

**TALLMADGE CHARTER TOWNSHIP  
REGULAR BOARD MEETING  
HELD ON  
TUESDAY, NOVEMBER 13, 2012  
AT 7:00 P.M.  
[www.tallmadge.com](http://www.tallmadge.com)**

**I. CALL TO ORDER** James Van Ess called the meeting to order and Matthew Fenske opened with prayer and the Pledge of Allegiance.

**Members present:** James Van Ess, Lenore D. Cook, Brenda Martin, Gerald Walt, Matt Fenske, and Michael Eppink. **Absent:** Clifford Bronkema

**II. CONSENT AGENDA** Gerald Walt moved, Matthew Fenske supported, to approve the minutes of the October 9, 2012 regular meeting, to approve the bills to be paid in November of 2012 as presented and to accept as information the treasurer's report, legal update and correspondence if any. Motion CARRIED. Lenore Cook moved, Michael Eppink supported, to add four items to our agenda. 1. First Reading – Update and revision to our Crowd Control Ordinance. 2. First Reading – Amendment to Billboard Ordinance. 3. Appoint Matthew Fenske to Planning Commission as of November 20, 2012. 4. Appoint Joel Terpstra to Planning Commission as of November 20, 2012 as Township Board Trustee appointee. Motion CARRIED.

**III. PUBLIC PARTICIPATION** Greg De Jong, County Commissioner, gave an update on the workings of the Commissioners and thanked Tallmadge Township for allowing him to serve as our commissioner. He said it was a privilege and even thought Matthew Fenske is now your representative please feel free to call him at any time.

**IV. UNFINISHED BUSINESS** This item was tabled at our October 2012 meeting. Public Hearing to hear an amendment to the Zoning Ordinance Map. Van Ess Properties is proposing to change that portion of land at approximately 13301 42<sup>nd</sup> Avenue that is currently zoned Rural Preserve to a Planned Unit Development Zoning District. Gerald Walt moved, Michael Eppink supported, to allow James Van Ess to step down as chair due to a conflict of interest. This is a preliminary plan public hearing. Motion CARRIED. Gerald Walt will take over as chair. The meeting was re-opened to the public. Zach Voogt with Moore and Bruggink presented Van Ess properties preliminary layout. The property has 36 acres and the plan is to have one entrance or private road with 20 units. The preliminary plan does not include sidewalks or street lights so as to keep the area rural. The size of the proposed lots range from 1.3 acres to 3.1 acres. Zach Voogt presented a letter which confirms that the road can sustain the traffic that would result from this development. Kim Borgman wanted to know if over time this road will need more upkeep and wanted to know if this development would be connecting to 44<sup>th</sup> private Dale Bronkema was concerned that this request is in compliance with Township zoning, Ed Wilcome raised concerns over water run off.

A motion was made by Brenda Martin to grant Township Board approval to the preliminary development plan for the Lamont Woods Planned Unit Development (the "PUD") pursuant to Section 14.06(e) of the Tallmadge Charter Township Zoning Ordinance, and to waive to the extent necessary certain regulations pursuant to Section 14.04(f) of the Zoning Ordinance as described below.

The motion to grant approval is based upon the standards set forth in Section 14.03, Section 14.04 and Section 14.05 of the Zoning Ordinance.

The Township Board finds that the minimum size required by Section 14.03(a) is satisfied.

The Township Board finds that the conditions for consideration and approval in Section 14.03(b) are satisfied.

1. The PUD will result in less density than could otherwise be established on the property.
2. The record establishes that the PUD will not materially increase the need for public services, facilities, or utilities. The PUD will not place a material burden upon its own property or the surrounding land or property owners or occupants or the natural environment, specifically because the PUD will have less density than could otherwise be established.
3. The PUD is compatible with the Township's Master Plan and therefore is consistent with the intent and spirit of the Zoning Ordinance.
4. There is no evidence in the record that the PUD will result in an unreasonable negative economic impact upon surrounding properties.
5. The PUD satisfies the requirements of the Zoning Ordinance for green area and usable open space.
6. The PUD is under single ownership or control so that it will be completed in conformity with the Zoning Ordinance.

The Township Board finds that the development standards of Section 14.04 are satisfied.

1. The PUD density is consistent with the Township's Master Plan, the standards in the Zoning Ordinance, and the infrastructure serving the general area.
2. No nonresidential uses are proposed for the PUD.
3. Every lot or buildable area in the PUD will have vehicular access from a public street.
4. The PUD will satisfy the requirements for yards and common areas.
5. Because of its limited density, the PUD will incorporate and promote the preservation of natural features and resources. No removal or extraction of sand, gravel, soil, rock, minerals, or other similar natural resources is anticipated.

The motion to waive certain regulations in Section 14.04(f) is based upon the finding that the PUD satisfies the purposes of the PUD District in Section 14.01 of the Zoning Ordinance, and that the PUD satisfies the Township's Master Plan.

The PUD has adequately accommodated the considerations in Section 14.05 of the Zoning Ordinance.

The approval of the preliminary development plan by the Township Board is based upon the following conditions.

1. The applicant shall comply with the rezoning application, except as provided below, including the site plan dated August 1, 2012, and last revised October 5, 2012; the project narrative from Moore & Bruggink, Inc.; and the PUD application from the applicant.
2. The applicant shall comply with all Federal, State, County and Township laws and ordinances.
3. The applicant shall comply with the Planning Commission recommendation and conditions of September 10, 2012, unless revised below.
4. The applicant shall provide any drainage improvements requested by the Drain Commissioner.
5. The applicant shall comply with all of the requirements of the Township engineer. The Township agrees that the Township engineer may also work for the applicant on this PUD.
6. When the Township reviews the final development plan from the applicant, the applicant shall provide the Township with a copy of the covenants and restrictions placed upon the development.
7. The applicant shall enter into a water and sewer special assessment contract with the Township, substantially in the form prepared by the Township Attorney with a draft date of November 13, 2012.

Mike Eppink seconded this motion, which passed unanimously with a roll call vote.



## **V. NEW BUSINESS**

- A. Dangerous Building Public Hearing – Township Board opened the meeting to the public. As there was no comments the meeting was closed to the public. It was noted that Mr. Berg has been making progress on his building. Roof has been corrected and some siding has been placed on the sides. Mr. Berg commented that aside from the notices he received that his building is dangerous he has never been give a list of repairs that is needed to put him into compliance. Lenore Cook moved, Brenda Martin supported, to table this matter for thirty days and allow Mr. Boelens and Mr. Walt to inspect the building and give some guidelines to Mr. Berg. They are to report back to the Board at the December meeting. Motion CARRIED.
- B. Second Reading – Michigan Vehicle Code Ordinance. Matthew Fenske moved, Michael Eppink supported, to adopt the Michigan Vehicle Code Ordinance. Motion CARRIED by a unanimous roll call vote.
- C. First Reading – Proposed revision to the Township’s Crowd Control Ordinance
- D. First Reading – Proposed revision to Section 16.10(e) of the Zoning Ordinance
- E. Matthew Fenske moved, Lenore D. Cook supported to approve the Supervisor recommendation that the Board appoint Joel Terpstra to the Planning Commission as of November 20, 2012 as Township Board representative for a four year term. Motion CARRIED.
- F. Brenda Martin moved, Michael Eppink supported to approve the Supervisor’s recommendation that the Board appoint Matthew Fenske to the Planning Commission as representative at large for the remainder of Joel Terpstra’s term. Motion CARRIED.

## **VI SUPERVISOR COMMENTS AND COMMITTEE REPORTS**

**Supervisor:** Reminder of the MTA Christmas party on December 3, 2012

Bylsma Drive will proceed to a Hearing of Necessity  
Sewer/Water rates for 2012/2013 for Tallmadge Township residents will be lower. Water rates will be down by 3% Sewer rates down by 1%.  
A petition to pave 40<sup>th</sup> Avenue is being worked on.  
A huge Thank you to Matthew Fenske for his time served on the Township Board - he will be missed. We also wish him well as his new endeavor as County Commissioner.

**Planning Commission:** Matt Fenske said that they worked on Crowd Control and Bill Boards

**Zoning Board of Appeals:** No meeting

**Haz-Mat:** No report

**Fire Board:** Next Fire Board meeting on December 6, 2012 at Wright Township

**VII. INFORMATIONAL ITEMS**

- A. Fire Department
- B. Sheriff Department
- C. List of Building Permits for October of 2012
- D. Planner and Zoning Enforcer

**VIII. ADJOURNMENT** Meeting was adjourned at 8:48 p.m. p.m.

Respectfully submitted  
Lenore D. Cook, Clerk