

TO: Centerville Township Planning Commission  
FROM: Randall Karfonta  
RE: October 25, 2023 Hearing  
Date: October 17, 2023

For over 40 years I have owned property in the Rice Creek watershed. More than 200 times a year I row at the south end of Lake Leelanau and thus have a viewpoint from the water.

I am a lawyer and a citizen scientist; I have taught water quality and wetlands for decades. I oppose the proposed destruction of habitat which would contribute toward the death of Lake Leelanau.

My property in the Rice Creek watershed has a permanent conservation easement in partnership with the Leelanau Conservancy. It is one of 16 permanent conservation easements that protect 780 acres in the Lake Leelanau watershed; 193 acres of that is in the Rice Creek watershed.

Permanent conservation easements help prevent nutrient inflows, sedimentation and critical habitat loss, all of which are identified as pollutants that threaten to degrade the designated and desired uses described in the Lake Leelanau Watershed Protection Plan.

This Northgate plan along the Lake Leelanau shoreline packs in continuous intense hard surface mall of shore and lake destruction:

- waterfront pavilion
- infinity pool and cabanas
- 2<sup>nd</sup> pool and cabanas
- parking lots
- camp store parking lot
- boat launch and parking lot

All are hard surfaces incompatible with the natural environment, habitat and water quality of Lake Leelanau. The plan fails compliance with the Centerville Zoning Ordinance and Master Plan.

Dissolved Oxygen /Invasives/Dramatic Boat Traffic Increase. Plankton, benthic organisms and fish require oxygen for life. The proposal's very significant increase of marina boats and/or boats trailered into the trailer park will cause, among other things, a dramatic increase of invasive quagga mussels which have replaced the zebra mussel. The quagga mussels filter feed on phytoplankton. Phytoplankton is a microscopic plant-like organism that provides up to 85% of the world's oxygen. Phytoplankton energizes the aquatic food web through photosynthesis. Consumption of phytoplankton by quaggas cause the water to be nice and clear because the phytoplankton is gone and the energy from the sun moves to the bottom of

the Lake where toxic algal blooms can develop. Instead of oxygen production you get toxic algal blooms that consume oxygen on the way to destroying habitat. Algal matting is already a significant problem in the Lake.

Destructive Runoff. The proposal including a baseball field will cause the roadway between the trailer site and Cedar to be inadequate given the severe hills and curves in the road. The dramatic increase of road traffic and/or widening of roads to accommodate this plan will substantially increase runoff into Lake Leelanau and Solon Swamp of oils, gas, grease, salt and metals, which often enter waterways and wetlands unnoticed via runoff. Toxic chemicals entering the watershed harm stream and lake life as well as put human health at risk.

Habitat Loss. Essentially, the effect of this plan will destroy animal and plant habitat moving toward collapsing the aquatic food web. The changes will destroy biodiversity in the Lake and wetlands. The health of the watershed is fragile and wide destruction is sure.

Solon Swamp. Road runoff and habitat destruction will attack this unique place. If you want a peaceful, beautiful place where you will probably be alone; if you want to see and hear songbirds, sandhill cranes, frogs, muskrats and other wildlife - this is for you.

Water Quality Model. A water quality model is required to provide data on the effect of this plan on Lake Leelanau. A water quality model is a mathematical description of a body of water, which shows how water quality responds to such factors such a flow rates and mass loadings (pollutant inputs). Water quality models are usually constructed using data from a mass balance study, an intensive monitoring approach to measure all inputs and outputs of pollutants of interest.

Drawings accessible to lay persons are absent and are required to help citizens understand the physical reality of this plan. A site visit for all is necessary for this plan to be fully understood.

This plan is inconsistent with the natural environment and habitat of Lake Leelanau. This plan sells the Lake Leelanau environment and literally drives away with it. It will go a long way toward the death of Lake Leelanau.

I adopt, as if more fully restated herein, the following important references attached hereto:

August 16, 2022 E. Pine Road recent birding visit; Cornell University ebird

Road Salt and Water Quality; New Hampshire Department of Environmental Services.

References Not Attached:

2019 Data Report for South Lake Leelanau, Leelanau County, Michigan Cooperating  
Lake Monitoring Program

2010 Lake Leelanau Watershed Protection Plan, Lake Association; Leelanau  
Conservancy

CHECKLIST S117039531

Tue **16 Aug 2022** 9:05 AM

**6001-6031 E Leelanau Pines Dr, Cedar US-MI 44.86502, -85.73145** 📍

Leelanau County, Michigan, United States

### Eve Waterman

Traveling Complete

👤 1 🕒 1 hr, 49 min 📏 2.21 mi

### 📍 19 Species observed

- 13 Mallard
- 1 Red-bellied Woodpecker
- 2 Downy Woodpecker
- 1 Hairy Woodpecker
- 2 Northern Flicker
- 1 Eastern Phoebe
- 2 Red-eyed Vireo
- 5 Blue Jay
- 3 Black-capped Chickadee
- 5 Tufted Titmouse
- 1 Red-breasted Nuthatch
- 2 Gray Catbird
- 2 American Robin
- 5 Cedar Waxwing
- 6 American Goldfinch
- 11 Common Grackle
- 2 Common Yellowthroat  
Pair
- 1 American Redstart

# ENVIRONMENTAL Fact Sheet



29 Hazen Drive, Concord, New Hampshire 03301 • (603) 271-3503 • [www.des.nh.gov](http://www.des.nh.gov)

WMB-4

2021

## Road Salt and Water Quality

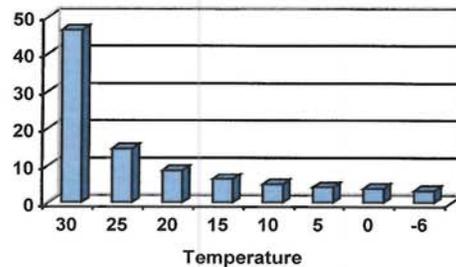
Snowfall in New Hampshire and the necessity to travel on roads require winter snow and ice management by the state, municipalities and the private sector. Deicing materials are often used in order to keep the public safe during these winter weather events. The most commonly used de-icing chemical is sodium chloride (NaCl), commonly known as road salt. Road salt is readily available, and it is easy to handle, store and spread. Its purpose is to reduce the adherence of snow and ice to the pavement, preventing the formation of hard pack. Once hard pack forms, it is difficult to remove by plowing alone.

In the United States from 2005-2009 an average of 23 million tons of salt were applied to our roads, parking lots, sidewalks and driveways each year.<sup>1</sup> Studies have shown that, in urbanized areas, about 95% of the chloride inputs to a watershed are from road and parking lot deicing. In four chloride impaired watersheds in the southern I-93 corridor of New Hampshire, road salt sources were 10% to 15% from state roads, 30% to 35% from municipal roads, and 45% to 50% from private roads and parking lots.

### How Salt Works

The first step in melting ice is to lower its freezing point. This is done through the formation of brine where salt crystals pull water molecules out of ice formation. Once the brine is formed, melting is greatly accelerated. The rate at which melting occurs is dependent on the temperature. Sodium chloride loses its effectiveness (has difficulty going into solution) when temperatures fall below 15° F. Applications below this temperature, even at high rates, will not result in significant snow or ice melting; therefore, it is critical to know the current and expected temperature range of the winter weather event.

Pounds of Ice Melted per Pound of Salt



Graph obtained from The Salt Institute FY03 Snow & Ice Fact #20

### What Happens to Salt in the Environment

The applied salt dissolves into 40% sodium ions (Na<sup>+</sup>) and 60% chloride ions (Cl<sup>-</sup>) in the melting snow and ice and make their way into our environment.

**Chloride(Cl<sup>-</sup>):** Chloride is highly soluble, very mobile, and its density allows for it to settle to the bottom of a waterbody. Chloride is toxic to aquatic life at levels above 230 mg/l, which is the state water quality standard. There is no natural process by which chlorides are broken down, metabolized or taken up by vegetation. In

<sup>1</sup> U.S. Geological Survey, Mineral Commodity Summaries, January 2010

2008, New Hampshire listed 19 water bodies impaired by chloride; by 2016 that number increased to 46. Trends show that chloride levels continue to rise with increasing use of road salt. Although chloride does not pose a human health concern, it can affect the taste of drinking water.

**Sodium (Na+):** The transport of sodium in the environment is not as prominent as chloride due to ion exchange; however, this exchange can alter the soil chemistry by replacing and releasing nutrients such as calcium, magnesium and potassium into the groundwater and surface water. This can lead to increased nutrient concentrations and affect the ability of the water to buffer acid deposition impacting the aquatic environment. Contamination of sodium in drinking water is a concern for individuals restricted to low-sodium diets due to hypertension (high blood pressure). The USEPA has set an advisory limit for drinking water for public water systems at 20mg Na/L to assist doctors in making recommendations for those patients on a salt restricted diet.

**Road Salt Additives:** Additives to road salt like ferrocyanide, which is used as an anti-caking compound in large salt supplies, can have impacts on both the environment and human health due to cyanide ions being released by certain types of bacteria as well as from exposure to sunlight. The USEPA in 2003 added this compound to its list of toxic pollutants under section 307(a) of the Clean Water Act.

#### **Road Salt Management Issues**

For many road managers and parking lot maintainers the winter maintenance goal is to obtain bare and dry pavements at the earliest practical time following cessation of a storm for effective regular high-speed travel and pedestrian safety. Traffic, volume, speed and gradient are the primary factors in determining the level of winter maintenance service for state and municipal roads. Pedestrian travel along with slip and fall liability are the priority for landowners and private sector operators.

A road manager's duty entails awareness of the current and expected weather events, temperatures, equipment capabilities, de-icing chemical inventories, application rates, driving routes, as well as staffing availability for each winter storm event. Expectations from the driving public, property managers and customers along with balancing the environmental effects of de-icing chemicals makes the job of these managers challenging.

Another concern to road managers, property owners and to citizens is the damage and cost to infrastructure and vehicles associated with road salt use. Corrosion of concrete reinforcing rods in roads, bridges and parking garages along with the cost of corrosion protection practices for highways and the automobile industry cost a staggering \$16 billion to \$19 billion a year.<sup>2</sup> Road salt alternatives that help reduce the cost to infrastructure and limit the environmental impact are critical.

#### **Best Management Practices**

Following best management practices and recommendations can help in effective and efficient use of de-icing materials while reducing the impact and preserving the quality of our freshwaters.

#### **Application of Road Salt**

- Plow, shovel and blow the snow. Use mechanical means to remove snow, do not use salt or other de-icing chemical to "burn-off" snow and ice.
- Calibrate your equipment. Knowing your equipment is calibrated and the application rate is accurate will save chemical cost and will reduce the environmental impacts. Calibrate annually and keep a record in the vehicle for spreader settings.

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<sup>2</sup> Adapted from Report of the Salt Use Subcommittee to the Commission on the Environment on Road Salt Use and Recommendations City of Madison, Wisconsin December 2006



## **Northgate Camper Reviews**

**(Posted on Campgrounds.rvlife.com and Yelp Websites)**

Searching through these websites, the common complaints revolved around general noise, loud and sometimes vulgar music played during the day and after quiet hours, rules not being enforced, excessive drinking, poor and sometimes absent management, and children running around unattended (given the wide range of amenities and activities throughout the parks). Below are the actual comments from the campers:

### **Jellystone Park on Barton Lake (Fremont, IN)**

“If you are looking for a nice quiet park to sit by the lake and enjoy nature, this isn’t your park.”

“It’s not quiet and peaceful during the day. It’s jam-packed with activities for families. There are several playgrounds, jumping pillows, miniature golf, four swimming pools, water slides and a splash pad.”

### **Jellystone Park Lazy River (Gardiner, NY)**

“We won’t be back . . . Rules are plentiful but not enforced. Cabin across from us was flying a drone over campsites, loud blaring music till all hours, etc.”

“The other main problem is it gets VERY loud at night. Lots of loud music late at night. People set up outdoor tower speakers and blast music as late as 3 a.m.”

“Very noisy.” “This place is packed with lots of children and they have lots of teenagers running it. If I see the name Jelly anything I will speed by. Learn how to run a campground.”

### **Jellystone Park Glen Ellis (Glen Ellis, NH)**

“It is supposed to be family friendly, but they should call it alcohol friendly. If you want to be bullied by drunks, come here. Lots of activities for children, but way too crowded to enjoy it . . . Very little staff and security . . .”

“Quiet hours are NOT enforced; Yogi parades at 8:30 PM are flashy and disturbing . . . you get the point . . . sure, this type of “camping” will make some people happy, but those of us who LOVED Glen Ellis Family Campground are devastated.”

“This year was our first year at ‘Yogi Bear’ and it was too much. Golf carts everywhere, hayrides through campsites with music blasting, extremely over congested . . . Extremely disappointed to see what once was a relaxing campground turn into something like this.”

“Been coming here for years. Honestly best camp ground anywhere, till it changed . . . there is too much noise, not well policed with all the noise. . . there are too many activities. I was always having to go do something else I couldn’t relax.”

“We had particularly loved that it was a quiet, family-oriented, beautiful, low-key campground with just enough amenities to keep us busy, but the focus was really on being in the outdoors and the natural beauty of the campground.”

“Most flagrantly – the campground itself hosted twice-daily hayrides/parades with 50+ people packed on a trailer and at least as many kids and adults on bicycles following close behind, driving around the entire campsite with blaring music and lights, as well as evening movies with close to 100 people packed in . . . .”

“I’m done, loved it here because it was quiet family friendly and none of the bull\*\*\*\*t that comes with resort camping.”

“There were some pretty loud campers that kept our kids up past midnight . . . so the quiet time is not enforced.”

### **Camp Fimfo RV Resort (Breux Ridge, LA)**

“This park is a little too big for anyone seeking a quiet camping experience, as this is a noisy park. Not noisy in the obnoxious sense, but busy with sounds from the constant movement of RV’s, travel trailers, golf carts and kids playing . . . .This is not the place to go for a quiet weekend getaway.”

“This place is nice, but would you like to listen to loud country music after midnight (writing at 12:30 AM now) . . . . Left a voicemail, but nothing happened. Quite disappointing . . . .”

“Disappointed that, despite posted quiet hours and security folks running around in golf carts, we were treated to an obscenity-laced hootenanny that lasted till 2:30 AM Sunday morning.”

“Had we known this was a huge Disney land type crowd, we would not have stopped here. This place was too crowded and noisy for our taste.”

“People openly consuming alcohol while driving golf carts. Music so loud in the pool area you can’t hold a normal voice level conversation. Partying boozers everywhere. Kids running wild on foot and bicycles.”

### **Jellystone Park Luray (Luray, VA)**

“Our neighbors kept us up until almost 2 am. I asked them multiple times to bring the volume down but it only got louder as they laughed at us for asking them to turn it down. After the third time I asked them to be quiet at 1:30 am, one of the campers attempted to fight me. The next day we told the ranger station what happened and asked if we could get a partial refund to leave early. The manager said they would not give any refunds after your first night stay. Not to mention, our picnic table had an entire plank missing out of it, and the site was so uneven we could not set up our tent properly. This campground is nothing more than a resort for locals of Luray to come get drunk and raise hell all night. The park had absolutely zero apology for our experience.”

“With the miniature golf, laser tag, water park, activities, arcade, several playgrounds, volleyball, Gaga ball, and basketball courts as well as planned activities, this really is a destination campground.

### **Jellystone Park Tower Park (Lodi, CA)**

“There is no one enforcing rules, it seems to be a free for all with the kids and their parents being elsewhere.” “There haven’t been too many issues with crudeness, but you can definitely tell these weekenders are here to party.”

“We had neighbors in a cabin across from us that clearly did not know how to respect other campers and were blaring their explicit rap music all day/night, every day from their parked cars. Security? Rules? Never once saw security enforce a single rule or tell the cabin group to turn their music down, for the entire 3 days they were there. I didn’t mind the music, but the volume and constant explicit lyrics non-stop in a family-oriented campground was a huge negative on our first visit to Jellystone. However, after the holiday weekend and after the trashy neighbors left, like magic, security appeared at 10pm to remind my family that it was quiet hours.” “The manager was never seen anywhere in the park.”

“I would try Jellystone again for my little ones, but would definitely pay for a pull through or premium space in the new section, away from the drunken cabin dwellers that are here just to party and blare explicit music all day/night. On the bright side, my kids got a lesson on how not to act thanks to the example of our classless neighbors.”

“Loudest campground ever. Park rules not enforced at all. Music playing well after midnight. Golf carts and cars blasting music all day.”

“The May Day weekend crowd was of the loud, rude, vulgar language types. Nobody follows posted rules whether they be of traffic directions, picking up after dogs, bicycle safety rules, etc. The big weekend crowd as a whole I guess never saw any of the trash cans scattered EVERYWHERE throughout the grounds. What was worse is 3 days after the weekend the same garbage was still scattered around the ground.”

“The crowd there wasn’t the most family friendly environment. A lot of loud music with bad language.”

### **Jellystone Park Quarryville (Quarryville, PA)**

“Our issue was with our neighbors that rented the 3 sites next to us in 116-118. They didn’t have any campers, but instead turned all 3 sites into what looked like a homeless encampment. They had at least 9 sleeping tents, plus 2 canopy tents over picnic tables, they strung up clotheslines and displayed all their dirty laundry and played their Mexican music loudly all day and night. We couldn’t hear or enjoy our music outside our RV because theirs was so loud.” “Several of us at sites around them discussed how trashy and low class their encampment looked and how rude they were with music.”

### **Jellystone Park Lakes Region (Milton, NH)**

“We didn’t observe anyone monitoring quiet times or respectful noise levels. Three cabins down blasted music all day and night, so loud we couldn’t hear our own music. Additionally, for our last two nights, there was a couple in the cabin next to us arguing all night inside and outside of the cabin, swearing at one another, etc. and there wasn’t anyone around to monitor.”

“No longer family owned, not so quiet anymore . . . (quiet time is not enforced as much now as it previously was).”

### **Jellystone Bear's Clay Resort (N Lawrence, OH)**

"Our first night there a family staying in a cabin 2 down from us and an RV decided to basically see who could play their music louder so they didn't have to listen to each other's. We called park security a dozen times and no one ever answered. The people in the other cabin also smoked weed nightly and screamed and swore at their kids."

"The day pass users received all the privileges of campers, and quite frankly abused the parking lots and beach area."

### **Camp Fimfo Texas Hill Country (New Braunfels, TX)**

"Quiet hours were stated, but not enforced. Lots of unsupervised kids, but it's marketed as a family spot."

### **Jellystone Camp Resort (Williamsport, MD)**

"The place was a kids paradise, however it was crowded and noisy."

"I've been coming here for several years. It's just not the same since Northgate Resorts took it over. The sites are probably in the worst shape that I've ever seen them. They are minimally maintained to the point that it's getting difficult to determine where the grass starts and the RV pad starts. The dog waste bin hasn't been emptied once since we've been here for the last several days. Its over full. The PutPut has had nothing repaired or updated for decades and is falling apart. The Astro turf is worn out, obstacles are broken, the ball holes are full of dirty gross water." "This place is very mismanaged."

### **Jellystone Park Hill Country (Canyon Lake, TX)**

"Very surprised by the number of young kids around virtually unsupervised." "Live music Saturday night."

### **Jellystone Park Guadalupe River (Kerrville, TX)**

"Quiet time on the weekends doesn't start until 11 pm which is quite a bit later than anywhere else I have stayed."

"The only criticism is that on the weekend when there's lots of kids, they were riding their bikes after dark and running around playing and making noise."



October 25, 2023

Mr. Tim Johnson  
Centerville Twp. Planning Comm. Chair  
7426 Rosinski Rd.  
Cedar, MI 49621

Re: Leelanau Pines Expansion

Dear Sir:

By way of introduction, I live about 1 mile North of the entrance to Leelanau Pines on S. Lakeshore dr. (CR 643) near it's intersection of Rice Rd.

During the "off season" traffic on our road is fairly light and manageable.

When Memorial arrives each year the traffic volume increases to extraordinary levels due to many reasons which include increased travelers heading toward Lake Leelanau Camping Resort, further North up the road, campers from Leelanau Pines heading to the DNR Boat Launch and tourists seeking the other attractions in our area.

Vehicles heading North from Leelanau Pines must negotiate the hill that ends at the intersection of Rice Rd. Therefore, they are accelerating all the way up the hill. The right hand curve at the top of the hill hides the driveways of all four homes in the immediate area of that intersection. This, at times, makes it dangerous to attempt to cross the road for any purpose, as well as increasing the noise level immensely.

Allowing Leelanau Pines to substantially increase the number of camp sites will most certainly exacerbate this situation beyond imagination as well as to pull out of our driveways in our cars as well as further negatively affecting the rural character of our area.

I and my family, as well as our immediate neighbors certainly hope that the Planning Commission will continue to protect our property values, safety and sanity by continuing to at least restrict the expansion of Leelanau Pines Campground.

Thank you for your time and consideration and that of the other members of the Commission. Please express my thoughts to each of them.

Sincerely,



Chuck MacKinnon  
6941 S. Lakeshores Dr.  
Cedar, MI 49621  
[Charles875@centurytel.net](mailto:Charles875@centurytel.net)  
231-633-5007

**From:** Brian Price <brprice11@gmail.com>  
**Sent:** Monday, October 2, 2023 2:15 PM  
**To:** timjohnson@centurytel.net  
**Subject:** Leelanau Pines Expansion

As the former Lake Biologist for Lake Leelanau and long-time Executive Director of the Leelanau Conservancy, I would like to have a couple of brief observations read into the record of tonight's meeting.

First, the comments submitted by the lake association are spot on. It is simply not possible to vastly increase the intensity of use on the Leelanau Pines property without negative impacts to neighboring properties, to sensitive wildlife habitat, and to the lake itself. The comments registered by the lake association, and virtually all community members who have reviewed the proposed campground expansion, have pointed out many concerns that should be addressed.

But I would like to suggest that we also pay attention to the relatively undisturbed and most sensitive parts of the property- the wetlands and shoreline riparian corridor, the Rice Creek corridor, and the bottomlands of Lake Leelanau adjacent to the wetlands.

Northgate acknowledges the importance of these areas and offers to preserve them against impacts of campground expansion. But as far as the submittals indicate, that promise is not permanent. I suggest that Centerville Township, as a condition of any final approval, require Northgate to make good on their promise of protection by deeding a conservation easement to a government entity or to the Leelanau Conservancy. Such permanent restrictions are common as a condition of approval in development projects. Given the quality of the resources Northgate pledges to protect, such a guarantee makes perfect sense with the Leelanau Pines property.

My comment here does not mean I think that Northgate should be granted approval if they make their promise to protect undeveloped portions of the property permanent and enforceable, but rather that any final approval should pay as much attention to what can be gained as well as to what will inevitably be lost.

Brian Price  
336 Nachazel  
Maple City MI 49664

Cathy Sehnert  
3421 S. Sunrise Ln.  
Lake Leelanau, MI 49653

October 2, 2023

RE: Northgate Leelanau Pines Plans

Dear Centerville Township Planning Commission,

While I am unable to attend this October 2, 2023 Planning Commission meeting and as a full-time Leelanau County resident and Lake Leelanau Association member, I want to share my concerns about Northgate Leelanau Pines, LLC's proposal for massively expanding the campground's environmental and community footprint.

Central Leelanau County is a region blessed by limited car traffic, beautiful fresh waters, and a healthy, yet threatened, community of wildlife and plantlife. Residents and visitors, alike, admire the quaint character and sustainable growth that we have managed for decades. However, all of this is threatened by Northgate's plan to almost double (183%<sup>1</sup>) its impact on the environment and community in and around Leelanau Pines.

By my estimations, Northgate's proposal would populate the area with an additional 150 families or 450 people, including their 150 vehicles and heavy trailers, every week in our summer months. That's approximately 151% of the total population of Cedar and Lake Leelanau combined! Food supplies at our small groceries will be impacted...Bunting's and NJs do not have the capacity to support this volume of growth. Hard waste and water waste from the campground increases by 183%. Road traffic from the campground increases by 183%. What impact studies have been performed for traffic studies, road wear, sewage impact, wildlife and plantlife impact, broadband throughput, emergency services impact, etc.? So much is unknown, except for the certainty of the profit-driven objectives of Northgate.

I implore that the Centerville Township Planning Commission revert back to its original 2022 position in standing up for the sustainability and livability of the region. It's imperative to maintain the integrity of our past generations and those that follow.

Thank you for the opportunity to share my opinion in processing this important matter.

Regards,

  
Cathy Sehnert

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<sup>1</sup> 330 proposed sites divided by 180 existing sites = 183%

## **PUBLIC COMMENTS ON REVISED LEELANAU PINES APPLICATION**

*(Public hearing 10/25/2023)*

John J. Popa PE

### Loud Boats

- Leelanau Pines committed to ban 'Loud Boats' for campers.
- I did not see any commitment on the application.
- There were commitments for a boat wash.
- However, there was nothing on Loud Boats

*Action: Insure there is a reference, commitment, requirement or letter that states compliance to DNR boating laws regarding illegal loud boats.*

### Improper Symbol Legends

- There is no defined symbol for 'underdrain' on the drawings.
- C403, C404 and others, points to a hashed line and identifies it as an 'underdrain' (I think the hashed line is actually a 40ft setback line.)

*Action: Insure the drawing legends has a symbol for underdrain, and properly identify it on affected drawings that point to the correct lines.*

### Construction in shoreline setbacks

- Portions of the store and pool patios/surfaces are in the shoreline setback...dwgs C200, C203, C204.

- The Ordinance has a definition for setback lines.

*Setback Lines-Shall mean lines established to a parallel to a property line along adjacent properties, roads or waters edge for the purpose of defining limits within which a building or structure or any part thereof (including eaves, chimneys, bay windows, decks, etc.)*

- The concrete around the store and pool are decks..(doesn't have to be wood!) and so are all the walls and barriers around the pool.

- For this application, the Planning Commission can safely say that 'etc.' includes patios and pool barriers.

- If the Planning Commission approves this violation, then it permits the owner to construct the patio(s) right up to the waters edge!

*Action: Insure the application and drawings do not include any of the patios and pool pads/walls within the 40ft water setback.*

### Boat Launch

- Boat launches are not a permitted right in the Ordinance.
- The present launches are non-conforming
- Since this is a new application it has to conform to the present ordinance.
- There is no 'grandfathering' (just like the sign, lighting, etc.)
- The Planning Commission cannot approve a non-conforming use...it has to go before the Zoning Board of Appeals.

*My suggesting to you and the owners is to eliminate all the boat launches.*

*-They are not needed for campground revenue.*

*-A new launch is only used by the permanent campers that have a hoist.  
(remember the discussions about 82 slips...and no one else can use the launch?)*

*-It is very expensive and disrupts/causes 50 yds of dredging & 30 yds of fill.*

*-It requires a very expensive, manned boat wash station that cannot be adequately supervised...a person could sit there a week or more.*

*-There are plenty of other boat launches on Lake Leelanau where seasonal campers can launch/remove boats.*

*-It would satisfy a lot of concerns and comments that people have about affecting the lake and character of the area.*

*-It would also make the MDEQ permit easier.*

*Action: If you approve this application, make sure you follow the Ordinance and receive ZBA approval for the boat launch*

## COMMENTS ON NORTHGATE/LEELANAU PINES APPLICATION-8/31/23

By: John J. Popa PE 7086 S. Crooked Creek Tr. TC 49684

### Current use:

General comment on page 2, that it refers to *Current land use* as a campground & Marina.....

I feel that is wrong in that it did not have a 'Marina' permit as far as I know.

I do not feel that it should state that it is a Marina...it just has slips for the renters that have grown and grown over the years, and now is grandfathered in.

### Loud Boats

There have been many comments against the expansion of this campground. One topic of negative comments is the additional number of boats on the waters of Lake Leelanau. Some of these boats are illegal with above water exhausts that are not mufflered per MCL Act 451 Sec 324.80156, and also stated in the DNR boating regulations (copy attached).

Northgate has many statements, guidelines, and requirements to maintain a peaceful and safe environment...banning loud boats should also be identified as a safety and nuisance item. I contacted Northgate and the reply was that they would make changes, which is great (copy attached). However, it should be stated in this application, and not just limited to slip rentals...include campers.

*Action: Insure that approval is contingent upon Northgate including statements and requirements forbidding loud boats per State regulations...a sign by the boat launch would also help.*

### #6 Project Description and drawings (revised Aug 31, 2023)

Q: Where does splash pad & pool drain to?

It seems that there is a surrounding drain that is part of storm management, but storms do not have chlorine in the water. If it eventually goes to the lagoon, chlorine kills microbes. If it goes to ground water, all that chlorine probably is not good.

*Action: Insure you ask, clarify, and determine that pool & pad drainage is addressed properly in the storm water and lagoon permit.*

## **#8 Project Impacts...local agencies (revised Aug 3, 2023)**

Road Commission.....

-Q: It states that there was a 'traffic impact assessment' dated 11/7/23 (that is six weeks from now???) Something is wrong.

-It also says that a permit was extended/issued. However there are two contingencies with the road permit....there is a required bond and also liability if you read e-mail 8/16/23 from road commission.

Action: *Correct the 'traffic impact assessment' date as necessary.*

Action: *Insure your approval is contingent upon receiving an approved driveway permit, like your ordinance says to....with necessary bonds and insurance that the road commission asks for.*

County Health.....

-Q: States that permit is "in process" which is different than approved?

Action: *Insure approval is contingent upon final approval of Health Department.*

Drain Commission....

-Q: Approved calculations indicate that it was done on 12/15/23 (that is 2+ months from now???) Something is wrong. It also says that there is preliminary approval?

Action: *Check/correct the calculation date as necessary.*

Action: *Insure approval is contingent upon final approval of Drain Commission.*

State Agencies....

Action: *Insure your approval is contingent upon receiving permit from MDEQ.*

## **Site Plan Checklist (revised Aug 31, 2023)**

13 & 14 says 'contingent upon agency permits'

-Q: What agency is it referring to?

Action: *Define 'agency' as necessary, and correct it.*

-Q: There is a lot of new information on this submittal, with a lot of 'proposals' on this submittal???

Action: *Insure that you have a contingency for a final corrected C404 and others.*

-Q: #14 says 'Natural Gas'. I do not think natural gas is present?

Action: *Not sure this statement needs correcting...minor error.*

Action: *Same as mentioned earlier, that approval is contingent upon satisfying the Road Commission permit.*

Pool and Patio in setback.

The Ordinance definitions and setback state that a structure includes all things that are part of a structure. Like a deck (doesn't really have to be nailed to the building, and neither does a patio that goes right next to the building...setback is practically right into the doorway of the store?? There is also a 6' tall fence in front of the pool that is in the set back.

Action: *Insure approval is contingent upon relocation of pool and store patios fences, retainers, etc. behind the Ordinance required setback.*

C-304 and others

-Q: Not sure what -X- line is? Whatever it is, it is in the setback in front of infinity pool. (I looked all over on prints but could not find description...missed it.)

Action: *Insure it is defined someplace and that it meets setback.*

### **Lighting**

Sheet L101 note #4 indicates that the entrance sign will remain 'uplight' as before. Even though this is against the Ordinance, the present sign and lighting seems to be adequately shielded by bushes. However, the lighting itself seems very bright and may not meet 3.18.2 of the Ordinance that restricts lights to 70 watts.

Action: *Insure there is a statement to correct/maintain to single bulbs at 70 watts or less.*

### **Start of construction**

Request to Road Commission says spring of 2024. MDEQ says starting in the Fall of 2023.

Q: Not sure which is which.....or if it is important?

Action: *Insure a stated start date is identified and documented.*

## John Popa

---

**From:** "Chelsea Bossenbroek" <cbossenbroek@northgateholdings.com>  
**Date:** Monday, September 25, 2023 8:55 AM  
**To:** <jjpopa@charter.net>  
**Cc:** "Lauryn Pleva" <lpleva@leelanaupines.com>; "Kristin Bettley" <kbettley@northgateholdings.com>  
**Subject:** Leelanau Pines

Good morning, John:

We received your email regarding load boats and inquiring about our boat slip rental procedures. We are happy to remind our campers about boating rules, including the prohibition against water exhausts without a muffler and will do so in our next correspondence with our campers.

Going forward, if you have additional concerns, you can reach out to Kristin who is cc'ed on this email and myself.

Best,  
Chelsea

--

Chelsea N. Bossenbroek  
General Counsel  
Northgate Resorts  
m: 616.406.5755 o: 616.249.8444 x106  
w: [northgateresorts.com](http://northgateresorts.com)  
e: [cbossenbroek@northgateholdings.com](mailto:cbossenbroek@northgateholdings.com)  
a: 38 Commerce Ave. SW, Suite 200, Grand Rapids, MI 49503

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## RE: Enforcement of Loud Boat Regulations

The Lake Leelanau Lake Association (LLA) is requesting that the Sheriff Department enforce the banning of loud boats on Lake Leelanau. This is a safety law that has been in effect since 1994 (Act 451 Sec 324.80156). The law states: *"a person shall not operate a motorboat on any waters in this State unless the motorboat is equipped and maintained with an effective muffler or underwater exhaust system."*

Excessive noise can prevent a vessel operator, or other vessels, from hearing signals and voices, such as a waterski driver trying to hear what the watcher is telling them. Loud boats are also commonly associated with high speeds and racing in excess of 55 mph.

32 It's the Law!

### Fire Extinguishers

- All vessels, including PWCs, are required to have a Type B fire extinguisher(s) on board if one or more of the following conditions exist:
  - Closed compartments under seats where portable fuel tanks may be stored
  - Closed storage compartments in which flammable or combustible materials may be stored
  - Double-bottoms not sealed to the hull or which are not completely filled with flotation material
  - Closed living spaces
  - Permanently installed fuel tanks
- Approved types of fire extinguishers are identified by the following marking on the label—"Marine Type USCG Approved"—followed by the type and size symbols and the approval number.
- Extinguishers should be placed in an accessible area—not near the engine or in a compartment, but where they can be reached immediately. Be sure you know how to operate them, and inspect extinguishers regularly to ensure they are in working condition and fully charged.



Use this chart to determine the size and quantity required for your vessel.

#### Fire Extinguisher Requirements

Classification type & size	Foam minimum gallons	Carbon Dioxide minimum pounds	Dry Chemical minimum pounds
B-I	1¼	4	2
B-II	2½	15	10

Length of Vessel	Without Fixed System	With Fixed System*
Less than 26 ft.	one B-I	None
26 ft. to less than 40 ft.	two B-I or one B-II	one B-I
40 ft. to less than 65 ft.	three B-I or one B-II and one B-I	two B-I or one B-II

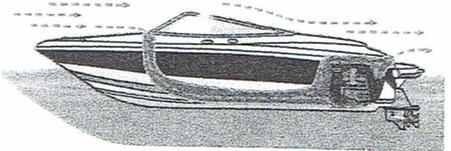
\* refers to a permanently installed fire extinguisher system

## Boating Laws

It's the Law! 33

### Ventilation Systems

The purpose of ventilation systems is to avoid explosions by removing flammable gases. Properly installed ventilation systems greatly reduce the chance of a life-threatening explosion.



- All gasoline-powered vessels, constructed in a way that would entrap fumes, must have at least two ventilation ducts fitted with cowls to remove the fumes.
- If your vessel is equipped with a power ventilation system, turn it on for at least four minutes in either of these situations:
  - After fueling
  - Before starting the engine

### Backfire Flame Arrestors

- Because vessel engines may backfire, all powerboats (except outboards) that are fueled with gasoline must have a U.S. Coast Guard-approved (comply with SAE J-1928 or UL 1111 standards) backfire flame arrestor on each carburetor.
- Periodically clean the flame arrestor(s) and check for any damage.

### Mufflers

- A vessel's engine must have a factory-installed muffler or exhaust system for noise reduction, or another effective muffling system. Vessel operators may not hear sound signals or voices if the engine is not adequately muffled.
- Michigan law states that a vessel's muffler or exhaust system must prevent noise in excess of:
  - 90 decibels at idle from three feet away *and...*
  - 75 decibels when measured from the shore.

My name is John Stoller and I live at 6685 S. Glazier Beach Drive in Cedar, a short distance north of Leelanau Pines.

I and our community are extremely disappointed with the Township Board's decision to settle the lawsuits brought by Northgate. The settlement ignores the decisions of the Planning Commission and Zoning Board that rightfully protected our Township from overdeveloping the Leelanau Pines property and sacrificing our rural character, our lake and our natural resources.

The Settlement Agreement allows Northgate an additional 150 campsites, but it doesn't require this Planning Commission to roll over and agree to everything that Northgate has proposed, especially where hardscape items and land uses don't conform to the Township's Zoning ordinances and Master Plan.

Many items in the revised submission should be rejected and many need to be restricted. In the time allotted, I will only mention a few examples.

The two pools on the lakeshore are clear anomalies to our community and will conflict with our natural shoreline and produce unwanted noise and views from the lakeside.

The lakeshore camp store and adjacent parking and the lakeshore pavilion are likewise objectionable.

The proposed 80-something boat trailer parking lot conflicts with the ordinances and Master Plan by destroying the woodlands that exist and presents an unwelcome eyesore from Lake Shore Drive. At the least, all proposed parking lots that can be seen from Lakeshore Drive or the lake should be screened with shrubs and plantings (like the RV park to the north).

The proposed boat wash station is nice, but specify its specs, and require Northgate to mandate its use and require an attendant to ensure its use to help fight the invasive Eurasian Milfoil from spreading on the lake from the campground's daily and short term stay boaters.

The proposed signage on Lakeshore Drive – a 40 square foot top lighted sign on 8 foot posts – conflicts with the ordinance and should be denied.

In summary, please take these and other concerns into account and protect the peaceful, rural nature of our Township. Thank you!



**David Baty**  
7321 Sylvan Ridge Road  
Indianapolis, IN 46240  
313-333-2040 // [dmbaty@gmail.com](mailto:dmbaty@gmail.com)

October 2, 2022

Centerville Township Planning Commission  
c/o Timothy Cypher  
PO Box 226  
Lake Leelanau, MI 49653

Members of the Centerville Township Planning Commission:

I wanted to highlight a few key points from the draft Traffic Impact Assessment (TIA) that Northgate has provided. While I am not a Traffic Engineer, I have spent some time researching and reviewing their analysis.

This analysis is typically required for any proposed development that generates a significant number of trips. The process includes understanding how much traffic is currently in the area and estimating how much traffic the development would generate. There are guidelines for how to estimate the trips due to a new development; in the case of Northgate's expansion, the trips are based on the number of campsites. The focus of this type of study is to determine if improvements need to be made at the access to the public roadway or if the development would result in significant impacts to traffic flow in the area.

While there has been some surprising confusion and inconsistency from Northgate over the true number of sites currently at Leelanau Pines, the TIA references 183 current sites with an additional 172 planned for a total of 355. It also assumes that there are currently 135 seasonal sites, and this number will remain the same in the future. I will assume this is correct for this analysis, though Northgate has apparently removed some of the seasonal residents at the end of this season with the likely intent to convert more sites for short-term use.

With 172 additional short-term sites (from 48 to 220), the expansion will increase traffic by a factor of 4.58<sup>1</sup>. This is very important, as the analysis assumes the traffic is largely from short-term visitors, meaning the traffic into and out of Leelanau Pines is estimated to increase by this factor after the expansion.

The TIA assumes that 90%<sup>2</sup> of the trips will travel to the south of Leelanau Pines. Based on the layout of roads in the vicinity, that essentially means that 90% of traffic generated by Leelanau Pines will travel south through Cedar. The analysis considers the entrance to Leelanau Pines as intersection #1, and the four-way stop in Cedar as intersection #4.

Much of the TIA document is the raw traffic counts and the output from the simulation based on the assumptions of the Leelanau Pines expansion. The summarized data on trips during the peak check-in and check-out hours can be found on pages 10 and 11. I have attached to this letter a brief explanation of the format of this data.

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<sup>1</sup> TIA, page 6, Trip Generation section.

<sup>2</sup> TIA, page 7, table 5.

Due to the nature of an RV park, traffic is concentrated around check-in and check-out times, with check-out being more concentrated. The TIA analyzes these during the peak hour in each of these windows. Given the typical route to and from Leelanau Pines, I find the total traffic at the four-way stop in Cedar to be the most interesting (calculations attached for reference):

- Check-out trips are estimated to increase by 52% (meaning approximately 1 in 3 vehicles traveling through Cedar at this time will be due to the expansion of Leelanau Pines).
- Check-in trips are estimated to increase by 21%.
- Check-out heavy vehicle trips will increase by a factor of roughly 12 (this traffic is very concentrated due to a smaller departure window from Leelanau Pines).
- Check-in heavy vehicle trips will increase by a factor of roughly 5 (this traffic is less concentrated as arrival times will vary).

I hope this can help further explain Northgate's provided analysis as it relates to your consideration of their application.

Sincerely,

A handwritten signature in blue ink, appearing to read 'David Baty', written in a cursive style.

David Baty

Percent change calculations at intersection #4 (four-way stop in Cedar)

Trip counts at peak, intersection #4 (Cedar)														
	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	Total	
Check-out trips (current)	32	2	37	0	1	2	36	130	2	1	160	28	431	
Check-out trips (future)	45	2	37	0	1	2	36	183	2	1	294	51	654	
													<b>Percent change</b>	<b>152%</b>
Check-in trips (current)	53	1	46	5	3	5	54	212	2	4	170	33	588	
Check-in trips (future)	69	1	46	5	3	5	54	274	2	4	209	40	712	
													<b>Percent change</b>	<b>121%</b>
Check-out heavy trips (current)	2	0	2	0	1	0	0	6	0	0	7	2	20	
Check-out heavy % (future)	33%	0%	5%	0%	100%	0%	0%	32%	0%	0%	48%	49%		
Check-out trips (future)	45	2	37	0	1	2	36	183	2	1	294	51	654	
Check-out heavy trips (future)	15	0	2	0	1	0	0	59	0	0	141	25	242	
													<b>Percent change</b>	<b>1212%</b>
Check-in heavy trips (current)	2	0	3	0	0	1	2	10	0	1	10	2	31	
Check-in heavy % (future)	26%	0%	7%	0%	0%	20%	4%	26%	0%	25%	23%	23%		
Check-in trips (future)	69	1	46	5	3	5	54	274	2	4	209	40	712	
Check-in heavy trips (future)	18	0	3	0	0	1	2	71	0	1	48	9	154	
													<b>Percent change</b>	<b>496%</b>

Annotated data from Northgate draft Traffic Impact Assessment (page 11)

Intersection	Time period	Year	Movement	Eastbound Left, Through, and Right						Westbound, Northbound, Southbound																	
				EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR												
#4 - CR-651 (S Cedar Road)/S Kasson Street and CR-616 (E Bellinger Road)/Sullivan Street	Monday Check-Out 09/05/22		PHF	0.93						0.75						0.84						0.90					
			% Heavy	6%	0%	5%	0%	100%	0%	0%	5%	0%	0%	0%	4%	7%											
			Heavy Vehicles	2	0	2	0	1	0	0	6	0	0	0	7	2											
		2022	Existing	32	2	37	0	1	2	36	129	2	1	158	28												
		2022	Existing Adj.	32	2	37	0	1	2	36	129	2	1	158	28												
		2024	Background	32	2	37	0	1	2	36	130	2	1	160	28												
			Bckgrd. Dev. A																								
			Bckgrd. Dev. B																								
			Bckgrd. Dev. C																								
			Total Background	32	2	37	0	1	2	36	130	2	1	160	28												
			Site Generated	13							53			134	23												
			Pass By																								
			Total Site Gen	13	0	0	0	0	0	0	53	0	0	134	23												
			% Heavy Future	33%	0%	5%	0%	100%	0%	0%	32%	0%	0%	48%	49%												
	Total Future	45	2	37	0	1	2	36	183	2	1	294	51														

Existing and background (2024 expected growth without this development) trips

Total trips added due to this development

Grand total, background plus trips added due to this development

Percent of heavy (incl. RV) traffic in the future. Must calculate from total future trips to find future heavy trips to compare to existing.

**David Baty**  
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Indianapolis, IN 46240  
313-333-2040 // [dmbaty@gmail.com](mailto:dmbaty@gmail.com)

October 24, 2023

Centerville Township Planning Commission  
Tim Johnson, Lindy Kellogg, Joe Mosher, Mary Beeker, and Daniel Hubbell  
Via email

Members of the Centerville Township Planning Commission:

During the Planning Commission meeting on October 2, 2023, there was some discussion on the Traffic Impact Analysis (TIA) submitted by Fishbeck last year (latest draft dated September 21, 2022). I wrote a letter (October 2, 2022) calling your attention to some key information in this analysis, which is attached for reference. The amount of traffic caused by this development is noteworthy, especially since traffic would almost exclusively flow through Cedar, would be heavily concentrated around check-in and check-out times, and would primarily consist of large vehicles (RVs, vehicles towing trailers, etc).

The primary purpose of studies like this is to find impacts to traffic flow due to the development and identify possible mitigation (if required)<sup>1</sup>. Mitigation is generally upgrades to roadway infrastructure – including added turn lanes, new traffic signals, alternative intersections (roundabouts), etc. As their analysis found, a northbound right turn lane taper (but not a full right turn lane) into Leelanau Pines was warranted. The level of service and overall roadway system capacity were found to be adequate with the increased traffic. These factors are important but are not the only considerations, especially for the Planning Commission when evaluating an expanded special use such as Leelanau Pines.

Sometimes, these types of studies include a review of crash history and safety analysis, but that was not included here as it was not required by the Leelanau County Road Commission (LCRC). No analysis was included about the impact the traffic increase will have on the community, such as subjective concerns around noise and increased RV traffic on currently quiet roads with relatively low traffic volume. It would certainly be reasonable for the Planning Commission to ask questions about and evaluate these community and safety impacts even if not required to be part of the study by the LCRC.

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<sup>1</sup> More detail can be found here: <https://www.greenlighttrafficengineering.com/traffic-impact-study/>.

It appears their analysis is reasonable – but the analysis simply doesn't include many impacts due to increased traffic caused by this expansion. The Planning Commission should carefully consider these when reviewing this special use.

Sincerely,

A handwritten signature in blue ink, appearing to read 'David Baty', is centered on the page. The signature is fluid and cursive, with a prominent initial 'D' and 'B'.

David Baty

**Donald F. Baty, Jr.**  
2471 South Lake Shore, Lake Leelanau, Michigan 49653  
(313) 330-5386  
donfbaty@outlook.com

October 20, 2023

Via email

Mr. Timothy Johnson  
Chairman  
Centerville Township Planning Commission

Re: Leelanau Pines

Dear Mr. Johnson:

I am not going to be able to attend the public hearing on this matter and thus am submitting this letter to memorialize some additional comments that I believe are germane to the Planning Commission's deliberations.

This letter addresses two interrelated issues raised by Northgate's revised site plan – can Northgate (a) make changes to its boat slip configuration and boat launches, (b) continue to rent watercraft and boat slips without obtaining variances, and (c) build and operate a store and food concession at Leelanau Pines.

As an initial point, there appears to be some confusion because the boat and watercraft related items referenced above have been referred to as a “marina.” Many people (including me) who provided comments about the site plan have used the term “marina” because it is the term Northgate used, and under a common meaning of that word and the definition used by EGLE, what Northgate is proposing is modifying or building a marina. However, at the October 2, 2023 Planning Commission meeting, you requested that Northgate remove references in its site plan to a marina, presumably because of the conclusion that what Northgate is proposing may not fit the definition of that term in the Ordinance.<sup>1</sup> But removing references to “marina” in the site plan does not change the analysis, and fortunately, the Planning Commission does not need to deal with this definition to answer the fundamental questions noted above.

For ease of reference and to avoid any debate over the use of the word marina, I will use the term “Business Activities” to describe the group of business activities Northgate proposes: a boat launch, rental of boat slips and hoists, rental of motorized and non-motorized watercraft and

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<sup>1</sup> This conclusion is curious. A marina is defined as a “boat basin providing dockage, supplies, sales and services for watercraft.” Under Northgate's proposal, there will be an area dedicated for launching and docking boats (with permanent docks), and per Northgate's written responses to Planning Commission questions, there will be slips in front of the store that could be used by non-campers – all of which taken together seem to meet the definition of an inland lake “boat basin.” Also, the store will sell supplies for watercraft and “services for watercraft” will be offered - a boat launch, slip rentals, boat hoists, and a boat wash station.

adding and operating a 4,000 square foot store and food and beverage concession near the waterfront.

Initially, there are two overarching principles taken from the zoning ordinance that are relevant to the analysis needed to answer the questions outline above:

- a. A landowner can continue a non-conforming use (a use existing at the time a zoning ordinance proscribed the use), but those uses cannot be “enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Ordinance, unless a variance is granted by the Zoning Board of Appeals, which shall hold a public hearing on the proposed expansion.” Centerville Township Zoning Ordinance, Section 11.5.
- b. When a variance is required because a site plan calls for expanding or enlarging a non-conforming use, the variances must be obtained prior to the Planning Commission’s final approval of the site plan. Zoning Ordinance, Section 13.1(D)(e) (page 91).<sup>2</sup>

1. What commercial activities are permitted in the Commercial Resort District?

The term *commercial* is defined in the Ordinance as “[o]ccupied with or engaged in commerce, or work intended for commerce (i.e., the buying and selling of goods and services).” Based on this definition, the Business Activities are all “commercial” uses or activities.

Even though the term “commercial” is used in defining the resort district, it is noteworthy that the enumerated uses permitted with special approval in the resort district include only specific commercial activities – mobile home parks, trailer parks, rental cottages, inns, lodges, hotels, motels, campgrounds, and RV parks. The same is the case in the Recreational District where only specific commercial activities are listed as permitted uses with special approval. Contrast this with a Business District where “commercial” uses are not limited to specific activities and therefore would include a full range of business activities (subject to special use approval and unless otherwise prohibited).<sup>3</sup> Where the Zoning Ordinance gives the Planning Commission discretion to grant special land use approval for a broad range of commercial business activities, like in the Business District, specific commercial uses are not specified. On the other hand, where the intent was to limit the types of permitted commercial activities, as is the case in both the Commercial Resort and Recreational Districts, those activities are listed. Importantly, there is nothing in the ordinance suggesting that by allowing campgrounds and other resorts, any business activities for the benefit or enjoyment of campers are somehow also permitted.

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<sup>2</sup> It necessarily follows that a final approval subject to the condition that variances be obtained would not be permissible. If that would have been permitted, the provision of the ordinance would have said something like ‘any final approval must be made subject to obtaining the variances.’ The reason for requiring the variance be obtained before final approval because the variance may in fact affect other aspects of the site plan that are matters to be evaluated by the Planning Commission.

<sup>3</sup> In the Business District, the special uses are defined very broadly to include “Commercial, municipal and utility uses.”

Looking at the specific permitted land uses in the resort, recreational and business districts, helps clarify the intent and purpose of the Township's land use planning in the resort district. Resort districts were intended to be unspoiled, natural, quieter areas with less intrusive and "dense" human activity. Under the zoning ordinance, activities that do not fit with the intent and purpose of the resort district are channeled to the recreational and business districts. Allowing Business Activities in the resort district would be inconsistent with the very purpose of creating separate resort, recreational and business districts.

2. Stores and food and beverage concessions are not permitted in the Commercial Resort District

The specific permitted special land uses in the Commercial Resort District do not include a store or food concession. And because Leelanau Pines does not presently have a store or food concession, there is no basis to argue that it is a "grandfathered" use.<sup>4</sup> Thus, Northgate cannot open and operate a store and food concession at Leelanau Pines, a commercial activity reserved for the Business District, and any site plan that includes these activities cannot be approved.

3. Northgate cannot reconfigure the boat launches and boat slips or increase boat rental activities without variances.

Boat launches are non-conforming uses anywhere in the Township.<sup>5</sup> Likewise, renting boats and slips are non-conforming commercial uses in uses in the Commercial Resort District. Thus, the operative questions are (a) was a boat launch in place at Leelanau Pines when the ordinance<sup>6</sup> was adopted, (b) were watercraft and slip rental activities conducted at Leelanau Pines at the time they became non-conforming commercial uses, and (c) if those activities became non-conforming uses upon adoption of the first zoning ordinance, is Northgate increasing or enlarging those activities or will the activities occupy a greater are of land than they occupied at that time?<sup>7</sup>

From reviewing aerial photographs available online at *historicalaerials.com*<sup>8</sup>, it appears that (i) only the so-called West boat launch was present in 1977,<sup>9</sup> (ii) the area where the East boat

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<sup>4</sup> Northgate would also not be entitled to a variance under Section 17.10. First, the Zoning Board of Appeals does not have the power to allow a land use not otherwise permitted in a particular zoning district. And even if you assume the ZBA has the power to grant a variance to allow the Business Activities, the need for a variance does not relate to the unique physical characteristics of the property, a requirement under Section 17.10(4).

<sup>5</sup> See Zoning Ordinance, Section 3.10.C ("Shoreline alterations to riparian properties for on site boat launching and/or development of launch sites for multiple party use- private or commercial - is prohibited"). Materially similar iterations of this prohibition have been in the zoning ordinance since the first Centerville Township ordinance was adopted in 1976.

<sup>6</sup> The Township adopted its first ordinance effective October 13, 1976. That ordinance was amended several times. Under the initial ordinance, and all subsequent amendments I have been able to locate, at no time were boat launches and the Business Activities allowed in the district where the campground is located.

<sup>7</sup> Northgate bears the burden of proving the extent of a non-conforming use at the time the use became non-conforming because of adoption of the ordinance.

<sup>8</sup> To find the maps, go to the website and enter Leelanau Pines' address. Links are then created to available aerial photographs.

<sup>9</sup> It is not clear from the lake whether the west boat launch is being used – if has not been used for more than 18 months, that launch lost its protections as a grandfathered use. See Zoning Ordinance, section 11.2 ("A non-conforming use existing at the time this Ordinance takes effect may be continued, except that if it is discontinued for

launch is now located (and where the new two-lane boat launch is to be built under Northgate's proposal) was a beach, and (iii) the East boat launch was added sometime between 1977 and 1981. If this assessment and interpretation of the aerial photographs is correct, in 1976 when the first zoning ordinance was adopted (i) the only "grandfathered" boat launch would have been the West boat launch, and (ii) having been installed after 1977, the East boat launch was added in violation of the zoning ordinance and would still be in violation of the zoning ordinance today.<sup>10</sup>

It is also not known if boat slips and watercraft were rented at Leelanau Pines when the ordinance was adopted, and thus it is not clear whether those non-conforming commercial uses are entitled to the protections of Article XI. But if you assume watercraft and slip rental activities and use of the west boat launch all pre-date the first zoning ordinance, because those uses are all non-conforming uses, they need to be evaluated under Section 11.1 of the Ordinance - are they being enlarged, increased or using more land than when the ordinance was adopted?

Under the plan Northgate submitted to EGLE as part of its permit application, exclusive of the large parking lot that is an integral part of the proposed boat launch, the boat launch is being increased substantially in size from the existing boat launches. According to the EGLE application, the proposed new boat launch occupies 310 square feet compared to 200 square feet for the existing boat launches, a 55% increase (again exclusive of the parking lot). Because of this proposed expansion, a ZBA variance is required before any changes to the boat launches can be made.

As to boat slips, again according to Northgate's EGLE permit application, the existing boat slips and docks cover 8,325 square feet whereas the new boat slips and docks will occupy 11,369 square feet, a 37% increase. Thus, under Northgate's site plan, there is a material increase in this nonconforming commercial use.

Finally, as to Northgate's boat livery activities, it is not known when watercraft rental activities began at Leelanau Pines and how many watercraft were rented when the 1976 zoning ordinance was adopted, or how many watercraft Northgate intends to make available for rental. But without a variance from the Zoning Board of Appeals (ZBA), because renting watercraft is a non-conforming commercial activity, that activity cannot be increased beyond the levels when the ordinance was adopted in 1976.

### Conclusions

The revised site plan must be denied to the extent it calls for adding a store and food and beverage concession – these are commercial activities not allowed in the resort district. Because the site plan calls for expanding the boat launches (a non-conforming use anywhere in the Township) and an increase in the area used for slip rentals (again, a non-conforming commercial

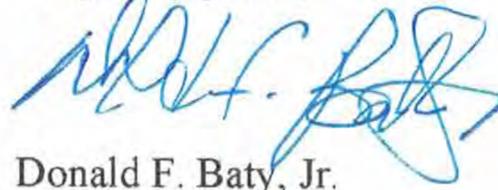
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eighteen (18) months or more, it shall then be deemed abandoned and any further use must be in conformity with the use permitted in such District.”).

<sup>10</sup> The fact that that a zoning ordinance has not been enforced in the past does not mean that a prohibited use is now allowed. See for example, *Lyon Charter Twp. v. Petty*, 317 Mich. App. 482 (2016), vacated in part on other grounds 500 Mich. 1010 (2017) at 489 (“[A] historical failure to enforce a particular zoning ordinance, standing alone, is insufficient to preclude enforcement in the present”).

activity in the resort district), those changes cannot be approved without ZBA variances. Likewise, without a ZBA variance, watercraft rental activities at Leelanau Pines cannot be expanded beyond 1976 levels. Finally, because ZBA variances are needed for one or more aspects of the proposed site plan, the Planning Commission cannot grant final approval until all required variances are obtained.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Donald F. Baty, Jr.", written in a cursive style.

Donald F. Baty, Jr.

cc: Christopher Grobbel

**From:** [Tim Cypher](#)  
**To:** [Tim Johnson](#)  
**Subject:** Fwd: Northgate  
**Date:** Thursday, October 26, 2023 1:39:24 AM

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Timothy A Cypher  
Cypher Group Inc.  
Centerville, Empire, Kasson, Glen Arbor, Leland & Solon Zoning/Planning  
Office  
231-360-2557

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

Subject: Northgate  
Date: 2023-10-25 12:20  
From: Michael Hartings <[mhartings@fuse.net](mailto:mhartings@fuse.net)>  
To: [staff@allpermits.com](mailto:staff@allpermits.com)

To the members of the zoning committee: this is a Postscript to The email I sent earlier today.

Do not be afraid to do the right thing to protect the land and represent your constituents properly. Always remember that the land does not belong to us; we belong to the land. If denying the Northgate permit results in court action, please be aware that there are many people in the Township more broadly in the peninsula and around Lake Leelanau that will gladly support And provide funding for this noble defense. Thank you and carry-on.

Sincerely  
Michael Hartings.

Sent from my iPhone

**From:** [Tim Cypher](#)  
**To:** [Tim Johnson](#)  
**Subject:** Fwd: Northgate  
**Date:** Thursday, October 26, 2023 1:40:32 AM

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Timothy A Cypher  
Cypher Group Inc.  
Centerville, Empire, Kasson, Glen Arbor, Leland & Solon Zoning/Planning  
Office  
231-360-2557

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

Subject: Northgate  
Date: 2023-10-25 12:12  
From: Nancy Hartings <hartingsnancy@gmail.com>  
To: staff@allpermits.com

Sir: Do not be afraid of a lawsuit if you turn down Northgate' request tonight. There are plenty of people who would donate to fund such a venture. The land is depending upon us to preserve it. Let us not let her down. We belong to the land....the land is not ours.

Nancy Hartings  
8081 S. Rustic. Drive  
Cedar, Michigan 49621

Sent from my iPad

**From:** [Tim Cypher](#)  
**To:** [Tim Johnson](#)  
**Subject:** Fwd: Campground permit  
**Date:** Thursday, October 26, 2023 1:43:36 AM

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Timothy A Cypher  
Cypher Group Inc.  
Centerville, Empire, Kasson, Glen Arbor, Leland & Solon Zoning/Planning  
Office  
231-360-2557

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

Subject: Campground permit  
Date: 2023-10-25 10:02  
From: Nancy Hartings <hartingsnancy@gmail.com>  
To: staff@allpermits.com

To Mr. Tom Cypher and the Centerville Township Zoning Commission

I am writing to request you to vote "No!" At the meeting tonight concerning the attempt of Northgate to build additional facilities at the Leelanau Campground. I have vacationed in Lelanau since 1986, and have been a property owner there since 2000, our cottage being a mile south of the campground. I have attended two of your meetings concerning expansion of the campground last summer, and am grateful for your diligence regarding their plans for expansion. A detailed look at their expansion plans shows violation of too many guidelines set forth in your regulations established to direct further building in Centerville township. I believe their plans would be better appreciated in other areas of Michigan. I urge you to vote "No!" To their expansion plans for reasons already established. Thank you.

Nancy Hartings  
8081 South. Rustic Dr.  
Cedar, Michigan 49621

Sent from my iPad

**From:** [Tim Cypher](#)  
**To:** [Tim Johnson](#)  
**Subject:** Fwd: Leelanau Pines Campground Masterplan and Application  
**Date:** Thursday, October 26, 2023 1:45:13 AM

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Timothy A Cypher  
Cypher Group Inc.  
Centerville, Empire, Kasson, Glen Arbor, Leland & Solon Zoning/Planning  
Office  
231-360-2557

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

Subject: Leelanau Pines Campground Masterplan and Application  
Date: 2023-10-24 15:33  
From: Michael Hartings <mhartings@fuse.net>  
To: staff@allpermits.com

To Mr. Tim Cypher and the Centerville Township Zoning Commission,

I am a property owner whose house is within one mile of the Leelanau Pines Campground. We have owned this home for 22 years. When Northgate bought this property and presented their initial request for “modernization and improvements” of the campground my wife and I reviewed them and attended the two Zoning Commission meetings with representatives of Northgate in the fall of 2022. I wrote a letter to the commission and spoke at the initial meeting in strong opposition to the application under consideration at that time. I was greatly relieved and grateful to the Commission when it decided to abide by the Township Masterplan and deny the application due to the multiple ways in which the plan violated the spirit and the letter of the Masterplan. The careful study and deliberation that members of the Commission devoted to the original application was a model of civil service and a great inspiration to all in attendance.

I have reviewed the current application dated August 31, 2023. I am shocked to see how closely it resembles the August 2, 2022 application. Unfortunately we will be unable to personally attend the meeting scheduled for October 25, 2023. I am asking the Zoning Commission to once again be faithful to duty, to friends, neighbors, and residents of the Township whose clear intention is reflected in the Masterplan, and once again reject this application.

And thank you so much for diligent service to the community.

Sincerely,

Michael F. Hartings  
8081 S.Rustic Dr.  
Cedar, Michigan  
49621

To Chris Grobble and Centerville Township Planning Commission  
 From Cary Weed, 6700 S. French Rd., Centerville Township  
 October 12, 2023

**Public Comment: Permeability, Lot Coverage and Northgate Site Plan Review**

During their October 2, 2023 meeting, the Planning Commission began using permeability in their definition of lot coverage for the campground project. With such a sensitive shoreline and creekside site, permeability is a critical variable with respect to defining lot coverage and thus protecting water quality. The American Planning Association Michigan Chapter makes zoning recommendations for surface water protection that include large setbacks, vegetation and permeable surfaces near shorelines (see: <https://www.planningmi.org/zoning-standards> ). A quick search indicates many communities, especially shoreline communities, are developing standards for impervious lot coverage. In some examples the areas of semipermeable surfaces are prorated based on effective permeability of surfacing design (Winnetka, IL, for example). The Canadian city of Kelowna, British Columbia takes a different approach by setting limits to impermeability (runoff) coefficients (see: [https://www.kelowna.ca/sites/files/1/docs/homes-building/bulletin - site coverage and impermeable surfaces.pdf](https://www.kelowna.ca/sites/files/1/docs/homes-building/bulletin_-_site_coverage_and_impermeable_surfaces.pdf)). See below for their definition of impermeable surface. Runoff coefficients for other materials are available and widely used in the United States.

**IMPERMEABLE SURFACE** means a surface which either prevents or impedes the entry of water into the soil mantle as under natural conditions prior to development, and/or a hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. *A surface will be considered impermeable when the runoff coefficient is greater than 0.3 as per the following table.* Surfaces other than those listed in the table are to be presented complete with all applicable support material such as historical and manufacturer details to the City Engineer for approval of the proposed runoff coefficient and surface designation. All manufactured surfaces are to be installed with permeable joints and base material. The base material is to be to a depth recommended by the manufacturer to ensure infiltration and storage.

Table 2.1 Impermeable Surface Run-Off Coefficients		
SURFACE		RUN OFF COEFFICIENT
Forested		0.059- 0.2
Lawns, well drained (sandy soil)	Up to 2% slope	0.05 – 0.1
	2% to 7% slope	0.1 – 0.15
	Over 7 % slope	0.15 – 0.2
Lawns, poor drained (clay soil)	Up to 2% slope	0.13 – 0.17
	2% to 7% slope	0.18 – 0.22
	Over 7 % slope	0.25 – 0.35
Asphalt		0.7 – 0.95
Concrete		0.8 – 0.95
Shingle Roof		0.75 – 0.95
Brick Pavers (12mm joint or less)		0.7 – 0.85
Turfstone (with permeable cells)		0.25
Grasspave		0.1 – 0.25
Uni Eco-Stone (with permeable joints)		0.25

**From:** [Nancy Popa](#)  
**To:** [Tim Johnson](#); [Chris Grobbel](#)  
**Subject:** Lake Associations Suggestions for Conditions-northgate  
**Date:** Wednesday, October 18, 2023 2:13:00 PM  
**Attachments:** [Northgate Leelanau Pines Memorandum 10182023.docx](#)

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Dear Tim,

We believe the project as proposed poses a real risk of significant, irreversible damage to overall water quality, and an unreasonable negative impact on the enjoyment of the lake by other riparians and users. We believe the permit should be denied. However, if the Planning Commission decides to issue a permit for the Northgate Leelanau Pines proposed project, we strongly urge the Commission to include stringent conditions to protect Lake Leelanau and Rice Creek. We have attached a memorandum to be shared with the Planning Commissioners containing our recommendations.

Respectfully,  
Nancy Popa  
Lake Leelanau Lake Association, President

**From:** [Drew Lipner](#)  
**To:** [timjohnson@centurytel.net](mailto:timjohnson@centurytel.net)  
**Cc:** [Drew Lipner](#)  
**Subject:** Leelanau Pines Development, Cedar, Michigan . . .  
**Date:** Thursday, October 26, 2023 6:21:20 PM

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To whom it may concern,

Our family has had a home on North Lake Leelanau for nearly 50 years. We have been involved with the Lake Leelanau Lake Association for 15 years and the Foundation for Lake Leelanau (as Founders) for the last few years. We have contributed to Fish Town's preservation, as well as The Leelanau Conservancy. Lake Leelanau has been considered one of the highest quality water systems in the State of Michigan. We have worked hard to combat the milfoil weed and other invasive species (i.e. such as swimmers itch) with funds (raised) and manpower. Preserving and protecting the health of Lake Leelanau is of utmost importance.

[Leelanau Pines'](#) flagrant disregard for the work undertaken is well documented. We have assumed these efforts to keep our lake healthy. The damage they would do to our lake in a year would be irreversible to the environment.

Northgate's expansion would increase pressure on Lake Leelanau in many ways.... *not* limited to the following:

- On shore activities
- Shoreline development
- The increase in the number of boats on the lake, that would have no regard for milfoil, fish life and wildlife habitat
- Increased runoff of storm systems from rain, would cause the erosion of sediment in the lake
- Being unable to provide large enough septic systems able to accommodate the huge number of trailer sites

Environmentally, Leelanau Pines would be disastrous for the health of Lake Leelanau.

Our best, Drew & Hilary Lipner

Drew Lipner  
e: [jdlipner@hotmail.com](mailto:jdlipner@hotmail.com)  
c: 415.205.0044

**From:** [Susan O'Connor](#)  
**To:** [timjohnson@centurytel.net](mailto:timjohnson@centurytel.net)  
**Cc:** [grobbeenvironmental@gmail.com](mailto:grobbeenvironmental@gmail.com)  
**Subject:** Leelanau Pines Expansion  
**Date:** Monday, October 2, 2023 11:06:05 AM

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As a property owner on S. Lake Leelanau (2271 S. Lake Shore Dr.) we would like to express our concern and opposition to further expansion of the Leelanau Pines Campground.

We are concerned about additional boat traffic on the lake and the already ongoing and in perpetuity fight against Eurasian Milfoil; and the potential of additional invasive species introduced into the lake in the future with unmonitored boat launches and just a general increase in the number of boats and watercrafts on the lake in general.

We are concerned about additional traffic on S. Lake Shore Dr as a result of adding additional campsites, and the increase in the number of septic systems and herbicides resulting from the higher population density.

This is a matter of saying "no" to an aggressive and persistent developer who sees the potential of generating revenue into their pockets at the expense of all the things the residents of Leelanau County and Lake Leelanau treasure about their homes and surrounding environment.

We trust that you have the best interest of the population you represent first and foremost and will deny the application for the additional campsites

Thank you for your consideration.

Susan & Sean O'Connor

**From:** [Brian Price](#)  
**To:** [timjohnson@centurytel.net](mailto:timjohnson@centurytel.net)  
**Subject:** Leelanau Pines Expansion  
**Date:** Monday, October 2, 2023 2:15:15 PM

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As the former Lake Biologist for Lake Leelanau and long-time Executive Director of the Leelanau Conservancy, I would like to have a couple of brief observations read into the record of tonight's meeting.

First, the comments submitted by the lake association are spot on. It is simply not possible to vastly increase the intensity of use on the Leelanau Pines property without negative impacts to neighboring properties, to sensitive wildlife habitat, and to the lake itself. The comments registered by the lake association, and virtually all community members who have reviewed the proposed campground expansion, have pointed out many concerns that should be addressed.

But I would like to suggest that we also pay attention to the relatively undisturbed and most sensitive parts of the property- the wetlands and shoreline riparian corridor, the Rice Creek corridor, and the bottomlands of Lake Leelanau adjacent to the wetlands.

Northgate acknowledges the importance of these areas and offers to preserve them against impacts of campground expansion. But as far as the submittals indicate, that promise is not permanent. I suggest that Centerville Township, as a condition of any final approval, require Northgate to make good on their promise of protection by deeding a conservation easement to a government entity or to the Leelanau Conservancy. Such permanent restrictions are common as a condition of approval in development projects. Given the quality of the resources Northgate pledges to protect, such a guarantee makes perfect sense with the Leelanau Pines property.

My comment here does not mean I think that Northgate should be granted approval if they make their promise to protect undeveloped portions of the property permanent and enforceable, but rather that any final approval should pay as much attention to what can be gained as well as to what will inevitably be lost.

Brian Price  
336 Nachazel  
Maple City MI 49664

**From:** [tomtrumbull@icloud.com](mailto:tomtrumbull@icloud.com)  
**To:** [timjohnson@centurytel.net](mailto:timjohnson@centurytel.net)  
**Subject:** Leelanau Pines Opposition  
**Date:** Monday, October 23, 2023 4:12:35 PM

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I am a resident of Leland and a property owner on north Lake Leelanau. I oppose the expansion of the Leelanau Pines Campground on the basis of environmental impact to Lake Leelanau.

It will bring a substantial increase to the number of boats on the lake with little regard for the spread of the Asian Water Milfoil, invasive species that is threatening Lake Leelanau. There will be damage to the lake through storm runoff causing erosion and bringing sediment into the lake. An additional concern is the septic system for the huge increase in the number of camp sites.

If approved, it will greatly change the character of the lake and pose serious environmental threats to the fragile eco system of Lake Leelanau.

Tom Trumbull

419-467-1715 Mobile

**Donald F. Baty, Jr.**  
2471 South Lake Shore Drive, Lake Leelanau, Michigan 49653  
Mobile: (313) 330-5386  
Lake Leelanau home: (231) 256-7534

October 2, 2023

Via email

Mr. Timothy Johnson, Chairman,  
Centerville Township Planning Commission

Chris Grobbel, PhD,  
Special zoning consultant

Re: Leelanau Pines

Dear sirs:

I am a resident of Centerville Township and have owned a home on South Lake Leelanau for over 20 years.<sup>1</sup> Admittedly, I am passionate about maintaining and preserving Lake Leelanau as one of the top 10 or 15 inland lakes in Michigan in terms of water quality, recreational opportunities, and beauty.<sup>2</sup>

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<sup>1</sup>I am on the board of the Lake Leelanau Lake Association. The views expressed in this letter are solely mine and have not been reviewed, endorsed, or otherwise sanctioned by the Lake Association.

<sup>2</sup> See for example, <https://www.worldatlas.com/lakes/lake-leelanau-michigan.html>;  
<https://www.planetware.com/michigan/top-rated-lakes-in-michigan-us-mi-104.htm>; <https://a-z-animals.com/blog/the-10-best-lakes-in-michigan-for-swimming/>; <https://www.bestfishinginamerica.com/michigan-walleye-fishing.html>; <https://theworldpursuit.com/lakes-in-michigan/>; <https://aerialgraphics.com/pages/tenbest>;  
<https://www.onlyinyourstate.com/michigan/most-beautiful-lakes-mi/>;  
<https://www.freep.com/story/news/local/michigan/2017/06/19/best-michigan-inland-lakes/409022001/>;  
<https://freshwatertherapy.com/lakeleelanaufishingguide#:~:text=Lake%20Leelanau%20might%20be%20one.pike%20fishing%20has%20been%20unbelievable>; <https://www.brookwalsh.com/blog/discover-lake-leelanau-a-hidden-gem-in-northern-michigan.html>, <https://backroadramblers.com/lake-leelanau-michigan/>;  
<https://thumbwind.com/2023/07/22/best-inland-lakes-in-northwest-michigan/>, <https://www.thecrazytourist.com/15-best-lakes-michigan/>; <https://insidemichigan.com/best-lakes-in-michigan/>, <https://samplingamerica.com/best-lakes-in-michigan/>; <https://bestthingsmi.com/lake-leelanau-mi/#gsc.tab=0>; <https://roadtriproaming.com/best-lakes-in-michigan-for-swimming/>; <https://www.farmbureauinsurance-mi.com/Insurance/Entries/Lakes-to-Visit-in-Michigan/>;  
<https://usatales.com/lakes-in-michigan-20-most-breathtaking-lakes/>; <https://wmmq.com/awesome-michigan-lakes/>;  
<https://www.thetravel.com/michigan-lakes-with-sandy-beaches/>; <https://flavorverse.com/lakes-in-michigan/>;  
<https://fishingamz.com/pages/fish-in-michigan>; <https://journeyz.co/lakes-michigan-swimming/>;  
<https://familieslovetravel.com/lakes-michigan-family-vacation-summer/>; <https://www.33fishing.com/lake-leelanau>;  
[https://www.gameandfishmag.com/editorial/fishing\\_walleyes-fishing\\_mi\\_0505\\_01/242662](https://www.gameandfishmag.com/editorial/fishing_walleyes-fishing_mi_0505_01/242662); and  
<https://betterbythelake.com/entries/travel/sunfish-fishing>; <https://www.miblue.com/michigan-top-5/wonderful-waters/>

In both oral comments and in my written submissions<sup>3</sup>, I voiced strong opposition to Northgate’s original 2022 application for a special land use permit; I incorporate those oral and written comments by reference because substantially all my objections continue to apply to the revised special use application and site plan (Revised Site Plan).

Under the terms of the Township Zoning Ordinance (Ordinance) and other applicable law, Northgate’s Revised Site Plan should be denied.

### *Initial Observations*

What exactly is the effect of the Mediation Settlement Agreement approved by the Township Board<sup>4</sup> on September 13, 2023? In the agreement, the parties agreed that Northgate would submit a revised site plan, that the site plan “will propose 150 new campsites” and “[u]pon approval [by the Planning Commission], infrastructure construction may be performed for all 150 new campsites.” (emphasis added). See Settlement Agreement, paragraphs 1, 7 and 9. With the exception of paragraphs 20 through 26 that are either boilerplate or relate to the effect of approval or denial of the site plan, the balance of the terms in the Settlement Agreement will not be effective unless the Planning Commission approves the Revised Site Plan. The fact that the Settlement Agreement references that Northgate will submit a site plan with 150 new sites does not bind the Planning Commission or mean that the Planning Commission is barred from find that the effects of adding 150 sites violate the Ordinance<sup>5</sup>.

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<sup>3</sup>Letters dated August 26, 2021(sic.), September 19, 2022, and October 2, 2022.

<sup>4</sup>Although probably not relevant to the review of Northgate’s the current site plan, the process and procedure by which the Settlement Agreement was approved may be important in the future. The agenda for September 13 board meeting (posted on September 10) merely referenced “Northgate settlements” and not something like “*Approval of Northgate Settlement*” that would have given residents some notice of what was being considered. And although apparently inadvertent, the agreement was only posted on the Township website minutes before the September 13 meeting where it was approved. The only other notice of the terms of the settlement was in a summary article in the September 14 issue of the *Leelanau Enterprise* that was distributed and made available to internet subscribers on the afternoon of September 13, the very day of the Board meeting. At the Board meeting, the Settlement Agreement was approved with virtually no discussion. The expansion of Leelanau Pines is one of the most significant land use matters in the history of the Township. The number of people attending the hearings and meetings on the original site plan, together with the volume of written comments provided, demonstrates that the expansion of Leelanau Pines is a very important matter for the residents of the Township and the community at large. Even if more notice and an opportunity for residents and the community as a whole to provide comments was not required by law, based on open governance policies, and honoring the fundamental precept that the Board members are only representatives of their constituencies, and thus have a duty to at least consider the views of their constituency, the procedure and process used the Board is troubling.

<sup>5</sup>In fact, it would violate the Michigan Zoning Enabling Act (Act), MCL 125.3101 et seq. if the Settlement Agreement bound the Planning Commission to approve a site plan that includes any particular number of new RV sites. Neither the Act, nor the Ordinance itself, give the Township Board the right to interject itself into the special land use permit process and require the Planning Commission to approve a special use application on terms imposed by the Board in an effort to appease a disgruntled applicant. To the contrary, as detailed below, the Act does not allow township boards to be involved in special land use approvals, presumably because the legislature determined that elected officials (versus appointed administrative bodies such as the Planning Commission or ZBA) should not be involved in special land use decisions so that politics are not a factor in those decisions.

1. What has changed?

Northgate's Revised Site Plan does not change the material infirmities in its original site plan. The revised plan calls for substantial changes to the lake front (including things such as an expanded boat launch and a substantial increase in hardened seawalls that were not part of the prior site plan), removal of virtually the same trees and shrubs, an increase in impervious surfaces near the lake front, the same development near the environmentally sensitive Rice Creek, and a substantial increase in the number of visitors, with the consequent increase in the number of users of the lake.<sup>6</sup>

Admittedly, the Revised Site Plan calls for 150 new sites versus 172 new sites under the original proposal (plus possible additional sites to be requested in the future), a reduction of only approximately 13%. Significantly, although the Revised Site Plan (via incorporating the Settlement Agreement) calls for 98 sites in the so-called Phase 1, if approved, the site plan would allow for infrastructure changes for all 150 new sites as part of Phase 1. Some of the most significant defects the Planning Commission found with the prior site plan related to infrastructure changes. And the 13% reduction in the number of sites does not materially modify (in a positive way) the infrastructure changes originally proposed, or the number of visitors and users of the lake to levels that address the Planning Commission's concerns. Thus, if there were non-conforming aspects inherent with adding 172 sites, those same problems and objections should logically exist with the Revised Site Plan. And if the prior site plan did not satisfy all requirements in the Ordinance, how can the Revised Site Plan now satisfy the Ordinance?

2. Approval of the Revised Site Plan would violate the Michigan Zoning Enabling Act and the Ordinance.

Although what follows is a rather complicated, technical analysis of the Michigan Zoning Enabling Act (Act), MCL 125.3101 et seq., it is a very important consideration in the matter before the Planning Commission.

As a starting premises, approval of special land use application must be done in accordance with the Act and the Ordinance, and an approved special land use cannot violate other laws and ordinances.<sup>7</sup> If the Revised Site Plan is approved, all terms of the Settlement Agreement will become effective. And if the Settlement Agreement becomes effective, the very terms of the settlement will violate the Act and the Ordinance.

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<sup>6</sup>The fact that the site plan calls for no change in the number of boat slips does not mean that the number of boats used by campers Lake Leelanau will not increase. Not all campers will rent slips and there is no limit on the number of boats that can be launched and used on a day-use basis. It necessarily follows that if you increase the number of sites and campers, the number of campers who use boats on the lake will increase notwithstanding the fact that no new slips are added.

<sup>7</sup>Also, actions taken or decisions by a planning commission or zoning board of appeals based on a zoning ordinance that does not comply with the Act are invalid. See *Whitman v. Galien Township*, 288 Mich. App. 672 (2010). As a corollary, zoning related actions or procedures not permitted by the Act are likewise invalid and unlawful.

The Act is quite clear regarding delegation of responsibility for special land use decisions. Section 125.3501(1) of the Act provides that a “zoning ordinance shall<sup>8</sup> specify the body or official responsible for reviewing site plans and granting approval” (emphasis added). In turn, the Act provides that a township board may, as part of a properly adopted zoning ordinance, delegate the responsibility for special land use decisions to a zoning commission, a planning commission, an official administering the ordinance or another legislative body. See MCL Section 125.3502(1).

The Act also requires that a zoning ordinance create a zoning board of appeals. MCL 125.3601(1). In turn, a zoning board of appeals “shall hear and decide” questions that arise in the administration of the zoning ordinance and appeals of decisions of an administrative official or body charged with enforcement of a zoning ordinance. MCL Section 125.3603(1). The creation of a zoning board of appeals and the process of having the zoning board of appeals handle appeals of actions of a planning commission (or other body or official charges with making special land use decisions) is not optional. See MCL 125.3401.

Finally, the Act provides that a person aggrieved by a zoning board of appeals or other township commission’s decision may appeal to the Circuit Court. MCL 125.3607(1). Importantly, the Act does not give a township board the right to modify the delegation of authority for appeals, and special land use decisions of a planning commission or a zoning board of appeals. The Act does not provide that an appeal from an adverse decision of a planning commission may be taken to a body or individual hearing the appeal other than a zoning board of appeals, or that the decision on appeal is final and cannot be further appealed to the Circuit Court. The Ordinance follows the statutorily mandated planning commission to zoning board of appeals to Circuit Court process for making and appealing special land use decisions. It does not provide that the Township Board can change this necessary progression for special use approvals and appealing those decisions or interject itself into special land use approvals.<sup>9</sup>

Under the Settlement Agreement, a decision by the Planning Commission on Phase 2 can only be appealed to an arbitrator and the arbitrator’s decision is final, with no right to appeal the arbitrator’s decision to the Circuit Court. This stripping away of the normal, required chain for appeals of Planning Commission decisions violates both the Act and the Ordinance.<sup>10</sup> By changing the appeals process in the Ordinance, the Settlement Agreement has the effect of amending the Ordinance without following the process mandated in the Act for amendments to zoning

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<sup>8</sup> Note the Act uses both the words “shall” and “may” throughout with various provisions. Therefore, as a matter of statutory construction, the two words must have different meanings – the word “shall” means mandatory and not discretionary, and the word “may” means permissive or optional. Section 2.1E of the Ordinance specifically adopts this rule: “The term ‘shall’ is always mandatory and not discretionary; the word ‘may’ is permissive.”

<sup>9</sup>Even if you assume the Settlement Agreement and approval by the Board somehow binds the Planning Commission to approve 150 sites if other requirements of the Ordinance are satisfied, this binding the Planning Commission would be the result of the Board inappropriately inserting itself into a special land use decision.

<sup>10</sup>The Settlement Agreement as an integral part of Northgate’s application for special land use approval because any site plan approval would be subject to the terms of the Settlement Agreement. Thus, the granting of a special use authorization would itself violate Section 13.1(G) (a)(17) of the Ordinance – “Site Plans shall conform to all applicable requirements of local, state and federal statutes”. The Act is a state statute, and if the Settlement Agreement violates the Act, the Revised Site Plan would not satisfy Section 13.1(G) (a)(17) of the Ordinance.

ordinances. Therefore, the Planning Commission cannot approve the Revised Site Plan if it has the effect of making the Settlement Agreement binding with provisions clearly in violation of the Act and Ordinance. And nothing in the Act or Ordinance makes an exception to the mandated appeals process if those changes are made in the context of settling litigation.<sup>11</sup>

### Conclusion

The Planning Commission made the correct decision in denying Northgate's original special land use application. The findings made in the prior proceedings were supported by the record, and the original site plan did not meet the requirements of the Ordinance. The Revised Site Plan has not materially changed the underlying facts or the unacceptable effect of the substantial expansion of, and changes to, Leelanau Pines.<sup>12</sup> And the fact that approval of the Revised Site Plan would violate both the Act and the approval process called for by the Ordinance serves as an independent basis for denying approval.<sup>13</sup>

Very truly yours,



Donald F. Baty, Jr.

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<sup>11</sup> The Settlement Agreement also violates applicable law for other reasons. The Settlement Agreement does not require that the arbitration, which is an appeal of a Planning Commission decision, be conducted in public, a requirement of the Act, the Ordinance, and the Michigan Open Meetings Act. Also, under the Settlement Agreement, it appears that the Planning Commission's consideration of Phase 2 is limited to only those complaints logged by the zoning administrator after his determination that they are "reliable and have merit." By giving the zoning administrator the final say-so on what is "reliable and has merit" and thus logged, in effect the zoning administrator is impermissibly given the ability to make final decisions on resident complaints, with the complainants stripped of appeal rights as called for by the Ordinance. Finally, the Settlement Agreement does not provide the standards to be used by the Planning Commission (or the arbitrator for that matter) in deciding whether Northgate can proceed with Phase 2. This violates MCL 125.3502(b) which requires that a zoning ordinance must include the standards by which special land use requests are to be evaluated and approved or denied. See also *Witman v. Galien Township*, referenced above.

<sup>12</sup> In fact, by including changes to the marina, expanding the hardened seawall, and making other lake-front changes not part of the original site plan, the Revised Site Plan exacerbates some of the defects the Planning Commission found in the original site plan.

<sup>13</sup> Although it may sound trite, the Biblical account of David and Goliath is apropos. David had a "strong power" backing him up and thus was not intimidated by Goliath's size, strength, threats, and taunts. Here, the Planning Commission had, and continues to have, strong facts and law on its side, and like David, the Planning Commission and other Township officials should not be intimidated by Northgate's size, resources, and threats of litigation.

**From:** [Lori Oberson](#)  
**To:** [timjohnson@centurytel.net](mailto:timjohnson@centurytel.net)  
**Subject:** Leelanau Pines  
**Date:** Monday, October 2, 2023 9:26:51 AM

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Tim,

After so much public opposition to Leelanau Pines, not meeting Centerville's master plan, the zba's denial of the site plan, now being rubber stamped!

I can't even wrap my head around this one! What the PC is allowing will be the demise of our beautiful lake or at a minimum what this lake and surrounding area has been for decades.

I would also like to comment on Tim Cypher, he is either totally incompetent or working under the table for Leelanau Pines.

In summary , this is our legacy, do we want this corporate greedy company to ruin LL or will you and the PC do the right thing?

Respectfully,  
Lori Oberson  
7318 S Shugart Shores  
Traverse City, Mi

Sent from my iPhone

**From:** [Sue Downs](#)  
**To:** [timjohnson@centurytel.net](mailto:timjohnson@centurytel.net); [grobbeenvironmental@gmail.com](mailto:grobbeenvironmental@gmail.com)  
**Subject:** Leelanau Pines: A Win-Win Target Market  
**Date:** Monday, October 2, 2023 3:26:24 PM

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Good afternoon:

Have the developers of Leelanau Pines considered the idea of a dark sky, more sophisticated and higher end nature experience vs the carnival cruise ship experience? I suspect it all comes down to the profit made at the end of the day.

1. By addressing a different target market and charging more for the campsites and offering experiences more in keeping with why people come to Leelanau in the first place such as hiking through natural areas, dark sky adventures and providing options for rent (paddle boards, sail boats, bikes, etc) I suspect they can reach their desired profit margin without all the proposed amenities that don't add value to being in the Leelanau natural area.
2. They could have a secondary profit center as a community venue by partnering with local businesses to bring events such as top name concerts, classes, and dinner events to the campground.
3. Have they thought of where the chlorinated pool water will go when they have to drain the 3 pools? My understanding is it can't go into the wastewater lagoon so it will need to be trucked away. Pool's require maintenance, labor and cost. They may want to rethink this amenity and create a water activity/fountain that uses lake water.
4. Have they thought about providing amenities for disabled children and adults? The playgrounds, hiking trails and water features can very easily be designed to be accessible to physically, mentally, hearing and sight impaired individuals.
5. Have they thought about why there aren't any Starbucks or McDonalds or traffic lights in the Leelanau peninsula? Or why the development of condos and a marina at the Narrows was defeated? It is by design. I really hope the developers will rethink what their impact will do to the land and the community. I would encourage them to take this opportunity to make their campground something they can really be proud of by being a leader and incorporating innovations for humans to enjoy while protecting this natural area.

Thank you  
Sue Downs  
Lake Leelanau

Sent from my iPhone=

October 23, 2023

To whom it may concern

Our family has owned a home on Lake Leelanau for over 40 years. We have been involved with the Lake Leelanau Lake Association for 15 years and the Foundation for Lake Leelanau for the last few years. Lake Leelanau has been considered one of the highest quality water systems in the State of Michigan. We have worked hard to combat the milfoil weed and other invasive species with funds and manpower. Preserving and protecting the health of our lake is our utmost concern.

*Leelanau Pines* has disregarded all the work that has been done to keep our lake healthy. The damage that this project would do to our lake in one year would be irreversible to the environment with the expansion they are requesting.

Northgate's proposed expansion would put great pressure on the eco system of Lake Leelanau. A partial list would include:

- On shore activities with the amount of people they would house and clearing the land
- Shoreline development
- The increased number of boats on the lake would have limited or no regard for milfoil, fish life and wildlife habitat
- Increased runoff of storm systems from rain, would cause the erosion of sentiment in the lake
- Inability to provide large enough septic systems designed to accommodate the huge increase for the large number of trailer sites

Environmentally, the expansion of Leelanau Pines would be disastrous for the health of Lake Leelanau. The Township board should insist on prior to considering any such proposal:

- Extensive soil studies of the existing trailer park and its septic and grey water
- A substantial environmental study regarding the watershed effects. The proposed project is immediately next to a creek.
- Environmental study of noise and night time pollution with this development

The township board should consider the legal liability it would be taking on, as a board by approving this development.

Sincerely

Deborah Lipner

To Centerville Township Planning Commission  
From Cary Weed, 6700 S. French Rd., Centerville Township  
October 20, 2023

**Public Comment Regarding 10/16/2023 Site of Leelanau Pines Campground:**

This comment pertains to the recent materials from Northgate posted on the Centerville Township website dated 10/16/2023. My previous public comment dated 10/12/2023 remains relevant to the most recent site plan. Nevertheless, it is important to comment further about the lot coverage issue since this is addressed in a new drawing, C205.

Specifically, I would like to address the huge and critical discrepancy in lot coverage between existing and new campsites. With a total site coverage listed as 232,565 square feet for 150 new campsites, this amounts to about 1,550 square feet of lot coverage calculated per each new campsite. The 170 existing campsites, assuming a 10X40 camper per campsites, only are given a site coverage of 66,800 square feet or about 393 square feet per camp site. While it is difficult to gauge the comparative dimensions of old and new campsites, it is reasonable to assume all campsites eventually will meet similar standards especially with respect to site vehicle access, parking and motorhome pedestrian access, so Northgate is grossly underestimating lot coverage for existing sites.

Using the site acreage provided on the County website of 72.74 acres instead of the applicant's 80.02 acres, the numbers the applicant provides result in 23.76% lot coverage using the applicant's lot coverage figure of 17.28 acres. Even if you only add token square footage to lot coverage per existing campsite for access, parking and services, the 25% lot coverage requirement is exceeded regardless of whether you use 72.74 or 80.02 acres for the site. The limit is reached adding 232 square feet (total of 632 square feet) per existing site for 72.74 or 702 square feet (total of 1095 square feet) per existing site for 80.02 acres. Even this is still an underestimate since it is more appropriate to assume existing site lot coverage closer to values used for new sites. Also, imagine how these lot coverage percentages might grow with any future changes on the site, for example expanded parking, storage or maintenance structures, sidewalks, etc. This is without considering that the large number of new campsites will require additional lagoon space.

A second comment pertains to drawings, especially the rendering provided by the applicant after the Planning Commission requested views from the lake. Providing a site view from the opposite shore a mile away is disingenuous and was not what everyone had in mind. It almost seems as though the applicant would rather not have the Planning Commission visually understand the extent of planned shoreline development. Centerville Township residents are concerned about the view from nearshore waters where they enjoy their small boats launched nearby. A closer view would help them judge how the altered shoreline and campground will affect their neighborhood and their natural resources including wildlife. Furthermore, the inclusion of a few more shrubs and "existing" trees along the shore in this set of drawings is unrealistic and not consistent with applicant's description of the major shoreline work in the application to EGLE. It is past time for the applicant to be honest with the Township.

**From:** Nick Minnick <minnickn@hotmail.com>  
**Sent:** Friday, July 14, 2023 7:51 AM  
**To:** centervillesupervisor@gmail.com; timjohnson@centurytel.net; dborton513@gmail.com  
**Cc:** jminnic@hotmail.com  
**Subject:** Northgate/Leelanau Pines Appeal and Civil Suit

Supervisor Schwantes, Commission Chair Johnson & Zoning Board of Appeals Chair Borton,

As discussions occur on both the appeal of the ZBA decision in circuit court and also the civil suit filed against the township by Northgate in regards to their expansion of the Leelanau Pines Campground, I wanted to reach out and voice our concerns, as well as the apparent sentiment of the majority of township residents from the turnout at prior meetings, that the proposed changes will permanently alter the character of Centerville Township and the surrounding community. The Zoning Board's decision that the proposed increases in the number of campsites and scale of facilities from the current campground footprint were not in line with the township's master plan was the accurate assessment, and should be upheld and not negotiated unless a more reasonable site plan is submitted by Northgate.

As homeowners on Lake Leelanau that is within a half mile of the campground, I can ensure you that the proposed site plan for the campground, including the expansion of RV and campsites, removal of trees and further development of the boat launch, will bring a significant amount of traffic to a community that does not have the infrastructure to adequately support it, and will surely decrease the value of surrounding properties. This is in addition to the ongoing damage that a significant amount of additional traffic on the lake would cause. We are already fighting a significant threat from eurasian watermilfoil in the lake that the additional traffic will surely exacerbate.

We appreciate your consideration of this opinion, as well as all of your recent efforts related to the management of the appeal and civil suit.

Thanks,  
Nick & Jeannine Minnick  
7337 S. Beach Front Street  
Cedar, MI 48178  
minnickn@hotmail.com

To Centerville Township Planning Commission  
From Cary Weed, 6700 S. French Rd., Centerville Township  
August 25, 2022

## **Comments Regarding Proposed Expansion of Leelanau Pines Campground**

I am writing these public comments as a concerned long-time resident of Centerville Township with conservation lands in the Rice Creek watershed. I have reviewed the description and (with a magnifying glass) the drawings for the proposed development posted on the Township website. This development more than triples the overall developed coverage of the approximately seventy-acre site, leaving only the northern Lake Leelanau shoreline in a more or less natural state. About 40% of the more than half mile of shoreline will be intensively developed with what appears to be two swimming pools, a lakeside pavilion, a camp store, boat launch and docks along with several parking areas, all lining the shore. This proposed development along the Lake Leelanau shoreline together with the increased boat traffic would impact the environmentally sensitive and wildlife rich southern end of the Lake. Also, Rice Creek, which flows into Lake Leelanau along the property line, will be developed along almost all of its approximately 2000 foot length with twenty-two new RV campsites in addition to the existing ten. This amounts to significant new development along a valuable riparian stream corridor, which, upstream, includes many acres of minimally developed and conserved land. This is without even considering the incompatibility of such a large, entertainment-rich campground on nearby single-family homes and small farms.

I devoted many hours as a citizen volunteer to assisting the Planning Commission with the Master Plan, which is to be used as a tool to guide future development. The proposed development by Northgate for the Leelanau Pines Campground seems inconsistent with the vision of the Master Plan and at odds with many of its goals and objectives. The Master Plan's future land use recommendation for Commercial Resort zoning (8.3.2) states, "the uses allowed under this designation should be reviewed to assure they are compatible with the goals of the Master Plan." This is certainly an important consideration in reviewing this site plan.

More specifically, the vision statement of the Master Plan, which was based on the results of a 2011 survey, notes that residents value the peaceful rural character and scenic beauty of the Township and "want to maintain the township's farmland, open space, and natural environment without the burden of uncontrolled growth and its associated impacts". The goals and objectives of the Master Plan, including the land use and natural resources goals and objectives, support this vision. In particular, our natural resources are seen as an important asset to protect:

### 7.3.3 Natural Resources Goal

Protect the natural resource assets, which are the basis for recreation, agriculture, scenic beauty and rural character and our health and well-being.

- Objective 1: Encourage sensitive site planning to protect the air, water and soil quality.
- Establish regulations for land development to avoid negative impacts to air, water and soil assets.
  - Promote alternative waste water systems and septic system inspections.
  - Cooperate with watershed management programs.
  - Address protective standards for waterfront usage.
  - Preserve the natural vegetation of shoreline areas through greenbelt regulations.
- Objective 2: Preserve environmentally sensitive areas.
- Identify sensitive environmental areas to be preserved such as woodlands, wetlands, steep slopes.
  - Identify land that may not be suitable for development because of natural limitations for the construction of structures or septic systems such as hydric soils, flood plains, steep slopes, or areas at high risk of shoreline erosion.
  - Encourage the acquisition of sensitive environmental areas for the purpose of permanent preservation.
  - Establish standards and regulations for land development in environmentally sensitive areas.

The Master Plan's residential goal is to support a range of housing consistent with the character of the Township and vision of the Plan. An important objective is to protect residential areas like the adjacent shoreline from negative impacts of incompatible uses such as the Northgate development. Aside from the obvious negative environmental impacts there would be increased boat traffic, noise, vehicle traffic and light pollution that would be a nuisance to many Township residents.

Finally, the Master Plan identifies keyhole development as a particularly significant issue. Keyhole development funnels large numbers of users to shorelines and can occur just as easily in campgrounds as in residential development. In essence, this is what the new owner of Leelanau Pines Campground seeks to accomplish with this proposal. Perhaps it is understandable that an outside developer coming into what is perceived as a small defenseless rural community would seek to maximize profits; but at whose expense?

It is not too late for the Planning Commission to remember its Master Plan future land use recommendation for Commercial Resort zoning and insure that any development of Leelanau Pines Campground is consistent with the Master Plan. The State of Michigan government website contains a useful resource that the Planning Commission should be aware of, *Protecting Michigan's Lakes: A Guide for Local Governments*.

<https://www.michigan.gov/-/media/Project/Websites/egle/Documents/Programs/WRD/NPS/General/inland-lakes-guide.pdf?rev=1d343d936cb14e42a8efed61dee92713>

To Centerville Township Planning Commission  
From Cary Weed, 6700 S. French Rd., Centerville Township  
October 12, 2023

**Public Comment Regarding Proposed Expansion of Leelanau Pines Campground:**

In August, 2022 I sent the attached public comment to the Centerville Township Planning Commission with respect to the site plan for the Northgate campground development. I wrote as a Centerville resident with conservation lands in the Rice Creek watershed and as a participant in the development of the Centerville Master Plan. While Northgate and Centerville have agreed to a fixed number of campsites and boat slips, the site plan is still subject to site plan review. Many of the objections and comments made last year are still valid when reviewing the most recent site plan posted on the Centerville Township website. Little has changed especially with respect to the design of waterfront development along the Lake Leelanau shoreline and Rice Creek which continues to be inconsistent with the vision statement as well as the land use and natural resources goals of the Master Plan. Except where there are delineated wetlands, the entire Lake Leelanau shoreline shown in the plan is open without vegetative buffer or screening, hardscaped with one-quarter mile of rip rap and seawall along the water's edge (see Project Summary, revised August 24, 2023, provided by applicant in EGLE permit application). The plan along this shoreline includes a continuous linear ribbon of intensive development all the way from the mouth of Rice Creek to the protected wetlands to the north. From south to north, the waterfront pavilion, the infinity pool and surrounds/cabanas, a second pool and surrounds/cabanas, associated parking spaces, the camp store, a camp store parking lot along with the boat launch/dock parking lot (plus all of the roadways and sidewalks associated with these facilities) are strung out like beads along this fragile shoreline. The development of new campsites all along Rice Creek exacerbates the problem especially given the limited capacity of the storm water detention basin, insufficient for a 100-year flood event. All of this creates an impermeable/semipermeable shoreline where pollutants from vehicles and other impacts (noise, light, etc.) associated with intensive use are likely to degrade Lake Leelanau and the environs, including the natural environment and the experience of people enjoying these unique resources. This is not in compliance with best management practices for sustainable green shoreline planning including storm water management and habitat preservation, standards that would be more consistent with the vision and goals of the Master Plan and Zoning Ordinance. See, for example, [https://www.nrdc.org/stories/green-infrastructure-how-manage-water-sustainable-way - whatis](https://www.nrdc.org/stories/green-infrastructure-how-manage-water-sustainable-way-whatis) and also <https://www.planningmi.org/zoning-standards>

The intent of the Ordinance, as stated in Section 13.1, is that the aims of the Master Plan will be assured through the application of the site plan review provisions. The review of what is being proposed should be guided by the Master Plan, and the proposal should be consistent with the vision and goals of the Master Plan as well as meeting standards in the Ordinance, which will often be open to interpretation. The findings and decisions made by the Planning Commission also must protect both the health, safety and welfare of the community as required by zoning and the natural environment as required by the Michigan Environmental Protection Act. The standards for review, then, must be interpreted in terms of these broader principles and legal requirements.

More specifically, when evaluating the site coverage of the submitted plan, it seems unlikely that the 25% or less coverage standard has been met. For the purposes of intensive development of a special use on such a sensitive shoreline and streamside site, lot coverage should be interpreted in terms of permeability and should include any land where the natural undisturbed permeability of this environmentally vulnerable site has been substantially reduced by development and hardscaping. Given the proposed lakefront and streamside development, it also seems unlikely that this site plan as designed really meets many of the other standards for site plan review delineated in the Chapter 13 of the Zoning Ordinance including:

- 1. All elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.*
- 2. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in maximum harmony with adjacent areas.*
- 3. Site plans shall fully conform with the published surface water drainage standards of the County Drain Commission. (100-year flood standard established for project)*
- 4. Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring property owners. (100-year flood standard established for project)*
- 5. The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein and adjacent parcels....*

As a person trained professionally in architecture and planning, I also want to comment on the nature of the materials submitted by the applicant to the Township. While these documents may be administratively complete, nothing has been included to help lay persons, including planning commissioners, understand the physical reality of the proposed site plan. Renderings and cross-section drawings could help illustrate what is really being proposed along the Lake Leelanau shoreline and along Rice Creek, and these items should be requested of the applicant for any parts of the plan requiring careful evaluation. Also, it would be extremely helpful for the applicant to offer an onsite meeting/tour for planners and interested members of the public so that the plan can be understood in its physical context. Without additional information, there is little to help planners understand whether the plan really meets the standards, many of which require interpretation by the Planning Commission.

It is important to note that site plan improvements should be required. Many of the shoreline elements could be relocated or simply rotated away from the shore. By moving most of the noise and pollution generating activities and shared spaces that require hardscaping and artificial light away from the water's edge, campers and neighbors alike would enjoy a much more beautiful naturalized shoreline, greener stormwater management, and improved habitat. Other improvements that would mitigate the effects of such intensive development on the entire site include incorporating more vegetative buffers and more permeable surfaces for walkways, parking lots and campsite surfaces especially near the lake and Rice Creek. Finally, other logistical challenges that need to be addressed include regulating the actual number of boats on site and incorporating measures that ensure the safety and flow of the increased vehicular and pedestrian traffic on Lake Shore Drive.

To Centerville Township Planning Commission  
From Cary Weed, 6700 S. French Rd., Centerville Township  
October 26, 2023

**Public Comment Regarding Proposed Expansion of Leelanau Pines Campground:**

This public comment is made in response to the Centerville Township Planning Commission Public Hearing and meeting, October 25, 2023. It is important to realize that the degree to which you adhere to the Ordinance standards that are tied into the vision, goals and objectives of the Master Plan sets a precedent affecting the review of other projects. If you ignore problems that are easy to anticipate with this site plan, and if the applicant is allowed to ignore your requests for more information, this could lead to future problems with this project as well as with other land use applications.

As an audience member and Centerville Township resident, I was concerned that the applicant has been unresponsive to the PC request to see the plan engineered for 100-year rain event and to the PC request for visual materials showing the project 100 feet from the shoreline. I also believe that my previous public comment with respect to lot coverage is still relevant.

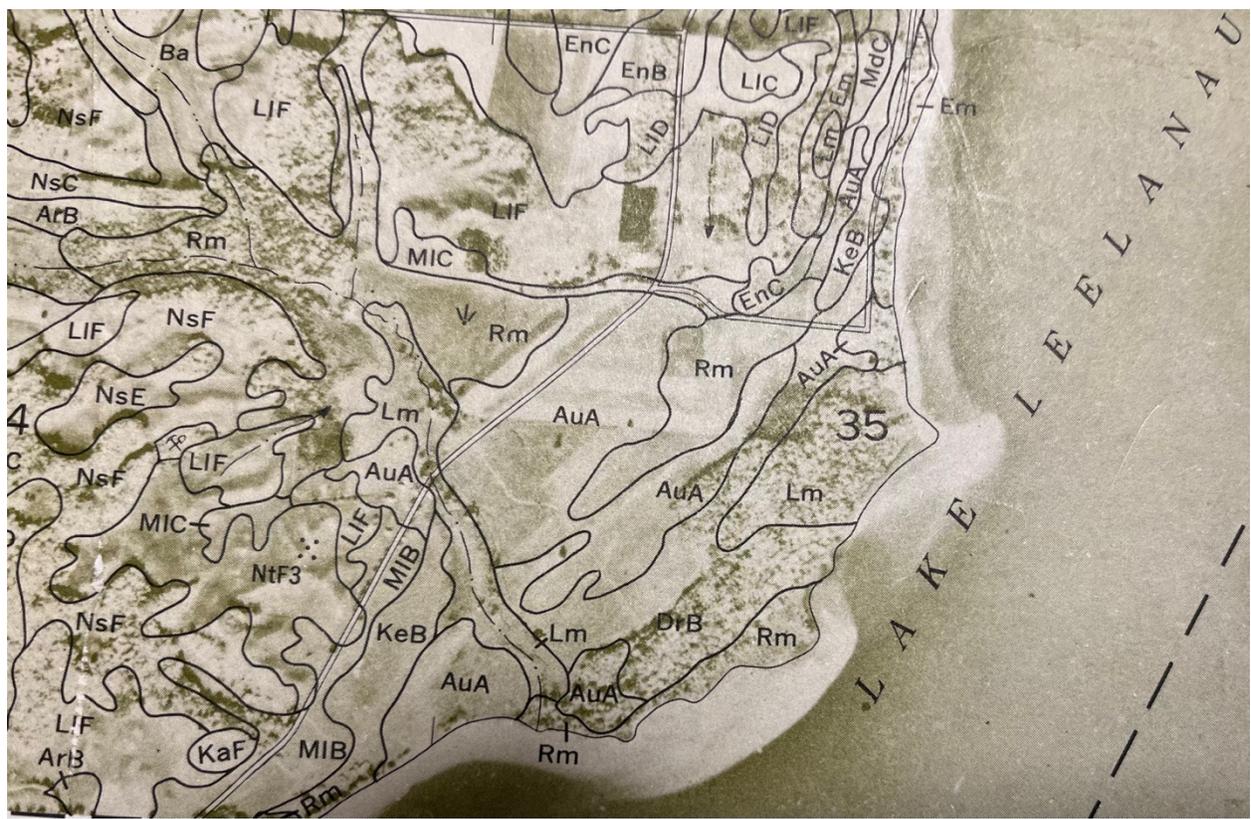
In addition, with respect to waste disposal, while the Planning Commission does not have final authority to approve an engineered system, it is essential for you to anticipate what and where it might be. In *Michigan Admin. Code R. 325.1561 Sewage disposal in modern campgrounds*, sewage flow is listed as 150 gallons per day per mobile home.

[https://ars.apps.lara.state.mi.us/AdminCode/DownloadAdminCodeFile?FileName=340\\_10318\\_AdminCode.pdf&ReturnHTML=True](https://ars.apps.lara.state.mi.us/AdminCode/DownloadAdminCodeFile?FileName=340_10318_AdminCode.pdf&ReturnHTML=True)

That is a large volume for a campground of this size, close to the 50,000-gallon upper end mentioned by the applicant. The administrative rule sets other criteria for the design of the system on site so it is worth viewing. It is hard to imagine that a redesigned system will not impact the site plan including lot coverage.

It is worth noting the soils on site and their severe limitations for septage and disposal fields. See the attached photograph from the USDA *Soil Survey of Leelanau County*. Also see <https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx> This website allows you to explore the soils on site for yourself. The printed version of the soil survey identifies severe drainfield limitations, including possible groundwater contamination by effluent and/or seasonal high water table for AuA (Au Gres), Rm (Roscommon Markey) and Lm (Lupton Markey) soils that make up most of the site except for shoreline and streamside. The survey also notes that these soils are poorly drained so there are stormwater and lot coverage implications as well. It would be putting the cart before the horse to issue a land use permit without more information about how waste water safely can be disposed of on site without harm to natural resources.

Finally, I support the list of recommendations made by the Board of Directors of the Leelanau Lake Association in its Memorandum dated October 18, 2023. I would add that point F. should be broadened to include stormwater run-off as well so that under point 2. Pool, water features and storm water drainage features would all be designed for a 100-year rain.



**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

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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 1,200<sup>1</sup> 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.

\* \* \* \*

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.

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<sup>1</sup> 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**<sup>2</sup>

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.

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<sup>2</sup>Note 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.<sup>3</sup> 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

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<sup>3</sup> 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 Township<sup>4</sup>, 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.

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



**Lake Leelanau Lake Association’s Comments and Questions to the Centerville  
Township Planning Commission Regarding the Site Plan for Northgate Leelanau Pines  
Proposed Expansion and Development Plan  
October 2, 2023**

The Lake Leelanau Lake Association (LLLA), which is comprised of nearly 500 households in Leelanau County, is providing the Planning Commission with a list of concerns and questions that should be resolved prior to making a decision on the proposed expansion of Leelanau Pines.

The Lake Association has identified several areas of concern. All relate to the protection of Lake Leelanau and the adjacent watershed, including Rice Creek. To preserve this resource for both the Association’s members and for future generations, the Association is opposed to any project—residential or commercial—which might damage the surface water, groundwater, wetlands, habitats, and the overall enjoyment of the lake by members or visitors. The significant increase in the sites at Leelanau Pines, and the consequent increase in users of Lake Leelanau<sup>1</sup>, without necessary and reasonable protections, threatens to affect the quality of our precious lake materially and permanently. Thus, we believe protections must be built into a special use permit, if one is issued.

**BOAT TRAFFIC**

**How is the Planning Commission going to ensure that the increased boat usage will not negatively affect the health of the lake and the enjoyment of the lake by other users?<sup>2</sup>**

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<sup>1</sup> In previous community comments provided to the Planning Commission in connection with Northgate’s original site plan, it was noted that Northgate estimates 3.86 campers per site at its RV parks. With 98 new sites, assuming only an 80% occupancy rate, there would be in excess of 300 additional people using the park at any point in time during the camping season. Assuming Northgate is allowed an additional 52 sites as part of phase 2 of its expansion, the incremental users would grow to in excess of 450 per day. And conservatively assuming only a quarter of those people use the lakefront or lake on any given day, the impact of use of the lake and lakefront will be significant.

<sup>2</sup>Land use activities that impact water quality are properly placed before the Planning Commission. See, *Miller v. Fabius Township Board*, 366 Mich. 250 (1962). The Michigan Supreme Court recognized that townships have broad powers to control use of inland lakes because of the unique factors that impact lakes such as number of boat users and the amount of fishing.

Our letters to the Planning Commission dated August 29, 2022 and October 3, 2022 lay out the impacts of too many boats on a lake.<sup>3</sup> Northgate's permit application to the Michigan Department of Environment, Great Lakes and Energy (EGLE) to reconfigure the existing marina includes a new two-lane boat launch – this suggests significant boat traffic above and beyond the existing 82 marina slips, particularly when we assume there will be a meaningful number of slips being rented weekly or seasonally – and the owners of the boats using the slips will not launch their boats every day. Thus, does the larger boat launch contemplate more boat use emanating from Leelanau Pines?

**Will there be limitations on the number of boats that can be launched above and beyond the 82 already docked in the marina? Will there be a prohibition on mooring and anchoring of boats offshore by campground visitors who are not using slips? Will only registered campers be allowed to launch boats and use slips at the park?** Limiting the number of boat slips is a good first step. But if campers are allowed to launch boats or moor boats offshore in excess of the number of allowed slips, the limitation on the number of slips is illusory and does not adequately address the negative impact on the lake of substantially increasing the number of sites at the campground.

#### INVASIVE SPECIES

The Lake Association is currently spending over \$300,000 annually to combat aquatic invasive species present in Lake Leelanau and that the cost will increase if more invasive species are introduced from the numerous boats anticipated from this project. **How is the Township going to ensure that the increased boat traffic is not going to increase the risk of introducing more invasive species?** A requirement for a boat wash station alone is not enough. The boat wash station must be properly used by every boater, which, in our experience, is better guaranteed through trained personnel staffing the station. The Planning Commission should require safeguards to ensure that all boats are properly washed. **And, given the growing popularity of so-called wake boats, will protections be put in place to require that all wake boaters drain their ballast tanks (another source of introducing invasive species) in compliance with state law?**<sup>4</sup> Finally, will the Township require the use of the most effective boat wash station technology available, namely a manned, high pressure water wash?

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<sup>3</sup> We incorporate those letters into this submission to ensure all of our concerns are part of the record on Northgate's revised site plan.

<sup>4</sup>We believe it is imperative for the County to adopt an aquatic invasive species nuisance ordinance, similar to those adopted in other places in Michigan, which requires boats to be washed if a boat wash station is located at a launch. Given the large number of boats that will be launched from Leelanau Pines as a result of the massive increase in sites, it would be reasonable to condition any site plan approval on these best practices to help control aquatic invasive species.

## SHORELINE PROTECTION AND WATER QUALITY

**What will be done to protect the shoreline?** The shoreline impacts from this project are significant. Northgate's EGLE permit application proposes increasing the shoreline riprap by 400% and the rebuilding of an existing seawall all of which are inconsistent with EGLE's Best Management Practices (BMPs) for shorelines. Northgate states that armoring of the shoreline is needed due to the magnitude of the wave action. The LLLA's wave action calculations show the natural wave energy at this location is considered low. If wave action is causing erosion, it is due to the high density of boats at the resort and use of those boats too close to the shore. Northgate dismisses BMPs as troublesome for the access of campers. Even though the riprap and seawall modifications are decided by EGLE, the Planning Commission can put in place a densely planted native vegetative buffer requirements to minimize shoreline impacts.

**What is being done to protect the aesthetic characteristics of the shoreline and lake front?** As the Planning Commission previously found, the proposed changes to the shoreline will negatively impact the aesthetic quality of the lakefront, particularly when you add a very substantial number of people using the campground and lake front and the numerous pools, buildings and parking lots. The Planning Commission should require a design that ensures that the view from the lakefront is protected and enhanced. A simple way of doing this is to limit development near the lakefront and impose a BMP in the form of a 35-foot densely planted native vegetative buffer or green belt (other than lawns) for reasonable portions of the lakefront not used for the marina and any swimming beach.

**The County requires that stormwater from a one in twenty-five-year event be managed. Given the close proximity of the project to Rice Creek and Lake Leelanau, what is being done to protect water quality from unchecked runoff and increased sedimentation from rain events greater than those that occur every 25 years?** Again, we suggest that a 35-foot densely planted native vegetative buffer or green belt (other than lawns) be put in place in reasonable portions of the lakefront not used for the marina and any swimming beach to help slow and allow infiltration of stormwater.

## SEPTIC SYSTEM

Although the lagoon system is permitted by EGLE, we have concerns related to high volume rain events that could cause the lagoon to rupture or overflow. The proximity to the Lake Leelanau and Rice Creek is distressing. **How will the Planning Commission assure that the system can withstand severe weather events that we are experiencing more and more frequently? Can the Planning Commission require an engineering**

**study that specifically examines the effect of severe weather events on the integrity of the lagoon?**

## CONCLUSION

Lake Leelanau is considered one of the highest quality lakes in the state in terms of water quality and overall health. It will only remain so if we, as stewards of this valuable resource, take steps to ensure that development does not negatively impact the lake. We believe the decision of the township board to allow a substantial increase in the size of Leelanau Pines is inconsistent with preserving and protecting the health and quality of Lake Leelanau. But if the Planning Commission now concludes that a special use permit should be granted, we strongly encourage the Planning Commission to impose conditions as outlined above to help partially mitigate the potentially irreversible damage to the environment flowing from the requested changes to Leelanau Pines.

The Board of Directors  
Lake Leelanau Lake Association

**From:** [Wayne Swallow](#)  
**To:** [timjohnson@centurytel.net](mailto:timjohnson@centurytel.net)  
**Subject:** Northgate Leelanau Pines  
**Date:** Friday, October 20, 2023 10:28:59 AM

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Mr. Johnson,

Thank you for your continued due diligence of the proposed Northgate Leelanau Pines (NLP) expansion. The Planning Commission and the Cleveland Township Appeals Board have both made solid legal decisions regarding the rejection of the NLP plans. It appears to me that NLP prevailed at trial because Cleveland Township could not afford the \$25,000 damages sought by NLP. Further it appears from press accounts that your insurance company would not pay the damages. Thus you were forced into arbitration, which eventually will lead to nearly the full expansion of NLP's original proposal. Please advise if this is correct, and the name of your insurance company. I have made comments before supporting your clear authority to deny this project. However, technical comments seeking to mitigate harm from the expansion to me is futile. Feel free to give me a call if you would like to discuss further.

Best regards,

Wayne Swallow  
8065 & 8071 S. Lake Shore Drive  
231-649-2087

Cathy Sehnert  
3421 S. Sunrise Ln.  
Lake Leelanau, MI 49653

October 2, 2023

RE: Northgate Leelanau Pines Plans

Dear Centerville Township Planning Commission,

While I am unable to attend this October 2, 2023 Planning Commission meeting and as a full-time Leelanau County resident and Lake Leelanau Association member, I want to share my concerns about Northgate Leelanau Pines, LLC's proposal for massively expanding the campground's environmental and community footprint.

Central Leelanau County is a region blessed by limited car traffic, beautiful fresh waters, and a healthy, yet threatened, community of wildlife and plantlife. Residents and visitors, alike, admire the quaint character and sustainable growth that we have managed for decades. However, all of this is threatened by Northgate's plan to almost double (183%<sup>1</sup>) its impact on the environment and community in and around Leelanau Pines.

By my estimations, Northgate's proposal would populate the area with an additional 150 families or 450 people, including their 150 vehicles and heavy trailers, every week in our summer months. That's approximately 151% of the total population of Cedar and Lake Leelanau combined! Food supplies at our small groceries will be impacted...Bunting's and NJs do not have the capacity to support this volume of growth. Hard waste and water waste from the campground increases by 183%. Road traffic from the campground increases by 183%. What impact studies have been performed for traffic studies, road wear, sewage impact, wildlife and plantlife impact, broadband throughput, emergency services impact, etc.? So much is unknown, except for the certainty of the profit-driven objectives of Northgate.

I implore that the Centerville Township Planning Commission revert back to its original 2022 position in standing up for the sustainability and livability of the region. It's imperative to maintain the integrity of our past generations and those that follow.

Thank you for the opportunity to share my opinion in processing this important matter.

Regards,

Cathy Sehnert

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<sup>1</sup> 330 proposed sites divided by 180 existing sites = 183%



**From:** [John Popa](#)  
**To:** [Tim Johnson](#)  
**Cc:** [centervillesupervisor@gmail.com](mailto:centervillesupervisor@gmail.com); [Tim](#)  
**Subject:** Leelanau Pines  
**Date:** Wednesday, September 6, 2023 6:52:30 PM

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Tim J., Jim, Tim C.

Although I/we are not privy to the negotiations, I surmise that there will be discussions on the number of boats.

-it is obvious that they own a lot of shoreline and will want more slips granted because of that.

-however, they probably plan to use the slips as part of their marina business

-since the marina was grandfathered, it should be up to them to present to you the number of slips that were present at their time of purchase...or what was grandfathered (there are rental records)

-a marina is for 'sales & services' (per the ordinance)...which would include rental of slips

-so if additional slips are authorized, for rentals, then that would qualify as a new marina....which is prohibited...vs what was grandfathered.

Do not authorize any more boat slips.

John Popa PE

384-5364

To: The Centerville Township Planning Commission

We are writing concerning the Proposed Expansion of The Leelaunau Pines Campground.

Our family owns forty acres of wooded acreage on Rosinski Road which we purchased in 1980. We put thirty four-acres of this important watershed into a permanent protective easement. Along with our neighbors Randy Karfonta, Bill Rastetter and Carrie Weed and the Miller family it insures that over 190 acres of Rice Creek will remain protected from unwanted pollution in perpetuity.

It was with great dismay that we learned of The Leelanau Pines development proposal. This development clearly could put in jeopardy Rice Creek and Lake Leelanau through hardscaping runoff and pollution due to vastly increased traffic and inadequate planning. It would be both and insult and I would say unjust not to take into consideration the financial and personal investment many have already made to protect our shared natural resources in Leelanau County.

Sincerely,  
Tom Price & Cynthia Carlson

From: [Bill Baseltier](#)  
To: [Tim Johnson](#)  
Cc: [Christopher Grobbel](#)  
Subject: some final pictures  
Date: Tuesday, October 24, 2023 11:03:01 AM  
Attachments: [Screenshot 2023-10-20 at 3.18.06 PM.png](#)  
[Screenshot 2023-10-23 at 6.22.36 PM.png](#)

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Tim (and Chris)-

Cary asked me to forward this to the Planning Commission. Thank you,

Bill

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From: Carolyn Weed <caryweed1@gmail.com> [6700 S. French Road, Cedar]  
Note for the Planning Commission: Some final pictures

There is so much material to review in a short time, so I wanted to make sure you take note of a couple of pictures worth a thousand words. First, the Pool Structure drawings found under the *Boat Wash Pool Details*: the structure in the screen shot below together with the pool cabanas will add a "Disneylandish" look to the shoreline. Second, in the *Summary Response to PC*, page 9, the response to the PC's request for shoreline views from 100' is copied in the second screen shot below. It is a view from a mile away across the Lake. Perhaps the PC has received the requested rendering, but it does not show up on the website.

