

# Transmittal

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September 30, 2022

Re: Leelanau Pines Campground Improvements

Project No. 211505

- FOR REVIEW
- FOR YOUR USE
- AS REQUESTED

Sent By: Jason T. Vander Kodde, PE

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COPIES	DATE	DESCRIPTION
1	9/30/22	Revised site plan drawings G001, C100-C403, L101-L104 (22 pgs)
1	9/30/22	Zoning Ordinance Section 13 – conditional approval portions highlighted (4 pgs)
1	9/30/22	Zoning Ordinance Excerpts – lot coverage portions highlighted (8 pgs)
1	9/26/22	Northgate Letter to Lake Leelanau Lake Association (6 pgs)

## COMMENTS

Per your recent conversation with Katy Hallgren, attached please find the following revised information for the Leelanau Pines Campground Improvements proposal for the planning commission's consideration during next week's regularly scheduled meeting on 10/3/22

- 1) Revised site plan drawings. – on behalf of Northgate, Fishbeck has made the following site plan revisions to address concerns raised by the Planning Commission or Lake Leelanau Association.
  - New pools/amenities geometry to encourage recreation off the lake and meet 40' setback
  - New mandatory boat registration and tracking for campground guests
  - New mandatory boat washing station to eliminate invasive species
  - Elimination of an existing second boat ramp by combining into one ramp location
  - Elimination of 13 existing campsites along the waterfront to improve future scenic views
  - Provide supplemental shoreline tree plantings to improve future scenic views
- 2) Zoning Ordinance excerpts highlighted to confirm Conditional Approvals are allowed and expected by the planning commission when a site plan application merits such collaboration.
  - 13.1.C.a – Allows conditional approvals for all site plans (major and minor)
  - 13.1.D.e – Allows necessary conditions on major site plans
  - 13.1.E.C – Allows necessary conditions on minor site plans

- 13.1.H.a – Allows conditional approvals deferring to other local, county or state agencies

Northgate Leelanau Pines is requesting a conditional site plan approval with the conditions being that: the Road Commission, the Drain Commission, the SESC agent, the Health Department, the Sheriff and State of Michigan EGLE provide written project approvals prior to construction implementation of their jurisdictional infrastructure. It is not common or prudent for an applicant to complete the entire detailed site engineering and permitting processes prior to site plan approval. Written evidence of our submittals and on-going correspondence to these agencies has been provided.

3) Zoning Ordinance Excerpts highlighted to clarify lot coverage meaning and application –

- There are 8 unique citations of the word “coverage” in the Centerville Zoning Ordinance. 6 of the 8 citations are specific to vertical structures and 2 citations are not related. Based on Section 4.4, it remains our opinion that the correct way to calculate “Lot Coverage” is to measure the existing and proposed building square footages.

- Out of an abundance of caution, we reviewed the concept that a seasonal trailer or short term trailer could be included in “lot coverage” for comparison purposes. If all 337 campsites are occupied by the largest trailer possible (10’x40’ = 400 sf) then there would be an additional 337 x 400 sf = 134,800 sf or 3.09 acres of lot coverage of trailers. From our recent “answers to questions” document, we have also calculated 23,698 sf (0.55 acres) of buildings existing and proposed. This concept would bring our total lot coverage to 158,498 sf = 3.64 acres / 80.08 acres (to shoreline) = 4.54% lot coverage. This 4.54% is well below the allowed 25% lot coverage maximum in the Commercial Resort District.

4) In an effort to provide full transparency to the Planning Commission, we are providing a copy of the recent correspondence between the applicant and the Lake Leelanau Lake Association board. Although the LLLA is not a required agency, Northgate is a member in good standing and has been in periodic communication with the LLLA throughout the site plan process.

5) In Response to the V4 LPC Draft Findings of Fact Dated 8/29/22 we offer the following additional responses to clarify and supplement previously submitted information:

*13.1.B.a.14 Written Statements relative to project impacts on existing infrastructure (including traffic capacity of streets, schools, and existing utilities) and on the natural environment of the site and adjoining lands:* The proposed improvements are within the capacities of the existing public infrastructure. The Traffic Impact Study has been submitted to the LCRC for approval. The Leelanau County Sheriff, Glen Lake Schools, and Cherryland Electric have all reviewed the proposed improvement drawings. The private on-site wells and lagoon system use are being coordinated with the Leelanau County Health Dept and Michigan EGLE with any related improvements being reviewed and permitted by those agencies. The natural environment of the site will be protected by site design features including minimal grade change, storm water management basins compliant with LCDC standards, and minimum wetland impact by removing the boardwalk and fishing piers from the application. The adjoining lands will be protected by preserving a vegetative buffer along the perimeter of the site and placement of the proposed amenities within the middle of the site instead of along the edges.

*13.1.B.b and 13.1.B.b.3 site plan...showing the site and all land within 300’ of the site. Also The location and type of existing soils on the site and any certifications of borings:* Drawing C100A provides an aerial image of the site and adjoining lands. The viewport of the drawing has been expanded to encompass all land a minimum of 300’ beyond the site boundary. The USGS soils survey information is already overlaid on this map with the soil types provided in the legend.

We trust that this extra information will support our Campground Improvement site plan proposal by clarifying how we follow the masterplan goals along the lakeshore and clarifying any misunderstandings of the zoning ordinance requirement relating to our approval process and technical calculations.

If you have any further questions, please feel free to contact us via phone or email.

By email

Copy: Katy Hallgren, Northgate Leelanau Pines, LLC

## Conditional approvals for major site plans are anticipated and allowed by Article XIII Section 13 as follows:

17. Exterior lighting locations with area of illumination illustrated as well as the type of fixtures and shielding to be used.
18. Location and specifications for all fences, walls, and other screen features with cross-sections.
19. Location and specifications for all proposed perimeter and internal landscaping and other buffering features. For each new landscape material the proposed size at the time of planting must be indicated. All vegetation to be retained on the site must also be indicated, as well as its typical size by general location or range of sizes as appropriate.
20. Location, size and specifications for screening of all trash receptacles and other solid waste disposal facilities.
21. Location and specifications for any existing or proposed above or below ground storage facilities for any chemicals, salts, flammable materials, or hazardous materials as well as any containment structures or clear zones required by government authorities.
22. Identification of any site amenities or natural features.
23. Identification of any views onto or from the site to or from adjoining areas.
24. North arrow, scale and date of original submittal and last revision.
25. Seal of the registered engineer, architect, landscape architect, surveyor, or planner who prepared the plan.
26. Deed restrictions, Master Deed restrictions, and bylaws as applicable, for Township review to insure that the condominium subdivision, or any use or development which requires site approval, its Master Association, and the applicant have provided for the continual maintenance of the development's services and facilities, to insure protection of the natural environment; compatibility with adjacent uses of land; and general upkeep of the subdivision's land in a socially and economically desirable manner.

### 13.1.C.a - Allows conditional approvals for all site plans (major and minor)

#### C. Site Plan Review and Approval

- a. The Planning Commission as specified in this Section, shall review and approve, review and approve with conditions, or review and deny all site plans submitted under this Ordinance. Each site plan shall comply with the "Standards for Granting a Site Plan Approval" as described in H of this Section. Each action taken with reference to site plan review shall be duly recorded in the official record of action by the Planning Commission. The Zoning Administrator shall forward any site plan received to the Planning Commission for review. Prior to any final decision, the Centerville Township Planning Commission may seek the recommendation of the Leelanau County

# Conditional approvals for major site plans are anticipated and allowed by Article XIII Section 13 as follows:

with any special problems or steps that might have to be followed, such as requests to the Board of Appeals for a variance.

d. Preliminary Site Plan Review.

The second phase is called Preliminary Site Plan Review. At this step a preliminary site plan meeting is scheduled. This meeting will be handled as a public hearing. Notice of the public hearing will be made according to Act 110 of Public Acts of 2006, as amended, and the Public Notification Section of the Centerville Township Zoning Ordinance. Verification of the Applicant's compliance with the submittal requirements of this Ordinance (see G in this Section) is reviewed by the Planning Commission, and the changes necessary, if any, for final site plan approval are indicated in writing to the applicant.

**13.1.D.e - Major site plans are allowed conditional approvals**

**e. Final Site Plan Review. (Begun 9/21/22, continuation for 10/3/22)**

Final Site Plan approval shall be considered by the Planning Commission at a regular meeting. The Planning Commission shall indicate in writing that all requirements of the Ordinance, including those of other reviewing agencies within Centerville Township, have been met, including any conditions that may be necessary. Where the applicant is dependent upon the grant of any variances by the Zoning Board of Appeals, said favorable action by the Zoning Board of Appeals is necessary before final site plan approval can be granted. An approved site plan shall include a note referencing the case number and date of all variances granted.

f. Data submittal requirements are be specified in F (f) of this Section.

E. Procedures for Submission and Review of Application for Minor Projects.

a. All developments less than ten thousand (10,000) square feet of structure, and ten (10) acres in size or smaller, are minor projects which may be reviewed by the Planning Commission pursuant to the requirements below. All other projects may be either major projects (see D of this Section) subject to review and approval by the Planning Commission or amendments to existing plans which are processed pursuant to the requirements in M of this Section.

b. The Planning Commission may review and approve the following site plans:

1. Accessory uses incidental to a conforming existing use where said use does not require any variance and where said site plan conforms with all the requirements of this Ordinance.
2. Expansion and/or addition to an existing conforming use where said site plan conforms with all the requirements of this Ordinance and does not increase the size of the existing use or structure more than ten percent (10%) of the present size.
3. Accessory storage buildings in all Zoning Districts.

## Conditional approvals for major site plans are anticipated and allowed by Article XIII Section 13 as follows:

4. Increases in off-street parking areas, parking buildings and/or structures, increases in loading/unloading spaces in commercial and industrial Zoning Districts, and landscape improvements as required by this Ordinance.
5. For those conditional land uses so specifically identified in this Ordinance.
6. Amendments to approved site plans.
7. Final site plans.

Sidenote: 13.1.E.c - Minor Projects also allow conditional approvals

c. The Planning Commission shall apply all applicable standards and procedures of this Ordinance in approving, conditionally approving or denying site plans.

d. Data submittal requirements shall be as specified in F (f). below.

### F. Distribution of Required Copies and Action Alternatives.

Where Site Plan Review is required by this Ordinance, an applicant for Site Plan Approval shall complete and submit copies of an Application for Site Plan Approval, site plans, and other information where applicable, as set forth below.

- a. The Application for Site Plan Approval must be obtained from the Planning Commission. The applicant is asked to keep one copy for his/her records. The applicant shall return the original and six (6) copies of the application and seven (7) copies of the Site Plan to the Planning Commission at least thirty (30) days prior to the next regularly scheduled meeting of the Planning Commission for the purpose of preliminary site plan review.
- b. The entire application (including Application for Site Plan Review and Site Plan) must be distributed as follows:
  - Original and six (6) copies returned to the Planning Commission
  - Copy, or copies, to the Road Commission per their requirements
  - Copy, or copies, to the Health Department, per their requirements
  - Copy, or copies, to the Drain Commission, per their requirements
  - Copy, or copies, to the local Fire Department, per their requirements
  - Copy, or copies, to the Leelanau County Department of Building Safety, per their requirements

Delivery may be via electronic or hardcopy format as indicated by each agency. The Planning Commission does accept electronic copies. Upon delivery of the application and site plans; the applicant shall obtain a receipt from the agencies as proof of delivery or a stamped, signed site plan indicating no comment. This receipt may be in electronic format (i.e., email). The receipt with comments, if any, from each agency shall be returned to the Planning Commission. Without these receipts and applicable comments, the site plan will not be processed.

# Conditional approvals for major site plans are anticipated and allowed by Article XIII Section 13 as follows:

11. All streets shall be developed in accordance with the Centerville Township Private Road Ordinance or the Leelanau County Road Commission specifications as required.
12. Site plans shall fully conform to the driveway and traffic safety standards of the Michigan Department of Transportation and/or the County Road Commission.
13. Site plans shall fully conform to the applicable fire safety and emergency vehicle access requirements of the State Construction Code and/or local Fire Chief requirements.
14. Site plans shall fully conform to the County Soil Erosion and Sedimentation Control Ordinance.
15. Site plans shall fully conform to the requirements of the Michigan Department of Public Health and the District Health Department.
16. Site plans shall fully conform to all applicable state and federal statutes.
17. Site plans shall conform to all applicable requirements of local, state and federal statutes and approval shall be conditioned on the applicant receiving necessary state and federal permits before final site plan approval or an occupancy permit is granted.

## 13.1.H.a - Paragraph allows conditional site plan approvals based upon agency comments and reviews

### H. Conditional Approvals.

- a. The Planning Commission may conditionally approve a site plan in conformance with the standards of another local, county or state agency, such as but not limited to a Water and Sewer Department, County Drain Commission, County Road Commission, State Highway Commission or Environmental Quality Department. They may do so when such conditions:
  1. would insure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity,
  2. would protect the natural environment and conserve natural resources and energy,
  3. would insure compatibility with adjacent uses of land, and
  4. would promote the use of land in a socially and economically desirable manner.
- b. The Planning Commission may conditionally approve a site plan for its conformance with fencing, screening, buffering or landscaping requirements of this Ordinance and may collect a performance guarantee consistent with the requirements of J of this Section

### **Section 3.8 Boat Houses**

Unless otherwise specifically provided in This Ordinance, Boat Houses constructed on lakes or watercourses in the Township do not have to comply with setback restrictions from such shoreline of lakes or watercourses as would be applicable to other types of structures. A 14' x 24' maximum building footprint and an 18' high peak with a 6/12 gable roof are allowed; no habitable space or decking is allowed. Boat Houses must still comply with side yard setbacks and lot coverage.

### **Section 3.9 Use of Lots for Lake Access Easements**

A minimum of one hundred (100') feet of Lake Frontage is required before granting an easement in accordance with this section. Easements must contain a minimum of twenty-five (25') feet of lake frontage and can only be granted to or held by person's owning property within the same section as the lot to be used for Lake Access. An easement may only be granted or held by one party. Separating and selling the right to use Lake Access associated with nearby inland acreage is prohibited. Granting easements across a previously improved residential lake lot is prohibited and will void the lake lot as an approved building site. The owner of the lake lot used for the lake access easement is required to provide one sanitation facility for each one hundred (100') feet of Lake Frontage. Any such sanitation facility must be appropriately screened from public view. A minimum of one off-street parking space for each authorized access right must be provided for all Lake lots.

### **Section 3.10 Docks, Moorings and Boats**

Unless otherwise specifically provided for in the ordinance, the following shall apply:

- A. On in-land lake property, docks shall be limited to one dock per 100' lake lot, or 50' lot which has been grand fathered in.
- B. On in-land lakes, no more than three motor-boats and ten (10) water craft other than motor boats shall be allowed per 100' of lot width, or per lot if the lot is less than 100' in width and grand-fathered in. No more boats than this may be stored on hoists, beached, moored, docked, or anchored; no more than one motorboat and one watercraft other than a motorboat shall be allowed for each additional 25' of lot width on hoists, beached, moored, docked, or anchored. No person may be allowed to rent slippage or mooring rights unless that person possesses a commercial marina permit.
- 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.

### **Section 3.11 Maximum Height**

In order to preserve the pastoral character of the area, no building or structure or any part thereof shall be constructed having a height greater than forty (40) feet. This does not include antenna systems that might require a greater height for adequate signal reception, windmill towers, or any structure actively used for agricultural purposes.



- g) Preexisting towers and antennas means any tower or antenna for which a building permit or special use permit has been properly issued prior to the effective date of this ordinance, including permitted towers or antennas that have not yet been constructed so long as such approval is current and not expired.
- h) Tower means any structure that is designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio and similar communication purposes, including self-supporting lattice towers, guyed towers, monopole towers or poles. The term includes, but is not limited to radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures and the like. The term includes the structure and any support thereto.

B. Applicability:

- a). New towers and antennas. All new towers or antennas in Centerville Township shall be subject to these regulations, except as provided in paragraphs B(b) through B(d) inclusive of this section.
- b). Amateur Radio Station Operators/Receive only Antennas. This ordinance shall not govern any tower, or the installation of any antenna, that is under sixty (60) feet in height and is owned and operated by a federally-licensed amateur radio station operator or is used exclusively for receive only antennas.
- c). Renewable energy towers. This ordinance shall not govern any tower, or the installation of any tower, that is under one-hundred (150) feet in height and is owned and operated by an individual and used for the generation of renewable energy.
- d). Preexisting Towers or Antennas. Preexisting towers and antennas shall not be required to meet the requirements of this zoning ordinance, other than the requirements of paragraphs C(f) and C(g), of this section, provided they are not improved in a way which raises their pre-existing height.
- e). AM Array. For purposes of implementing this ordinance, an AM array, consisting of one or more tower units and supporting ground system which functions as an AM broadcasting antenna, shall be considered one tower. Measurements for setbacks and separation distances shall be measured from the outer perimeter of the towers included in the AM array. Additional tower units may be added within the perimeter of the AM array by right.

C). General Requirements.

- a) Principal or Accessory use. Towers and antennas may be considered either principal or accessory uses. A different existing use of an existing structure on the same lot shall not preclude the installation of a tower or antenna on such lot.
- b) Lot size. For purposes of determining whether the installation of a tower or antenna complies with district development regulations, including but not limited to setback requirements, lot-coverage requirements, and other such requirements, the dimensions of the entire lot shall control, even though the towers or antennas may be located on leased parcels within such lot.
- c) Inventory of existing sites. Each applicant for a tower or antenna shall provide to the Zoning Administrator an inventory of existing towers, antennas, or sites approved for towers or antennas, that are either within the jurisdiction of Centerville Township or within six miles of

the border thereof, including specific information about the coverage area, location, height, and design of each such tower or antenna. The Zoning Administrator may share such information with other applicants applying for administrative approvals or special use permits under this ordinance or other organizations seeking to locate towers or antennas within the jurisdiction of Centerville Township, provided, however that the Zoning Administrator is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.

- d) Aesthetics. towers and antennas shall meet the following requirements:
  - 1) Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color so as to reduce visual obtrusiveness.
  - 2) At a tower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend them into the natural setting and surrounding buildings.
  - 3) If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.
- e) Lighting. Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the lighting alternatives and design chosen must cause the least disturbance to the surrounding views.
- f) State or Federal Requirements. All towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the state or federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the towers and antennas governed by this ordinance shall bring such towers and antennas into compliance with such revised standards and regulations within six (6) months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the controlling state or federal agency. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the towers or antennas at the owner's expense.
- g) Building codes; safety standards. To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards contained in applicable state or local building codes and the applicable standards for towers that are published by the Electronic Industries Association, as amended from time to time. If, upon inspection Centerville Township/Leelanau County concludes that a tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have thirty (30) days to bring such tower into compliance with such standards. Failure to bring such tower into compliance within said thirty (30) days shall constitute grounds for the removal of the tower or antenna at the owner's expense.
- h) Measurement. For purposes of measurement, tower setbacks and separation distances shall be calculated and applied to facilities located in Centerville Township irrespective of municipal and county jurisdictional boundaries.
- i) Not essential services. Towers and antennas shall be regulated and permitted pursuant to this section of the zoning ordinance and shall not be regulated or permitted as essential services, public utilities or private utilities.
- j) Franchises. Owners and/or operators of towers or antennas shall certify that all franchises required by law for the construction and/or operation of a wireless communication system in

- a. the location, type and height of the proposed towers or antennas;
  - b. on-site land uses and zoning, adjacent land uses and zoning
  - c. Master plan classification of the site and all properties within the applicable separation distances set forth in section C(p);
  - d. Adjacent roadways, proposed means of access;
  - e. Setbacks from property lines;
  - f. Elevation of the proposed tower and any other structures;
  - g. Topography;
  - h. Parking; and
  - i. Other information deemed by the Planning Commission to be necessary to assess compliance with the intent of this zoning ordinance.
- (4) Legal description of the parent tract and leased parcel (if applicable).
  - (5) The setback distance between the proposed tower and the nearest residential unit, platted residentially zoned properties, and unplatted residentially zoned properties, including those within the commercial and agricultural districts.
  - (6) The separation distance from other towers described in the inventory of existing sites submitted pursuant to Section 3.16.C(c) shall be shown on an updated site plan or map. The applicant shall also identify the type of construction of the existing tower(s) and the owner/operator of the existing towers.
  - (7) A landscape plan showing specific landscape materials.
  - (8) Method of fencing, and finishing color and, if applicable, the method of camouflage and illumination.
  - (9) A descriptive narrative of compliance with the following sub-sections of Section 3.16.C of this Ordinance:
    - (c) Inventory
    - (d) Aesthetics;
    - (e) Lighting
    - (f) State of Federal Regulations
    - (g) Building codes
    - (j) Franchises
    - (l) Signs
    - (m) Building and support Equipment
    - (o) Setbacks
    - (p) Separation
    - (q) Security fencing
    - (r) Landscaping and
    - (s) All applicable federal, state or local laws.
  - (10) A notarized statement by the applicant as to whether construction of the tower will accommodate collocation of additional antennas for future users.
  - (11) Identification of the entities providing the backhaul network for the tower(s) described in the application and other cellular sites owned or operated by the applicant in the coverage area which has an impact on this application.
  - (12) A description of the suitability of the use of existing towers, other structures or alternative technology not requiring the use of towers or structures to provide the services to be provided through the use of the proposed new tower.

(13) A description of the feasible location(s) of future towers or antennas within Centerville Township based upon existing physical, engineering, technological or geographical limitations in the event the proposed tower is erected.

E) Exempt Tower and Antenna Uses.

Personal towers used for wireless internet access, TV reception or radios, less than 60' in height are exempt from Site Plan Review.

F) Special Land Use Permits.

- 1) A special land use permit shall be required for the construction of a tower or the placement of an antenna in all zoning districts.
- 2) In granting a special use permit, the Planning Commission may impose conditions to the extent the Planning Commission concludes such conditions are necessary to minimize any adverse effect of the proposed tower on adjoining properties.
- 3) Each applicant for special land use permit approval shall apply to the Planning Commission providing the information set forth in Sections 3.16 C, D & F of this zoning Ordinance and a non-refundable fee as established by resolution of the Centerville Township Board to reimburse the Township for the costs of reviewing the application.
- 4) The Planning Commission shall consider the following factors in determining whether to issue a special use permit, although the Planning Commission may waive or reduce the burden on the applicant of one or more of these criteria if the Planning Commission concludes that the goals of this Zoning Ordinance are better served thereby:
  - (i) Height of the proposed tower.
  - (ii) Proximity of the tower to residential structures and residential district boundaries;
  - (iii) Nature of uses on adjacent and nearby properties;
  - (iv) **Surrounding tree coverage and foliage;**
  - (v) Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
  - (vi) Availability; of suitable existing towers, antennas, other structures, or alternative technologies not requiring the use of towers of structures, as discussed in Section 3.16.C(n).
- 5) The Planning Commission shall prepare a report containing a synopsis of the relevant facts pertaining to the request for a special use permit and then approve, approve with conditions, or deny the request.

G) Removal of abandoned Antennas and Towers.

Any tower or antenna that is not operated for a continuous period for six (6) months shall be considered abandoned, and the owner of such tower or antenna shall remove the same within ninety (90) days of receipt of notice from the Centerville Township Zoning Administrator notifying the owner of such abandonment. Failure to remove and abandoned antenna or tower within said ninety days shall be grounds for the Township to remove the tower at the owners expense. If there are two or more users of a single tower, then this provision shall not become effective until all users cease using the tower.

"Coverage" citation #6 - Lot Coverage for the various Zoning Districts.  
 The heading for BOTH columns (max height and max lot coverage) is Maximum Building Dimensions  
 The maximum lot coverage for the buildings varies by zoning district

**Section 4.4 Schedule of Zoning Regulations**

Zoning District	Minimum Lot Dimension		Setback Requirements for buildings from							Maximum Building Dimensions	
	Area ft <sup>2</sup>	Width ft	Water's Edge ft	Private Easement Ft	Front	Yard ft Side	Rear	From Highway ft 66' ROW    100'+ ROW		Max Height	Max Lot Coverage
Residential I	15,000	100	40	20 <sup>2</sup>	40	10	15	40	25	40	30%
Residential II	15,000	100	40	20	40	10	15	40	25	40	30%
<b>Commercial Resort</b>	<b>20,000</b>	<b>100</b>	<b>40</b>	<b>20</b>	<b>40</b>	<b>10</b>	<b>15</b>	<b>40</b>	<b>25</b>	<b>40</b>	<b>25%</b>
Recreational	40,000	100	40	20	40	10	15	40	25	40	40%
Business	22,000	100	40	20	50	25	15	40	25	40	50%
Agricultural	65,340	150	40	20	40	10	15	40	25	40 <sup>1</sup>	25%
Governmental	20,000	100	40	20	40	10	15	40	25	40	40%

<sup>1</sup> except as allowed in section 3.11 (Max Height)

<sup>2</sup> except for platted Lake Lots as of 12/05/02 where garage/accessory building minimum is 15' if the entrance does not face the easement. Setback is from the property line to the easement.

agrees. Minor changes to an approved site plan may be approved by the Zoning Administrator after construction has begun provided no such change results in any of the following.

1. A significant change in the use or character of the development.
  2. An increase in overall coverage of structures.
  3. A significant increase in the intensity of use.
  4. A reduction in required open space.
  5. A reduction in required off-street parking and loading.
  6. A reduction in required pavement widths or utility pipe sizes.
  7. A significant increase in traffic on neighborhoods or public streets or an increase in the burden on public utilities or services.
- b. Minor amendments include, but are not limited to, the following:
1. Moving building walls within the confines of the smallest rectangle that would have enclosed each original approved building(s). Relocation of building entrances or exits, or shortening of building canopies.
  2. Changing to an equal or more restricted use provided there is no reduction in the amount of off-street parking as originally provided.
  3. Changing the angle of parking or aisle width provided there is no reduction in the amount of required off-street parking or in reduction of aisle width below ordinance requirements.
  4. Moving of ingress or egress drives a distance of not more than 100 ft if required by the appropriate state, county or other local road authority with jurisdiction.
  5. Substituting landscape plan species provided a nurseryman, landscape architect, engineer or architect certifies the substituted species is similar in nature and screening effect.
  6. Changing type and design of lighting fixtures provided an engineer or architect certifies there will be no change in the intensity of the light at the property boundaries.
  7. Increase peripheral yards.
  8. Changing the location of an exterior building wall or location no more than ten (10) feet because of a natural impediment or hazard such as bedrock or muck soils,

### Section 14.4.3 Calculating Total Allowable Units in Multiple Districts:

The Total Allowable Units for a clustered development that is located in more than one zoning district shall be determined by calculating the Total Allowable Units in each individual district (gross acreage in district divided by allowable density within district) and adding the individual district results together.

### Section 14.4.4 Off-Premises Open Space:

The Open Space requirement of a clustered development may be partially achieved by using dedicated Open Space from a separate Agricultural, Recreational, or Residential 1- zoned property in Centerville Township and must meet the following conditions:

- 1) At least half of the Open Space required shall be located on the parcel in which the development is located.
- 2) Wetlands and natural water courses in the off-premises parcel shall not be included in the calculation of Open Space.
- 3) Only sixty five percent (65%) of the Open Space in the off-premises Agricultural, Recreational or Residential 1-zoned property parcel shall be credited toward the Open Space Requirement of the principle parcel.

### Section 14.4.5 Minimum Standards for Clustered Developments:

In order to encourage flexibility and creativity consistent with the open space preservation concept, a clustered housing development may depart from the normal dimensional standards for lot size, setbacks, lot width, and lot coverage; however, the following minimum standards shall apply.

- 1) The minimum setback shall be 10' from any lot line, easement line, or right-of-way line, or 40' from any shoreline.
- 2) Clustered lots that have a lot line which borders on a development boundary shall maintain the normal zoning district side or rear setback on that line.
- 3) All lots shall have a minimum of 30 feet of frontage on an approved road.



## NORTHGATE RESORTS

September 26, 2022

VIA Email: jwysor@aol.com, jjpopa@charter.net  
Lake Leelanau Lake Association  
P.O. Box 123  
Leland, MI 49654-0123

Dear Messrs. Wysor & Popa and Board of Directors:

This letter follows up on my conversation with Mr. Popa last week. We'd like to take this opportunity to summarize the many concessions we've offered to address the concerns raised by the Lake Leelanau Lake Association (the "LLLA") and improve the lake quality. As you know, Leelanau Pines Campground ("LPC") is a member of the LLLA. As such, we support LLLA's stated mission of "protecting and enhancing the quality and beauty of Lake Leelanau and its surrounding watershed for current and future generations." We believe LLLA's recent opposition to LPC's very reasonable expansion proposal goes well beyond this mission statement<sup>1</sup>. If LLLA is going to oppose all growth and development adjacent to the lake, no matter how reasonable and environmentally conscious, LLLA should revise its mission statement because we certainly would not desire to be a paying member of an association with such a mission. Indeed, some of the largest supporters of the LLLA have earned a living in real estate development and/or have done expansions and improvements on their Lake Leelanau properties, as is their right as property owners.

We've taken numerous steps to address each of LLLA's concerns, as outlined below. We want to stress that LPC has a total of 40 acres of undeveloped land with approximately 3,000 linear feet (0.5 miles) of lake frontage. Out of this, we are only disturbing 13 acres (see attached **Exhibit 1: Land Usage Comparison**) of mono-species pine plantation and maintaining a 40' buffer from the waterfront. We are replacing the pine plantation with more diverse, native trees and shrubs. The remainder of the improvements and/or expansion are proposed to occur in already disturbed areas.

Consequently, there is not a more reasonable and benign use for LPC's expansion land, especially considering the Commercial Resort zoning of that land. One way or another, LPC will develop its expansion land for some use — that's our right as a property owner. There are many

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<sup>1</sup> The LLLA's recent adversarial approach is surprising to us in light of the fact that Northgate has responded cordially and regularly to all communications and inquiries received from LLLA regardless of timing or content.



other uses of this expansion land that would be far less benign and environmentally-friendly than the 13 acre campground expansion LNP is currently proposing.

In response to the LLLA's concerns, we've recently taken the drastic step of removing 113 expansion sites from our expansion proposal. As such, the LLLA's previous claim of "an increase of 2.5 times the existing campsites," is no longer accurate. We've reduced the total site count to 337 campsites (170 of the 183 existing to remain, 167 proposed). Of the 183 existing sites, 13 along the waterfront are being removed to accommodate the new camp store and pools, thereby improving the waterfront aesthetics.

The following responses address each of the concerns raised in the LLLA's recent Statement by the Lake Leelanau Lake Association Read to Centerville Township Planning Commission Regarding Proposed Expansion of Northgate Leelanau Pines on August 29, 2022:

**1. Increased Boat Traffic:** The doubled expansion of campsites from 170 to 455 will almost certainly result in a significant increase in the number of boats on the lake. The lake can only handle so many boats without adversely affecting the ecosystem, recreation, and boater safety. Boats disturb the sensitive shallow water habitat where fish spawn and invertebrates live. Leaking gas and oil and emissions from boats add to lake pollution. Finally, too many boats are a detriment to safety and create excessive noise that detracts from the enjoyment of this beautiful lake. We ask that a Lake Carrying Capacity Study be performed to assure that the additional boat traffic will not degrade the lake ecosystem or jeopardize boater safety or riparian enjoyment of the lake.

Northgate Leelanau Pines, LLC ("Northgate") has reduced the number of proposed campsites to 167, bringing the total number of campsites to 337. In Northgate's current proposal, 170 out of 183 existing sites will remain and the 167 proposed campsites will be added in areas that have been previously disturbed, including an existing parking area and a pine plantation.

Northgate is not proposing an increase in the number of boat slips. We are proposing a consolidation of the three existing docks into two while maintaining the existing 82 slips. In addition, Northgate is proposing a consolidation of the two existing boat launches into one. These consolidations will minimize lake coverage and enhance safety.

Furthermore, in order to enhance enforcement efforts, Northgate is adding a controlled access check-in building and gate near the main entrance to keep anyone other than registered campground guests from entering and using the launch and docks.

Campground guests will be required to register their boat and pay an additional fee when they book their campsite. They will also be required to read and sign an agreement to terms to follow

proper boat safety and wash protocol. This will control the number of boats and provide additional oversight and opportunity for guest education on proper invasive species mitigation and protocols.

In addition to the above measures related to boats, the proposed amenities include a pool and a multi-level water playground/splash pad. These amenities, along with playgrounds, sports courts, and other activities programming, will provide guests with ample opportunities outside of the lake to recreate.

**2. Invasive Species:** Our Association is currently spending several hundred thousand dollars annually to combat the threat aquatic invasive species present to our lake. Increased boat traffic will significantly increase the risk of introduction and re-introduction of invasive species like Eurasian watermilfoil, which has severely compromised the beauty and recreational use of many lakes in Michigan specifically and across North America. We recommend that any Special Use Permit that may be granted require that every boat launched from the park be washed with a high-pressure water spray system staffed by trained personnel.

LPC has two existing boat launch areas in service. Our site plan proposes to provide a consolidated boat launch with a mandatory washing station. Our station will have informational boat wash signs reminding boaters to clean, drain and dry boats and trailers and to dispose of bait in the trash. Rack cards will be provided to guests with their check-in package. The signs and rack cards will be similar to those available through the [Michigan Department of Environment, Great Lakes, and Energy](#). No other washing station on the Lake has staffed personnel.

It should be noted that short-term LPC guests typically travel from within a four hour drive which means these are primarily Michiganders coming to visit the campground. As state residents, they generally appreciate the State's natural resources and desire to enjoy them long-term.

**3. Development on the Shoreline:** The shoreline itself is a precious ecosystem that must be protected. The development of pools, stores, pavilions and parking on the beautiful shoreline of Lake Leelanau and along Rice Creek would be detrimental to the water quality and habitat of Lake Leelanau. These facilities add significant amounts of impervious surfaces which will carry sediment and nutrients into the lake when it rains. At a minimum, the 40' setback requirement should be honored and the existing shoreline should be restored to natural conditions, including removal of the seawall, to minimize the impact of the large number of people on the property. This recommendation is consistent with EGLE's best management practices, as contained in their pre-application letter sent by EGLE on July 28, 2022.

A 40' setback has been honored for all proposed buildings and structures. **In response to the LLLA's concern, the proposed waterside patio adjacent to the Camp Store has been removed.** We will work with EGLE to achieve a shoreline treatment that follows best management practices and mitigates the current shoreline erosion made apparent by the number of trees tipping into the lake.

In short, Northgate is maintaining the 40' shoreline buffer, keeping existing trees and planting an additional 8 trees along the shoreline (red maple and yellow birch, 2.5" caliper, 12-14' tall at planting). Also, as noted above, as part of its proposal, Northgate is removing 13 existing campsites along the waterfront.

**4. Impacts of Nutrients from the Sewage Lagoon:** The proposed plan does not address the consequences of the increased usage of the sewage lagoon to groundwater and surface water. There is no mention of upgrading the lagoon even though the usage will increase substantially. Hydrological studies of the potential impact of the expansion must be performed.

The Lagoon operation is closely governed and monitored by EGLE to assure environmental compliance. An application for growth to accommodate the expansion has been made. We anticipate that a condition of site plan approval requiring EGLE permitting will be appropriate under ordinance 13.1.H.

**5. Impacts to wetlands:** The property includes an endangered forested wetland which is of tremendous importance in the filtration and maintenance of the high quality of the water in Lake Leelanau's ecosystem. The construction of hiking trails will degrade the wetland, which must be avoided.

**In response to the LLLA's concern, the proposed elevated boardwalk and fishing piers have been removed from our proposed plan.**

In light of the above, I trust it's clear to the LLLA that Northgate has gone above and beyond to resolve all of the LLLA's concerns. We're hopeful that the LLLA will recognize the reasonableness and appropriateness of LNP's revised, proposed expansion and will communicate this to the association members. To the extent that the association members are successful, so also will the association succeed.

We're on the same team. Our campground succeeds only so long as the lake remains beautiful. As stated above, we share in the LLLA's mission of protecting the quality and beauty of the lake. That's the reason we joined the LLLA as a member as soon as we purchased LPC. In fact,

when we joined, we paid more than the minimum dues. Compare this to LPC's lack of involvement and support of the LLLA prior to Northgate's ownership.

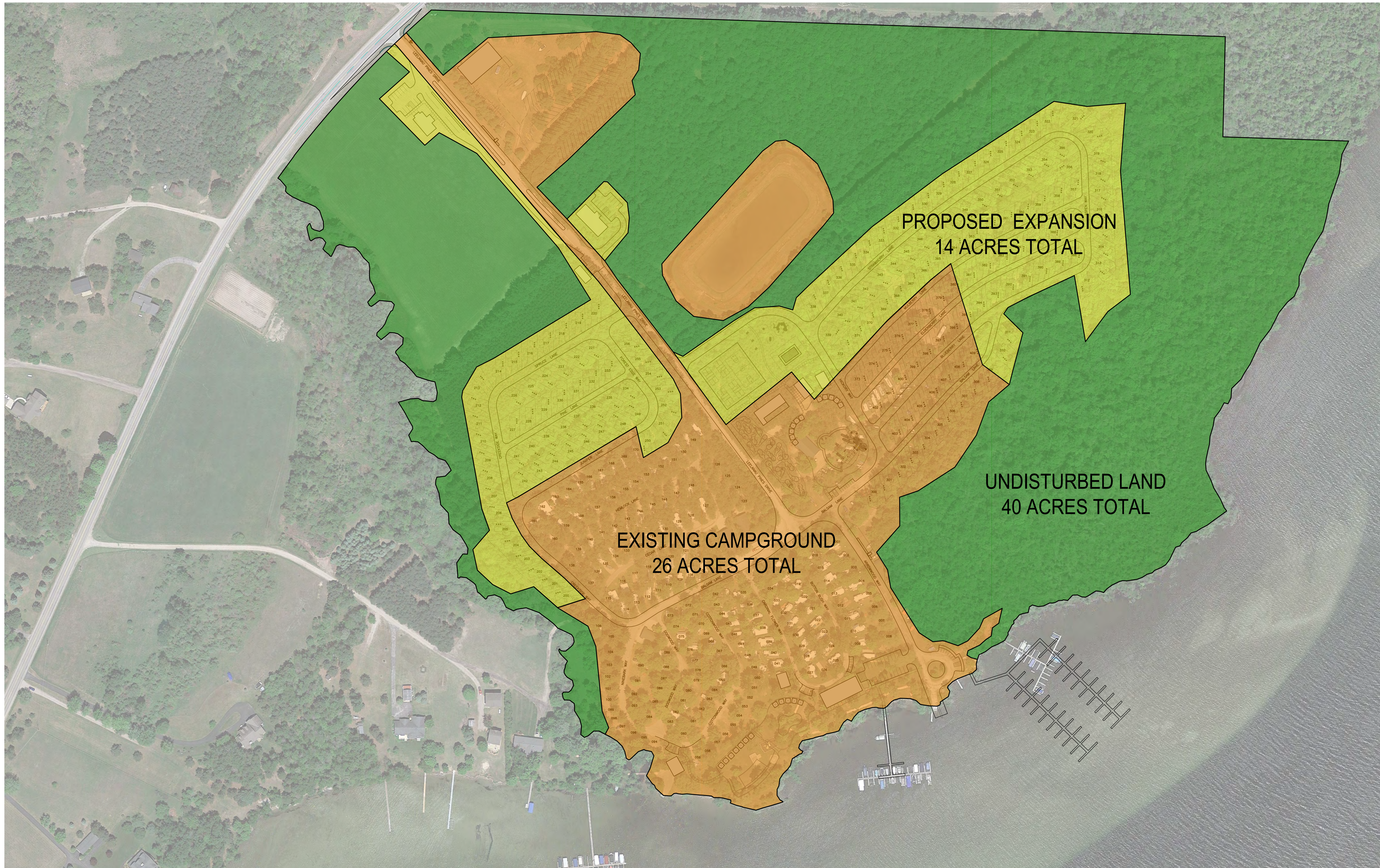
If the LLLA is being honest, nothing about LPC's proposal will negatively impact the quality and beauty of the lake. To the contrary, **the initiatives we're taking in connection with the expansion proposal — including mandatory boat washing, mandatory boat registration and tracking, elimination of an existing second boat ramp, elimination of 13 existing campsites along the waterfront, shoreline tree plantings and new pools/amenities to encourage recreation off the lake — will enhance the quality and beauty of lake.** So, if the LLLA is truly interested in advancing its mission (rather than simply opposing any growth around the lake) the LLLA should be a supporter of LPC's expansion proposal.

We'd like to meet with the LLLA committee at your earliest convenience to further discuss this matter and hopefully earn your trust and support. Please let us know your availability to meet with you this week if possible.

Sincerely,

A handwritten signature in black ink, appearing to read 'Zachary J. Bossenbroek', written over a horizontal line.

Zachary J. Bossenbroek  
Chief Executive Officer



# LNP - LEELANAU PINES

6500 E. Leelanau Pines Dr., Cedar, MI 49621

EXHIBIT 1: LAND USAGE COMPARISON - SEPTEMBER 2022

