CSA Special Meeting
January 9, 2021

Responsibility of the Board of Trustees

- Per our Bylaws (Section III, A. Powers and Duties), "The business affairs of the Assembly shall be managed by its Board of Trustees, subject only to such limitations as may be prescribed by the membership. Any action which would:

  1. Cause a substantial change in the natural appearance of the Assembly"

- The Board determined that the request by the Property Owners (Smoliks, Burrows & Gosnells) will cause a substantial change to the natural appearance of the Assembly Lake MI bluff and beach common property, thereby making the matter subject to a Lot-owning Member (Members) vote.
- After substantial discussion, the Board agreed to put forth a motion to Members to vote on the Property Owners' proposal to build a sea wall on CSA property.
- Only the Members can approve or deny the sea wall proposal/motion.

Update from the CSA Ad Hoc Lake Michigan Dunes, Bluff and Beach (DBB) Committee

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David Belknap, Committee Chair

Our new DBB Committee is developing a comprehensive plan

The DBB Committee was newly established by the Board of Trustees at the July 31st 2020 Board meeting

The Committee has two critical objectives:

- Provide a way for our community to safely access the Lake Michigan beach
- To the extent possible, preserve our bluff & beach from continuing erosion due to high water levels, strong winds and any sea wall impact

Progress is well underway, but we are months away from a comprehensive proposal

- Completed: 2 and 3-dimensional aerial imagery of CSA common area to understand the current situation
- Scheduled: A Land Survey to determine our property lines, dimensions and the location of any property features
  - Allows us to confidently understand where we can and cannot take action for access, remediation and protection of the beach / bluff
- Authorized: An engineering study to provide expert advice and recommendations. $35,000 budget from funds available to the Board from the Preservation Fund for the survey, study and some follow-up engineering assistance
- Finalizing: Engineering firm selection based on a comprehensive process that included four highly-recommended firms
- Obtained: A response from the Property Owners requesting the seawall, as to why moving back their cottages is not a viable option

Our beloved beach has been hit hard

Access is not recommended at this time

Latest Aerial Imagery of our Lake Michigan Access

December 10th 2020 – Imagery from the Benzie Conservation District

Engineering study will provide options based on expert evaluation and advice

Phase 1:

- Site evaluation
  - Identification of current status / issues / opportunities
- Engineering firm recommendations
  - Options to mitigate / prevent erosion to the extent possible
  - Options for permanent safe access to the beach
- Timing to complete assessment
  - Current estimate: March 31, 2021

Phase 2: The same firm can help us execute a plan approved by CSA Members

Phase 2:

Based on the engineering firm recommendations, we expect to do work to create safe beach access and preserve our beach and dunes

- The Board will bring a plan to the Members for a vote
- If/when approved, Phase 2 will involve further engineering, permitting and construction
  - Given the importance of beach access and the continuing weather damage to the dunes, it will be important to act quickly
- The Property Owners have agreed to our condition to keep the access path available through the end of September 2021 for CSA construction use…and to pay the cost of remediating the damage caused by the construction access path
  - Economically and ecologically prudent
  - Both the CSA and the Property Owners benefit

We will work closely with the engineering firm to create safe beach access

- Assess conditions May / June 2021 to determine if beach access is safely available for use during the summer
- There are multiple long-term options, but we need expert help to choose the best one
- For safety reasons, the construction access path is not a viable 2021 season option

Experts say sea walls will create some additional beach erosion at the end of the wall… but can't say how much

Note: erosion north of the Wildewood wall. Our plan will likely include measures to minimize this additional erosion

Additional Resource

- Click the following link for additional information on **Protecting Investments in Shore Property on the Great Lakes** from Sea Grant and the US Army Corps of Engineers Detroit District.
- CLICK HERE
- The link will download a 2 MB PDF file which can be opened, saved, or printed out as a reference.

Property Owners Sea Wall Proposal Presentation

The slides you have already seen in the proposal will be used for this presentation

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Tom Gillett

Board of Trustees Presentation

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Holly Freeburg

Summary

Property Owners' Requests

- Build a steel sea wall, at their own expense, on CSA common property directly behind the wood sea wall approved by the CSA in 1986
  - Importantly, this is a longer-term option than the wood wall… such that there should be no need to create a construction path for this purpose again for a very long time
- Access CSA property to create a construction path that includes both Owner and CSA property

Legal Agreement CSA Conditions

- Keep Property Owners' construction path open until September 30, 2021 and allow CSA full access to do construction
- Property Owners have agreed to pay for 100% of the costs to remediate the construction path
- Hold CSA and Board harmless from any and all liability arising out of the construction, maintenance or use of the seawall
- Maintain the seawall in a safe condition

Further considerations: the Board will be reviewing the private use of common property – where easements may be needed, such as stairs along the bluff from the cottage to the beach, driveway access, and access for boat launching on Crystal Lake

Other Considerations

The Board gave thoughtful consideration to a very recent proposal from the DBB Committee to make the motion for the sea wall permission contingent on one of the Property Owners granting an easement to allow the construction path on their property to be made into a permanent pedestrian access to the CSA Beach

- As stewards of the CSA, the Board did not think it prudent to require any Member to provide permanent use of their private property to the CSA as a condition of trying to save their CSA homes
- The Board believes it is important to await completion of the engineering study to assess the best long-term pedestrian path down to the beach in order to present a well-considered proposal to the Members for a vote on the nature and location of the walkway
- There are multiple options for locating that access… it's not a case of the Property Owners have access and the CSA has none

The Board voted unanimously not to pursue this proposal from the DBB Committee

CSA Members are being asked to vote today to help our neighbors save their cottages…which requires voting without the engineering facts/recommendations

- The Board can only present the facts to the Members, and our facts here are inherently incomplete due to the circumstances
- As many people know, the Miller cottage has already been lost… the Property Owners sense of urgency is high to avoid a similar outcome
- As you heard from the Property Owners, there is no good option to move the cottages back

Motion to be voted on by CSA Property Owning Members

- I move on behalf of the Ad hoc Lake MI Dunes, Bluff, and Beach Committee and Board of Trustees that we permit the Smoliks, Burrows and Gosnells (Owners) to access and construct a steel sea wall on the Congregational Summer Assembly's (CSA) Lake Michigan beach common property. A "Yay" vote is conditional upon execution of a legal agreement between the CSA and Owners.

Q & A

- Attendees will have an opportunity to participate in the meeting to ask questions or make a comment. The way you do this is by submitting your question or requesting to speak using the Q&A feature on your Zoom toolbar once the meeting starts
- Guidelines:
  - Anonymous comments and questions are not allowed.
  - Comments and questions will be addressed in the order they come in to the Q&A.
  - Please type your question/comment in the Q&A and it will be read for you, unless you indicate you would like to speak. We will turn your audio on when it is your turn.
  - You are allowed up to 3 minutes for your comment or question.