

**KASSON TOWNSHIP PLANNING COMMISSION  
SPECIAL MEETING  
Monday, May 8, 2023; 7:00 pm  
Solon Township Hall  
9191 S. Kasson Road, Cedar, MI 49621  
MINUTES**

I. Call Meeting to Order/Pledge of Allegiance

Chairman Roush called the meeting to order at 7:00 pm with the Pledge of Allegiance.

II. Roll Call of Commissioners and Staff

A. Present: Tad Carter, Township Board Rep; Mike Lanham, Commissioner; Chuck Schaeffer, Secretary; Dave Noonan, Commissioner; Jerry Roush, Chairman

B. Staff: Tim Cypher, Zoning Administrator; Allison Hubley-Patterson, Recording Secretary

C. Visitors present: In total, there were approximately 165 members of the public present at various times during the meeting.

III. Consideration of Agenda (Attachment "A")

Chairman Roush asked for a motion to approve the agenda as presented.  
**LANHAM MOVED TO APPROVE THE AGENDA AS PRESENTED;  
CARTER SECONDED. ALL PRESENT IN FAVOR, MOTION CARRIED.**

IV. Declaration of Conflicts of Interest

Chairman Roush declared a conflict of interest relative to the Enduro Motorcycle Race which is the topic of tonight's Special Meeting. Applicant James Schettek is Chairman Roush's cousin. As such, he does not feel that he can be unbiased in voting on the matter of Mr. Schettek's Application for Special Use. Chairman Roush will not take part in any voting and will not participate in any discussion going forward relative to this matter.

**Note: At this point, Chairman Roush excused himself from chairing the meeting and turned this role over to Vice Chair Mike Lanham.**

V. Public Comment - none

Ms. Kristyn Houle is an attorney practicing at 1200 West Eleventh Street, Suite 110, Traverse City, Michigan. She represents the Kasson Township Neighborhood Association which is comprised of approximately 70 members

who reside near the proposed property for the Enduro Motorcycle Race; all members are opposed to this event. Ms. Houle stated that the PC must comply with the law and added that this is not a permitted use in the Forested District. She stated that Section 7.15 of the Kasson Township Zoning Ordinance (“Other Special Land Uses”) does not meet the requirements under the Michigan Zoning Enabling Act. The Zoning Ordinance does not provide acceptable examples under this section and is too broad. Ms. Houle stated that even if Section 7.15 did comply with the law, this Special Use Permit must still be denied as it would not be harmonious with the area.

Vice Chair Lanham reminded members of the audience that there is to be no clapping during Public Comment. He also asked that the audience be respectful to all speakers and other members of the audience.

Dr. Chris Grobbel addressed the PC on behalf of Ms. House and her clients. Based on his experience of serving as a Planner and a Zoning Administrator in approximately 15 locations, Dr. Grobbel stated that there are internal conflicts within the zoning ordinance. The section in question is not in accordance with the Michigan Zoning Enabling Act; this is a restrictive ordinance and not a permissive one. He noted that the real issue is noise and added that the noise involved in this event will be a nuisance.

Ms. Charlene Verschaeve stated that she pays taxes in Kasson Township. She noted that the applicants should not do anything until this event is approved; she believes they are putting the cart before the horse. She asked, “Who polices non-compliance?” Ms. Verschaeve read Dr. Grobbel’s report and believes that it is very good. She stated that she has heard that most Kasson Township residents do not want this event to take place. This is also true of some Solon Township residents as they believe that a similar event could happen in their Township as well.

Ms. Chris Hauke resides at 11436 S. Tower Road in Cedar. Her husband is a veteran of the United States Air Force. They feel that the proposed racetrack would be better suited on bare land, far away from any homes. She stated that residents and veterans have the right to be here. She believes that the racers who would participate in this event can enjoy the sport at existing tracks.

Mr. Ted Nelson owns a 10-acre parcel on East Kasson Road; his property is to the south of parcel D of the proposed race site. He reiterated what is stated on the home page of the Kasson Township website which is: “Kasson Township residents value the rural, undeveloped nature of the area that is predominantly covered with forests, farm land and some orchards”. He asked the PC members to consider what their charge is and asked what is the value added by approving this SUP.

Mr. Patrick Middleton stated that he hopes neighbors and friends can get along after this event. This event is intended to bring people together, not tear them apart. Mr. Middleton commented that the ordinance is not enforced for the Polka Festival and other events which all create noise.

Ms. Kriya Miller resides on S. Tager Road and operates a daycare facility. She stated that the noise from this event will result in difficulty in settling down the children. She urged that people be respectful of their neighbors.

Mr. Dean Lillie owns the property that is next to where the event will be held. He stated that there was an event that was scheduled for last year that did not happen. He heard two motorcycles on the property last year but asked what the noise would be like with 100 to 200 motorcycles. He summarized by stating that this should not be approved and added that this is a nuisance.

Mr. Matt Harris and his son Ely addressed the PC. Ely stated that he does like to race dirt bikes. Mr. Harris commented that many racers like to support each other; he noted that these events are about family. At races that he has attended previously, they are prepared for a fire. He also stated that these events result in very little trash left behind and he added that he has not seen oil or gas spilled. He stated that the race does not trash the land.

Ms. Kathy Schmitt is a property owner on Bright Road and on Bright Lake. She stated that "special use" is difficult to define and commented that there may be other uses that are tangential to this term. She stated that taking agricultural property and turning it into commercial is not appropriate under a special use permit.

Mr. Scott Scanlon addressed the PC and stated that approval of this permit would be breaking the law. This event should not happen in Kasson Township, not in Maple City and not in Leelanau County.

Mr. Paul Anderson stated that these events are about family and it only involves one weekend. He finds it hard to believe that this event will cause disruption. He added that participants of these races are respectful individuals and are also respectful of the land. He stated that the amount of people that come to these races is insane and noted that they bring money to the area.

Mr. James Reznich owns property on S. Tager Road and on East Kasson Road. They operate six units of an Airbnb. He stated that Tager Road is a magnet for off-road riders. The traffic and noise will be a concern for their guests who are seeking peace and quiet.

Ms. Kathy Brandenburg expressed concern regarding people who spoke this evening who did not provide their address; this pertains to two speakers, in

particular. She stated that the audience should not be punished by the PC for asking these individuals where they reside.

Ms. Alice Dubs resides close to the location of the proposed event. She stated that riders already disrespect property in the area.

Ms. Michelle Jahraus resides on S. Bright Road. She quoted a passage from the Kasson Township Planning Commission Bylaws regarding the fact that speakers during Public Comment are limited to property owners in Kasson Township. She noted that two individuals did not identify themselves.

Mr. Richard Dubs stated that his property is very close to the proposed racetrack. Motorcycles open up and head down the road but Mr. Dubs stated that there are people here. He believes we must find a way to help protect residents.

Mr. Rich Halbert purchased his property over 30 years ago. Previously, they had motorcycle races on the property and the Board at the time stated that there was not much they could do about this activity. He asked the PC why we are discussing this matter now.

Ms. Pam Zientek has lived in the area for 34 years; they own 40 acres of property. She stated that the proposed event has no benefit to the Kasson neighborhood. She added that this will have an effect on family, tax revenue, farming, etc. We are jeopardizing the tax revenue to benefit a father/son event where people come from down state. She noted that this does not seem fair. Ms. Zientek asked the PC to consider everything that has been discussed as their decision will have a lasting effect on the neighborhood.

Mr. Corey Flaska asked all audience members who have parked in his lot to please move their vehicles immediately.

Mr. Jim Travioli stated that his property line is close to where the racetrack will be. He indicated that the zoning laws are here to protect the residents and their homes and added that most of the people here tonight are not local residents. He reiterated that the zoning laws are designed to protect local residents. Mr. Travioli discussed some information that he heard on Interlochen Public Radio regarding a recent 10 Pines event. The event drew 4,000 people at last year's race. If we let the genie out of the bottle, who knows what this event could turn into. He concluded by stating that the PC should deny this application based on zoning standards.

Ms. Mary Buschell resides in Maple City and concurs with Mr. Travioli. She asked how we would ever stuff the genie back into the bottle. She stated that she has waited her entire life to have a farm and is concerned as to the effect

that this event will have on livestock. She noted that this is a farming community and not a racing community.

A physician who resides in Elmwood Township addressed the PC and stated that his family resides in the local area. He is a retired physician from Munson and is concerned about the potential dangers involved with this event. There are steep hills with sharp curves and he fears that it may take a while for first responders to get to anyone who may be injured.

Ms. Christine Jacoby resides on S. Cedar Road. She discussed the injury and eventual suicide of a childhood friend who was in chronic pain as the result of a dirt bike injury.

Mr. Reagan Frixen is in favor of the event and stated that he has been on the property in question and seen the roads; there is good access here. The property is hilly but Mr. Frixen believes that once the leaves are out on the trees, the noise will not be an issue. He stated that this is an Enduro event and indicated that the motorcycles are quiet; this is not Motocross. He stated that Mr. Schettek is a great steward of the land.

Ms. Kathy Cook-Dowd resides on S. Hill Road. She stated that she wanted to play something that represented the noise that would be generated by the proposed event. Some members of the audience were able to hear the audio but some were not. She stated that she is able to hear riders who are practicing loud and clear and this only involves two bikes. She is concerned that fowl that reside in the immediate area will be killed.

Mr. Sean Duperron resides in the Honor/Platte Lake area. He has a 12-year-old daughter and a 13-year-old nephew. He stated that the race community has developed very positively on the east side of the state by following the proper steps along the way. He stated that people often spectate from their property and noted that this could happen in Kasson Township, too.

Ms. Julie Botsford resides approximately one-half mile from the proposed site. She is a pharmacist and a farmer and has a small goat herd. Ms. Botsford hosts goat walks for Airbnb guests. She is concerned about both her guests and the animals.

Mr. Bill Kasben resides on Kasben Road. He recently met a young girl who is a rider and believes the sport to be very safe. He stated that Mr. Schettek owns a portion of the land where the race will be held. Mr. Kasben stated that the public is way off base in terms of what they have heard regarding this event. He stated that this event is not intended to be commercialized.

Ms. Tegan Cramer stated that they are close to the property in question. They reside on S. Tager Road where they live with their daughter, baby goats and

dogs. Ms. Cramer stated that she feels she lives in “Mr. Rogers’ Neighborhood”. She added that she loves her neighbors and that she follows the rules. She does not want people to pass judgment but stated that the PC should use the laws to determine if this application is appropriate.

Mr. Hunter Rooze resides on Sleepy Hollow Lane. He read some information from the Polka Festival website; this event has drawn 10,000 people in the past. Aside from the fact that he believes there may be more people who are drunk at the Polka Festival, he does not see much difference between the two events with regard to safety.

Mr. Dan Meteer resides on West Kasson Center Road. He does not ride dirt bikes but does have farm livestock. He stated that Mr. Schettek rides often but does not bother him. He believes that Mr. Schettek can do what he would like to do on his property.

Ms. Josephine Arrowood has been a Kasson Township property owner for more than 26 years. She wants to be factual in her comments and not sentimental or emotional. She stated that the applicants have not submitted a complete application. She noted that this falls under the category of an LLC and is not a not-for-profit event. She stated that this has nothing to do with land use and noted that the tags on the map show that this area is Ag preservation. She is concerned about the soil as this is the future of agriculture. Ms. Arrowood mentioned the Lively application and stated that they were required to go through an extensive process. She noted that Mr. Schettek’s application does not address how many issues, including human waste, etc., will be handled.

Mr. James Schettek resides at 44 W. Kasson Center Road and is the applicant for this event. He stated that he wanted to be short and sweet in his remarks and noted that people who are in protest should be happy that they have saved the amount of property that has been saved.

Mr. Tom Lufkin thanked the PC members for their service and stated that he has owned property in the Township for 40 years. He has planted hundreds of trees on his property in the Bright Lake area. He stated that the proposed event goes against everything that he has tried to do. He noted that Mr. Schettek put his property into the Conservancy and he urged the PC to consider the inappropriateness of this application. Mr. Lufkin stated that residents will fight this matter as it is not in their best interest.

Mr. Fran Seymour is one of the applicants and stated that they do have a plan for emergencies. He stated that this is a family-friendly event. Up to this point, Mr. Seymour stated that the applicants did not have a lawyer; they were attempting to follow the process and were being honest. They heard that the other side had an attorney so as of this morning, they have also hired an

attorney. Mr. Seymour requested that their application be tables in order to give them time to work with their attorney.

Vice Chair Lanham asked the PC to discuss the request by the applicants to table their application. Carter stated that he believes the PC should table the application to allow the applicants to converse with their attorney.

Vice Chair Lanham asked for a motion to table the application and the review of the Draft Findings of Fact in the matter of the Michigan Sprint Enduro event until the applicants can work with their attorney. **CARTER MOVED TO TABLE THE APPLICATION AND THE REVIEW OF THE DRAFT FINDINGS OF FACT IN THE MATTER OF THE MICHIGAN SPRINT ENDURO EVENT UNTIL THE APPLICANTS CAN WORK WITH THEIR ATTORNEY; SCHAEFFER SECONDED.**

**A roll call vote was conducted by Vice Chair Lanham:**

**Schaeffer – Yes**

**Noonan – Yes**

**Carter – Yes**

**Lanham – Yes**

VI. Correspondence Received

Cypher stated that he has received 68 letters between April 19, 2023 and today (5/8/23). These letters ranged from being in support of the Enduro event to those that are opposed. Cypher previously forwarded all correspondence to the PC members for their review.

Schaeffer stated that he has also received text messages and email messages. He will have this correspondence for the next meeting so that these messages can be made part of the record.

VII. PUBLIC HEARING – None

VIII. Old Business

All items under the category of “Old Business” have been tabled since the applicants have requested to table their application as of this evening.

IX. Public Comment

Ms. Charlene Verschaeve wanted to clarify if Mr. Kasben had to be represented by an attorney. She added that Kasson Township is a very special place. Regarding the event, she is concerned about the presence of



black bear that have been sighted near the Cedar swamp. She is concerned about many other potential hazards, too, such as fire and noise.

Mr. Paul Anderson stated that Emergency Medical Technicians (EMTs) have been present at races that he has attended previously. He added that many tracks also have water trucks present. Mr. Anderson stated that this is a weekend event; it will not go on forever.

Mr. Jerry Konczal resides on S. Tower Road. He stated that he is a veteran of the Leelanau Coffee debacle. He was under the impression that there would be a vote of the PC members regarding this event at tonight's meeting. He stated that it seems that the Board could make a decision at this point.

Dr. Chris Grobbel stated that he has heard the opposition to this event at the meeting tonight. If the applicants request to withdraw their application, they must re-apply and come before the PC with all required information. Dr. Grobbel stated that the environment impact of the proposed event is significant.

Ms. Kristyn Houle wanted to address a comment that was made by Mr. Kasben. He stated that if this was a commercial event, he would not have this on his property. Ms. Houle stated that the event should be held in the commercial district if it is allowed to go forward at all. She discussed the uses in the zoning ordinance and indicated that this application must be denied. She added that she is happy to speak to the applicants' attorney regarding this matter.

Mr. Bill Kasben stated that lawyers are not needed and he will not have a lawyer. He stated that this is a family event.

Mr. Don Pishney owns Classic Motor Sports and stated that Enduro is a timed event that is a challenge. He explained that riders are released in flights and timed at various checkpoints along the way. The average speed of the racer is approximately 25 miles per hour. Individuals are in different classes and are not competing; he reiterated that this is a challenge.

Mr. Dean Lillie stated that, at tonight's meeting, he heard that if an individual has not lived here for 40 or 50 years, they should respect those who have. Mr. Lillie stated that he purchased his property and wants to see it kept the same. He knows that there will be noise; the event will also bring lots of people and traffic.

#### X. Comments from the Commissioners



Carter stated that Mr. Schettek can do what he wants to do on his property. Cypher replied that this is true but the Township gets to weigh in on this matter, too.

- XI. Next Meeting - Monday, May 8, 2023 at 7:00 p.m. This will be a Special Meeting of the Kasson Township Planning Commission. Discussion will continue with regard to the Enduro Motorcycle Race Application for Special Use.
- XII. Adjournment

Chairman Roush asked for a motion to adjourn the meeting. **LANHAM MOVED TO ADJOURN THE MEETING; NOONAN SECONDED. ALL PRESENT IN FAVOR, MOTION CARRIED.**

The meeting was adjourned at 8:24 pm.

Respectfully submitted,

Allison Hubley-Patterson  
Recording Secretary

## ATTACHMENT “A” – Agenda

**KASSON TOWNSHIP PLANNING COMMISSION  
REGULAR MEETING/PUBLIC HEARING  
Monday, April 17, 2023 – 6:00 p.m.  
Kasson Township Hall, 10988 S. Newman Road, Maple City, MI 49664  
AGENDA**

1. Call Meeting to Order / Pledge of Allegiance
2. Roll Call of Commissioners and Staff / Recognition of Visitors
  - A. Commissioners present (roll call): Carter, Lanham, Noonan, Roush, Schaeffer
  - B. Staff: Cypher, Hubley-Patterson
  - C. Visitors present
3. Consideration of Agenda: Additions or Deletions
4. Declaration of Conflicts of Interest
5. Public Comment
6. Approval of Minutes – March 20, 2023
7. Correspondence Received
8. Area Reports
  - A. Chairperson – Commissioner Roush
  - B. Secretary – Commissioner Schaeffer
  - C. Township Board – Commissioner Carter
  - D. Zoning Board of Appeals – Commissioner Noonan
  - E. Zoning Administrator's Report – ZA Cypher
9. **PUBLIC HEARING – Enduro Motorcycle Race – Application for Special Use**
  - A. Chairperson opens the Public Hearing and announces the subject – Chairman Roush
  - B. Chairperson summarizes the procedures/rules to be followed during the hearing – Chairman Roush
  - C. Applicant presents the main points of the application
  - D. Persons speaking in support of the application are recognized
  - E. Persons speaking in opposition to the application are recognized
  - F. Chairperson closes the Public Hearing and returns to the Regular Meeting – Chairman Roush
  - G. Zoning Administrator – Review of Findings of Fact – ZA Cypher
  - H. Planning Commission begins deliberations/Consideration
  - I. Motion by PC to approve, approve with conditions, or deny application per Kasson Township Planning Commission bylaws, Section 2(1)(4), if applicable
10. Old Business
  - A. Master Plan – status update
11. New Business
  - A. Motion to fill Vice Chair position due to vacancy
12. Public Comment
13. Comments from the Commissioners
14. Next Meeting: Monday, May 15, 2023; 7:00 p.m.; Kasson Township Hall
15. Adjournment

**Sample Motion Language for Enduro Motorcycle Race:**

I, \_\_\_\_\_, move to approve the Application for Special Use for the Enduro Motorcycle Race subject to the conditions agreed to in the Findings of Fact as stated herein. Seconded by \_\_\_\_\_ Motion approved \_\_\_\_\_ or denied \_\_\_\_\_.

## ATTACHMENT “B” – Zoning Administrator’s March 2023 Report

Kasson Township  
Zoning Administrator's  
MARCH 2023 REPORT

4/3/2023

To: Kasson Township Board & Planning Commission

From: TIMOTHY A. CAPNER

Land Use Permits Issued:	6	YEAR TO DATE 8
Signs / Home Occupation	0	
Single Family Residences (SFR)	1	
Additions to SFR	1	
Garages	0	
Decks & Porches / MISC.	1	
Accessory Buildings	2	
Commercial Construction	1	
Stairs / Landings / Fences	0	
Agriculture construction	0	
Demolitions / Relocating	0	
Boat houses	0	
Solar Panels	0	
Renewal of / Change of use	0	
Z.B.A. proceedings	0	1 INQUIRY
Special Land Use Permits	0	1 INQUIRY
Land Divisions	1	1 INQUIRY
Property Line Adjustments	0	1 INQUIRY
Private Roads / Driveways	0	0 INQUIRY
Zoning / Site Plan Reviews	0	0 INQUIRY
Construction / Site Inspections	7	
Violations/Investigations	0 **VIOLATIONS**	
	1 INVESTIGATIONS	
	*JUNK @ RESIDENTIAL LOCATION	
	SHIPPING CONTAINERS BEING PERMITTED	

I also supplied information via 35 phone calls, 18 via internet to Township residents & others.

I also attended the Township Board PC meetings.

Please feel free to contact me with any questions.

Phone 231-360-2557

[tim@allpermits.com](mailto:tim@allpermits.com)

**ATTACHMENT "C"**  
**Zoning Administrator's Monthly Permit Summary (March 2023)**

**KASSON TOWNSHIP ZA'S MONTHLY PERMIT SUMMARY**

**PERIOD: MARCH 2023**

DATE	PERMIT #	NAME	USE	RECEIPT CK.#	AMOUNT
3/3/2023	LUP 23-03C	SLEEPY BEAR INVEST.	LAND USE	202303C PAID W/ SUP	
007-019-009-00	3800 W. EMPIRE HWY.	7 COMMERCIAL STORAGE BUILDINGS - APPROVED PC		56,800 S.F.	
3/14/2023	LUP 23-04	COCHRAN FAMILY INV.	LAND USE	202304 TREAS. HAS	\$ 150.00
007-027-002-00	12422 S. MAPLE CITY RD.	TWO ACCESSORY BUILDINGS		3,936 S.F.	
3/27/2023	LUP 23-05	FORCIER	LAND USE	202305	1583 \$ 75.00
007-034-007-25	224 W. OAK HILL TRAIL	DWELLING ADDITION - MBR		784 S.F.	
3/27/2023	LUP 23-06	CERMAK	LAND USE	202306	2237 \$ 75.00
007-032-015-71	3000 W. ARMSTRONG LK.	NEW DECK		504 S.F.	
3/30/2023	LUP 23-07	LOGAN	LAND USE	202307	7597 \$ 75.00
007-018-008-12	10524 S. ARDEN WAY	NEW DWELLING ATT.GARAGE DECK PORCH		5,430 S.F.	
3/31/2023	LUP 23-08	ESCAPE HATCH VENT.	LAND USE	202308	1150 \$ 75.00
007-005-012-60	2233 W. BURDICKVILLE RD	ACCESSORY BUILDING - STORAGE		288 S.F.	
3/18/2023	LDA 23-01	METEER	LAND DIV.	LDA 23-01	153 \$ 250.00
007-022-005-00	11027 S. NEWMAN RD.	LAND DIVISION CREATING ONE NEW PARCEL			

TOTAL \$ 700.00

SIGNED:

*Timothy A. Cypher*

DATE: 4/3/2023

TIMOTHY A. CYPHER  
 KASSON TOWNSHIP ZONING ADMINISTRATOR  
 231-360-2557  
[TIM@ALLPERMITS.COM](mailto:TIM@ALLPERMITS.COM)