

AGENDA
SUTTONS BAY TOWNSHIP PLANNING COMMISSION
SPECIAL MEETING

Tuesday, July 1, 2025
6:00 PM

Special Meeting of the Suttons Bay Township Planning Commission called for the purpose of continuing the review and consideration of the proposed Cherry Beach Orchards Open Space Residential Development.

This meeting will be held at the **Suttons Bay Township Offices** located at **95 W. Fourth Street**, Suttons Bay, MI 49682. The public may participate in person at designated times.

Zoom Electronic Remote Access is available for viewing only.

Link to Zoom Remote Access (For Viewing Only):

Join Zoom Meeting: <https://us02web.zoom.us/j/88510656282?pwd=aryX5GazG9SDAbBPjlmDTVhQ2qRY.1>

Meeting ID: 885 1065 6282 Passcode: 921361

Call to Order and Notation of Quorum

Approval of Agenda

Conflict of Interest

Public Comment

Items of Discussion/Consideration:

1. Review and Consideration of an Application for Site Plan Review and Open Space Development submitted by Mark & Karen Drake, for the proposed Cherry Beach Orchards, a 20 Lot Open Space Residential Development in the Agricultural Zoning District at 855 S. Stony Point Road, Suttons Bay Township.
Parcel No. 45-011-027-039-00.

Commissioners' and Staff Comments

Public Comment

Next Scheduled Regular Meeting – August 5, 2025

Adjournment (No new business after 8:00 PM unless extended by a motion)

Commission Packets can be viewed at: <https://www.leelanau.gov/suttonsbaytwppln.asp>

This meeting is a session of the Suttons Bay Township Planning Commission held in public for the purpose of conducting the Commission's business and is not to be considered a public community meeting. There is time set aside for public comment during the meeting as noted on the Agenda, and the Planning Commission welcomes the public's input at that time.

AGENDA ITEM 1

SUTTONS BAY TOWNSHIP PLANNING COMMISSION JULY 1, 2025 PC MEETING

June 23, 2025

Update on Application for Site Plan Review & Open Space Development Cherry Beach Orchards – Mark & Karen Drake Property, 855 S. Stony Point Rd. – Property No. 45-011-027-039-00

On Friday, June 20, 2025, two emails were received from the Applicants of this project with materials for the July 1, 2025 Special Planning Commission Meeting.

Since it came on a Friday, we did not have a chance to look at anything until today.

Since the township's policy is to have packets done at least 8 days prior to the meeting, and we have to have it done by noon, we are sending out the materials that we have at this time.

After we have reviewed these new documents, and prepare a report, we will contact the PC Chair regarding distribution of the reports.

Attached are:

- Revised project plans with an email describing the changes.
- An email with additional documents including the viewshed analysis.
- Public Correspondence.

We repeat our earlier caution about avoiding discussing this project with other commissioners, the applicants or the public outside of the public meetings.

Steve Patmore,
Zoning Administrator
June 23, 2025

From: Scott Bohlen <scott@scottbohlen.com>
Sent: Friday, June 20, 2025 10:42 AM
To: Steve Patmore
Cc: manndrake@aol.com; smorgan4432@gmail.com
Subject: Fwd: REVISED DRAWINGS WITH 100 FOOT BUFFER AND 18% SLOPES ADDED
Attachments: 1-COVER (06-17-25).pdf; 2-EXISTING CONDITIONS TOPO (06-17-25).pdf; 3- SITE PLAN PHASE 1 (06-17-25).pdf; 4- SITE PLAN PHASE 1 AND 2 (06-17-25).pdf; 4- SITE PLAN PHASE 1 AND 2 (06-17-25).pdf; 5- SITE PLAN PHASE 1 AND 2 WITH TOPO(06-17-25).pdf; 6-SHARED WATER FRONTAGE SITE PLAN (06-17-25).pdf; 7- GRADING PLAN (06-17-25).pdf; 8-PROFILE (06-17-25).pdf; 9-SESC PLAN (06-17-25).pdf

(9 FILES ATTACHED)

Steve,

Included with this email are a full set of the latest drawings for the Cherry Beach Orchard development, the only changes from the drawings you already have are the requested addition of the 100 ft buffer zone and the areas that include an 18% or greater slope.

I am happy to bring a set or sets of the new drawing for you to the July 1st, 2025 meeting. Please advise if you would like me to bring a copy for you to the meeting.

Scott Bohlen
Preview Properties
(586) 709-0354
scott@scottbohlen.com



> ----- Original Message -----

> From: Patrick Keough <acecivillc@gmail.com>
> To: Steven Morgan <smorgan4432@gmail.com>, manndrake@aol.com, Scott
> <scott@scottbohlen.com>
> Date: 06/17/2025 5:27 PM EDT
> Subject: REVISED DRAWINGS WITH 100 FOOT BUFFER AND 18% SLOPES ADDED

>

>

> Hi Steve Mark and Scott:

>

> Attached is a revised set of PDF drawings with a 100 foot buffer line
> off of Stony Point Road added and the areas that exceed 18% within
> the developed area cross hatched. Please let me know if you have any
> questions.

>

> Thanks! Pat

>

> ACE CIVIL ENGINEERING,LLC
> Patrick C. Keough, P.E.
> President

>

> email: acecivillc@gmail.com

LINE	BEARING	DISTANCE
L1	WEST	286.74'
L2	S 24°51'00" W	92.00'
L3	N 65°09'00" W	70.23'
L4	WEST	244.11'
L5	WEST	42.63'
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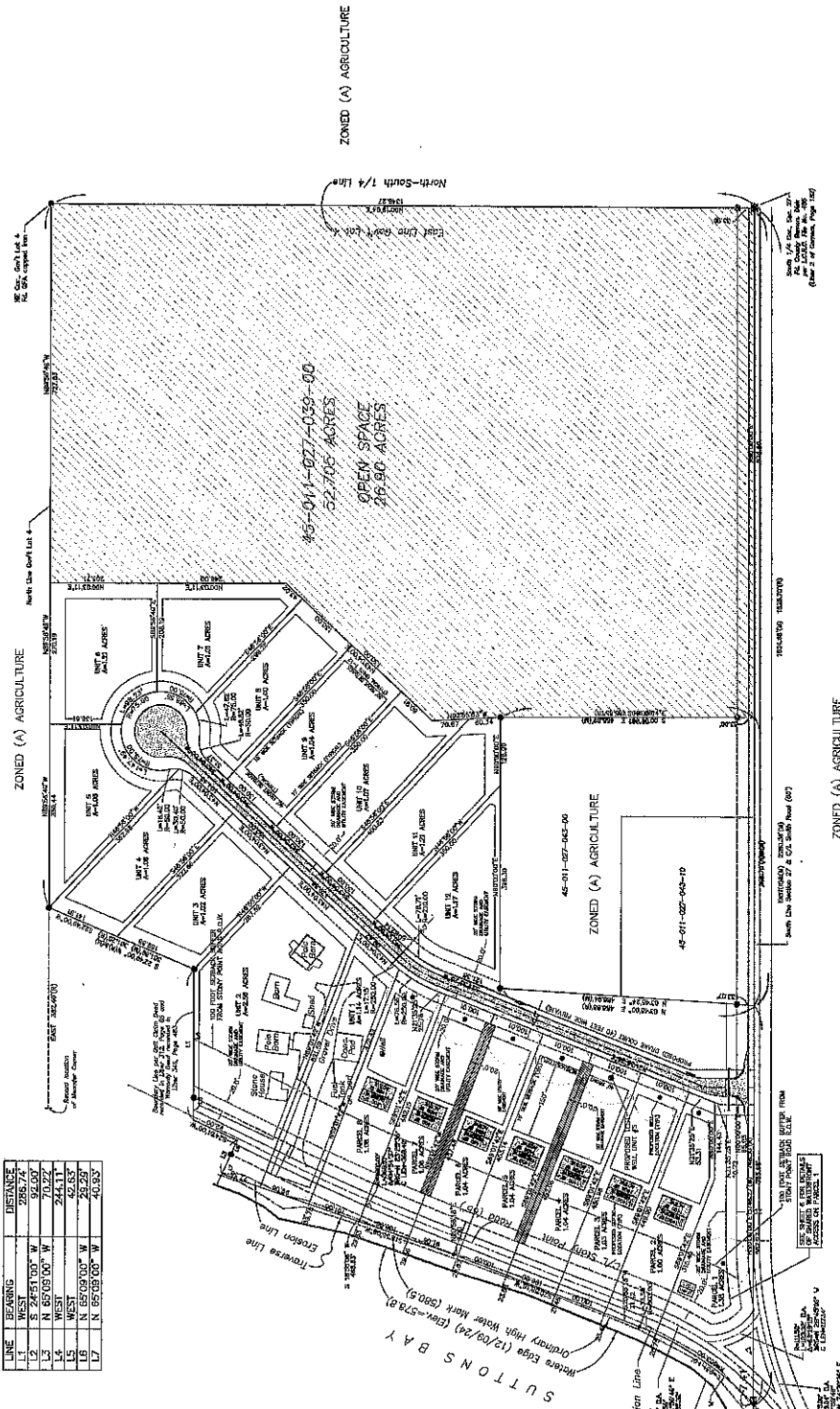
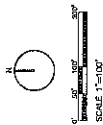
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BOUNDARY SURVEY INFORMATION PROVIDED BY NICHOLAS M. O'NAN,
S. NO. 45067928.000 E. NO. 2024024-026B3014 DATA 1-6-25

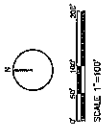
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L1	WEST	286.74'
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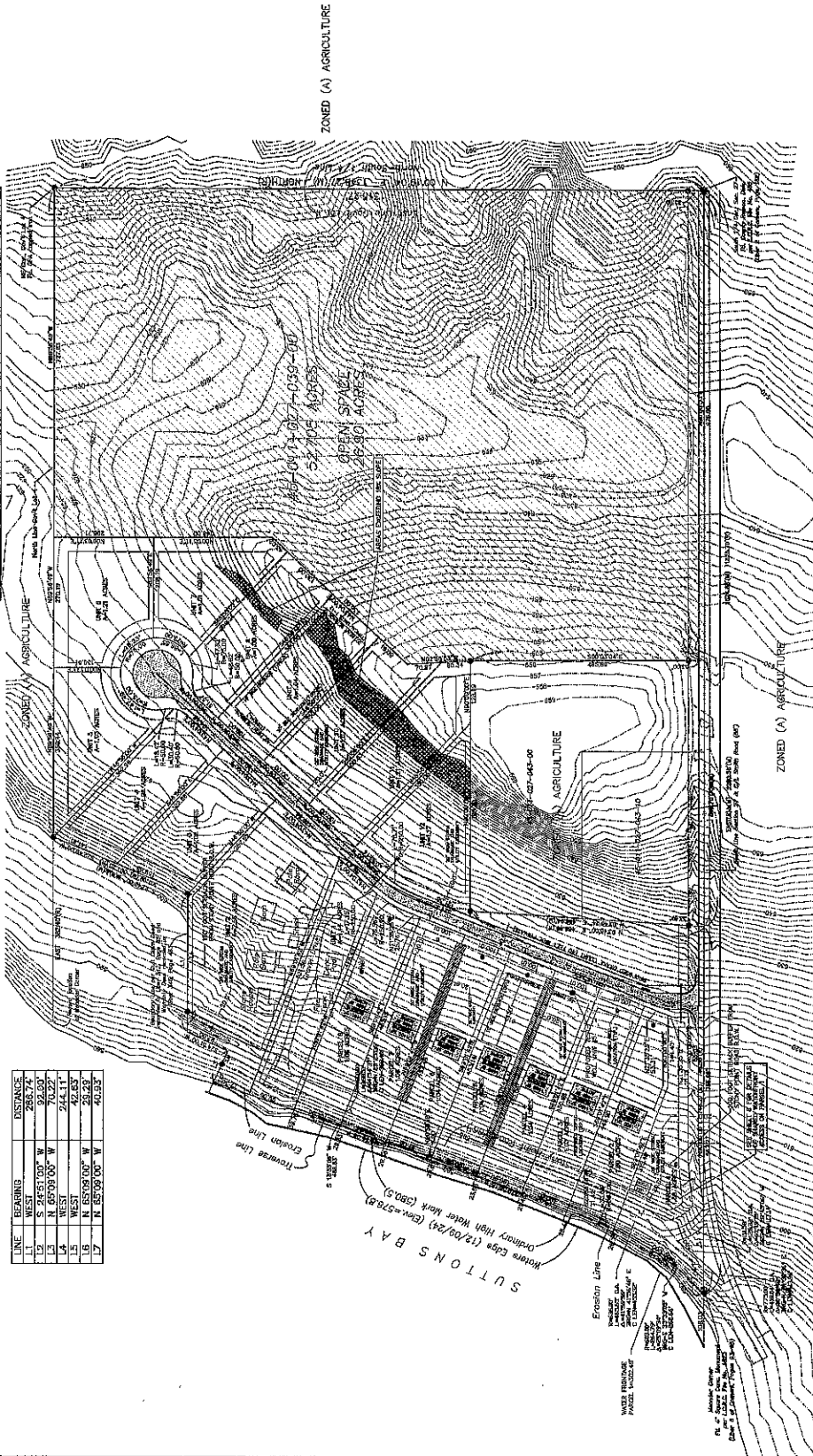


SITE DATA TABLE:

EXISTING ZONING:	AGRICULTURE	2. ACRES MINIMUM
SECTION 3.6	52.75% ACRES	24 UNITS ALLOWED
TOTAL PARCEL AREA:	52.75/2.0 ACRES	20 UNITS PROPOSED
NUMBER OF UNIT CALCULATIONS:	80%	
OPEN SPACE REQUIRED	13.04 %	
OPEN SPACE PROVIDED	13.04 %	
PROPOSED DIMENSIONS	120' X 100'	
SECTION 15.00	120' X 100'	
SECTION 15.00	120' X 100'	
BRIDGING STRUCTURES	FOR REQUIREMENTS	
ADDITIONAL PROVISIONS	FOR REQUIREMENTS	
SECTION 15.00-11		
PARCEL SPLIT LOT 14-1	NEARBY PARCEL 9	
PHASE 1		



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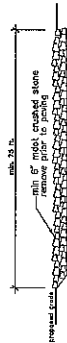


PARCEL ONE OF PROPOSED CHERRY BEACH ORCHARDS RESIDENTIAL DEVELOPMENT

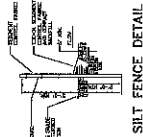
1. ALL DRIVEWAYS AND PARKING AREAS ARE PROPOSED GRAVEL..
2. BUILDING TO SERVICED BY INDIVIDUAL WATER WELL AND SEPTIC SYSTEM.

3. TYPICAL BUILDING SETBACKS - BUILDING STRUCTURE = 50 FEET
TYPICAL PARKING FRONT YARD = 10 FEET
TYPICAL PARKING SIDE YARD = 40 FEET
4. THIS PROJECT SHALL BE DEVELOPED AS PART OF PHASE TWO OF CHERRY BEACH OCEARDS DEVELOPMENT.
5. ALL UTILITIES SHALL BE UNDERGROUND
6. SOILS ARE PREDOMINANTLY MANGELSON-EAST LAKE LOAMY SANDS, 0%-4% SLOPES FEEL U.S. SLOPES MAP.
7. THE HOME OWNERS ASSOCIATION SHALL MAINTAIN ALL THE BUILDINGS AND PARKING FACILITIES ON SITE.
8. LIGHTING SHALL BE PROVIDED BY A SINGLE WALLPACK MOUNTED ALONG THE EXTERIOR ROOFS LOCATED ON THE EAST SIDE OF THE RESTROOM FACILITY. LIGHTING SHALL BE LOW INTENSITY LED LIGHTING EQUIPPED WITH A PHOTO CELL.
9. NO HAZARDOUS MATERIALS ARE EXPECTED ON THIS SITE.
10. NO GROUNDWATER DEWATERING IS EXPECTED ON THIS SITE.

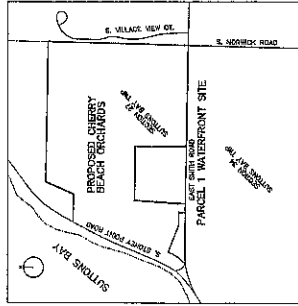
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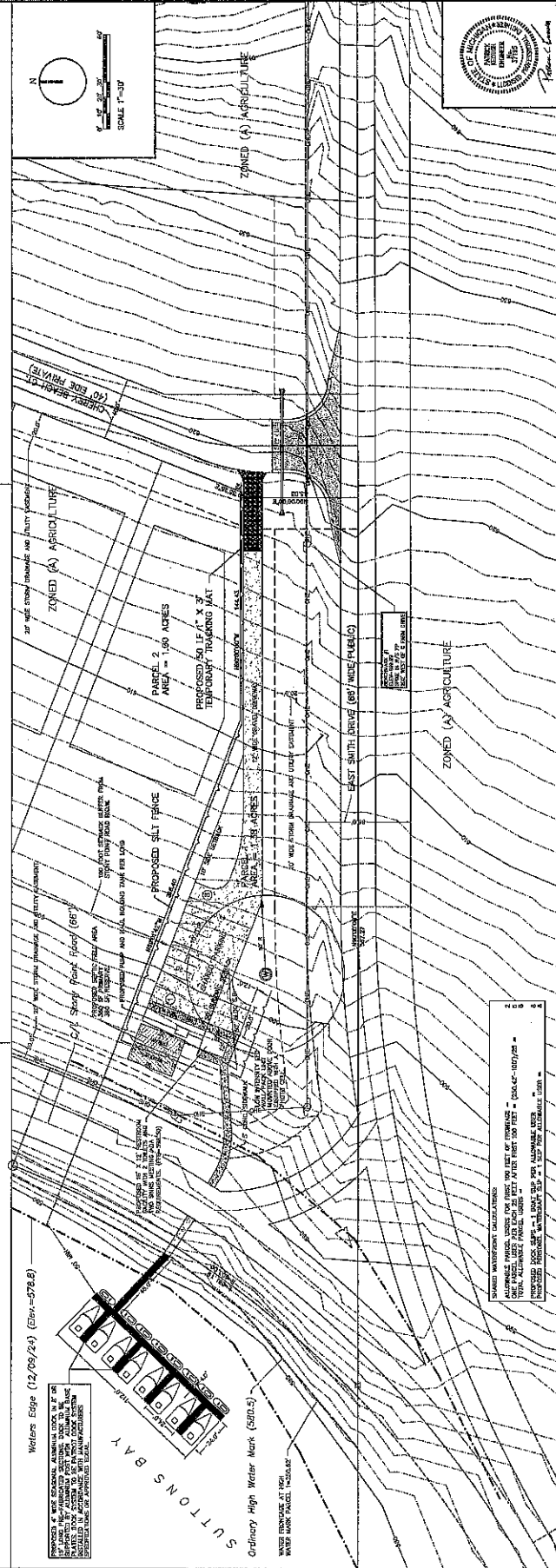
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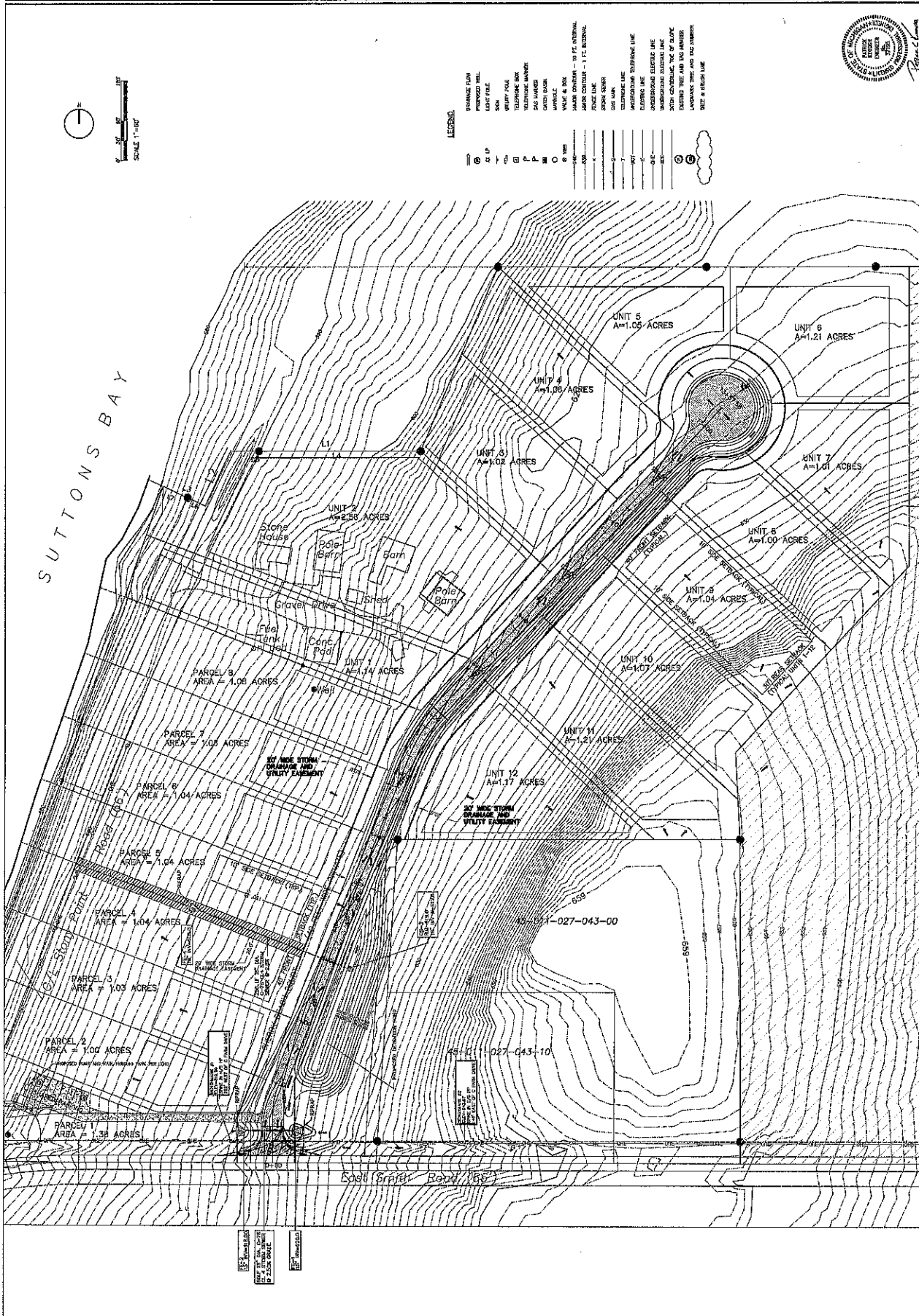
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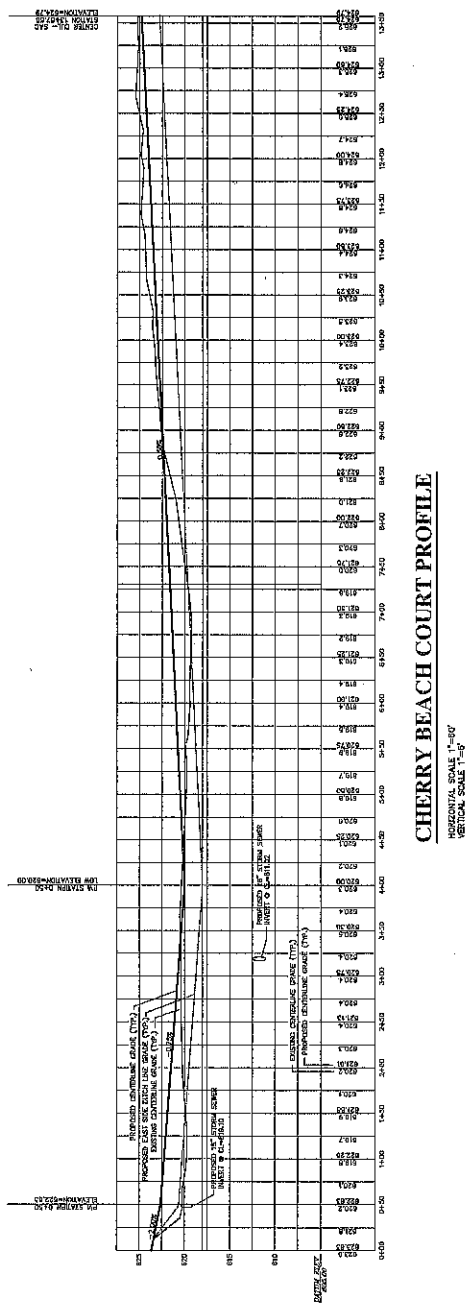
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FEARING H2.

6







From: Scott Bohlen <scott@scottbohlen.com>
Sent: Friday, June 20, 2025 10:36 AM
To: Steve Patmore
Cc: smorgan4432@gmail.com; manndrake@aol.com
Subject: Cherry Beach Orchard - requested items for July 1st planning commission meeting
Attachments: Cherry Beach Orchard - Site plan with 100 ft buffer and slope.pdf; Suttons Bay Township - Scenic view.pdf; Cherry Beach Orchard - Township checklist for 7-1-25 meeting.pdf; Cherry Beach Orchard - View Shed - location A.jpg; Cherry Beach Orchard - View Shed - location B.jpg; Cherry Beach Orchard - View Shed - location C.jpg

Steve,

(6 FILES ATTACHED)



Please find attached the following items that were requested by the planning commission to be delivered by June, 20, 2025 for review prior to the July 1st, 2025 meeting.

- 1) As requested in the June, 3rd, 2025 planning commission meeting, attached is a site plan revision showing the 100' buffer from Stony Point Rd. and the 18% slope areas on the property. The planning commission did not require a full size set of plans for these changes, just an 8.5 x 11 copy.
- 2) Scenic vistas and scenic view lines document (as presented in the June 3rd, 2025 meeting)
- 3) Outstanding items checklist from the June 3rd, 2025 meeting
- 4) View shed analysis (TK Design) - There are 3 different views that incorporate the size and elevations of the proposed homes on the property.

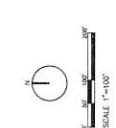
In addition, I have sent an electronic file of the latest drawings for the Cherry Beach from Pat Keough - Ace Civil Engineering in a separate email for your records.

Finally, the applicant/owner has previously completed or provided the following items, please let me know if any additional copies or information is needed on the below items and I will be happy to provide to you upon request.

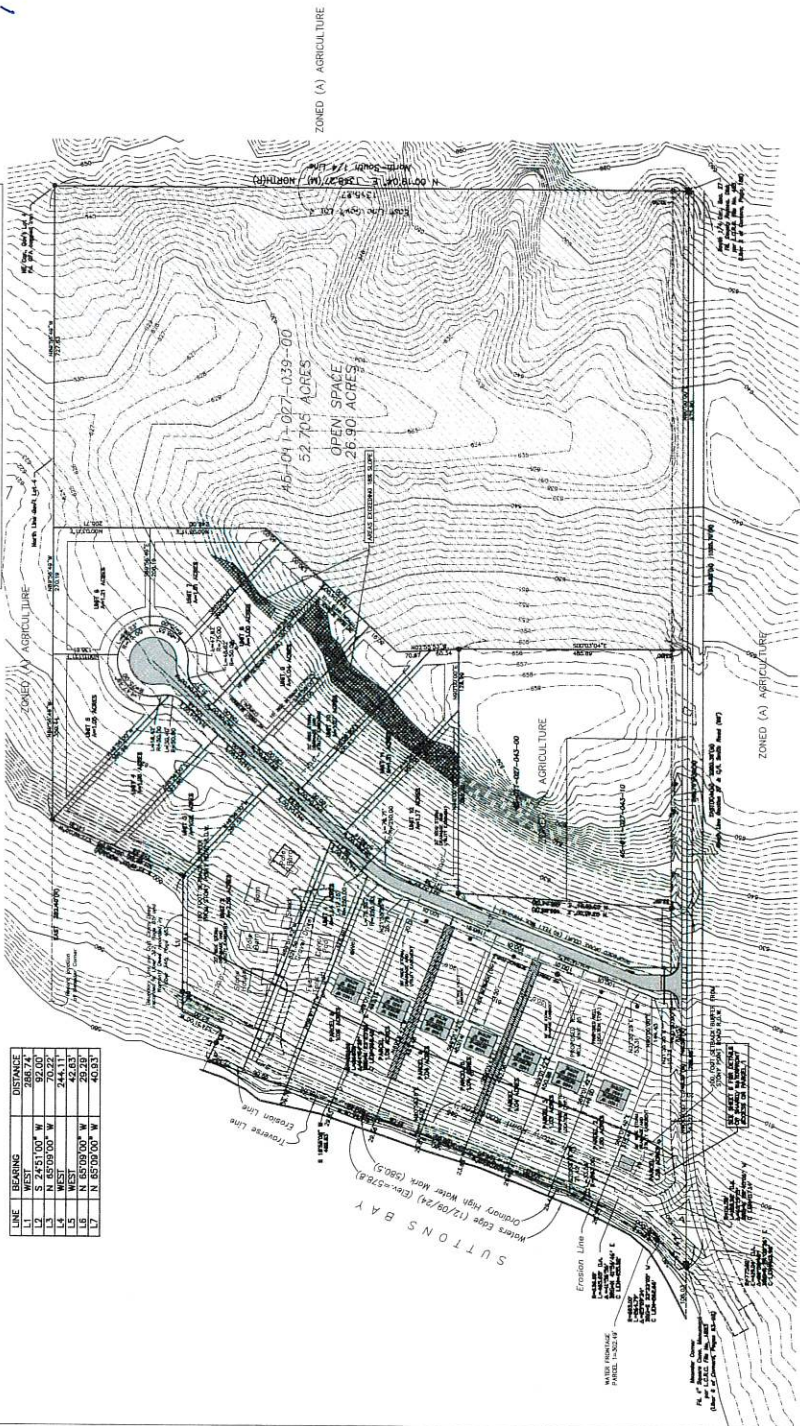
- 1) The applicant/owner initiated meetings with the county road commission and the township board related to a future (phase 2) commitment to revise and reconstruct the intersection of Stony Point Road and Smith Road to address safety concerns of the planning commission and public.
- 2) There were questions regarding certain applications of the township zoning ordinance, the applicant contracted with an officer of the court to define the proper interpretation of the zoning ordinance language. The document was provided prior to the June 3rd, 2025 meeting.
- 3) To answer public questions and fulfill a possible requirement for project approval the applicant contracted to have a traffic study completed. This study was provided to zoning administrator/planning commission prior to the June 3rd, 2025 meeting.

Please advise if you feel there is any additional information that you would like provided,

Scott Bohlen
CEO/Realtor
Preview Properties
(586) 709-0354



LINE	BEARING	DISTANCE
L1	WEST	286.74'
L2	S 24°51'00" W	92.00'
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2

Section 16.6 Design Objectives for Siting Lots

Presented by ZA at May, 2025 mtg. Comments by Applicant May 6, 2025



In evaluating the layout of proposed lots and the resulting open space land, the developer should consider natural features and their limitations as the prime consideration in determining lot layout. The open space residential land development site p"Oaks of Tyrone Sewerage System"lan should:

- A. ok
- B. ok
- C. ok
- D. Maintain or create an undisturbed upland buffer of native vegetation of at least one hundred (100) feet (in depth) from adjacent surface waters, including lakes and streams.

Note that the minimum distance from Stony Point Road to Building Envelope is more than 200 feet (Site Plan). The Deed Restrictions only allow Lawns in this 200 foot buffer area (no landscaping), to maintain Rural Character.

- E. ok
- F. ok
- G. ok
- H. ok

I. Leave scenic views and vistas unblocked or uninterrupted, particularly as seen from adjacent public road and waterways.

There is confusion regarding this Design Objective (I). There are 3 clear and definable Parts to this Objective.

A. "Leave" the "Scenic Views" of the (Scenic) "Vistas" regarding this Property.

B. "Unblocked" or "Uninterrupted" View, of the "Scenic View"

C. The Focal Point(s) to observe the "Scenic Views-Vista"

Narrative of Design Objective I

A. "Scenic View" of the (Scenic) "Vistas"

Law [Insider.com](#) DEFINITION

"Scenic View" shall mean a view of the community and its landscapes, ocean, city lights, canyons, golf courses, and other visually impressive scenic vistas from the Main Viewing Area of a residence.

B. "Unblocked" or "Uninterrupted" View, of the "Scenic View"

When Development is complete, the "Scenic View" will not be "..Blocked" or "..Interrupted" from either Focal Point.

C. The Focal Point(s) to observe the "Scenic Views".

**There are Two clear Focal Points in Objective I —
(Focal Point #1) clearly defined as a location on the "Public Road"
And
(Focal Point #2) at a point in the "Waterway"**

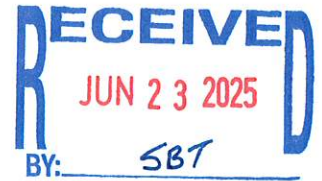
Focal Point #1- Viewing Westerly (Scenic View looking across Suttons Bay to the Village of Suttons Bay) Near intersection of Smith Road and Drake Court.

[A picture of this view is closely approximated on the cover Folder provided to the PC and the public. Note the Downtown buildings, Homes, Townhouses, Marinas.]

Focal Point #2 –Viewing Easterly (Scenic View from "waterway" and across Suttons Bay

[A picture that may closely approximate this view is taken from the Master Plan]

Observing this Development from the defined Focal Points will not Block or Interrupt the Scenic Views.



Outstanding Items

Cherry Beach Orchard Open Space Land Development

2 PAGES

06/03/2025 (prepared by ZA)
(Response by Applicant 06/17/25)

Notes for Preliminary Review:

- Attorney letter from Applicant to be reviewed by Township Attorney and Township.
 - *Tim Figura, Township Atty. will contact Applicants Attorney 06/17/25*
- Traffic Impact Statement to be reviewed by Road Commission And Township.
 - *Provided by Applicant, May, 2025*
- Requested the Boundary Survey of Property referenced on the Site Plan.
 - *Provided by Applicant from Engineer and O'nan Surveying, April, 2025*
- Show areas with 18% slope. (per the ordinance)
 - *See attached Site Plan, Revised 06/18/25*
- Viewshed Analysis - required per ordinance-(can be written description)
 - *Scenic View and Vistas, Section 16.6.I, narrative May, 2025 (See attached)*
 - *ViewShed Analysis, Section 16.7.B.6, provided June 19, 2025 (See attached)*
- Description of the proposed Open Space conveyance, ownership, and allowable uses/ restrictions. (per the ordinance)
 - *Legal Description of the "Open Space" provided to Township, Feb, 2025, for review of Township Attorney, and to be recorded after Preliminary Approval*
 - *Section 16.4.A.1 and Section 16.4.A.2 and Section 16.4.B.a The Conveyance of the permanent and perpetual "Open Space" will be recorded after approval of the Preliminary and approval of document by the Township Attorney.*

- Section 16.4.A.1.a The Ownership of the "Open Space" will remain with current Owners.
- Show upland buffer described in the ordinance.
 - See attached Site Plan, Revised 06/18/25
- Does PC want full size copies of the Phase I drawing that was handed out by the Applicant on May 7th?
 - No, per 6/03/25 meeting comments, 8.5 x 11 copy attached and electronic copy to ZA.

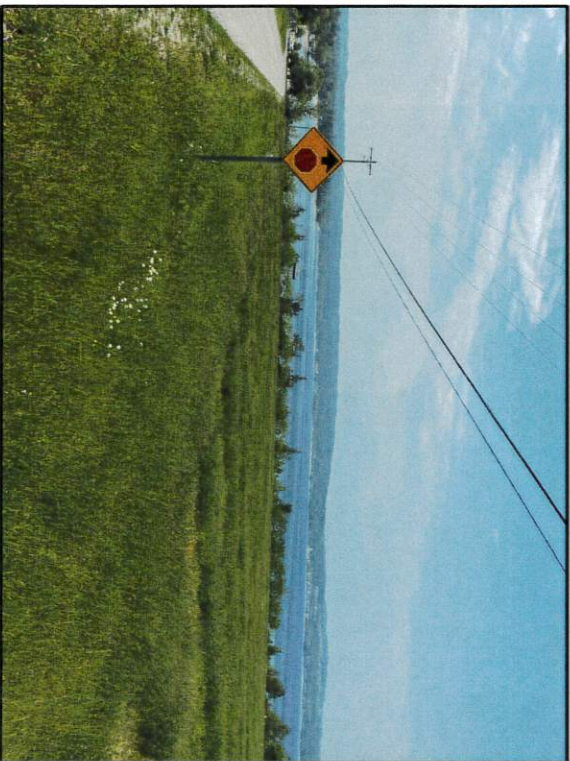
Question:

- Setbacks in an Open Space Land Development are subject to the approval of the Planning Commission.
 - The adjacent Properties are all Shore Line Residential.
 - Per the current adopted "Future Land Use" (pages 56 and 38), (Suttons Bay Community Joint Master Plan, 04/2011), the Proposed Land Use is Shore Line Residential.
 - Shore Line Residential per Village of Suttons Bay setbacks (SRWR, adopted 2018) are as follows:

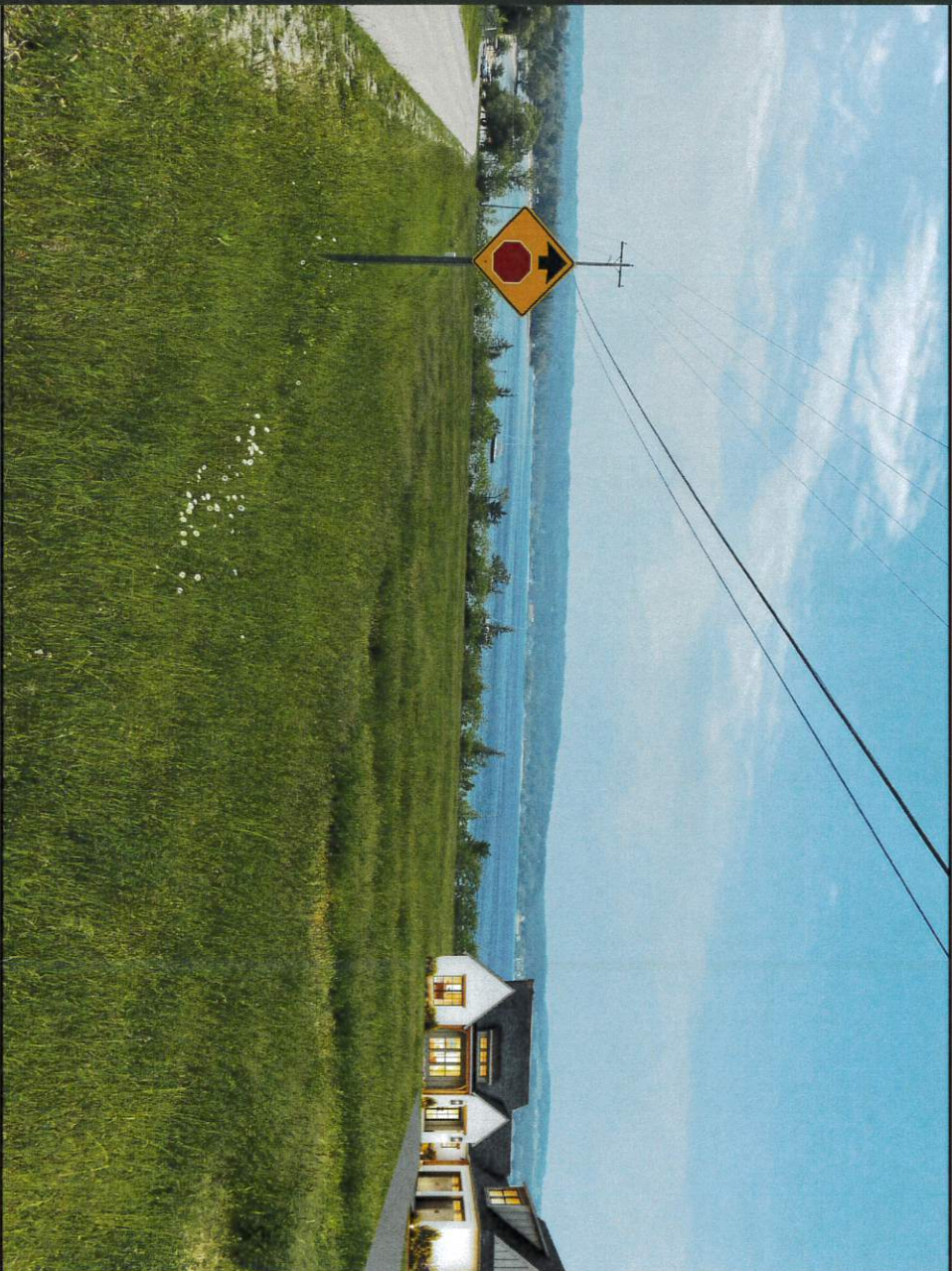
■ Width	90'	proposed	100'
■ Street setback	20'	proposed	>250'
■ Side	15'	proposed	30 total (2 sides)
■ Lake Michigan	50'	proposed	>300'
- The Submitted plans do not show any greenbelt, buffering, screening or landscaping in the project. The Planning Commission will want to consider that during their review.
 - Discussion by Planning Comm., (May 2025), was to not require buffering to maintain Scenic Views along Smith, Stony Point Roads and the Rural Character of the existing neighborhood.



VIEW LOCATION



EXISTING VIEW



EXPECTED VIEW



BY: SBT

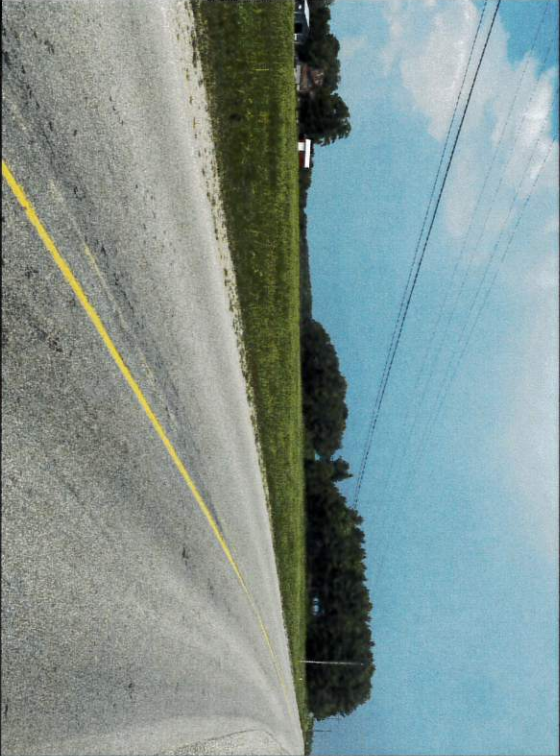
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Google

VIEW LOCATION



EXISTING VIEW



EXPECTED VIEW

RECEIVED
JUN 23 2025

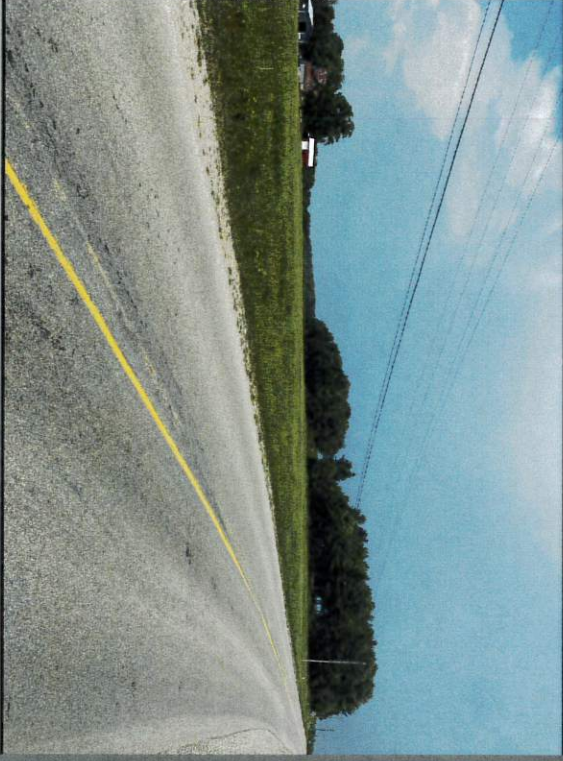
BY: SBT

1 PAGE

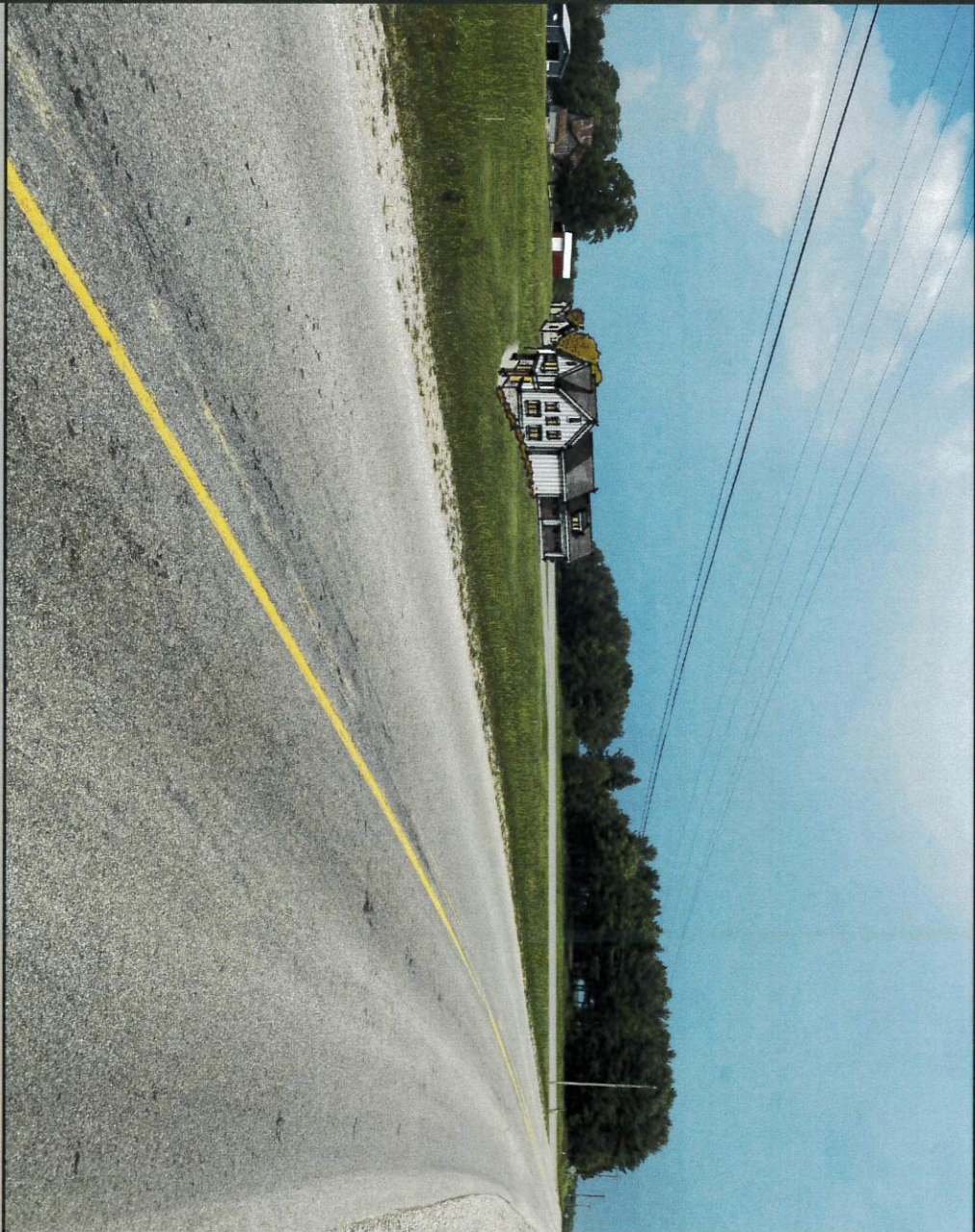
"B"



VIEW LOCATION



EXISTING VIEW



EXPECTED VIEW

RECEIVED
JUN 23 2025

By: SBT

"C"

SUTTONS BAY TOWNSHIP
PLANNING COMMISSION
JUNE 23, 2025 PACKET

PUBLIC COMMENT RECEIVED SINCE THE PRIOR MEETING
ON JUNE 3, 2025

From: Chuck Day <chuckhday@gmail.com>
Sent: Wednesday, June 4, 2025 4:45 PM
To: Steve Patmore
Subject: Follow up to SBT Planning Commission Meeting June 3, 2025

Suttons Bay Township Planning Commission
c/o Mr. Steve Patmore, Zoning Administrator
95 W. Fourth Street
Suttons Bay, MI 49682

Re: Parcel No. 45-0111-033-055-05
Cherry Beach Orchards
Application for Open Space Residential Land Development

June 4, 2025
Dear Steve,

I have a few questions and thoughts regarding yesterday's Planning Commission meeting. I would appreciate it if you would share this email with the Commissioners at your earliest opportunity.

- You mentioned that revised Phase 1 documents have been received from the developer. Will those be posted to the website, or how can the public access those?
- Since Andy Brandt has recommended a special meeting be held on July 1, it is essential that the Draft Minutes of the June 3 meeting be made available on the website within the prescribed 8 business days (June 13), so the public has the opportunity to review them.
- At the meeting, Steve Morgan shared a written narrative with the Commission addressing questions and concerns from the public regarding the scenic view. Is this information available to the public, and if so, how can I access it?
- As discussed by several commissioners last night, a viewshed analysis is required by Section 16.7. B. 6 and would be very helpful for the Planning Commission and the community to understand the visual impact of this development fully. However, since Steve Morgan stated that he did not know exactly what one was or what was required for one, I recommend that the Planning Commission provide specific requirements to him so that he knows exactly what is required. The ordinance states: "Scenic views onto the tract or parcel from surrounding roads and public areas, as well as views of scenic features from within the tract." It's entirely up to the **Planning Commission** to specify the requirements for this process. To help, I have conducted research and identified resources that may assist the Planning Commission in determining its requirements for the viewshed analysis.
 - The American Society of Landscape Architects published an article: [Viewshed Analysis for Visual Impact Assessment](#).

- Esri's software is the industry leader for GIS, and their documentation for the Viewshed and Geodesic Viewshed tools (part of the Spatial Analyst extension) is incredibly detailed. It explains the algorithms, input parameters (observer height, target height, earth curvature, refraction, etc.), and how to interpret the results. [Using Viewshed and Observer Points for visibility analysis—ArcGIS Pro](#)
- QGIS Tutorials: QGIS is a popular open-source alternative to ArcGIS. Many online tutorials explain how to conduct viewshed analysis using its plugins. [Viewshed analysis in QGIS 3: a tutorial - Landscape Archaeology](#)
- The simplest solution would be for the developer to hire a Landscape Architecture firm to execute this requirement for them.

Thank you for your attention to this critical matter.

Sincerely,

Chuck Day

180 S. Stony Point

Suttons Bay, MI

4041 S. Whitehill Rd.

Cedar, MI