
From: Denise Dunn <lttreasurer@leelanautwp.org>
Sent: Thursday, April 8, 2021 12:05 PM
To: zoningadmin@suttonsbaytwp.com
Subject: FW: Timber Shores Special Township Planning Commission Meeting 4/18/21

-----Original Message-----

From: Rae Ellen Thyer [mailto:rae@thethyers.com]
Sent: Wednesday, April 07, 2021 6:20 PM
To: Lt Super
Cc: Zone Admin
Subject: Timber Shores Special Township Planning Commission Meeting 4/18/21

As residents of Leelanau Township and former business owners in Northport for over 36 years we are in opposition of the Township Planning Commission imposing a six month moratorium of the Timber Shores RV Campground.

Owners of the Timber Shores project have stated that must and will meet all township, state and federal regulations including all permits from local, county and state governmental agencies. Their plans, available online, show the project in several stages and show in all details all aspects of the project and should be viewed by all whether they oppose or support for full understanding of this carefully designed addition to the well being of our township.

The RV Campground will generate taxes and tourism dollars, jobs and other services that will benefit our immediate area.

It seems that the complaints are coming from immediately located neighbors, seasonal residents and recent retirees. These residents must remember and admit that this property has been zoned commercial resort for more than 30 years and zoning was in place before many of the same purchased their present homes. Knowing this should have been an important consideration before making their home in an area already zoned commercial resort.

The township is being pressured from these residents and the board and planning commission now wants to review and change an ordinance that is already in place. We feel this is definitely unfair to the owners of the RV Campground who intend on using this property for its intended purpose. The planning commission is failing all current and future business owners in our township who may be threatened by the commission's actions when considering any future new business or expansions.

We respectfully request that the Planning Commissioners reconsider and table a decision to impose the moratorium.

Don and Rae Ellen Thyer
12740 E. Woolsey Lake Road,
Northport, MI

Sent from my iPad

From: Denise Dunn <Ittreasurer@leelanautwp.org>
Sent: Thursday, April 8, 2021 12:04 PM
To: zoningadmin@suttonsbaytwp.com
Subject: FW: RV Park Changes

From: Gordon Wick [mailto:sgwick79@hotmail.com]
Sent: Wednesday, April 07, 2021 7:04 PM
To: Denise Dunn
Subject: Fw: RV Park Changes

Re: the email enclosed please add the email to the minutes of tomorrow's Planning Commission Meeting.

From: Gordon Wick
Sent: Wednesday, April 7, 2021 1:37 PM
To: Ittreasurer@leelanautwp.org <Ittreasurer@leelanautwp.org>
Subject: RV Park Changes

To the Leelanau Planning Commission Board,

It has recently come to my attention that the Leelanau Township Board wants to put a 6 month moratorium on any RV Parks in the township. The reasons given are not substantiated by the actual facts. The real reason is simply to stop the development of the Timber Shores property. It has nothing to do with "safety" or "traffic" or "water protection". The three new Township Board members live near this development and have wanted to stop it for a while. The husband and wife members MUST recuse themselves from this issue due to a conflict of interest. Deborah Van Pelt, the prior clerk, had to recuse herself from a past issue with Timber Shores because her property was near this development. She did the proper thing and did not participate. They must do the same.

As far as the reasons given for this sudden move they are false. This property has been zoned Commercial/Resort since the 60's. There has NEVER been a question about this zoning. Suddenly, it's a problem? The majority of people living in Leelanau Township support the development of this property back into an RV Park. Please DO NOT listen to the vocal minority. This RV Park will be a much needed economic boost for the Township.

Thank you for your time,
Sheila Wick

Sent from [Mail](#) for Windows 10

From: Denise Dunn <lttreasurer@leelanautwp.org>
Sent: Thursday, April 8, 2021 12:04 PM
To: zoningadmin@suttonsbaytwp.com
Subject: FW: Timber Shores Resort

From: Mark Jensen [mailto:jenteemark@sbcglobal.net]
Sent: Wednesday, April 07, 2021 7:13 PM
To: Lt Super; Zone Admin; Monica Diaz; Denise Dunn
Subject: Timber Shores Resort

Good Day to All,

I am contacting you today in regards to the public hearing on the proposed 6-month moratorium for the Timber Shores Resort project. I do not support the moratorium. I understand there may be individuals that have concerns with this project and wish to delay its development and hopefully change the zoning and in doing so, stop the project.

As a property and business owner in Northport for over 25 years, "Waukazoo-Tees" I feel Northport needs this business. I'm sure you are aware our short summer season delivers the majority of income for most, if not all businesses. Timber Shores Resort, will give a boost to our local economy. It complements our goals in building a thriving summer season for our local business. It will add attendees to our summer events. It will add employment.

Timber Shores Resort will provide an increased tax base and could lead to additional businesses opening. I believe the benefits of this project far exceed any of the concerns voiced and for this reason should be allowed to move forward.

It is my hope, after careful consideration this 6-month moratorium is not approved.

Thank you,

Mark J. Jensen
JenTees Custom Logo Gear
515 Wellington St. Traverse City, MI.
1-231-929-3610

April 7, 2021

To: Leelanau Planning Commission

Re: Timber Shores Proposed Development

I am responding to the latest change in regard to a six month moratorium on the proposed Timber Shores RV Park. I'm curious as to whose idea this was. From my viewpoint it sounds like a stall tactic. To the homeowners who purchased their properties near Timber Shores, did they not perform due diligence when purchasing their properties. Did they think that a parcel of land zoned Commercial/Resort would stay vacant for eternity?

I have seen that Northport is becoming a "retirement" destination for those who come upstate and want a piece of heaven to retire on. What they don't take into consideration is that if they don't provide opportunities for younger families and singles to live and work in this area, they are basically digging themselves in a hole, no pun intended. Who is going to serve them their dinner at a local restaurant? Who is going to work in the grocery store where they purchase their food? Who is going to come to their rescue when there home is on fire or they need medical assistance? You are right, it's young people!

This RV Park provides employment for young people! It also provides revenue for the established businesses that these same naysayers shop at. A healthy community needs all age brackets to work efficiently.

I am also hearing that there is concern for wastewater treatment and other environmental issues. It is my understanding that these concerns are part of the process. I don't understand what is so different in relation to people moving into the Northport area and building new homes by the dozens or someone wanting to establish an RV park. As far as density goes, the RV park is more ecologically efficient per space capita.

This moratorium makes no sense whatsoever.

Sincerely,

Maureen Mawby
Northport Native

Brovins & Oehmke, P.C.

Attorneys and Counselors

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Tele 231.386.7018
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LawMode@comcast.net

Leelanau Township Planning Commission (LTPC)
ATTN: Steve Kalchik, Chairman
Vis email kikalchik@gmail.com

April 8, 2021

Re: Comments on RVTS Acquisition's Rejected Application for Timbershores
Out-of-Order at Planning Commission Public Hearing on Moratorium

Greetings Chairman Kalchik and Commissioners:

Kindly make this part of the record of today's meeting.

RVTS Disinformation May Derail Public Hearing

RVTS Acquisition is spreading misinformation in the press urging citizens to derail tonight's public hearing to push its own agenda. RVTS Project Manager Walter Johnson was reported as describing:

...a sneaky move designed to preempt a pending RV park application [when] the Leelanau Township board declared a 180-day moratorium on RV parks. Our active application is in a 90-day response window in the first phase of the approval process. If you're a local who's not willing to let part-timers and recent transplants dictate whether the township's economy gets a big boost, it's time to speak up before the township kills this project.¹

After the Civil War, Northerners swarming the South to make their profits were called *carpet baggers*. It is hard to shun such images when the RVTS Developer is from Bloomfield Hills MI (attorney Fred Gordon), its Project Manager from Royal Oak (Walter Johnson), and its attorney from Gaylord (Richard Edmonds). Who is Mr. Johnson to sling shots at tax paying residents? At seasonal and weekend homeowners? At other owners of vacant Township properties? And this from someone associated with entities that are more than a hundred thousand dollars in arrears on property taxes. Shame, shame.

If RVTS cheerleaders offer comments during the public hearing to divert attention from a discussion of the moratorium, Chairman Kalchik should call them *out of order*. Now, let's consider the facts.

RVTS Submitted Timbershores 2020 Application

RVTS made its Timbershores RV park application in 2020 which included 79 pages of attachments.² Despite its volume, that submission did not address all criteria in LTZO Section 11.4 and 11.6(A). The

¹ The Record Eagle, Letter to the Editor (4/2/2021).

² See Fred Gordon letter to Steve Patmore, 3/20/2020).

deficiencies are too numerous to mention. To guide RVTS, the LTPC directed it to deposit \$10,000 in escrow.³ This funded an *Optional PRE-application Conference*.⁴

RVTS Had its PRE-Application Conference in 2020

At this Conference, the Township did “review the application and site plan to determine whether they are complete ... [per] Section 11.4.” The Township attorney went above and beyond the Section 11.4 review and met multiple times with RVTS in an effort to guide compliance with Sections 11.4 and 11.6.

RVTS Had 90 Days to Cure – But Failed

After many attorney Conferences, “If [RVTS] fails to rectify the deficiencies of the application within 90 days, the Zoning Administrator may deny the application ... [as] incomplete.”⁵ And that’s what happened. RVTS then resubmitted its plan, but it was rejected and returned at the LTPC meeting (2/25/2021)

Comments on RVTS Timbershores Plan are Out of Order at Public Hearing

The Zoning Administrator indicated that the Professional Planner concluded that the RVTS Application and Site Plan lacked sufficient completeness for planning commission review.⁶ Township attorney Robert Thall agreed and the RVTS attorney (Richard Edmonds) was notified, “Until such time as a completed application is received, the issue will not be on any further agendas of the planning commission.”

Comments should be limited to the singular matter of Agenda Item 6(A) on the moratorium. For this reason, any comments at the Public Hearing about the RVTS Timbeshores plan are *out of order*.

90-Day Window Has Come and Gone

RVTS imagines legal rights not found in the LTZO. Attorney Edmonds was quoted as saying:

The developers believed they had 90 days from receiving their returned application to correct any deficiencies before a planning commission review per the standard procedure outlined in the current Leelanau Township zoning ordinance.⁷

Mr. Johnson is under the illusion that the RVTS application (which was resubmitted but rejected outright as incomplete) is still an “...active application ... in a 90-day response window in the first phase of the approval process. The township claims the application was rejected. We received no such notice.”⁸ We

³ See LTPC Resolution (9/10/2020) .

⁴ See LTZO § 11.6(B)(1).

⁵ LTZO § 11.6(B)(3).

⁶ See Zoning Administrator’s Status Report (2/11/2021) on review of the Application and Site Plan for the Timber Shores RV Resort by Nathan Mehmed, AICP, of Williams & Works Engineering, Surveying, & Planning.

⁷ Citing Leelanau Twp. Zoning Ord § 11.6(B)(3)]; see, also, Leelanau Ticker (4/7/2021).

⁸ The Record Eagle, Letter to the Editor (4/2/2021).

urge Mr. Johnson to contact Developer's attorney Edmonds who most likely received the rejection notice as did others who were informed by attending that LTPC meeting (2/25/2021).

No New 90-Day Window if Application Rejected

This misbelief by the RVTS developer of a perpetually reappearing 90-day window is wishful thinking. The LTZO provides a single 90-day window one time after the Optional PRE-Application Conference. That window opened and closed in 2020. It did not reopen when RVTS submitted yet another deficient Application. Finally, Mr. Johnson closed his recent Letter to the Editor calling the moratorium...

... the worst kind of pandering to affluent special interests. It galvanizes the rift between NIMBYs who want a perfect slice of heaven and locals who want more economic opportunity.⁹

The great majority of so-called NIMBY's to whom Mr. Johnson refers have lived here decades and have seen Developer Fred Gordon's projects fail time and time again. Under Mr. Johnson's "logic," if one is a NIMBY – even for good reason – then one cannot be a local. Hum!

Mr. Johnson should devote his good efforts to finding a way to pay the past due property taxes on the Timbershores parcels. Additionally, Mr. Gordon should find a way for NM Investment and its principals to pay off the \$5.2 million judgment (which remains outstanding along with other liens on the property) from the prior versions of Timbershores. The Judgment is on file at the Government Center Courthouse.¹⁰

Sincerely,

Thomas H. Oehmke

Thomas H. Oehmke
Attorney

CC: Planning Commissioners (Brian Mitchell, Karen Mulvahill, Phyllis Rebori, Clinton Sampson, Steve Patmore) and Township Officials (Monica Diaz, Denise Dunn, Gina Harder, Georgie Murray, John Sanders)

⁹ The Record Eagle, Letter to the Editor (4/2/2021).

¹⁰ American Bancorporaton of Minnesota vs. NM Investment Company LLC et al., Leelanau County Circuit Court Case No. 2010-8306-CZ.

Steve Patmore

From: Philip Hallstedt <phallstedt@gmail.com>
Sent: Thursday, April 8, 2021 9:38 AM
To: Steve Patmore
Subject: Re: Question for public forum on AG zoning amendment

Did you receive these questions ?

On Mon, Apr 5, 2021 at 12:30 PM Philip Hallstedt <phallstedt@gmail.com> wrote:

Steve,

I understand this thursday that an outline will be presented with possible questions for discussion. Can you please forward these to the PC members for their consideration?

I believe the PC needs public input on the importance of sustaining the Agricultural operations of large tracts of land in the township as stated in the master plan, and the willingness to respect land use by farmers who are year round residents of the township. Farmstays IS an OLD source of income for farmers, as well as a source of lodging for their seasonal workers, but now has a label as part of Agrotourism and the input needed is whether the public wants farmers remaining a part of the leelanau landscape or to be an area of 10 acre residential estates. I think the framing is an important part of the questions that will be asked as they will either frame it as a "Not in my backyard" discussion or a longer view perspective of what elements of the culture we want to retain?

So some questions to ask:

- 1) How important is supporting the active agricultural aspect of the Leelanau mission statement? Are people desiring an add to their yearly property taxes to be shared with active farmers to keep them viable, or do they support entrepreneurial ventures for the farmers to raise more yearly income?
- 2) There is much discussion of wedding celebrations with bands and music. Do residents see the need for a "low density, low impact" alternative approach which spaces people out across a large tract of property?
- 3) How important is the viewpoint of the farmers in shaping the future of land use? What would they require to bring new young families into farming as year round residents and families to bring children into our schools and local economy?

Thanks for your consideration.

--
Phil

Phil Hallstedt
cell: 317-525-7659

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Phil
M: 317.525.7658