

Bingham Township Planning Commission
Meeting Minutes
August 7, 2003
Bingham Schoolhouse, 7171 S. Center Hwy, Traverse City

Roll Call: Vice Chairman, Ron Collins, Cathy Jasinski, Don Kiessel, Mike Park and Will Bunek. Absent: Bob Gregory, & Marsha Walton.

Staff Present: Dan Carlson, Dorothy Petroskey

Guests Present: Stuart Whittaker, Jan Mebert, Skip Mebert, Ken Dezur, Duane Bingel, Richard Andrews, Martin Pierman, Kaye Krapon, Dennis & Kathy Schenck, Wayne Kiley, Evan Kiley, Mrs. Kiley, Steve Patmore & Walt Weiss.

Approval of Agenda: Carlson stated that the TART trail has asked to be removed from the agenda as they have filed a claim of appeal on the ZBA decision regarding their variance requests that were denied.

MOVE BY KIESEL SUPPORTED BY PARK TO APPROVE THE AGENDA AS AMENDED.

Ayes: All Motion carried

Approval of June 5, 2003 meeting minutes: MOVE BY JASINSKI SUPPORTED BY KIESEL TO APPROVE THE MINUTES OF JUNE 5, 2003 AS PRESENTED.

Ayes: All Motion carried

Public Comment:

Stuart Whittaker asked why the Applicant for the TART trail was not present. He stated he felt that the applicant should be given a time line and that they should follow it like any other applicant.

Kate Krapon: President of TART reiterated that the applicant would not be present this evening as they had filed an appeal.

Public Hearing—Bay View Pines—Applicant Wayne Kiley

Applicant Wayne Kiley restated a brief personal history and discussed his latest project Eagle's Landing. He stated his intent with filing under the new Open Space w/site Condo project was to maximize the open space. He would be utilizing 18 acres and leaving 22 acres in open space. His first step will be to pave the road and put the monuments at the entrance. He expects that this project from start to finish will take roughly 5 years. He is basing this calculation on absorption rates and the economy. He added that since he does own ½ interest in the Sander's property on the East Side of the road, he may be adding frontage to five lots. Kiley also stated he was committed to keeping as much of the pines as possible, hence Bay View Pines.

The applicant's engineer, Steve Patmore took the commission through the site plan and showed how the lots were staggered. He stated that the deed restriction would cover clearing and cutting. He stated that they would be applying for all the necessary permits. Patmore added that the applicant had followed the design objectives in the open space ordinance. He is asking that the commission give them preliminary approval as to the density of the project.

Kiessel questioned the existing building being located in Open Space as the Ordinance does not allow this. He also stated the Ordinance states that if the project contains 2 districts, then the applicant needs to calculate the density in each district, rounding down, and then adding the two together. He comes up with 28 allowable lots.

Public Comment:

Walt Weiss, home is adjacent to the applicant's property stated he supported the proposal, but is concerned on how this project could have an effect on the infrastructure. He asked if the road could accommodate emergency vehicles and if the by-laws were available for the public to review.

The applicant answered that the fire department would have to give approval and that he would be happy to provide a copy of the by-laws.

Richard Andrews asked why the project would take 5 years, when the road construction would begin and where the leach fields would be located.

Kiley stated that the five years is based on the absorption rate and if the economy is soft then they would calculate about 5 homes per year. He stated that the road would be started upon approval from the road commission and the Township and the health department would determine where the leach fields would be located.

Public Comment Closed:

Zoning Administrator Dan Carlson questioned the density calculations. He would like an opportunity to sit down with Steve and go through it again. The commission went through the calculations and determined 28 were the correct number. Jasinski asked when the applicant could have the necessary information to the Township as they would like to get it to Gordon as soon as possible. It was determined that the applicant could provide all necessary documentation no later than August 15, 2003. Jasinski asked that footprints be located on the new submittal. Kiessel asked for the landscape plan as well. The commission requested the following information be provided or addressed:

- Renting Issues—will the by-laws cover renting.

- Density Calculations (Dan and Steve to determine)
- Footprints
- Road Maintenance Agreement—talk to adjacent property owners about future development
- Existing Building in Open Space
- Shared Frontage
- Lighting at Entrance
- Private Road Signage

It was put on the record that the applicant had received numerous letter of support from the adjacent landowners to this project.

New Business: None

Old Business:

Road Definitions: The Township Board had asked the planning commission in May to come up with definitions for Primary Access Road, Secondary Access Road, Emergency Access Road and Road Stub. In June, Marsha presented draft definitions. Following the meeting Cathy and Marsha looked at various ordinances and presented definitions, incorporating the suggestions made at the previous meeting. The commission reviewed and made minor changes.

MOVE BY JASINSKI SUPPORT BY KIESSEL TO APPROVE THE FOLLOWING DEFINITIONS:

PRIMARY ACCESS ROAD: ANY PRIVATE OR PUBLIC ROAD THAT SERVES AS THE LOT FRONTAGE.

SECONDARY ACCESS ROAD: A PRIVATE ROAD THAT CAN BE REQUIRED BY THE PLANNING COMMISSION TO LINK TO AN ADJACENT PROPERTY OR PUBLIC OR PRIVATE ROAD.

EMERGENCY ACCESS ROAD: SEE SECONDARY ACCESS ROAD.

ROAD STUB: A SHORT LENGTH OF ROAD RESERVED FOR LATER DEVELOPMENT TO AN ADJACENT PROPERTY OR LINK TO A PUBLIC OR PRIVATE ROAD.

THE COMMISSION WILL HOLD A PUBLIC HEARING AT A TIME WHEN OTHER ZONING AMENDMENTS WILL BE BROUGHT FOR PUBLIC HEARING.

AYES: ALL MOTION CARRIED

Zoning Administrator Report:

Carlson presented a written report and stated that West Bay Shore Village (VanSteenis Property) will be on next month’s agenda for preliminary site plan review. He added that he had sent a letter to Inland Seas regarding chemical testing. Dan asked if we could arrange the agenda to have outside hired consultants speak first on the agenda to save costs. Commission agreed it would be a good idea and will be accommodated.

Township Board Report:

Ron informed the commission that there would be an open house at the NW Horticulture station on Tuesday, September 2, 2003 to kick-off the new township-county website and all are invited.

Collins Jasinski questioned whether or not the language regarding design objectives in Article X and the clerical changes in the Road Ordinance went back to the Board for approval. Ron or Dorothy will check with Clerk Murdick to see if that was ever placed on the agenda.

Next Month’s Agenda:

Public Hearing-Bayview Pines-Continued
Preliminary Consideration-West Bay Shore Village

Old Business-Leelanau Trail –Collins asked Jasinski to speak to attorney Ford on how to proceed regarding the Leelanau Trail.

Public Comment: Stuart Whittaker again asked the commission to consider giving the Leelanau Trail a time frame to complete the project behind his house.

Collins stated it would be up to the Township Board.

Duane Bingel asked what the filing of the appeal entailed.

MOVE BY JASINSKI SUPPORT BY PARK TO ADJOURN

Ayes: All Motion Carried

Meeting Adjourned: 9:30 p.m..

Respectfully Submitted
Dorothy Petroskey