



Kasson Township Clerk &lt;kassontwpclerk@gmail.com&gt;

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## Zoning Board of Appeals

1 message

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**N SCHMITT** <n@schmittllc.com>  
To: kassontwpclerk@gmail.com

Tue, Sep 26, 2023 at 7:45 PM

Dear Leelanau Zoning Board of Appeals:

Consistent with the sentiments of the overwhelming majority of affected landowners and taxpayers, I am writing to express my strong opposition to allowing Enduro Motorcycle races in Leelaneau County.

- a. The most important issue is that it does not meet the zoning standard for Leelaneau County. That particular area is zoned forest and agriculture. Deviating from that would set a precedent that would not be consistent with similar uses already listed in this district.
- b. Allowing this particular variance would set a negative precedent and open the door to races and similar events on numerous weekends causing major environmental impacts for surrounding properties.
- c. Enduro Motor Races generates high levels of both air and noise pollution causing significant environmental impact.
- d. I have owned 11300 Bright Lake Rd since 1975 and have camped there for 40 years. The proposed Enduro is directly across the street (Bright Rd) and will have a negative effect on me as well as all the neighbors on Bright Rd.
- e. The general area around the lake is a nesting area for eagles and will impact their habitat.
- f. Both the Leelaneau County Government as well as most commercial establishments in the area portray the county as an example of an environmentally friendly and peaceful vacation spot. An Enduro tract clearly deviates from that stated goal.  
As stated on the Leelanau County's web site, Leelanau County was named " **One of the Most Beautiful Places on Earth**"

Let's keep it that way!



Kasson Township Clerk <kassontwpclerk@gmail.com>

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**Kasson Twp ZBA Meeting October 11 2023**

1 message

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**MIKE VERSCHAEVE** <mikeverschaeve@gmail.com>  
To: kassontwpclerk@gmail.com, tim@allpermits.com

Tue, Sep 26, 2023 at 9:40 PM

Dana Boomer  
Kasson Township Clerk

Please forward the attached letter to the Kasson Township Zoning Board of Appeals for their consideration at the October 11, 2023 meeting.

Thank you,  
Fr. Mike Verschaeve  
[11411 S. Tower Rd.](#)



**Kasson Township ZBA Meeting October 11 2023.docx**  
16K

**To: Members of the Kasson Township Zoning Board of Appeals**

**Re: Michigan Sprint Enduro Motorcycle Racing Special Use Permit**

I am writing to urgently ask that you deny Appeal #1 and Appeal #2 of the decision of the Kasson Township Planning Commission that rejected the request by the promoters of Michigan Sprint Enduro Motorcycle Racing for a Special Use Permit.

I support wholeheartedly the attorneys who represent the Kasson Township Neighbors Association and Kasson Township itself.

Granting these two appeals endorses this commercial enterprise and establishes part of the site as a campground in violation of the current zoning of the property as Forested and Agricultural.

- Granting the appeal would ignore and overturn the noise ordinances established by Kasson Township
- The proposed ongoing yearly events do not meet the requirements of the Kasson Township Special Use Zoning Ordinance or the intentions of the Kasson Township Zoning Master Plan

This is not an exhaustive list but represents only a handful of the legitimate concerns we have as neighbors who will be impacted by the noise, traffic, and fire danger of planned events if they are approved, and a Special Use Permit is issued.

As you make your decision, I ask that you carefully consider the history of issues that have arisen in connection with the proposed sites, including recent events. These include issues of animal husbandry, blight, and proceeding with work on the project without a permit. All of this has brought worry to us who are members of the Kasson Township Neighbors Association, not to mention costing the taxpayers of the Leelanau County and Kasson Township concern and money over the years.

Sincerely,

Rev. C. Michael Verschaeve

11411 S. Tower Road





Kasson Township Clerk &lt;kassontwpclerk@gmail.com&gt;

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**ZBA - Enduro Track**

1 message

**J Travioli** <jim@rustictimbers.com>

Fri, Sep 29, 2023 at 10:07 AM

To: kassontwpclerk &lt;kassontwpclerk@gmail.com&gt;

Hello ZBA,

Please accept and consider my thoughts and comments opposing the approval of the SUP for the Enduro track in Kasson Twp. In consideration of the loads of communications you have to review, I will do my best to be brief and to the point.

My wife (Patti) and I live at 1805 E Kasson Rd. My wife has a small herb here our property and I am a certified licensed real estate appraiser. Our property directly abuts and the property where the track is proposed. Our home, which we built in 2013, is within 150' of the proposed track. This motorcycle track would be a significant disturbance to the peaceful environment that brought us to our wonderful spot here in the woods. Aside from the loss of our right to peaceful enjoyment of our home and property, there are many reason written in black and white in our zoning laws that should quickly bring you to the decision to deny this SUP. Many of these I will not discuss here as other will be communicating them to you in their correspondences. My comments are focused on what I am know and what I am trained for, Real Estate Valuation.

The standards outlined in Section 7.7 BASIS FOR DETERMINATION is where I see reason clear reasons for a denial.

A.) **Must be Harmonious** - Most certainly would not be "harmonious" with the existing or intended character of the general vicinity.

B.) **Adverse Effects on Market Value** - Everyone has already stipulated that the track will be loud with hundreds of motorcycles racing from 8am to 5pm constantly all day long. This would be hazardous due to the constant noise, and would be an obvious disturbance "to existing uses in the same general vicinity". This sub-section also outlines a standard that the SUP "will not have adverse effects on the market value of surrounding property". In my professional opinion, this track will most certainly adversely effect the property values of the properties immediately adjacent to the property where the track will be located. In real estate appraising there is a type of property depreciation called "external obsolescence".

External obsolescence is defined as an element of accrued depreciation: a defect, usually incurable, caused by negative influences outside a site. External obsolescence causes a loss in value to a property caused by forces that are outside the property owners control. Familiar examples would include: Busy Road, Landfill, Gravel Pit, High-Voltage Power Lines, and most certainly a motorcycle race track. It would not unusual for a negative external factor such as the mentioned examples to necessitate a negative adjustment in an appraisal ranging from 5-10% or more.

E.) **Not Detrimental to Persons or Property** - There is little doubt that this track will be detrimental to "persons, property or the general welfare by fumes, glare, noise odors or dust".

Thank you for your consideration and I urge you to protect or property values and the peaceful enjoyment of homes by upholding the denial of this SUP.

Thank you,  
James Travioli  
1805 E Kasson Rd  
Cedar, MI 49621



Kasson Township Clerk &lt;kassontwpclerk@gmail.com&gt;

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**Enduro Dirt Bike Appeal - Oct 11, 2023**

1 message

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**Theodore Nelson** <ted\_nelson@hotmail.com>

Sun, Oct 1, 2023 at 1:45 PM

To: kassontwpclerk@gmail.com

Cc: tim@allpermits.com

**Clerk Dana Boomer/ZA Timothy Cypher, please respectfully forward to our ZBA**

To the Kasson Township Zoning Board of Appeals,

Directly adjacent to the proposed dirt bike event I have owned a 10 acre parcel (007-024-005-30) at 1907 E. Kasson Road for over 22 years.

I wrote a letter to the planning commission and also addressed them in person at their May 8, 2023 "hearing of the public" meeting. In both instances I drew their attention to our Kasson Township homepage which proclaims, "*Kasson Township residents value the rural, undeveloped nature of the area that is predominantly covered with forests, farmland, and some orchards*".

I invite each of you ZBA members to really reflect on those words - in fact your mission statement - as you consider Dirt Bike events in beautiful Kasson Township. The question the ZBA has to consider is exactly how does over 100 racing dirt bikes align with "the rural, undeveloped nature of the area"? Frankly, it does not.

Additionally Section 7.15 states that uses can be considered "as long as they meet... *the spirit and intent of the Ordinance*". Once more, how exactly does over 100 racing dirt bikes square with the spirit or the intent of Kasson Township? One must admit, again it does not.

The scope of the Dirt Bike SUP lies far outside of our Township's homepage proclamation and the Township's ordinance's intent. Please support the Planning Commission by upholding their July decision. I greatly appreciate your consideration.

Ted Nelson  
8174 Bay Arbor Drive  
Augusta, MI., 49012  
810-210-3018



Kasson Township Clerk &lt;kassontwpclerk@gmail.com&gt;

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**ZBA-Enduro Applicants**

1 message

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**Joseph Verschaeve** <joughsef@gmail.com>  
To: kassontwpclerk@gmail.com

Sun, Oct 1, 2023 at 4:59 PM

October 1, 2023

**To:** Kasson Township Zoning Board of Appeals**From:** Joseph M. Verschaeve, Verschaeve Family Trust  
11531 South Tower Road  
Maple City, Michigan 49664  
231-510-0552 [joughsef@gmail.com](mailto:joughsef@gmail.com)**Re:** Zoning Board of Appeals #1 and #2 (Michigan Sprint Enduro Motorcycle Event)

Kasson Township is a quiet, rural community with splendid farms, forests, and natural areas that serve to comprise the overall character and beauty of Leelanau County. I stand with my many, many neighbors in vigorous opposition to the prospect of an enduro racecourse that would despoil and pollute our homes and farms. The Kasson Township Board is in possession of my written opposition cataloging particular items of deep concern. It is my hope that the ZBA will recognize that this proposal simply doesn't fit in Kasson Township.





Kasson Township Clerk &lt;kassontwpclerk@gmail.com&gt;

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**Letter to ZBA**

3 messages

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**Marv Grahn/Chris Hauke** <n17737@aim.com>

Tue, Oct 3, 2023 at 4:49 PM

To: "kassontwpclerk@gmail.com" &lt;kassontwpclerk@gmail.com&gt;

Hi, Dana,

Please forward this letter to the ZBA (Appeal #1 rebuttal) so they may read it before their Oct 11 meeting.

Thanks,

Chris Hauke

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 **Enduro ZBA sec 7.15 rebuttal ltr. Oct 3, 23.pages**  
319K

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**Kasson Township Clerk** <kassontwpclerk@gmail.com>

Wed, Oct 4, 2023 at 9:35 AM

To: Marv Grahn/Chris Hauke &lt;n17737@aim.com&gt;

Hi Chris,

I am not able to open the attachment. Would you please resend in a format that is not .pages? Either .doc or .pdf will be fine!

Thank you!

Dana Boomer  
Clerk, Kasson Township  
PO Box 62  
Maple City, MI 49664  
231-590-9788

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**Marv Grahn/Chris Hauke** <n17737@aim.com>

Wed, Oct 4, 2023 at 10:45 AM

To: Kasson Township Clerk &lt;kassontwpclerk@gmail.com&gt;

Below is the rebuttal for Enduro Appeal #1 in pdf.

Thanks,

Chris

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 **Eduro ZBA Appeal#1 rebuttal 10:3:23.pdf**  
838K

Enduro Letter to ZBA  
Oct 3, 2023

RE: Shettek/Kasben/Seymour Appeal #2 for Enduro Motorcycle Racetrack events

### ZBA Petition

Effect...on the Applicants:

- Negligible. Applicants have access to existing large racetracks in both Mancelona and Copemish. Applicants have stated that most racers "typically reside in the center of the state" (Shettek, 3/20/23 PC Mtg. p5) so these tracks would be more accessible to them.
- "Their unique and large property" - neither promoters Shettek nor Seymour own, live on, nor near the proposed racetrack, thus avoiding the impacts they would inflict on surrounding properties.
- "engage in this sport on an occasional basis" - 3 day race events (with 9 hour continuous racing of hundred+ motorcycles) run multiple times year round (winter racing is an adaption to enduro bikes) with concomitant noise/dust/exhaust pollution that is endemic to this sport and cannot be mitigated is not an "occasional" nuisance to surrounding property owners who cannot move their houses for the duration.
- applicants were "told by the zoning administrator that there is no zoning district within the twp. which would allow for Enduro sport" for a very good reason. It is an incompatible use in numerous ways and not amenable to any sort of mitigation

Effect... on Other Properties:

- Applicants do not address this issue. "Temporary use" is specious at best. A 3-day event run multiple times throughout the year belies the definition of "temporary".
  - Applicants cannot "ensure that the use has minimum effects on surrounding properties".
- The noise pollution alone greatly exceeds EPA standard of 55 decibels "compatible with the protection of public health and welfare."** (T. Grier letter of 7/7/23, pp. 5,6)
- Decibels are an exponential increase between levels. ( Grobbel Report to PC, 5/1/23, p.8)
  - **A racing motorcycle of 95db multiplied by over 100 motorcycles is many times beyond the EPA standards and will affect a far greater area.**
  - **Noise from the motorcycles "would be comparable to a Boeing 737 or DC-9 aircraft one nautical mile before landing( 97 db). A person's hearing will likely be damaged after 8 hours of exposure."** (T. Cypher, Planning Comm. 3/20/23 mtg. minutes, p. 6)
  - Please note neighbors within a mile+ of this property are well within the sound disturbance area.(Grobbel Report to PC, 5/1/23, pp. 3-5.)
  - Clouds of dust and exhaust pollution - also incapable of being mitigated - will filter onto surrounding properties and be carried by breezes to further homesteads.
  - Enduro racing will certainly "hamper or restrict" the air of anyone breathing it and "access" to your property when you cannot escape the noise.

### Appeal #2 SUP under 4.4, 4.7.2, 5.13

4.4 "Said use shall be treated in a like manner with comparable uses"

- There is no listing of motorcycle nor any racetrack use in the zoning statutes. There are no comparable uses within the zoned district in question.
- Motorcycle racing with the accompanying excessive noise, exhaust, and dust pollution should never be allowed in a "park" or "children's playground". It is incompatible with the health and welfare as well as peaceful use of residents and non-conforming to surrounding land use. (AG/FR/Rural Homesteads)
- Spot zoning would permanently change the status of this property, disrupt the existing zoning of the surrounding area and open it to unforeseen uses in the future.



- Property owners have built homes and businesses based on the existing zoning and would be greatly and badly affected by this change with disruption to our use and enjoyment of our homes and property, and negative affect on the value of same.

#### 4.7.1, 4.7.2 Special Land Uses

Proposed Enduro racetrack is neither a permitted, listed nor similar use to any noted in this section.

- It is not an "outdoor recreation or park facility" as understood by the zoning administrator. An enduro racetrack would not in any manner allow residents the peaceful and safe use of a "park" or "children's playground". Children's laughter does not equate to racing dirt bike engine noise.

- It will not benefit the public. Applicant stated "not many people from the public attend as the event normally only attracts racers and their families." (Shettek. 3/20/23 PC mtg. p4)

#### 4.7.4 Performance Standards

- Enduro racetrack has been cleared on the periphery of the property, running along adjacent property and directly past homes, negating any setbacks.

#### 4.7.4 E - "potential nuisances or disturbances of surrounding properties shall be eliminated or mitigated"

- It is not possible to mitigate nor eliminate the detrimental effects of screaming, continuous noise or the clouds of dust and exhaust that are endemic to motorcycle racing. Surrounding homeowners cannot escape this. Neither the township nor nearby property owners benefit - just the opposite - and racers have many other venues to enjoy their sport.

#### 5.13 Temporary Outdoor Uses

- As noted above, applicants have stated their intent to run multiple events throughout the year. 3-day events with hundreds of motorcycles in attendance racing continuously for 9 hours with multiple events over the course of a year (adaptations are used for winter enduro racing) is not in any sense of the word "temporary".

- Motorcycle racing is not remotely similar to existing uses in the surrounding zoning district, which remains AG/FR/Rural Homestead. Businesses in the area rely on the peaceful rural nature, including a bed and breakfast that touts a restful day with their goats, a childcare business that worries about sleeping children with the noise disruption, and an adjacent organic herb farm that teaches wild foraging that could lose its organic certification if polluted dust and exhaust contaminate their property and interdict gardening and harvesting classes. We are all township residents paying township taxes, relying on and adhering to long-existing township zoning. Please do not drop a radically non-conforming, spot zoning in our midst.

For these reasons I petition that the ZBA deny this request for an SUP for Enduro motorcycle racing.

Christine Hauke  
11436 S. Tower Rd.  
Maple City, MI



Kasson Township Clerk &lt;kassontwpclerk@gmail.com&gt;

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**ZBA Rebuttal to Enduro Appeal #2**

3 messages

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**Marv Grahn/Chris Hauke** <n17737@aim.com>  
To: "kassontwpclerk@gmail.com" <kassontwpclerk@gmail.com>

Tue, Oct 3, 2023 at 10:07 PM

Hello, Dana,  
Attached is a letter to the ZBA rebutting the Eduro Appeal #2. It addresses the second appeal including zoning statutes 4.4, 4.7 and 5.3.  
Please forward to ZBA members prior to the Oct 11 meeting.  
Thanks,  
Chris Hauke

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 **Enduro ZBA appeal #2 rebuttal Oct 3, 2023.pages**  
375K

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**Kasson Township Clerk** <kassontwpclerk@gmail.com>  
To: Marv Grahn/Chris Hauke <n17737@aim.com>

Wed, Oct 4, 2023 at 9:36 AM

Hi Chris,

I am also not able to open this attachment - again, either .doc or a PDF file would work great!

Thank you,

Dana Boomer  
Clerk, Kasson Township  
PO Box 62  
Maple City, MI 49664  
231-590-9788

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**Marv Grahn/Chris Hauke** <n17737@aim.com>  
To: Kasson Township Clerk <kassontwpclerk@gmail.com>

Wed, Oct 4, 2023 at 10:44 AM

Sorry, Dana,  
Below is the rebuttal for Enduro Appeal #2 in pdf.  
Thanks,  
Chris

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 **Enduro ZBA Appeal#2 rebuttal 10:3:23.pdf**  
1590K



Enduro Letter to ZBA  
Oct 3, 2023

RE: Shettek/Kasben/Seymour SUP for Enduro Motorcycle Racetrack events

Appeal #1: SUP under 7.15

Other uses "may be considered...as long as they meet all the conditions and requirements..."  
This SUP does not meet all the conditions and requirements in this statute. A few are noted below.

7.8 B. The natural environment cannot be protected from the excessive noise, dust and exhaust pollution arising from this activity. Bright Lake adjoins the SUP property and would be negatively affected by the noise, dust, and exhaust pollution to its wetlands, waters, and nesting eagles and loons.

7.8 C. Spot zoning this disruptive activity within surrounding AG/FR/ peaceful Rural Homestead is incompatible. In addition, the excessive noise pollution will negatively affect non-adjacent landowners.

7.8 E, F. Health...economic, etc. welfare of township residents:

- Applicants have stated that the most racers "typically reside in the center of the state" (3/20/23 PC mtg p5) thus are not township residents.
- Noise - reference Tom Grier's letter (7/7/23 pp. 5, 6) the EPA report calls for 55 decibels as "The outdoor level...compatible with the protection of public health and welfare." The 95 db of an enduro motorcycle exponentially exceeds that noise level. Multiply this db level by over 100 motorcycles racing continuously for 9 hours and it will negatively affect both contiguous as well as distant (1 mile plus) landowners.
- Add the dust and exhaust of hundreds of motorcycles and residents with breathing issues (COPD, asthma, etc.) will certainly have our "health and welfare" badly affected.
- The township will not benefit economically from this activity and property values in the surrounding area will be negatively affected: a net loss to homeowners as well as township tax rolls. (No one wants to live near a dirt bike racetrack.) Any economic benefit will solely be that of the promoters. Promoters Shettek and Seymour neither own nor live on or near the property in question.

7.8 J. 1 Enduro racing's pollution cannot be mitigated.

- Excessive noise will readily be heard over a mile distant.
- Dust and exhaust will be carried onto adjacent and distant properties with the winds.

7.8 J.2 Since the proposed activities cannot be mitigated they would "adversely affect the reasonable use, enjoyment and value" of surrounding properties, not merely those adjacent to the land in question. 80 surrounding neighbors within about a mile radius have joined together to oppose this SUP knowing the peaceful use and value of their homes, properties, and businesses will be negatively affected and others have stated their support. This is not affecting only "12 families" as has been mentioned. (Shettek, 3/20/23 PC mtg, p4)

Please deny this SUP request

Christine Hauke  
11436 S. Tower Rd  
Maple City, MI 49664