

April 12, 2018

Mr. Robert Hall
Wexford Joint Planning and Zoning Administrator
% Cherry Grove Township
4830 E. M-55
Cadillac, Michigan 49601

Dear Mr. Hall,

Thank you for the notice regarding an application to amend an existing Special Use Permit for property within 300' of our real property. I appreciate the opportunity to give you and the Wexford Joint Planning Commission a list of our problems and issues related to the Hoxeyville Festival and the amendment request for another festival.

1. Since the Hoxeyville festival began several years ago, we have been encumbered by excessive foot and vehicular traffic on 48 ½ Road and M-37 during the four to five days of the festival. Specifically, during high traffic times, we cannot drive on 48 ½ Road as traffic builds up between the entrance and either direction, east and west. We have to drive north to M-55 or south to 10 ½ Mile Road to drive west to meet appointments which we have missed several times over the past years due to the festival. Further we cannot gain legal access to our property during this congestion which is an infringement on our freedom to legally access our property.
2. Festival attendees are mostly oblivious to vehicles as they walk on 48 ½ Road and Hoxeyville Road. They walk on the road in lanes dedicated to vehicular traffic and several people walk abreast close to the traffic lane and become belligerent when motorists try to let them know that they should move off the road to allow traffic to proceed safely. It is not always safe to pass them as the oncoming lane is busy with vehicles and we have seen several near accidents occur because of this. It is particularly hazardous for seniors that live in the immediate area. Further, festival pedestrians have been rude to drivers to the point of yelling, ignoring cars behind or in front of them and making inappropriate hand gestures...as if to say "we own the road, we paid our admission, and we can do anything we want and you are not going to stop us". Bottom line, this is a major safety hazard.
3. We retired and moved here to live on property that was homesteaded by my maternal grandparents in the early 1900's. We purchased our property long before the festival began at its current location. Prior to that time, the festival was held at Coyote Crossing, a commercially zoned area. We moved here with the understanding that we were moving to a residential area, as noted in the Wexford County zoning script. We believed, as did others, including those who are predominantly seniors and retirees in our community, that we would never have to concern ourselves with commercial events being held in our neighborhood. We still wonder how that happened, and further, without our voices being heard or considered? With 5,000 people, as reported in the Cadillac News, converging on our small residential area, this event is not at all harmonious with the existing or intended character of the vicinity and continues to change the essential character of the area in which it is located. Where will it stop? How many more special use permits will be sought before it becomes an arena for year-around events and eventually designated as permanently commercial? We pray to God that doesn't happen. How much lower will our property decline because of these festivals and how difficult will it be to sell our residential property in the future?
4. You may be completing the County's rigorous permitting process, but we question whether anyone from the County follows up if the County's Temporary Use Permit Issuance Standards are being followed by the recipient. Has that been checked or have the recipients taken it upon themselves to adjust the temporary use requirements to their benefit? Case in point:
 - a. *The proposed use is clearly of a temporary nature.* The buildings and other structures are being used for the festival have become permanent after the first festival. Which is it, permanent or temporary? How can a raised stage for temporary use also be a storage facility for tractors? Really? If a second permit is being sought then are any of the buildings or structures temporary?
 - b. *The temporary use shall not endanger the public health, safety or welfare of the County, adjacent residents or inhabitants of the structures of the temporary use.* Clearly, the vehicle and foot traffic present a health and safety hazard for the duration of the festival. The personal stress of having to justify our inherent personal rights as full time residents of a residential community which keep being violated every time the festival promoters look to further their gains at the expense of the community is detrimental to our mental and physical health and welfare.

- c. *The proposed use will cause no traffic congestion.* Again, the vehicle and foot traffic of thousands of attendees presents traffic congestion during the festival to both residents and area visitors.
5. The current County provisions also say, “*All temporary structures, dwellings, or buildings shall be forthwith removed from the parcel of land*”. Many of the buildings that have been erected for the festival stay up all the time and have become permanent buildings. Even the stage has been roofed in 2014 according to the article in the Cadillac News. Why aren’t the stage and other festival buildings required to be removed following the event?
 6. As permanent residents of this area, we have had numerous opportunities to talk to our neighbors and other residents. They are definitely not happy with the festival and believe all those who allow these festivals to occur ARE NOT being good neighbors because they put the profits of the organizations who support the festival ahead of all the other residents who oppose the production. I wonder if those residents, organizations, lawyers, and commissions who support and approve it would like it in their back yard? I suspect the answer is definitely NO! The people infringing on our residential area own over 100 acres of commercially zoned property on M-55 that is currently up for sale and is prime space for the festival. This property is across the road from a camp ground, also up for sale. It is near the South Branch Fire Department and an emergency helicopter landing strip. With this commercial property accessible to them, the festival promoters are still pushing for special use permits in our residentially zoned area. What does this tell you about how much they care about anyone but themselves and their profits?
 7. What recourse do we who oppose the event have? Do we leave our homes for the duration of the event, shut our windows, close our gates, and block our private driveways with tape, chairs and rocks? Do we live in fear of meeting a drugged or intoxicated driver on the roads (chances are higher during these music fests)? Do we watch our roads and property get strewn with garbage from visitors who go home and don’t care how they leave our environment behind them? Do our seniors have to say, “What can we do?” and feel helpless trying to defend their solitude, privacy and especially their voices and freedom? Or do we become so negatively impacted that we ultimately have to sell our house and move? All of these options *have* unfortunately occurred. Does the almighty dollar mean that much to the owners and promoters and those that allow you to use their residential property for this event that they turn a deaf ear to their “neighbors welfare”?
 8. Some residents and businesses that had “We support the Hoxeyville Music Festival” signs on their lawns in the past do not post them any longer. What does that tell you?
 9. To the best of our knowledge, South Branch as a Township does not receive one single dime from this event, but it certainly fills the pockets of others at our expense for a production totally revolting to many township taxpayers.
 10. Unless you own property in our immediate area, you cannot imagine what it is like to be infringed upon in so many ways. Nor can you say that you are concerned about problems affecting our community. Those who support and approve this special use permit obviously have no idea how disruptive and disturbing this has been to our residents, where nearly 50% are seniors and retirees seeking peace and quiet where they live.
 11. Contrary to business owners and supporters of the event that act like spoiled juveniles and complain that our wonderful police patrol are “harassing” *their customers*, we and many residents are extremely appreciative of the Michigan State Police and the Wexford County Sheriff’s Police for their efforts to maintain law and provide safety and stability to our area’s roads during the festival albeit at considerable extra expense to our taxpayers.

We strongly implore the Commission to deny the special use permit and urge the promoters to move this event to an existing commercially zoned area (like the property on M-55). This would be the sensible and proper thing to do without stretching the County’s Temporary Use Issuance Standards and ignoring the rights of our Hoxeyville residents, who don’t benefit physically, mentally, emotionally nor financially from the festival, but still have to painfully endure it.

Sincerely,

Carole A. Starek & Karl L. Ryckeghem
cc: Legal Counsel