

ISABELLA COUNTY
PLANNING COMMISSION

March 12, 2020

A Regular Meeting of the Isabella County Planning Commission was held on March 12, 2020 in Room 225 of the Isabella County Building, 200 North Main Street, Mt. Pleasant, Michigan.

MEMBERS PRESENT: Tim O'Neil, Phillip Vogel, Nathan Rogers, Ann Silker, Kelly Bean, Jerry Neyer, Bob Campbell

MEMBERS ABSENT: Jim Horton

SUPPORT STAFF PRESENT: Timothy A. Nieporte, Community Development Director
Ray Johnson, Planner/Zoning Administrator
Kim Kennedy, Recording Secretary

The meeting was called to order by Mr. Bean at 7:00 pm.

The Pledge of Allegiance was recited by the commission.

APPROVAL OF AGENDA

Mr. Bean requested that the agenda be approved as presented.

A motion was made by Mr. Campbell supported by Mr. Neyer to approve the agenda.

Yes: Tim O'Neil, Phillip Vogel, Nathan Rogers, Ann Silker, Kelly Bean, Jerry Neyer, Bob Campbell

No: None

Motion carried

PREVIOUS MINUTES

Minutes of the February 12, 2020 regular meeting were circulated to the commission prior to the meeting for their review.

A motion was made by Mrs. Silker supported by Mr. O'Neil to approve the minutes.

Yes: Tim O'Neil, Phillip Vogel, Nathan Rogers, Ann Silker, Kelly Bean, Jerry Neyer, Bob Campbell

No: None

Motion carried

LIAISON REPORTS

Zoning Board of Appeals – Mr. Vogel reported the board held two meetings and approved two Public Essential Service permits.

Parks & Recreation – Mr. O’Neil reported that at the last meeting they reviewed the finance and directors report.

Board of Commissioners – None

TOWNSHIP CONCERNS

Denver – Jackie Curtiss stated that all is good in Denver Township.

PUBLIC COMMENT – None heard.

SUP#20-05 Outdoor Recreation Facility (Campground) – Robert Cook

Mr. Johnson informed the board that an application was submitted by Robert Cook requesting a special use permit for an Outdoor Recreation Facility (Campground) located on W. Wiley Rd.

Mr. Johnson stated that an application for a campground from Mr. Cook was reviewed by the planning commission at the November 2019 meeting. At this meeting the public raised concerns during public comment. The planning commission discussed the proposal and the application was denied.

Mr. Johnson stated that this is a new application but the sight plan is exactly the same as the last application. A letter is included from Lapham Associates which addresses the criteria in Section 12.03 of the ordinance. An addendum letter is also included after staff had questions for Mr. Cook and Lapham Associates.

Mr. Johnson stated that staff has included the amendment letter in the planning commission packet and detailed the items being clarified in the staff report.

Mr. Johnson stated that staff recommends the operation, if approved, be approved for a 24 hour use as requested by the applicant.

Mr. Johnson stated that he has received serval correspondences, 4 in opposition; being Stacy Dent, Linda Laughlin, Harry and Janet Dent, and Ronald Miller with concerns that included trespassing, theft, noise, smoke, odors and fumes, over use of the river, large septic system installation, road impact, litter from campers and wildlife impact.

Mt Johnson informed the board that the office received two letters with no position. One from the Village Lake Isabella with concerns of trespassing and water quality of the Chippewa River. He stated that staff has included some modifications to contingences to address these issues. He also indicated that the Sherman Township Board sent a letter of no position but listed 7 recommended conditions, if approved.

Mr. Johnson stated a petition was received from the applicant in favor of the proposal with 146 signatures of residents in and around the Mid-Michigan area.

Mr. Nieporte briefly reviewed the conditions recommended by staff and stated that he would review these conditions in detail during the planning commission's discussion of the application.

Alan Craighead of Lapham Associates spoke about the site plan and fencing to prevent trespassing off the site. He stated the entire west side will have fencing along with double staggered row trees. He also stated that every campsite is a 100' off the boundary line. He stated a letter that went out to neighbors from Mr. Cook to address concerns from the last meeting which included no trespassing signs, no ATV usage, concerns about hunting season, noise, including quite hours, no fireworks being allowed on site and compliance with EGLE and Central Michigan District Health Department in regards to septic system.

Mr. Campbell asked the heights of the double row staggered trees.

Mr. Craighead replied they would be a minimum 3' tall and spaced every 10 feet.

Mr. Campbell asked if the entrance will meet the county road commission specifications.

Mr. Craighead stated the drive has to be permitted and approved by the County Road Commission.

Mr. Nieporte clarified that ordinance requires minimum start height on the trees at 3', ten foot on center, as well one of the conditions we are suggesting on the driveway, the approach, and any other maintenance along that roadway be permitted and approved by the Road Commission.

Don Pohl, representative of the applicant, spoke about the campground check in process. He stated they met with the Lake Isabella Property Owners Association and heard their suggestions on river usage. He also stated the camp store is for patrons of the campground only.

Mr. Rogers asked if it seasonal camping and if year-round storage for RVs would be available.

Mr. Pohl stated that seasonal camping would be available but no discussions have taken place about leaving units in the park on the off season.

Mrs. Silker asked if there would be staff 24 hrs.

Mr. Pohl stated that it would be staffed 24 hrs.

Mr. Pohl addressed the noise concern and that staff would be monitoring quite hours. He stated there would also be a contact person available to handle issues that may arise.

Public comment opened at 7:28 p.m.

Stacy Dent, adjacent land owner, expressed concerns with trespassing, fencing, and hunting

season.

George King, Lake Isabella Association Manager, spoke of concerns with safety of boaters going the wrong way on the lake, and portage of the damn. He stated he is not against the plan it just impacts a lot of people.

Al Zainea thanked the board for their service. He expressed he is in support of this development. He cited economic impact, and the value of another park in Isabella County.

Paul Szymkowiz thanked the board for their service. He stated he owns property across from proposed development. He expressed concerns with hunting.

Jane Dawy stated she was not in favor of the campground.

Barb Szmkowicz, resident across from proposed campground, expressed concerns with dust, noise, safety and her property value.

Rick Kruger expressed concerns with wetlands, the dump station, the water table, road impact, noise and trespassing.

Chris Dent stated there are 9 campgrounds within 7 miles and another is not needed. He also expressed his concerns of noise.

The Chair called for a recess at 7:54 pm.

The Chair resumed the public hearing at 8:00 pm.

Jessica Dent had concerns of what happens with property and stipulations after ownership changes, and noise.

Ed Oplinger, hog farm owner, express concern with the smells from his farm and if the applicant has thought about this impact.

Ashly Higgins had concerns with trash on the river and traffic on the road.

Nick Kruger had concerns with dust, expansion, and noise.

Tim Wolff, Lake Isabella Manager, asked the board to mandate conditions to address the concerns expressed.

John Dolfenback expressed concerns regarding trespassing and enforcement.

Terry Gatehouse thanked board for its service and expressed his concern for wildlife.

Public comment closed at 8:17 p.m.

Mr. Nieporte clarified that an approval and all conditions imposed on an approval runs with the

land. He stated a new owner would be required to comply with all requirements. He asked the applicant about the fence on the west side of the property and if it would run to the water's edge.

Mr. Cook stated the fence would go to water's edge.

Mr. Bean questioned what the complaint process is.

Mr. Nieporte reviewed the complaint and enforcement process.

Mr. Bean called for a motion.

Mr. Nieporte clarified and asked that the action be put onto the table by a motion to include discussion taking place on the conditions staff is recommending.

A motion was made by Mr. Neyer supported by Mr. Campbell to approve Special Use Permit 20-05 (SUP#20-05) as submitted by Robert Cook for an Outdoor Recreation Facility (Campground) in the General Agricultural (AG-2) district and shall include conditions discussed by staff.

Mr. Johnson read the first stipulation:

1. The applicant shall provide a copy of a driveway permit from the Isabella County Road Commission and shall provide for measures to upgrade and/or maintain W. Wiley Rd., as may be required by the Isabella County Road Commission.

Mr. Nieporte stated that the office spoke with the Road Commission today, and they are asking that a road agreement be put in place to help address concerns of the road. A stipulation if approved would be that the applicant submit a copy of this agreement for the file. He also stated a copy of the driveway permit was needed and there is the modification of the condition to add appropriate signage along Old State Road.

Mrs. Silker asked if the applicant would have any financial responsibility for the road maintenance.

Mr. Nieporte stated there could be, but it would be up to the agreement between the applicant and the Road Commission.

Mr Johnson read stipulation 2:

2. The verbiage of check-in agreements shall include the following and shall be posted conspicuously at all buildings in the campground accessible by patrons of the campground:
 - a. Campground quite hours are between 10:00 p.m. and 8:00 a.m.
 - b. There shall be no trespassing onto neighboring properties.
 - c. The use of ATV's and the like are not permitted by campers.
 - d. Fireworks are not permitted on campground property. Sparklers may be allowed

if fire conditions permit.

Mr. Nieporte stated these items would be in the campground rules, posted so that campers are reminded of the rules, and be made part of the check in process.

Mr. Vogel asked which fire district this would be in and if the width of roads inside the campground could accommodate the firetrucks.

Mr. Nieporte stated it was in the Nottawa/Sherman Fire District and that the interior of the roads are shown as 20 ft which is consistent with the last application. He further stated that Dave Livermore, Fire Chief for the Nottawa/Sherman Fire department stated at the last meeting that 20 ft is sufficient.

Mr. Johnson read stipulation 3:

3. The applicant shall provide a copy of all required permits from the Central Michigan District Health Department and the Department of Environment Great Lakes and Energy (EGLE).

Mr. Nieporte stated that the applicant will have to submit all permits required by the Central Michigan District Health Department and EGLE for the installation of sanitary systems and development.

Mr. Johnson read stipulation 4:

4. The campground shall comply with Section 12.05 DD 3.

Mr. Nieporte clarified that Section 12.05 DD 3 requires that any commercial enterprise like the camp store or pavilion be for the use of the patrons of the campground only.

Mr. Johnson read stipulation 5:

5. The campground shall not provide livery service without prior planning commission approval and restrict the launching of watercraft from the site.

Mr. Nieporte clarified that there will be no livery service at this time and that that applicant indicated campers could fish from the banks but there would be no launching of watercraft at the site, it will be for egress only.

Mr. Johnson read stipulation 6:

6. The campground shall work with the Central Michigan District Health Department to annually notify campers of any and all health risks or concerns involved in utilizing the river including the posting of signage for guests on site.

Mr. Nieporte stated that with Lake Isabella's concerns of E-coil and water quality staff is recommending the applicant work with the health department to test the water annually and post notices as the health department requires.

Mr. Johnson read stipulation 7:

7. Fencing (t-post with +/- 4 strand wire) shall be installed on the east property line beginning 100 ft north of the Chippewa River to a point 100 ft north of campsite 46. The applicant shall repair any existing fencing and/or install additional fencing on the west property beginning 100 ft north of the Chippewa River, continuing north and along the residential areas in the northwest corner of the property to a point within 100 ft of W Wiley Rd. No trespassing signs shall be placed on every other post of all fencing. Screening in the form of a double row of staggered evergreen trees spaced 10 ft on center at a minimum of 3 ft in height, shall be installed in the required yard area where similar existing screening does not currently exist. The applicant shall work with staff to determine where any additional screening, fence and/or no trespassing signs shall be installed.

Mr. Nieporte stated that this condition would require the applicant to install any screening where the existing screening doesn't currently exist, post no trespassing signs and install a fence along the perimeter of the property.

Mr. Johnson read stipulation 8:

8. The applicant shall apply for a soil erosion and sedimentation control permit.

Mr. Nieporte stated this is a common recommendation by staff and required for this type of work.

9. The applicant shall apply for an address for the campground.

Mr. Nieporte stated this is also a common recommendation by staff.

10. The use shall be approved to operate 24 hours a day and shall only be open between May 1 and October 1.

Mr. Nieporte indicated that just like many other special land uses it would need to be approved to operate 24 hours a day.

The Chair called for more discussion

Mrs. Silker asked about lighting at the entrance.

Mr. Nieporte stated that no lights will be on the road but there will be can lights outside the bathrooms and pavilion and that these will meet the ordinance.

Mrs. Silker made a motion to amend condition #7 so that the fencing continued to the water's

edge, supported by Mr. Vogel.

Chair called for a roll call vote.

Mr. Rogers – yes
Mrs. Silker – yes
Mr. Vogel – yes
Mr. Campbell – yes
Mr. Neyer – yes
Mr. O’Neil – yes
Mr. Bean – yes

Motion passed.

The Chair called for further discussion.

Hearing no further discussion, the Chair called for a roll call vote on the motion to approve the special use application.

Mr. Rogers – no
Mrs. Silker – no
Mr. Vogel – yes
Mr. Campbell – no
Mr. Neyer – no
Mr. O’Neil – no
Mr. Bean – yes

Motion failed.

STAFF COMMENTS - None

PLANNING COMMISSIONER’S COMMENTS

Mr. Rogers asked if anything in this application was different from the one in November.

Mr. Nieporte indicated the site plan is the same, but the letters attempting to address the concerns raised at the November meeting are new as well as staff’s recommended conditions are new.

Mr. Rogers asked if the applicant can continue to re-apply.

Mr. Nieporte indicated he can.


ADJOURNMENT

A motion was made by Mr. Neyer to adjourn the meeting seconded by Mr. Rogers at 8:49 p.m.

Yes: Tim O'Neil, Phillip Vogel, Nathan Rogers, Ann Silker, Kelly Bean, Jerry Neyer, Bob Campbell

No: None

Motion carried



Ann Silker, Secretary