

# Re-vamped RV park permit denied

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TORCH RIVER — After another marathon five-hour public hearing held Monday night in Elk Rapids, the Milton Township Planning Commission once again denied a developer's application for a special use permit for an RV park in Torch River.

The decision to deny the application for a park with 70 RV sites, 10 fewer than in developer Jim Brewer's original application submitted in 2020, was unanimous.

"We found the project was not in compliance with our zoning ordinance," said Planning Commission Chair Bill Hefferan Tuesday morning.

"Much of the Planning Commission's concern centered around the number of changes needed for the topography to accommodate the development,"

Hefferan continued, pointing out that the township's zoning ordinance calls for a minimal disturbance of the area.

The project had been proposed for a steep, forested hillside located between Torch River Drive and Miller Road in Milton Township's Torch River at the south end of Torch Lake, much of which would need to be leveled out, he said. Some of that work has already been done to the 10-acre property, on which trees and stumps were removed in 2020. A construction road was also built.

The proposed RV park is adjacent to a large 290-acre parcel sold to the Grand Traverse Regional Land Conservancy last year by the same trust that sold the 10-acre piece to Brewer in 2017.

Despite the poor weather, as was the case during an earlier hearing in January, the Monday evening hearing drew dozens of

outspoken participants to Elk Rapids' Peterman Auditorium, who offered often-heated comments, with many more participating virtually in the hearing via Zoom.

As during past public events on the subject, many of the public comments offered regarded concerns about sewage, storm-water runoff, and traffic congestion.

Hefferan said he did not know what Brewer's next move would be, but said, "His only alternative, other than to find another piece of property in the settled village areas of Torch River or Kewadin, where a development like this would be permitted, is to seek relief through the Circuit Court."

That was a move Brewer took after his original application for a larger park with 80 RV sites was denied last summer.

In those documents, Brewer and his partner John Peale of Torch River Marine argued

through their attorneys that the denial violated township ordinances, state law, and the U.S. Constitution, stating that the denial was too vague, followed improper procedures and attempted to impose standards not followed by Milton Township's ordinance.

The state of Michigan's Dept. of Environment, Great Lakes, and Energy cited the project on Aug. 26 of last year for a violation of the state's erosion and runoff mandates, ordering the developer to document his efforts to clean up the large amount of sediment that washed onto a neighbor's property after torrential rainstorms in 2020 and submit plans for erosion prevention in the future. The department received a response with a corrective action plan less than two weeks later. Although currently halted due to winter weather, work to re-seed cleared areas and slow erosion potential has been ongoing since then.