

**DRAFT MINUTES
BINGHAM TOWNSHIP PLANNING COMMISSION
AUGUST 4, 2022 MINUTES**

1. Call to Order - Roll Call

Mike Park, Chair, called the Bingham Township Planning Commission Meeting to order on Thursday, August 4, 2022, at 6:30 p.m. at the Bingham Township Hall, 7171 S. Center Hwy., Traverse City, MI.

Roll Call -

Present: Mike Park, Jeff Layman, Charlie Dashner, Cathy Jasinski,
Jim Pawlowicz, Mary Woods

Absent and excused: Dennis Grant

Staff Present: Steve Patmore, Marge Johnson - via Zoom

2. Agenda Approval

Agenda approved as submitted.

3. Public Comment - None.

4. Conflict of Interest - None

5. Items for Discussion/Consideration:

- A.** Public Hearing and Consideration of a request from Tart Trails to install a Portable Toilet along the Leelanau Trail at the Shady Lane Parking Area, Property No. 45-001-140-001-00

Chair Park opened the public hearing on the request from Tart Trails to install a portable toilet along the Leelanau Trail at the Shady Lane Parking Area.

Steve Patmore said this would be an amendment to the Leelanau Trail Special Use Permit. A restroom is considered an accessory use. He reviewed the diagrams of the trail.

Chris Kushman represented TART Trails and spoke about the Tart Trails request. The portajohn is serviced once a week. It makes sense to place the portajohn next to the parking lot. Respect the neighbors concerns. Plantings would help screen the portajohn.

Public Comment -

Leonard Schaub said he thinks the portable toilet should be placed across the street where the statute is, out of the way, easy access. Most people using the facility would be on the trail.

Jim Posmore said he is not against the portapotty.

Lee Grant said she appreciates that the neighbors were asked if they agree to the portapotty.

Petition submitted by 11 property owners on Grapevine Trail stating they don't want to look at the toilet every day.

E-mail from David Williams approving of the proposed trail improvements.

E-mail from Ellen Weicker - supports proposed trail improvements.

Discussion -

- Patmore - restroom was contemplated but not planned for. Have to consider that the accessory use needs to meet the requirements of landscaping and buffers.
- Kushman pointed out where the portajohns are on the trail which are serviced once a week. Would like to screen the portajohn from the residents, would be ADA compliant, makes sense to put it close to the vehicles.
- Layman - wondering about service accessibility.
- Pawlowicz - agree to put the portypotty across the street to address neighbors concerns.
- Park -put the portapotty on south side of the parking lot which is the only area that needs to be screened, recommend a privacy fence.

- Jasinski - makes sense to have everything at the parking lot.
- Midge Werner - need to investigate putting the portajohn at Whittaker Rd. and have it shielded.
- Park - don't think Whittaker Rd. is feasible because of the parking area.
- Woods - don't see a reason to put the portajohn on the north side.
- Dashner - makes sense to put the portajohn on the north side to satisfy the residents.

Cathy Jasinski/moved, Charlie Dashner/supported, to amend the Leelanau Trail Special Use Permit to allow the installation of one handicapped accessible portable toilet at the Shady Lane Trail crossing on the north side of Shady Lane located west of the trail, placement shall be 10 feet from the side lot line and a minimum of 20 feet from the road right of way, with a privacy fence of at 8 feet tall and at least 8 feet long along the south side of the trail to screen the portable toilet, motion carried.

B. Planning Commission Discussion on Possible Zoning Ordinance Changes Requested by Tart Trails to allow for the following accessory uses as a Special Use:

- Landscaped Rest Area.
- Side Trail at Various Locations

Steve Patmore said the Zoning Ordinance mentions shelters as a possible amenity as an accessory use so you could approve something with a shelter. The issue is when you have setbacks for accessory use and the only time you can deviate from a 40 foot setback is within 300 feet of an intersection. Where this has been contemplated it is not within 300 feet of an intersection. The question, do you want to have the flexibility to approve on a case by case basis an accessory use other than from 300 feet from a road. Two step process, amend the language and look at each individual segment of the trail to approve a parallel non-paved side trail.

C. Introduction - Winery Tasting Room - Special Use Permit - Three Trees Winery, 5200 S. Elm Valley Rd.

Memo from Steve Patmore -

Received an application from Three Trees Winery for a Special Land Use Permit

for a Tasting Room at 5200 S. Elm Valley Rd., introduced at the August 4, 2022 Planning Commission Meeting. This application is for a tasting room only, there is no restaurant or special events proposed at this time. Applicant would like to convert the building on the site.

A public hearing on the request will be held on September 1, 2022.

D. Update on Master Plan Project - Networks Northwest

- Consider Possible Special Work Session on Master Plan

Mathew Cooke said Rob Carsens requests that the Planning Commission review chapter 4 of the master plan. Discussion regarding the master plan will be discussed at a future Planning Commission Meeting - proposed September 15th.

Extension of Meeting

Charlie Dashner/moved, Mary Woods/supported, to extend the meeting 15 minutes, motion carried.

6. Approval of Prior Meeting Minutes: June 2, 2022

Consensus to postpone approval of the Minutes to the next meeting.

7. Communications and Reports

- a. Chairperson - Mike Park will be absent from the September 1, 2022 Meeting.
- b. Zoning Administrator - Steve Patmore submitted his report.
- c. Planning - Mathew Cooke - No report.
- d. Township Board - Minutes are on line. Addition proposed to be constructed at township hall.
- e. Commissioners Comments - None.

8. Next Scheduled Meeting - September 1, 2022

9. Public Comment - None

10. Adjournment - Meeting adjourned at 8:32 p.m.

Marge Johnson, Recording Secretary
Cathy Jasinski, Secretary

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