

**Minutes of Monthly Meeting
Crystal Lake Township Planning Commission
7:00 PM April 24, 2024
Crystal Lake Township Hall**

1. CALL TO ORDER at 7:00 pm by Chair Greg Wright

2. ROLL CALL AND RECOGNITION OF VISITORS

Planning Commission Secretary Dr. Bill Northway called the roll:

Present: Commission Chair Greg Wright
Commissioner Lee Ewing
Commissioner Bill Northway
Commissioner Mike Pasche

Excused: Commissioner Bill Herd

Also present: Zoning Administrator Tom Kucera
Recording Secretary Jeannette Feeheley

Commission Chair Wright welcomed the visitors. He noted that also present is Doug Mansfield of Mansfield Land Use Consultants and Ross Hammersley.

Visitors filled the room. Of those visitors, the following signed the sign-up sheet:

Jerry Lewallen
Fred McGill
Lena Fox
Elizabeth Rodgers
Tassie Boshier
Jill & Larry Burnside
Melody Frye
Melissa Hamp
James Niederhofer
Barbara Drew
Linda Frysinger
Connie Black-Pond
Patrick Pond
Warren & Karyn Wells
Ross Hammersley
Doug Mansfield
Jim Larsen
Katy Larsen
Art Plinski
Josephine Pace
Joe Collier
Justin Heniser
Garrett Johnson

3. CALL FOR CONFLICT OF INTEREST: There was none.

4. CORRESPONDENCE:

Chairman Wright reported receiving a letter notifying the Planning Commission that Elberta is planning to update their Master Plan.

In other correspondence, he said that after the Planning Commission's meeting a month ago, eight emails had been received and added to the list of individuals commenting on the proposal for Camp Nearby. He listed the names of the senders as:

Rebecca Eldridge on Jones Road
Daniel & Catherine Stewart on Jones Road
Sarah Waldeck & Paul Olszowka on Shorewood
Connie Black-Pond & Patrick Pond on Jones Road
Another one from Connie Black-Pond & Patrick Pond on Jones Road
Natalie Crawford on Main Street in Frankfort
Ann Mayo
Jerry Lewallen on Casey Road.

Chairman Wright said all letters & emails received on this topic will be saved and included in the Final Report on this matter.

5. APPROVAL OF MINUTES OF MEETING OF March 27, 2024

Commissioner Pasche moved that the draft minutes of the March 27, 2024 be approved. Chairman Wright seconded. All Ayes. Minutes approved.

6. APPROVAL OF AGENDA

Chairman Wright moved that the draft agenda for tonight be approved. Commissioner Ewing seconded. All ayes. Agenda approved.

7. PUBLIC COMMENTS: Chairman Wright asked everyone to hold their comments until after Mr. Mansfield, representing the Applicant for the Camp Nearby proposal, has made his presentation. He said this meeting tonight is for the Applicant to present their concept, introduce the Camp Nearby proposal to us and fill us in on some of the particulars. The Planning Commission's job tonight is to listen to the Applicant and to the public. Chairman Wright said that Mr. Mansfield will entertain some questions but attendees should direct their questions to the Chair instead of Mr. Mansfield. Chairman Wright asked everyone to be respectful, to take their time to digest all the information and not jump to any conclusions. He said the Commission will not be deliberating tonight on this Application, that such will not happen until after an official Public Hearing, and that Public Hearing will be at least two months down the road with much additional opportunity for Public Comment.

8. REPORTS TO THE COMMISSION

A. Chair Report: Chairman Wright repeated that this is not a public hearing tonight, that we are here tonight to listen and we might have questions for the Applicant.

B. Zoning Administrator Report:
Zoning Administrator Kucera said with summer approaching, there has been a significant influx of projects. He said three new houses, several sheds and deck expansions are under review.

C. Zoning Board of Appeals:
Kucera reported a request for a variance on a property on South Shore has been received and a hearing on that application will be coming at some point before the Zoning Board of Appeals.

9. NEW BUSINESS

A. Camp Nearby SLUP Application/Mansfield Land Use Consultants

Chairman Wright said they'll now hear from Mr. Mansfield and that all questions by attendees should be directed to the Chair rather than Mr. Mansfield.

Mr. Mansfield said every town hall is different and he appreciates the time the Planning Commission has given him to present tonight. He had earlier placed a large sheaf of planning documents and maps on an easel at one corner of the room for all to see. He introduced himself as Doug Mansfield of Mansfield Land Use Consultants, that he had been in business for 25 years, that he had had the pleasure of working in Benzie County before, and has worked all over Northern Michigan and as far away as Marquette.

He said the proposal is for a small boutique campground called Camp Nearby and that the applicants are a young couple named Elizabeth and Michael Heintzleman. He said the Heintzleman family has owned property on Big Platte Lake for several years and have been in the multi-development business in southern Michigan for a number of years. Elizabeth sold her share of that business to her father who owns that company and her father is the owner of the proposed Camp Nearby property.

The young couple, the Heintzlemans, have literally been camping across the nation for several years and remote traveling both for their own experience but also to gain knowledge about various campgrounds. What they are proposing is, on 17 acres, a variation of the different camping styles out there today. It is a 60-unit project centered around the existing Red Barn on the property as it was sold several years ago.

They have been working through the requirements of a Special Use Permit as allowed by the Township and all the agency reviews, including the Benzie County Road Commission, the Health Department, MDOT (Michigan Department of Transportation), the Drain Commission, the Soil Erosion Office, and the Fire Department out of Frankfort.

The Campground would be open for the spring, summer and fall months. He began to show on the maps and documents the proposal, beginning with the entrance to the project. He said there will be no open access on Casey Road. There will be gate across that entrance that only the campground owners and the Fire Department can access, if needed. He said the current entrance off M-115 will also be closed. The entrance to the campground will be on Onkeonwe Road and they will be improving that driveway and paving Onkeonwe.

As for scale of the project, the Applicants are limiting the size of any recreational vehicles to no more than 30 feet. They don't want the big RVs, they don't want summer stays; they want people who are actively coming to enjoy the area and then move on. The key focus of our market is we don't want all-summer stays.

The entry off Onkeonwe will lead to the registration and check-in area. To the north of the Barn there'll be some parking there for people accessing some of the amenities. After check-in, people will be directed to their trailer site or tent site or the glamping site. Glamping sites are a new thing in the camping world to provide a way for people who don't have all the camping equipment, which can cost a lot, to have that experience. Glamping can have anything from a

triangle structure with bedding or under State Law, a small resort cabin with a kitchenette and bathroom.

Moving further on the map, he showed where the road access has all been designed according to Fire Code access requirements along with private road standards for the Township to make sure there's safe access.

We are bordering the entire site with a 100 foot setback as required by the Ordinance. He showed various site spots for parking on the Map, including one for Maintenance only. He demonstrated the loop of the roadways.

The Barn and some existing buildings will be kept. The core area will have a group fire pit, a pool, and other minor amenities like field games. The interior of the Red Barn will be remodeled. The lower floor will be converted to provide amenities such as bathrooms/showers, sauna, storage area and a small room for children's toys. The second floor will be the main registration area, the Club community room, a small market/sales retail area, and offices. There is a mezzanine area on the top floor for business uses, high speed Internet, that sort of thing. We're not looking to change the perimeter of the Barn.

Elsewhere there's an old farm stand for feeding animals that we'll convert to a barbecue grill area. The only other amenities are restrooms, unisex bathrooms individually placed. The site will be served by an improved public well and a standard septic field which will function like a septic field in anyone's yard and will probably be in the grasslands around the blue barn shown on the map. There will be full hookups for electric, sewer and water and a pump out service probably near the blue barn.

There will be low voltage lights that will be downcast to meet the dark sky requirements. Storm water moves west to east; he showed the basin where it will be collected and where it will not be necessary to clear any trees. We'll be restoring the rest of the area with full landscaping.

Again, this is Special Use; there are standards for that Use in the Zoning Ordinance. We are going to go through a Public Hearing process, and this is good. We are serious about this project but also the project evolves by getting comments. You are the people who live here and drive by here, this is your community and we're interested in your comments as we move through this process. I can go through the building types, if you want, they are all in the packet of information provided.

An audience member interrupted to ask where the pool is located. The Chair reminded her to ask the Chair, not the Presenter.

Mr. Mansfield answered and showed on the Map where the pool would be in the lower area of the campground near the Red Barn. He then showed more details about the remodeling of the Barn. He showed where people could walk out of the Barn to the pool area and where bathrooms inside the Barn would serve them. They are not looking to change the barn color, not looking to change the elevation, maybe have a little bit more glass in the Barn.

Mr. Mansfield then showed details about the Glamping cabins and Resort Cabins and how they meet State requirements. There's no fixed water or sewer to the Glamping cabins; basically they are like a permanent tent structure to serve people who don't have all the tenting equipment.

He showed the layout for the bathrooms. He showed where there will be a maintenance building to hold yard equipment, etc. We're working with MDOT, the Road Commission, the Fire Department, the Drain Commissioner and Soil Erosion. The County Public Health Department has a big job with this project; they'll handle all the soil sampling for the State; they'll handle the well, and be the local consultant for the State out of Lansing.

After all of you get through your permitting requirements, the decision then goes down to the State for their final permit, and they will carry that permit for the life of the property. They actually issue a new operating license every year for a campground and do their inspections for that annually. The State is ultimately in charge of the operating license.

Our quiet hours mirror the Township's: 10 pm to 7 am. We're not looking to do any events of any kind. The Applicants are looking to find something in the community to which they could donate 1 to 2% of their profits back to this community, perhaps Betsie Valley Trail or something similar.

The Applicants could not be here tonight, but they will be here for the Public Hearing when it is scheduled. I think you will find they are pleasant people to work with.

As for the woods, there are some specimen trees we hope to save. The woods and landscape border is just as important to us for isolation purposes as it is to you.

That's my presentation and I'm looking forward to comments. I'm a Board member myself in another location and I have great respect for Boards and Planning Commissions. I ask that, out of respect to your Commissioners, please channel everything to them.

Chairman Wright then asked the Planning Commissioners if they have any questions.

Ewing asked to have Casey Road shown on the map. Mansfield did so.

Northway asked about the outhouses. Mansfield said outhouses are within 300 feet of every site. It was pointed out they are not pit toilets but have flush toilets connected to the sewer lines that run to the septic system.

Kucera asked about the resident manager program. Mansfield said they plan to have an on-site manager reside in a 1 and 1/2 bedroom minor house.

At this point, attendees were invited to ask questions. None who did so identified themselves before they spoke, so, for purpose of these Minutes, "Q" will stand for Question; "C" for Comment, and "R" for response from Mansfield:

Q: Number of sites and people allowed?

R: 40 campsites & trailer sites;
10 tent sites;
10 glamping sites.

Comprising a total of 60 sites and a 170 person maximum population when absolutely full.

C: Attendee expressed a negative view that that's 10 people per acre.....

Q: Lighting will be where?

R: Mansfield pointed out where on the map. All lights will have shields directing light down to maintain dark skies. They will be low voltage and enough to provide direction in the dark.

Q: How long can an occupant stay?

R: Two weeks maximum.

Q: You said there would be septic and sewers, but septic don't have sewers.

R: The lines from the discharge site to the septic system are called sewer lines. It will be a septic system much like at anyone's house.

Q: Proximity to Crystal Lake my concern. Any guarantee that any of that from the septic field won't reach the Lake?

R: The Health Department oversees that concern. Compare the 17 acres – divide by 3 – if you had 5 houses – 300 gallons/day – very comparable to housing. The Health Department is responsible for assuring all of us about any septic system in their purview.

Q: How about the shower units and washing in the laundry? Over a 4 month period, that is scary.

R: It is the Health Department who inspects and determines what they will and will not approve..... 75/gallons per day per site per the State of Michigan includes all ancillary use.... The State of Michigan Campground Rules are available from the State of Michigan to any member of the public. The septic field would be a pressure field similar to many of your houses.

Q: What usage for the pool?

R: Pool usage is licensed by the State. It will not be a large pool and will be fed by a domestic well. When looking at peak rates – domestic daily living – these will not be peaks like in a subdivision. These matters are all up to the Health Department.

Q: If approved by the Planning Commission, does it then go to the State for licensing? What control, if any, does the local jurisdiction retain?

Zoning Administrator Kucera answered this to clarify that the State License is not the Land Use Permit but rather is a permit to operate, and that is why it must be renewed annually.

Q: Who would handle complaints by the public?

Kucera: Those would go to the Township.

Q: Does the State consult with the Township? How about other campgrounds in the area?

Kucera: There is an RV park or campground on River Road, Lobb Road, and in Benzonia. Noise or smoke complaints would come to the Township. If the State finds a problem, they will not issue a license for the campground to continue operating that year. There are two levels of control. The immediate is the Township.

Q: With a license issued every year, what happens if they cannot keep up with the license? How do you get the land back to what it was?

Kucera: As with any zoning permit or Special Land Use Permit, the permit goes with the land, not the owner. Once approved as a campsite, that piece of land would continue being a campsite under potential future owners unless and until a future buyer might wish to divide the property

into something else, and if so, that future owner would need to secure a new Special Land Use Permit from the Planning Commission before conversion. Mansfield added that if the owners would ever lose the State license, they could possibly lose the Special Land Use Permit issued by the Township, and might need to go through the approval process all over again.

Q: On site manager?

R: 24 hours 7 days a week.

Q: How many campfire sites?

R: Each site has one. Only dry wood allowed – no smoky green wood. There's plenty of dry wood on the site.

C: 60 potential fires...

C: Capacity limit for fires?

R: I'm willing to entertain suggestions on this matter.

Q: What about guests not staying there but visiting?

R: There is no room for off site parking. Each site must have two parking spaces per the State. Discussion among Kucera, Mansfield and attendees about whether anyone in the Township can develop their own campground in this zoning district.

Q: How do you limit the number of campgrounds here in our Township?

Kucera explained there is an economic point where the number of sites would drive down the price viability. Economic competition is the governor. Mansfield added that there is a trend out there now for people to rent out their yards and hook up the electric to their house. The State of Michigan does not recognize a campground until the sites number at least five. This campground, however, would be regulated and licensed.

Q: Do the owners own any property north of M-115?

R: No.

Q: I have a traffic concern...

Commissioner Ewing talked about the passing lane on M-115. Commissioner Wright mentioned MDOT involvement.

Q: That M-115 extra lane would allow entrance off the main road?

R: No. That's why we are making closures to those entrances and make the entrance off Onkeonwe Rd.

C: I'm worried about driving from Frankfort when a trailer pulls out in front of me. We need an extra lane going east.

Q: Will there be a dog park?

R: Small dog park and chip trail.

Q: Will any amplified music be allowed during the day that might bother us from our adjacent property?

R: We don't allow "Events". Also, I'd be happy to come out to your property to look at any issues you might have and try to mitigate them. I would ask that such requests be grouped

together to save time and trips.

Q: How close are adjoining properties?

R: 100 foot setback all round. There is house 250 feet away to the east, and another 100 feet to the west. Basically almost a football field away.

Q: Volume of septic waste and public use?

R: No RV pump out for the public will be allowed.

Q: Someone comes with an already accumulated waste load and stays 4 days. That's already a lot.....

R: Even if they were here two weeks, they must pump out accordingly. We are NOT opening up the pump out station to the public.

Q: What's the guarantee?

R: Manager on site won't allow, plus there will be security cameras on site.

Q: With 2 night managers and 2 day managers – what enforcement is actually available?

R: Abuse of the Campground Rules will get an occupant kicked out. Obtaining this Special Land Use Permit means everything to the Applicants, and they are not going to allow an occupant to jeopardize it. I myself am a former State Park Ranger and know about enforcement. The lease agreement spells out the rules and the campers must sign.

Q: What is the increase to the tax base to the Township?

Kucera answered that will be reviewed with the Assessor.

Q: What about green spaces? What will be the view across the road?

R: Our intent is that you'll see the same trees you see now. We can come out and look at your view and see if anything else needs to be done.

Commissioner Pasche asked about the trees. Will you consider adding to the existing trees?

R: Yes.

Commissioner Pasche said improving that right-of-way would be good. Have you done a tree count?

R: The perimeter trees – yes. We have identified the valuable trees and we are reviewing what trees might need to be added.

Q: What would my property look at – my view?

R: We're maintaining the Red Barn and so on. We are not building 10 storage buildings.

Commissioner Pasche suggested that it would be helpful if the Applicant would provide some visualizations from viewpoints at ground level, in addition to the sky view.

R: Okay.

Q: What about access road to the Lake? Are you aware of a public access to the Lake down Onkeonwe Road?

R: Choice about access will be made by MDOT and the Road Commission.

Q: Dogs on leash?

R: Yes.

Q: Will there be specific months open or will it be based on weather?

R: Specific dates for opening and closing are required.

Commissioner Wright asked if there will be a limit of vehicles people can bring with them.

R: State says we must have 2 parking spaces on each site. We don't have extra parking.

Q: How about boats that people might bring?

R: I'll have to follow up on that question. We have no extra parking or storage.

Q: There's a pine tree on our lot line. We're close to a walking path. What's to stop people from trespassing on our property?

R: I'm not willing to build a fence but I'm willing to look at your security issues.

C: Township Master Plan of 2014 brought up. Attendee argued that this is not something we really need. The project is not in keeping with the Original Plan for no commercial use – it's supposed to all be rural preservation. The last campground approved was Roger Mix's. Are there any issues with that campground?

Kucera answered some issues are in progress, and we hold a \$30,000 bond that we can access to get whatever done that needs to be done if Roger Mix does not do it.

Q: Is there a stipulation about campers year round at Roger Mix's?

R: No.

Q: How will the construction affect us this summer? Bulldozers? Noise?

Wright answered he does not believe construction would begin this summer.

Mansfield added that, when and if it does begin, it would take a good contractor a couple of days. A small excavator and a crew – not a lot of saws. We will restrict the construction traffic and there would be a bond – there would be little impact.

Q: Parking just for campers? How about boats?

R: Parking is all as laid out, 2 per site per the State. There is not room for a boat trailer.

Commissioner Northway asked about fire protection with a potential 30 campfires on the perimeter and the dry wood.

R: There will be a system with a powered hose or water sacks. Per Fire Department requirements, there will be a hose connection within 50 feet of each campfire.

Mansfield concluded by saying this is what we do in my firm – Special Land Use Permits. We are willing to come out and look at any personal issues. This is a serious young couple who really want to be here. You're going to get a lot more working with us than against us.

Public Comments on This Proposal

Commissioner Wright thanked Mansfield for the presentation and opened the meeting up to Public Comments from attendees. At this point, comments, not questions, are taken.

C: The number of potential campfires sound like a lot. Will there be a limitation on quantity? Also, this type of clientele have kayaks. I wonder about 60 kayaks at the end of Onkeonwe Road. I'm way concerned about the population density.

C: I enjoyed as an experience camping out in nature, but this is in a residential area.

C: If the proposal meets the requirements of a Special Land Use Permit, does it have to be approved?

Commissioner Pasche responded that there is State Law governing what can and must be done by the Planning Commission. There are a lot of boxes that must be ticked prior to permit issuance. We have to have evidence either way whether to approve or disapprove.

C: I'm getting the impression the permit will be approved if he checks all the boxes. This is a Scenic Highway but it's not very scenic. I say the onus is on them. They are carpetbaggers from New York.

C: The Presenter said it will be easier to work with them than against them. To me, that sounds like a threat.

C: Lower density should be considered.

C: About the 1-2% of profits to be given to the community, how would those numbers be spread across the community?

C: Is the Lobb Road campground doubling their capacity?
Kucera answered they have a permit to expand but nothing is happening there now.

C: My wife and I camp 100 nights a year. People who camp do not like campfires. You're not going to have 60 fires there every night.

C: I'm concerned about access to the Lake.

C: I reiterate what another person said, that a decrease in density would solve many of these issues.

After all attendees had finished making comments, Wright thanked everyone for attending and for their comments. Presenter Doug Mansfield thanked the Commissioners for the opportunity to make the presentation and to hear comments.

Recess: Wright called for a short recess to allow people to leave before resuming the meeting on other topics. Recess called at 8:31 pm and resumed at 8:35 pm.

10. UNFINISHED BUSINESS

A. Short-Term Rental (STR) Ordinance Review

Kucera reported he had not had time, given many other pressing issues for his time, to incorporate yet what needed to be incorporated since the last meeting on this topic - into the

working document prior to sending it to the Attorney for his review.

Wright said Commissioner Herd had sent another email to us on this topic. Are there any comments on Bill's latest email? None were expressed.

Northway mentioned there is discussion of a possible excise tax on STR's currently before the Legislature and if Kucera is including that in his report? Kucera answered that if such becomes state law, it would automatically become part of any STR we might adopt.

11: OTHER BUSINESS

Kucera mentioned that the State's Michigan Public Service Commission (MPSC) is holding hearings on how they will implement the new state law whereby the State, rather than local jurisdictions as in the past, will make decisions about siting applications for large wind and solar plants. He said one can go to the MPSC Web Site to get involved or get information.

Wright said he had heard about a petition that might be by the fossil fuel companies. Kucera said there is a petition going round to put the issue on the ballot. He said one major factor pushing the State to do this are the State mandates to greatly increase the utilities' addition of solar and wind power to the power grid, and that the industry people are frustrated in their efforts to meet those State mandates in that local people don't want large solar and wind plants in their jurisdictions. This is one reason the State took away local control. He said now the siting of anything above 50 megawatts will be decided by the State, not local jurisdictions. He said the review will be done by the Department of Environment, Great Lakes and Energy (EGLE) but that agency is already understaffed. Pasche mentioned that local jurisdictions don't have the expertise to handle 50 megawatt plant sitings. Kucera said it is the local people who are concerned. He said there is also the issue of energy density, that is, the amount of land that will be consumed to hold a wind or solar plant is 4 to 5 times more land than a fossil energy plant. He mentioned a gigantic one lies in Southeast Ohio which takes up hundreds of acres. We're converting beautiful farm land into questionable uses. He said currently there is one behind the Beulah wastewater lagoons, and a plan to put a solar plant beyond the house in the valley behind Grow Benzie as one crests the hill. He said Consumers Energy and DTE Energy are currently ordered by State law to have huge increases in solar and wind by 2030 or 2035, a tremendous increase to meet these mandates.

Attendee in audience asked if the Commission is still on the topic of STRs, and did she miss something? She wanted to know the status. She was answered that it is in process but nothing is available for viewing yet. There are plans to hold a Public Hearing in July jointly with the Township Board on a possible STR Ordinance.

12. PUBLIC COMMENTS

Jeannette Feeheley spoke as a member of the public and said she has petitions, if anyone wants to sign, to give voters in November the opportunity to override, if they choose, the new state law that takes away local control over the siting of large solar and wind farm locations.

13. ADJOURNMENT: All business concluded, Wright adjourned the meeting at 8:48 pm.

Respectfully submitted,
Jeannette Feeheley, Recording Secretary

Attachments:

Eight emails received since the last Planning Commission meeting from:

Rebecca Eldridge
Daniel & Catherine Stewart
Sarah Waldeck & Paul Olszowka
Connie Black-Pond & Patrick Pond
Another one from Connie Black-Pond & Patrick Pond
Natalie Crawford
Ann Mayo
Jerry Lewallen

Detailed information on the Proposal for a new campsite called Camp Nearby can be accessed on the Crystal Lake Township Web Site.

Next Regularly Scheduled Monthly Meeting:

7 pm, Wednesday, May 22, 2024, at Crystal Lake Township Hall