

**TALLMADGE CHARTER TOWNSHIP
PLANNING COMMISSION MEETING
OF JULY 14, 2008**

Chairman Matthew Fenske called the meeting to order at 7:30 p.m.

Members present: Jim Szejda, Donald Smith, Dewey Bultsma, Marvin Bennink, Matthew Fenske, Dick Temple and Toby Van Ess

Also present was Greg Ransford, Township Planner

The minutes of the June 9, 2008 meeting were approved as corrected.

1. **Rezoning Public Hearing and Site Plan** – Lamont Community Church is requesting a rezoning for parcel number 70-10-06-100-004 from Agricultural to Rural Preserve Zoning to construct a church. The property is located at approximately 14000 48th Avenue.

Zack Voogt spoke as representative of the applicant. In 2005 this church began meeting at the Tallmadge Township hall and have since been meeting at Lamont Christian School. They are now ready to build a new church.

Greg Ransford referred to his memo regarding this request. The church is requesting a contract rezoning, which is a voluntary request from the applicant. The property is Master Planned Rural/Agricultural Preservation which is equivalent to Rural Preserve. The surrounding area is Master Planned the same. The request is for a portion of a larger parcel. Mr. Ransford recommends approval.

Matthew Fenske pointed out the contract would be binding with the Board of Trustees, any changes would require the contract to be amended.

The meeting opened to the public.

Jim Van Huis of 5035 Leonard said his father-in-law owns property adjacent to the proposed church site. He asked if the road was public or private and if there were any setback requirements for the parking lot. Mr. Voogt said it would be a private road built to township standards. Greg Ransford said in a technical sense it only serves one, and could be considered a driveway. He pointed out the proposed road/driveway exceeds township private road standards and added that the parking lot met setback requirements as well.

Greg Ransford noted that the applicant would need to come back to the township to amend the contract for any changes. Dick Temple asked if the remainder of the property would be developed. Mr. Voogt answered that it was very likely someday it would. He has considered the drive to be a private road and is comfortable with the site distance onto 48th Avenue. Mr. Temple would like the future road removed from the plan and Donald Smith asked Mr. Voogt to move the grading limits out. It was noted that the township attorney drafted the proposed contract.

The meeting closed to the public.

Mr. Voogt said there would likely be changes to the floor plan and exterior of the church building. Mr. Smith sees numerous items missing from the site plan such as drainage, lighting and parking detail. Mr. Ransford added that all items such as lighting should be on the plan when it is approved, otherwise it would be considered a change or revision and the contract would need to be amended.

Mr. Temple suggested lighting at the intersection of the proposed drive and 48th Avenue. Dewey Bultsma added that the drive would need approval from the Ottawa County Road Commission.

Matthew Fenske reviewed the items the Planning Commission is looking for; lighting, floor plan changes, grading limits, Ottawa County Road Commission permit approval, drainage, Ottawa County Environmental Health approval, driveway detail and for the expansion detail to be removed from the plan.

Donald Smith moved, Jim Szejda supported, motion CARRIED to POSTPONE the request until the August 11 Planning Commission meeting in order to give the applicant time to address these aforementioned issues. Ayes: Jim Szejda, Donald Smith, Dewey Bultsma, Marvin Bennink, Matthew Fenske, Dick Temple and Toby Van Ess. Nays: none.

2. Proposed Trash Removal Ordinance.

Greg Ransford submitted a revised proposed ordinance. He explained that the village of Lamont has a business that gets trash service at approximately 4:00 am, and area residents submitted a petition to the township requesting an ordinance to regulate the time of day trash can be hauled in residential districts.

The proposed text would not allow removal of refuse from any residential zone from 10:00pm to 6:00am. Commercial and Industrial zones would be exempt from the time limitations.

The township also received a complaint about a residence with a commercial dumpster. Matthew Fenske asked about farms. Mr. Ransford said a provision could be made to allow larger dumpsters for farms. Jim Szejda can understand the time limitations but is concerned that people might share dumpsters between families to save money. Donald Smith suggested requiring shared dumpsters to be enclosed if they are allowed. Marvin Bennink asked about temporary uses. Greg Ransford noted that if a resident is remodeling they would be allowed to have an outside dumpster for a period of not more than 180 days, which coincides with the building permit.

In general the Planning Commission concerns were multiple families sharing a community dumpster, farm use and screening. Donald Smith feels that shared dumpsters should be screened and possibly only allowed on private roads with a setback of at least 100 feet from any public right-of-way.

Marvin Bennink feels the setback requirement should only be for R-1 zoning. The Planning Commission was in favor of the time restrictions.

Dewey Bultsma moved, Dick Temple supported, motion CARRIED to APPROVE the proposed text with the changes as discussed; 1. Shared dumpsters must be screened and only allowed on private roads with a setback of at least 100 feet from any public right-of-way. 2. Consideration for farm use. 3. Setback requirements only required in R-1 zoning. Ayes: Jim Szejda, Donald Smith, Dewey Bultsma, Marvin Bennink, Matthew Fenske, Dick Temple and Toby Van Ess. Nays: none.

3. Proposed amendment to the Zoning Ordinance Text – The amendment proposes to change swimming pool requirements to be in line with the State Residential Building Code.

The current township requirements are more strict with fencing than the state requires. Mr. Ransford said that when safety becomes unusually burdensome, it needs to be addressed. Jim Szejda explained that he is putting up a pool right now, and the current ordinance requires 4 foot fence for an inground pool and 6 foot fence for a 4 foot above ground pool.

The meeting opened and closed to the public with no comment.

Donald Smith moved, Marvin Bennink supported, motion CARRIED to APPROVE the Zoning Ordinance Text Amendment as presented. Ayes: Jim Szejda, Donald Smith, Dewey Bultsma, Marvin Bennink, Matthew Fenske, Dick Temple and Toby Van Ess. Nays: none.

Meeting adjourned at 8:55 p.m.

Respectfully submitted,

Denise Somers, Administrative Assistant