

**TALLMADGE CHARTER TOWNSHIP
PLANNING COMMISSION MEETING
OF MAY 11, 2009**

Vice-Chairman Donald Smith called the meeting to order at 7:00 p.m.

Members present: Donald Smith, Matthew Fenske, Dewey Bultsma and Jim Szejda

Members absent: Marvin Bennink and Dick Temple

The minutes of the April 13, 2009 and April 21, 2009 meetings were approved as presented.

1. Preliminary Plat Application – Moore & Bruggink, on behalf of Land Acquisitions, LLC, is requesting Plat approval for Sessions Pointe Plat. This parcel number 70-10-24-300-061 is zoned Residential PUD.

Dan Hibma of Land and Company said the development was approved as a PUD by the township in 2006. Since that time financing for condominiums has become much more difficult, and banks are not willing to lend unless the project is more fully developed. This project has one duplex condominium built to date. Single family properties can still be financed, therefore they are requesting Plat approval in order to place parcel lines through the center of each duplex condominium unit. The same association rules will apply and nothing else will change.

Jim Szejda would like the applicant to verify that this plat would be approved by the State of Michigan and Ottawa County. Mr. Hibma said he has seen copies of approvals via e-mail from Moore & Bruggink. Mr. Ransford discussed this request with the township attorney, and he said all conditions from the PUD would remain, and he would recommend approval.

The meeting opened to the public.

Mr. Cuson of O-11475 Woodgate wants to confirm that if the plat is approved, it will not add to the number of units or change anything other than the lot lines. Mr. Hibma said that is correct. Greg Ransford added that this would only be for the residential portion.

The meeting closed to the public.

Dewey Bultsma is concerned about the water and sewer hook-ups. Mr. Hibma was under the impression that there were separate meters for water.

Jim Szejda moved, Dewey Bultsma supported, motion **CARRIED** to recommend **APPROVAL**, finding that the request is in compliance with the Zoning Ordinance, as its previous Planned Unit Development approval, conditions and terms remain in effect on the property, with the following conditions:

1. The City of Grand Rapids finds the water and sewer plans acceptable and approvable for the residential units.
 2. All other agency requirements must be provided prior to final plat approvals.
- Ayes: Donald Smith, Matthew Fenske, Dewey Bultsma and Jim Szejda. Nays: none.

2. Discussion Item – Proposed Nuisance Ordinance.

Mr. Ransford noted the concerns from the last meeting regarding broad language in the proposed text. The township attorney made a couple of changes; however he noted that the intent of the ordinance is to compel compliance. The current section of the Zoning Ordinance regarding

Nuisances was written approximately 30 years ago and is not entirely enforceable. The proposed changes include addressing outdoor wood boilers. Wood boilers would require a permit, and at the time a permit is issued owners would be made aware that if a new house is built, they may have to change the stack height.

Matthew Fenske moved, Dewey Bultsma supported, motion CARRIED to recommend APPROVAL to adopt the revised proposed Nuisance Ordinance with a draft date of 4/22/09. Ayes: Donald Smith, Matthew Fenske, Dewey Bultsma and Jim Szejda. Nays: none.

3. Discussion Item – Proposed Municipal Civil Infractions Ordinance.

Greg Ransford explained that by adopting this, the township has a better chance for enforcement. With a misdemeanor a person can be fined, however with a Civil Infraction a judge can order compliance. The township is looking for compliance rather than fees. Presently the fines are \$50 for a first offense, \$250 for a repeat offense, and \$500 for a second repeat offense. Mr. Ransford suggested raising the fines to \$200, \$500 and \$1000 in order to be taken more seriously.

Jim Szejda moved, Matthew Fenske supported, motion CARRIED to recommend APPROVAL of the proposed Municipal Civil Infractions Ordinance with the changes in fines as discussed. Ayes: Donald Smith, Matthew Fenske, Dewey Bultsma and Jim Szejda. Nays: none.

4. Discussion Item – Proposed Text Amendment; Setbacks.

Mr. Ransford had submitted an updated chart of existing and proposed setbacks in accordance with Planning Commission discussion at prior meetings. He also included proposed setbacks for dwellings in the Village of Lamont.

The Planning Commission preferred the proposed side yard setbacks rather than the current requirement of a combined total.

Jim Szejda moved, Dewey Bultsma supported, motion CARRIED to SCHEDULE A PUBLIC HEARING regarding proposed setback amendments. Ayes: Donald Smith, Matthew Fenske, Dewey Bultsma and Jim Szejda. Nays: none.

The Planning Commission also recommended that Mr. Ransford look into setting up a Lamont District, specifically to figure out a boundary for the proposed District, possibly sending a letter to residents to gather opinions. The Planning Commission would like to set a district and let the public react.

Mr. Ransford pointed out the Town Center District in Lamont on the Master Plan. Matthew Fenske wondered how many parcels are in that district and how many of those already comply with the proposed setbacks. Jim Szejda believes the Planning Commission should consider allowing certain uses such as quaint village shops.

Meeting adjourned at 8:20 p.m.

Respectfully submitted,

Denise Somers, Administrative Assistant

