

**Tallmadge Charter Township
Planning Commission
Regular Meeting
June 27, 2023
7:00PM**

7:01 pm Matt Fenske called the meeting to order. Present: Matt Fenske, Curt Rypma, Marv Bennink, Joel Terpstra, Erin Hill, Dave Hanko, with one position vacant.

Greg Ransford, Planner was also present along with a roomful of members of the public.

Matt Fenske moved to amend the agenda to add UIS, Power Box to the agenda. Approval of the amended agenda was motioned by Curt Rypma moved to approved, Joel Terpstra seconded, and it carried unanimously.

Approval of the minutes from the May 23, 2023, Regular Meeting: Dave Hanko motioned to approve the minutes as printed, Marv Bennink seconded, and it carried unanimously.

Non-agenda item inquiries: NONE

New Business

- Public Hearings
 - UIS Screening- Power Box relocation

The floor was opened to Greg Ransford for updates on this matter. He stated the power company relocated the power box location from how it was portrayed on the approved site plans. The power box was relocated to a place within the parking lot island between the road and parking spaces and therefore not able to be adequately screened. Phil Eerdmans took the floor to show and explain further the proposed plan as submitted.

Joel Terpstra moved to approve the proposal as presented, which includes a one page landscape plan titled: Landscape Concept For: UIS CONCRETE from Landscape Design Services, Inc., as long as it meets the space requirements for the power company to access the box without cutting the landscaping screening. Curt Rypma seconded, and the motion was approved unanimously.

Commissioner Bennett requested the possibility of notifying the power company that Tallmadge does not allow for this type of placement, so they are aware.

- Text Amendments
 - Engelsma Homes
- Section 2.03 – Definitions, Building Height

Applicant is not present. Greg Ransford explained the proposal and how neighboring communities address this issue. Discussion among the Commissioners.

Joel Terpstra motions to open to public hearing, Marv Bennink supported, and it moved unanimously.

Dale Vaughn – states that his neighbor is moving a home onto the property and had to

Patrica Flanders – 8th Ave – why is the applicant requesting this?

Greg responds- he believes it's for a residential building.

Don Mcwaters- lives east of the property. Disappointed Engelsma is not in attendance. States to leave it alone.

Stan Sobota – stated that we have a master plan, and it was based on what the residents wanted. Do what the residents approved originally.

Resident – wants to clarify that this isn't a one-time request. That may open a can of worms for future requests.

Greg states that residents can build up a house within specifications that it does not negatively affect neighbors' properties related to storm water discharge rates. He continues to explain the extent of the request.

Curt Rypma motions to close the public hearing, Joel Terpsta seconded, and it carried unanimously.

Commissioners discuss choice to decide on the amendment or to table it.

Curt Rypma motioned to recommend denial of the request. Marv Bennink supports, and it carried unanimously.

Commissioners request Greg Ransford to add review of Height Requirements to New Business for future review.

- o Map Amendments

- Adrian Persenaire – Approximately 1319 Lake Michigan Drive,
70-10-23-300-053 & 70-10-23-300-054

- Rezoning from RP to C-2

Matt Fenske briefly explains the application general specifications and opened the floor to Greg Ransford, who further explained the application. He also highlighted the current master plan and the future zoning proposals. Randy Reeds and Adrian Persenaire applicant take the floor. Takes exceptions to the memo that states the intended use was not given, and applicant states he did give information and intended use. Mr. Persenaire highlighted that there are commercial properties west of 8th Ave. Requests a final decision tonight to enable him to finalize this matter, as it is a contingent sale. Mr. Persenaire went on to expand on his request. Highlighted that they want to provide a service to the Tallmadge community by having a wedding venue back off the road. Stated he is a Tallmadge resident for many years and feels this proposal will be an enhancement to the m-45 corridor and the community.

Discussion among Commissioners and applicant. Joel Terpstra asked about water and sewer hook-up. He wonders if applicant would contact to connect if/when water and sewer runs past this property. Greg Ransford explains the contract process and water and sewer requirements. Joel Terpstra directs questions to Randy Reeds, realtor and representative of seller. Randy Reeds discussed the history of this property that has been for sale for a couple years. States no interest has been expressed for residential use along M-45, only commercial inquiries. Joel Terpstra asks how the seller feels about the statement that this is not an appropriate time for them to sell. Reeds responded the owners feel it's an appropriate time for them, due to their age. Curt Rypma addressed that 2 homes are currently being built along 14th Ave. These homes are spec homes.

Greg addressed the Commissioners that the omission of the presented plans was due to that fact a rezone approval means any use within the district could be conducted and nothing binds the applicant to the concept use plan. Continued discussion among the Commissioners.

Curt Rypma motions to open to public hearing, Joel Terpstra supported, and it move unanimously.

- Bob Cegelis 11429 14th Ave – primary concern to the zoning change is that future use is uncertain. What could go onto this property?
- Greg Ransford states that use is very extensive. Several examples include offices, showroom, hotel, funeral homes, indoor theater, banks, kennels, gas stations and more.
- Diana Buist – 3585 River Hill Dr. – States she is hoping for final approval for her wedding venue and would not like the competition.
- Ms. Brown- 14th Ave – states she as in a meeting with Mr. Bennett, Mr. Ransford and the clerk. She stated the county has it zoned as ag and claims Mr. Ransford stated the property zoning could not be changed in 10 years. Also states she had a conversation with Joel Terpstra in parking lot and discussed the survey for the residents' opinions for the master plan. Joel commented that the result was to do nothing.
- Jody Dumont 11457 14th- comment on prior comment – No residents were notified, and she found out about this hearing by chance. What are the rules of sending notices to property owners. Greg Ranford responded stating notices are sent out to properties within 300ft of property in question, which is based on State of Michigan regulations and printed in the GR Press, along with the agenda being posted on the township website.
- Kristin Bibinski 0-1155 LMD – against rezone, states this does not only pertain to these 2 properties, as the other properties are listed as commercial, so this is bigger than just tonight's request.
- Dale Vaughn – 1984 LMD – Comments on the statement that the property its unsaleable, at the current price point, so drop the price so a residential home can

be built. When addressing the amount of traffic currently, this rezone will only increase traffic and those issues, and require a need for a liquor license.

- David Shoemaker-1288 LMD Just purchased the property across the street a year ago. States he had done the checked the zoning of the property prior to the purchase of his property. Would not have purchased his property if was zoned commercial. Feels it will decrease the value to the residential homes in the area.
- Resident – missed it...
- Stan Sobota- 0-779 Leonard – Asks Greg Ransford if the applicant should decide the sell the property to a future buyer that the SAD agreement transfers with the sale. Is that correct? Greg confirms. States the concern with drunk driving and the amount of traffic and increased demand or taxing of emergency response personnel.
- Matt LaRue- 308 LMD – in business for over 21 years. States that everyone has seen the increase traffic since the redo of LMD. States the argument to not allow a zoning change because of drunk driving due to GVSU students, growth in Allendale and Grand Rapids and surrounding areas is not valid. Everyone can do the what ifs all day, but the point is to find balance in offering a commercially diverse option. Purchasing plenty of land to provide adequate buffer between the site and residents. The applicant is offering a balanced project between Commercial and Rural Preserve.
- Matiash – 10455 Country Trail Drive. Comments on master plan, the condition of roads and who is going to pay for that, as more business and traffic are added to LMD. Has this matter even been thought about?
- Lucas Schuessler- 11155 12th Ave. Received an invite. The survey speaks for itself, we don't want change, we want rural or green, not the back side of a Dollar General, or bank.
- Darlette Peskin- 10475 Country Trail – there is potential for rental properties along this corridor? Randy Reeds states that the likelihood that a quality home being built is slim. The likelihood is the purchase will be for a future investment.
- Eric Wateman – 11241 14th Ave – Weddings are great. Noise, drunk drivers, loud cars drive by all the time and continues to state that the big word is RURAL PRESERVE is what should be maintained and is being expressed by residents. Would like to turn this request down.
- Debby Baisden 11173 12th Ave – has a renter across the street. Don't tell me renters are all bad. I rather have a renter than commercial.
- Phyllis Cegelis 11429 14th Ave. ¼ mile from being commercial. Once we give an inch and do this, it means the other lots are going to request this as well. We already have issues with residents on our street leaving empty alcohol containers and other trash along the road and this invites the potential for progress for only the owner and not the whole, it becomes a problem. Moved here 33 years ago for rural preserve. An approval of this rezone does not allow the residents a voice.

- Resident: When is a light being planned to be installed at the intersection? It's a MDOT thing. Most likely not for a while. Some applicants are required to do traffic study for new site plans.
- Don Mcwatters- 1181 LMD – east of this property. Not ready to give up residential benefit of the property that surrounds him. Let's leave it the same.
- Dewey Boltsma – states anyone here could have purchased the property. They missed the opportunity to keep things the same. The township doesn't have many commercial property options left.

Conclusion – applicant states a request for approval or denial.

Joel Terpstra moved to support closing the public hearing, Marv Bennink supported, and it carried unanimously.

Joel Terpstra addressed the crowd about the 3C's and how a rezone to C-2 meets those requirements, while the compatibility could be argued. States the master plan was approved in 2020 and took 10 years to finalize. Does not think this is spot zoning. He concludes that it should be recommended for rezone.

Greg Ransford states for the sake of process the Planning Commissioners will provide a recommendation to the Board of Trustees. The Board of Trustees after formally having 2 readings, the board will adopt or deny what comes across their desk. There is no public hearing at the board level but what decisions come from the Planning Commission is not the final decision.

Matt Fenske comments that this a tough decision. States there is consistency and capability. Compatibility is not something he is comfortable agreeing with due to the timing, water aquifer issues, and other things. He feels the future uses for compatibility requirements are not meet and would prefer single family residential homes.

Marv Bennink – States that is does not meet consistency at this point in time, due to all the residential in the area and it does not meet compatibility issue at this time. Not in favor of rezoning.

Curt Rypma – states he feels it meets all 3C requirements. He is in favor of a rezone.

Joel Terpstra motioned to recommend adoption of the rezone as it meets the 3C requirements. Curt Rypma supports. Voice vote is as follows:

Marv Bennink– No
 Erin Hill – No
 Dave Hanko – Yes
 Matt Fenske – No
 Curt Rypma– Yes

Joel Terpstra– Yes

Motion failed. 3-3 Vote. There being no other motions, the tie recommendation will be sent to the board.

- Site Plans
 - Commercial Bank – 240 Lake Michigan Drive
 - Seeking to construct a 3,000 square foot bank

Greg Ransford takes the floor regarding this application. Commercial Bank proposes a walk-in service bank. Prior use includes temporary firework sales and had been vacant for some time. It is an unusually small lot. Walkway on LMD is required. A secondary walkway along 2nd Ave is at the Commissioners discretion. Bob Lamer – Exxel Engineering – Goes into detail about the site plans and the parking lot and driveway use. An armored truck may stop once a week for 5 mins. Does not want to draw attention to this vehicle and will have use of a vehicle that fits the site, rather than make parking available for any size vehicle. Discussion about the flow of traffic from LMD and 2nd. Discussion about the water detention area. Discussion of residential dumpster. Discussion about location of transformer and screening. Discussion about exposed foundation due to grading and lay of the land. Discussion on signage. No exit signs will be posted. Suggests arrowing the pavement. Discussion of sidewalk along 2nd Ave. Discussion about parking space requirements.

Curt Rypma Motion to approve the site plan as presented, which includes:

- Site Plan Review Application, dated 5/11/2023.
- Buy and Sell Agreement, Five Star Real Estate, dated 3/09/2023.
- Fire Department Review Comments, dated 5/24/2023.
- Township Engineer Review Comments, dated 5/25/2023.
- Site Plan Sheets
- Site Plan, ADA Sheet, revised 5/11/2023, by JBS Contracting INC
- Site Plan, Sheet O1, Life Safety Plan, revised 5/11/2023, by JPS Contracting INC
- Site Plan, Sheet L1, Landscaping Plan, revised 5/11/2023, by JBS Contracting INC
- Site Plan, Sheet S1, Foundation Plan, revised 5/11/2023, by JBS Contracting INC
- Site Plan, Sheet S2, Structural Framing Plan, revised 5/11/2023, by JBS Contracting INC
- Site Plan, Sheet S3, Truss Bracing Details, revised 5/11/2023, by JBS Contracting INC
- Site Plan, Sheet A1, Floor Plan, revised 5/11/2023, by JBS Contracting INC
- Site Plan, Sheet A2, Elevations, revised 5/11/2023, by JBS Contracting INC.
- Site Plan, Sheet A3, Sections, revised 5/11/2023, by JBS Contracting INC
- Site Plan, Sheet A4, Elevations, revised 5/11/2023, by JBS Contracting INC
- Site Plan, Sheet A5, Elevations, revised 5/11/2023, by JBS Contracting INC
- Site Plan, Sheet A6, Floor Finish Plan, revised 5/11/2023, by JBS Contracting INC
- Site Plan, Sheet A7, Ceiling Finish Plan, revised 5/11/2023, by JBS Contracting INC
- Site Plan, Sheet M1, Mechanical Plan, revised 5/11/2023, by JBS Contracting INC

- Site Plan, Sheet P1, Plumbing/Sanitation Plan, revised 5/11/2023, by JBS Contracting INC
- Site Plan, Sheet E1, Power and Data Plan, revised 5/11/2023, by JBS Contracting INC
- Site Plan, Sheet E2, Lighting Plan, revised 5/11/2023, by JBS Contracting INC
- Site Plan, Sheet E3, Photometric Plan, revised 5/11/2023, by JBS Contracting INC
- Site Plan, Sheet E4, Panel Schedule, revised 5/11/2023, by JBS Contracting INC
- Site Plan, Sheet 1, Site Plan Development Plan, revised 6/12/2023 by Exxel Engineering
- Site Plan, Sheet 2, Grading Plan, revised 6/12/2023 by Exxel Engineering
- Site Plan, Sheet 3, Utility Plan, revised 6/12/2023 by Exxel Engineering
- Site Plan, SignArt Sign #1, revised 5/25/2023 by SignArt
- Site Plan, SignArt Sign #2 & #3, revised 5/25/2023 by SignArt
- Site Plan, SignArt Sign #4, revised 5/25/2023 by SignArt
- Site Plan, SignArt Sign #5, revised 5/25/2023 by SignArt
- Site Plan, SignArt North Elevation, revised 5/25/2023 by SignArt
- Site Plan, SignArt Sign #6, revised 5/25/2023 by SignArt
- Site Plan, SignArt Overall Site Plan, revised 5/25/2023 by SignArt
- Product Specification Sheets
- TAMKO Heritage Series Laminated Fiberglass Asphalt Shingles, dated 03/2021
- Quoizel Lighting, dated 03/31/2013.
- Lumark Lighting, dated 05/18/2018.
- HardiePanel Vertical Siding Product, dated 12/2019
- Versetta Stone, dated 11/2015
- ADS Specifications Sheet, User Inputs and Results
- MC-3500 Stormtech Chamber ADS, Sheet 1, dated 5/10/2023.
- MC-3500 Stormtech Chamber ADS, Sheet 2, revised 5/10/2023.
- MC-3500 Stormtech Chamber ADS, Sheet 3, revised 5/10/2023.
- MC-3500 Stormtech Chamber ADS, Sheet 4, revised 5/10/2023.
- MC-3500 Stormtech Chamber ADS, Sheet 5, revised 5/10/2023.
- MC-3500 Stormtech Chamber Drawing
- Ottawa County Water Resources Commissioner Site Summary, revised 6/2/2023.
- Ottawa County Water Resources Commissioner Subcatchment Results Summary, revised 6/2/2023.
- Ottawa County Water Resources Commissioner Subcatchment Sub1, revised 6/2/2023.
- Ottawa County Water Resources Commissioner Flood Control, revised 6/2/2023.
- Ottawa County Water Resources Commissioner Summary Table, revised 6/2/2023.
- Armored Truck Photos

with the following conditions:

1. Must meet requirements of Township Engineer;
2. Compliance with the direction of the Fire Department, including the installation of a Knox Box;
3. The proper easement is granted to the Township for maintenance and improvements related to the sidewalk on Lake Michigan Drive;
4. Must Obtain Soil Erosion Permit from Ottawa County Water Resources Commission;
5. Must receive approval from Ottawa County Road Commission for entrance off of 2nd Avenue;
6. Construction of sidewalk along 2nd Avenue;
7. Any changes to the approved site plan shall return to the Planning Commission for review and

approval, if appropriate.

Joel Terpstra seconded, and it carried unanimously.

- o Buist PUD – 3585 River Hill Drive
 - Architectural Renderings review

Matt Fenske opened the floor to Greg Ransford to give a recap of the site plan, which was approved by the Board of Trustees, dependent on the submittal of official architectural drawings. The applicant stated the plans are professional and stamped. The plans are based on drawings that were presented. Vinyl drop downs are proposed, garage doors are not being presented as they are not approved by EGLE. Discussion about use of aluminum material finish. Suggests using LP rather than aluminum.

Joel Terpstra motioned to approve the building architectural plans, which include:

- o Architectural Plans for Robert & Diana Buist, Sheet A-1, Top Elevation & Index, Dated 6/16/23;
- o Architectural Plans for Robert & Diana Buist, Sheet A-2, Elevation Views, Dated 6/16/23;
- o Architectural Plans for Robert & Diana Buist, Sheet A-3, Main Floor Plan, Dated 6/16/23;
- o Architectural Plans for Robert & Diana Buist, Sheet A-4, Pole Layout & Section View, Dated 6/16/23;

With open pavilion LP trim & siding materials as provided with posts being wrapped with LP siding rather than aluminum. Marv Bennink seconds and it carried unanimously.

Old Business

- None

Planning Commission Comment- Request for Greg Ransford to get information for text amendment request re: buildings heights.

Adjournment – 9:30pm

Motion provided by Joel Terpstra to adjourn, seconded by Curt Rypma carried 6-0.

Respectfully submitted.

Jennifer Bosch