



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 SUPPLEMENTAL 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

TO: Zoning Board of Appeals members
FROM: Michael Green, Zoning Administrator
RE: Timeline of actions in support of September 19, 2024 Decision
DATE: Wednesday, June 18, 2025

Dear Board Members,

In conjunction with the meeting packet you received last week and an accompanying letter being provided to you from our attorney, I am writing to provide you a timeline of actions taken by this office in conjunction with our Township Engineer, Manager, and Attorney in support of your September 19, 2024 Decision as further outlined below:

1. September 19, 2024 Decision: The Zoning Board of Appeals voted to suspend a Land Use Permit issued to Bill Waggener on August 1, 2024 until the following issues were addressed by the property owner:
 - a. 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.
 - b. That performance and maintenance issues allowing concentrated flows through the retaining wall 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:

- a. Required 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.
 - b. Required submittal and review of a stormwater maintenance agreement by the Township Engineer prior to reissuing or reactivating the permit.
 - c. The applicant will be required to submit to maintenance inspections per the Stormwater Ordinance.
 - d. 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.
2. October 7, 2024: Bill Crain, engineer for Bill Waggener, submits revised stormwater plans to this office and to the Township Engineer. (see October 7, 2024 email from Bill Crain)
3. October 15, 2024: The Township Engineer and I visit the property to do a pre-review meeting per the ZBA Order (see October 15, 2024 email chain)
4. October 31, 2024: The Township Engineer provides a review letter to this office, Bill. Waggener, and Bill Crain with recommended changes and clarifications (see attached letter from GFA dated 10-31-2024), including recommendations to address moisture seeping through the walls by either lining the back of the wall and/or diverting the flow away from the wall.
5. November 7, 2024: I emailed Bill Crain and Bill Waggener reminding of the 9-19-2024 ZBA Decision and 10-31-2024 Engineer Review letter and stating that the engineer recommendations to prevent moisture seeping will be required as part of the final site plan submittal. (see attached 11-7-2024 email)
6. November 18, 2024: Jamie Douglass, our Building and Land Use Assistant, notifies Bill Waggener by email that he owes \$1,350 in outstanding engineering review invoices and provides a copy of the invoice from Gourdie Fraser (see attached 11-16-2024 email and attached invoice). It should be noted we can't ask the Engineer to perform any further reviews until outstanding balances have been paid.
7. December 26, 2024: Jamie Douglass emails a second notice to Bill Waggener reminding him of the \$1,350 outstanding engineering review invoices.
8. January 15, 2025: Jamie Douglass emails a third notice to Bill Waggener reminding him of the \$1,350 outstanding invoices.
9. March 11, 2025: In conjunction with the adoption of our Soil Erosion and Sedimentation Control Ordinance and approval as a Municipal Enforcement Agency by the State of Michigan, our office issues a transfer permit formally taking over the SESC Permit issued by Grand Traverse County. As part of the permit transfer, the County transits the complete file, including the original permit and all permit and inspection correspondence. Upon review of the permit file, there was no indication of any unresolved violations. In fact, the last inspection the County performed on 2-10-2025 stated that the site was in compliance and noted that partial walls and temporary SESC controls were in place. It appeared from the correspondence that silt fence shown on the plans around the perimeter

of the site were not in place and had not been required to remain by the County Inspectors since completion of the retaining walls and installation of sod toward the lake.

10. March 12, 2025: I perform my first SESC site inspection and found that the site was in compliance based on proper soil stabilization (see 3-12-2025 SESC Inspection Report).
11. April 14, 2025: I visited the site to do a SESC Inspection and found some soil movement onto neighboring property to the south and sent out a Notice of Violation letter ordering the reinstallation of all silt fencing shown on the original site plan. (see 4-14-2025 SESC Inspection Report and Notice of Violation with attached drawings)
12. April 15, 2025: Chris Barsheff, Township Manager, contacts the Township Attorney to set up a meeting to discuss the case and determine a path forward considering the lack of progress in addressing items in the October 31, 2024 Engineer Review, the lack of payment of the outstanding invoices, SESC issues, and the decision of the ZBA not to impose any deadlines for submission of plans, Performance Bond, maintenance plan, and project completion deadlines.
13. April 24, 2025: I contacted Bill Waggener to forward a copy of the SESC Violation Letter and attachments, remind him of the September 19, 2024 ruling, and outstanding invoice for engineering services referenced in prior emails from Jamie Douglass (see -24-2025 email with attachments). Bill Crain is copied on this communication. The SESC Violation Letter was also sent via certified mail on 4-14-2025 with no return receipt received by this time. Chris Barsheff, Township Manager, and I meet with the Township Attorney to discuss the case. The Attorney offers to investigate potential options for establishing a timeline requirement and get back with us.
14. May 5, 2025: Kathy Boyd notifies us via email that Bill Waggener moved gravel onto his property without a permit in violation of the September 19, 2024 ZBA Order. (see 5-5-2025 email from Kathy Boyd). Based on my recommendation, Chris Barsheff contacts the Attorney to seek commence civil action and seek a court injunction for the work done without a permit and other issues identified in the April 24, 2025 meeting.
15. May 6, 2025: Kathy Boyd files her ZBA Appeal and a stop work order is posted on the site above the permit box.
16. May 8, 2025: I contacted Bill Waggener via email and notified him (and provided copies of) the stop work order I posted on 5-6-2025 and warned him of further enforcement and penalties if the outstanding invoice is not paid in full by 5-15-2025 (see 5-8-2025 email with attachments).
17. May 14, 2025: I performed a SESC site inspection and found that the site was brought into compliance based on the installation of silt fencing per the original plans (see 5-14-2025 SESC Inspection Report).
18. May 15, 2025: Bill Waggener pays the \$1,350 invoice for engineering services (see 5-15-2025 invoice).
19. June 2, 2025: I asked Matthew Anderson, Environmental Quality Analyst with the Department of Environment, Great Lakes, and Energy, to look over our permit file and accompany me on a SESC site inspection to ensure that we were following proper procedure and requiring appropriate site controls. While Mr. Anderson did recommend relocation of the silt fence toward the northerly property line and noticed sections of silt fence not properly trenched in, he noted that the silt fence wasn't necessary with all the vegetation behind the retaining walls and overall site stabilization and that it was under

our discretion to require the fence to remain throughout the project (see 6-2-2025 SESC Inspection Report)

20. June 4, 2025: I contacted the Township Engineer to ask them to develop a project completion timeline in support of the September 19, 2024 ZBA Decision and provided a recommended Performance Bond amount based on the project plans (see 6-4-2025 email to Gourdie Fraser)
21. June 9, 2025: The Township Engineer provided me an outline of specific recommendations pertaining to required inspections, performance bond amount and closeout timelines (see 6-9-2025 email from Gourdie Fraser).
22. June 12, 2025: I mailed out a SESC Permit Compliance Notice (PCN) requesting corrective action regarding the location and installation of the existing silt fence. (see 6-12-2025 Permit Compliance Notice and attached map).
23. June 17, 2025: I email a copy of the SESC Permit Correction Notice to Bill Waggener with further explanation as to my visit with Matthew Anderson and his recommendations. Additionally, Chris Barsheff and I meet with the Township Attorney to follow up on previous business and to discuss the ZBA case. The Attorney agrees to provide a legal opinion for the ZBA and to assist in developing and reviewing a project completion timeline in support of the September 19, 2024 ZBA Decision. The Attorney also addresses complaints from Kathy Boyd about missing information in Freedom of Information Act Requests and assures us that we are not in violation of the Act as long as we are not deliberately withholding information and are providing the requested information in a prompt manner through supplemental releases.

In summary, I provide this additional information to assure this Board that I have been working with our Township Manager, Engineer, and Attorney to obtain compliance with the September 19, 2024 Zoning Board of Appeals order and to lay the groundwork for further enforcements as necessary. I will be at the meeting to provide a report summary and answer any questions.

Sincerely,

Michael Green, Zoning Administrator

Mike Green

From: Bill Crain <crainengineeringllc@gmail.com>
Sent: Monday, October 7, 2024 12:07 PM
To: Mike Green
Subject: Bill Waggoner - 1661 Lake Drive
Attachments: rev7 c-1 1661 lake drive siteplan.pdf; rev7 c-2 1661 lake drive siteplan.pdf

Mike,
Copy of updated siteplan for 1661 Lake Drive as requested. If you need hard copies, let me know.
Thanks

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

Mike Green

From: Mike Green
Sent: Tuesday, October 15, 2024 9:17 AM
To: Mark Maguire; Bill Crain; Jennifer Graham
Cc: billwaggs@gmail.com
Subject: RE: Bill Waggoner - 1661 Lake Drive - pre-review meeting onsite

Sounds good,

I'll see you there.

Sincerely,

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

From: Mark Maguire <Markm@gfa.tc>
Sent: Tuesday, October 15, 2024 9:07 AM
To: Bill Crain <crainengineeringllc@gmail.com>; Jennifer Graham <jennifer@gfa.tc>
Cc: Mike Green <Mgreen@garfield-twp.com>; billwaggs@gmail.com
Subject: Re: Bill Waggoner - 1661 Lake Drive - pre-review meeting onsite

Thank you, will plan on making a visit at 1P Today.

-Mark

Mark W. Maguire, PE

Project Engineer

[\(231\) 409-4415](tel:(231)409-4415)



123 W Front Street

Traverse City, MI 49684

[\(231\) 946.5874](tel:(231)946-5874)

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

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From: Bill Crain <crainengineeringllc@gmail.com>
Sent: Monday, October 14, 2024 8:05 PM
To: Jennifer Graham <jennifer@gfa.tc>
Cc: Mark Maguire <Markm@gfa.tc>; Mike Green <Mgreen@garfield-twp.com>; billwaggs@gmail.com

[<billwaggs@gmail.com>](mailto:billwaggs@gmail.com)

Subject: Re: Bill Waggoner - 1661 Lake Drive - pre-review meeting onsite

I have a maintenance plan drafted and to Bill Waggener.

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

On Mon, Oct 14, 2024 at 4:51 PM Jennifer Graham [<jennifer@gfa.tc>](mailto:jennifer@gfa.tc) wrote:

Example maintenance plan for your use

From: Mark Maguire [<Markm@gfa.tc>](mailto:Markm@gfa.tc)

Sent: Monday, October 14, 2024 3:58 PM

To: Mike Green [<Mgreen@garfield-twp.com>](mailto:Mgreen@garfield-twp.com); Bill Crain [<crainengineeringllc@gmail.com>](mailto:crainengineeringllc@gmail.com); billwaggs@gmail.com

Cc: Jennifer Graham [<jennifer@gfa.tc>](mailto:jennifer@gfa.tc)

Subject: RE: Bill Waggoner - 1661 Lake Drive - pre-review meeting onsite

Good afternoon Mr Waggener,

I'm reaching out to schedule a pre-review meeting onsite with the recent plan submission. I'd also like to keep the option for You, the Twp Zoning, and your Engineer to be present if needed. GFA can schedule a visit as soon as **1P Tuesday 10/15 or 1P Wednesday 10/16. Let me know if that works for you/others if needed.** My scheduled opens more next week as well.

Sincerely,

-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: Monday, October 14, 2024 3:45 PM

To: Mark Maguire <Markm@gfa.tc>

Cc: Jennifer Graham <jennifer@gfa.tc>

Subject: RE: Bill Waggoner - 1661 Lake Drive

Hi Mark,

Either is fine with me but the earlier the better is my preference.

Sincerely,

Michael Green, Zoning Administrator

Charter Township of Garfield

Phone: 231-941-1620

Fax: 231-941-1588

From: Mark Maguire <Markm@gfa.tc>

Sent: Monday, October 14, 2024 3:41 PM

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

Cc: Jennifer Graham <jennifer@gfa.tc>
Subject: RE: Bill Waggoner - 1661 Lake Drive

Mike, Do we have an opportunity to schedule a pre-application site visit at the site? What about Wednesday this week or next week Monday?

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: Thursday, October 10, 2024 1:42 PM
To: Mark Maguire <Markm@gfa.tc>
Cc: Jennifer Graham <jennifer@gfa.tc>
Subject: RE: Bill Waggoner - 1661 Lake Drive

Hi Mark,

Please find the attached excerpt from our recent ZBA meeting with highlighted text. I hope this makes sense. Let me know if you have any questions.

Sincerely,

Michael Green, Zoning Administrator

Charter Township of Garfield

Phone: 231-941-1620

Fax: 231-941-1588

From: Mike Green
Sent: Monday, October 7, 2024 1:48 PM
To: Mark Maguire <Markm@gfa.tc>
Cc: Jennifer Hodges <jennifer@gfa.tc>
Subject: FW: Bill Waggoner - 1661 Lake Drive

Good afternoon, Mark,

Please find the revised site plan for Bill Waggoner at 1661 Lake Drive prepared by Bill Crain. Feel free to let me know if you have any questions or need additional information from the applicant.

Sincerely,

Michael Green, Zoning Administrator

Charter Township of Garfield

Phone: 231-941-1620

Fax: 231-941-1588

From: Bill Crain <crainengineeringllc@gmail.com>
Sent: Monday, October 7, 2024 12:07 PM
To: Mike Green <Mgreen@garfield-twp.com>
Subject: Bill Waggoner - 1661 Lake Drive

Mike,

Copy of updated siteplan for 1661 Lake Drive as requested. If you need hard copies, let me know.

Thanks

Bill Crain

Crain Engineering, LLC

7622 Bott Road

Buckley, MI 49620

Cell: 231-632-4207



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.

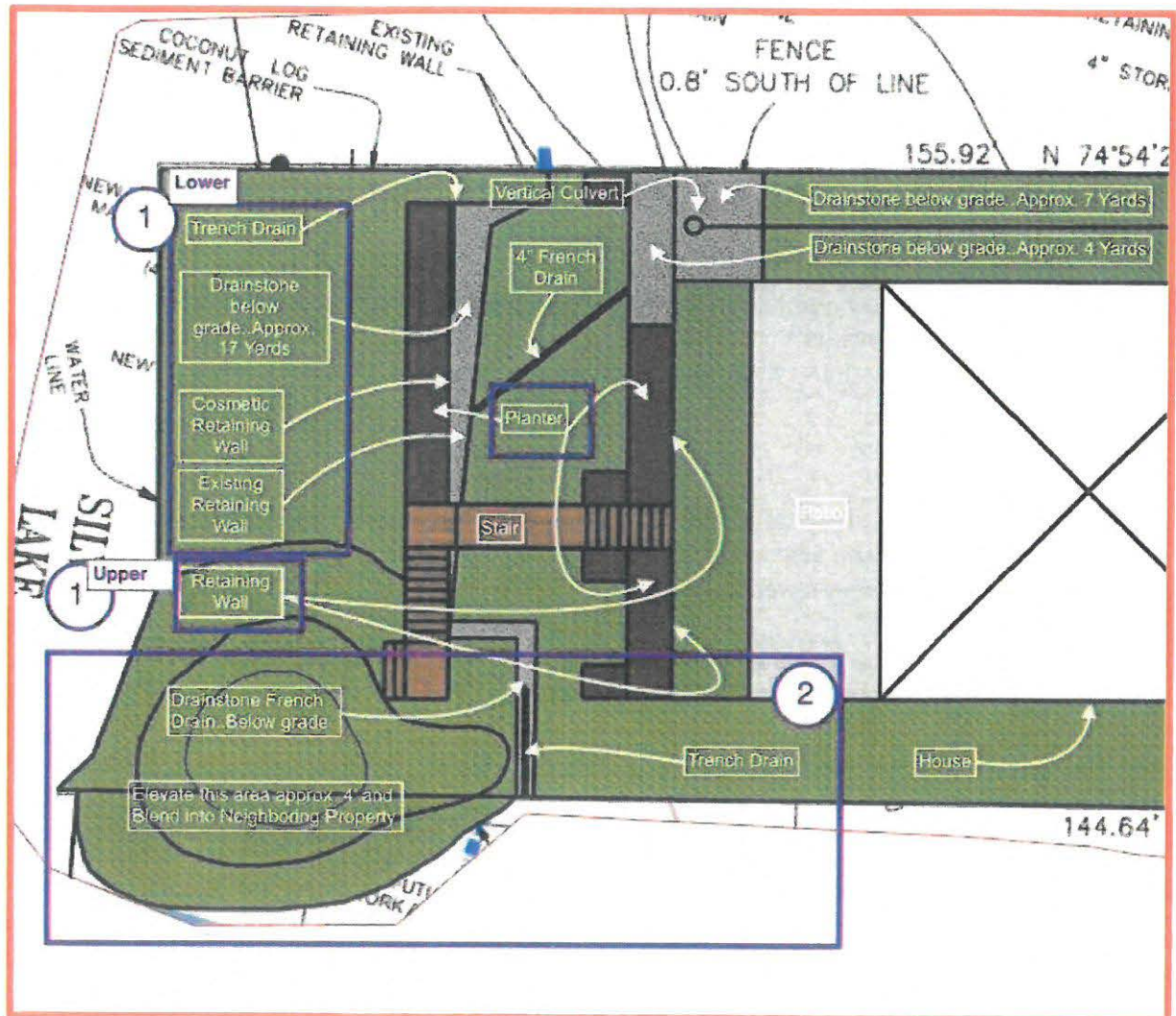
Storm Water Review:

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.

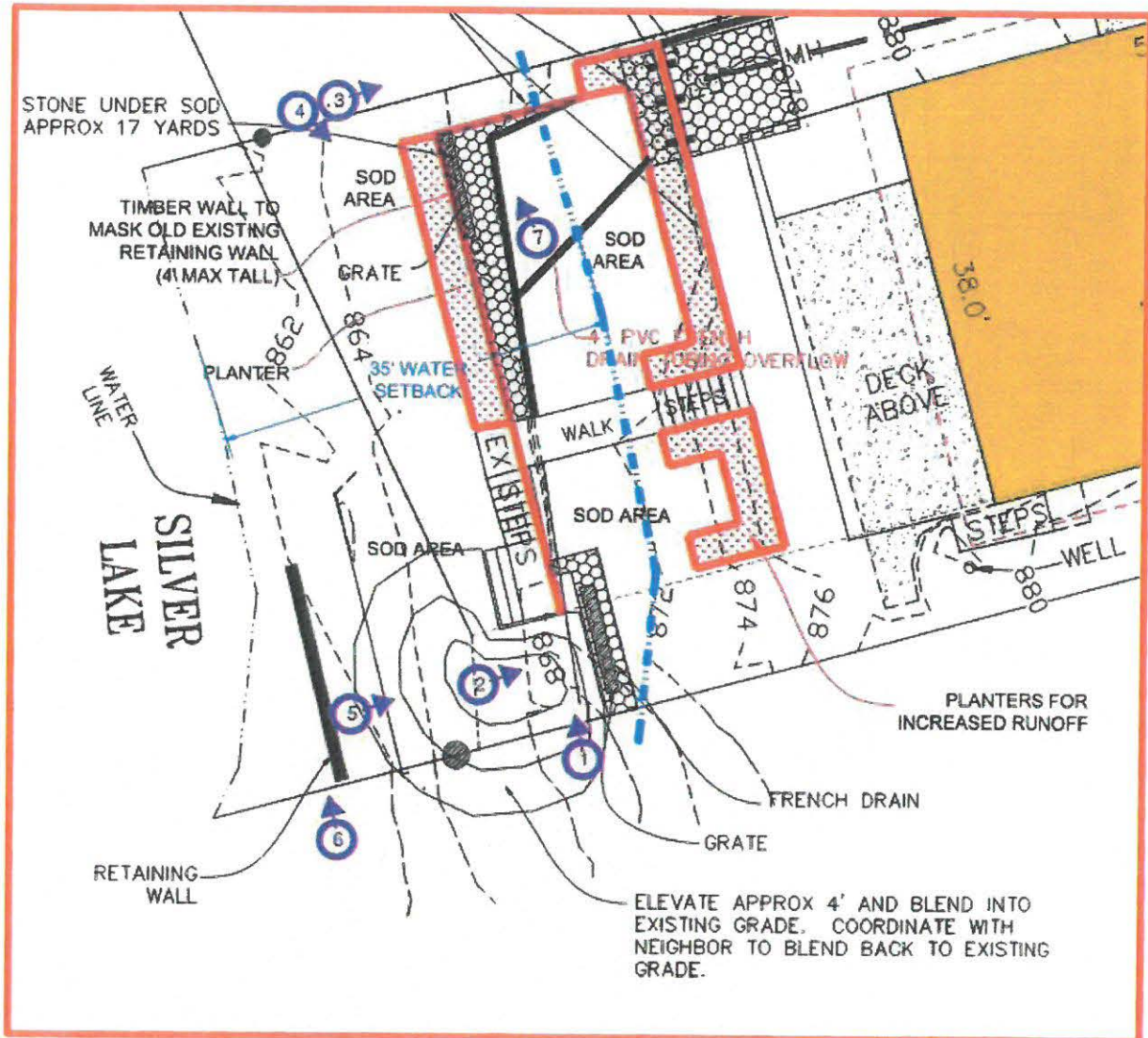
Project Engineer

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.

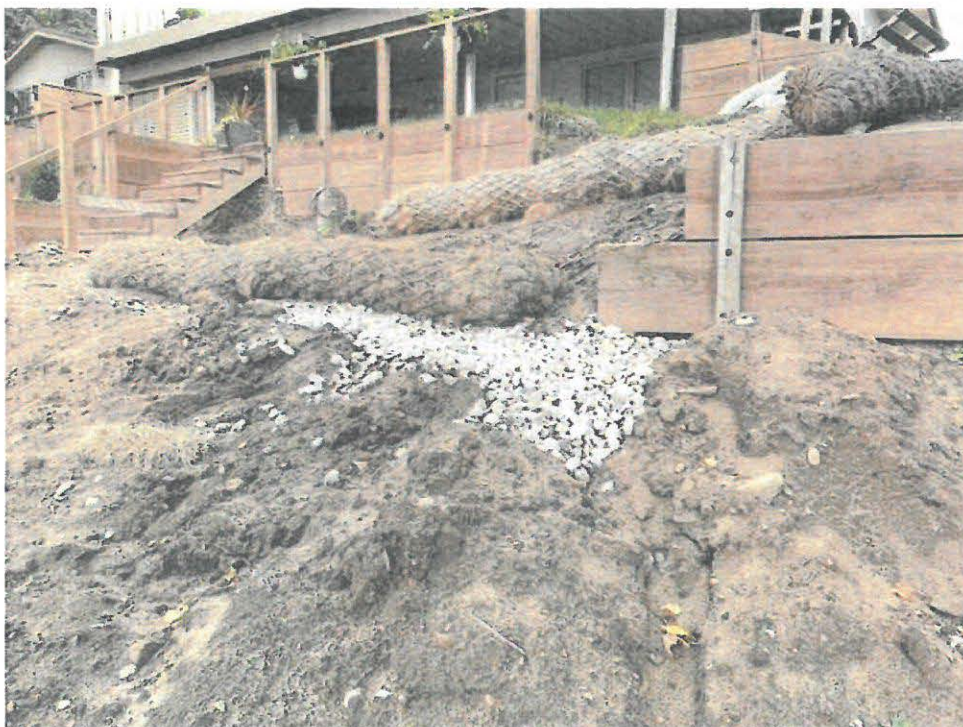




Photo 2 – Detail of French Drain at toe of new intermediate timber retaining wall. French drain intercepts flows from lawn and directs to stone infill of lower retaining wall.



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.

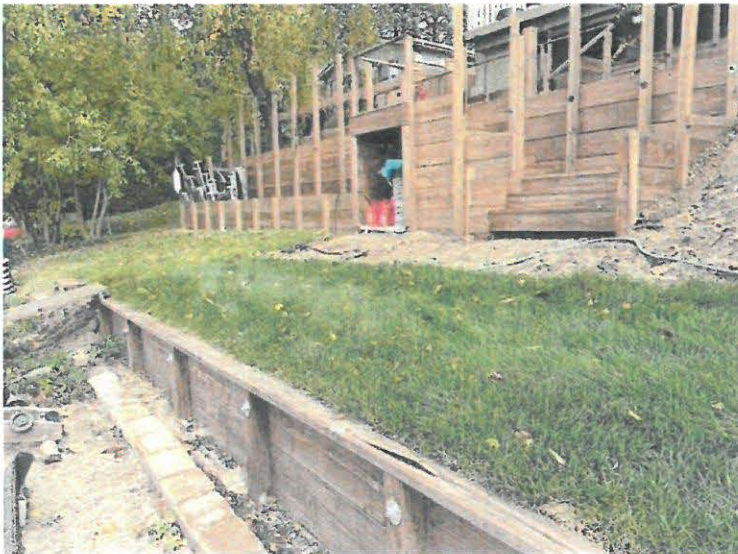


Photo 6 – Looking north from south property line at the existing retaining wall at beach, This will be the limits of possible fill indicated on the plans.



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

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

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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

Gourdie Fraser Invoice

From Jamie Douglass <jdouglass@garfieldmi.gov>

Date Mon 11/18/2024 11:43 AM

To bwaggener <billwaggs@gmail.com>

 1 attachment (170 KB)

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

RE: Gourdie Fraser Invoice

From Jamie Douglass <jdouglass@garfieldmi.gov>

Date Thu 12/26/2024 10:26 AM

To bwaggener <billwaggs@gmail.com>

Good morning Bill,

Just a friendly reminder that payment is still due on the below mentioned projects escrow account. If payment has already been made, I apologize for this message. We are required to send reminders.

Happy Holidays!

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

From: Jamie Douglass

Sent: Monday, November 18, 2024 11:43 AM

To: bwaggener <billwaggs@gmail.com>

Subject: Gourdie Fraser Invoice

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

Past due payment

From Jamie Douglass <jdouglass@garfieldmi.gov>

Date Wed 01/15/2025 11:39 AM

To bwaggener <billwaggs@gmail.com>

 1 attachment (170 KB)

Waggener Drive 2320907.pdf;

Hi Bill,

I'm sorry I keep emailing you about this escrow account. It's been due since November, and I don't want you to hit a late fee on it if we don't get it paid. I can offer you a payment plan if that helps. We can break it up into 2 payments, or possibly 3 if I can talk them into it. Let me know your thoughts.

Thank you,
Jamie



Jamie Douglass

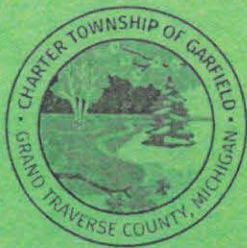
Building & Land Use Asst.

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



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



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

Twsp. 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: [Text](#) [Click Here](#)

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

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



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 sift cone here

Slope > 20%

Silt Fence (trenched in per attached document)

Disturbance Area

Seed + Mulch + Landscape (stabilization)

N

Perde Straw matting
If slope exceeds 3:1 gradient

Bill Wagner

231 883 9321

Need silt fence
05-295-035-06

Exist Retain Wall

Need 25' silt fence
Silver 1k

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

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.

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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



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)



Perde
Straw matting
If slope
exceeds
3:1 Gradient

Need
Silt fence
Silver 1k

Need silt
fence
05-295-035-00

Bill Wagner

231 883 9304

EROSION CONTROL SCHEDULE

INITIAL EROSION CONTROLS 5/23

START VEGETATION 5/23

CONSTRUCTION BUILDING 5/23

PAVING 5/23

FINAL GRADE SLOPE MATCH 6/23

SEDIMENT CONTROL REMOVAL 7/23

SEC:30 T2W R11W

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

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/rfxsgjxl869prhal82eeeljlzhd>

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

Mike Green

From: Kathy Boyd <klboyd7@gmail.com>
Sent: Monday, May 5, 2025 8:18 AM
To: Mike Green
Cc: Chris Barsheff; Karen Leaver; Jamie Douglass; Derek Morton
Subject: Re: Update re: 1661 Lake Drive?
Attachments: 2025-05-04WaggenerStone.png; 2025-05-04WaggenerStone2.png

Caution! This message was sent from outside your organization.

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Good morning Mr. Green -

It seems Mr. Waggener has resumed his projects and has moved a dump trailer full of stone down to the lakeside of the 1661 Lake Drive property with a frontloader.

The stone has been spread over top of the planters at the property border and behind the wall that was built within the riparian buffer. Adding stone to these locations does not help correct the drainage problems on the property.

To my knowledge there has been no action to correct either the drain or the illegal wall within the riparian buffer and side yard setback (both subjects of the Sept 19, 2024 ZBA ruling).

Does Mr. Waggener have a permit to continue his activities on the property?

Please include this information as part of the FOIA request that I submitted 7 days ago (see forwarded email).

Thank you,

Kathy Boyd
1669 Lake Drive

On Mon, Apr 28, 2025 at 9:45 AM Kathy Boyd <klboyd7@gmail.com> wrote:
Good morning Mr. Green:

Could you please provide an update re: 1661 Lake Drive?

This Thursday (May 1st) marks TWO YEARS since I first requested help from you and Garfield Township to mitigate the illegal property changes at 1661 Lake Drive. The extensive unpermitted building projects and land changes continue to negatively impact me and my property.

It was interesting to find out that one of my neighbors down the street (Lake Drive on Silver Lake) was recently prevented by Garfield Township (specifically you, Mr. Green) from building due to property set back and permit requirements. It makes me wonder why Mr. Waggener has been allowed to perform extensive building and grading activities - in direct violation of the Township Ordinances, within the riparian buffer of Silver Lake, and within the 10 foot property set back - over the past two years.

It has been seven months since the ZBA ruling on September 19, 2024.

Please provide an update re: Garfield Township plan for enforcement of the Township Ordinances at 1661 Lake Drive.

Sincerely,

Kathy Boyd
1669 Lake Drive
Traverse City, MI 49685

May 4, 2025 at 6:18:39 PM
12,738 of 12,744





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
SUSPENSION OF THE RIGHT
per 26A §106 1/1/2025
STOP WORK
1st Lake View
CHARTER TOWNSHIP OF GARFIELD
281-401-7132 (ext. 222)

DOC-BOX®



LOT

The Genuine
"DOC-BOX"
Made in the USA

WARNING
DESIGNATED

05/06/2025



05/06/2025



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:

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:

Date: 05/15/2025

Receipt #: 111330

WILLIAM WAGGENER

Cashier: jamie

Total Received: \$1,350.00

TRAVERSE CITY MI 49685

Batch #:

Notes:
INVOICE 2320907

RECEIPT ITEM	DESCRIPTION	AMOUNT
ESCROWS	215.814	\$1,350.00

Total Amount Due: \$1,350.00

PAYMENTS RECEIVED

Tendered: \$1,350.00

Tendered:

CHANGE: \$0.00



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:

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

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.

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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](#)



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.

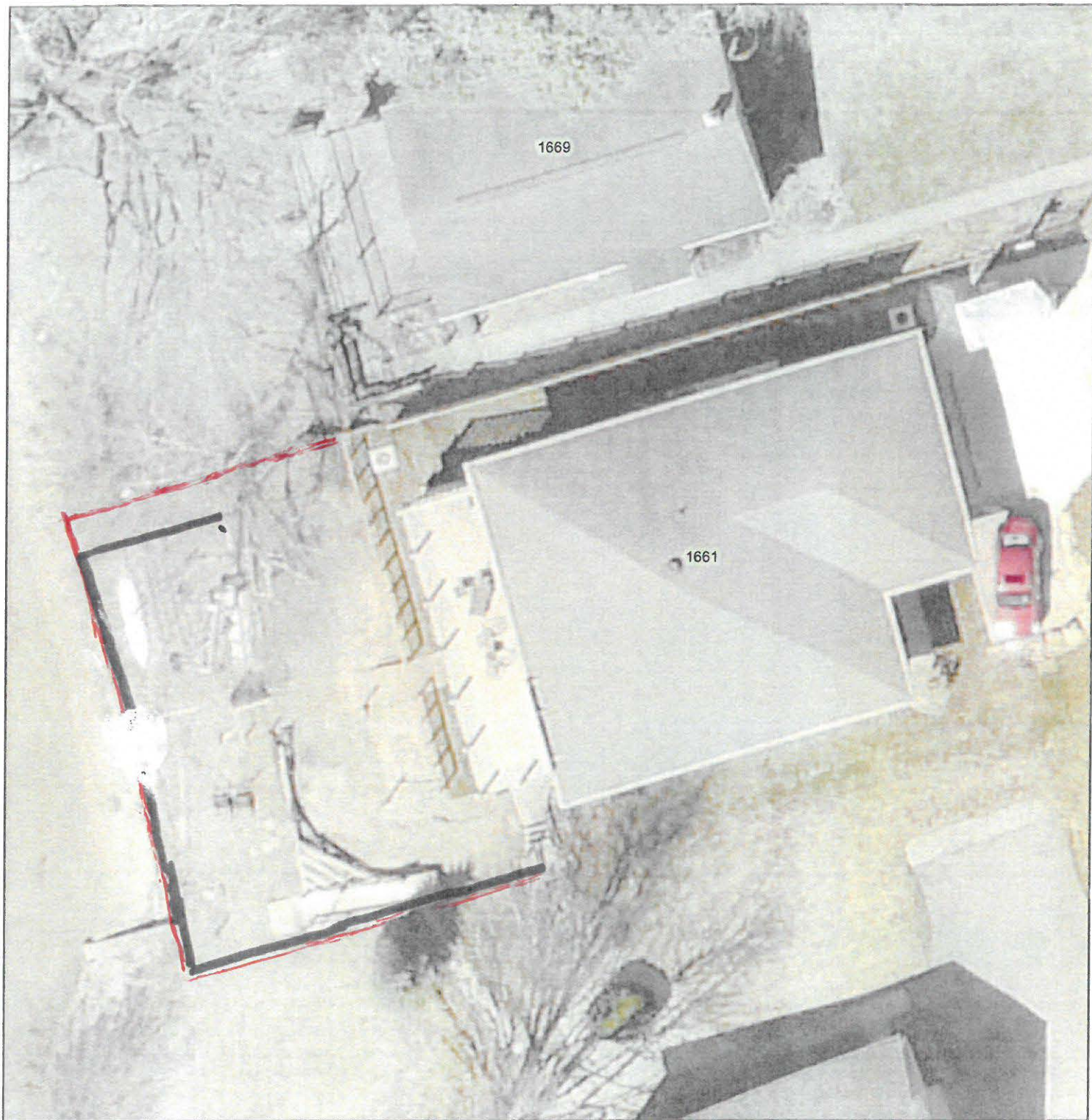
Corrective actions listed above must be completed within five (5) calendar days of receipt of this letter. Feel free to contact the Zoning Department at (231) 941-1620 or at mgreen@garfieldmi.gov if you have any questions.

Sincerely

Michael Green, Zoning Administrator

Charter Township of Garfield

Attachment: Marked up site map illustrating the current vs. required silt fence location.



0 5 10 20 30 40 Feet

⊙ Addresses

— Roads

Public Right-of-Way

MITGAR24-SID-3INCH.sid

RGB

Red: Band_1

Green: Band_2

Blue: Band_3

— Current location
 — Required location

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.

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: 6/12/2025

Mike Green

From: Mike Green
Sent: Tuesday, June 17, 2025 8:24 AM
To: bwaggener .
Cc: Chris Barsheff
Subject: 1661 Lake Drive SESC Permit Letter
Attachments: PSE2025-013 (1661 Lake Dr) PCN Ltr 6-12-2025.pdf

Good morning, Bill,

Please find the attached copy of the Permit Correction Notice that was mailed to you last week. I wanted to also email to you in case you don't receive the mailed notice. The letter is based on a recent visit I made to the site with Matthew Anderson from EGLE, who oversees our SESC program and recommendations he shared with me regarding your site. Feel free to reach out to me if you have any questions.

Sincerely,

Michael Green



**MICHAEL
GREEN**

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06/12/2025

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TRAVERSE CITY, MI 49685

(sent via 1st class mail and emailed to billwaggs@gmail.com)

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Sincerely

Michael Green, Zoning Administrator
Charter Township of Garfield

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— Roads

Public Right-of-Way

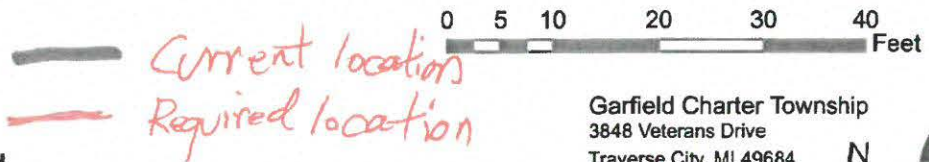
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Garfield Township Zoning Dept. - Printed on: 6/12/2025