

**TALLMADGE CHARTER TOWNSHIP  
PLANNING COMMISSION MEETING  
OF JUNE 13, 2005**

**Chairman Daniel Murray called the meeting to order at 7:30 p.m.**

**Members present: Daniel Murray, Marvin Bennink, Lenore Cook, Donald Smith  
and Matthew Fenske**

**Members absent: Toby Van Ess and Dewey Bultsma**

**Also present was Greg Ransford, Township Planner**

**The minutes of the April 11, 2005 meeting were approved as presented.**

**1. Special Use – Verizon Wireless is requesting a Special Use Permit to construct a wireless communication facility at 3186 Lake Michigan Drive. This parcel number 70-10-21-300-008 is zoned R-1. This item had been tabled at the April meeting.**

**Matthew Fenske moved, Donald Smith supported, motion CARRIED to remove the item from the table. Ayes: Daniel Murray, Marvin Bennink, Lenore Cook, Donald Smith and Matthew Fenske. Nays: none.**

**Daniel Murray recalled that the Planning Commission had discussed hiring an outside consultant to review this application. Lenore Cook responded that the Township Board decided against that, especially due to the millage request being voted against.**

**Matthew Fenske, however, had contacted Andy Felde a couple of weeks after the April Planning Commission meeting. Mr. Felde had conducted studies for the township in the past in relation to Wireless Communication Facility requests. Mr. Felde owns Drew Communications, a company that conducts studies on cell towers. They are currently working on the 911 system for Kent County. Mr. Fenske met with Mr. Felde for a few hours, and basically Mr. Felde said the citizens and the Planning Commission should look at a location that would be the highest performance location. Mr. Fenske showed Mr. Felde the proposed location for Verizon and Mr. Felde felt it was not suitable. This proposed site has a low elevation. The highest performance possible for multiple carriers that could serve the location well would be a high point in the township. Matthew Fenske said it is inevitable to have towers, however it doesn't make sense in residential zoning. Matthew Fenske would challenge Verizon to look at locations that would provide the citizens and passers by the best performance and provide access for several co-locators. Allendale has 1000 or 1500 foot set back requirements off the M-45 corridor. Mr. Felde had told Mr. Fenske that adding more panels could increase capacity.**

**Daniel Murray referred to the Township Zoning Ordinance Wireless Communication Section. Marvin Bennink referred to a letter that Verizon's attorney sent to the Planning Commission. After reading the letter, which refers to Verizon working with the township and the church for two years, Mr. Bennink wonders how they missed the fact that Wireless Communication Facilities should be in Commercial or Industrial zoning.**

**Claudine Anton of Verizon said she had worked with Mr. Edmonds, the previous township planner. The church has a large parcel, and the closest Commercial District is in the floodplain and has a lower elevation. She said they first try to co-locate.**

Marvin Bennink asked if Verizon had tried Consumers Energy poles. The Attorney for Verizon answered that they are too low. Marvin Bennink is concerned about allowing a Wireless Communication facility in a Residential district. The attorney said this proposed site is close to a commercial district.

The meeting opened to the public.

Randy Reeds wanted clarification that this proposed site was for the Baptist Church at the bottom of the hill. He added that the Grand Valley Gospel Temple property is adjacent to the Baptist Church property, but at the top of the hill. Mr. Reeds asked if Verizon had contacted the church at the top of the hill.

Ms. Anton said she realized residents are not in favor of towers. They prefer to co-locate also, and she said she wishes that the township had addressed the concerns about this proposed location. The attorney added that in addition to automobile traffic, people want their phones to work where they live too. The attorney referred to a map showing a cell tower in Allendale and another in the Standale area, the two being about 8 miles apart.

Two residents present at the meeting said they live in the red/no service area indicated on the map, and they have no problems with their cell phones. The attorney had pointed out that the red is the no service area, the yellow is limited and the green is good. He said the residents were lucky that their phones worked in the red area. He added that if the proposed cell tower were put in, the map would be almost all green. Their engineers picked a spot and then Ms. Anton makes a ring and tries to find a site within that ring. The attorney said the maximum coverage is with the proposed location, although it is possible to get good coverage in another location with some tinkering.

Mr. Murray questioned the height request of 175 feet. Ms. Anton said 200 feet would be better. The attorney said there are mandatory co-location laws, and feels they are proposing the best location. Marvin Bennink sees many towers out of his back window. The attorney said the Telecommunications Act requires coverage. Daniel Murray asked if they were familiar with the Tallmadge Township Zoning Ordinance. Daniel Murray asked why they did not request a variance for 210' in C-2 zoning. The attorney answered that in addition to needing a height variance, it is also in the flood plain and would require contacting new neighbors. Daniel Murray said there is nothing in the ordinance against working with new neighbors. The attorney said the C-2 district would require a taller tower, and feels it would be closer to residents. Daniel Murray said the proposal is for 175', which meets their needs. The attorney said they set the proposed tower at 175' because of the ordinance; they would like 210'. Randy Reeds said there is not a 30' elevation difference between the church property and the C-2 district. Lenore Cook said up the hill further to the east is a higher elevation. Mr. Reeds said that site would be better because it has a much higher elevation and 100' trees to hide the tower. Randy Reeds added that he uses Verizon and it works 100% between Standale and Allendale and at his house, which is located at 3100 Deer Run, right by the proposed site.

The attorney said that large parcels are more desirable. Randy Reeds said that Grand Valley Gospel Temple at the top of the hill has 6 acres. The attorney said it is now 2 years later, and they would have to start all over again. Lenore Cook added that it is not true that Mr. Edmonds had no concerns about the proposed request. The attorney agreed that Mr. Edmonds did have concerns. Lenore Cook said Mr. Edmonds had sent them a copy of the zoning ordinance, so they were aware of the township requirements. Ms. Anton said they were put on hold to look for another site.

Matthew Fenske said the Planning Commission has three choices: 1. The proposed site. 2. A site in the Commercial District. 3. An alternate location with the best possible performance, even if it might be residential. The proposed location is in a valley. Matthew Fenske said the issue is the maximum performance, and challenged Verizon to find a better location than in a valley.

The attorney answered that even with a variance in the C-2 district, the DEQ and Army Corps of Engineers would not approve a site in the floodplain. In regard to the third option, it would be possible for incremental advantages, but it would take a lot of time to find a new parcel. This site is sufficient for 3 co-locators. Attorney said they had never said there wasn't a better technological site. Matthew Fenske still feels there is a better location and one that could allow more co-locators. Lenore Cook asked if Verizon had approached people in the C-2 district. The attorney said yes, but they were in the flood plain. He said they have dealt with the DEQ enough to know they would not allow a tower in the flood plain. A resident asked if the existing towers have new or old technology. The attorney said they would be putting up the same type of tower on the proposed location, and added that the college area is what they are trying to cover.

Randy Reeds said the township could provide Verizon with a list of the owners of parcels. He lives ½ mile away from the proposed tower and will see it either way, but it would only take 1-2 weeks to check for owners on the top of the hill. The attorney said they have already spent \$10,000 on this site, and have invested too much time and energy on this site.

The meeting closed to the public.

Greg Ransford asked if Verizon could provide literature to remedy the inquiries and illustrate what the coverage would be, or possibly provide assurance that this site would be the only tower within that 3-mile radius.

Marvin Bennink said GVSU is only ½ mile away, and asked if they could locate on a radio tower. Ms. Anton said GVSU was approached 2 years ago, and they were not interested in letting them co-locate. Greg Ransford said the Township Board meets tomorrow, but this item will not be on the agenda until July.

Matthew Fenske moved, Lenore Cook supported, motion CARRIED to DENY the request because the maximum performance is not being sought and the maximum amount of coverage for residents and passers by would be another location. Ayes: Daniel Murray, Marvin Bennink, Lenore Cook, Donald Smith and Matthew Fenske. Nays: none.

2. Private Road – Randy Reeds is requesting Private Road approval for parcel numbers 70-10-15-400-032, 70-10-15-400-037 and 70-10-22-200-003. These parcels are zoned R-1 in the front (350 feet), and the remainder is Rural Preserve. These parcels are located at approximately 0-1584 Leonard Street NW and are owned by Larry Mc Namara and Hendrik Kegel.

Greg Ransford noted that there were four items needed yet:

1. South end of easement must provide a cul-de-sac.
2. The outhouse at South end of easement must be removed.
3. Parcels proposed must be reassigned letters and exclude the lot currently listed as "D", as it serves from a separate easement.
4. Driveway Maintenance Agreement language must accurately reflect said changes in number three, which includes excluding current parcel "A" as it must serve off the public road due to its location in the R-1 District.

Mr. Reeds brought updated copies tonight. The outhouse is gone. Lenore Cook thought it would be better to have the front parcel's driveway off the private road rather than on Leonard. Greg Ransford responded that the front portion is in R-1, and private roads are not allowed in R-1. Lenore Cook said the Township Board could grant a variance.

Donald Smith asked for the plans for the private road. Mr. Reeds answered that Feenstra would engineer the road. Donald Smith said the Planning Commission should have the prints when the applicant comes in for Private Road approval, and he would not accept a typical cross section out of a spec book. The Planning Commission would like to see the elevations on the street, drainage, etc.

Donald Smith moved, Marvin Bennink supported, motion CARRIED to TABLE the request. Ayes: Daniel Murray, Marvin Bennink, Lenore Cook, Donald Smith and Matthew Fenske. Nays: none.

3. Master Plan discussion regarding the letter sent to township property owners in the northwest section of the township in reference to consideration of changing areas of open space preservation to rural preserve on the Master Plan.

Mr. Ransford said the focus tonight would be looking for general comments from residents of that area in regard to revising the Master Plan.

Lenore Cook clarified that even if the Master Plan is changed, the zoning will not change unless the property owners request and change and the township approves it.

The meeting opened to the public.

One resident who owns 140 acres is opposed to revising the Master Plan from open space preservation to rural preserve. Another resident who owns 10 acres said he likes his privacy. A third resident said he would like to give his children property, but not 10 acres. Lenore Cook said that 2/3 of the Township is currently zoned Rural Preserve. Another resident said he bought property in that area because he liked the 10-acre parcel sizes. One resident was concerned about drainage issues. Daniel Murray answered that property cannot be built on if the Health Department will not approve a septic system.

Mr. Murray asked those residents in attendance at the meeting to raise their hand if they were opposed to the idea of changing the Master Plan from Agricultural/Open Space to Rural Preserve. The vast majority raised their hands, indicating opposition. He then asked those in favor of the change to raise their hand. A few residents raised their hand in favor of the change.

Mr. Ransford believes that the residents are in fact opposed to higher density. A resident added that this is the last part of the township to have the 10 acre minimum lot size, and he feels it is important to the people who live there. Gerald Walt said he is not in favor of changing the zoning, but is not opposed to changing the Master Plan. Daniel Murray responded that if the Master Plan is changed, and a property owner requests the zoning to be changed, it would likely be allowed. The purpose of this meeting is to get the residents opinions.

Jim McClellan was concern about the property tax values. Lenore Cook responded that because of Proposal A, the taxable value couldn't change if they do not do anything with their property. Bill Van Oosterhout of 3834 Hayes has 10 acres that he bought 9 years ago. He wanted some elbow room and some nature; he said it is like a dream, and he would be disappointed to see 2 ½ acres allowed. Another resident said a lot of people are buying 10 acres, it is not like 10 acre parcels are not selling, and farmers still get a lot of money for 10 acre parcels. Daniel Murray said that according to most planners, 10-acre parcels are the worst, although he lives on 10 acres, and intends to always live on 10 acres. The majority of the residents in attendance with around 100 acres wish they could sell smaller parcels to their kids. Mr. Ransford said a good way to preserve rural character is to cluster.

Frank Longnecker said he would like to give his kids 2 ½ acre parcels. Marvin Bennink said the majority of those in favor of the change own larger parcels, however the majority of the owners of 10-acre parcels are not in favor of the change.

Greg Ransford said people like open space, not necessarily farms. Mr. Forsgren of 3600 Johnson Street said this will take give and take; everyone has a valid point. We still need green space and we're not ready for developments. Tallmadge is unique and we have an opportunity to let some people farm and we must go cautiously and carefully.

**Daniel Murray thanked the residents for their input. Mr. Ransford added that this is the first of three or four target areas, and then they will come back for a wrap up.**

**4. Zoning Ordinance Text possible amendment in regard to accessory building sizes.**

**Greg Ransford said people have more possessions than in the past and the purpose of accessory buildings has changed. R1 zoning is currently more restricted in size and Mr. Ransford reviewed a proposal for new size allowances that he feels is a reflection of what residents would like.**

**Marvin Bennink pointed out that the current ordinance allows those in Rural Preserve or Agricultural with 5 acres or more to have two accessory buildings that total 1920 square feet together if they prefer. He feels it is important to still allow that.**

**Lenore Cook stated that many residents request larger accessory buildings. It is probably the major request. Marvin Bennink said there are problems with lean-to's and tarps. Mrs. Cook said the township attorney made a ruling that lean-to's are included in the square foot allowance, and not allowed in addition to that.**

**A resident in attendance said she would like a larger building than what the zoning ordinance allows, especially if lean-tos are included in the square foot allowance. Lenore Cook added that the township had not included lean-tos in the square foot for a period of time, and cannot make those who were approved take them down, however they cannot be enclosed.**

**Daniel Murray suggested scheduling another meeting to discuss this matter and to consider making the text of the zoning ordinance in regard to accessory buildings more clear.**

**Meeting adjourned at 9:50 p.m.**

**Respectfully submitted,**

**Denise Lanting, secretary**

