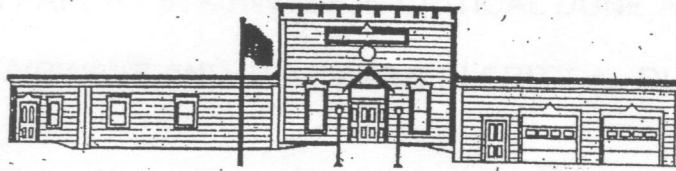


# CHARTER TOWNSHIP OF FILER



James Espvik, Supervisor  
Shirley Ball, Clerk  
Melissa Bauman, Treasurer

Dale Kolanowski, Trustee  
Dean Kruse, Trustee  
Larry Linke, Trustee  
Edward Williams, Trustee

Kevin Skipski, Constable

2505 Filer City Road • Manistee, MI 49660 • 231-723-3138 • Fax 231-723-3191

## BEACH STEPS

### 31.10.1031 HIGH RISK EROSION

To prevent property damage due to active erosion along the Lake Michigan shoreline by providing for the placement of structures in areas of high risk erosion consistent with the Shorelands Protection and Management Act 245 of 1970, as amended, and to preserve bluff vegetation, greenbelt vegetation and water and beach quality.

- a. The high risk erosion setback and greenbelt setback line shall be one hundred (100) feet landward of and parallel to the Lake Michigan bluffline throughout the entire length of the Lake Michigan shoreline in Filer Township. For the purpose of the high risk erosion overlay area, the minimum setback requirement shall be measured landward from the bluffline and shall be construed as running parallel to the bluffline. In the event the bluffline recedes (moves landward), the setback line of the high risk erosion area shall also be construed as to have moved landward a distance equal to the bluffline recession. No principal or accessory structure shall be located between the ordinary high water mark and the high risk erosion setback line.

The Charter Township of Filer Zoning Board of Appeals met on July 31, 2007 and made the following interpretation regarding this ordinance:

The Zoning Board of Appeals finds that accessory structures which can be easily and economically removed prior to erosion or high water are exempt. Referring only to beach steps. The Board ruled that these removable structures shall be built according to DEQ guidelines which allow only elevated steps supported by wooden posts or pilings. Steps shall be 5 feet or less in width. The rise of the first step shall be 1 – 1 ½ feet high, to allow for free passage of sand underneath. Post holes shall be dug by hand, without equipment. Dune vegetation shall be trimmed, not uprooted or removed.

No contouring or grading of soil is allowed unless a permit has been obtained from the Manistee County Soil and Sedimentation Control Dept. Contact Murray Stall, Erosion Control Officer at the Manistee County Planning Department at 231-723-6041, if you are planning to move any earth within 500 ft. of Lake Michigan.

## POSITION PAPER - STAIRWAYS IN CRITICAL DUNE AREAS

### PROPOSED STAIRWAYS AND WALKWAYS IN CRITICAL DUNE AREAS

This position paper is a product of the Sand Dune Review Committee and describes, in part, the regulation of stairways and walkways in critical dune areas under Section 35311 of Part 353, Sand Dune Protection and Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. Generally, stairways and elevated walkways are encouraged in dune areas to minimize detrimental impacts of pedestrian traffic and to define a single point of access.

**Stairways and Walkways** – The construction of a stairway/walkway does not require a permit from the Department of Environmental Quality if all the following criteria are met:

- The stairway/walkway is to serve no more than two single-family homes.
- The stairway/walkway is five feet wide or less and must be uncovered.
- The stairway/walkway is constructed by hand.
- The stairway/walkway is constructed entirely on posts and is elevated above the sand dune.
- The only excavation involved is for the hand-dug postholes.
- Vegetation removal is confined to the footprint of stairway/walkway and no trees are to be removed. Vegetation removal without a permit is limited to vegetation that is three inches diameter at breast height (dbh) or less. In all cases, stumps and root systems must be left in place.

The requirements listed above also apply to handicap accessible ramps.

If a proposal does not meet the criteria listed above, the property owner must apply for and obtain a permit prior to constructing a stairway/walkway. Please note that issuance of a critical dune permit does not waive the need to comply with other federal, state, or local regulatory requirements.