

The logo for the Lake Leelanau Association features a stylized reed or grass plant at the top. Below it, the words "Lake Leelanau" are written in a white, serif font inside a blue, rounded rectangular banner. Underneath the banner, the words "LAKE ASSOCIATION" are written in a smaller, black, all-caps serif font.

Lake Leelanau

LAKE ASSOCIATION

Fall 2008 Newsletter

Judge Rules in Narrows Case



The Narrows with boathouse in background

On September 19th, Michigan Circuit Court Judge Philip E. Rogers Jr. upheld a Michigan Department of Environmental Quality ruling that would allow Wayne Tyge's Narrows Land Development Company (NLDC) to build 14 boat slips in the Lake Leelanau Narrows as part of the NLDC's planned Provemont Village condominium development. Though the DEQ-approved plan Rogers upheld would allow 14 slips, an earlier Leland Township Planning Commission decision still limits the marina to just 8. Additionally, the Planning Commission has approved the boat house for continued use. The boat house can accommodate 3 more boats: permitting 11 in all.

Tyge's initial plan was to dredge a canal and lagoon to accommodate a 22-slip marina. The DEQ rejected this plan after the Lake Association and others – citing its adverse environmental impacts on the sensitive wetlands of the Narrows – opposed it in filings with the DEQ. Subsequently, however, the DEQ approved an NLDC-offered alternative plan that would allow for 14 slips on the east bank of the Narrows, north of the bridge.

In a bruising two-year court battle the Lake Association opposed the NLDC-DEQ brokered plan for its adverse environmental impacts on the sensitive wetlands, and due to hazards the docks would pose for boat traffic in the heavily traveled Narrows.

In rejecting the Lake Association's arguments, Judge Rogers held the DEQ-permitted marina to be "a feasible and prudent alternative to the original dredged channel, upland marina proposal." Since "there is no way for condominium residents to access the Narrows without using the wetland," he continued, "some impact on the wetland is unavoidable." "Even if we accept evidence [provided by the Lake Association] that 535 boats pass through the Narrows in an 12-hour period," Rogers opined, "there would be an average of 2.6 minutes between boats ... adequate time for a boat to back out of the proposed marina without interfering with Traffic through the Narrows."

The Leelanau Enterprise (Thursday Sept. 25, 2008) observes, "The biggest challenge before Tyge can begin constructing docks may be finding financing, which at one point in the long approval process he had secured." According to Tyge, NLDC legal expenses for this case are upwards of \$190,000. Averaged over 22 units, this comes to almost \$9,000 per unit. The Lake Association, which itself has already incurred legal expenses upwards of \$150,000 fighting the marina, plans no further appeals.



A turtle suns itself near the proposed multiple dock site

BOARD OF DIRECTORS

OFFICERS

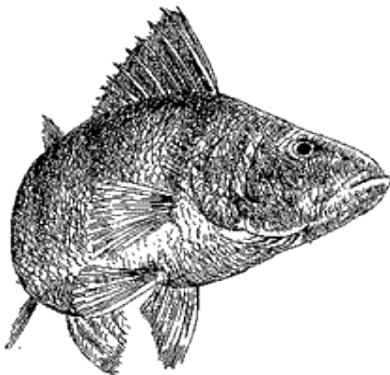
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President's Letter The Lake Leelanau Lake Association Where do we go from here?

On September 19th the Lake Leelanau Lake Association (LLLA) lost its Circuit Court appeal against the MDEQ and Narrows Land Development Company. After more than three years and \$150,000 in legal fees, does this mean...

- Development interests will always defeat environmental concerns?
- The law favors private property rights over public interest?
- LLLA will retreat from aggressive protection of Lake Leelanau and its watershed?

The answer to all three questions is an unqualified NO!

We knew it would be an uphill battle to moderate the MDEQ's Narrows permit and ultimately convince a judge to overturn its decision. Nonetheless, we felt compelled to stand up on behalf of the hundreds of property owners, some LLLA members and some not, who asked us to defend this fragile landmark. We felt our case was reasonable and logical, as did the local experts who testified on our behalf regarding the impact on safety, water quality, and fisheries. To our surprise and disappointment, the judge ruled otherwise.

How do we move forward? First, consider what we have accomplished during this process:

- Reduction of the permitted number of slips to 11 (counting three at the site of the old boathouse) from the original request for 22. This is the result of our appeals to the Leland Township Planning Commission, which has not been overruled by the judge's decision.
- Acknowledgement by developers and their subcontractors that local riparian property owners will invest in protecting the natural resources that attracted many of them here in the first place.
- Perhaps most important, early signs of a less confrontational model for addressing the inevitable conflict between development and environmental issues. Another developer is now working directly with LLLA to assure that his plans are appropriate for our area.

- Increased awareness of the potential negative impact of intrusive development among the hundreds of contributors to LLLA's legal challenge. Their support has been very much appreciated and will continue to be vital to our future efforts.
- Recognition that LLLA is not an elite group of summer visitors trying to impose their will on the local economy. Our Board consists entirely of full-time residents, many of whom are life-long county natives, and our membership spans the full spectrum from home-grown to seasonal property owners.

The LLLA will continue to assist our members with the critical issues that affect them:

- Swimmer's itch (our top 2009 priority)
- Invasive species
- Shoreline protection
- Septic system pollution
- Destructive development

Also, we plan to be a positive resource to developers, architects, landscapers, lawn care companies, and local government policy makers. For example, we have just begun to explore the feasibility of a comprehensive water quality assessment in cooperation with Leelanau Conservancy, other lake associations, and Leelanau County's Task Force on Water Quality.

Lake Leelanau provides both nourishment for our spirit and an economic engine for the region. To sustain a fine balance between these two seemingly opposed notions will require not stubborn advocacy but creative collaboration. We welcome the counsel and support of all who wish to join us in this challenging but necessary mission.

John Fitzpatrick, President
Lake Leelanau Lake Association

Letters Watershed District

The time has come to officially recognize the Lake Leelanau watershed district. Six townships write disparate zoning and tax regulations that directly impact the quality of Lake Leelanau. But as hillside moonscapes increasingly testify and anyone living in Bingham, Centerville, Elmwood, Leland, Solon or Suttons Bay townships has long known, the quality of our lake and the watershed that feeds it are actually no one's responsibility.

Neighbouring counties demarcated their watersheds long ago. Whether organized from the grassroots "up" by a non-profit that has traditionally monitored water quality like the Lake Leelanau Lake Association (LLLA) or from the top "down" as a special county-mandated inter-township overlay zone – as property values stagnate, the need for a district has never been more urgent to watershed property owners paying mortgages on over \$1 billion of Lake Leelanau "quality" dependent real estate.

Property investment linked to Lake Leelanau can be as profitable in the future as it has been in the past, but not if well-intentioned community planners are constrained by arbitrary township borders drawn before anyone knew that the lake and the watershed are ecologically an inseparable, single jurisdiction. Ignoring this reality in our planning can only further diminish our lake and puts all of our property values further at risk.

As a former LLLA officer, I thank my mother Susan Nichols for hosting 80 "Legacy" donors at Fountain Point this weekend. These generous donors have raised awareness and are protecting Lake Leelanau from ecologically reckless developments that profit the few at the cost of the many.

Erik Zehender
Kensington Court, London, United Kingdom

Proposed Sewer District: Letter of Interest to Riparians

I would like to kindly remind everyone on the south end and the east side of North Lake Leelanau that you should have received a letter from Harry Larkin, Leland Township Supervisor asking you to fill out letter of interest concerning the proposed sewer district. I always believed that one of our main goals in our association was to maintain and keep our lake as clean as possible. I know many of you have currently working septic systems. But eventually those systems have to be replaced and the Benzie Leelanau Health Dept. requires 2 viable approved areas per home. The only alternative is holding tanks. There are very few good areas on the south and east end of North Lake for approved septic fields.

It is in our future best interest to go forward with the proposed investigation to find out cost and all information to make an educated decision. I know many of us will want to pass down our wonderful cottages and homes to our children and grandchildren. It truly is important to be pro-active and look out for the future of our lake, our homes and our families. Please send your forms in when you receive them. If you have not gotten yours please call Miss Keen or Harry Larkin at 231-256-7546 or stop into Leland Township office 112 Philip St. Lake Leelanau just across the street from NJ's Market next to the Soil Conservation office.

Judy Levin

2008 Annual Meeting

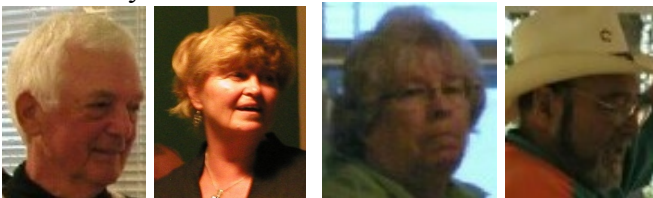
Members present at the 2008 Annual Meeting of the Lake Association elected the following officers by unanimous vote of the members present. John Fitzpatrick (formerly Vice President) as President. Bob Miller (formerly Elmwood Township Representative) as Vice President. Tom Coulter (continuing), as Treasurer. Colleen Moose (continuing), as Secretary.

Also, by unanimous consent, the members present approved Larry Hauser as Communications Chair (replacing Mary Taylor) and Jim Kacin as Water Quality Chair (replacing Harold Martin Sr.).

The following change to the bylaws was approved: "A non-riparian associate member can become a voting member with all ensuing privileges via nomination by a board member and approval at a board meeting by two thirds of the board." The purpose of this change was to allow an associate member to serve on the Board on Directors.

Passing the Torch

This past summer brought many changes to the Board of Directors as four long-serving Board members stepped down: Hugh Farber, as President, Mary Taylor as Communications Chair; Gwen Rich as Membership Chair; and Harold Martin Sr. as Water Safety Chair.



Hugh Farber Mary Taylor Gwen Rich Harold Martin Sr.

In the two years of his term as President, Hugh Farber steered the organization through the Narrows Controversy. Hugh will continue on the Board in the capacity of Past President. Mary Taylor, a former President herself, remains an active member of the Communications Committee. Gwen Rich brought our membership-records system from 3x5 cards to computer data-bases and Harold Martin Sr. served as Water Safety Chair for many years. Gwen and Harold remain active members of the Association and friends of our Lake.

Fourth Annual Kid's Fishing Day a Big Success

by Pete Taylor photos by Mary Taylor



Over 600 kids, parents, and grandparents attended the fourth annual Kid's Fishing Day on Sunday June 29 at the former Veronica Valley golf course. Sponsoring this year's event were the Lake Leelanau Lake Association, the Michigan DNR, the Leelanau Enterprise, the Cedar Rod and Gun Club, CHUCK, the Sheriff's Youth League of Leelanau County, the Leelanau County Parks and Recreation Commission, and Camelot Construction.

The pond was stocked with hundreds of bluegills and some BIG rainbow trout. In addition, there were nature displays, and as a special treat this year, kids were able to "paint" fish and other critters onto cloth that could then be hung in their rooms or on the fridge. Free hot dogs and pop were furnished to satisfy the inner fisherkid, and all those in attendance left with big smiles after a magical day.



A special thanks to all the committee members and volunteers who worked hard to make this year's event a huge success. If all goes as planned, this property will soon be a Leelanau County Park. The park commission has expressed an interest in continuing the "Kid's Fishing Day" and the LLLA and the other sponsors are looking forward to a continuation of this special event.



Annual Picnic

The annual Lake Leelanau Lake Association picnic was held this year at Nedows Bay Park in Leland. The Association supplied hot dogs, brats, buns, and soft drinks. Attendees brought a wonderful selection of pot-luck fare. As a tokens of our esteem and gratitude for their service to the lake and the Association, retiring President Hugh Farber received a framed M. Frey giclee of the Narrows he has fought so hard to preserve. Retiring Water Safety Chair Harold Martin Sr. was given a framed M. Frey giclee of the Dam and Fishtown.



Honoring Hugh Farber



Honoring Harold Martin Sr.



Russ Flick does the door prize drawing!

Thanks to the picnic committee – Russ Flick & Bonnie Gotshall. Special thanks to our generous door prize donors! Please support them!



Picnic Door Prize Donors

Bay Wear, Suttons Bay
 Bel Lago Vinyard & Winery, Cedar
 Black Star Farms, Suttons Bay
 The Bluebird Restaurant & Bar, Leland
 Boone's Prime Time Pub, Suttons Bay
 Boskydel Winery, Lake Leelanau
 Buntings Cedar Market, Cedar
 Cedar Hardware, Cedar
 Cedar City Market, Cedar
 Cedar Rustic Inn, Cedar
 Cedar Tavern, Cedar
 Chateau Fontaine, Lake Leelanau
 Ciccone Vineyard & Winery, Suttons Bay
 Corner Closet, Cedar
 Countryside Gardens, Cedar
 Covered Wagon Market, Suttons Bay
 Dick's Pour House, Lake Leelanau
 Fifth Third Bank, Suttons Bay
 Fish Hook, Leland
 Hansen Foods, Suttons Bay
 Huntington National Bank, Leland
 Inish Knits, Cedar
 Jaffe's Resale, Lake Leelanau
 Jon's Barber & Sports Shop, Suttons Bay
 King's Challenge Golf Course, Cedar
 Leelanau Wine Cellars, Omena
 Leelanau Club at Bahle Farms, Suttons Bay
 Leelanau Enterprise, Lake Leelanau
 Leelanau Feed & Seed, Lake Leelanau
 Leland Mercantile, Leland
 Manitou Marine, Lake Leelanau
 L. Mawby Vineyards, Suttons Bay
 NJ's Grocery, Lake Leelanau
 North Country Bar & Restaurant, Suttons Bay
 Northern Lumber, Suttons Bay
 Peddling Beans Coffee House, Lake Leelanau
 Pegtown Station, Maple City
 Pleva's Meats, Cedar
 Raftshol Winery, Sutton's Bay
 L. Salle, Cedar
 Salon Chenneaux, Lake Leelanau
 Sgt. Pepperoni's, Suttons Bay
 Sisson's Main Street Specialties, Leland
 Stander Marine, Leland
 The Steak Haus (at King's Challenge), Cedar
 Van's Garage, Leland
 The Village Inn/Lucky Duck Tavern, Suttons Bay
 Willow Vineyard, Suttons Bay

Party on the Point!
2008 Legacy Circle Celebration
by Susan Green



Hostess Susan Nichols and Son Erik

Fountain Point, an old fashioned resort on South Lake Leelanau, has been warmly welcoming guests since 1889. Almost 120 years later on a dark and rainy night with lamps softly glowing, rooms filled with fresh flowers, and three fireplaces taking the wet September chill out of the air, the Lake Association's Legacy Circle gathered in celebration of beautiful Lake Leelanau.

Wines donated by Black Star Farms, Chateau Fontaine, Ciccone, Leelanau Cellars, L. Mawby Vineyards, Raftshol Winery, and Willow Vineyards with hors d'oeuvres that emphasized local products like smoked salmon, salmon mousse, fresh vegetables with dips, whitefish pate, local cheeses and good breads, and cold shelled shrimp (not exactly local but always a hit), warmed the guests hearts and stomachs while they moved from room to room in the main building and the drip dry contingent explored the open guest cottages and lake front.



Bob Miller, Vice President of the Lake Association thanked the 73 Legacy Circle members present for their loyalty and commitment to a clean and beautiful lake. On the Board's behalf he presented a gift to Mary Taylor, past President, Vice President, Board member, Communications Committee Chair and newsletter author for her long and valued service. She has been everything to the Lake Association except a fish.



Bob then introduced Susan Nichols, present owner and granddaughter of Victor A. Gebhardt who purchased Fountain Point in 1936. Susan talked a bit about the history of the resort – the big waterslide, a favorite of all the children, the years when the resort served three meals a day and hired students as staff, and of course, how Fountain Point got its name from the gusher of sparkling water discovered in 1863 and flowing ever since.

In response to questions from the audience Susan remarked that the backbone of her business is families who vacation there year after year in one of the 19 cottages, but the resort also provides the perfect gathering place for family reunions or cottage overflow. She also is willing to take overnight guests in eight guest rooms in the main building, if space is available.

When the fires burned down to embers and the food and wine were gone, Legacy Circle members made their way home, many making the same statement as last year, "You'll never outdo this year's event. It was the best."

Never
say
never



Giant Trees Invade Suelzer Park!



D. Milarch, Y. Birch, T. Stanton, J. Green, Amy Chatfield

Monday October 20th was a good day for planting trees: wet. The rain, however, didn't dampen the spirits of those who came to see and help with the planting of more than 30 "national champion" tree clones at Dr. John Suelzer Park on the North Lake. The planting was done by members of the East Leland Property Owners Association (ELPOA), and other volunteers, in cooperation with nonprofit Champion Trees International (CTI).

According to ELPOA President, Jeff Green, ELPOA has made a \$5000 contribution to CTI. ELPOA is sponsoring the champion Yellow Birch clone. This tree, according to CTI founder David Milarch, is one of just 3 cloned from a champion tree "9 feet in diameter" found in the Upper Peninsula. A plaque commemorates ELPOA's sponsorship.

Other "champion trees" planted include four Red Oak clones at the far northeast corner of the park, four Norway Maple clones from a former national champion tree found near Empire, and four Black Willow clones planted by the lake. Twenty sugar maples planted on both sides of North Lake Leelanau Drive will eventually form a veritable tunnel of trees through the park.

Terry Stanton has been the driving force behind this project. According to *The Leelanau Enterprise* (Oct. 23, 2008), Stanton is working with "the county Conservation District and The National Champion Trees project," in addition to ELPOA, to secure donations or grant funding for each tree. Stanton hopes others will sponsor "12 remaining champion trees ... with signage" at the park. Individuals, families, and organizations interested in participating should e-mail Stanton.t@charter.net or phone him at 231-271-3082.

In addition to these plantings, Suelzer Park is said to be slated for further improvements ... most notably, the addition of a picnic shelter to be relocated (as part of the harbor redevelopment project) from Leland Harbor, where it now stands. Sources report that this structure will be moved to Suelzer Park and installed east of the road, near the champion Yellow Birch.

LLLA joins County Water Quality Task Force

by Gil Bogley

Several LLLA Association Board members are actively participating with a diverse group of organizations to improve water quality in Leelanau County. The Leelanau County Task Force on Water Quality has representatives from the Watershed Center, Benzie/Leelanau Health Dept., Glen Lake Association, Grand Traverse Band, the Leelanau Conservancy, Leelanau Conservation District, Inland Seas Engineering, Leelanau Independent Women for Democratic Action, Leelanau County Board of Commissioners, LLLA and others yet to be named.

Trudy Galla, Planning Director for Leelanau County has convened several meetings of the Task Force over the past few months. The initial goal of the group is to develop a water quality resolution to be presented to Leelanau County's Board of Commissioners at its November 2008 meeting. It is hoped that the Board will adopt the resolution which recognizes the economic importance of clean water in the county and the need to implement a process to preserve and enhance its quality.

At its September meeting, the LLLA Board unanimously supported the proposed resolution which reads as follows:

WHEREAS, the Leelanau County Board of Commissioners (the Board) recognizes that the quality of our natural resources, especially our bountiful water supply, is a primary factor in the County's continued economic growth and quality of life; and

WHEREAS, Leelanau County is distinguished by its abundance of beautiful lakes, rivers and shorelines that attract permanent and part-time residents and visitors from throughout the country which has favorably influenced property values in the County with resulting tax revenues to support its programs; and

WHEREAS, threats exist to the quality of the County's water from such things as: introduction of invasive species, degradation and loss of wetlands, abnormal nutrient loading including over fertilization, failed septic systems, soil erosion and sedimentation; and introduction of chemicals and other agents such as heavy metals that negatively impact water quality.

NOW, THEREFORE, BE IT RESOLVED THAT: The Board hereby commissions a task force to be comprised of agencies, Board members, organizations and individual citizens in the County interested and involved in water quality. The task force will be known as the Task Force on Water Quality. It will evaluate and propose strategies and programs to the Board that will impact positively water quality in the County. The Board will provide appropriate funding and meeting facilities pursuant to the work of the Task Force.

BE IT FURTHER RESOLVED that a copy of this resolution be made part of the official minutes of the Leelanau County Board of Commissioners.

Volunteer Opportunities

contact: info@lllab.org | 231-271-6091

- **Meeting Committee:** help plan our 2009 Annual Meeting.
- **Newsletter Contributors:** share your photos, stories, etc.
- **Computer Geeks** with HTML & web-design abilities to help with our website maintenance & development. With database applications experience to help out with our membership list.



NAME _____

Spouse's Name _____

WINTER MAILING ADDRESS

Street _____

City _____ State _____ Zip _____

Phone _____ E-mail _____

SUMMER MAILING ADDRESS

Street _____

City _____ State _____ Zip _____

Phone _____ E-mail _____

Comments:

Mail to LLLA, PO Box 123, Leland, MI 49654

Home Page www.lakeleelanau.org Blog www.lllab.org



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BASIC MEMBERSHIP

\$45

LEGACY MEMBERSHIPS: Basic included. Watch for special events in 2009 for Legacy Members

\$500 Cruisers

\$250 Runabouts

\$100 Kayakers

DONATIONS _____

\$7 Mich. Riparian Subscription

TOTAL ENCLOSED _____

Will you donate your time?

Yes!! I'm here year 'round

Yes!! I'm here summer only

VOLUNTEER OPPORTUNITIES

Fish Committee Township Representative

Legacy Events Communications Committee

Water Quality Committee Parade Float

Safety/Boating Committee

Non-Profit Org.
U.S. Postage
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