

To Centerville Township Planning Commission
From Cary Weed, 6700 S. French Rd., Centerville Township
November 16, 2022

Public Comment Regarding Special Conditions for Approval of Proposed Expansion of Leelanau Pines Campground

I can only imagine how exhausted and overworked the Planning Commission must feel. I admire that you volunteer citizens have been able to sustain against the overwhelming and threatening onslaught of materials and demands from the applicant. I also appreciate all effort that happens at a local level to protect important natural resources and provide a reasonable path for development.

Our zoning ordinance refers you to the Master Plan and, as discussed by your planner, you have some discretionary regulatory power with respect to meeting its goals. It is shortsighted to focus only on the Master Plan's provision for future land use of Commercial Resort District, which states only that expansion is not foreseen. This was meant to provide guidance for requests for rezoning and for planning decisions about future land use and changes to the Zoning Ordinance. It is far more relevant to consider the broader substantive goals, including the goal and objectives for natural resources to protect the Township's natural resource assets, which are clearly violated by Northgate's plan. It is important and necessary for the Planning Commissioners to familiarize themselves with the likely damage to its natural resources, as described by the experts, that comes with the hardening of shorelines and the loss of riparian vegetation along streams. A particularly relevant summary of the importance of lakeside and streamside riparian areas is summarized in:

RIPARIAN AREAS

Functions and Strategies for Management

Committee on Riparian Zone Functioning and Strategies for Management

Water Science and Technology Board

Board on Environmental Studies and Toxicology

Division on Earth and Life Studies

National Research Council

NATIONAL ACADEMY PRESS

Washington, D.C.

National Academies of Sciences, Engineering, and Medicine. 2002. Riparian Areas: Functions and Strategies for Management. Washington, DC: The National Academies Press.

<https://doi.org/10.17226/10327>.

Summary:

The Clean Water Act (CWA) requires that wetlands be protected from degradation because of their important ecological functions including maintenance of high water quality and provision of fish and wildlife habitat. However, this protection generally does not encompass riparian areas—the lands bordering rivers and lakes—even though they often provide the same functions as wetlands. Growing recognition of the similarities in wetland and riparian area functioning and the differences in their legal protection led the NRC in 1999 to undertake a study of riparian

areas, which has culminated in *Riparian Areas: Functioning and Strategies for Management*. The report is intended to heighten awareness of riparian areas commensurate with their ecological and societal values. The primary conclusion is that, because riparian areas perform a disproportionate number of biological and physical functions on a unit area basis, restoration of riparian functions along America's waterbodies should be a national goal.

For example, the following citation is from page 154, Chapter "3 HUMAN ALTERATIONS OF RIPARIAN AREAS." National Research Council. 2002. *Riparian Areas: Functions and Strategies for Management*. Washington, DC: The National Academies Press. doi: 10.17226/10327:

Rip-rap (large rock, pieces of concrete, or other material) remains a common solution for "hardening" a streambank or shoreline in an effort to stem erosion. ...Rarely are the ecological impacts of such projects considered.... Rip-rap affects the riparian habitat directly by eliminating microhabitats of plant species that naturally stabilize banks. The large pore sizes typically associated with rip-rap treatments seldom contain soil and thus create poor substrates for plant establishment and growth. In addition, because many bank structures reduce the hydraulic roughness (i.e., the frictional resistance to flow) along the channel margins, flow velocities are greater along the bank during high flows, which often precludes the survival of many riparian plant species. With the loss of riparian vegetation brought about by structural modification of a streambank, important contributions of that vegetation to the aquatic ecosystem (e.g., shading, leaf fall, structural integrity from roots, nutrient inputs) are reduced, as are its functions as habitat for animals that commonly use streambanks and shorelines. Rip-rap can impede movement of animals that use streambanks and shorelines as migration corridors and destroy nesting areas, as has been documented for the wood turtle (Buech, 1992). Avifaunal studies along the Colorado River showed that, on average, the number of species inhabiting a riprapped riparian area was only about half that of an undisturbed river with intact riparian vegetation (Ohmart and Anderson, 1978).

In some cases, the use of rip-rap can have a deleterious effect on water quality. For example, runoff channels constructed of rip-rap or impervious materials can shunt water from roadways, other impermeable surfaces, or erosion prone areas directly into nearby streams and rivers. Such warmed and often pollutant-laden water enters the river without the benefit of having been filtered by vegetation or soil of the riparian area.

Still other sections of this document compare cultivated stream sides to natural riparian corridors.

Even though the Ordinance may not have large setbacks to protect these water resources, the Township still retains broad discretionary power to meet the Master Plan natural resources goal and objectives within those setbacks, subject to EGLE approval when required. And, independent of the Ordinance, the Michigan Environmental Protection Act imposes that duty. Conditions for granting a land use permit should include protection of riparian corridors lakeside and streamside in accordance with the MEPA duty to avoid impairment of natural resources because there are prudent and feasible alternatives available to the developer.

To Centerville Township Planning Commission
From Cary Weed, 6700 S. French Rd., Centerville Township
November 30, 2023

Public Comment Regarding Findings for Leelanau Pines Campground Permit:

After weighing in with numerous public comments addressing the proposed site plan and its impacts on the natural environment, particularly the shorelines, including providing references to soils on site, flood maps, and expert analysis of the deleterious effects of rip rap on the natural environment, it is appropriate to remind the Planning Commission once again of your discretionary power as you consider the applicant's responses to findings and the applicant's inadequate so-called environmental impact statement. The applicant never fully addresses the environmental impact of the plan, including the stormwater management plan (in view of FEMA's flood map) and the still unknown sewage disposal plan. The applicant never addresses the specific impacts on environmental resources, such as habitat and water quality, of hardscaping much more of the shoreline with seawall and rip rap, not to mention the impacts of chlorinated swimming pools, parking lots, buildings and sidewalks together with other intensive construction and development activities along the shorelines. This is without considering the impacts of noise and light on the natural environment and neighbors sharing the shoreline and the lake. As I wrote in Public Comment dated October 12, 2023:

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 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.

Given the negative feedback from EGLE staff on the shoreline plans and the serious questions about the adequacy of sewage disposal on site, Planning Commissioners have no choice but to deny the permit unless the applicant meets the current standards together with additional protective conditions to insure compliance with the intent of the ordinance.

Fwd: FW: Leelanau pines

1 message

Joe Mosher <joe.mosher@gmail.com>
To: Joe Mosher <moshercentervilletwp@gmail.com>

Sat, Dec 2, 2023 at 10:26 AM

----- Forwarded message -----
From: <timjohnson@centurytel.net>
Date: Fri, Dec 1, 2023 at 7:46 PM
Subject: FW: Leelanau pines
To: Joe Mosher <joe.mosher@gmail.com>

Received your reply to my inquiry regarding the township email getting rejected. Maybe the mailto: in front of your address is the problem. I'll delete that in my address book and send another email.

Resending the original email (below) to this address. The second para answers your question as to my current status.



From: timjohnson@centurytel.net <timjohnson@centurytel.net>
Sent: Friday, December 1, 2023 4:04 PM
To: Joe Mosher (mailto:moshercentervilletwp@gmail.com) <mailto:moshercentervilletwp@gmail.com>; Lindy Kellogg (lkelloggcentervillepc@gmail.com) <lkelloggcentervillepc@gmail.com>
Subject: FW: Leelanau pines

FYI. Hope you don't work too hard this weekend.... Best of luck Monday.....

Good news: yesterday I was accepted into the Cleveland Clinic (the highest rated Cardiac Hospital/Research Center) in the Country. I have an appointment on 12/14 to see if anyone there can answer two questions: 1) why would a guy with no risk factors (other than being alive) have two heart attacks in eight months and 2) what can be done to prevent a third heart attack.... Fingers crossed we get an actionable answer to the second question....

Tim.

-----Original Message-----
From: Don Mancinelli <manci@att.net>
Sent: Friday, December 1, 2023 3:43 PM
To: timjohnson@centurytel.net
Subject: Leelanau pines

Tim,

Do the right thing regarding this project. Seems like the weight of big money shouldn't be the deciding factor.

Thanks,

Don Mancinelli

4857 skyline dr

Cedar, Mi 49621

Cell 616 881 1063

Sent from my iPad

LEELANAU PINES-TOWNSHIP MEETING 12/4/2023 (John Popa)

-This is a new permit to develop a new campground, and has to comply with the present ordinance.

-If Northgate wanted to maintain the campground as purchased from the Novak's, then items could be Grandfathered...but not on a new permit.

-The citizens are behind you, and do not get humbled or depressed.

-I am not against the Campground....however, it upsets me and the community also, that the proposed campground is very intrusive.

-Section 13.1.G (2) has words such as "Preserved in Natural State"...we are asking the Planning Commission to stick to it.

-A new boat launch is not permitted...Period! (3.10 G). Just say no. If owners want a boat launch, then they have to go to ZBA.

-If owners want rentals, then it is a business, not a campground. Just say no. Have owners go to ZBA, and rentals have to count towards the total watercraft count.

-Their drawing continue to show very intrusive development next to the shoreline....Just say no, and stick to it. The discussion on this subject has been considerable, and owners are not showing good faith to relocate it, in defiance to their statements that they want to maintain a natural setting. Say no, and have them go to the ZBA...there is nothing like this on the entire lake!

-The drawings continue to show construction in the shoreline setback, such as decks. Decks are not permitted in the setback. (See *definition..setback lines*)
Just say no.

-There still is no commitment in communication or submittals about enforcing the loud boats. Put it in the conditions, because they are illegal and intrusive.

-Again, do not get humbled or beat up. This Commission, and each and every one of you, represent the community. This is a very intrusive development and if you do not think some things do not fit in, then insist that they do, say what is needed, and Just say no.