

**BINGHAM TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
February 2, 2006**

CALL TO ORDER: 7:00 P.M.

**ROLL CALL: Cathy Jasinski, Mike Park, Bob Gregory, Mary Bush, Will Bunek and Phil Anderson . Jaunita Send-Absent
Guests: Carol Popp, Robert Foster, Stuart Whittaker, Bob Otwell, David Monstrey**

AGENDA APPROVAL:

Chairman Park asked that the Leelanau/TART Trail be added to the agenda to discuss the Township Attorney recommendations. Park asked that 100 foot buffer be A, Trail-B and move Marion to C. and Building Height to D.

MOVE BY Jasinski SUPPORT BY Bunek TO APPROVE THE AGENDA AS AMENDED.

Aye: All Motion carried.

MINUTES OF January 5, 2006 Correction was made to page 1.. MOVE BY GREGORY SUPPORT BY BUNEK TO APPROVE THE MINTUES AS CORRECTED.

AYES: ALL MOTION CARRIED

PUBLIC COMMENT: None

**PUBLIC HEARING:
SITE PLAN REVIEW-ARTICLE VIII
SPECIAL LAND USE PERMITS-XI**

Rochelle presented the language as amended after last month. She stated all the attorney recommendations had been implemented and was recommending the commission forward the language to County Planning for review and onto the Township Board.

Public Comment: None

MOVE BY BUNEK SUPPORT BY JASINSKI TO FORWARD ARTICLE VIII TO COUNTY PLANNING AND RECOMMEND THE TOWNSHIP BOARD ADOPT SITE PLAN REVIEW ARTICLE VIII CONTINGENT UPON THE BOARD ALSO ADOPTING ARTICLE XI SPECIAL LAND USE.

AYES ALL

MOVE BY BUNEK SUPPORT BY GREGORY TO RECOMMEND THE TOWNSHIP BOARD ADOPT ARTICLE XI SPECIAL LAND USE CONTINGENT UPON THE BOARD ALSO ADOPTING ARTICLE VIII SITE PLAN REVIEW.

AYES: ALL MOTION CARRIED

Old Business:

100 Foot Buffer Language

Rochelle presented language for the commission to review. The commission felt that's all of the criteria discussed at last month's meeting was not incorporated into the language presented. The commission discussed whether or not amending the language in Clustered housing would meet the objectives or if 12.2. 1 needed to be amended as well. The commission felt that the language should only be in the clustered.

The commission felt that the language did not need to address woodlots. That "active farming" needs to be defined and to define what constitutes "adjacent to". Bunek wanted Bardenhagen's definitions incorporated as well. Jasinski felt the commission should have a list of factors that would help determine active farming. Gregory stated that he would be happy to be part of a committee with Rochelle to draft language incorporating all the information heard this evening and coming up with language to forward for a public hearing. Supervisor Foster, who was in the audience asked to be part of the committee as well.

MOVE BY GREGORY SUPPORT BY BUNEK TO REFER THIS MATTER BACK TO A COMMITTEE COSISTING OF GREGORY, ROLLENHAGEN AND FOSTER.

AYES ALL MOTION CARRIED

LEELANAU TRAIL:

Park indicated that the Township attorney had reviewed the Special Land Use Conditions and sent correspondence with recommended changes. Jasinski recommended that the committee review the recommendations, incorporate the same and bring a final draft to the commission next month.

MOVE BY GREGORY SUPPORT BY JASINSKI TO REFER THE ATTORNEY RECOMMENDATION FOR THE SPECIAL LAND USE PERMIT FOR THE LEELANAU TRAIL BACK TO COMMITTEE TO INCORPORATE INTO A FINAL DRAFT FOR THE COMMISSION'S REVIEW.

AYES: ALL MOTION CARRIED

Marion Township Ordinance: The committee was unable to meet last month.

Height Standards: A committee of Bunek and Park met and are recommending that the Ordinance be amended to allow for 35 feet for building height. They also stated that the Ordinance would have to define how the building height would be measured. These changes would need to be reflected in 12.1 Standards.

Further recommendations were to limit homes to 2 ½ stories. The commission agreed to limit homes to 2 ½ stories as long as indicated that this was 2 ½ stories *exposed above ground*.

The commission discussed allowing decorative features such as cupolas. The commission agreed that they should be allowed as long as a limit was placed on size and they were “non-living quarters---uninhabitable space”

MOVE BY GREGORY SUPPORT BY BUNEK TO TAKE THE AMENDMENTS OF 12.1 TO PUBLIC HEARING SPECIFICALLY:

TO INCREASE BUILDING HEIGHT TO 35’

TO ADD (K) That building height shall be limited to 35’ and no building shall have more than 2 ½ stories exposed above ground.

TO ADD (L) All architectural design features, such as cupolas shall be no more than 5X5 allowing it to set no more than 5 feet above the ridge line of the home and that no architectural design shall be inhabited.

AYES ALL MOTION CARRIED

New Business:

Request from Ciccone Vineyards regarding time limits on events.

Rochelle indicated she had spoken with Ciccone Vineyards who had asked if the township would reconsider one of the conditions imposed on his permit that stated all events must end by 10:00 p.m and the applicant would like to see hours of operation extended..

The commission stated if the applicant wished to amend his own conditions that he makes application for an amendment to his permit. The consensus of the commission was to keep the Winery Section as it is.

MOVE BY GREGORY SUPPORT BY BUSH TO DENY THE REQUEST TO AMEND THE LANGUAGE IN THE ORDINANCE AND ASK THAT ANY BUSINESS THAT WISHED TO AMEND THE HOURS OF OPERATION SEEK AN AMENDMENT TO THEIR INDIVIDUAL PERMIT.

AYES: ALL MOTION CARRIED

Communications and Reports:

Chairman-Park asked if the commission would consider forming a committee for site plan reviews. The commission will take this under advisement.

Zoning Administrator- Report presented. Rochelle indicated that the Township Board was seeking a zoning administrator/enforcement officer and the ad was being placed this month. She would still remain as planner and would be working closely with the new zoning administrator.

Township Board-Mary indicated that the Township Board had re-appointed Emeott, Werner and Jasinski to the Zoning Board of Appeals.

Mike Park stated that he would like the commission members to consider an appointment to the Zoning Board of Appeals.

Public Comment: None

March 2006 Agenda:

Public Hearings: Building Height Amendment to 12.1

**Old Business: 100 Foot Buffer Language
Committee Report on Marion Master Plan and Ordinance
Leelanau Trail SLUP**

Move by Bunek support by Park to adjourn at 9:12 p.m.

Ayes: All Motion Carried

Respectfully Submitted,

**Dorothy Petroskey
Bingham Township Clerk**