

**TALLMADGE CHARTER TOWNSHIP
PLANNING COMMISSION MEETING
OF JUNE 13, 2011**

Vice Chairman Dick Temple called the meeting to order at 7:00 p.m.

Members present: Matthew Fenske, Donald Smith, Jim Szejda, Dewey Bultsma, Dick Temple and Joel Terpstra

Member absent: Marvin Bennink

Also present: Greg Ransford, Township Planner

The minutes of the May 9, 2011 meeting were approved as presented.

1. Non-agenda Public Comment.

There was no Non-agenda Public Comment.

2. Site Plan Review – Neubecker Farms is requesting Site Plan Review in accordance with the Tallmadge Charter Township Mineral Extracting, Monitoring and Reclamation Ordinance for the purpose of dumping approximately 78,000 cubic yards of ground on their property with an end use of farming. This request is for parcel number 70-10-11-200-011, located on 12th Avenue, ½ mile south of Johnson street on the east side, and is zoned Agricultural.

Greg Ransford referred to his memo regarding this request and noted that the request is in compliance as presented. He noted that it is required that chemical treatment shall be applied to any roads used for ingress and egress to the project site that are within 500 feet of an occupied residence. The applicant has noted on the application that dust control will be applied on Johnson Street and 12th Avenue during the operation as necessary to minimize dust. Mr. Ransford believes it is important for the Planning Commission to recommend a condition that the determination of dust control shall be made by either the Supervisor or Planning Director rather than at the discretion of the applicant.

Donald Smith asked about the truck route. Mr. Neubecker said they will be taking the I96 to Ironwood, south on 8th Avenue to Johnson, west to 12th Avenue. Johnson and 12th Avenue are gravel and will need dust control.

Donald Smith asked if the soil they will be bringing in has been tested for contamination. Mr. Neubecker said the soil is coming from Challenge Manufacturing on Frultridge in Grand Rapids. He added that some of the diggings have already been deposited on the 12th Avenue site because they were unaware that they needed a permit. Mr. Ransford informed them that a permit was needed; therefore they stopped and are now going through the process of obtaining a permit.

Dick Temple asked about a Phase I Environmental study. The Planning Commission requested that an engineer perform an analysis of the Phase I Environmental study for contamination and provide it to the Township.

Donald Smith asked about a bond for the roads, and suggested a condition of a \$50,000 bond for the roads. Mr. Ransford said he would prefer a letter of credit. Donald Smith then asked about the stone on the temporary entrance. He said the 50 feet indicated is not sufficient, and would require 100 feet. He also would require signage, especially on 8th Avenue where they will be pulling out from Johnson.

Joel Terpstra added that Neubeckers would be required to maintain and clean the asphalt on 8th Avenue if soil gets dragged off from Johnson.

Greg Ransford clarified that this would be a two year permit.

Donald Smith moved, Dewey Bultsma supported, motion CARRIED to RECOMMEND APPROVAL to the Township Board with the following conditions by the July Board meeting:

1. An analysis of a Phase I Environmental study be provided to the Township. If soil analysis is not available, Mr. Ransford will have administrative authority to verify compliance.
2. Township to determine necessity of brining to be done at Neubeckers expense.
3. \$50,000 Letter of Credit for road damage, brining and other related maintenance or repairs associated with the permit
4. 100 feet in length of stone on the temporary entrance
5. Signage on 8th Avenue for truck traffic per Ottawa County Road Commission authority
6. Maintain and clean soil off 8th Avenue from Johnson
7. Site plan reflect reimbursement to Township (not County)

Ayes: Matthew Fenske, Donald Smith, Jim Szejda, Dewey Bultsma, Dick Temple and Joel Terpstra.
Nays: none.

3. Site Plan Review – H&K Investments (Phoenix Refrigeration) is requesting Site Plan Review for a contractor's office with warehousing business at O-14105 Ironwood Drive. This parcel number 70-10-01-151-027 is zoned C-2.

Mr. Ransford noted that this request is in compliance with the Zoning Ordinance; however there are a few items to consider. First, the applicant will need to provide building elevations. Also the Planning Commission needs to interpret the architectural character requirements. The applicant, Mr. Howieson, handed out a framing plan and said it would be a metal building. He said he cannot obtain prints without placing an order, and he does not want to place an order without approval from the Planning Commission. He intends to use all vertical steel siding.

Mr. Ransford referred to Section 11.06 of the Zoning Ordinance which states that the facade of all buildings shall be finished with face brick, wood, glass, stone, fluted cement, or stucco-like material. Cement or cinder block facades shall not be permitted. In recognition of developing technologies in building materials, the Planning Commission may agree to approve other materials provided they are compatible with surrounding properties, and further provided that such materials meet appropriate architectural, aesthetic, and safety concerns. Also, exterior walls facing all public or private rights-of-way or customer parking areas, shall have a finished appearance, using the same materials as used on the front of the buildings.

Jim Szejda asked if this property was served by public water and sewer. Mr. Kuhlitz, owner of the property, said no, however they do not intend to put a bathroom or have any water supply in the building; it would only be used for storage.

Dick Temple referred to the Zoning Map and noted that neighboring properties are zoned Rural Preserve. Mr. Howieson said he could put different material on the front of the building if it was required. Greg Ransford feels the Ordinance is clear, it is required. Joel Terpstra said the Planning Commission may consider allowing a finished material 4 feet up to the window sill, then vertical siding above that. Dick Temple feels it might be a reasonable compromise for a storage building. Matthew Fenske agreed.

Greg Ransford noted there is a proposed solid six-foot white vinyl fence on the west side of the property along with trees. Dick Temple said there is a residence next door, but they are Master Planned Commercial. Donald Smith noted that the building is 19' 4" to the peak and 16' to the eaves.

Joel Terpstra suggested adding additional evergreens along the fence on the northwest side of the building. He would also like to see building elevations with the suggested 4 foot of finished material and the additional evergreens. The Planning Commission requested 6 evergreens on the northwest side of the building; 3 on the 100-foot wall side and 3 on the 60-foot side; 3-4" caliper and 6-foot in height. They are also requiring 4-foot wainscot of finished material. This is subject to Administrative review by Greg Ransford and is required before occupancy.

Jim Szejda moved, Joel Terpstra supported, motion CARRIED to APPROVE the request with the following conditions:

1. Applicant must provide building elevations
2. 4 feet wainscot of finished material up to the window sill on the front of the building because the building is not an office nor will it have customer visits or water/sewer
3. 6 foot white solid wall vinyl fence as shown on the site plan
4. 6 evergreens on the northwest side of the building; 3 on the 100-foot wall side and 3 on the 60-foot side; 3-4" caliper and 6-foot in height
5. All items subject to Administrative approval by Township Planner, Greg Ransford. All items must be completed at temporary occupancy.

Ayes: Matthew Fenske, Donald Smith, Jim Szejda, Dewey Bultsma, Dick Temple and Joel Terpstra.
Nays: none.

6. Medical Marihuana Discussion.

Mr. Ransford said the Planning Commission needs to give him direction on caregivers. Donald Smith is concerned about rental properties and owners of rental property not being aware of a medical marihuana operation on their property. Dick Temple suggested owners amending their lease agreements. He said the Planning Commission may not be able to control it since the privacy laws cannot be violated.

The Planning Commission preferred Commercial locations over Residential for Medical Marihuana operations, and requested that Mr. Ransford put together language to present to the Planning Commission for review.

7. Lamont Workshop Discussion

Mr. Ransford sent out invitations and the meeting is set for Tuesday, June 21, 2011 at 6:30pm at the Lamont Church.

Meeting adjourned at 8:15 p.m.

Respectfully submitted,

Denise Somers, Administrative Assistant