

## OLD MISSION CITIZENS VOICE OPPOSITION TO PENINSULA WINERIES

### ***– New not-for-profit launches public information campaign with website featuring a calculator to assess citizen personal tax exposure***

Friends of Old Mission Peninsula (Friends), a newly formed Michigan not-for-profit organization, launched today a grass-roots public information campaign to inform, educate and spark action against the Wineries of Old Mission Peninsula (WOMP), a group of 11 wineries that sued Peninsula Township in Federal Court in 2020. WOMP seeks more than \$200 million in damages and new zoning laws giving them more license to expand their businesses, including constructing large event centers, because they feel zoning decisions over the last 40 years violate the U.S. Constitution.

The campaign launches with a mailing to property-owners and a website – <https://friendsofoldmissionpeninsula.org> – that includes a free virtual calculator for taxpayers to compute how much they would owe if WOMP prevails in its lawsuit. While the wineries are suing the Township, any damages awarded to the wineries would be passed onto taxpayers through a special assessment or tax increase. A special assessment does not require approval from voters.

“We are concerned that most citizens are not aware of their personal financial exposure, and decided to put a calculator on-line that helps them figure that out,” said Dennis Arouca, a Peninsula resident and member of Friends. “The actual amount a citizen will pay depends on their property holdings and many will pay well over \$100,000. It is important to put a “human face” on what it is at stake here.”

The Friends website describes how the calculator works [ see the FAQs tab], and lists several ways taxpayers and other stakeholders can take action to let the WOMP wineries know how they feel, including writing letters, consumer boycotts of WOMP wines, or scheduling special events at non-WOMP locations, like in downtown Traverse City, Leelanau Peninsula, or non-WOMP locations on Old Mission.

“This is about more than just immediate taxpayer pocketbooks,” says Todd Wilson, OMP resident and Friend member. “Two hundred million is 20% of all the taxable value property in Peninsula Township. The “human face” when you transfer \$200 million from citizens to WOMP businesses will likely mean radical restructuring of family budgets that could impact college or retirement plans, or even donations for local needs whether it be to a church, a Conservancy, or other local nonprofits. It also means the Township will have less money available to maintain parks, beaches, the library and more.”

For more information or to volunteer, visit <https://friendsofoldmissionpeninsula.org>

###

## Questions & Answers

Nov. 26, 2023

Q. 1. Are the Friends of Old Mission Peninsula part of Protect the Peninsula (PTP)?

A. 1. No. We are aligned with PTP on WOMP matters but we are separate. PTP is part of the WOMP litigation, we are grateful for that, and hope it succeeds. Friends complements PTP for the improvements made to its website that make it easier for citizens to keep up with the court case.

Q. 2. PTP has a calculator on its web site. It uses a potential damage recovery of \$130 million. Why are you using \$200 million?

A.2 The \$200 million damage claim came from WOMP, in its court papers. Friends understands WOMP had a forensic expert testify in support of the \$200 million claim. WOMP attorneys know how to communicate when they want to, and how to file pleadings in court. In a court proceeding, you file a **“Dismissal with Prejudice”**, meaning the case is over and you cannot refile your case. **Until WOMP attorneys file a Dismissal With Prejudice—WOMP has not backed off its \$200 million demand.**

Also, the public deserves to see the detail behind the \$200 million claim, but WOMP got the judge to block public release. It is reasonable to ask—why is WOMP afraid of sharing information on its damage claim with the public?

Q. 3. Are you angry with the Township leaders ?

A. 3. No. They too are citizen volunteers for the most part. This is a complicated dispute and the Federal Judge and Magistrate have made it extra difficult for Township leaders to do their jobs, which includes communication with the citizens—it is hard to effectively communicate if a court order—sought by the wineries— tells you NOT to communicate.

Q. 4. How are Friends funded?

Q. 4 We are citizen volunteers donating our own time and money to inform our friends, neighbors and other members of the public, of the wineries’ demands and the potential consequences of this litigation. Donations will be possible via the Friends website soon—our programmers are volunteers too.

Q. 5. It has been reported that one goal of the WOMP group is more freedom to add and expand commercial activities in Agriculture-zoned land, which is not currently allowed, and that some say could adversely affect the entire community. How do Friends feel about that?

A. 5. Zoning has been with us since the time of the Romans, and declared legal by the US Supreme Court in the 19th Century. When a person buys land zoned in a certain way, he/she makes a conscious decision to accept the zoning, which INCLUDES processes to get exceptions, expansions, etc.

History shows the WOMP group has been the beneficiaries of the processes within the zoning law to expand their rights over 40 years. A number of these were expansions and limitations WOMP agreed to. Check out the Peninsula Township Summer 2023 Newspaper for helpful background here. Available on-line at [https://www.peninsulatownship.com/uploads/1/0/4/3/10438394/newsletter\\_-\\_summer\\_2023.pdf](https://www.peninsulatownship.com/uploads/1/0/4/3/10438394/newsletter_-_summer_2023.pdf)

Now—WOMP wants to blow up the system it has benefitted from for 40+ years.

And, to the best of our knowledge, no winery is claiming it is losing money or failing financially. Friends believes it is unreasonable for our society to blow up a zoning system that while imperfect, **largely works**.

Q. 6. If Winery rights were expanded over time, and wineries are making money, why did WOMP file this lawsuit?

A. 6. Ask WOMP. In the “How We Got Here” section of the Website you see some discussion of a Citizen Survey as part of updating the Township’s Master Plan under Michigan law. A supermajority of the Citizens responding to that survey said they wanted to Limit Winery Expansion. Several weeks later the WOMP lawsuit was filed. Maybe there is a connection.

Q.7. Is it true that non-Grape growers on OMP have aligned themselves with WOMP?

A.7. No growers have joined the lawsuit to Friends’ knowledge.

It is well documented how hard it is for small farmers to make it today. Friends supports more exploration of ways for farmers to add revenue streams. Today some already grow grapes and sell them to wineries. Or farmers get out of cherries and try other crops. Agriculture Tourism activities are another well developed way for farmers to augment revenue streams. **Friends support more formal dialogue and action on how we can ALL help farmers succeed—without blowing up the zoning rules. OMP citizens have a 30+ year history taxing ourselves at a higher rate through a Purchase of Development Rights (PDR) program, and spending over \$60 million to help farmers prosper and keep land in agriculture.** <https://www.oldmission.net/2022/07/opinion-pdr-works/>