BINGHAM TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
September 1, 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: Bob Foster and Charlie Leiby

AGENDA APPROVAL: The Chair requested that the commission review Resolution 1 of 2005 reference adoption of the Master Plan and add this as item 1A under old business and to add Bayside Pines amendment discussion as item 6 under Old business.

MOVE BY PARK SUPPORT BY BUSH TO APPROVE THE AGENDA AS AMENDED
Aye: All Motion carried.

MINUTES OF JULY 7, 2005: Changes were noted on page 2 to clarify the motion regarding Leelanau Trails approval.

MOVE BY JASINSKI SUPPORT BY BUNEK TO APPROVE THE MINTUES OF JULY 7, 2005 AS CORRECTED.
AYES: ALL MOTION CARRIED

MOVE BY PARK SUPPORT BY BUSH TO APPROVE THE MINTUES OF AUGUST 17, 2005 AS PRESENTED.
AYES: ALL MOTION CARRIED

PUBLIC COMMENT: None

PUBLIC HEARING: Section 9.4 Amended. Zoning Ordinance text amendment to Article IX Site Condominium Subdivisions, Section 9.4 Plan Preparation and Contents: Add language to require applicants to meet requirements of Article XI Special Land Use Permits and Site Plan Review

Rochelle stated that she spoke with MTA attorneys who indicated that a site condo is a conveyance not a use and making it a special should be reviewed by our attorney.

Public Comment: None
Public hearing Closed:
Board Discussion:

Bob Gregory asked if the Township Board had reviewed the Subdivision Control Act and incorporated these changes. Gregory stated that this is a police powers Ordinance and

could be amended at the Board level.

MOVE BY JASINSKI SUPPORT BY ANDERSON TO RECOMMEND THAT THE TOWNSHIP BOARD APPROVE THE AMENDMENT TO ARTICLE 9.4 THAT REQUIRES APPLICANTS TO MEET REQUIREMENTS OF ARTICLE XI SPECIAL LAND USE PERMITS AND SITE PLAN REVIEW AND SEND THE LANGUAGE TO COUNTY PLANNING AND THE TOWNSHIP ATTORNEY FOR REVIEW PRIOR TO ADOPTION BY THE TOWNSHIP BOARD.

AYES: ALL MOTION CARRIED

Old Business:

Resolution 2 of 2005

Jim Bardenhagen spoke regarding Farmland Preservation. He requested the Township offer an amended Resolution on the Master Plan labeling the Agricultural District as Agricultural Preservation. He stated that for funding for Farmland Preservation one of the pre-qualifiers is to have specific language. The "fix" would be to adopt this Resolution and designate the agricultural district as Agricultural preservation.

MOVE BY BUNEK SUPPORT BY PARK TO ADOPT RESOLUTION 2 OF 2005.

ROLL CALL VOTE: PARK-YES, BUSH-YES, JASINSKI-YES, GREGORY-YES, SEND-YES, ANDERSON-YES AND BUNEK-YES. 7 YES-0-NO MOTION CARRIED

Cluster Housing/Site Condominium language

Rollenhagen asked how the Township wanted to proceed with this language. The commission discussed density and making clustering more desirable. A subcommittee was formed consisting of Jasinski as Chair and Anderson and Send. The committee will review the Marion Township Ordinance and bring back some ideas next month.

Dog Kennels:

Rochelle indicated that a dog kennel was being built on Bingham Road and she has had a lot of phone calls. She stated that according to the township ordinance this was not a special use. However, as agricultural areas become more residential, problems are arising.

The Commission reviewed the language and suggested adding K.3 "Boarding of Dogs for hire not allowed.

MOVE BY JASINSKI SUPPORT BY BUNEK TO AMEND ARTICLE 4.3, TO INCLUDE K.3 Boarding of Dogs for hire-not allowed. And take this to Public Hearing

next month.
Roll Call Vote: Jasinski-Yes, Bunek-No, Send-No, Park-No, Gregory-Yes, Bush-yes, Anderson-Yes.
Agricultural Buffer Zone:

Mike Park stated that at the last ZBA hearing, the applicant had requested a variance from the 100 foot setback. The ZBA denied because of the strict language in the Ordinance. The ZBA asked that the planning commission review this language.

Mike stated that he felt that when this language was adopted it was for those properties that were actively farming. Mike asked that item # 3 be added that would allow the planning commission the discretion to reduce the buffer zone. Gregory felt that this language has and will continue to serve the Township well. The Planning commission will table this matter and discuss it at length at its next meeting.

Site Plan Review and Special Land Use:

Rochelle stated that she had prepared language and would recommend a committee review and present the language next month. MOVE BY BUNEK SUPPORT BY SEND TO REFER THE SITE PLAN REVIEW LANGUAGE AND SPECIAL LAND USE LANGUAGE TO A COMMITTEE CONSISTING OF CHAIR WILL BUNEK AND MIKE PARK AND TO BRING BACK TO THE COMMISSION NEXT MONTH.

AYES: ALL MOTION CARRIED

Bayside Pines Amendment:

Rochelle stated that Wayne Kiley from Bayside Pines would like to amend the site plan. The commission discussed this with Rochelle and felt that this project would need to come back before the planning commission as only the planning commission has the discretion to waive standards.

Communications and Reports:

Chairman-None

Township Board Report: Mary indicated that the Township turned down the conditional rezone recommendation that the planning commission reviewed last month and requested that the P.C. review it again.

Bob Gregory again requested that the Township review the Subdivision Control Act.

Zoning Administrator Report: Written Report Submitted. Rochelle suggested that she draft language for the zoning ordinance that would comply with the state statute on

noticing requirements as the Ordinance as it stands provides that the township due unnecessary noticing. This will be reviewed at next month's meeting.

Public Comment: None

September Agenda:
Public Hearings: **Article IV, Conditional Use K.3**
Old Business: **100 Foot Buffer Language**
SPR/SLUP
Noticing Requirements
Committee Report on Marion Master Plan and Ordinance

Public Comment: Bob Foster stated that the Township would be moving forward on hiring a zoning enforcement officer.

Charlie Leiby asked about the recreational overlay zone and yield signs for the trail.

Move by Jasinski support by Send to adjourn at 9:10 p.m.

Ayes: All **Motion Carried**

Respectfully Submitted,

Dorothy Petroskey
Bingham Township Clerk