

Keweenaw County Planning Commission  
Regular Meeting  
December 3, 2019

The Chairman called the meeting to order at 4:03, in the Courtroom of the Keweenaw County Courthouse.

The Pledge of Allegiance was recited, then roll call taken.

John Parsons, Chair, Barry Koljonen, Vice Chair, Ned Huwatschek, Steve Siira, Dan Steck, Jim LaMotte, Jim Vivian, and Ann Gasperich, Administrator

The 5 Member quorum is present, and the meeting was appropriately posted.

The Chair opened the public hearing regarding Black Bear Primitive Campground at 4:06. He asked Vern Barber to present the request. Vern provided the overview and asked the Planning Commission to send a letter of compliance to EGLE showing the determination of compliance within the zoning ordinance.

The Chair then called for testimony from the public. Jacquie Jaaskelainen addressed the planning commission and read the letter she had submitted. The letter is attached to the minutes, along with two other letters received. John then called for other comments from the floor, the questions were asked and answered by Vern.

The Zoning Administrator gave details on the process of a special use permit, public posting, notification of residents within 300' of the parcel. In the case of Mt. Bohemia, the 'neighbor' letter was sent to property owners as far away as 2000' since the only property owners within the 300' were Black Bear and American Forest Management. Ann also presented and reviewed documentation that the prosecutor will review to determine if a public hearing is necessary as the Resort is a Ski Resort and camping may be "By-Right" for them. She then asked the Chair of the Planning Commission if they wanted to proceed. He said yes, to proceed with the public hearing.

Ann presented the Staff Report. Each of the "Basis of Determinations" 10.5.1 were reviewed and determined to be in compliance with the standards including section 10.12.4.

Further Public Comment was taken. Jacquie reiterated her concern of the distance to the existing facilities and stressed the condition of privies be located within a walkable distance to the primitive campground.

The Chair closed the public hearing at 4:30.

**M/S Koljonen/LaMotte** to approve the agenda, passed.

**M/S Huwatschek/Siira** to approve minutes of the Regular Meeting on October 29, 2019, passed.

Communications: Letter submitted for the public hearing will be attached to the minutes, there were no other communications.

Guests: Bill Eddy, Mike and Sharon Rozich, Jacquie Jaaskelainen, Tom Renier, Candice and Gale Curtis, Tracy Cadeau, Vern Barber and Mary Berner Korbas.

#### New Business

Two Reappointment to Planning Commission – Parsons & Huwatschek. The terms of two members are ending on 12/31/19. They were asked if they would continue their service. Both agreed to stay on for another three years.

Special Use Permit for Black Bear. **A Motion by Jim LaMotte with a Second from Ned Huwatschek** to recommend the approve the special use permit, with conditions, for a campground. The conditions being a privy or privies will be made available within a walkable distance; the receipt, review, and acceptance of the ordinance required major site plan by the zoning administrator; and receipt of a campground permit as issued by the State of Michigan, **EGLE Vote Called Six Yea, and one abstain by Vivian, Passed.**

Article 9 Sections 9.5-9.12 was reviewed and discussed. The Chair asked that Article 9 of the Eagle Harbor Ordinance be sent to the members for review.

#### Unfinished Business

Land Use Map Conversion to Zoning Map was discussed. Ann will send via email, the current zoning and land use maps to the members for the January meeting.

The Zoning Administrator reminded everyone to pick up their new ordinance.

ZBA Update – Steve spoke of the training, next meeting is January 9, 2020

The Chair asked for Final Public Comments – Jacquie shared her concern for the effluent into the lake from the campsites if privy's are not closer for use. She also spoke to management and supervision of the privy's, the parties, noise, and the fiduciary responsibility regarding the contamination of lac La Belle and control what is happening now. Mary Berner Korbas didn't believe anyone would walk 100 yards for a privy, and was concerned about safety. Jacquie followed up with the question of who is responsible? She isn't confident the management of the tents will work out.

Commission Final Comments- none

Next Meeting January 28, 4:00 PM

**Adjourn M/S Steck/LaMotte** to adjourn at 5:55

The Chair opened the Public Hearing regarding the special use permit requested by Black Bear Inc. at 4:06.

**Campground:** A parcel or tract of land under the control of a person, which has established campsites for recreational units such as tents, camper trailers, travel trailers, recreational vehicles, motor homes, or temporary sleeping quarters of any kind. Campsites may be advertised to the public as available either free of charge or for a fee. A campground does not include a seasonal mobile home park, mobile home park, or manufactured housing community licensed under the Mobile Home Commission Act, P.A. 96 of 1987

Public Comment -- Property Owners within 300' \*\*

In Support – None

In Opposition - None

Written Comments Property Owners within 300' read from the Chair

In Support – None

In Opposition – None

Public Comment from Interested or affected persons/organizations within 2000'

In Support –

In Opposition – Jacquie Jaaskelainen

Written Comments from Interested or affected persons/organizations within 2000'

In Support – Adam Garvey

In Opposition – Jacquie Jaaskelainen and Theresa Tormen

Questions through the Chairman – Questions were asked and answered.

### **BASIS OF DETERMINATION 10.5.1**

The Planning Commission and the County Board of Commissioners, shall make a specific finding of compliance with each of the following standards:

1. The Special Land Use shall be designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and the surrounding area.
2. The Special Land Use shall not change the essential character of the surrounding area.
3. The Special Land Use shall not be detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, fumes, ground vibration, water runoff, odors, light, glare or other features of the proposed use.
4. The Special Land Use shall not place demands on public services and facilities in excess of current capacity unless planned Improvements have already been scheduled for completion.
5. The Special Land Use shall meet the Site Plan review requirements of Part IV of Article XVIII and in particular those of Section 18.8.3 and 18.25.
6. The Special Land Use shall meet the requirements of Section 10.12.4 specific to that use.
7. The Special Land Use shall meet the requirements for parking, landscaping and signage as required in Articles XIV, XV, and XVI respectively.
8. The Special Land Use shall demonstrate compliance with all other related requirements of this Ordinance.
9. The Special Land Use shall conform with all applicable County, state and federal requirements for that use.

10. The applicant is in substantial compliance with any previously issued Zoning Permits and is not otherwise disqualified from receiving a permit under Section 21.7 of this Ordinance.

**10.12.4 Campgrounds and RV Parks:** Campgrounds and RV Parks are allowed by Special Use in AG, RR, and RS1, RS-2, and TR Districts when in conformance with the following requirements:

A. In RS-1 and RS-2, campgrounds shall be a minimum of 2 acres. In AG, RR, and TR campgrounds shall be a minimum of ten (10) acres. Developments shall comply with the provisions of Act 368 of the Public Acts of 1978, as amended, and also with the following:

1. Management headquarters, recreational facilities, toilets, showers, laundry facilities and other uses and structures customarily incidental to the operation of a travel trailer park are permitted as accessory uses in the districts in which trailer parks are allowed, provided that:
  - a. Such establishments and the parking area primarily related to their operations shall not occupy more than ten percent (10%) of the area of the park.
  - b. Such establishments shall present no visible evidence of their commercial character which would attract customers other than occupants of the park.
2. No space shall be so located that any part intended for occupancy is within one hundred (100) feet for a 10 acre campground, twenty (20) feet for a two acre campground of neighboring structures and is buffered for sound as provided in Section 15.4.
3. In addition to meeting the above requirements the site plan shall be subject to the review and approval of the Health Department.
4. Storage areas for unoccupied travel trailers, motor homes and similar units may be allowed as an accessory use in designated areas.
5. Lighting shall meet the requirements of Section 15.2 and signage shall meet the requirements of Article XVI.

Discussion of Special use permit requirement for Black Bear, Inc. amongst the Board with questions directed to the Owner through the Chairman.

These pages shall be included with the minutes of the meeting 3 December 2019.

Attn Zoning Administrator:

In Favor of

I am unable to make the Dec 3rd meeting regarding Black Bear Inc special use permit, but I support any development in the Lac La Belle area that will bring more commerce & tourism to our beautiful slice of the Keweenaw.

Please keep me informed of any future meetings & the outcome of the Dec 3rd meeting.

Thank you.

Adam Garvey  
garveyadam7@gmail.com  
6375 Gay Lac La Belle Rd

Opposed TO

November 11, 2019

Ann Gasperich  
Zoning Administrator  
Keweenaw County  
5095 4<sup>th</sup> Street  
Eagle River, MI 49950

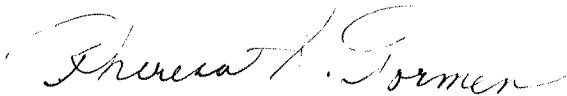
In regards to the request by Black Bear Inc. for a Special Land Use Permit to open a primitive campground in Grant Township, Keweenaw County at Lac La Belle, I am NOT in favor of this request at all.

As a property owner within 300 feet of the parcel of land that is involved in the request, I feel that the use of this land as a primitive campground will create a negative impact on the immediate area in and around Lac La Belle.

It is my understanding that the initial business plan for Black Bear Inc. was to operate a ski hill on Mt Bohemia. Starting with ~~up~~urts, they have since added multiple cabins – both on the mountain and around the Lake that are available for rent throughout the year. I see a primitive campground adding only a negative impact to the area, with limited oversight of the campgrounds and those who rent space there. The Mt Bohemia ski area is enjoying continued success each winter, and had added additional cabins, a resort/restaurant, land and recreational rental activities during other months of the year. It is not my intent to stymie that success, I simply wish to protect Lac La Belle's pristine beauty and tranquility and do not want to be subject to the additional foot traffic, garbage and waste that will be generated by a rustic campground so close to my property.

Again, I am against this proposal by Black Bear Inc. and wish to make this statement noted at the hearing on December 3<sup>rd</sup>.

Sincerely,



Theresa Tormen  
3325 Sylvan Road  
Lansing, MI 48917

Opposed TO

## Dr. Jacquie Jaaskelainen

PO Box 396  
Mohawk, MI 49950

T 906-337-1458

November 19, 2019

Ann Gasperich  
Zoning Administrator Coordinator  
Keweenaw County  
5095 4th Street  
Eagle River, Mi 49950

Dear Ms Gasperich,

I am a retired Special Education teacher and have also been in the Real Estate business for 26 years. This is the letter I sent to the zoning board.

My experience in Real Estate has taught me that property in an area of a campground, reduces substantially the value of surrounding properties. Not only is this my findings, it is also stated to me by Ken Smith, former owner of Copper Range Abstract & Title Company for over 40 years. He also stated that a campground "significantly" reduces the value and investment of all properties in the area.

The main problem is that Black Bear Inc. expects their campers to walk to the bathroom facilities that are across their car parking lot, and then across the Lac La Belle Road, and finally down the ski hill road. They are expected to do this in the middle of the night, with blowing snow in sub zero conditions.

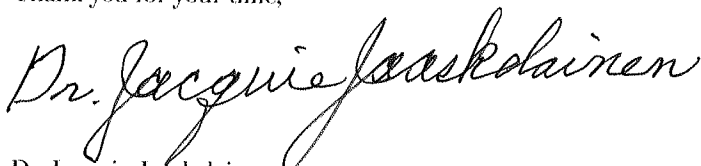
It seems more realistic that the campers will use the convenience of the woods. Because of the height of the mountain, the sewage may seep into the wells below.

Also, the camper trailers with bathroom facilities that need to be emptied, need a proper waste disposal location. The camper trailers without onboard facilities will add to the problem.

Also, many residence of Lac La Belle are gone for the winter. This meeting should take place in the summer months. They need to have a voice too. This campground affects all properties.

Along with this letter, I request to be put on the agenda for December 3, 2019. I would also like this letter to be included in the minutes.

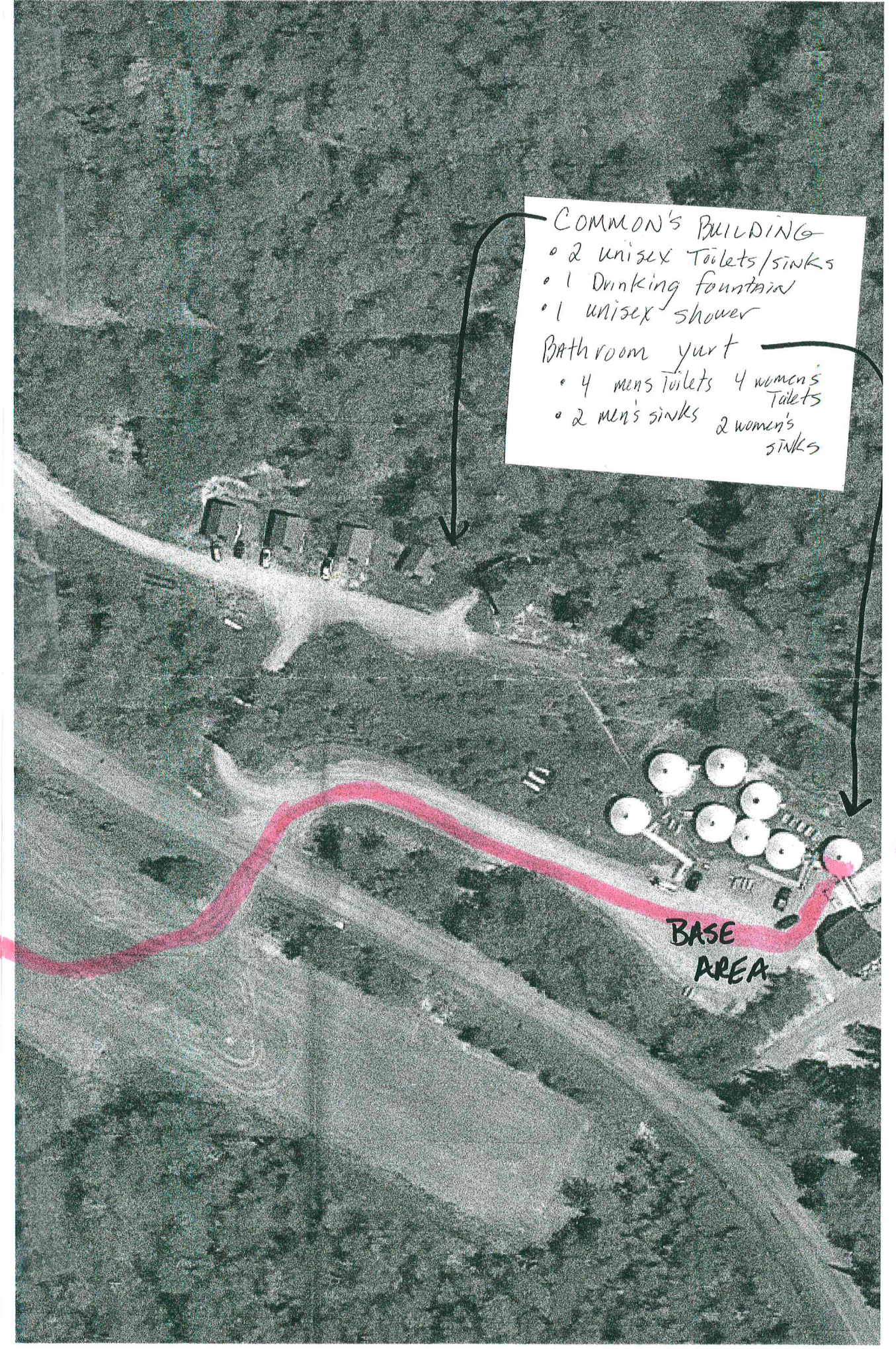
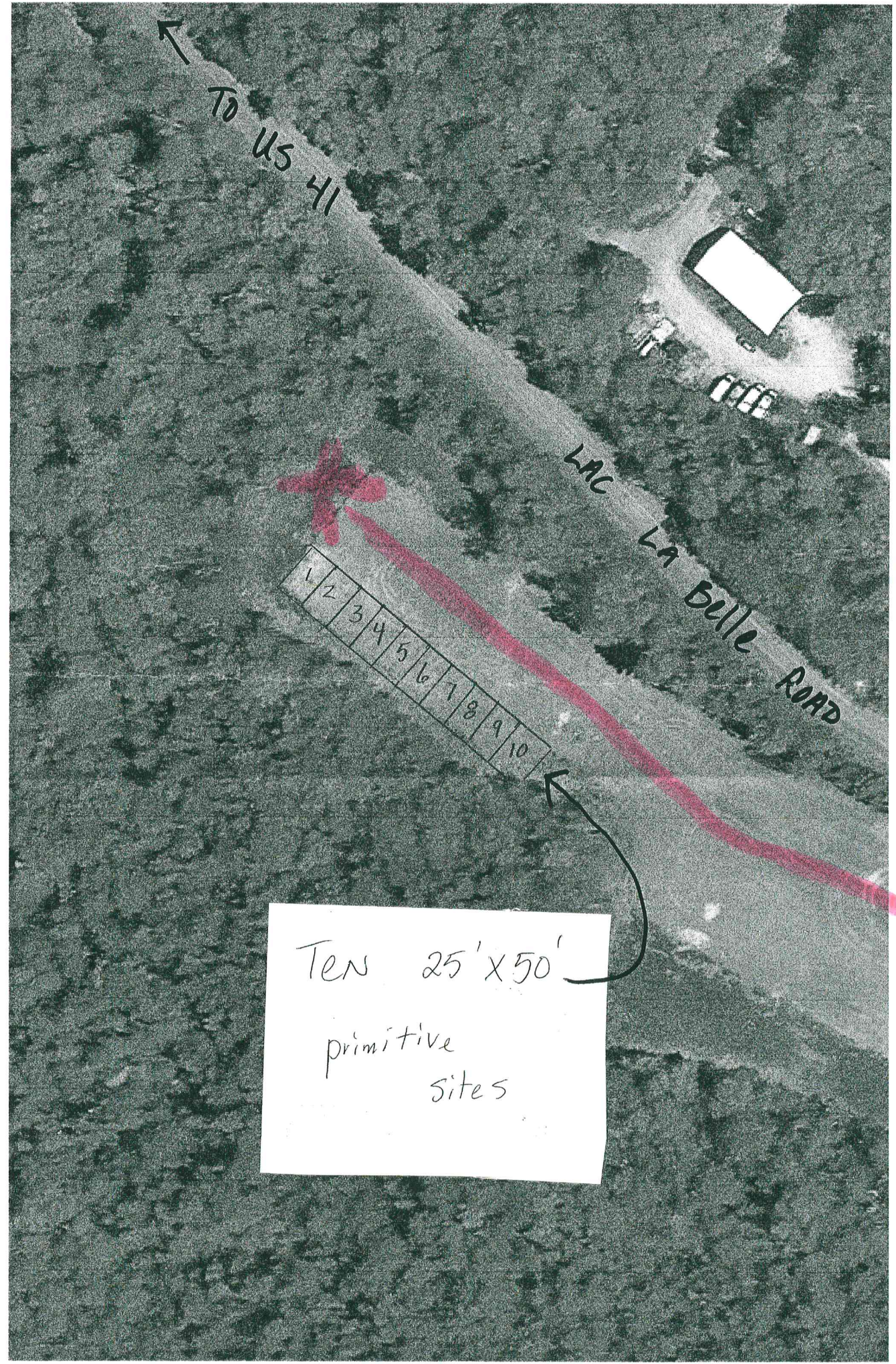
Thank you for your time,



Dr. Jacquie Jaaskelainen

*Eykipit "A" Map*

EXHIBIT A





# Black Bear Request for Primitive Campground

---

## Section.18.17 Public Hearings

General Procedures and Findings at Public Hearing.

1. Were the proper time limits followed as established in the Ordinance?
  - a. Notification to the Township on November 6<sup>th</sup>, 2019;
  - b. Notification to the property owners within 300' on November 6<sup>th</sup>, 2019;
  - c. Post notice at Courthouse on November 6<sup>th</sup>, 2019; and
  - d. Notification of Public Hearing in newspaper on November 15<sup>th</sup>, 2019
  
2. Decision
  - a. Has the appropriate summary of information relevant been presented?
    - i. The Application has been presented.
    - ii. The Staff report has been presented.
  - b. Is a summary of all documentary evidence submitted into the record?
    - i. Yes
  - c. What findings were applied with respect to the relevant review standards?
    - i. All conditions of 10.5 and 10.12.4 were met with the exception of the Major Site Plan.
  - d. **A Motion by Jim LaMotte with a Second from Ned Huwatschek.to**
    - i. Recommend the approve the special use permit, with conditions, for a campground. The conditions being a privy or privies will be made available within a walkable distance; the receipt, review, and acceptance of the ordinance required major site plan by the zoning administrator; and receipt of a campground permit as issued by the State of Michigan, EGLE **Vote Called Six Yea, and one abstain by Vivian, Passed.**

18.18 A decision is final upon the approval of the minutes of the body conducting the hearing at the next regularly scheduled meeting or at a special meeting of the decision-making body and as signified by the signature of the chairperson.

Minutes approved \_\_\_\_\_

---

John Parsons  
Chairman, Planning Commission

---