

**TALLMADGE CHARTER TOWNSHIP
PLANNING COMMISSION MEETING
OF APRIL 10, 2006**

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

Members present: Daniel Murray, Toby Van Ess, Dewey Bultsma, Donald Smith
Marvin Bennink, Matthew Fenske and Dick Temple

Also present was Greg Ransford, Township Planner

The minutes of the March 13, 2006 meeting were approved as presented.

1. Special Use – Nathan DeVries of 11840 24th Avenue is requesting a Special Use Permit for a Home Occupation for a taxidermy shop. This parcel number 70-10-22-100-057, located at the above address, is zoned Rural Preserve.

Mr. DeVries said he would conduct the business out of the back of his garage and it would be a part-time/side job. It was noted that one letter was received from Peterson's of 11862 24th Avenue in opposition of the request. Mr. DeVries said they are not going to have a sign, and the most traffic he would have would be 2-5 cars per week, but he anticipates an average of one car every other week. Mr. Peterson does not share a driveway with Mr. DeVries. Mr. DeVries did contact the two neighbors with whom he does share a driveway and they are not opposed.

Daniel Murray asked if Mr. DeVries was familiar with the section of the Zoning Ordinance pertaining to Home Occupations. Mr. DeVries said yes, he has a copy of that section, and intends to comply.

The meeting opened to the public.

Mrs. VanderVeen of 11845 24th Avenue objects to the request, and feels this should be located in a commercial district. Daniel Murray answered that the Zoning Ordinance allows for Home Occupations if they meet the criteria. Mr. VanderVeen is concerned about the waste from the taxidermy business. Mr. DeVries said there is very little waste. Most people want the meat for eating and any remains will be frozen immediately, and he will dispose of that himself. No remains will be deposited anywhere on the premises. The Planning Commission asked if there would be a traffic concern with the driveway next to theirs. Mr. DeVries said they may have one customer a week or one every other week. He has a map on his business card and their address is marked with a reflective marker from the fire department. He spoke with the people who share his driveway, and they have no objections.

A neighbor asked if the Special Use could be transferred to the next owner of the DeVries property. Mr. Ransford answered that this is not a rezoning, just a Special Use. It could be transferred, but it would have to be the same use. Another neighbor asked what would happen if the business outgrew the garage. Daniel Murray read from the Zoning Ordinance that in no event shall the home occupation occupy more than three hundred square feet. Mr. DeVries plans on using 270 square feet and he understands the limit. Matthew Fenske reminded Mr. DeVries that there is a restriction that the home occupation be conducted only by members of the family residing at this home. No additional employees are allowed. Mr. Fenske added that the Planning Commission has historically granted Home Occupations and he does not see how this would be outside the realm of what would be allowed.

The meeting closed to the public.

Matthew Fenske moved, Donald Smith supported, motion CARRIED to APPROVE the request. Ayes: Daniel Murray, Toby Van Ess, Dewey Bultsma, Donald Smith, Marvin Bennink, Matthew Fenske and Dick Temple. Nays: none.

2. Site Plan and Private Road – Ken Ver Woert is requesting permission to construct Phase III of the Meadow Verde Planned Unit Development (Tallmadge Woods Condominiums) and Private Road approval for the same on parcel number 70-10-13-400-033.

Mr. Ver Woert explained that this PUD was already been approved by the Planning Commission and Township Board several years ago. He has been working on beginning the condominium portion of this project and Mr. Ransford informed him that Phase III needed to be reviewed as a matter of protocol. Mr. Ver Woert noted that the number of units is the same as what had previously been approved; 31 duplexes, totaling 62 units. He submitted plans with more detail including the sizing of the buildings, and the dedication of the 66 foot easement. He submitted a permit from the Ottawa County Road Commission and a No Duplication letter from the Road Commission as well. The radius is 60', which is required, and the buildings have been adjusted to accommodate this requirement. The buildings will be masonry (brick and stone) fronts and will have 1496 and 1522 square foot per unit. Greg Ransford noted that he sees the addition of the provision in the Maintenance Agreement, however, the complete document will need to be submitted. Mr. Ver Woert said he will provide that.

Toby Van Ess added that the project as a whole was approved, and this was the Planning Commissions first PUD. Dick Temple is concerned about establishing policies. Matthew Fenske asked about the percentage of completion of Meadow Verde PUD. Mr. Ver Woert said that Mr. Kazemier began the project, and Phase I is completed. Phase II is pending the completion of the lift station on 8th Avenue and Leonard. Matthew Fenske asked if there were plans for an exit to the north. Toby Van Ess said there is a road stubbed to the east, onto Moelker's property.

Toby Van Ess moved, Donald Smith supported, motion CARRIED to APPROVE the plans for Phase III of the Meadow Verde PUD as presented. Ayes: Daniel Murray, Toby Van Ess, Dewey Bultsma, Donald Smith, Matthew Fenske and Dick Temple. Nays: Marvin Bennink.

3. Public Hearing – Dave Dishaw is requesting a Public Hearing for a proposed Planned Unit Development, Lake Michigan Estates, for parcel number 70-10-24-300-060. This parcel is located at approximately 0-525 Lake Michigan Drive and is zoned C-2 in the front along Lake Michigan Drive and Rural Preserve in the northerly portion of the property.

Mr. Dishaw reviewed the plan which consists of 182 condominium units and 8 commercial lots. He also submitted the minutes of a meeting they had with the Ottawa County Road Commission, requiring the road be made eligible to be public and meet the Ottawa County Road Commission standards. Four changes need to be made to meet these requirements:

1. The proposed boulevard needs to be eliminated and a left turn lane be put in its place.
2. 86 feet of right of way is needed on Sessions Drive as opposed to 66 feet.
3. Only one curb cut is allowed per building on Sessions Drive, therefore, the condos will need to be designed with the garages in the middle of the building.
4. The proposed commercial cul-de-sac is a potential hazard and must be removed.

Mr. Dishaw also agreed to put the lift station on the south side of Lake Michigan Drive.

In reference to there no longer being a cul-de-sac, Mr. Dishaw said that each commercial lot will come to the Planning Commission for Site Plan Review, and each lot should have adequate area for semi trucks to turn around within the site.

Mr. Cuson of 0-11475 Woodgate asked what would be done to ensure peace and tranquility over the next several years. It was noted that there was 110-140' from the back of the homes to the west property line, which is Consumers Energy. Mr. Dishaw said they are preserving a buffer to the west,

however there is a gas easement and the gas company is allowed to drill wells and do a lot of work on their easement.

Mr. Cuson is concerned about construction noise. Mr. Ransford said there are typical construction standards for times and he will check into the times allowed. Dewey Bultsma said the project will be constructed in three phases, the bulk of the work will be done in the first phase. Another neighbor said he expects noise, but would like to know the hours during the day the work will be conducted. Mr. Dishaw said he would like to get started this fall on phase one, but more likely it will be started next year. Mr. Dishaw said he will call the tree company to address Mr. Cuson's complaint about work being done at 7:30am on Sunday. Mr. Dishaw said the timing of Phase II is unknown at this time, as it will be market driven.

Donald Smith wanted confirmation that there will still be a back out turn-around in the driveways of the condominiums so traffic does not have to back out onto the street. A neighbor is concerned about kids walking through his property from the condominiums to Camelot Estates. He asked if he would need a fence. Mr. Murray said a fence would be a good idea.

Greg Ransford said the fire chief wants a 24' paved emergency exit to the east, and would prefer some way to identify it. He is not in favor of grass on top of the emergency drive. Michael Bruggink said they will speak with the chief again and ultimately will do what the chief wants.

Gary Voogt said he likes grid systems and this proposed easement is purely for emergency access. He doesn't feel it should be paved. Matthew Fenske would like to approve the project without the 86' right-of-way.

Greg Ransford noted that approval requires the Township Board granting variance for the private road, and added that the applicant needs to return and receive Planning Commission permission for each phase of construction.

Gary Voogt had the following recommendations:

1. Drainage must be on their own property.
2. The lift station must be on the south side.
3. All sewer and water must be extended to the west property line.
4. Elimination of the emergency drive.

Marvin Bennink moved, Donald Smith supported, motion CARRIED to recommend APPROVAL for the Planned Unit Development with the recommendations from Gary Voogt and Greg Ransford as follows:

1. Pending approval from the Township Board for a variance for the private road.
2. The applicant will need to return to the Planning Commission at the beginning of each phase.
3. The drainage must be on their own property.
4. The lift station must be on the south side of Lake Michigan Drive.
5. All sewer and water must be extended to the west property line.
6. The 86' easement will modify the front yard setbacks. The buildings will be placed as proposed, which now leaves a 25' front yard setback rather than a 35' front yard setback.
7. Eliminate emergency drive.

Ayes: Daniel Murray, Toby Van Ess, Dewey Bultsma, Donald Smith, Marvin Bennink, Matthew Fenske and Dick Temple. Nays: none.

Meeting adjourned at 8:55 p.m.

Respectfully submitted,

Denise Lanting, secretary

