

**TALLMADGE CHARTER TOWNSHIP
PLANNING COMMISSION MEETING
OF FEBRUARY 14, 2005**

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

Members present: Dewey Bultsma, Toby Van Ess, Marvin Bennink, and Matthew Fenske

Member absent: Daniel Murray, Lenore Cook and Donald Smith

Also present was Greg Ransford, Township Planner

The minutes of the January 10, 2005 meeting were approved as presented.

1. Public 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.

Marvin Bennink pointed out that if the Planning Commission votes on this item tonight, it must be unanimous, otherwise it would be denied. He then gave the applicant the option of tabling the request until there was a full board in attendance.

Kurt Kunst said they would still like to go forward. Since the last meeting the owner had hired a backhoe and found sand. The Ottawa County Health Department did approve the site for well and septic. Also, the buyer decided he would like to utilize the existing structures, using the house as an office and the pole barn as a warehouse. Milan Kiuhtic, the prospective buyer said he would like to run a small food service business from the property. Bill Frederick bought the property 13 years ago, and at the time the area was more residential. Now, he says there are 23 businesses within one mile of their house, and the traffic has increased. They first tried to sell the property as residential, and there were no buyers. Then they found out the property was Master Planned Industrial, and they have a potential buyer, for an Industrial use.

Mr. Frederick presented a letter from a neighbor, The Stone Zone, who is not opposed, and two documents signed by other neighbors stating they are not opposed to the rezoning.

Greg Ransford clarified the proposed warehouse/food service business was not a restaurant. He urged the Planning Commission to consider that rezoning to Industrial would cover a lot of uses, and there is no guarantee that the proposed plan would be the ultimate use. There are other possibilities as well.

Dave De Graaf of 0-14115 Ironwood is concerned about what shouldn't go in there. He does not want to see a tool and die shop or the like, especially considering there are still residential neighbors. Marvin Bennink reminded Mr. De Graaf that if the property is rezoned, they couldn't control what goes in, as long as it is Industrial. Matthew Fenske pointed out that a tool and die shop would be allowed in Industrial zoning. Greg Ransford said public water and sewer must be considered.

Pete Jauw of 0-13975 Ironwood thought the future plan was commercial rather than Industrial. Marvin Bennink pointed out it is Master Planned Industrial. Mr. Jauw asked about the process to have property rezoned. Greg Ransford answered what we are going through tonight. First, apply for the rezoning, and it also may require a special use permit, depending on the proposed use. Public water and sewer may be required. The Master Plan is not an automatic indicator for rezoning; each property is evaluated individually.

Matthew Fenske asked the applicant if they intended to use the existing septic system, and how much water usage they anticipated. The applicant said that food service is mainly conducted off site, and the property would only be used as office and the pole barn as storage. He anticipated six employees at the most with approximate hours of 8:00am to 5:00pm.

Mr. Frederick said if it didn't perk, the Health Department indicated that they could have had two 1000-gallon tanks if it was pumped once a month based on a maximum of six employees. Mr. Frederick said his is a 7-acre parcel and the Health Department found three sites to perk. He added that the property is in the middle of Industrial on the Master Plan, and there is a lot of traffic and noise.

Pete Jauw said it is a dangerous road and people travel 70 mph, many times he has waited 15-20 minutes at the intersection of 8th Avenue and Ironwood, especially when the Berlin races let out, and there are many more semi-trucks.

Dewey Bultsma asked if the Ottawa County Health Department evaluated the site as residential. Mr. Frederick said he talked to Mr. Zarzecki of the Health Department when he came to conduct the evaluation and told him it would be for a business. Kurt Kunst said this property is 700 feet away from the public utilities, but it is a negative flow and would need to go to the lift station on Hayes.

Greg Ransford said there are three options when paying for public water and sewer availability: 1) The developer funds the project. 2) The neighbors petition and vote for public water and sewer. It requires a majority of those in the district voting in favor, and a special assessment district is created. This is the most typical method. 3) The township works together with option one or two.

Toby Van Ess said a lot of land Master Planned for different purposes is not in fact ready for rezoning yet, due to public water and sewer being unavailable. He is concerned that if the property is rezoned to Industrial, other neighbors will also want their property rezoned to Industrial, and it would open up a whole corridor.

Ed Niemi of Ottawa Excavators said in 1985 his business fell under the classification of Commercial, then the ordinance changed and he now falls under Industrial. Two years ago public water and sewer became available for his property.

Marvin Bennink is concerned about creating a potential problem if the property is rezoned without public water and sewer. Dewey Bultsma agreed, and it could contribute to spot zoning. Mr. Bultsma agrees with the applicant's intention, however there are no guarantees, and he feels the property would need public water and sewer to make the rezoning viable.

Ed Niemi said that in Wright Township, DeWitt Barrel brought in a lot of jobs, and they were able to obtain federal funding to facilitate public water and sewer. Matt Fenske can see that there would not be many people interested in purchasing the property there to build a home. A neighbor commented that two nearby properties have recently sold as residential.

The meeting closed to the public.

The Planning Commission agrees that the property could be more suited to Industrial rather than residential, however, Toby Van Ess and Dewey Bultsma are of the same opinion that the property should definitely have public water and sewer before rezoning. Dewey Bultsma said that an Industrial use could have a negative impact on a septic system. Toby Van Ess added that the residents nearby on Windemere recently turned down a petition for water and sewer once again, and he feels it could be difficult to get enough people to vote in favor. Greg Ransford noted that the Planning Commission is an advisory board to the Township Board, and also thought clarification of conditional zoning could be helpful.

Dewey Bultsma moved, Toby Van Ess supported, motion CARRIED to TABLE the request, for more information as follows: 1) What direction nearby property owners are interested in. Specifically, those other properties currently zoned Rural Preserve, whether they are also interested in rezoning to Industrial. 2) Input from Frank Sessions, Township Treasurer, regarding public water and sewer. 3) Clarification on conditional zoning/contract. Ayes: Dewey Bultsma, Toby Van Ess, Marvin Bennink, and Matthew Fenske. Nays: none.

2. Ottawa County Planning and Grants presentation of Standardized Mapping.

Aaron Bodbyl-Mast, Transportation Specialist from Ottawa County, was present at the meeting. The Planning Commission felt that it would be important to have a full board present for the presentation. Therefore, this item was TABLED.

3. Master Plan – Discuss community opinion survey and general discussion regarding the text.

Greg Ransford said an older survey is bound with the Master Plan, however he found that there is a more current survey. The township may not approve of an additional survey because of the budget. The Planning Commission feels the more recent survey should still be accurate, and we also have census data from 2000. Due to the finding of the more recent survey, which the Planning Commission feels is still applicable; it was decided not to conduct another survey at this time. General discussion of the text will be handled at the next meeting, when more members are present.

4. Election of Officers.

The Planning Commission voted unanimously the following positions: Re-elect Daniel Murray as Chairman; elect Matthew Fenske as Vice Chairman, and elect Toby Van Ess as Secretary.

Meeting adjourned at 9:05 p.m.

Respectfully submitted,

Denise Lanting, secretary

