

**TALLMADGE CHARTER TOWNSHIP
REGULAR BOARD MEETING
HELD ON
TUESDAY, AUGUST 10, 2021
AT 7:00 P.M.
www.tallmadge.com**

I. CALL TO ORDER Mark Bennett, Supervisor, called the meeting to order and Joel Terpstra opened with Prayer and the Pledge of Allegiance.

Members present: Mark Bennett, Lenore D. Cook, Valdyne Schwallier, Clifford Bronkema, Michael Eppink, Joel Terpstra and David Datema.

II. CONSENT AGENDA

Michael Eppink moved, Valdyne Schwallier supported, to approve the minutes of the July 13, 2021 regular meeting, to approve the bills to be paid in August of 2021 as presented, and to accept as information the treasurer's report, legal update, correspondence if any.

III. PUBLIC PARTICIPATION Matthew Fenske, County Commissioner, gave a comprehensive report regarding Ottawa County. Edward Niemi wanted to know the status of the light at Ironwood and Johnson.

IV. UNFINISHED BUSINESS In July the Board held a public hearing to hear a request from Jessie Zemaitis to add one parcel to an existing private road, River Valley Road, which is located on the west side of Linden near the south end of the Township. This was tabled at the July meeting to give the Board time to look into the matter. The following resolution was given to the Board members. David Datema moved, Joel Terpstra supported, to strike item B under conditions on the variance. After discussion the motion was CARRIED.

RESOLUTION

A motion was made by David Datema, seconded by Joel Terpstra, to grant a private road variance to Jessie Zemaitis, 10116 Linden Drive, NW, Permanent Parcel Number 70-10-32-200-007, a vacant lot of approximately 10.4 acres (the "Lot"), to be accessed by River Valley Road (the "Road"). The Lot will only be used for a dig by the new owner, Archaeological Conservancy (the "Buyer").

In order for the Township Board to grant a variance for the Road from the requirements of the Private Road Ordinance (the "Ordinance"), the Township Board must find that all four factors of Section 1.09 of the Ordinance have been met. The Township Board finds as follows.

1. The variance will not be of substantial detriment to adjoining property and will not impair the purpose of the Ordinance or the public interest. The Lot will be used for an archaeological dig; no new

building will be constructed on the Lot except per the purposes of the dig and per the Zoning Ordinance. The dig conducted on the Lot will not create significantly more traffic.

2. The situation faced regarding the Lot is unique and not general; operating a dig on the Lot instead of using it for a permanent use with new buildings constructed is unique.

3. Because of the extraordinary situation of the dig on the Lot, the literal enforcement of the Ordinance would create at least practical difficulties and maybe even undue hardship. In fact, the Lot may be in the floodplain and constructing improvements on the Lot could be difficult or not allowed.

4. Because of the above noted practical difficulties or unnecessary hardships, and if the conditions below are satisfied, the variance can be granted, and should be for substantial justice, and the public safety can be secured.

The Township Board establishes the following conditions on the variance.

A. The use of the Lot shall comply with the Private Road Application and any other material submitted by the applicant and the Buyer.

~~B. The variance is subject to inspection and approval by the Fire Department, to insure that public safety shall be maintained.~~

C. A document shall be filed with the Register of Deeds, to confirm that this Lot is subject to these conditions on the variance.

A roll call vote was taken.

YES: Valdyne Schwallier, Mark Bennett, Joel Terpstra, David Datema, Michael Eppink, Lenore D. Cook

NO: Clifford Bronkema

This decision on the variance was made by the Township Board, following a public hearing held per Section 1.09 of the Ordinance.

A copy of this motion shall be provided to the applicant within 10 days of this meeting.

V. NEW BUSINESS

A. SECOND READING – ZONING MAP AMENDMENT – K&E Properties of 0-749 Lake Michigan Drive are requesting to rezone Parcel Number 70-10-25-100-031 from R-1 Single Family Residential to C-2 General Commercial and R-2 Medium Density Residential. Joel Terpstra moved, Michael Eppink supported, to adopt this Zoning Map Amendment. Motion CARRIED by a unanimous roll call vote.

B. SECOND READING – ZONING MAP AMENDMENT – Gerald and Mary Lee of 14162 24th Avenue are requesting to rezone Parcel Number 70-10-03-100-010 from Agricultural to Rural Preserve. David Datema moved, Valdyne Schwallier supported, to adopt this Zoning Map Amendment. Motion CARRIED by a unanimous roll call vote.

C. FIRST READING – ZONING MAP AMENDMENT – Carol Westveld is requesting to rezone the property at 13571 40th Avenue from Agricultural to Rural Preserve. Parcel Number 70-10-08-100-001.

D. David Datema moved, Joel Terpstra supported to appoint Mark Bennett as a member of the GVMC. Motion CARRIED by a unanimous roll call vote.

E. Joel Terpstra moved, David Datema supported, to purchase and install a Web Security System. Set up and first year maintenance approximately \$2100. Yearly Maintenance \$940. Motion CARRIED

F. Lenore D. Cook moved, Joel Terpstra supported, to allow Mark Bennett, Supervisor, to form a sub committee to assist in the disbursement of the American Rescue Act monies. Motion CARRIED.

VI. SUPERVISOR COMMENTS AND COMMITTEE REPORTS

Supervisor: Mark Bennett Interest in a petition to pave 40th Ave.
Forner lost his lawsuit appeal
Will proceed in courts regarding a dangerous building

Planning Commission; Joel Terpstra Rezone for Carol Westveld

Zoning Board of Appeals: Clifford Bronkema. Variance for Sportsman Club

Fire Dept Rep: Michael Eppink - A lot of training

Fire Dept – Michael Gavin, Fire Chief – See attached

VII. INFORMATIONAL ITEMS

- A. Fire Board Minutes
- B. Sheriff Department report
- C. List of Building Permits for June of 2021
- D. Planning and Zoning report

VII. ADJOURNMENT Meeting adjourned at 7:49 p.m.

Sincerely yours

Lenore D. Cook, Clerk