

# Mason County Planning & Zoning Department

102 E. FIFTH STREET  
SCOTTVILLE, MICHIGAN 49454  
(231) 757-9272 • FAX (231) 757-9253

April 16, 2019

Minutes of the Mason County Planning Commission meeting held at 5300 W. US 10, Ludington, April 16, 2019 at 7:00 p.m.

MEMBERS PRESENT: Janet Andersen, Tom Hooper, Frank Redmond, Mike Shaw, Doug Robidoux, Dennis Dunlap

MEMBERS ABSENT: Jim Wincek

OTHERS PRESENT: Brady Selner, Cayla Christmas

The meeting was called to order at 7:00 p.m. by Vice Chairman Frank Redmond.

Mike Shaw made a motion to approve the minutes of the March 19, 2019 meeting as written. Second by Doug Robidoux. Motion carried, 6 yes 0 no.

Additions, Deletions or Modifications to the agenda: Tom Hooper stated he thought a discussion on solar power should be placed on the agenda and future agendas.

Brady Selner stated it would be added under "New Business."

Conflict of Interest: None

Public Comment: None

Correspondence: None

Frank Redmond opened the public hearing for application PZ18203, an outdoor recreation (disc golf) special land use request by Seth Hopkins to establish and operate a 24 basket disc golf course. The subject property is located in Branch Township described as GOVT LOT 2, AND E 487 FT (MEASURED E 404.10 FT) OF S 653.4 FT OF SW ¼ OF SE ¼ EXC W 200 FT OF OF S 435.64 FT OF E 404.10FT SUBJ TO RD R/W FOR HANSEN ROAD AND SINDELAR ROAD AS DESC IN LIBER 220 OF DEEDS, PAGE 501 AND LIBER 222 OF DEEDS, PAGE 63 EXC S 300 FT OF E 581 FT. SEC 3 T18N R15W 38.33 A M/L, Parcel 002-003-020-01, access 7858 E. Hansen Rd. Brady Selner presented the staff report and photos. A portion of the staff report is below:

## FINDINGS OF FACT:

1. Hours of operation proposed to be sun up to ½ hour before sundown. There will be no lights.
2. All traffic to be directed via Dunbar (paved). E. Hansen Rd. is not paved.
3. Daily operation to produce traffic of approximately 10 cars or under.
4. Tournaments to produce traffic of approximately 30 cars.
5. Owner of Walhalla Woods Disc Golf Course LLC is currently the sole employee of the LLC.

6. A portable restroom will be placed for tournaments and potentially for the entire season.
7. No well is available for the disc golf course.
8. A Mason County Road Commission Driveway permit will be required. A permit has not been applied for or issued.
9. There is an access easement on the east side of the property for access into the parcel to the north (parcel number 002-003-015-00).
10. The owner of Walhalla Woods Disc Golf LLC has a house on the 2 acre property adjacent to the parcel with the course.
11. Howard Hopkins, owns the house on the 38 acre parcel with the disc golf course.
12. There are trash cans on the course, but there is a note on the score card to "pack out what you pack in."
13. There are two temporary signs attached to a tree on the property.
14. There are 24 total disc baskets.
15. One of the baskets is located right at the edge of Gooseneck Lake.
16. The first basket is located approximately 66 feet from the centerline of E. Hansen Rd.
17. Two parcels were recently combined to create the 38 acre parcel (002-003-020-00).
18. The zoning office was notified in 2018 that the course was operating without permits during the summer of 2018.

#### PHYSICAL SITE CHARACTERISTICS:

1. The parcel borders Gooseneck Lake to the east.
2. The entire parcel is kept in a natural state with minor clearing for disc baskets.
3. Varying topography throughout the parcel.

Janet Andersen made a motion to accept the staff report as presented. Second by Tom Hooper. Motion carried, 6 yes 0 no.

Frank Redmond asked the applicant if he wanted to speak.

Seth Hopkins stated the disc golf course supported, increased, and improved recreation within Mason County as encouraged by the Mason County Master Plan. Mr. Hopkins stated he hosted a tournament in 2018, and had 80 participants on his course. He stated he was a member of the Lake County Planning Commission and understood the need to go through the special land use process. Mr. Hopkins added the disc golf course tied the east side of Mason County with the west side and hoped the project would "pay the taxes some day."

Dennis Dunlap asked Seth Hopkins if he pictured the disc golf course to grow in popularity and use. Mr. Hopkins stated he thought it would and could picture 10 cars per day with 50-70 cars per week. He stated he hoped to have 3 tournaments per year.

Janet Andersen stated the disc golf course had not been permitted and asked if a tournament had been hosted.

Seth Hopkins stated he did host a tournament but did not know he was in violation at the time.

1 Tom Hooper stated he was concerned with the setbacks. Mr. Hooper stated there were  
2 2-3 baskets encroaching on setbacks and asked what the plan was to resolve those  
3 issues. Mr. Hooper recommended the site have porta-potties on location all summer  
4 and stated he would like to know where they are located. Mr. Hooper added he thought  
5 the disc golf course was a great idea as it was a popular sport.

6  
7 Seth Hopkins stated he needed special land use approval before he could “invest in  
8 amenities.” Mr. Hopkins stated he had hoped the Planning Commission would “make an  
9 exception” for the setback requirements and approve the baskets in their current  
10 locations.

11  
12 Frank Redmond opened the public comment period.

13  
14 Ken Maurer stated he did not have a problem with the property owners, but he was  
15 concerned with the large crowds the previous year. Mr. Maurer stated they had issues  
16 with customers trespassing, a dog running onto his property, increased traffic, and  
17 customers drinking alcohol on the course as there are children in the neighborhood on  
18 their bikes. Mr. Maurer added concern over the disc golf course being located so close  
19 to federal land used avidly for hunting.

20  
21 Nick Verschueren stated there were cars parked along the sides of the road during the  
22 summer. Mr. Verschueren expressed concern for the children in the neighborhood on  
23 their bikes with the increased traffic. Mr. Verschueren stated they had issues with  
24 customers trespassing. He stated he and his family moved to the area for privacy and  
25 quiet. Mr. Verschueren expressed concern over Gooseneck Lake being a designated  
26 loon nesting area, and one of the baskets is located in the lake close to that area. Mr.  
27 Verschueren added the US 10/31 corridors would be better locations for a commercial  
28 disc golf course.

29  
30 Marcia Maurer stated the disc golf course would not improve her life as she chose her  
31 home to be “away from everything.” Ms. Maurer expressed concern with the increased  
32 dust from the road with increased traffic. Mr. Maurer stated the proposed hours of  
33 operation were bothersome as it would create loud evenings and questioned when  
34 maintenance would occur.

35  
36 Sarah Verschueren supported the disc golf course as a project, but she did not think the  
37 proposed location was the best. Ms. Verschueren stated she would like to take her  
38 children to a disc golf course, “but not next door.”

39  
40 Frank Herbis stated he bought adjoining property with the intent to manage it for  
41 whitetail deer and was concerned the operation would disrupt the wildlife. Mr. Herbis  
42 stated one basket was located in the middle of the access easement to his property. He  
43 stated he shared some of the same concerns as the other neighbors. Mr. Herbis added  
44 Brady Selner did a great job explaining the application and process to him.

45  
46 Julia Chambers stated she had been speaking to the applicant about her concerns. She  
47 stated she hadn’t heard any of the customers on the course. Ms. Chambers stated she

1 was concerned with seeing the porta-potties as well as parking and the number of  
2 tournaments. Ms. Chambers stated she would be ok with the project.

3  
4 Mark Dimmitt stated he was concerned with people using Hansen Road to access the  
5 disc golf course as it would increase the dust, and people parking alongside Hansen  
6 Road.

7  
8 Howard Hopkins stated he moved to the area for the same reasons as his neighbors:  
9 for the peace and quiet. Mr. Hopkins stated he could not see any activity from his  
10 house. Mr. Hopkins acknowledged his neighbors' concerns as valid.

11  
12 Seth Hopkins stated he moved there for the same reasons as his neighbors and  
13 appreciated their concerns. Mr. Hopkins stated the project made sense for the zoning  
14 district and fit the area. Mr. Hopkins stated he was improving wildlife habitat by clearing  
15 areas for wildlife to traverse, and he was maintaining his neighbor's access easement  
16 by having the basket in it. Mr. Hopkins stated the trespassing issue could be resolved  
17 through prosecution of the trespassers.

18  
19 Dennis Dunlap stated Seth Hopkins seemed to "have the cart before the horse," and  
20 stated prior planning would have allowed the Planning Commission to look at the  
21 setbacks before the course was established. Mr. Dunlap asked if there was an  
22 opportunity to adjust the site plan after the fact.

23  
24 Ruth Dimmitt stated she was impressed with the process the Planning Commission was  
25 going through. Ms. Dimmitt stated it was good to exchange ideas but not to compete.

26  
27 Frank Redmond closed the public hearing.

28  
29 Doug Robidoux stated he liked the fact Seth Hopkins was looking to promote business  
30 in Mason County, but that he was disappointed to learn Mr. Hopkins served on the Lake  
31 County Planning Commission and "put the cart in front of the horse." Mr. Robidoux  
32 stated the use was allowable in the zoning district through a special land use process  
33 and certain provisions needed to be met. Mr. Robidoux stated a requirement that the  
34 project be located on a paved road was not met, and the parking regulations were not  
35 met. Mr. Robidoux stated he was concerned with garbage on the course attracting  
36 bears and was also concerned with trespassing.

37  
38 Mike Shaw agreed with Doug Robidoux. Mr. Shaw stated the parking area was not like  
39 what the site plan indicated. Mr. Shaw stated they needed to know where the property  
40 lines were to address setback requirements, and he was concerned with trespassing.

41  
42 Janet Andersen stated parking was a concern of hers. Ms. Andersen stated the  
43 business would grow which would compound the problems. Ms. Andersen stated the  
44 issues could have been avoided if the applicant came before the Planning Commission  
45 first. She stated the location on a dirt road was a concern. Ms. Andersen added she did  
46 see the recreational value of the project.

1 Dennis Dunlap stated the hours of operation were “too generous.” Mr. Dunlap stated the  
2 determination of parking spots needed would be based on the number of baskets. He  
3 stated there was no good indication of where the baskets were located, but there was  
4 plenty of space to make sure the baskets were located in a fashion to protect the  
5 neighbors. Mr. Dunlap added the disc golf course would be a good recreational  
6 opportunity for Mason County.

7  
8 Tom Hooper stated the roads were narrow and concern was raised with the hazard of  
9 parking along the roadside. Mr. Hooper was also concerned with people being in the  
10 woods on the disc golf course during hunting seasons on the surrounding federal land.  
11 Mr. Hooper added he liked the idea and the increase of business and recreation in  
12 Mason County, and the Planning Commission would need to accommodate neighbors.

13  
14 Frank Redmond agreed with the other Planning Commission members and added the  
15 site plan must conform to the zoning ordinance.

16  
17 Dennis Dunlap asked if it was possible for the application to be withdrawn for the  
18 applicant to address the concerns.

19  
20 Brady Selner stated the Planning Commission could postpone a decision for additional  
21 studies and amendments, but that a motion for delay needed to be made with a date to  
22 revisit.

23  
24 Doug Robidoux stated Section 17.53 required the site to be located on a hard surfaced  
25 road. Mr. Robidoux stated the Planning Commission needed to enforce the zoning  
26 ordinance and did not see a way to approve the site plan without meeting that  
27 requirement.

28  
29 Tom Hooper stated he would like to have a more complete site plan to consider.

30  
31 Dennis Dunlap stated Dunbar Road is paved and an access to the site. Mr. Dunlap  
32 suggested paving Hansen Road from Dunbar Road to the entrance site.

33  
34 Mike Shaw made a motion to postpone a decision until the applicant could come back  
35 with answers to the issues the Planning Commission addressed as follows:

- 36 • Setbacks shown
- 37 • Improvements on site plan with baskets, parking lots/spaces, sanitary facility
- 38 locations, congregation areas, landscaping, and setbacks and surface for parking
- 39 area
- 40 • Paved road improvement
- 41 • Signage
- 42 • Garbage
- 43 • Trespassing of customers

44 Second by Dennis Dunlap. Motion carried, 6 yes 0 no.

1 New Business: Brady Selner asked the Planning Commission if they would like to  
2 change their original decision to discuss language for a solar power zoning ordinance.

3  
4 Tom Hooper stated delaying discussions on solar power was "bad." Mr. Hooper felt the  
5 Planning Commission should have working meetings.

6  
7 Doug Robidoux stated the Planning Commission did agree to postpone decisions but  
8 were open to allowing education.

9  
10 Janet Andersen agreed that the Planning Commission could get education on solar  
11 power.

12  
13 Brady Selner stated he would look into educational opportunities.

14  
15 Unfinished Business: None

16  
17 Zoning Directors Report: Brady Selner stated the survey for the Mason County Master  
18 Plan update was online and "live."

19  
20 Brady Selner stated there would possibly be a meeting May 21<sup>st</sup> for a drive-thru  
21 restaurant and retail store.

22  
23 Brady Selner stated Andy Thomas's variance request was denied by the Zoning Board  
24 of Appeals at their April 3<sup>rd</sup> meeting, but that the Planning Commission would still need  
25 to make a decision on his Special Land Use application.

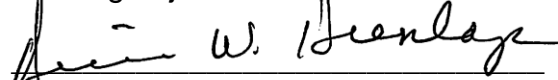
26  
27 Zoning Board of Appeals: Doug Robidoux stated Andy Thomas's variance application  
28 was denied based on the standard of owning at least a 10 acre parcel. Mr. Robidoux  
29 stated there was wiggle room on the second standard he was requesting a variance for  
30 regarding production area.

31  
32 Frank Redmond opened public comment.

33  
34 There was no public comment.

35  
36 Frank Redmond stated the meeting was "very unusual" and things got a little out of  
37 hand. Mr. Redmond commended the Planning Commission on their handling of the  
38 meeting.

39  
40 Meeting adjourned at 8:57 PM.

41  
42 

43 Dennis Dunlap, Secretary  
44 Mason County Planning Commission