

Excerpts from DEQ documents Regarding Timberlake

October 26, 2009

David Roseman

In township Planning Commission meetings over the past several years, Timberlake owners have said that the campground had the appropriate permits at the time of the implementation of the Zoning Ordinance, and that they had approval from the DEQ for more than 225 sites.

These excerpts are from DEQ documents obtained through the Freedom of Information Act. They show that Timberlake operated without licenses in most of the 1990s, and specifically had no license when the Zoning Ordinances were enacted in 1990 or 1997. They were repeatedly cited for violations. As well as we can determine, they have never been licensed for more than 176 sites, and never for the primitive sites that they now admit to using. We can provide copies of the complete documents if requested.

September 1, 1993

This letter will serve to notify you that the subject campground has been operating without a valid campground license since 1990. This is a violation of Michigan's Public Health Code, Act 368, P.A. 1978, as amended.

....

It was agreed on June 27, 1990 that no more than 45 sites would be available until the approved service building was constructed. On August 27, 1993 your office informed us that there were 130 total sites available for camping. Obviously, additional unauthorized campsites have been constructed and adequate facilities are not available to accommodate these additional sites. The unauthorized campground expansion and addition of sites has further placed the campground in violation of Act 368. As a result, this office will not be able to approve a campground license for more than 45 sites upon submittal of the proper license application and requested information.

[Timberlake did not comply, no permit was issued, and a Consent Agreement was signed by DEQ and Wheelers in November, 1993]

November 10, 1994

As a result of these conditions, our office believes that you have failed to comply with the conditions of the consent agreement and are in violation of the agreement and Act 368.

March 27, 1997 [Interoffice memo re administrative or Attorney General action]

Timberlake Campground is located in Oceana County. The owners of the campground signed a Consent Agreement in 1993, and were near compliance in 1994. They suddenly discontinued all efforts to secure construction permits for the needed campground improvements, and have since continued to operate the campground in violation of Act 368 and the signed 1993 Consent Agreement. Repeated attempts have been made to contact the owners, and they have acknowledged and accepted certified mailings. Mr. Gurchiek contacted Mr. Styka (via letter and several phone calls) requesting action, but to my knowledge there has been no enforcement action by the Attorney General's office. Copies of the Consent Agreement and Mr. Gurchiek's last correspondence are attached. Timberlake Campground has applied for a 1997 campground license, but again one has not been issued.

[August 20, 1998 DEQ Inspection Report showed 121 sites. A permit may have been issued in 1998, but none was included in the DEQ documents. If it was, it would appear to have been the first in Timberlake's history.]

[2000 license application shows 121 licensed sites, 143 actual sites]

July 26, 2002 [To Steve Bruce]

We have reviewed your request for an extension of campground construction permit CP-99046 for this facility. This permit expired on May 26, 2002. At this time, we cannot grant you an extension of this permit. There are some concerns in regards to water supply, sewage disposal, and service building requirements that need to be

addressed before we can re-issue the construction permit.

November 26, 2002 [To Steve Bruce]

We have received your letter dated November 1, 2002, indicating that you intend to continue with the construction of the previously permitted 230 sites. This letter is to remind you that you do not have a valid construction permit for this proposed work as required by Michigan's Public Health Code, 1978 PA 368, as amended, and the administrative rules adopted pursuant to the act, and to once again request that you obtain the required construction permit before proceeding with construction.

[2009 Campground License]

The current license shows that Timberlake is licensed for 176 modern sites, and no primitive sites.

	MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY WATER BUREAU
CAMPGROUND LICENSE	
LICENSE NO. L-5022-64	VALID 1/1/2009 through 12/31/2009
This is to certify that the establishment named below is authorized to operate a campground:	
TIMBER LAKE RESORT 4370 N RIDGE ROAD MEARS MI 49436	Modern Individual Sites 176 Modern Group Sites 0 Primitive Individual Sites 0 Primitive Group Sites 0
	
	TOTAL SITES: 176