

**TALLMADGE CHARTER TOWNSHIP
PLANNING COMMISSION MEETING
OF JANUARY 12, 2009**

Chairman Marvin Bennink called the meeting to order at 7:30 p.m.

Members present: Matthew Fenske, Dick Temple, Jim Szejda and Marvin Bennink

Members Absent: Dewey Bultsma and Donald Smith

Also present was Greg Ransford, Township Planner

The minutes of the November 10, 2008 meeting were approved as presented.

1. Public Hearing – Proposed amendment to the Zoning Ordinance Text Section 3.03 Adult Entertainment and Amusement Establishments.

Scott Sewick, attorney from Scholten Fant, was present for this portion of the meeting. Greg Ransford had submitted background information and planner findings to the Planning Commission along with information from Scholten Fant.

The section regarding appeals states that the decision of the Township Board shall be final. The applicant shall not be allowed to appeal the Township Board's decision to the Zoning Board of Appeals. If the applicant would want to appeal the Township Board's decision, it would need to be appealed in court. Mr. Ransford added that the township should understand the rights of property owners, but try to protect the community.

Dick Temple moved, Matthew Fenske supported, motion **CARRIED to RECOMMEND APPROVAL** of the Text Amendment to Section 3.03 of the Zoning Ordinance as proposed with a draft date of January 12, 2009, with one modification in section (c) 3 and (c) 4 change from 400 feet to 215 feet; and also **RECOMMEND APPROVAL** of the SOB Licensing Ordinance. Ayes: Matthew Fenske, Dick Temple, Jim Szejda and Marvin Bennink. Nays: none.

2. Public Hearing – Proposed amendment to the Zoning Ordinance Text Section 22.01 Amendment Procedure.

The proposed revision is to correct an error in the text. Currently, this subsection inadvertently refers to an application for a special use rather than a proposed amendment. The correction will acknowledge current state law.

Jim Szejda moved, Dick Temple supported, motion **CARRIED to RECOMMEND APPROVAL** of the Text Amendment to Section 22.01 as proposed. Ayes: Matthew Fenske, Dick Temple, Jim Szejda and Marvin Bennink. Nays: none.

3. Public Hearing – Proposed amendment to the Zoning Ordinance Text Section 18.02 Site Plan Review Required.

The township currently permits commercial or industrial buildings of less than 800 square feet in area to be built without review and approval by the Planning Commission. In order to change this, Item c of Section 18.02 would need to be deleted. The Planning Commission believes that any commercial structure should be reviewed by the Planning Commission.

Matthew Fenske moved, Jim Szejda supported, motion CARRIED to RECOMMEND APPROVAL of the Text Amendment to Section 18.02 as proposed. Ayes: Matthew Fenske, Dick Temple, Jim Szejda and Marvin Bennink. Nays: none.

4. Discussion Item: Regulatory Ordinance; Trash Removal Ordinance.

The Township Board said they are only interested in regulating pick-up times. They felt the proposed Trash Removal Ordinance previously recommended by the Planning Commission was too expansive. Mr. Ransford explained that he was anticipating future issues in that first proposal. Dick Temple said he preferred the proposal they had initially recommended, and liked the fact it was more restrictive. Matthew Fenske said the Township Board was more interested in taking care of the original complaint.

Jim Szejda supposed only addressing the pick-up time was better than nothing, and if the Township Board is not inclined to approve the Planning Commission's original recommendation, perhaps having a scaled down version should be considered. The petitioners were mainly concerned with pick-up times, there is nothing else in effect at this time and it could be amended at a later date.

Jim Szejda moved, Dick Temple supported, motion CARRIED to RECOMMEND APPROVAL of the revised proposed Trash Removal Ordinance as drafted for the following reasons:

- 1. This is what the petitioners originally wanted.**
- 2. There is no other ordinance in place to address these issues, and the Township Board is not inclined to approve anything more expansive.**
- 3. The ordinance could be amended at a later date.**

Ayes: Matthew Fenske, Dick Temple, Jim Szejda and Marvin Bennink. Nays: none.

5. Discussion Item: Proposed meeting start time of 7:00pm rather than 7:30pm. Planning Commission members are in favor of meeting start time at 7:00pm. Ayes: Matthew Fenske, Dick Temple, Jim Szejda and Marvin Bennink. Nays: none.

6. Elect Planning Commission member to also serve on the Zoning Board of Appeals. Matthew Fenske nominated, Jim Szejda supported, motion CARRIED, being there were no other nominations, to ELECT Marvin Bennink as the Planning Commission member to also serve on the Zoning Board of Appeals. Ayes: Matthew Fenske, Dick Temple, Jim Szejda and Marvin Bennink. Nays: none.

Meeting adjourned at 8:30 p.m.

Respectfully submitted,

Denise Somers, Administrative Assistant

