

**BINGHAM TOWNSHIP PLANNING COMMISSION  
MEETING MINUTES  
JUNE 2, 2005**

CALL TO ORDER: 7:00 P.M.

**ROLL CALL: Cathy Jasinski, Mike Park, Will Bunek, Phil Anderson, Bob Gregory and Mary Bush.**

**Cathy Jasinski arrived at 7:45 p.m. Jaunita Send Absent.**

**Guests: There were 29 guests present.**

**AGENDA APPROVAL:** Park suggested that New business be moved ahead of Old Business and moving to Commission reports at 9:30.p.m. Bunek indicated he would like to keep discussion open after that time.

**MOVE BY PARK SUPPORT BY BUSH TO APPROVE THE AGENDA AS AMENDED AND CLOSING ALL PUBLIC HEARINGS BY 9:30 P.M.**

**ROLL CALL VOTE: Park-Yes, Anderson-No, Bunek-No, Gregory-Yes, Bush-Yes 3-2 Motion Carried.**

**MINUTES OF MAY 5, 2005:** Minor Spelling corrections. **MOVE BY BUNEK SUPPORT BY BUSH TO APPROVE THE MINTUES AS CORRECTED.**

**AYES: ALL            MOTION CARRIED**

**PUBLIC COMMENT:** None

**PUBLIC HEARING:**

**LEELANAU FARMS PUBLIC HEARING:**

Phil Anderson brought the question forward of conflict of interest. Commission Discussion. Bunek questioned whether a prejudice already existed. Gregory pointed out that there was no "pecuniary gain".

VOTE WAS TAKEN. Bunek again stated he felt there was a conflict of interest. The remaining Board-Gregory, Bush, and Park did not see a conflict.

Planner/Zoning Administrator Rollenhagen gave the history of the project and stated her review of the project showed that the applicant now meets the requirements of the Bingham Township Zoning Ordinance. Rollenhagen also indicated that there was a settlement agreement entered by the court.

Steve Patmore spoke on behalf of the applicant. He noted the changes to the project

which included minor lot adjustments, a cul-de-sac, drainage easements and changes that had been made to the Master Deed. Patmore stated that the applicant is requesting that the Commission recommend that the Township board approve the project and grant three one-year extensions.

The Commission discussed the private roads, completion schedule and drain commissioner letter not being dated.

Public Comment:

Bill Grant spoke regarding adding a breakaway gate at the Erdt Road access.

Dan Carlson spoke regarding Traffic Study and whether fire signs would be mandated.

Cathy Allchin stated this was perhaps the largest development in the area and extra caution should be taken.

Clark Southwell questioned the road cul de sac.

Carol Husby added that she would like to see a breakaway gate as well.

Dwayne Adams stated that if Erdt Road is not a through road it will triple the traffic off Pleasant Hill Road.

Cathy Jasinski arrived at 7:45 p.m...

Dan Carlson stated that the Township should not regulate to other agencies and asked if this approval would be posted or published.

Carol Adams asked if the applicant would be able to shield the light and place screening at the entrance.

**PUBLIC HEARING PORTION CLOSED.**

Bob Foster, Bingham Supervisor stated that he would contact the Road Commission and appropriate agencies to make sure they followed through with their regulation.

**MOVE BY BUNEK SUPPORT BY BUSH TO RECOMMEND APPROVAL OF THE LEELANAU ESTATES CONDOMINIUM PROJECT TO THE TOWNSHIP BOARD SUBJECT TO THE FOLLOWING:**

- 1) The applicant shall place a breakaway gate at the entrance to the easement that leads to Pebble Beach Drive if they are unable to secure an agreement from the property owners for an easement.
- 2) That the Master Deed and By-Laws meet the approval of the Township Attorney.
- 3) That the applicant receives all of the applicable permits.

- 4) That the commission recommends the Township Board approve three 1-year extensions.
- 5) That the applicant meet all county Ordinances.

Ayes: All                      Motion Carried

**Short-Term Rental Language Public Hearing:**

Gregory stated the issue came before the commission last year due to a violation being issued against a residence for renting short-term. The resident asked the Township to review this and to see if short-term rentals should be allowed. The Commission through a committee prepared language to allow for short-term rentals in the Bingham Township Ordinance.

Public Comment Opened:

Bill Grant asked about commercial short term rentals.

Russ VanderWere questioned how many days constitutes short term.

Sandy Parnell stated that this language was a great addition to the Ordinance.

Fred Utting spoke against short term rentals and questioned if the commission members had any conflict of interest.

Planner Rollenhagen spoke on what constitutes conflict of interest.

Dan Carlson explained why short term rentals were previously not allowed due to the definition of family and stated that it was on the advice of the attorney that he issued violations.

Duane Amato thanked the Board for their moving forward on developing language.

Dan Carlson suggested allowing hotels and motels in Bingham Township.

Carols Husby is saddened by what this has done to her neighborhood in the respect of neighbors arguing.

Nancy Carlson stated that she had a rental next door and the bonfires force her to close her windows due to her health condition. She also concerned about the kids running on her dock and the unleashed dogs.

**PUBLIC HEARING CLOSED:**

**MOVE BY BUSH SUPPORT BY BUNEK TO RECOMMEND THE TOWNSHIP BOARD ADOPT ZONING AMENDMENT 05-001 SHORT TERM RENTALS AND**

FORWARD TO COUNTY PLANNING AND THE TOWNSHIP ATTORNEY FOR REVIEW.

AYES: ALL MOTION CARRIED

**New Business:-Red Lion Motel:**

Rochelle indicated that the Red Lion Motor Lodge has requested to amend the previous site plan. Rochelle stated that this falls in as a Minor Special Use. She stated that the applicant is not allowed to expand more than 25% and her calculations show a total of 24%.

MOVE BY JASINSKI SUPPORT BY PARK TO SEND THIS PROJECT TO THE ZONING ADMINISTRATOR FOR A MINOR SPECIAL LAND USE REVIEW CONDITIONAL UPON THAT THE APPLICANT HAS NO MORE THAN 25 PERCENT EXPANSION

AYES: ALL MOTION CARRIED

**Leelanau Trail:**

The commission discussed the application. The commission stated that the applicant will need a final site plan for the July public hearing. Bob Otwell agreed to meet with Rochelle to make sure all information such as signage; crossings etc., required are placed on the site plan.

MOVE BY JASINSKI SUPPORT BY ANDERSON TO SEND THE LEELANAU TRAILS FINAL SITE PLAN TO PUBLIC HEARING AND REQUEST THE TRAIL TO REZONE TO ADD THE OVERLAY ZONE ON TOP OF THE EXISTING ZONING PURSUANT TO 3.13.

AYES: ALL MOTION CARRIED

**Communications and Reports:**

**Chairman Report:** Gregory stated that he had received correspondence from Solon Township indicating they would be working on their Master Plan.

**Zoning Administrator Report:** Rochelle submitted her written report. She also stated Rolling Hills were making a minor site plan adjustment and would be on next month's agenda. She added she spoke with MTA and was advised to split the SLU and SPR sections.

IT WAS NOTED THAT THE COMMISSION HAD GONE PAST 9:30 AND BY CONSENSUS AGREED TO CONTINUE THE MEETING.

The commission discussed the fact that the definition of family needed to be reviewed. The commission reviewed the definitions and decided to strike the last line in the definition.

MOVE BY BUSH SUPPORT BY PARK TO DELETE THE LAST SENTENCE IN FAMILY SPECIFICALLY “THIS DEFINITION SHALL NOT INCLUDE ANY SOCIETY, CLUB, FRATERNITY, SORORITY, ASSOCIATION, LODGE, COTERIE, ORGANIZATION, OR GROUP OF STUDENTS OR OTHER INDIVIDUALS WHOSE RELATIONSHIP IS OF A TRANSITORY OR SEASONAL NATURE OR FOR AN ANTICIPATED LIMITED DURATION OF A SCHOOL TERM OR OTHER SIMILAR DETERMINABLE PERIOD”

AYES: ALL MOTION CARRIED

**Township Board Report:** Mary stated that the Board had approved Bayview Pines and Bayside Pines as recommended by the commission.

**Public Comment: None**

**July Agenda:**

**Public Hearings:**     **Family Definition**  
                              **Leelanau Trail Final Site Plan**

**Old Business:**       **Cluster Language**  
                              **Site Condominium Language**  
                              **Site Plan Review/Special Land Use**  
                              Rolling Hills Minor Site Plan

**Meeting Adjourned at 10:10 p.m.**

**Respectfully Submitted,**

**Dorothy Petroskey**  
**Bingham Township Clerk**