

**Bingham Township Planning Commission**  
**Meeting Minutes**  
**January 8, 2004**  
**Bingham Schoolhouse,**  
**7171 S. Center Hwy, Traverse City**

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

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

**Staff Present:** Steve Patmore and Dorothy Petroskey

**Guests Present:** Phil Anderson, Bev Kozaret, Merlin & Marcia Lavrack, John Anderson, Beth Bassett, Bob Otwell, Midge Werner, John Werner, Diane Jelenek-Adams, Clark Southwell, Ken Dezur, Jim Mebert, George & Mary Herman, Bill Grant, Lois Bahle, Sandra Carden, Field Carden, Stuart Whittaker, Karen Gleason, Catherine Allchin.

**Agenda Approval:** Discussion to move the New Business (a) to be heard prior to Old Business. Agreed by consensus. **Move by Park support by Bunek to approved the agenda as amended.**

**Ayes: All**                      **Motion Carried**

**Approval of the Minutes:** Park recommended that on the First page of the minutes that Vineyards be added to Shady Lane when referencing comments from Stouten.

**Move by Kiessel support by Collins to approve the minutes as corrected.**

**Ayes: All**                      **Motion Carried.**

**Public Comment:** Supervisor Midge Werner noted an error in the Public Notice for the Joint Meeting of Suttons Bay and Bingham. She stated the meeting would be held in Bingham at 5:00 p.m. on Monday January 19, 2004.

**New Business:**

**Trillium Development:**

Gordon Hayward presented his written report. He stated the applicant's submittal was sufficient and had met the 13 requirements.

Steve Patmore, discussed the appearance of a conflict of interest and stated that Bingham was made aware of this issue. Gordon will be reviewing this project for Bingham. Steve will wear the hat of the applicant when addressing the Trillium Development.

Patmore stated that Tom Beeler, the developer, would prefer to farm the property for the next few years, however would like to get everything in place first. He stated this project consisted of 184 acres and 80 lots. He pointed out

that ingress and egress will be from and to Pleasant Hill Road. He pointed out that open space consisted of 22 acres on the South West end of the property. He has spoken with the Road Commission and they have given this project approval with certain conditions. He also spoke with the county about this parcel being considered for a future park and is awaiting their response. He would ask that this matter be scheduled for a public hearing.

The commission asked a few questions and asked the applicant to supply the commission with a map of surrounding uses. They also asked how the applicant intended to preserve the open space.

Gordon Hayward explained the applicant would need to meet the intent of the Cluster Ordinance, Site Condo Act as well as all sections that apply to site plan review.

The commission opened the Public Hearing to Public Comment:

**PUBLIC COMMENT:**

Bill Grant: Mr. Grant questioned the open space and the applicant's reason for density so close to homes and not more towards vacant property.

Phil Anderson, stated when he purchased property from the Sharnowski Farm there was a covenant that stated that parcels from this property could not be split less than 10 acres. Part of this project includes the property from this original Sharnowski parcel. Mr. Anderson provided Liber and Page numbers for the applicant.

Clark Southwell questioned why this project is proposed for the middle of the country.

John Katsky, asked where they could go to address issues regarding the road.

Field Carden –Feels that a conflict of interest exists with the Zoning Administrator and questions the open space as well as lot prices and low income housing.

Cathy Allchin, feel feels this is a magnitude of population in a relatively small area and is concerned about the increase of traffic on Maple Valley Road.

Diane Jelenek stated the proposed entrance is located next to her father, Mr. Adam's bedroom window.

Field Carden asked who is the final ruling body on this project.

Gordon Hayward, Planner stated the commission needed to decide if the zoning ordinance allowed for the extension of time that the applicant is requesting. Patmore added that a special land use permit does not specify a time. He stated that under the condominium act he will be required to come back yearly.

Commission member Don Kiessel stated that this planning commission with a quorum of 5 can decide. He stated if the applicant meets the requirements of this Ordinance then they will have to approve the project.

Phil Anderson asked that Sandra Wilson's letter to the commission be read. Chairman Gregory read the same into the record and it is made part of the official minutes.

Roland Lavrack-stated his son owns property adjacent to this project. He stated to him it looks like urban sprawl.

**Public Comment Closed.**

**Commission Comments:** Commissioner Kiessel feels that the applicant needs to research the South West Parcel to see if in fact there is an issue of allowable splits. Commissioners Bunek and Park agree. Gregory also agrees. The commissioners also feels that open space needs to be addressed as well as a place for recreation. They commission asks that Gordon review the Ordinance for an interpretation as to starting and completing a project and any time lines.

Move by Kiessel support by Park to delay taking this project to public hearing until the issues of the south west parcel have been researched (open Space) and Gordon researches the time lines for a project submitted for site plan review.

**Ayes: All                      Motion Carried**

**Old Business:**

**Leelanau Trail consideration:**

Mike Park stated that he and Cathy had met to review the past committee minutes. He added that last month the commission had discussed whether or not a parking lot was required in Bingham Township.

Patmore stated he spoke with Dan Carlson and Carlson agreed that parking could be eliminated in Bingham as long as parking was in the two neighboring townships. The Township attorney also agreed.

Otwell presented the results of the survey conducted this past year on the Tart Trail. Patmore presented possible conditions and the commission agreed to the following

1. The Township will pursue a Traffic Control Order to prohibit parking on Center Highway at the trail crossing.
2. The LTA shall provide the township with user surveys as available.
4. The Township reserves the right to initiate additional Traffic Control Orders or amend the Special Use Permit by requiring off-street parking in the event of one or more of the following:
  - A. The Leelanau County Sheriffs Department or Road Commission determines that on-street parking is becoming a traffic problem.
  - B. Bingham Township shall reserve the right to revisit this issue by discretion of the zoning administrator and a quorum of the planning commission and will have an automatic review of the special land use permit every five (5) years to assess the impact on the Township.

The Applicant will need to write a letter to the Township withdrawing their application to the ZBA.

The applicant stated that the main remaining issue to be reviewed is the issue of paving. Brief discussion ensued. The Chairman stated that this project will need to be re-noticed in the paper as a public hearing before any decisions will be made by this commission. Further, an interpretation needs to be made by the attorney on whether or not the property owners adjacent to the trail need to be re-noticed.

The applicant inquired about remaining issues and was provided with a copy of all the past minutes.

**New Business:**

**Election of Officers:**

**Move by Kiessel support by Park to that this commission by unanimous ballot sustain the current officers for 2004 being Gregory as Chairman, Collins as Vice Chair and Jasinski as Secretary.**

**Chairman Report:** Gregory discussed letter received from Heritage Route Committee.

**Township Board Report:** No Report.

**Zoning Permit Officer:** Patmore presented his written report.

**Committee Report:**

Parking Lot Committee: Bunek presented draft language to be incorporated in the Zoning Ordinance regarding parking spaces. The commission was provided a copy and will be reviewed by the members.

**Planner Job Description Committee:** The commission was provided a copy of their report. This issue to be put on Old Business for next month for discussion.

**Next Month's Agenda:**

**Old Business:**

**Planner Job Description**

**Parking Language**

**Continuation of Consideration of Leelanau-Tart Trail**

**Trillium Development preliminary consideration continued**

**Public Comment:** None.

**Meeting adjourned 10:30 p.m.. by consensus.**

**Respectfully Submitted**

**Dorothy Petroskey**