

**Bingham Township Planning Commission  
Meeting Minutes  
May 6, 2004  
Bingham Schoolhouse,  
7171 S. Center Hwy, Traverse City**

**Call to Order:** 7:00 p.m.

**Roll Call:** Robert Gregory, Ron Collins, Mike Park, Will Bunek, Cathy Jasinski, Marsha Walton and Don Kiessel. Quorum present.

**Staff Present:** Steve Patmore, Gordon Hayward and Dorothy Petroskey

**Guests Present:** Midge Werner, Bill Grant, Stuart Whittaker, Tom & Carol Beeler, Noreen Kastys, Phil Anderson, Bev Kozarek, Clark Southwell, Mary Southwell, Dwayne Adams, Caroline Adams, Kristine Morris, Linda Wilson, Fred Turkal, Catherine Allchin, Diana Jelenek, Karen Gleason, Merlin Lavrack, Marcia Lavrack, Bob Kohler, Jim Jerome, Sue Jerome, Lisa Danto, Juanita Send, John Anderson, Ken Dezur, Stan Silverman, Eric Carlson, Harold Wiggins, Andrew Loveline, Tim Green, Pat Green, Lois Bahle, Bob Otwell, D. Parent, Bill Bassett.

**Agenda Approval:** Bunek suggested moving approval of minutes to the end of the meeting. Kiessel suggested adjourning no later then 10:30 p.m.. **Move by Bunek support by Kiessel to approve the agenda with the preceding suggestions.**

**Ayes: All                      Motion Carried**

**Public Comment: None**

**Zoning Amendments-Public Hearing:**

**11.7 Preliminary Conference**

Questions from the audience regarding who would attend and if the special meeting would be noticed.

**Move by Jasinski support by Park to forward the amendment as presented to the Leelanau County Planning Commission and the Township attorney for review prior to approval of the Township Board.**

**Ayes: All                      Motion Carried**

## **Road Definitions:**

**Public Comment: Questioned if this was new language or an amendment.**

**Move by Jasinski support by Park to forward the amendment as presented to the Leelanau County Planning Commission and the Township attorney for review prior to approval of the Township Board.**

**Ayes: All Motion Carried**

## **Parking Standards-12.5**

Jasinski noted that item O relating to Accessory Apartments did not apply as we have struck Accessory Apartment. Consensus to strike O and P. Non Riparian Shoreline Access will become O.

**Move by Bunek support by Kiessel to forward the amendment as amended to the Leelanau County Planning Commission and the Township attorney for review prior to approval of the Township Board.**

**Ayes: All Motion Carried**

## **7:25 P.M. Trillium Development Continuation of Public Hearing.**

Chairman Gregory stated a conflict of Interest existed and he removed himself from the table. Vice Chairman Collins chaired the public hearing.

The applicant Tom Beeler indicated that they had made four significant changes to the plan. They increased the Open Space and made it contiguous. They moved the entry road by 20 feet to the East. The applicant also added a recreational Lot to the Property and attended the Peer Review Committee Site Plan Review. Tom Beeler read the letter from the Peer Review Committee into the Record. One of the request was to decrease the road width and Patmore added that the Road commission will not allow this. Engineer Patmore pointed out the various changes to the site plan.

Township Planner Hayward offered his report of May 2, 2004 and states he had reviewed the additional material presented as well as the peer site plan review submission. He stated his major concern was the fact the applicant was not applying the design objectives as reasonably practical. He added his concerns regarding the slopes on some of the lots. Further, he felt the applicant was not reasonably protecting the best farmland.

Applicant Beeler stressed that the soils are not suitable for Cherry Farming and the Master Plan referred to this area as not being the best agricultural property. He added that they have made every effort to minimize cutting the woodlands as well.

Commissioner Kiessel addressed the statement regarding the Master Plan. He stated that this area was beginning to be built and they felt that at the time they decided to identify those areas that had not been built out. Park questioned the applicant on the areas of open space and why those areas. Jasinski concurred. Bunek indicated the same concern and questioned why the prime areas were not being preserved.

**Public Comment:**

Bob Kohler- worked this land and stated that it use to produce one of the largest tart cherry crops as well as apples.

Clark Southwell- appreciates the revision still feels the project is too immense for the area and concerned about the number of cars.

Bill Grant-stated that the applicant has the right to develop his property.

Stan Silverman-would like to see more green space.

Phil Anderson-Previous successful production of fruit , unique farmland and would like to see the rural atmosphere preserved.

Nita Send- Clustering is the best use of this property. Smaller lots make it more affordable and protect wildlife. Declining school enrollment is indicative of the fact that people with children can't afford the larger lots. Present trend is less and less of our children can afford to stay here. By not allowing smaller lots this is "segregation by classism".

**Public Comment Adjourned at 8:10 p.m.**

**Commission Discussion:** Commissioner Bunek appreciated the fact the applicant attended Peer Site Review. Collins stated he felt that the Applicant could do a better job of clustering and conform more to the Ordinance.

The Applicant indicated that smaller lots do not sell as well and that he has the right to develop his property into 2-acre parcels.

Commissioner Jasinski stated that the Master Plan shows lower density residential in this area.

Acting Chairman Collins adjourned the Public Hearing at 8:20 p.m.. until the June Meeting.

**Public Hearing Continuation Leelanau Trail/TART application:**

The sub-committee presented a draft special land use permit. Bob Otwell felt that progress was being made. Otwell read into the record a letter received from Assessor Friske relating to property values and discussed the impact of the trail. Commissioner Kiessel and Park agreed that there has been no adverse impact on the property value.

Otwell presented a community impact statement. Other areas of possible impact were discussed. Otwell to incorporate other areas and submit next month. Whittaker questioned the rerouting of

the trail near his home and Gregory stated that once final approval has been given this could take place. Otwell presented additional language to be added to subcommittee special land use permit as well as substituted language.

Further discussion regarding additional drainage areas of concern.

Brief discussion regarding yield signs. Additional sub committee work needed in this area. Discussed removing language relating to toilets/parking. Otwell stated that Phillips had asked we remove language regarding the judicial decisions as he felt it was not relevant in the section it was placed.

Otwell asked that event language be added as well. The applicant will review the winery language and present some draft language next month.

Liability Insurance was discussed and further discussion is necessary at committee level.

Otwell presented a list of rules and responsibilities for the trail users and a draft site plan (not scale) and asked if it would suffice. Collins questioned if horses would be allowed on the trail. The applicant stated not at this time.

Werner questioned the buffering and use of bittersweet. She asked if fencing would be provided. The applicant stated it would where no fence was provided. She asked about the traffic control ordinance and who would assume the cost of the signs. She indicated the need for mile markers.

Commissioner Kiessel stated that a lot of progress has been made and would like to see four way signs at all crossing. He stressed the need for safety. Bunek would like to see the signage consistent all the way through the trail.

Commissioner Park asked that the commission allow Bob Gregory to work at the committee level to help with the remaining issues. The commission agreed by consensus.

Whittaker asked if he could attend sub-committee meetings. The commission stated he could.

### **Old Business:**

**Ordinance Language for Agricultural Events:** Rich Bahle will address the commission at their June or July meeting.

### **Communications and Reports:**

**Chairman Report:** Chair Gregory discussed letter received from Lisa Danto and Supervisor Werner's response.

**Zoning Enforcement Officer Report:** Written report submitted. Patmore added that a new application had been received under Article 9 Site Condo that will need to be reviewed next month. He added that Dan Carlson would be returning on the 18<sup>th</sup> of May.

**Township Board Report:** Collins stated the Board was working on the preliminary budget and the need to review the Planner Job Description.

**May Meeting Agenda:**

**Continuation of Trillium Public Hearing**

**Continuation of Leelanau Trail Public Special Land Use Permit and Overlay Zone**

**New Business: Harrison Project**

**Public Comments:**

Werner discussed the Coastal Management Letter of Support Request.

Move by Bunek support by Kiessel to adjourn. All Ayes: Motion Carried  
Meeting Adjourned at 10:15 p.m..

**Respectfully Submitted**

**Dorothy Petroskey**