

**BINGHAM TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
July 7, 2005**

CALL TO ORDER: 7:00 P.M.

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

Guests: There were 8 guests present.

AGENDA APPROVAL: The commission at the request of Kevin Enders moved Rolling Hills Amendment to the First Item on the agenda.

MOVE BY PARK SUPPORT BY BUSH TO APPROVE THE AGENDA AS AMENDED

Aye: All Motion carried.

MINUTES OF June 2, 2005: Anderson questioned the verbiage in a statement from Dan Carlson. The Recording secretary will check her notes and verify. **MOVE BY JASINSKI SUPPORT BY SEND TO APPROVE THE MINTUES AS PRESENTED CONTINGENT UPON THE RECORDING SECRETARY'S REVIEW OF THE NOTES OF THE MEETING.**

AYES: ALL MOTION CARRIED

PUBLIC COMMENT: None

PUBLIC HEARING:

ROLLING HILLS ESTATE REVISED SITE PLAN:

Kevin Enders spoke on behalf of the applicant Ray Popp. Enders indicated that they had hoped to relocate Unit 11 and Unit 12 to the southwest corner of the property off the cul sac of Ray Drive near unit 14. Enders indicated that the open space would be increased and trees and soils protected.

Rochelle stated she had reviewed the application and recommended approval. Gregory indicated that it makes good use of the layout and increases open space.

MOVE BY BUNEK SUPPORT BY BUSH TO AMEND THE SLUP AS PRESENTED FOR ROLLING HILLS SITE PLAN.

AYES: ALL MOTION CARRIED

LEELANAU TRAILS PUBLIC HEARING

Tart Director Bob Otwell addressed the final site plan presented. He noted that conditions such as benches steep areas signage at crossings and where they were located on the Plan.

Rochelle indicated that she had questioned the ownership issue and who actually owed the trail. Otwell stated that the LTA owns the property but TART incorporated are responsible for the trail and manage it. Tom Phillips stated that both names could be put on the SLUP and binds both entities to the conditions.

Gregory inquired as to the GPS coordinates of the property. It was the consensus to attach the property descriptions to the SLUP. The commission discussed the condition relative to the site distance at the "trails edge". Bunek produced a drawing and the commission suggested the diagram be attached as well to give a visual.

PUBLIC COMMENT:

Stuart Whittaker-concerned with people on the trail late at night. He spoke with the Leelanau County Sheriff's Department and they said they could not do anything without any regulations in place. Whittaker also asked about the special event they were adverting.

Jim Mebert indicated that people were not paying attention to the "quiet area signs".

PUBLIC HEARING CLOSED.

COMMISSION DISCUSSION: Jasinski asked about the Whittaker re-alignment and a site plan. Whittaker indicated he had provided the applicant with a schematic. It was agreed that the fence would be relocated as well. Jasinski asked about the bench located near the Denoyer property. Otwell indicated it was south of the home. The consensus of the commission was to attach a listing of the trail rules to the site plan too.

The commission recognized that the applicant would be making improvements to the surface of the trail and indicated that these improvements could be made over a ten year period.

MOVE BY ANDERSON SUPPORT BY BUNEK TO APPROVE THE FINAL SITE PLAN AND GRANT THE SPECIAL LAND USE PERMIT TO LEELANAU TRAILS/TART AS PRESENTED WITH FOLLOWING ADDITIONAL CONDITIONS:

- 1. That the ownership be listed as both Leelanau Trails and TART.**
- 2. That the full property description be attached.**
- 3. That the diagram drawn this evening reflecting the site distance**

- requirements at the trails edge be attached to the SLUP
4. That the Whittaker relocation include the relocation of the fence
 5. That the Trail Rules be attached to the SLUP.
 6. That the improvements to the surface of the trail corridor whether gravel, pavement or crushed limestone be made within 10 years.
 7. That the SLUP be forwarded to the township attorney for approval

Roll Call Vote: Jasinski-Yes, Bush-Yes, Send-Yes, Gregory-Yes, Bunek-Yes, Anderson,-Yes and Park-Yes. 7-Yes Motion Carried

LEELANAU TRAIL/TART REZONE REQUEST

MOVE BY BUNEK SUPPORT BY SEND TO RECOMMEND THAT THE TOWNSHIP BOARD APPROVE THE RECREATIONAL OVERLAY ZONE FOR THE LEELANAU TRAIL/TART APPLICANT AND FORWARD THE SAME TO LEELANAU COUNTY PLANNING COMMISSION FOR THEIR REVIEW.

AYES: ALL MOTION CARRIED

The Commission indicated that the Township Board would be holding a public hearing on this in September.

DEFINITION OF FAMILY-AMENDMENT TO ZONING ORDINANCE

**PUBLIC COMMENT-NONE
PUBLIC COMMENT –CLOSED**

MOVE BY BUNEK SUPPORT BY BUSH TO ACCEPT THE AMENDMENT TO THE DEFINITION OF FAMILY AND FORWARD THE SAME TO THE TOWNSHIP ATTORNEY AND COUNTY PLANNING FOR THEIR REVIEW.

AYES: ALL MOTION CARRIED

OLD BUSINESS:

ZONING ORDINANCE AMENDMENTS TO 4.4 AND 9.2 AND SITE PLAN REVIEW/SPECIAL LAND USE PERMIT LANGUAGE

Rochelle stated that she has been reviewing and trying to separate site plan review and special land use as well as some housekeeping changes. Bunek indicated he had hoped that language would have been presented this evening. The commission indicated they would like to add special land use requirements to Article IX section 9.4 and take it to public hearing in September. The commission also discussed recommending that the Township Board amend 96-01 Subdivision Control Ordinance.

MOVE BY JASINSKI SUPPORT BY BUNEK TO TAKE THE PROPOSED LANGUAGE FOR SECTION 9.4 TO PUBLIC HEARING IN SEPTEMBER AND RECOMMEND THAT THE TOWNSHIP BOARD MAKE AMENDMENTS TO THE SUBDIVISION CONTROL ACT, 96-01.

AYES: ALL MOTION CARRIED

Communications and Reports:

Chairman-None

Zoning Administrator Report: Written Report Submitted. Brief discussion regarding dog kennel on Bingham Township. Rochelle indicated that the zoning board of appeals would be meeting at the end of the month to hear 3 variance requests.

Will Bunek suggested that the Township require anyone receiving a land use permit be required to put up an address sign as required by the County. The Township Board will discuss this at their July meeting.

Township Board Report: Mary indicated that the Township had approved the Beeler Site Condominium Project and granted the three one-year extensions.

Public Comment: None

September Agenda:

Public Hearings: Amendment to 9.4

**Old Business: Cluster Language
Housekeeping
Site Plan Review/Special Land Use**
New Business: Marion Master Plan and Ordinance

Gregory suggested a zoning ordinance language work session be scheduled the latter part of August.

Move by Bush support by Send to adjourn at 9:22 p.m.

Ayes: All Motion Carried

Respectfully Submitted,

**Dorothy Petroskey
Bingham Township Clerk**