

Bingham Township Planning Commission  
Meeting Minutes  
October 2, 2003  
Bingham Schoolhouse, 7171 S. Center Hwy, Traverse City

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

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

**Staff Present:** Dan Carlson, Dorothy Petroskey, and Gordon Hayward

**Guests Present:** Wayne Kiley, Nancy Kiley, Evan Kiley, Steve Patmore, Brad Kaye, Kaye VanSteenis, Roberta Kurtz, Duane Bingel.

**Agenda Approval: Move by Kiessel support by Collins to approve the agenda as presented.**  
**Ayes: All Motion Carried**

**Approval of the Minutes:** Correction noted on page 3 #2 (addition of the word opposite) and Correction noted on page 4 \*\*\*\*\* The percentage of the structures in a site condo/cluster development is not restricted to 25% *of the individual build-able lot.*

**Move by Park support by Bunek to approve the minutes as corrected.**  
**Ayes: All Motion Carried.**

**Public Comment: None**

### **West Bay Shore Village Preliminary Site Plan Review**

Brad Kaye from Gourdie Fraser presented the project on behalf of the applicant Kaye VanSteenis. He stated at the previous meeting the commission had made recommendations and he has incorporated them into the site plan and presented the commission with some changes. He noted that the three access points would remain. He also stated that the drain commission is reviewing the project and he will forward onto the various agencies for approval.

He stated that they were having difficulty putting in the required landscaping per the ordinance due to the placement of the drainage basins from the previous site plan.

Gordon Hayward questioned the loading dock area and where the pedestrian connection was located on the PUD. He felt that the trees and parking meet the minimum requirements of the zoning ordinance. Gordon requested that the applicant talk with the local fire department to see if there would be enough access to the new building.

The planning commission questioned the height of the new building and if the adjacent property owner's view would be protected. The main concern was the landscaping issues and a walkway to the parking lot. Gordon pointed out that the planning commission could waive the parking requirements and if the use should change in the future the planning commission reserved the right to address this issue at a later date.

**Public Comment: None**

**Public Comment Closed**

**Zoning Administrator: No Comment**

The planning commission proposed the following conditions for approval:

1. **To waive the standard requirements for parking and add the language recommended by Gordon Hayward as stated in the September 3, 2003 finding of fact.**
2. **To add low growing shrubs at the N.E. Corner by the entrance and restrict the height of the trees near the power lines to 12-17 feet. The planning commission further notes that the standards adopted in May of 2003 present a hardship to the applicant and the commission is aware that due to the placement of the drainage basins it does not allow for trees in that area.**
3. **The commission requires the applicant add an additional six trees (cluster of 3) between the access and the basin on the south end of the property.**
4. **The applicant will provide a physical landscape buffer from the proposed porch to the parking lot.**
5. **The applicant will get approval from all applicable agencies, and the fire department will sign off on the building design and approve the access.**
6. **The applicant will apply Gordon Hayward's findings of fact of September 3, 2003 and September 21, 2003 to the final site plan unless waived or approved by the planning commission.**
7. **Label and define the parking spaces on the Final Site Plan Review.**
8. **Label and define the loading dock area on the Final Site Plan Review.**

**Move by Jasinski support by Park to grant preliminary site plan approval for West Bay Shore Village based upon those conditions stated above.**

**Ayes: All**

**Motion Carried**

## **BAY VIEW PINES FINAL SITE PLAN REVIEW**

Chairman Gregory stated that the commission was not in receipt of any new information this evening. The applicant presented a letter from their attorney along with changes made to the master deed. The applicant began with the conditions cited in last month's preliminary approval and the commission stated the following numbered issues still need to be addressed.

1. The waterfront issue will need to be reviewed by the township attorney. The applicant stated that their attorney did not feel it was an issue and felt it should have been forwarded to the attorney. Carlson explained that the master deed is historically forwarded for review upon final approval.
4. The applicant will designate/define parking for the waterfront area and define said road and parking by using vegetative screening for delineation.
6. The applicant will need to adjust the gazebo lot line and the commission will allow the flexibility of the placement of the gazebo within the setbacks. The gazebo will be no larger than 16 feet wide.
7. If the applicant and the neighbor Peirman cannot agree as to landscaping the parties will come back before the commission to hear this issue.
8. When the drive to lot #1 is abandoned the applicant will remove the asphalt and seed over the area.
17. The applicant will show the landscaping on the final site plan (approximately 29 trees).
18. The allowable structures allowed (25%) does not include driveways.
19. The applicant will come back to the planning commission when the sign is ready to be placed for approval.

It was noted on attorney Brandt's letter that he had cited the wrong section in paragraph three. Section IX.E should read IX L.

The board upon consensus would like to wait for Attorney Ford to review the Master Deed and Keyholing requirements/Separate Association.

Move by Collins to table this final site plan review until attorney review.  
No second motion fails.

**Brief Discussion.** Don Kiessel did not feel this required a motion. Bunek stated he would second it. Gregory stated the motion had failed and a new motion would have to be made.

**Move by Collins support by Bunek to table the Bay View Pines Final Site Plan Review until the attorney has a chance to review the master deed and keyholing issues.**

**Ayes-6                      Nays-1 (Kiessel)              Motion Carried**

Wayne Kiley asked if this would be ready for the November meeting. The Chair stated if the attorney had a chance to review then it would be placed on the November agenda.

Don Kiessel asked Gordon Hayward if a motion was required. Gordon stated that the chair could rule to table or to ask for a motion. The chairman has the discretion.

**Chairman Report:** None

**Township Board Report:** Ron stated he would like the commission to review 11.7 (pre-application conference language) at the next commission meeting.

**Zoning Administrator Report:** Dan presented his written report and requested the commission review the information on the wells at Bahle Club and discuss at next month's meeting. Carlson also noted that Bahle Club would like to forego phosphorus testing as it has not been an issue with previous testing. The commission by consensus disagrees and wants all chemicals tested.

**Next Month's Agenda:**

**Old Business**

**Final Site Plan Review-West Bay Shore Village**

**Final Site Plan Review-Bay View Pines**

**New Business: Article 11 (11.7) review language**

**Move by Collins support by Kiessel to adjourn.**

**Meeting Adjourned 9:40 p.m..**

**Respectfully Submitted**

**Dorothy Petroskey**