

**BINGHAM TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
February 3, 2005**

CALL TO ORDER: 7:00 P.M.

ROLL CALL: Cathy Jasinski, Mary Bush, Bob Gregory, Mike Park, Will Bunek, Marsha Walton and Juanita Send

Guests: Bob Foster, Norene Kastys, Steve Patmore, Wayne Kiley, Phil Anderson, Bill Grant, Frank Hayes, Steve Christianson, Clark Southwell, Field Carden,

AGENDA APPROVAL:

MOVE BY BUNEK SUPPORT BY BUSH TO APPROVE THE AGENDA AS PRESENTED.

AYES: ALL MOTION CARRIED

APPROVAL OF THE JANUARY 6, 2005 MEETING MINUTES: Minor corrections noted. Gregory asked that the resolution on the Master Plan be added to the content of the January meeting minutes.

MOVE BY PARK SUPPORT BY BUNEK TO APPROVE THE MINTUES AS CORRECTED.

AYES: ALL MOTION CARRIED

PUBLIC COMMENT:

Gregory noted that this would be the time for public comment for items not on the agenda.

Phil Anderson, Bingham Township, asked what “negotiations” with Leelanau Farms entailed. He also asked how noticing was suppose to be done.

Field Carden, Asked the commission to look at the outlying areas that surround this property and spoke about quality of life.

Norene Katsty-thanked the planning commission and asked then to not settle due to costs but to uphold the zoning ordinance.

Kristine Morris- discussed the increase of cars, and concerned about preservation of night sky, water and air quality.

Frank Hayes-addressed the commission regarding a proposal for Leelanau County to purchase Veronica Valley as a County park. Planner Rollenhagen stated that this use was allowed in the agricultural district as a special use and must come in

under the recreational overlay zone. Chairman Gregory asked for input from the community. Will Bunek suggested that Rochelle put together a check list for the County. Steve Christianson and County Commissioner Jean Watkowski asked if the commission could support the concept. Wayne Kiley asked if the County had a budget for maintenance of the park. Watkowski stated that there would be little maintenance as they intend to keep it natural.

Public Hearing-Bayview Pines/Bayside Pines:

Steve Patmore gave the history of the project. He indicated that the Bayview side would be a clustered site condominium project, where the bayside would be condominiums and own the east side of M-22. The bayside would grant an easement to all of the West side of M-22 and share it as a common area. Additionally, they have added to the by-laws no short term rentals, no parking on the east side and no overnight rentals.

Rochelle presented the commission with possible conditions as well as her concerns. She addressed the storm water runoff, landscaping, sewer and water and docks. She added that she would like to see the contours and the overall calculations on the waterfront. She stated that the commission needed to review design objective 10.5D and 10.5G, 12.2.1 C regarding access a secondary access and the issue of the 15 foot setback (40 feet required) on the Bayside. Rochelle stated that she the commission could proceed with approval with the conditions that were presented.

The commission addressed the conditions:

Parking Requirements:

The commission stressed there will be no parking on M-22. The commission finding of fact: the applicant has unlimited parking available on the West side if needed. The commission waived this requirement.

100-foot buffer:

Planning commission finds that the existing buildings are within the 100 feet and it is not practical to have the applicant meet this requirement as it is no more intrusive than the existing use of the property. It was added that the applicant should strive to meet the objective but as it exists it does not meet the existing and the new building will continue to be nonconforming.

Road Access:

The commission finds that the location does not allow for a secondary road access. The applicant is trying to eliminate any additional curb cuts. Therefore, the commission waives this requirement.

Setback Requirement:

The existing building does not meet the front yard setbacks and the new building will not be any more nonconforming. The commission waives this requirement.

The commission further requests:

Those architectural plans be submitted prior to final approval. The commission should have a rendition of the design, floor plans and elevations, as well as a survey and property description.

That topography, including contour lines (2 foot intervals) is shown on the final site plan.

That all buildings apply and receive a Land Use Permit.

That the height of such buildings meet the height restrictions of the Ordinance.

That lighting shall meet the ordinance requirements and be shown on the final site plan.

That the signs must meet ordinance regulations and the applicant is required to file application for sign permit.

That all applicable permits must be obtained including approval from Leelanau County Drain Commissioner, soil and Erosion Permit, Health Department, MDEQ (docks) and MDOT for driveways.

That parking shall be prohibited along M-22. If problems arise with approved parking areas additional off-site parking must be provided.

That the 20 foot shoreline greenbelt must be maintained.

That the Master Deed and By-Laws as well as the cross easement agreement be reviewed and approved by the township attorney.

MOTION BY JASINSKI SUPPORT BY PARK TO GRANT BAYVIEW PINES AND BAYSIDE PINES PRELIMINARY SITE PLAN APPROVAL SUBJECT TO THE PRECEDING CONDITIONS, AS WELL AS CONDITIONS IMPOSED AT PREVIOUS MEETINGS AND SUBJECT TO FINAL APPROVAL OF BY THE PLANNING COMMISSION ONCE THE PLANS ARE SUBMITTED.

**OLD BUSINESS:
RENTAL LANGUAGE 05-001:**

Rochelle presented language that included last month's comments as well as the input from the committee. The consensus was to keep the language simple.

MOVE BY PARK SUPPORT BY BUNEK TO TAKE 05-001 TO PUBLIC HEARING NEXT MONTH.

AYES: ALL MOTION CARRIED

ZONING AMENDMENTS:

Section 4.4A Cluster Housing.
Section 9.2 Site Condominium Subdivisions General Provisions.

Chairman Gregory indicated that we were waiting for additional feedback from the attorney.

New Business:

The Zoning Administrator as well as the Clerk asked for clarification regarding Rolling Hills and Bingham Valley. The question proposed was "Did the planning commission grant final site plan approval or was it preliminary approval. To set the record straight in the future Projects will come in 1) Preliminary Approval, then Final Approval with the Zoning Administrator reviewing the same. Rochelle will call Gosling Czubak to discuss where their projects are at.

Communications and Reports:

Chairman Report: Bob presented a letter to the commission members received from Trudy Galla regarding a meeting with the Lake Association. Marsha Walton will attend on the planning commission behalf.

Zoning Administrator Report: Rochelle submitted her written report. The commission discussed Monterey Hills and a possible Equine Clinic at Black Star Farms.

The commission discussed with Rollenhagen that all applicants shall have any information that will need to be presented to the commission to the Planner/Zoning Administrator 10 days prior to the meeting. Further, new information that is handed out at the meeting, shall not be considered.

Township Board Report: No report.

February Agenda:

**Public Hearings-
Old Business:**

Rental Language

Rolling Hills-Final Site Plan Review

Bingham Valley-Final Site Plan Review

Cluster Language

Site Condominium Language

Public Comment: Phil Anderson spoke regarding Article XI and felt that the language requires an applicant that requires site plan review also requires a special land use permit.

Meeting Adjourned at 10:00 p.m.

Respectfully Submitted,

**Dorothy Petroskey
Bingham Township Clerk**