

MEMORANDUM

To: The Centerville Township Planning Commission

From: The Lake Leelanau Lake Association Board of Directors

Date: October 18, 2023

Re: Additional Comments Regarding the Revised Site Plan for Leelanau Pines

The Board of the Lake Leelanau Lake Association believes a 150-site expansion of Leelanau Pines, combined with the physical changes contemplated by Northgate, pose a real risk of significant, irreversible damage to overall water quality, together with an unreasonable, negative impact on the enjoyment of the lake by other riparians and users of the lake. The impact cannot be adequately addressed by a conditional special use approval and therefore the application should be denied.

If the Centerville Township Planning Commission concludes that the negative impact of the proposed expansion of, and changes to, Leelanau Pines can be adequately addressed by a conditional approval, we urge the Planning Commission to impose the strict conditions and operational requirements summarized below to protect the lake and surrounding natural resources. We believe these conditions and requirements are reasonable and within the Planning Commission's discretion in granting special use applications, particularly when the total number of sites would make Leelanau Pines one of the largest RV campgrounds in Northern Michigan with more than 1,200¹ daily visitors at full capacity. The Planning Commission must not allow a single riparian to use the lake in a way that unreasonably interferes with, or prejudices, the health of the lake and the rights of other riparians.

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A. **Development near the shoreline and Rice Creek.**

Subject to the exceptions at the end of this paragraph, no development is allowed closer than 75 feet from the high-water mark of Lake Leelanau or the banks of Rice Creek. This includes any campsites, impervious surfaces, pools, buildings, gazebos, pavilions, and other structures. The following items are permitted within the 75-foot development buffer: (i) any otherwise permitted boat launches, (ii) shoreline stabilization consistent with recognized best practices, (iii) paths otherwise permitted in the vegetative buffers, and (iv) otherwise permitted roads. All parking lots must be at least 125 feet from the shoreline and completely shielded from view from the lake.

¹ Note to Planning Commission: This is based on a conservative average of 3.8 visitors per site, a number obtained from Northgate in respect to a similar on-water RV park.

B. **Hardened Seawalls**²

Unless otherwise limited by EGLE, the existing seawall may be replaced but the length of the seawall must be at least 25% shorter than the existing seawall with toe stone placed at a 1 to 3 ratio. No other hardened seawalls or riprap are permitted along the shoreline, and any shoreline stabilization must be constructed in accordance with best practices as outlined in EGLE's Best Management Practices Fact Sheets (found on the EGLE Shoreline Protection webpage, <https://www.michigan.gov/egle/about/organization/water-resources/inland-lakes-and-streams/shoreline-protection>).

C. **Vegetative buffers**

1. Vegetative buffers of at least 35 feet from the ordinary high-water mark of Lake Leelanau are required for at least 75% of the distance of the shoreline from the southeast corner of the parcel at the mouth of Rice Creek to the area where the wetland begins.
2. Vegetative buffers of at least 35 feet from the bank of Rice Creek are required for the entire length of the creek running through the parcel.
3. Any plantings in the vegetated buffers must be (a) existing natural plants, shrubs, groundcover, and trees, or (b) native species of plants, bushes, shrubs, groundcover, and trees. Lawn is not permitted in the vegetative buffers. Plants must be densely planted; one plant per square foot.
4. The use of fertilizers, pesticides, and herbicides within 200 feet of the lake shoreline and the bank of Rice Creek are prohibited unless the use is specifically permitted by EGLE and other applicable regulatory authorities.
5. Paths through or in the required Rice Creek vegetated buffer are prohibited. Paths to the water through the lakeshore vegetative buffers are permitted if they (a) are made of pervious surfaces (such as gravel, permeable pavers, or wood chips), and (b) do not use, in the aggregate, more than 10% of the square footage of the required buffer area.
6. Selective trimming of tree branches and shrubs to allow for filtered views is permitted within the vegetative buffers. Invasive, noxious, dead, or diseased trees, shrubs or vegetation may be removed if any removed flora is replaced so the required buffers are maintained.

²Note to Planning Commission: Even if not required by EGLE, as a land use matter, planning commissions have the right to limit the types of permissible shoreline stabilization used along the shoreline of inland lakes.

7. To the extent practicable, otherwise allowed impervious surfaces within 100 feet of the shoreline, Rice Creek, or the wetlands (such as any boat launch or roads) must be designed so that runoff is directed away from the lake or stream and to areas suitable for proper absorption in the soil.
8. The vegetative buffers may not be used for any purpose not specifically provided for in these conditions.
9. The Township planning consultant may agree to modifications to the above requirements if the modifications do not materially change the size of the vegetative buffers and, in his professional opinion, do not present an unreasonable risk to water quality.

D. Boat wash station and signage

1. A high-pressure water boat wash station must be installed and staffed by a trained individual from 8:00 am to 5:00 pm each day during the period May 15 through the Labor Day weekend. Boat washing must be mandatory for all watercraft launched from the campground, including non-motorized watercraft such as kayaks and sail boats/boards.
2. Conspicuous signage must be installed at the boat wash station and at any permitted watercraft launch site informing users that Michigan law requires (i) removal of all aquatic plants from watercraft, watercraft equipment and trailers before trailering or launching into Michigan waters, (ii) draining bilges, ballast tanks, and live wells away from lakes or streams before trailering or launching, and (iii) compliance with all other applicable requirements of Michigan's Natural Resources and Environmental Protection Act (Act 451 of 1994) Part 413. Bilges and ballast tanks may not be drained, and live wells may not be emptied, within 150 feet of the shoreline, the bank of Rice Creek or the wetlands.
3. Conspicuous signage must be installed at the boat wash station and any permitted watercraft launch site informing boaters of state laws regarding (i) loud or unmuffled boats, and (ii) observance of no-wake zones, and as to areas in or around the Cedar River, even if not posted. Although not required, Leelanau Pines is encouraged to work with the Lake Leelanau Lake Association or other organizations focused on lake stewardship matters to place signage in conspicuous places to educate lake users (i) about invasive species and other matters important to preserving and protecting water quality, and (ii) best practices for operating wake boats or other boats close to the shoreline.

E. **Boat Slips and boat launching.**

1. No more than 82 motorized watercraft may be launched or docked at slips or along any docks at the campground at any time.³ For example, if 60 slips are rented on any given day (regardless of whether they are occupied), no more than 22 motorized watercraft may be launched from Leelanau Pines that day, Leelanau Pines must institute reasonable measures to ensure compliance, including requiring all campers entering with motorized or non-motorized watercraft (including kayaks and sailboards) to sign a document agreeing that they will comply with all applicable requirements in subparts D and E of this document and that failure to abide by the rules is a basis for eviction. For purposes of this provision, powered surfboards will be treated as motorized watercraft.
2. If the operation of a boat livery is permitted under the Township zoning ordinance and other applicable law, all motorized watercraft available for rental or use by campers will be counted in applying the conditions in subpart 1 above. If a boat livery is allowed, motorized and non-motorized watercraft may only be rented by registered campers and a boat livery license must be in place if required by state law.
3. Leelanau Pines must maintain reasonable records to demonstrate compliance with the requirements of this section; copies of the records must be provided to the zoning administrator upon request, and in all cases, at least monthly during the period May through September.
4. Mooring or anchoring of watercraft in front of Leelanau Pines, beaching any watercraft, or temporarily storing watercraft along the shoreline (including in the vegetative buffers), is prohibited. This provision applies to both motorized and non-motorized watercraft, including paddleboards and sail boards.
5. Only registered campers may use the boat launch and boat slips or otherwise place non-motorized watercraft into the lake from the Leelanau Pines property.
6. Fueling of boats while in the water or at the boat launch is prohibited.

F. **Pool and other treated water**

1. Pool water drainage or overflow, and any water used at splash-pads or other inland water features that involve human contact, must be directed to a permitted sewage

³ Note to the Planning Commission: Although this limit on slips is helpful, it is noteworthy that the limitation does not fully address the impact on the lake caused by the increased number of boaters and users of the lake resulting from a nearly doubling of the number of sites and visitors - nothing prohibits campers from using the other boat launches on the lake, including the DNR launch several miles North of the campground or the non-motorized watercraft launch several miles to the South in Cedar. Moreover, even if visitors do not use boats, more visitors to the campground necessarily means more users of the lake, the lake shore and other areas where human activity can negatively impact the lake and surrounding watershed.

lagoons or wastewater treatment system that are properly sized to accommodate those inflows.

2. The pool and water features must be designed to ensure that a 100-year rain will not cause drainage or overflow into Lake Leelanau, Rice Creek, or wetlands on the property.

G. **Other Matters**

1. Waterslides, trampolines, or similar items may not be placed in the lake.
2. No organized activities (such as parties, concerts, shows and contests) are permitted within 50 feet of the lakefront or Rice Creek.
3. The zoning administrator, any zoning consultant, planning commission members, and their designee(s) must be given access to observe and confirm compliance with subparts D and E at any time the campground is open. Parties observing must not interfere with the operation of the campground.
4. Because (i) boat launches are prohibited in the Township⁴, and (ii) other than operating the campground itself, other commercial activity is not permitted in a Commercial Resort District (including renting watercraft and boat slips and operating a store and food concession), no construction may be commenced to expand or move boat launches, install new docks or build a store and food concession building unless the Zoning Board of Appeals (x) authorizes those items by way of issuing variances or, (y) determines that variances are not required.

⁴ Note to Planning Commission: See Centerville Township Zoning Ordinance, Section 3.10.G