

Town calls for title search on beach access question

Written by CAROL POMEDAY
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Official says findings may show route should be open to public use

Town of Belgium residents who last month disagreed on where the access to the beach is located on Country Club Beach Road have reached an agreement, but the Town Board decided Monday to pay for a title search to clear up who owns two rights-of-way on the public road.

When the private road was deeded to the town and became a public road, town officials were under the impression that the accesses to the beach were retained by the developer for subdivision residents and were not public accesses.

However, Zoning Administrator Charles Parks said he believes the rights of way, which are along drainage ditches, were deeded to the town. If that's the case, Parks said, he recommended the town keep the accesses and not restrict use to subdivision residents.

No one has paid taxes on the land, he noted.

"I guess I opened up a can of worms," said Lucy McCue, whose house at 5111 Country Club Beach Rd. is for sale. "I personally don't care who owns it. I want a safe access to the lake."

When she complained last month that a neighbor on the east side of the road was preventing her realtor and potential buyers from using the access closest to her property, McCue was advised by the board to get a certified survey map that would show the accesses, which she did.

After seeing the certified survey map and stakes that surveyors installed to define the path, Erwin Dohmen, 5110 Country Club Beach Rd., agreed the access is the area adjacent to his property labeled "private road" on a 65-year-old subdivision plat.

In a letter to the board, Dohmen said he and neighbor Jon Sorkan agree that the access lies between their properties. Dohmen said he and his landscaper walked with McCue and cut overhanging trees to allow a 6-foot-high clearance and removed other obstacles.

He asked McCue to remove the stakes that defines the path so he could cut the grass and offered to pay half the survey cost since surveyors located iron pipes that define his property.

McCue told the board she would like to keep two stakes — one on the east end and one on the west end — to show where the path starts. She also asked permission to install steps over a 50-year-old erosion control berm made of iron pipes and concrete to make the access safer.

Tom Peterson, who also lives on Country Club Beach Road, said he believes the subdivision owns the accesses and McCue should build the steps if she wants to.

"I'm not speaking for everyone in the subdivision, but I have no problem with it," Peterson said. "That's the way it's been working for the 25 years I've been there."

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However, Supr. Bill Janeshek said he believes the easements belong to the township and it's important the town keeps the rights of way open because they're part of the drainage system for the subdivision.

Town Chairman Tom Winker suggested Peterson organize residents in the subdivision so everyone has a say in how land held in common is used.