



ANN LAKE

May 2000

WATER LOG

PRESIDENT'S CORNER – Lee Muehlmann

Well the new millennium is here with little or no serious effects upon us. Your Board has been quietly working over the winter months, and is ready to meet the summer of 2000 with a smile! Some Board Members attended the Michigan Lakes and Streams conference where they learned more about testing for water quality, aquatic weed identification, riparian rights, and many other issues. They were also able to interact with members of other Associations and discuss issues common to all lakes.

We also followed discussions over the winter about the Greenbelt Ordinance, which is part of the proposed Township Master Plan. It is important to remember that the association has not taken a stand for or against this ordinance. Association efforts to date have been aimed at letting our members know about the proposal and relaying members' comments to the Planning Commission. However, working as your Association, we were successful in getting the date for the public hearing on the Master Plan moved back to late spring, when most of our members are apt to be available to attend a hearing. That hearing is set for Saturday, June 24 at the Township Hall, 8:00 A.M. Please carefully read the greenbelt article in this issue and make your views known either at the hearing, or by writing the Planning Commission. There is still time for us as individuals and as an Association to have input into this proposed ordinance and the master plan.

We are sad to report the Mike Khouri our V.P., and Carol Poulisse, a Board Member, resigned their positions. Mike resigned because of increased job pressures and Carol because she has been appointed to the Village Planning Commission. We thank them for their efforts on behalf of the Association and wish them well. Jim Supina has agreed to fill Carol's two-year Board position, and Stan Sprague has volunteered to serve in Mike's position until August, when his term will expire. Bonnie Supina has volunteered to update our E-mail list, and will be working on that this spring.

Have a great spring, I hope to see you on the lake this summer.

OUR MEMBERS SAY—

The Board wanted to share with you some of the questions and comments attached to the membership forms returned with the dues payments. We are printing these anonymously since we didn't ask ahead of time if you wanted your comments shared.

• My chief interests are a tranquil place to live...and water quality, including water level, clarity and enforcement of fishing regulations...•

- Look into controlling the lake level...to date the Association has been doing a really great job...We appreciate the letters you send out to communicate...▪
- The Water Log is well done and is greatly appreciated.▪
- A no wake zone in the south end of the lake.▪ (Ed. Note: As you know this was requested of the DNR last summer, but was denied.)
- I do not understand why we are called the Ann Lake Association. Our ID at the post office and on maps is Lake Ann.▪ (Ed. Note: On most maps the lake is called Ann Lake and the village is called Lake Ann, but often the lake is called Lake Ann, too. In naming the Association, we hoped to avoid confusion that might develop about whether the Association represents property owners in Lake Ann or property owners on the Lake by calling ourselves the Ann Lake Property Owners Association.)
- I volunteered to help, but haven't been called.▪ (Ed. Note: Don't worry, we haven't forgotten your offer. The committee chairman are still getting their feet on the ground and figuring out what help they'll need. Thanks for the offer.)
- When are the Planning Commission meetings?▪ The commission meets on the first and third Thursdays at the Township Offices.
- We believe that all members would appreciate knowing what the latest issues are, the pros and cons, and what the Board proposes to submit in letters before doing so.▪ (Ed. Note: We agree and hope that members will attend the annual meeting to learn about the latest issues. On issues such as the Greenbelt ordinance proposal, the Board letter to the Planning Commission requested clarification and more opportunity to consider the ordinance without taking a stand for or against it. On issues that come up quickly, we try to alert as many members as possible through phone and e-mail."

HEALTH & SAFETY – Lee Muehlmann

Swimmer's Itch ▪ While attending the Michigan Lakes and Streams (MLSA) conference it was interesting to note that virtually every Association (from all over the State) has a swimmers itch problem to varying degrees. No solution has been found to stop this problem, however, Michigan State University is working on it in cooperation with the MLSA. They have determined which species of waterfowl contribute to the problem, and are now concentrating their efforts on eliminating the problem.

Gasoline Clean Up ▪ The Dept. of Environmental Quality continues it's clean up efforts of the gasoline spill from the B & M Party Store. In January an aquifer-pumping test was run to collect information about the ground water aquifer and approximately 12,400 gallons of contaminated ground water were recovered. Eleven free product wells have been installed, and by April those wells recovered approximately 10,400 additional gallons of free product and contaminated ground water. Plans are to install 11 skimmer pumps to collect additional free product, and construct a ground water extraction system yet this summer. The operation of this system will be ongoing until at least November of 2001, and likely beyond.

Water Levels ▪ Stan Sprague has volunteered to investigate the possibility and the benefits of controlling the lake level. He is

looking for volunteers to help him in this endeavor. He may be reached at 275-6754.

GREENBELT PROPOSED BY PLANNING COMMISSION

Late last summer a proposed greenbelt ordinance was presented to the Township Planning Commission as part of their ongoing work on a Master Plan for the Township. Your Association did not draft this proposal or have any input into it. When the Board became aware of it, the proposal was distributed at the annual meeting and comments were sought. It was also published in the next two newsletters.

Based on concerns raised by the members, the Board sent a letter to the Planning Commission in November seeking clarification on whether the ordinance is grandfathered and requesting a delay in the public hearing from winter to spring. At that time, the size of the proposed greenbelt was reduced from 35 feet to 25 feet. Nothing more was heard about the proposed greenbelt until mid-May when a revised draft was circulated 2 days prior to the Planning Commission's May 18 meeting. With little time to act, the Board circulated the draft to as many as possible and requested that people attend the meeting and express their views. (That draft (#2) is published below.) Speaking as individuals, 6 Ann Lake property owners (5 of the ALPO Members) expressed their concerns about the revised draft. The draft underwent another revision and reflects some of the concerns expressed at the May 18 meeting. That current draft (#3) is also published below.

Because the Board believes this is an important issue affecting every property on the lake we have devoted much space to the two drafts so you can 1) Understand the issues that have been considered and 2) make your decision with as much information as possible. Please read both drafts carefully.

Is the proposal grandfathered? In spite of repeated questions to the Commission, the answer remains unclear. We have been told that some parts of the proposal such as use of fertilizers, storing of hazardous materials and disturbing existing vegetation "probably are not grandfathered". "Other sections such as structures in the greenbelt " probably are grandfathered".

The two drafts follow. As you read them please remember that the proposal did not come from the Association and that the Association has not taken a position for or against the ordinance. The Board's goal is to ensure that our members are aware of the proposal and are armed with the best information available to assist in decision making.

DRAFT #2 (PROPOSED BEFORE MAY 23)

Section 4.10 Greenbelt

To preserve and protect natural resources, water quality, and community scenic and recreational values and prevent erosion and runoff, a greenbelt shall be established and maintained on all waterfront property. The greenbelt shall include all the land located within twenty five (25) feet of the ordinary high water mark of any waterfront abutting or

traversing the property. Within the greenbelt the following development and use restrictions shall apply.

1. No structures or impervious surfaces shall be allowed within the greenbelt. Pervious walkways may be allowed when located and designed so as not to unreasonable interfere with, degrade or decrease the effectiveness of the greenbelt and shall have minimum impact on the greenbelt. Walkways shall be limited to six (6) feet in width.
2. Docks: One (1) dock shall be permitted for the first one hundred twenty five (125) feet of contiguous water frontage, and one (1) additional dock for each fifty (50) feet contiguous thereto. A distance of no less than fifty (50) feet at any given point shall separate these docks. Docks shall meet the side yard setback for the district in which they are located. Docks shall not exceed one hundred (100) square feet.
3. Dock Lighting: All dock lighting shall be shielded and directed downward so as to prevent light and glare on adjoining properties, greenbelts, water surfaces, or into the night sky.
4. No dredging or filling shall be allowed except for reasonable sanding of beaches where permitted by county, state and federal law. Existing soil and organic matter shall not be altered or disturbed within the greenbelt.
5. The use, storage and application of pesticides, herbicides, fertilizers, any product containing phosphates, and biosolids are prohibited within the greenbelt.
6. Unsightly, offensive or potentially polluting or hazardous material including, but not limited to garbage, trash, refuse, petroleum products or toxic chemicals shall not be dumped, burned, or stored within the greenbelt and must meet any requirements of county, state and federal law.
7. Septic tanks and septic system filtration fields shall not be located in the greenbelt.
8. Above or below ground petroleum facilities, solid waste landfills, junkyards, confined animal feedlots, and subsurface discharges from a wastewater treatment plant shall meet all standards of all applicable county, state and federal laws and shall not be located within (300) feet of a greenbelt.
9. Shorelines comprised of naturally occurring sand, gravel, cobblestone or rock shall be left in their natural state.
10. The greenbelt shall be shown on any plot plan or site plan submitted for approval during the process of developing a waterfront parcel.
11. Tree cutting in a strip paralleling the waterfront and in a greenbelt shall be limited in accordance with the following provisions:
 - a) No more than 20% of the length of this strip shall be clear cut to the depth of the strip.
 - b) Provided, further, that cutting of this 20% shall not create a clear cut opening in this strip greater than twenty (20) feet wide for every one hundred (100) feet of contiguous waterfront.
 - c) In the remaining 80% length of this strip cutting shall leave sufficient cover to screen cars, dwellings, and accessory structures as seen from the water to preserve natural beauty and to control erosion.
 - d) Natural shrubbery, trees, or other vegetation shall be preserved as far as practicable, and where removed it shall be replaced with other vegetation that is equally or more effective in retarding run-off,

preventing further erosion and preserving natural beauty. Management of natural vegetation within a greenbelt to enhance wildlife habitat maximize the effectiveness and beauty of the greenbelt may be allowed.

- e) Dead, diseased, or dying trees or trees in danger of falling and causing damage or stream blockage may be removed and replaced, however, the root structure shall be left undisturbed in order to reduce the risk of erosion and disturbance of the greenbelt.
- f) Cutting Plan * as an alternative to the above requirements a special cutting plan allowing greater cutting may be permitted by the Planning Commission. In applying for such a permit, the Planning Commission may require the lot owner to submit a sketch of the lot, including the following information: location of all structures, location of parking, gradient of the land, existing vegetation, proposed cutting and proposed replanting. The Planning Commission may grant such a permit only if it finds that such special cutting plans:
 - (i) will not cause undue erosion or destruction of scenic beauty, and
 - (ii) will provide substantial shielding from the water of dwellings, accessory structures and parking areas. The Board may condition such a permit upon a guarantee of tree planting by the lot owner. Such an agreement shall be enforceable in court.

DRAFT #3 (PROPOSED AFTER MAY 23)

TO BE SUBMITTED TO THE PLANNING COMMISSION. This ASSUMES a * Grandfather clause* .

Section 4.10 Greenbelt

To preserve and protect natural resources, water quality, and community scenic and recreational values, a greenbelt shall be established and maintained on all waterfront property. The purpose of the greenbelt is to maintain a vegetative strip, which is to stabilize banks, and shorelines, prevent erosion, absorb nutrients in water runoff from adjacent lands, structures, and impervious surfaces, and provide shading for the water to maintain cool water temperature.

The greenbelt shall include all the land area located within a twenty-five (25) foot strip paralleling the ordinary high water mark of any waterfront abutting or traversing the property. Within the twenty-five (25) foot greenbelt the following shall apply:

1. No structures of impervious surfaces shall be allowed within the greenbelt. Pervious walkways may be allowed when located and designed so as not to unreasonably interfere with, degrade or decrease the effectiveness of the greenbelt and shall have minimum impact on the greenbelt.
2. No dredging or filling shall be allowed except for reasonable sanding of beaches where permitted by county, state and federal law. Existing soil and organic matter shall not be altered or disturbed within the greenbelt, except as necessary in the management of the greenbelt.

3. The use, storage and application of pesticides, herbicides, fertilizers, any product containing phosphates, nitrates, and biosolids are prohibited within the greenbelt.
4. Unsightly, offensive or potentially polluting or hazardous material including, but not limited to garbage, leaves, lawn clippings, yard and garden waste, trash, refuse, petroleum products or toxic chemicals shall not be dumped, burned, or stored within the greenbelt and must meet any requirements of county, state and federal law.
5. Above or below ground commercial petroleum facilities, solid waste landfills, junkyards, confined animal feedlots, and subsurface discharges from a wastewater treatment plant shall meet all standards of all applicable county, state and federal laws and shall not be located within (300) feet of a greenbelt.
6. Shorelines comprised of naturally occurring sand, gravel, cobblestone or rock shall be left in their natural state.
7. The greenbelt shall be shown on any plot plan or site plan submitted for approval during the process of developing a waterfront parcel.
8. Natural shrubbery, trees, or other vegetation shall be preserved as far as practicable, and where removed it shall be replaced with other agitation that is equally or more effective in retarding runoff, preventing further erosion and preserving natural beauty. Management of natural vegetation within a greenbelt to enhance wildlife habitat maximize the effectiveness and beauty of the greenbelt may be allowed.
9. Dead, diseased, or dying trees or trees in danger of falling and causing damage or stream blockage may be removed and replaced, however, the root structure shall be left undisturbed in order to reduce the risk of erosion and disturbance of the greenbelt.

We must also remember that this ordinance would apply to every lake, stream and river in the township, not just Ann Lake. This proposal will be submitted to the Planning Commission for approval. Planning Commission meetings are held the 1st and 3rd Thursdays of each month and the PUBLIC HEARING ON THIS PROPOSAL (AND THE ENTIRE Master Plan) is set for SATURDAY, JUNE 24, at the Township Hall. Once that is accomplished, the Master Plan will be sent to the Township Board to be voted on.

WATER QUALITY COMMITTEE REPORT – Joni Keskey

We've begun the year 2000 with an expanded water testing program. On April 28th, Ted (Keskey) and I attended a training session for CLMP (Cooperative Lake Monitoring Program) volunteers in Gaylord. This enables us to participate in phosphorus and chlorophyll testing as well as water clarity monitoring.

Spring overturn phosphorus samples were taken April 22 and turned into the DEQ office in Cadillac. Our first Chlorophyll sample was taken and preserved appropriately on May 15th. Further samples will be taken on the 15th of each month throughout the summer and early fall. We are continuing weekly Secchi disk readings to monitor water clarity, beginning this week.

This entire testing program will cost us \$120. \$100. Of which was donated by the Lake Ann Lion's Club.

Why do we run three separate testing programs? As explained in past newsletters, the Secchi disk readings are to provide an index of changing water clarity throughout the entire spring/summer season. We test for phosphorus because it is one of several essential nutrients that algae need to grow and reproduce. For most lakes in Michigan, phosphorus is the limiting factor for algae growth. Chlorophyll is the green photosynthetic pigment in the cells of plants. The relative amount of algae in a lake can be estimated by measuring the chlorophyll concentration in the water. Together these measurements provide an estimate of the level of productivity or trophic state of our lake.

More information will be included in future newsletters, but if there are any questions, call 231-275-3040 or e-mail tikeskey@centurytel.net.

NOMINATING COMMITTEE • Dianne Minicucci

The nominating committee would like to encourage ALPOA members to consider running for one of the Board of Directors positions that will be open at the annual meeting in August.

Our Association needs to elect all officers, once again, and two board members.

If you are interested in running for one of these positions, please contact one of the members listed below:

Jack Flitz	275-7461	Sarah Thompson	275-5511
Dianne Minicucci	275-7275	Dick Unger	275-5673

TREASURER'S REPORT - Ron Brown

1999-2000 dues are due. If you have not paid, please send your dues to P.O. Box 184, Lake Ann, MI 49650. If you are in question whether or not you have paid, call 275-5101 or write to the P.O. Box. Also, if you are on the mailing list and do not own property on the lake, please let us know.

MICHIGAN DEPARTMENT OF NATURAL RESOURCES

LAW ENFORCEMENT DIVISION

SPECIAL LOCAL WATERCRAFT CONTROL

Regulation No. 10-Benzie County

WC-10-99-002 ANN LAKE-HOURS OF HIGH-SPEED BOATING AND WATER SKIING

On the waters of Ann Lake, all within sections 22, 23 and 26, town 27 north, range 13 west, Almira township, Benzie county, State of Michigan, no operator of any motorboat shall, during the period from 6:30 p.m. to 10:00 a.m. of the following day; (the hours shall be 7:30 p.m. to 11:00 a.m. the following day when and where daylight savings time is in effect) (R281.700.3)

Operate such motorboat at high speed, high speed is defined as a speed at or above which a motorboat reaches a planing condition.

Have in tow or shall otherwise assist in the propulsion of a person on water skis, water sled, surfboard or other similar contrivance.

If you need additional copies of the boating regulations, for your rentals, please contact Lee Muehlmann • 275-5511 or Judy Conant 275-3072