Thomas and Ann Chastain

10799 E. Munro Lake Drive
Levering, Michigan 49755

August 4, 2005

Mr. Charles Antkoviak
Munro Township Supervisor
10606 N. Extension Road
Levering MI 49755

Dear Mr. Antkoviak,

I am writing to you and the Munro Township Board because of events following the June 13th, 2005, Munro Township Board Meeting, at which my husband, Tom, and I received approval for a requested land division split.

Following that meeting, Keith Sipperley, an adjacent property owner, purposefully acted to convince the Township Board (and others) that you had acted in error by approving our land division request.

Keith Sipperley addressed two separate letters to this Board, the first dated **July 5th,** in which he stated that "the split is in violation of the current Cheboygan County Zoning Ordinance". However, the **MUNRO TOWNSHIP LAND DIVISION ORDINANCE NO.98-01** is **the proper ordinance** which governs land division requests in this township. He also incorrectly stated that our division request was for a single parcel instead of two separately described parcels. He continued, citing section fragments of the Township Land Division Ordinance, to convince you of that error.

Keith Sipperley also stated in this letter that he "would like to discuss this at the Township meeting of July 12, 2005".

In a second letter, dated **July 11th**, Keith Sipperley instructed the Township Board exactly how to proceed, the day prior to the July 12th Township Board Meeting. This letter was written tongue-in-cheek and very condescending in tone. His instructions to you as the Township Board were presumptuous and irrelevant to our request.

Unfortunately, there was total disregard to reference or follow the:
Procedure for Review of Application for Land Division Approval, SECTION VII B., which states:

> "Any person or entity aggrieved by the decision of the assessor or designee may, within 30 days of said decision, appeal the decision to the governing body of the Township or such other body or said Board, or by the designee at its next regular meeting or session, affording sufficient time for a 20 day written notice to the applicant of the time and date of said meeting and appellate hearing."

I did mention to several Board members that Tom and I received no prior notice that our approved land division request was to be discussed at the July Board Meeting. We learned after the fact, and only upon receipt of the Township Board letter on **July 14**, informing us that "the Board passed a motion to rescind and suspend the approval, and to convene a hearing at the next regular meeting to be held on Tuesday, August 9, 2005 at 7:30 p.m. to further discuss this application."

I am concerned that the procedure outlined in the MUNRO TOWNSHIP LAND DIVISION ORDINANCE regarding proper notification was not followed, so that Tom and I could have been part of that public discussion. I also believe that any decision made at that meeting concerning our land division request is not legally binding.

For your reference, I have listed below pertinent sections of the STATE LAND DIVISION ACT (Act 288 of 1967), which explains statutory power granted to the township "assessor ... having authority to approve or disapprove a proposed land division", along with certain definitions.

I have also attached the MUNRO TOWNSHIP LAND DIVISION ORDINANCE, with reference and highlight of sections that spell out the authority of the Township Assessor and the standards for approval of land division requests.

Tom and I submitted our land division application to the Munro Township Board for approval, based on local ordinance standards, and were present to answer all questions from Board Members. The Board acted appropriately in its authority created by statute, and approved **"a division to create a parcel which is acknowledged and declared to be "not a development site", Section V (G.)** We trust that this Board will fairly interpret and apply the Munro Township Land Division Ordinance, as defined by state statute. We ask the Township Board to rescind your decision of July 12, and approve our land division request as submitted.

Respectfully,

Tom and Ann Chastain