

**TALLMADGE CHARTER TOWNSHIP
PLANNING COMMISSION MEETING
OF SEPTEMBER 14, 2009**

Secretary Jim Szejda called the meeting to order at 7:00 p.m.

Members present: Matthew Fenske, Dewey Bultsma, Joel Terpstra and Jim Szejda

Members absent: Marvin Bennink, Donald Smith and Dick Temple

Due to the absence of the Chair and Vice-chair, Matthew Fenske moved, Dewey Bultsma supported, to nominate Jim Szejda to chair tonight's meeting. Ayes: Matthew Fenske, Dewey Bultsma, Joel Terpstra and Jim Szejda. Nays: none.

The minutes of the July 13, 2009 meeting were approved as presented.

1. Public Hearing – Proposed Zoning Ordinance Text Amendment to consider changes for residential setbacks.

This being Mr. Terpstra's first meeting, he asked why the changes have been proposed. Mr. Szejda explained that one reason was due to the existing side yard setbacks being confusing. Greg Ransford added that the front yard setback is also proposed to be reduced for smaller lots and the rear yard is proposed to be reduced in Rural Preserve. He also noted that the Lamont area will be discussed at a later date.

Jim Szejda was somewhat concerned about a new house that could be built with a 50 foot front yard setback in an area where existing houses were built with a 75 foot front yard setback, since it could potentially impact the front view of the existing houses. It was noted that an existing house could then add to the front under the proposal.

The meeting opened and closed to the public with no comments, no public were present at the meeting.

Matthew Fenske moved, Dewey Bultsma supported, motion **CARRIED to RECOMMEND APPROVAL** of the proposed setback changes as written in Mr. Ransford's memo dated August 25, 2009 to the Township Board. Ayes: Matthew Fenske, Dewey Bultsma, Joel Terpstra and Jim Szejda. Nays: none.

2. Discussion Item – Ordinance offenses; misdemeanor or civil infraction.

Mr. Ransford reminded the Planning Commission that the Township recently adopted the Municipal Civil Infraction Ordinance which allows the township to lessen the punishment of certain ordinance violations. Currently, violation of any township ordinance is a misdemeanor offense and is punishable by a fine of not more than \$500 or by imprisonment for not more than 90 days or both. Mr. Ransford suggested some ordinances remain as a misdemeanor offense and others revised as a civil infraction. The Planning Commission reviewed the recommendations. Mr. Ransford recommended changing the Zoning Ordinance, Nuisance Ordinance, Private Road Ordinance and Trash Ordinance to a civil infraction offense. He also recommended that the Crowd Control Ordinance should remain a misdemeanor, however he believes it is appropriate to increase the current fine amount of \$100 to \$500.

Dewey Bultsma moved, Matthew Fenske supported, motion **CARRIED to RECOMMEND APPROVAL** of the ordinance offense amendments as proposed in Mr. Ransford's memo dated

August 25, 2009, including the increase of the fine for violation of Crowd Control Ordinance from \$100 to \$500. Ayes: Matthew Fenske, Dewey Bultsma, Joel Terpstra and Jim Szejda. Nays: none.

3. Discussion Item – Proposed Lamont District.

Dewey Bultsma moved, Joel Terpstra supported, motion CARRIED to POSTPONE this item until the next meeting due to the fact three members are absent from this meeting. Ayes: Matthew Fenske, Dewey Bultsma, Joel Terpstra and Jim Szejda. Nays: none.

Meeting adjourned at 7:50 p.m.

Respectfully submitted,

Denise Somers, Administrative Assistant