

GOLDEN TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
March 31, 2009
7:30 P.M.
GOLDEN TOWNSHIP HALL
DRAFT

1. Meeting called to order at 7:30 p.m. by Chairperson Kolenda. Approx. 25 in attendance. The Pledge of Allegiance was recited by all.
2. Roll call: Present; Kolenda, Wilson, Whitney, Fuehring, Terryn, Marciniak, Mitteer and Zoning Administrator Whelpley. Absent: Ferwerda, Lefler
3. Agenda: Accepted, Fuehring moved, Avery second, all others ayes
4. Minutes of the February 24, 2009 meeting presented. Mitteer motioned to accept the minutes as presented, second by Marciniak. All yes, motion carried.
5. Correspondence
Related to hearing only
6. New Business
 - A. Public Hearing Timberlake Resort

Whelpley: Request is to add 57 campsites

Major amendment requires, reopening of PUD, Public Hearing, Public Comment, Review of site plan.

Whelpley did an inspection of sites and counted camp sites-ok. Accusations were made that will be discussed later in the meeting.

Developer: Dan Hallack

One of the owners of the membership campground caters to families and retirees. 174 campsites on 100 acres and are requesting 57 additional sites. Timberlake has been a good neighbor and have completed many improvements:

- a. Constructed a berm to screen rvs from the public
- b. Paving of roads
- c. Moved store back
- d. Constructed a heated pool
- e. On site security-to respond to complaints promptly

Whelpley:

- a. RE Letters: To address complaints, Whelpley called the Sheriff's office; 1 complaint in 4-5 years that he was aware of.
- b. Counted campsites
- c. Building replacement

5. Correspondence Pro: One phone call-did not get her name. Questioned if open to public-yes, then no problem.

Correspondence Against: 11 letters were read by Whelpley, all letters were copied and given to the board.

Public Comment Pro: Planning Commission Chairman says vast improvement from original PUD, have done what is required.

Public Comment Con:

Joe Nameth: Tried to call Sheriff many occasions, they do not have the manpower. Concerns: danger with golf carts and fast moving traffic an accident will happen. ATV/Motorcycles-4 dirt bikes, took pictures followed tracks down keyhole, not saying they were from Timberlake but they were using the keyhole. Need to have Private Property signs or a chain to block access. 2 letters that were written were from neighbors that have not said much in the past, now they are saying there is enough trouble now and it is a problem.

Ted Hosner: Danger on road, they can't police all they own and all the problems, called Steve Bruce about Golf carts vs vehicles but no signs were put up, big mistake to grant.

Mrs. Hulett: How are you sure all comes from Timberlake, when access is allowed by the water? They have experienced none of these problems. Have 1300 & some ft that adjoin Timberlake, gates close at 11:00 hear no noise.

Joe Nameth: Presented pictures.

Steve Thompson: adjacent to campground, there will be a tragedy on the road, don't have all issues other people have but have had trespassers from Timberlake. Fireworks every 4th of July he calls but no one comes until 3 hours later.

Dan Hallack:

RE: Beach-they have constructed a heated pool which will significantly reduce beach use. Keep hearing about overcrowded beach, they have 230 ft frontage on beach. Marciniak stated he has seen it so crowded he doesn't know how people lay down.

RE: Jet Skis-are not allowed they have no access.

RE: Dirt Bikes/ATVs/Parties-Steve investigated they are not our guests.

RE: Storm Water-site is well drained and sandy, must be a natural run off.

RE: Golf Carts-Carts are individually owned-they have asked no minors drive.

RE: Signs on beach-are on the beach during the summer and show boundaries. Guest are allowed to use the beach.

Whelpley: Use ordinance for letter inaccuracy In 2003 PUD Timberlake Resort was a legal non conforming use before zoning it was in residential resort zone-Page 32 Permitted PUD: Resorts-has been in ordinance since we have had ordinance. Timberlake conforms to the Zoning Ordinance, they are not illegal. They have the right to ask for expanding-the ordinance allows for expanding. Master plan was written after Timberlake Resort was made. Previous owner expanded sites after zoning ordinance went into effect, which made it illegal. Planning Commission approved 176 sites and 4 cabins which is what was there. What they are requesting is in accordance to expand. Went with Mr. Smith and counted sites there are 176 sights with 4 cabins. Accusation about 50 sights-were not found but if someone knows where they are he will look at them.

Keyhole: Page 24 Keyhole development; this was put in about 2004. #4 Does not apply to keyhole developments in existence, can't back date zoning. They were doing it before there was a rule against it. PUD is completely on the east side of Ridge Road.

Development Agreement: Signed August 10, 2004 signed by Don Walsworth, Township Supervisor & James Prince legal representative for Timberlake Resort. States all conditions on PUD.

Close Public Hearing: Kolenda

Site Plan: Lefler got with Kolenda before she left and wanted to share the following about the site plan: Upper left corner shows both east and west side-PUD only shows east side. The legal description is not consistent with PUD wording and does not comply with Ordinance. The property on the west side should be removed.

Hulett: 20 minutes before the meeting difference in footage, but that is between Timberlake and Hulett.

Need complete up to date site plan for Breakaway Bay and Timberlake Campground.

Dan Hallack:

Sites added for seasonal or public use-long term is the goal. Membership sites and wants to make sure they can give sites to all guests; they are looking to the future. Membership is coast to coast sites.

Steve Bruce:

Would like to increase seasonal, they have 225 sites on 100 acres, explained difference between a normal campground and their Resort.

Mitteer: Keyhole is the main issue, these people are grandfathered in. To Dan: is there any conditions to put on this to deal with the golf cart/traffic. They can put up more signs. Mitteer: Legally Township can't do anything but request more actions for signs, to do away with hazards. The issue is not campsites it is the people. Discussed other issues of being grandfathered.

Roseman: Best real estate lawyer in Michigan says is not legal, can't start with premise that it is grandfathered in.

Discussion was shut down by Kolenda.

Talking about the east side of the road, need to look at site plan and get clarification.

Fuerhing Motioned: To table until Site plan can be resubmitted, can't address until corrected: Legal description-remove reference to section #5, Resort not a campground-campground needs to be removed, Correct numbers on south line, Vicinity sketch remove west side of road, Update buildings that were proposed.

Marciniak second to table

Whitney-yes, Marciniak-yes, Terryn-yes, Wilson-yes, Fuehring-yes, Kolenda-yes, Mitteer-yes.

6. B. Public Hearing to create 2 PUDs for Val Du Lakes Bar & Cottonwood Creek RV Resort

Jake to open with presentation: Last year Cottonwood Creek came with name change & major amendment to site plan for Val Du Lakes Campground-they were approved. In process we made a mistake by not dividing the original PUD. Explained what had been done and showed on map. Need to separate and divide property according to descriptions. Jake has all property descriptions. Cottonwood Creek is a separate PUD and Val Du Lakes Bar is a separate PUD.

Public Comment Pro:

Mark Rippee-campsites on private lots because campgrounds are full, there is a demand for more campgrounds.

Public Comment Con:

None

Kolenda: Section 12.11 #5 single ownership is required.

Public: Anything in verbage change: Bill said no.

Whelpley: Language is written up according to what the development wants, didn't add anything that wasn't here before but did take things out that they did not want.

James Prince: PUD 374 sites approved approx 80 sites are used, talking about dividing the PUD and also dividing the language, being here on behalf of the Lowing's and looking at #7 on agenda where they are asking for additional sites to assign some of the sites over to the Lowing's very easily.

Whelpley: To sum up, where it gets sticky I guess, I understand Mr. Prince's statement and I thought about that myself, that's the way things should be divided up. In talking with Ed McNeeley sites on PUD the issue of how they are divided should be between the property owners and not us. Ms Becksvoort bought the campground and the campground had 374 campsites with it. The PUD allows for a campground the Lowing's have the right to ask to develop more campsites in addition to 374. Our position after talking to Ed that the 374 went with the original campground but the Lowing's have the right to develop a campground in addition to the 374.

Close Public Hearing

Motion: To divide the Val Du Lakes PUD into two separate PUDS:

Val Du Lakes Resort-Mary & Brian Lowing

Cottonwood Campground-Lynette Becksvort

As to property descriptions on site plans.

Motion by Marciniak, support by Terry

Whitney-yes, Marciniak-yes, Terry-yes, Wilson-yes, Fuehring-yes, Kolenda-yes, Mitteer-yes.

6. C. Cottonwood Creek Minor Modification to move driveway entrance.

Motion by Fuehring, support by Marciniak to recommend to the Township Board to approve the minor modification to Cottonwood Creek PUD to relocate the drive and building to NW corner of the property to have better access to campground and a safer entrance, in accordance with Section 12.17.1.

Whitney-yes, Marciniak-yes, Terry-yes, Wilson-yes, Fuehring-yes, Kolenda-yes, Mitteer-yes.

7. Old Business

A. Val Du Lakes Bar Campground-Add 80 site campground.

Brian Lowing: Topographical information-bathhouse size 20 x30 for 80 sites #13 on plans

Alcohol: Licensed facility, highly regulated, each employee takes State mandated classes followed by a test, each employee has to carry a permit. They are policed by liquor control commission, State Police, they are TAM trained. Minors will wear fluorescent bands, they are held to higher standards and they will define alcohol sales areas.

Concrete pads for each RV site as cash allows.

Fencing 6' high picket fence along with landscape screening.

Monitored for designated campground to keep people out of campground from bar: enforced by staff, security 24 hours.

Fuehring: Stated booklet is for bar not campground.

Lowing: Security Lighting-yes

Quiet hours: 11pm-8 am asked if bar will close at 11:00 no but they close bar windows after 11:00.

Approval from Health Dept.: Preliminary, adequate drain, 2 stage pump system

James Prince: Township permits licensing, Owners know they can lose licensing tying the two together is unfair.

Whelpley: PUD Previous conditions on Val Du Lakes is that we have a copy of the rules and that they be enforced. Now we require all campgrounds to give us a copy of the rules.

Marciniak motion to approve site plans for Val Du Lakes Resort Campground as presented and recommend to the Township Board that the PUD for Val Du Lakes Resort Campground be approved for two phases of a maximum of 80 campsites in accordance with Section 12.11, Supported by Mitteer .

Whitney-yes, Marciniak-yes, Terryn-yes, Wilson-yes, Kolenda-yes, Mitteer-yes.

Fuehring-No.

Whelpley: Val Du has had problems before and were shut down, the Lowing's are aware of what can happen.

8. Ordinance Amendments & Other Reports

a. Conditional Rezoning Language

Jake will handle above at a later date.

9. Public comment-none

Motion to adjourn Whitney, Marciniak second

Meeting adjourned 10:03pm

Respectfully submitted,

Janet Redding, Recording Secretary