

TALLMADGE CHARTER TOWNSHIP
PLANNING COMMISSION MEETING
MARCH 27, 2018

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

Members present: Marvin Bennink, James Szejda, Joel Terpstra, Curtis Rypma and Dave Hanko.

Members absent: Matthew Fenske and Richard Temple.

Also Present: Greg Ransford, Crystal Bultje, Ken VerWoert, Nick VerWoert, Bob Bruggink and members of the public.

Approval of the Agenda:

Joel Terpstra provided a motion to approve the agenda. James Szejda seconded the and was carried unanimously.

Approval of the Minutes:

James Szejda provided a motion to approve the Minutes of November 28, 2017 meeting. Curtis Rypma seconded the motion and was carried unanimously.

Joel Terpstra provided a motion to approve the Minutes from the February 27, 2018 meeting. Curtis Rypma seconded the motion and was carried unanimously.

Non-Agenda Items:

Ken VerWoert stated that he would like to get clarification regarding the sidewalk for his office building which is located on the corner of Johnson and 2nd Ave. He is asking for concessions regarding payment in lieu.

Greg Ransford stated that only the Board of Trustees are the only ones to make the decision regarding the payment of the sidewalk fund.

Marvin Bennink suggested that the request be passed along to the Board of Trustees for them to make the decision.

New Business:

- Public Hearing
 - Pura Vida Ventures, LLC – 14054 48th Ave
 - Seeking a rezone from Agricultural to Rural Preserve

Bob Bruggink stated that he is seeking to rezone his 65-acre parcel that is currently zoned Agricultural.

Joel Terpstra stated that it fits with the Master Plan.

Crystal Bultje asked what the surrounding parcels are zoned.

Mr. Bruggink stated that currently most of the parcels are zoned Agricultural.

Greg Ransford stated that the property to the east of applicants was rezoned to rural preserve in the past five years.

Joel Terpstra questioned how many land divisions would be available.

Mr. Bruggink stated approximately eight (8).

7:15 Marvin Bennink opened the public hearing.

7:16 with no public comment Marvin Bennink closed the hearing.

Curtis Rypma provided a recommendation to pass along request to the Board of Trustees for their approval of the request. Joel Terpstra seconded the motion and was carried unanimously.

- Site Plan Review
 - Tallmadge Woods
 - Seeking Phase 4 approval (final phase)

Mr. VerWoert stated that he is seeking approval of Phase 4 of the Tallmadge Woods Condominiums. He stated that he is finishing Phase 3 and is ready to move on to Phase 4. Mr. VerWoert stated that all utilities; water, sewer, gas, electric and storm sewer are in place. He also stated that there have been no changes to the plan.

Marvin Bennink stated that there were items that need attention from the last meeting, which, were, the construction of the remainder the private road to Krystal Court, the completion of the storm water infrastructure and related improvements.

Greg Ransford stated that the first layer has been laid and will need to complete the top coat when project is finished.

Marvin Bennink asked if there has been any comment from the township engineer.

Greg Ransford stated that he has heard for Moore & Bruggink.

Marvin Bennink asked if there were anyone who would like to make a comment regarding possible concerns.

Jon Ossewaarde – 305 Aleigha, stated that he has a concern for the over grown mound of dirt that has been left there for years. He also stated that there is an open drain that hasn't been addressed for years. He also stated that there is a low swale between the housing development to the condos.

James Szejda asked what is being stock piled.

Mr. Ossewaarde stated that has been there for about ten years. It has become a large pile of dirt that now has over grown with weeds and tress.

Mr. VerWoert stated that the pile had been there before he purchased the property.

Greg Ransford asked Mr. VerWoert when he purchased the property.

Mr. VerWoert stated that he started the development in 2007.

Bill Genson – 295 Aleigha Court stated that when he moved in he was told that the pile of dirt was going to be taken care of.

Joel Terpstra asked Mr. VerWoert what his plans were for the dirt that is currently there.

Mr. VerWoert stated that he doesn't recall having conversations that far back but has been brought up quite often in the past few months. He also stated that he has also heard from residents that it provides a buffer for sound and privacy.

Curtis Rypma asked who is responsible for removing the mound.

Mr. VerWoert stated that the condo association would be in charge of removing it if need be.

Mr. Genson stated that it would need to be removed before the next phase begins otherwise it will be impossible to remove.

Curtis Rypma stated that if not taken care it will then be boxed in and will not be able to get to it.

Curtis Rypma asked if the issue has been brought up in the association meetings.

Mr. Genson stated that it has not been brought up.

Marvin Bennink stated that this issue is not part of the Phase 4 request.

Mr. Ossewaarde stated that there is also an open ditch that currently has standing water most of the time.

Joel Terpstra asked Mr. VerWoert if that is a storm water drain.

Mr. VerWoert stated that it is a natural runoff that drains into a catch basin.

Curtis Rypma asked if the ditch has to be there for drainage.

Mr. VerWoert stated yes. He also stated that the residents would like to pipe it. But He feels that would only collect debris and plug it.

James Szejda provided a motion to approve the request with the condition of having the township engineer submit his final grade findings to Mr. Ransford and if his findings are appropriate to approve the request. Curtis Rypma seconded the motion and was carried unanimously.

- Planned Unit Development
 - Meadow Verde Phase 3 – Major Amendment

Mr. VerWoert stated that he purchased the development and is requesting approval to continue onto Phase 3 which is the last phase of the development. Mr. VerWoert also stated that he is looking to add another stub for future connectivity beyond what is provided currently. Mr. VerWoert stated that he would like to add a few more lots to make this feasible cost wise to add the additional stub for future access. Mr. VerWoert stated that there are currently 23 lots which meets the requirements regarding the width and the lot frontage. It also has connectivity to water/sewer. Mr. VerWoert is concerned with the new ordinance that currently requires an open space of 10%. He stated that when the development was previously approved that was not a requirement. He stated that the Ottawa County Road Commission is requiring future connectivity but he cannot give 10% of open space plus road frontage otherwise he will lose lots.

Marvin Bennink asked if the previously approved site plan is being used.

Mr. VerWoert stated that the original plan was approved in 2000. He stated that he had a new site plan drawn up and with the new stub being added.

Joel Terpstra questioned if this phase has been active.

Mr. Verwoert stated that Phase 2 still has lots available.

Marvin Bennink asked what the future stub would connect to?

Mr. VerWoert stated that it will connect to the gun club property.

Dave Hanko asked if previous developer had approval from the road commission with the original site plan.

Mr. VerWoert stated that was correct.

Joel Terpstra asked how many lots were originally approved.

Ken VerWoert stated 18 lots.

Ken VerWoert stated that he is seeking 23.

Joel Terpstra stated that it doesn't make sense to ask for open space in this phase.

Ms. Bultje stated that the Planning Commission does not have the authority to make changes to remove requirements of the open space. Ms. Bultje also stated that this is a non-conforming PUD and must comply with the current zoning ordinance.

Joel Terpstra asked if it would be possible to carve out a little open space behind each home for possible walking path.

Marvin Bennink stated that he is not opposed to the walking path idea just as long as he reaches the requirements.

Ken VerWoert stated that he can carve out a little behind each home to make a walking path. Mr. VerWoert also stated that he can have it on the next plan for the commissions review.

Marvin Bennink stated that the idea of a walking path would serve the community better.

Ms. Bultje stated it doesn't matter how he gets to the 10% as long as there are no restrictions.

Joel Terpstra stated that he will have to show the walking path on a new site plan.

Mr. VerWoert asked if everyone is in agreement is it possible that he could have a motion that we continue with this plan as long as he comes back with a continuous walking trail that equals 10% for open space and then the next month he comes back with a completed site plan.

Greg Ransford stated that the role of the Planning Commission is to approve, deny or approve with conditions the preliminary plan and then applicant would return with the final plan and public hearing. Greg Ransford also stated that we will need time to schedule the public hearing. So, if the commission gives direction with the walking path it is a feasible action to take.

Curtis Rypma stated that with new plan will have to come back to us.

Greg Ransford stated that is correct.

Joel Terpstra stated that he would like to see how it looks.

Joel Terpstra provided a motion to approve the preliminary planned unit development site plan that is proposed with the condition that he provides a plan that shows the 10% open space in the form of a walking path that starts around lot 43 and extends along the perimeter of the development property to the cul-de-sac at lot 49 and that it is constructed of bark or other delineation. Curtis Rypma seconded the motion and was carried unanimously.

- Wireless Communications

Marvin Bennink stated that Greg Ransford provided a memorandum and a clean copy with attorney comments in red. Marvin Bennink also stated that there is a copy on how we need to arrange our ordinance.

Ms. Bultje stated that she will discuss the overall trends and then further discuss each section. Ms. Bultje first went over the State and Federal trends that are exempt which we already had a number of exemptions written. She stated that they way we wrote the ordinance that any legal request will be honored with all the changing requirements. She stated that it was also added timing and approval requirements. Discussion of the right of way was had and it's still unclear of who owns the right-of-way. Ms. Bultje stated that the township is limited to \$1000.00 fee and the commission will have 150 days to review the applications. Direction was provided to Ransford to schedule the text for public hearing.

Old Business:

- Text Amendments
- Master Plan

Planning Commission provided a motion to table the items under old business.

Planning Commission Comment:

No comments were made.

Adjournment:

8:50 Joel Terpstra provided a motion to adjourn. Curtis Rypma seconded the motion and was carried unanimously.

Respectfully submitted:

Val Schwallier
Administrative Assistant