

**TALLMADGE CHARTER TOWNSHIP
PLANNING COMMISSION MEETING
OF MAY 10, 2010**

Chairman Marvin Bennink called the meeting to order at 7:00 p.m.

Members present: Matthew Fenske, Dewey Bultsma, Marvin Bennink, Donald Smith, Jim Szejda and Joel Terpstra

Member absent: Dick Temple

Also present: Greg Ransford, Township Planner

The minutes of the March 22, 2010 meeting were approved as presented.

1. Non-agenda Public Comment.

There was no Non-agenda Public Comment.

2. Site Plan Review – Kamps Brothers Excavating is requesting Site Plan Review for the construction of an Outdoor Wood Boiler on parcel number 70-10-24-400-045. This parcel is located at O-11303 3rd Avenue and is zoned Industrial.

Mr. Kamps said they have in floor heat in their building and since their excavating business gives them access to wood they could use for a wood boiler. He understands they need to meet the 75 foot setback and he is also proposing a 20 foot smoke stack. The proposed location would be to the northwest corner of the existing building on the east side of property that was recently reconstructed after a fire. This area is paved, and he also intends to install a fence around the wood boiler. He plans on storing most of the wood behind the storage area in the back of the property, and keep some of the wood within the fenced in area. Therefore the wood and the wood boiler would be out of sight. Donald Smith suggested installing piling posts to protect the fenced area.

Marvin Bennink said wood boilers are regulated by the Nuisance Ordinance and he is concerned about creating a nuisance to neighboring commercial and industrial properties. Greg Ransford explained that the Nuisance Ordinance was designed with the purpose of residential regulation generally without commercial or industrial consideration.

Jim Szejda suggested amending the Nuisance Ordinance to include commercial and industrial properties. Mr. Ransford said the Planning Commission could amend the ordinance or make a condition on the Site Plan to include not being a nuisance to adjacent commercial or industrial properties as well. Joel Terpstra feels the Planning Commission should take some time to get more information, especially since the applicant would not need to install the wood boiler until fall.

Matthew Fenske moved, Joel Terpstra supported, motion CARRIED to POSTPONE the request in order to allow Mr. Ransford to gather further information. Ayes: Matthew Fenske, Dewey Bultsma, Marvin Bennink, Donald Smith, Jim Szejda and Joel Terpstra. Nays: none.

3. Rezoning Public Hearing – Bob Stanitzek is requesting a rezoning for parcel number 70-10-06-400-014 and adjacent parcel number 70-10-06-200-010 from Agricultural to Rural Preserve. These parcels are located at 13942 Maple Valley and the adjacent parcel at the north east corner on the end of Maple Valley.

Marvin Bennink clarified that Mr. Stanitzek only intends to split the northern parcel into two 5 acre pieces at this time. Mr. Ransford had recommended that Mr. Stanitzek request rezoning for both parcels since it would then be for 20 acres therefore would less likely be spot zoning. The property is Master Planned for Rural Preserve; in fact the most recent Master Plan has eliminated the Agricultural classification.

Jim Szejda asked about the access to Maple Valley, which is a private road. Donald Smith also asked if Maple Valley met current private road standards. Mr. Stanitzek explained that at this time, he would like to split the vacant 10 acre piece into two 5 acre pieces. He intends to keep one and his neighbor would like to buy the other 5 acres to use as a vacant buffer. The parcel they would like to split has an easement off of 40th Avenue for access.

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

Matthew Fenske moved, Dewey Bultsma supported, motion CARRIED to recommend APPROVAL of the request to the Township Board. Ayes: Matthew Fenske, Dewey Bultsma, Marvin Bennink, Donald Smith, Jim Szejda and Joel Terpstra. Nays: none.

4. Discussion Item – Proposed Text Amendment; Keeping of Animals, Section 3.16, regarding the regulation of chickens.

Mr. Ransford explained that there has been some interest for keeping of chickens on less than 3 acres in R-1 zoning. Currently it is limited to Agricultural and Rural Preserve properties of 3 acres or more. Mr. Ransford drafted text to consider allowing chickens in R-1 zoning and requiring a minimum acreage of 2 ½ acres since that is what the Planning Commission had discussed at the March meeting. The proposal would require the chickens to be fenced in a rear yard and have a 20 foot setback from the property line. It would also prohibit roosters. Mr. Ransford said there have been two requests for chickens in R-1 zoning, and currently he does not go out looking for violations, but he does follow up on complaints.

Joel Terpstra pointed out confusion in the proposed text. The Planning Commission agreed that the proposed text could be construed to allow other farm animals in R-1 as well, and requested that Mr. Ransford make changes to the proposed text for clarification.

Matthew Fenske moved, Jim Szejda supported, motion CARRIED to SET THE ITEM FOR A PUBLIC HEARING. Ayes: Matthew Fenske, Dewey Bultsma, Marvin Bennink, Donald Smith, Jim Szejda and Joel Terpstra. Nays: none.

5. Discussion Item – Model Ethanol Production Facilities Ordinance.

Greg Ransford presented the ordinance the county designed to address ethanol production. He explained that Tallmadge still has agricultural uses in both Rural Preserve and Agricultural that could take advantage of ethanol production or bio-digesters. There has been one request to date.

Donald Smith is concerned about trucks on restricted roads. Joel Terpstra said on-site uses could be considered. Mr. Ransford said Wright Township has an existing smaller facility and suggested that he could set up a tour for the Planning Commission members and possibly have someone from the MSU Extension come to speak at a meeting regarding the issue. Some of the Planning Commission members are interested in a tour.

Meeting adjourned at 8:15 p.m.

Respectfully submitted,

Denise Somers, Administrative Assistant

