

**TALLMADGE CHARTER TOWNSHIP
PLANNING COMMISSION MEETING
OF JANUARY 10, 2005**

Chairman Daniel Murray called the meeting to order at 7:30 p.m.

Members present: Daniel Murray, Dewey Bultsma, Toby Van Ess, Marvin Bennink, Lenore Cook and Matthew Fenske

Member absent: Donald Smith

Also present was Greg Ransford, Township Planner

The minutes of the November 8, 2004 meeting were approved as presented.

1. Preliminary Hearing – H & K Investments is requesting a rezoning for parcel number 70-10-01-151-027 from Rural Preserve to Industrial. This parcel is located at 0-14105 Ironwood and is owned by William Frederick.

Kurt Kunst of Grand Real Estate was present with the applicant. The property is Master Planned Industrial. Currently there is a house and pole barn on the property, zoned Rural Preserve. They have no specific plans for the property other than spec Industrial, and realize they will need to go through the Site Plan process.

Ed Niemi of Ottawa Excavators said he had requested Light Industrial years ago and was told he needed public water and sewer. Dan Murray feels this should still be a prerequisite. Mr. Kunst said the buy/sell agreement is subject to well and septic approval. Public utilities are approximately 500-750 feet short of the property line. He does not believe the septic will be approved, and is investigating options in relation to the lift station on Hayes and the current gravity flow system. Dewey Bultsma said the City of Grand Rapids would have authority in this situation; they may need another lift station. There is currently residential on each side of this property, and Toby Van Ess added that the majority of that side of the street is currently residential.

Lenore Cook pointed out that you couldn't have a residence and an industrial use on the same property. She also reminded the Planning Commission that stipulations couldn't be put on a rezoning. Greg Ransford said an Act passed last week to the effect of conditional rezoning.

Toby Van Ess would be in favor of the rezoning if public utilities were available, since the property is Master Planned Industrial. With a septic system, they would likely only be allowed ten employees, and it would not be worth it. Kurt Kunst believes neighbors would be wise to be in favor of the proposal, because their own properties could be worth much more as Industrial rather than residential. Marvin Bennink is not in favor of the rezoning without public water and sewer.

Lenore Cook moved, Toby Van Ess supported, motion CARRIED to table the item in order to let the applicant decide whether or not to pursue the request. However, if the applicant does decide to pursue the request, the Public Hearing will be held next month. Ayes: Daniel Murray, Dewey Bultsma, Toby Van Ess, Marvin Bennink, Lenore Cook and Matthew Fenske. Nays: none.

2. Public Hearing – Zoning Ordinance Text Amendment regarding the Flood Plain District.

Greg Ransford explained that ultimately, the proposed new text would require a permit from the DEQ prior to establishing any proposed construction within the flood plain. Currently our Zoning Ordinance does not allow any construction within the flood plain. The proposed new flood plain

section of the Zoning Ordinance would ensure that we comply with DEQ standards, and include better protections. The DEQ process may seem overwhelming to some residents, but it is required, and this is a serious matter.

Brandi Otten said that currently the Zoning Ordinance does not allow any building in the floodplain. Lenore Cook said that is part of the reason we want it changed. This Zoning Ordinance became effective about five years ago, and the Township was not aware and did not intend for the ordinance to read that way. Daniel Murray said the permitted uses need to be listed, as he was of the understanding that the proposed new text would be added to the existing. The Planning Commission discussed this, and it was noted that the proposed new text would replace the existing and the proposed Section 13.03 stipulates the underlying zoning classifications and requirements shall continue to apply.

John Koster agrees that the township needs to make some changes, however he does not like the reference to the Corps of Engineers. He believes their jurisdiction goes within 500 feet of a lake or stream, and the proposed text specifies that if any or all of the property is in the flood plain, then an approval is needed. Mr. Koster feels the flood plain district may change since the new bridge was put over the Grand River, and new maps should be available in 6-7 months.

Lenore Cook sees no harm in requiring permission from the DEQ, especially because that is what they require. The DEQ is going back 15 years on the township. John Koster said it is very time consuming to obtain permits from these entities. Lenore Cook said the township really has no choice.

Brandi Otten said if not the township does not change the Zoning Ordinance, FEMA will come in and will not allow the township to issue any permits and any federal mortgages will become due. Lenore Cook added that we need to comply with the DEQ, there is not really any option.

Toby Van Ess said the proposed new Flood Plain Ordinance needs to be adopted to help out the residents. Lenore Cook explained that the DEQ put a stop work order on a building the township had issued a permit for. We need to change our ordinance since it now says no building at all, and follow the proper steps according to the federal and state regulations. Marvin Bennink agrees we need to adopt the new text in order to help the residents, but feels it should be looked at it later down the road.

Dewey Bultsma moved, Marvin Bennink supported, motion CARRIED to recommend APPROVAL of the proposed new Flood Plain ordinance to the Township Board. Ayes: Daniel Murray, Dewey Bultsma, Toby Van Ess, Marvin Bennink, Lenore Cook and Matthew Fenske. Nays: none. The Planning Commission would like to review this again in six months or so.

3. Discussion – Revisit Land Use and Master Plan zoning within the township and discuss possible amendments to the Township Zoning Ordinance.

Daniel Murray reviewed the minutes from the November 8, 2004 Planning Commission meeting.

a) It was noted that Frank Sessions suggested thinking about providing for more Industrial property. Daniel Murray said there is some property Master Planned for Industrial. Dewey Bultsma and Toby Van Ess feel there is not much demand for more Industrial. Ed Niemi said that although property is Master Planned Industrial along Ironwood, it might be more suited to commercial. However, Industrial property can obtain federal grants for public water and sewer.

Marvin Bennink and Daniel Murray noted there is a vacant 80-acre property on M-45 that is Master Planned Industrial, and together with additional property on Ironwood, that is satisfactory for now.

b) Charles Gilson had mentioned unique situations that involve unusual parcels, especially on private roads. Lenore Cook believes it is worth considering revising the allowed sizes of accessory buildings, since people seem to have more possessions and are storing them outside. It would look better if they were stored inside. A resident in attendance at the meeting added that Robinson Township allows 1000 square foot of accessory building per acre. Marvin Bennink agrees that Tallmadge Township does not allow large enough accessory buildings. Toby Van Ess would also rather see larger accessory buildings than lean-tos.

Greg Ransford confirmed that Robinson Township allows 1000 square foot of accessory building per acre. He said that most people only want 2400-3200 square foot, and he has not received any complaints from neighbors. Daniel Murray questioned whether that would tempt people to have home businesses. Greg Ransford said that has not really become a problem, however that would be an enforcement issue. The Planning Commission feels it is worth looking into. Lenore Cook added that if the property is split, the building should be brought into compliance. Matthew Fenske noted that the Planning Commission discussed accessory building sizes in July 2003, and Mr. Edmonds had recommended percentage increases. The township residents are still requesting larger accessory buildings. Greg Ransford will draft something for the Planning Commission to consider at a future meeting. Daniel Murray asked if we could prohibit cloth/plastic/tent type buildings. Greg Ransford said those should be considered temporary buildings.

c) Lester Langeland had brought up changing the 10 acres minimum in Agricultural. Lenore Cook clarified that was proposed for the Master Plan only; not rezoning. Daniel Murray recalled the survey of township residents wanting to preserve rural character. This will be discussed at an upcoming meeting.

d) Toby Van Ess brought up the issue of specialty farms. This could possibly coincide with accessory building sizes at a future meeting.

e) River Hill (former Lake Michigan Drive) and Linden area. Greg Ransford suggested bringing in the business owners and inviting residents as well to discuss the possibility of creating a business district. This will involve some flood plain issues as well. It was noted that Buschini signs built the sign for the businesses incorrectly, and MDOT may require the sign to be removed.

f) Private Roads were discussed at the last meeting. The Planning Commission agrees that certified engineer's inspections of private roads are adequate, and this does not need to be revisited.

g) Greg Ransford brought up a comment from Bill Wiersma regarding the Lake Michigan Drive area, and possibly allowing for increased Commercial zoning along Lake Michigan Drive. Greg Ransford will check with Mr. Wiersma for more information to be discussed at a later meeting.

The Planning Commission decided to look at one item per meeting depending on the rest of the agenda. Mr. Ransford suggested discussing the Master Plan issues first, and then zoning issues. He will put together an agenda.

Meeting adjourned at 9:30 p.m.

Respectfully submitted,

Denise Lanting, secretary

