Complete Only for Open Permit Inspections:

Work started?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Permit posted at site?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>issue PCN</i>
Approved plans available?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>issue PCN</i>
Approved plans accurate?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>update plans</i>
Earth change confined to areas specified on plans?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Evidence sediment migrated off the property/site?	<input type="checkbox"/> Yes <i>issue NOV</i>	<input checked="" type="checkbox"/> No
Evidence sediment discharged to Waters of the State?	<input type="checkbox"/> Yes <i>issue NOV</i>	<input checked="" type="checkbox"/> No

Control Measures:

Controls installed per plans?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Controls adequate for this site?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Controls properly maintained?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Storm sewers being protected?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Final Inspection to Close Permit:

All soils stabilized? ☐ Yes ☐ No Temporary measures removed? ☐ Yes ☐ No

Comments/Conditions:

LANDSCAPING

6/21/24 AT
7/19/24 AT

Weather Conditions:

Photos taken? ☐ Yes ☐ No

Recommendations

- ☒ None – Site in compliance
- ☐ Repairs needed to soil erosion control tools (silt fence, mulch mat, etc.)
- ☐ Double permit fee for beginning work without SESC permit**
** (remitted to Grand Traverse County Health Department)
- ☐ Permit soon to expire and site not stabilized—request extension or fill out new permit application
- ☐ Immediate remediation needed—see photos; contact our office for help

Corrections (if any) must be made by _____/_____/_____ (date)

Permit Compliance Notice (PCN) left on-site with _____ Report mailed to _____



GRAND TRAVERSE COUNTY ENVIRONMENTAL HEALTH
SOIL EROSION AND SEDIMENTATION CONTROL
SITE INSPECTION FORM

2650 LaFranier Rd
Traverse City, MI 49686
Phone: 231-995-6051 Fax: 231-995-6033
e-mail: gtsoilerosion@grandtraverse.org

Permit No. 23-02135

Permit Expiration 11/11/24

Insp. Date: 7/24/2024

Inspector: AT

Landowner name: WAGGENER

Contractor Name:

Address or location: 1661 LAKE DR

Twp. Garfield

Check one: ☒ Open Permit Inspection ☐ Final Inspection

Complete Only for Open Permit Inspections:

Work started?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Permit posted at site?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>issue PCN</i>
Approved plans available?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>issue PCN</i>
Approved plans accurate?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>update plans</i>
Earth change confined to areas specified on plans?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Evidence sediment migrated off the property/site?	<input type="checkbox"/> Yes <i>issue NOV</i>	<input checked="" type="checkbox"/> No
Evidence sediment discharged to Waters of the State?	<input type="checkbox"/> Yes <i>issue NOV</i>	<input checked="" type="checkbox"/> No

Control Measures:

Controls installed per plans?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Controls adequate for this site?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Controls properly maintained?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Storm sewers being protected?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Final Inspection to Close Permit:

All soils stabilized? ☐ Yes ☐ No Temporary measures removed? ☐ Yes ☐ No

Comments/Conditions:

- | | |
|---------------------------|---|
| 1. Work Started | land use permit has been revoked and project is halted. free 6 month extension okay per BW if land use continues to halt project through growing season. lowering to priority 3 until project continues. AT |
| 2. Finish Grade | |
| 3. Exterior Work | |
| 4. No significant erosion | |

Weather Conditions: Cloudy

Photos taken? ☐ Yes ☒ No

Recommendations

- ☒ None – Site in compliance
- ☐ Repairs needed to soil erosion control tools (silt fence, mulch mat, etc.)
- ☐ Double permit fee for beginning work without SESC permit**
** (remitted to Grand Traverse County Health Department)
- ☐ Permit soon to expire and site not stabilized—request extension or fill out new permit application
- ☐ Immediate remediation needed—see photos; contact our office for help

Corrections (if any) must be made by _____ (date)

Permit Compliance Notice left: On-site

Report mailed to: [Text](#) [Click Here](#)

Notice of Violation (NOV) recommended: ☐ YES ☐ NO

Copies sent to: [Click here to enter text.](#)


1661 Lake Dr Soil Erosion Permit

Alissa Topping <atopping@gtcountymi.gov>

Mon 8/26/2024 9:37 AM

To:billwaggs@gmail.com <billwaggs@gmail.com>

Cc:Mike Green <mgreen@garfield-twp.com>

 2 attachments (192 KB)

4849_001.pdf; 4848_001.pdf;

Good morning Bill,

The slope on the southern side of 1661 Lake Dr has eroded significantly and I'm issuing a permit compliance notice which is attached. The silt fences need to be repaired. To prevent further erosion issues the southern slope needs to be seeded and covered with erosion control blankets that are properly staked down after the gulleys have been filled in. For long term stabilization, it is highly recommended to install retaining walls on slopes that are steeper than 2:1. Corrective measures should be completed by 9/2/24 and I will follow up with another inspection then. If you have any questions, feel free to call me.

Alissa Topping

Environmental Health Sanitarian

Grand Traverse County Health Department

(231) 995-6020



**GRAND TRAVERSE COUNTY ENVIRONMENTAL HEALTH
SOIL EROSION AND SEDIMENTATION CONTROL
SITE INSPECTION FORM**

2650 LaFranier Rd
Traverse City, MI 49686
Phone: 231-995-6051 Fax: 231-995-6033
e-mail: gtsoilerosion@grandtraverse.org

Permit No. 23-02135
Permit Expiration 11/11/24
Insp. Date: 9/16/2024
Inspector: AT

Landowner name: WAGGENER

Contractor Name:

Address or location: 1661 LAKE DR

Twp. Garfield

Check one: ☒ Open Permit Inspection ☐ Final Inspection

Complete Only for Open Permit Inspections:

Work started?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Permit posted at site?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>issue PCN</i>
Approved plans available?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>issue PCN</i>
Approved plans accurate?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>update plans</i>
Earth change confined to areas specified on plans?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Evidence sediment migrated off the property/site?	<input type="checkbox"/> Yes <i>issue NOV</i>	<input checked="" type="checkbox"/> No
Evidence sediment discharged to Waters of the State?	<input type="checkbox"/> Yes <i>issue NOV</i>	<input checked="" type="checkbox"/> No

Control Measures:

Controls installed per plans?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Controls adequate for this site?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Controls properly maintained?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Storm sewers being protected?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Final Inspection to Close Permit:

All soils stabilized? ☐ Yes ☐ No Temporary measures removed? ☐ Yes ☐ No

Comments/Conditions:

1. Work Started
2. Finish Grade
3. Exterior Work
4. Soil Movement observed

Weather Conditions: Cloudy

Photos taken? ☐ Yes ☒ No

Recommendations

- ☒ None – Site in compliance
- ☐ Repairs needed to soil erosion control tools (silt fence, mulch mat, etc.)
- ☐ Double permit fee for beginning work without SESC permit**
** (remitted to Grand Traverse County Health Department)
- ☐ Permit soon to expire and site not stabilized—request extension or fill out new permit application
- ☐ Immediate remediation needed—see photos; contact our office for help

Corrections (if any) must be made by _____ (date)

Permit Compliance Notice left: On-site

Report mailed to: [Text](#) [Click Here](#)

Notice of Violation (NOV) recommended: ☐ YES ☐ NO

Copies sent to: [Click here to enter text.](#)



**GRAND TRAVERSE COUNTY ENVIRONMENTAL HEALTH
SOIL EROSION AND SEDIMENTATION CONTROL
SITE INSPECTION FORM**

2650 LaFranier Rd
Traverse City, MI 49686
Phone: 231-995-6051 Fax: 231-995-6033
e-mail: gtsoilerosion@grandtraverse.org

Permit No. 23-02135

Permit Expiration 11/11/24

Insp. Date: 10/29/2024

Inspector: AT

Landowner name: WAGGENER

Contractor Name:

Address or location: 1661 LAKE DR

Twp. Garfield

Check one: ☒ Open Permit Inspection ☐ Final Inspection

Complete Only for Open Permit Inspections:

Work started?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Permit posted at site?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>issue PCN</i>
Approved plans available?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>issue PCN</i>
Approved plans accurate?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>update plans</i>
Earth change confined to areas specified on plans?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Evidence sediment migrated off the property/site?	<input type="checkbox"/> Yes <i>issue NOV</i>	<input checked="" type="checkbox"/> No
Evidence sediment discharged to Waters of the State?	<input type="checkbox"/> Yes <i>issue NOV</i>	<input checked="" type="checkbox"/> No

Control Measures:

Controls installed per plans?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Controls adequate for this site?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Controls properly maintained?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Storm sewers being protected?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Final Inspection to Close Permit:

All soils stabilized? ☐ Yes ☐ No Temporary measures removed? ☐ Yes ☐ No

Comments/Conditions:

1. Work Started
2. Finish Grade
3. Exterior Work
4. Soil Movement observed

Weather Conditions: Cloudy

Photos taken? ☐ Yes ☒ No

Recommendations

- ☒ None – Site in compliance
- ☐ Repairs needed to soil erosion control tools (silt fence, mulch mat, etc.)
- ☐ Double permit fee for beginning work without SESC permit**
** (remitted to Grand Traverse County Health Department)
- ☐ Permit soon to expire and site not stabilized—request extension or fill out new permit application
- ☐ Immediate remediation needed—see photos; contact our office for help

Corrections (if any) must be made by _____ (date)

Permit Compliance Notice left: On-site

Report mailed to: [Text](#) [Click Here](#)

Notice of Violation (NOV) recommended: ☐ YES ☐ NO

Copies sent to: [Click here to enter text.](#)

**GRAND TRAVERSE COUNTY ENVIRONMENTAL HEALTH
SOIL EROSION AND SEDIMENTATION CONTROL
SITE INSPECTION FORM**

Permit No: 23-02135
Permit Expiration: 11/11/24
Insp. Date: VARIOUS
Inspector: AT

Landowner name: Waggener Contractor Name:

Address or location: 11661 Lake Dr Twp. Garfield

Check one: ☒ Open Permit Inspection ☐ Final Inspection

Complete Only for Open Permit Inspections:

Work started?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Permit posted at site?	<input type="checkbox"/> Yes	<input type="checkbox"/> No <i>issue PCN</i>
Approved plans available?	<input type="checkbox"/> Yes	<input type="checkbox"/> No <i>issue PCN</i>
Approved plans accurate?	<input type="checkbox"/> Yes	<input type="checkbox"/> No <i>update plans</i>
Earth change confined to areas specified on plans?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Evidence sediment migrated off the property/site?	<input type="checkbox"/> Yes <i>issue NOV</i>	<input type="checkbox"/> No
Evidence sediment discharged to Waters of the State?	<input type="checkbox"/> Yes <i>issue NOV</i>	<input type="checkbox"/> No

Control Measures:

Controls installed per plans?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Controls adequate for this site?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Controls properly maintained?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Storm sewers being protected?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Final Inspection to Close Permit:

All soils stabilized? ☐ Yes ☐ No Temporary measures removed? ☐ Yes ☐ No

Comments/Conditions:

Snow covered: 12/16/24, 12/12/24, 1/13/25,

Weather Conditions:

Photos taken? ☐ Yes ☐ No

Recommendations

- ☐ None – Site in compliance
- ☐ Repairs needed to soil erosion control tools (silt fence, mulch mat, etc.)
- ☐ Double permit fee for beginning work without SESC permit**
** (remitted to Grand Traverse County Health Department)
- ☐ Permit soon to expire and site not stabilized—request extension or fill out new permit application
- ☐ Immediate remediation needed—see photos; contact our office for help

Corrections (if any) must be made by _____ (date)

Permit Compliance Notice left:

Report mailed to:

Notice of Violation (NOV) recommended: ☐ YES ☐ NO

Copies sent to:



**GRAND TRAVERSE COUNTY ENVIRONMENTAL HEALTH
SOIL EROSION AND SEDIMENTATION CONTROL
SITE INSPECTION FORM**

2650 LaFranier Rd
Traverse City, MI 49686
Phone: 231-995-6051 Fax: 231-995-6033
e-mail: gtsoilerosion@grandtraverse.org

Permit No. 23-02135

Permit Expiration 11/11/24

Insp. Date: 2/10/2025

Inspector: AT

Landowner name: WAGGENER

Contractor Name:

Address or location: 1661 LAKE DR

Twp. Garfield

Check one: ☒ Open Permit Inspection ☐ Final Inspection

Complete Only for Open Permit Inspections:

Work started?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Permit posted at site?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>issue PCN</i>
Approved plans available?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>issue PCN</i>
Approved plans accurate?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>update plans</i>
Earth change confined to areas specified on plans?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Evidence sediment migrated off the property/site?	<input type="checkbox"/> Yes <i>issue NOV</i>	<input checked="" type="checkbox"/> No
Evidence sediment discharged to Waters of the State?	<input type="checkbox"/> Yes <i>issue NOV</i>	<input checked="" type="checkbox"/> No

Control Measures:

Controls installed per plans?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Controls adequate for this site?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Controls properly maintained?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Storm sewers being protected?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Final Inspection to Close Permit:

All soils stabilized? ☐ Yes ☐ No Temporary measures removed? ☐ Yes ☐ No

Comments/Conditions:

1. Work Started
2. Finish Grade
3. Exterior Work
4. Soil Movement observed

NO ACTIVITY. PARTIAL WALLS IN PLACE, COIR LOGS STABILIZING SLOPE

Weather Conditions: Cloudy

Photos taken? ☐ Yes ☒ No

Recommendations

- ☒ None – Site in compliance
- ☐ Repairs needed to soil erosion control tools (silt fence, mulch mat, etc.)
- ☐ Double permit fee for beginning work without SESC permit**
** (remitted to Grand Traverse County Health Department)
- ☐ Permit soon to expire and site not stabilized—request extension or fill out new permit application
- ☐ Immediate remediation needed—see photos; contact our office for help

Corrections (if any) must be made by (date)

Permit Compliance Notice left: On-site

Report mailed to: [Click Here](#)

Notice of Violation (NOV) recommended: ☐ YES ☐ NO

Copies sent to: [Click here to enter text.](#)



PERMIT COMPLIANCE NOTICE

GRAND TRAVERSE COUNTY ENVIRONMENTAL HEALTH
SOIL EROSION AND SEDIMENTATION CONTROL

2650 LaFranier Road
Traverse City, Michigan 49686
(231) 995-6051 • FAX (231) 995-6033
eh@grandtraverse.org

Location 16661 Lake Dr Permit No. 23-02135

Owner/Contractor William Waggener

The following corrective measures must be taken in order to bring your project into compliance with your permit requirements: _____

Repair silt fences. Remove sediment near waters edge
and fill in gulleys—seed southern slope and install
erosion control blankets that are properly staked
down.

Please contact our office when these measures have been completed so we can verify that compliance with the above referenced permit requirements has been achieved. Corrections must be made on or before 9/2/24

Date 8/26/24 by Alissa Topping 231-995-6020
Soil Erosion Inspector

GTC/622
Rev. 9/18



Charter Township of Garfield

Grand Traverse County
3848 VETERANS DRIVE
TRAVERSE CITY, MICHIGAN 49684
PH: (231) 941-1620 FAX: (231) 941-1588

SOIL EROSION AND SEDIMENTATION CONTROL PERMIT

(Issued under the authority of Part 91, Soil Erosion and Sedimentation Control,
of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended)

PERMIT #: PSE2025-013	ISSUED: 03/11/2025	EXPIRES: 08/11/2025
PROJECT LOCATION:	OWNER:	PERMITTEE:
1661 LAKE DR TRAVERSE CITY, MI, 49685 05-295-035-00 Town: 27 North Range: 11 West Section: 30	WILLIAM WAGGENER 1661 LAKE DR TRAVERSE CITY, MI 49685-8918	WILLIAM WAGGENER 1661 LAKE RD. TRAVERSE CITY, MI 49685 Phone: (231) 883 9321

Onsite Responsible Person: BILL WAGGENER

Onsite Responsible Person Company: N/A

Onsite Responsible Person Phone: (231)883-9321

Permitted Activity: EXTENSION OF GRAND TRAVERSE COUNTY PERMIT # 23-02135 FOR
INSTALLATION OF RETAINING WALLS

Fee Description	Fee Total
EXTENSION	\$0.00

Permit Conditions:

1. The permitted activity shall be completed in accordance with the approved plans and specifications, and the attached general and specific conditions.
2. This permit does not waive the necessity for obtaining all other required federal, state, or local permits.
3. Permittee shall notify the permitting agency within one week after completing the permitted activity or one week prior to the permit expiration date, whichever comes first.

Permitting Agent

(231) 941-1620

Telephone Number

THIS PERMIT MUST BE POSTED AT THE PROJECT SITE



Charter Township of Garfield

Grand Traverse County

3848 VETERANS DRIVE

TRAVERSE CITY, MICHIGAN 49684

PH: (231) 941-1620 • FAX: (231) 941-1588

PART 91 SITE INSPECTION FORM

Landowner: WYTASKE DONNA MAE & WAGGENER

Contractor: WILLIAM WAGGENER

Address/Location: 1661 LAKE DR

Permit Number: PSE2025-013

Permit Expiration: 08/11/2025

Inspection Date: 03/12/2025

Inspector: MICHAEL GREEN

Check One: ☒ Open Permit Inspection

☐ Final Inspection

Complete Only for Open Permit Inspections:

Work Started

☒ Yes

☐ No

Permit Posted at Site?

☒ Yes

☐ No issue PCN

Approved Plans Available?

☒ Yes

☐ No issue PCN

Approved Plans Accurate?

☒ Yes

☐ No update plans

Earth Change Confined to Areas Specified on Plans?

☒ Yes

☐ No

Evidence Sediment Migrated Off the Property/Site?

☐ Yes issue NOV

☒ No

Evidence Sediment Discharged to Waters of the State?

☐ Yes issue NOV

☒ No

Final Inspection to Close Permit:

All Soils Stabilized? ☐ Yes ☐ No

Temporary Measures Removed? ☐ Yes ☐ No

Comments/Conditions:

1. Work started
2. Finish grade
3. Exterior work

Recommendations:

☒ None – Site in Compliance

☐ Repairs Needed to Soil Erosion Control Tools (silt fence, mulch mat, etc.)

☐ Permit Soon to Expire and Site Not Stabilized – Request Extension or Fill out New Permit Application

☐ Immediate Remediation Needed – See Photos; Contact Our Office for Help

Corrections (if any) must be made within five (5) days of notification.

Permit Compliance Notice Left:

Report Mailed To:

Notice of Violation (NOV) Recommended: ☐ YES ☒ NO Copies Sent To:



Charter Township of Garfield

Grand Traverse County

3848 VETERANS DRIVE

TRAVERSE CITY, MICHIGAN 49684

PH: (231) 941-1620 • FAX: (231) 941-1588

PART 91 SITE INSPECTION FORM

Landowner: WYTASKE DONNA MAE & WAGGENER

Contractor: WILLIAM WAGGENER

Address/Location: 1661 LAKE DR

Permit Number: PSE2025-013

Permit Expiration: 08/11/2025

Inspection Date: 04/14/2025

Inspector: MICHAEL GREEN

Check One: ☒ Open Permit Inspection ☐ Final Inspection

Complete Only for Open Permit Inspections:

Work Started

☒ Yes

☐ No

Permit Posted at Site?

☒ Yes

☐ No issue PCN

Approved Plans Available?

☒ Yes

☐ No issue PCN

Approved Plans Accurate?

☒ Yes

☐ No update plans

Earth Change Confined to Areas Specified on Plans?

☒ Yes

☐ No

Evidence Sediment Migrated Off the Property/Site?

☒ Yes issue NOV

☐ No

Evidence Sediment Discharged to Waters of the State?

☐ Yes issue NOV

☒ No

Final Inspection to Close Permit:

All Soils Stabilized? ☐ Yes ☐ No

Temporary Measures Removed? ☐ Yes ☐ No

Comments/Conditions:

1. Site work ongoing
2. Finish grade
3. Exterior work
4. Evidence of possible soil erosion toward adjacent property to the south and exposed soils near lake and north of retaining wall. Need to install silt fence in these areas within subject property.

Recommendations:

☐ None – Site in Compliance

☒ Repairs Needed to Soil Erosion Control Tools (silt fence, mulch mat, etc.)

☐ Permit Soon to Expire and Site Not Stabilized – Request Extension or Fill out New Permit Application

☒ Immediate Remediation Needed – See Photos; Contact Our Office for Help

Corrections (if any) must be made within five (5) days of notification.

Permit Compliance Notice Left:

Report Mailed To:

Notice of Violation (NOV) Recommended: ☒ YES ☐ NO Copies Sent To: Bill Waggener (certified mail)



Charter Township of Garfield

Grand Traverse County

3848 VETERANS DRIVE

TRAVERSE CITY, MICHIGAN 49684

PH: (231) 941-1620 • FAX: (231) 941-1588

SESC PERMIT VIOLATION NOTICE

04/14/2025

WILLIAM WAGGENER
1661 LAKE RD.
TRAVERSE CITY, MI 49685
(sent via certified mail)

Permit Number: PSE2025-013
Permit Address: 1661 LAKE DR

It has been determined that the above referenced property is in violation of Part 91, Soil Erosion and Sedimentation Control of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and the Garfield Township Control of Soil Erosion and Sedimentation Ordinance No. 78 as noted below:

1. Soil appears to have migrated into neighboring property located south of the subject property. Need to install silt fence as depicted on plans submitted as part of the Grand Traverse County SESC application.

Corrective actions listed above must be completed within five (5) calendar days of receipt of this letter. Feel free to contact our office at (231) 941-1620 or at mgreen@garfieldmi.gov if you have any questions.

Sincerely

Michael Green, SESC Permitting Agent
Charter Township of Garfield

Attachments:

1. Site photos with inspector's notes
2. Site plan with inspector's notes



Need
silt
fence
here



Need
silt
fence here

Slope > 20%

Silt Fence (trenched in per attached document)

Disturbance Area

Seed + Mulch + Landscape
(stabilization)

R&R concrete and
install drain

N
Provide
straw matting
if slope
exceeds
3:1 gradient

Need
silt fence
Silver 1k

Need silt
fence

Bill Wagner
231 883 9321

05-295-035-00

EROSION CONTROL SCHEDULE	
INSTALL SEDIMENT CONTROLS	5/23
START EXCAVATION	5/23
CONSTRUCTION BUILDINGS	
PAVING	
FINAL GRADE SEED & MULCH	6/23
SEDIMENT CONTROL REMOVAL	7/23

REVIEWED / APPROVED
Soil Erosion Compliance
Subject to Field Inspections
Reviewer AM Date 5/11/23

SEC:30 T27N R11W



Charter Township of Garfield

Grand Traverse County

3848 VETERANS DRIVE

TRAVERSE CITY, MICHIGAN 49684

PH: (231) 941-1620 • FAX: (231) 941-1588

PART 91 SITE INSPECTION FORM

Landowner: WYTASKE DONNA MAE & WAGGENER

Contractor: WILLIAM WAGGENER

Address/Location: 1661 LAKE DR

Permit Number: PSE2025-013

Permit Expiration: 08/11/2025

Inspection Date: 05/14/2025

Inspector: MICHAEL GREEN

Check One: ☒ Open Permit Inspection

☐ Final Inspection

Complete Only for Open Permit Inspections:

Work Started

☒ Yes

☐ No

Permit Posted at Site?

☒ Yes

☐ No issue PCN

Approved Plans Available?

☒ Yes

☐ No issue PCN

Approved Plans Accurate?

☒ Yes

☐ No update plans

Earth Change Confined to Areas Specified on Plans?

☒ Yes

☐ No

Evidence Sediment Migrated Off the Property/Site?

☐ Yes issue NOV

☒ No

Evidence Sediment Discharged to Waters of the State?

☐ Yes issue NOV

☒ No

Final Inspection to Close Permit:

All Soils Stabilized? ☐ Yes ☐ No

Temporary Measures Removed? ☐ Yes ☐ No

Comments/Conditions:

1. Silt fence installed per plans approved by Grand Traverse County when they issued the permit.
2. Inspection took place during rain event.

Recommendations:

☒ None – Site in Compliance

☐ Repairs Needed to Soil Erosion Control Tools (silt fence, mulch mat, etc.)

☐ Permit Soon to Expire and Site Not Stabilized – Request Extension or Fill out New Permit Application

☐ Immediate Remediation Needed – See Photos; Contact Our Office for Help

Corrections (if any) must be made within five (5) days of notification.

Permit Compliance Notice Left: NOT NEEDED

Report Mailed To:

Notice of Violation (NOV) Recommended: ☐ YES ☒ NO Copies Sent To:



Charter Township of Garfield

Grand Traverse County

3848 VETERANS DRIVE

TRAVERSE CITY, MICHIGAN 49684

PH: (231) 941-1620 • FAX: (231) 941-1588

PART 91 SITE INSPECTION FORM

Landowner: WYTASKE DONNA MAE & WAGGENER

Contractor: WILLIAM WAGGENER

Address/Location: 1661 LAKE DR

Permit Number: PSE2025-013

Permit Expiration: 08/11/2025

Inspection Date: 06/02/2025

Inspector: MICHAEL GREEN

Check One: ☒ Open Permit Inspection

☐ Final Inspection

Complete Only for Open Permit Inspections:

Work Started

☒ Yes

☐ No

Permit Posted at Site?

☒ Yes

☐ No issue PCN

Approved Plans Available?

☒ Yes

☐ No issue PCN

Approved Plans Accurate?

☒ Yes

☐ No update plans

Earth Change Confined to Areas Specified on Plans?

☒ Yes

☐ No

Evidence Sediment Migrated Off the Property/Site?

☐ Yes issue NOV

☒ No

Evidence Sediment Discharged to Waters of the State?

☐ Yes issue NOV

☒ No

Final Inspection to Close Permit:

All Soils Stabilized? ☐ Yes ☐ No

Temporary Measures Removed? ☐ Yes ☐ No

Comments/Conditions:

1. Visited the site with Matthew Anderson from EGLE in response to site management concerns by neighbor.
2. Portions of the silt fence were not trenched in.
3. Was advised by Mr. Anderson we could require that the silt fence be extended to the north property line and continue along the property line toward the upper retaining wall as a precautionary measure. Otherwise, Mr. Anderson stated that the controls in place are "above and beyond" the minimum required and are more than sufficient to protect neighboring properties and the lake from erosion.

Recommendations:

☐ None – Site in Compliance

☒ Repairs Needed to Soil Erosion Control Tools (silt fence, mulch mat, etc.)

☐ Permit Soon to Expire and Site Not Stabilized – Request Extension or Fill out New Permit Application

☐ Immediate Remediation Needed – See Photos; Contact Our Office for Help

Corrections (if any) must be made within five (5) days of notification.

Permit Compliance Notice Left: 6-12-2025

Report Mailed To: Applicant/owner via email and mail.

Notice of Violation (NOV) Recommended: ☐ YES ☒ NO Copies Sent To:



Charter Township of Garfield

Grand Traverse County

3848 VETERANS DRIVE

TRAVERSE CITY, MICHIGAN 49684

PH: (231) 941-1620 • FAX: (231) 941-1588

SESC PERMIT COMPLIANCE NOTICE (PCN)

06/12/2025

WILLIAM WAGGENER

1661 LAKE RD.

TRAVERSE CITY, MI 49685

(sent via 1st class mail and emailed to billwaggs@gmail.com)

Permit Number: PSE2025-013

Permit Address: 1661 LAKE DR

Please be advised of the following corrective actions needed at the location listed above to ensure compliance with Part 91 of the Soil Erosion Control of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and the Garfield Township Soil Erosion and Sedimentation Control Ordinance:

1. Extension of the lake side silt fence section to the north property line and along the north property line to the corner of the upper wall per the original plans.
2. Trenching of all silt fencing per the manufacturers instructions.

Corrective actions listed above must be completed within five (5) calendar days of receipt of this letter. Feel free to contact the Zoning Department at (231) 941-1620 or at mgreen@garfieldmi.gov if you have any questions.

Sincerely

Michael Green, Zoning Administrator
Charter Township of Garfield

Attachment: Marked up site map illustrating the current vs. required silt fence location.



⊙ Addresses

— Roads

Public Right-of-Way

MITGAR24-SID-3INCH.sid

RGB

Red: Band_1

Green: Band_2

Blue: Band_3



Current location



Required location

0 5 10 20 30 40 Feet

Garfield Charter Township

3848 Veterans Drive

Traverse City, MI 49684

Phone: 231.941.1620

Fax: 231.941.1688

www.garfield-twp.com



This map is based on digital databases prepared by Garfield Township. The Township does not warrant, expressly or impliedly that the information on this map is current or positionally accurate. Always contact a surveyor to be sure of where your property lines are located.

NOT A LEGAL SURVEY

Garfield Township Zoning Dept. - Printed on: 6/12/2025

How to handle appeals of administrative decisions

Brad Neumann<neuman36@msu.edu>, Michigan State University Extension - August 19, 2022

The zoning board of appeals is the only entity authorized to hear appeals on the administration and enforcement of the zoning ordinance at the local level. When doing so, careful considerations must be made.

The typical zoning board of appeals (ZBA) meets infrequently, perhaps only once or twice a year, and, when they do meet, the agenda item they see most often is a dimensional variance request. In those instances, the ZBA's job is to determine whether the applicant is proving a practical difficulty for a dimensional variance request.

Less frequently, a ZBA hears appeals of administrative decisions. The ZBA is the only entity authorized to hear appeals on the administration and enforcement of the zoning ordinance at the local level. The ZBA can hear appeals of decisions made by the zoning administrator, the planning commission or administrative decisions made by the legislative body. It is worth clarifying this last point – only where the legislative body is making a final administrative decision, such as approval of a special land use permit or site plan, can the ZBA hear an appeal of action taken by the legislative body. If instead the legislative body is making a legislative decision, such as adopting an amendment to the zoning ordinance, the ZBA has no authority to hear an appeal. In this case, a citizen upset with the legislative decision might consider a zoning petition. See the Zoning petitions: What are citizens' options? for more information.

An appeal to the zoning board of appeals may be taken by a person aggrieved by an administrative decision or by an officer, department, board, or bureau of the state or the local unit of government. To be a person aggrieved, one must (from *Saugatuck Dunes Coastal Alliance v. Saugatuck Twp.*, 2022 Mich. LEXIS 1360, July 22, 2022, Filed):



Photo by iStock.com.

- Claim some legally protected interest or protected personal, pecuniary, or property right that is likely to be affected by the challenged decision.
- ~~Provide some evidence of special damages arising from the challenged decision that is different in kind or more significant in degree than the effects on others in the local community.~~

If a question arises as to a person's aggrieved status, the ZBA has the authority to first decide on the appellant's aggrieved status (though the ZBA is not required to do so) using the above criteria from case law. If a ZBA seeks to decide an appellant's aggrieved status, they should work closely with the municipal attorney to develop and adopt defined rules of procedure for doing so.

A government official or body can appeal an administrative decision to the ZBA. Yes, even the legislative body of the unit of government can appeal a decision made by its own zoning administrator or planning commission to the ZBA.

Administrative decisions that can be appealed to the ZBA include:

- Zoning (also known as land use) permits issued or denied by the zoning administrator
- Zoning enforcement actions taken by the zoning administrator
- Special land use permits approved or denied (if allowed by the local ordinance) by the zoning administrator, planning commission or legislative body
- Planned Unit Developments approved or denied (if allowed by the local ordinance) by the planning commission or legislative body
- Site plans approved or denied by the zoning administrator, planning commission or legislative body

When the ZBA does hear an appeal of an administrative decision, members must understand they are first reviewing the administrative decision to determine whether it was based on the standards in the zoning ordinance and is therefore a defensible decision. This is somewhat of a different mindset, as compared to deciding a more typical dimensional variance request where the decision is brand new.

When reviewing the previous decision, the ZBA is reviewing the case *de novo*, meaning they are reviewing the material anew — with fresh eyes (*Hughes v. Almena Township*, 284 Mich. App. 50 (2009)). In making its decision, the ZBA shall therefore consider the original information presented to the administrative official or body, the minutes, findings, and/or notes documenting the original decision, and any additional relevant evidence presented. Based on all the facts, the ZBA will decide whether the individual or body correctly applied the proper ordinance standards and acted within the scope of his/her/its authority.

The ZBA has the authority to reverse or affirm, in whole or in part, or modify the administrative decision being appealed. In so doing, the ZBA can also issue, or direct the issuance of, a permit. When making its decision, the ZBA must include the facts and reasons for arriving at its decision. See Administrative decisions require careful application to ordinance standards: Part 2 for more information.

The decision of a ZBA is final. It cannot be overridden by any local government body. A party aggrieved by the ZBA's decision may however appeal to the circuit court for the county in which the property is located.

Additional details on the roles and authority of ZBAs in Michigan are included in Article VI of the Michigan Zoning Enabling Act. Local governments should discuss cases involving administrative appeals with their municipal attorney, hopefully someone who is well-versed in land use planning and zoning law. General

questions about ZBAs and administrative appeals can be directed to a [Michigan State University Extension](#) land use educator.

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extension.msu.edu

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