

**Minutes of Monthly Meeting
Crystal Lake Township Planning Commission
7:00 PM, August 28, 2024
Crystal Lake Township Hall**

1. CALL TO ORDER

Planning Commission Chairman Greg Wright called the meeting to order at 7:00 pm.

2. ROLL CALL AND RECOGNITION OF VISITORS

Planning Commission Secretary Bill Northway called the roll:

Present: Commission Chair Greg Wright
Commission Secretary Bill Northway
Commission Vice Chair Bill Herd
Commissioner David Spragens

Excused: Commissioner Lee Ewing

Also present: Zoning Administrator Tom Kucera
Recording Secretary Jeannette Feeheley

Signing the sign-up sheet were:

Sidney Mueller	Cindy Rohlfing
Josephine Pace	Greg Rohlfing
Elizabeth Heintzleman	Cindy Niedenhofer
Linda Frysinger	Suzanne Peeke
Neil Brilliant	Jim Bordine
Cheryl Gehringer	Jim Niederhofer
Frank Gehringer	Mike Perry
Steve Stephens	Barb Perry
Mary Ellen Devine	David Blessing
James D. Larsen	Betsey Blessing
Katie Larsen	Judy Elsed
James A. Van Dyke	David L. Oriate
Christine Van Dyke	Michele Blair
Abigail Ellsworth	Lowell Ricklets
Judy Grant	Elizabeth Rogers
Ann Kullenberg	Judy Gross
Ellen Herscher	Jeff Karns
Greg Howell	Garrett Johnson
Bob (unclear-maybe & Ann?) Renwick	Brenda Mead
Mac & Marilyn Whisner	Ann Mayo
Camille Vettrains	Terry Frysinger
John Laubach	Carley Brunner
Les Raatz	Connie Black-Pond
Albert Walter	Pat Pond
Lorraine Walter	D. (unclear – maybe Doug?) James
Tassie Boshier	Nancy Lau
Barbara Fisher	Mike Heintzleman
Patsy Hulett	

Commission Chair Wright welcomed the visitors, some of whom spoke up to say that a fan in the back of the room running for circulation prevented those in the back from hearing. Zoning Administrator Kucera turned off the fan. It was also suggested that those standing in the back come forward into the room. A table was removed to make more room for chairs for visitors.

3. CALL FOR CONFLICT OF INTEREST

None reported.

4. CORRESPONDENCE

Wright said he has received correspondence opposing Camp Nearby from Nancy Rau. Kucera reported he had received further emails about Camp Nearby and that all are on file in the record of this matter. He said the Change.Org Internet project to oppose Camp Nearby has now posted 2,143 names.

5. APPROVAL OF MINUTES OF JULY 24, 2024

Wright asked if the Commissioners had any corrections to the Draft Minutes. None were offered.

Wright moved that the Minutes of the July 24, 2024 meeting of the Crystal Lake Township Planning Commission be approved without amendment. Spragens seconded. All ayes. Minutes approved.

6. APPROVAL OF AGENDA

Wright said Item 10, “Short Term Rental Update”, is no longer needed on the Planning Commission’s agenda as the Planning Commission had sent its recommendation on this matter to the Crystal Lake Board of Trustees. A Draft Short Term Rental Ordinance developed by the Planning Commission had been planned to be presented to the Township Board by the Zoning Administrator but due to a health crisis, that was not able to occur as planned. The matter continues to reside in the hands of the Board of Trustees. He recommended that item be removed from the Draft Agenda. Kucera said that the Draft Ordinance is available on the Crystal Lake Township Web Site and comments can be submitted to the Township Board. He said it is likely the Township Board will take up the matter at their next meeting.

Wright asked also that Item 12, “Frankfort Crystal Lake RV Resort Update”, be removed from the evening’s agenda due to time constraints. He said an earlier scheduled Special Meeting on the matter had had to be cancelled due to health issues and perhaps lack of a quorum. RV Park Manager Brenda Mead spoke up, asking that the Special Meeting be rescheduled. Discussion ensued, calendars were checked, availability of a quorum was questioned.

Commissioner Herd moved to schedule a Special Meeting in two weeks on the sole matter of the Frankfort Crystal Lake RV Resort petition. There was no second. Motion failed.

Spragens moved that the Agenda with the changes recommended by Wright be approved. Northway seconded. All ayes. The Agenda with recommended changes was approved.

7. ELECTION OF OFFICERS

Wright said it is time to elect officers to the Planning Commission and nominated the continuation of the current slate of Officers now serving.

Wright moved that the nomination of the current officers, that is, Wright as Chair, Herd as Vice Chair, Northway as Secretary, be the elective vote. Spragens seconded. All ayes. Motion passed. All current officers were re-elected.

8. PUBLIC COMMENTS

Wright asked if there were any comments at this time other than on Camp Nearby.

RV Park Manager Brenda Mead again reiterated her desire for the RV Park issue to be scheduled soon, saying that their issue was on last meeting's regular agenda but not taken up until Camp Nearby comments had all been given, forcing her and the RV Park Owner to sit through a lengthy process that did not concern them. She said their issue needs to be addressed, that the public hearing had already been held, and she wants her objections to the delay be noted on the record. She asked that, since the Special Meeting will not be re-scheduled, that this issue be placed on the top of the next month's agenda.

9. REPORTS TO THE COMMISSION

A. Chair Report: Nothing to report.

B. Zoning Administrator Report:

Kucera reported he has received 31 applications for the year so far. He also reported that he had heard from Commissioner Lee Ewing, who has submitted a letter of resignation from the Planning Commission due to an aggressive form of cancer that has come upon him. Expressions of sorrow were expressed by his fellow Commissioners.

C. Zoning Board of Appeals Report

Kucera reported that a variance request for an accessory building at 1033 Shorewood was denied at a recent meeting of the Zoning Board of Appeals on the matter.

10. SHORT TERM RENTAL UPDATE

Removed earlier from the approved agenda.

11. CAMP NEARBY UPDATE: D. MANSFIELD

At 7:15 pm, Mr. Mansfield of Mansfield Land Use Consultants, representing the proposed Camp Nearby property owners and petitioners, was asked to present an update they have prepared to their request for a Special Land Use Permit. Accompanying him were the petitioners, Mike and Elizabeth Heintzleman. He said they had received the Zoning Administrator's requests for further studies. They took all the questions and comments that have been submitted into consideration and have made a dynamic change to the project as a campground with a much tighter market for only primitive camping. It would not include any Recreational Vehicle nor any Boat Trailer nor any vehicle larger than that of a passenger car or van, nothing over 22 feet long, no campers and no motor homes. With this change, the size of the property does not change but we do not have to clear as much vegetation and can save more trees. There would be 66 tenting sites with two 10 X 30 foot parking spaces on each site. The canopy of trees now stays the same. Our philosophy is less is more, less disruption with just tents. Two weeks would be the maximum length of stay. They've done the Slope Analysis and met all the requirements of the Crystal Lake & Watershed Overlay and all that data is available. The Traffic Analysis is

underway as the expertise required is located downstate. They have obtained data, such as that there are 5,500 average trips/day on this section of M-115. They have the graphs and charts all available and submitted to the Planning Commission. The Michigan Department of Transportation (MDOT) looks mostly at the peak hours of 7-9 am and 4-6 pm when children are traveling to school and people are going to and returning from work, while the people coming to the campground will not be going to school or work so not utilizing the highway much during those peak hours. His charts and graphs give the data they have collected & estimated as the number and frequency of trips/day of the expected campers. He said totally it would amount to only a 4% increase in traffic on that section of highway, and that your own Zoning Ordinance does not mandate a Study until a much higher number of trips are envisaged, but they did the Study anyway and all the data is publicly available through the Planning Commission. He said getting rid of the trailers is a very big deal. As for the study of the well draw down impact, he said they pumped the well for two hours and every fifteen minutes recorded the draw down and applied that to 66 units operating with all spigots, faucets, etc., on – that is, everything at once which would never happen in the real world, and the well recovers without affecting any neighboring wells. He said the core effect does not reach their own property line.

There is only one remaining conflict, and that concerns primary vs. secondary buildings, which your Zoning Administrator believes might require a Zoning Variance. We ask to be kept informed on this matter, and that, if such is required, they would like to know which would come first. He said we are here tonight hoping to get a real Public Hearing scheduled on our request for a Special Land Use Permit.

Without waiting for the Public Comments item on the agenda to be taken up, members of the audience began questioning Mr. Mansfield and commenting. Most did not identify themselves before speaking directly to the petitioner rather than to the Commissioners, to whom comments are supposed to be addressed.

Male commenter: But what good are your camper rules? The next owner could just throw them out.

Mansfield asked the Commission Chair to be allowed to respond and was so permitted.

Mansfield said no, that's not true. A Special Land Use Permit goes with the property and is not dissolved with a new owner, who must abide by the same requirements.

Elizabeth Heintzleman of the petitioners said that we are here to present these big changes and to show that we have listened to your comments and your feedback about the traffic and other concerns.

Male commenter accused her and the presenters of not being present at earlier meetings. Mr. Mansfield responded that we did not feel it appropriate to take the Commission's time if they have not placed us on their agenda. The Heintzlemans responded they are here this month and will be here next month if they are on the agenda.

Male commenter asked what is the expected use of Crystal Lake?

Mike Heintzleman said they do not see Crystal Lake as the main draw but rather Lake Michigan and Sleeping Bear Dunes National Lakeshore. They won't be allowing trailers.

Male commenter: This is on a highway but a traditional campground with tents? How can you not expect them to go to Crystal Lake?

Mike Heintzleman said we are aiming to reach people who want to come to Lake Michigan and Sleeping Bear Dunes National Lakeshore without having to spend hundreds of dollars to visit here. We are not advertising Crystal Lake as the draw.

Male commenter: You're being naïve. There will be huge impact on Crystal Lake. I live on Molineaux Road and have experience with out-of-towners.

Female commenter: If it's 66 sites, how many people?

Mansfield: Possibly three to four people at each site. Discussion ensued as to how many houses could be built and the number of people who could occupy instead of a campground, and the resulting changes to the environment that such would bring.

Female commenter: There will be lots of people in a small area. You're going to have drinking parties and all kinds of behaviors. Any plan to self-enforce against bad behaviors?

Elizabeth Heintzleman: We plan to have full time staffing during the day and the common practice is to have a phone number available to respond after hours. I and my husband will be here all the time in the summer.

Female commenter: She had heard or thought there would be a bar selling liquor?

Elizabeth Heintzleman: No, not a bar. We are keeping the Red Barn – the Barn, not a bar. And the Barn will only be open during staff hours.

Female commenter: Your application said you would be piping ambient music throughout the campground.

Elizabeth Heintzleman: No, No outdoor music, no outdoor speakers. There could be music inside the Barn during staff hours but it wouldn't be throughout the campground. I don't know where that idea came from; it wasn't ours.

Female commenter: This is a commercial business in a residential area. Plus the density is outrageous and it is disingenuous to say otherwise.

Female commenter: I'm on Carlson Road. I acknowledge you taking the trailers out is a big deal. About that well recovery time? Do you have that?

Doug Mansfield: Tom (Kucera) has it. Then he leafed through his many papers to find that data piece. He found it and said the draw down is "12 feet" and the recovery time is "45 minutes recovery time". He added they would not be using the current driveway.

Female commenter: You also have to picture that we are all here on vacation. Your peak traffic times don't apply to us as we aren't going to work or school. She asked questions about the staff and how you would find appropriate staff when there are already staffing shortages in this area.

Mike Heintzleman: We anticipate hiring the best and paying accordingly, and Elizabeth and I will be the main operators the whole season.

Female commenter: You need to recognize that this is still just an application and it has not been approved.

Doug Mansfield: I know it's hard to understand the concepts of "use by right" and "use by special uses". Camping is an allowed special use in your zoning ordinance. We've met all the Overlay requirements and all standards are met. I'm just being honest that state law says that if we meet all the requirements, we have to be approved. But beyond that, I'll be providing also a "by right" scenario for comparison of what could be done "by right", that is, six 2000 square feet houses and accessory buildings and all that would entail – and you will have a comparison then of the impact of such on that area as opposed to tent sites.

Female commenter: What about light pollution?

Doug Mansfield: We plan to meet all Dark Sky requirements, plus we shall not be using the campground in the winter time when it is darker sooner.

Female commenter: We live close to the bike trail. There's always trash by bikers and it behooves us as neighbors to clean up the trash on the trail head as no one else does. Currently there are up to 50 cars at the outlet where only 25 were planned. You will only be adding to that. Your campground would be a major change in the heritage here. Often people buy acreage like this and then sell it to another developer and then it turns into a gas station or a shopping mall.

Male commenter: I live to the west and am worried about trespassing and the safety of my child. All those red pines will need to be removed as they age, and that will open up more trespassing opportunity. I'm worried about egress onto my property.

Doug Mansfield: Held the revised diagram up for all to see. He said we have listened to your concern and a perimeter fence will be put up on that edge of the property and evergreen trees will also be installed where appropriate to prevent trespass. Plus our trail will be moved further away from your property. A fence is now in our plan. We always listen to constructive criticism.

Female commenter: What about your dog run? What about all the dogs that will bark?

Female commenter: You are unrealistic. They will come for Crystal Lake. We have a problem on Molineaux Road already with access at the outlet. We don't need 200 more people at the outlet. And how are they going to get to the bike trail? Also, you say these are primitive sites. What about toilets? Septic? For 200 people!

Doug Mansfield: The State provides criteria for such matters and we exceed it. All bathrooms will be within 300 feet of each campsite. There will be several bathroom clusters on the property. The drainage will be put through a sewer system, not an open pit, then to septic fields that meet all requirements. The water system will loop the whole property and dishwashing stations will have sinks with drains.

Commissioner Northway asked about the Onkeonwee roadway.

Doug Mansfield answered that they will be improving that road.

Female commenter: Why 66 sites? Why not 30?

Mike Heintzleman: We feel it's the right balance of revenue and only May to October.

Female commenter: Less sites would make for less concern.

Another commenter: We live on Shorewood. At some point, you're going to sell. Once a development is developed, it never goes away. It's at the bottom of two steep highway hills. There serious safety issues on that road. Density is still a problem. Why not develop six houses and flip them?

Commission Chair Wright attempted to bring the Comments item back into the procedure of commenters addressing the Commissioners with courtesy. However, he was unsuccessful. Commenters continued to express anger with ever more emphasis in their delivery.

Female commenter: I'm very concerned about Onkeonwee. There will be an awful traffic accident. Your traffic study doesn't reflect this.

Male commenter: You should have started first with local knowledge rather than going to the State of Michigan and other regulators. Local knowledge is superior to what the law or rules can say. The field of vision on that road is limited. Children walking across M-115 scares me.

Male commenter: Do our government officials look at what impact this would have on local businesses, including lodging? Is this going to put locals out of business?

Male commenter: You're turning this into a Torch Lake. You're going to ruin this area. You don't understand.

Zoning Administrator: This is starting to get out of order.

Female commenter: Nobody wants them. Nobody.

Chairman Wright said we've heard enough, this is now the end of the Comments item on the agenda. He attempted again to regain control of the meeting but commenters refused to stop commenting.

Female commenter insisted on providing what she said was a positive comment. She said this will attract young people, and we need young people.

Zoning Administrator said he had some closing comments. He said we've heard a lot of negative comments about this project. But you should know that every piece of land in the township is eligible for a campground. If you want to change that, you need to come before the Planning Commission with your own separate request for a change in the Zoning Ordinance. As the Zoning Administrator, it is very difficult for me to perform my duty to comply with the Zoning Ordinance that your Township long ago approved, and enforce its rules, when there is such a total lack of support for your own Zoning Ordinance. I doubt many have even read it.

Female commenter: We're giving you a project.

Zoning Administrator: You want to eliminate all campgrounds in the area?

Female commenter: We think this project is a misuse.

Chairman Wright: The Zoning Administrator is simply trying to make a good point.

Female commenter: Pulled out the minutes of a former meeting and quoted that she had requested a change to the Zoning Ordinance at that meeting.

Chairman Wright: This discussion is concluded for tonight. A Public Hearing on this project will be scheduled for the Commission's September meeting. Commissioner Herd said he had not yet received the update. Zoning Administrator apologized that he has been in the hospital the last week and will provide everything soon, and the revised Camp Nearby proposal will also be provided for all to see on the Crystal Lake Township Web Site.

12. FRANKFORT CRYSTAL LAKE RV RESORT UPDATE

Removed earlier from the approved agenda.

13. PUBLIC COMMENTS: Already heard.

14. OTHER BUSINESS: None.

15. ADJOURNMENT: All matters concluded, the meeting adjourned at 8:22 pm.

Respectfully submitted,
Jeannette Feeheley, Recording Secretary

Next Scheduled Meeting:

Wednesday, September 25, 7 pm: Regular Monthly Planning Commission Meeting