

**Tallmadge Charter Township
Planning Commission
Regular Meeting
October 24, 2023
7:00PM**

7:00 pm Matt Fenske called the meeting to order. Present: Joel Terpstra, Matt Fenske, Curt Rypma, Marv Bennink, David Hanko, Joe Grochowalski and Erin Hill. Greg Ransford, planner and approx. 25 members of the public were present.

Approval of the Agenda was motioned by Curt Rypma, Joel Terpstra seconded, and it carried unanimously.

Approval of the minutes from the September 26, 2023 Regular Meeting: Marv Bennink motioned to approve the minutes as printed. Joel Terpstra seconded, and it carried unanimously.

Non-agenda item inquiries: None

New Business

- Public Hearings
 - **Anderson/Smith – 1319 Lake Michigan Drive – 70-10-23-300-049 & 70-10-23-300-055**
 - Seeking rezoning from Rural Preserve to General Commercial

Matt Fenske states these properties are 4.93 acres and 6.55 respectfully. Randy Reeds takes the floor to represent the applicants for this rezone request. Refers to master plan and how the request is compatible.

Joel Terpstra moves to open to public hearing Marv Bennink supports and it carries unanimously.

Al Griner on 10th Ave. Asks what part does the community have in the decision to change the zoning of a property. State he lives where he does because its out of the business districts. Concerns about increased traffic, this is not the appropriate location to be adding commercial. Does not like commercial. Not happy about this rezone request.

Greg mentions the basics of the master plan, which is a map and text. Highlights how a roadway, fire department, is factored into future growth within a master plan. Continues with how a rezone process goes thru the various board reviews prior to a vote.

Chip Kline – 14th Ave. Says he went around trying to get signatures for the petition to bring a rezone request to a public vote. Says there was great want to sign this petition. Highlights how there are houses on LMD, and this property could sell as residential. Lives here to be in the county.

Kristin Babinski – tried to gain signatures for the petition, and spent a lot of time with residents along 8th Ave. None want it to be commercial. Against the rezone

Sue Kline, worked to get signatures on the petitions and states 95% feel they are not being represented by the board. No one wants commercial.

Curt Sherman – 10th Ave. Asks about if this rezone is approved, who approves the business that goes in. Matt Fenske responses that there is a group of businesses that are permitted, but it also depends on how a certain property can handle a type of business due to natural limitations. Sherman states people who live in this area want the property to remain rural. Are there plans for a traffic light? A- No

Randy Reeds states there are purchase agreements for both of these properties, but that is all that is known. Lot 11 landscaping company. Lot 8 potential cabinetry store front.

Al Griner – please confirm, has the land been sold? A: No, the owners are the ones requesting the rezone. Griner states current owners are just going to leave us and don't care about the neighbors around it.

Jodi Dumont – 14th Ave – questions about the deposit checks.

Greg Ranford – responds it is standard practice to require an application fee and escrow fee.

Luke Schlusser – 12th Ave. States he received a letter in august about the rezone. States communications between township officials and county officials and himself. States he requested an petition to challenge the previous rezone approval along LMD. States he has to spend own money to challenge the board and its decision to rezone LMD. Against the rezone.

Curt Sherman – states a conversation between himself and another resident.

Joel Terpstra motion to close public hearing, Curt Rypma seconded, and it carried unanimously.

Discussion among Commissioners.

Curt Rypma motion for recommendation to approve the rezone request, Joel Terpstra seconds, with a roll call vote of:

Erin Hill– No

Dave Hanko – Yes

Marv Bennink – No

Matt Fenske – No

Joel Terpstra – Yes

Curt Rypma – Yes

Joe Grochowlaski – No

No vote 4, Yes vote 3

Marv Bennink motions to recommend denial of the request for rezone from, Erin Hill seconds No further discussion with a roll call vote of:

Joe Grochowalski – Yes

Curt Rypma – No

Joel Terpstra – No

Matt Fenske – Yes

Marv Bennink – Yes

Dave Hanko– No

Erin Hill – Yes

Yes vote – 4 No vote – 3 This recommendation to not rezone to commercial will be brought to the board of trustees as a recommendation.

o **Pavillion Christian School** – 9181 Kenowa Avenue – 70-14-01-200-007

- Seeking to operate a K-12 private school within an existing building

Dave Hanko, recuses himself for this application.

Dave Hanko takes the floor to explain the purpose of this application. There is a group interested in cleaning up the property and building to use it as a Christian school. There will not be additions or changes planned to the structure other than a septic system, if required. Plans for additional landscaping to bring it to compliance to the ordinance are included. No new lighting. A dumpster enclosure is planned. Bryan VanBaren, school representative also addressed the Commissioners. Currently the school has 23 students. Goes into detail about the clean up process. The only use will be for a school building. Thankful for what was given.

Discussion about the language regarding traffic, roadway use. Ingress and egress. Dave Hanko addresses the traffic, and feels there is adequate layout and access for use.

Marv Bennink asks about plans for a non-motorized pathway. Applicant responds most will be drop off, only 1 family lives within the community in walking distance.

Will a building permit be required? Greg Ransford– responds depending on the type of reno is planned. The building official would need to be inquired about what needs to be brought up to code. Further discussion among Commissioners.

Marv Bennink opens for public hearing, Joel Terpstra seconds, and it carried unanimously.

John Berhens 9265 Kenowa – Excited the building is no longer abandoned. Great addition to the community and glad to see

Q: Was this property bought from Grandville Public Schools? A – yes it was purchased in August 2023.

Al Griner – what is the location where the current school meets? A. Temporarily renting space in Standale.

Dave Neswick – 24th Ave – great idea to repurpose the building. States he is for education.

Joel Terpstra moved to close public hearing, Curt Rypma supports and it closed unanimously.

Further discussion between applicant and Commissioners.

Marv Bennink motions to approve the site plan as presented, because it meets the standards provided in [Section 3.36(4)], Section 18.06 and Section 19.06. The site plan includes:

- A one-page Special Use Application form, dated 09-14-23;
- Site Plan Pavilion Christian School, Sheet C1, dated 9/14/2023, prepared by Feenstra & Associates, Incorporated
- Building elevation photographs (7);
- Undated and untitled floor plan (1 page);

with the following conditions:

1. The Ottawa County Health Department shall approve the existing septic system for the proposed use. In the alternative, a new septic system shall be installed. In the instance the new septic system significantly alters the site plan layout, as determined by the Planner, the site plan shall return to the Planning Commission for review and approval.
 2. Either a variance is received from Section 7.03(a)1 of the TCTZO or it is otherwise amended to allow the use. In the instance neither occurs, the use approval is void.
 3. Execution of the standard Sewer Special Assessment Contract and;
 4. No pathway along Kenowa Avenue or payment in-lieu is required for the site
- Joel Terpstra seconds the motion and it carries unanimously.

o Text Amendments

- Section 5.02(g) – Permitted Uses
- Section 6.02(c) – Permitted Uses
- Section 7.03(a)1 – Uses Permitted After Special Approval
- Section 9A.03(a)1 – Uses Permitted After Special Approval

Joel Terpstra motion to move to open the public hearing for the 4 text amendments. Curt Rypma seconds, and it carries unanimously.

No Comments

Joel Terpstra moves to close public hearing, Dave Hanco seconds, and it carries unanimously.

Joel Terpstra motions to recommend an adoption and approval the text amendments, Dave Hanco seconds and it carried unanimously.

- **Site Plan Review Applications**

- **Zokoe Realty – 250 Lake Michigan Drive – 70-10-25-200-028**

- Seeking to operate a realty office

Dave Hanco recuses himself for this application.

Dave Hanco takes the floor to highlight the nature of this application. The applicant is a real estate business that purchased and intends to reconstruct the current residential house into an office space. Discussion among Commissioners and applicant. Addresses Ottawa County Water Resource and their requirements. Discussion about the driveway approach and the plans to have a shared LMD approach with neighboring property. Discussion about the shed for the trash receptacles. Discussion about the lighting and confirms the lighting with shine down, shoe box style. Discussion about signage. Discussion about pathway. Must match the sidewalk size as what is currently along LMD.

Joel Terpstra motions to approve the site plan as presented in the Fresh Coast memo, dated 10/13/23, striking the paragraph about fencing, which includes:

- Site Plan sheets prepared by Feenstra and Associates dated October 5, 2023, Sheet 1 of 4 Survey and Demo Plan, Sheet 2 of 4 Site and Landscaping Plan, Sheet 3 of 4 Grading and SESC Plan, and Sheet 4 of 4 Entrance Detail Plan
- Sign Specification and Dimension Sheets dated September 27, 2023
- Photometric Plan received October 3, 2023
- Floor Plan Sheet Number A101 dated September 18, 2023
- Floor Plan Sheet Number A102 dated September 18, 2023
- Driveway Easement Exhibit prepared by Feenstra and Associates received October 6, 2023
- Trash Enclosure Shed must meet the requirements of the ordinance, with materials and roofing.
- Site Plan Application dated July 6, 2023
- Existing Light pictures, received October 10, 2023

with the following conditions:

1. Must meet requirements of Township Engineer;
2. Compliance with the direction of the Fire Department;
3. The shed for storage of the trash bins shall be at least 20 feet away from the commercial building and shall only be used for storage of the trash bins;
4. The proper easement is granted to the Township for maintenance and improvements related to the sidewalk on Lake Michigan Drive;

5. Must receive approval from MDOT for entrance off of Lake Michigan Drive;
6. Must provide documentation of recorded ingress-egress easement to use a portion of the neighbor's property for the entrance off Lake Michigan Drive;
7. The applicant shall meet with the adjacent neighbor to the south and the Township Engineer on-site to verify where the water will discharge and that measures are in place to convey the storm water;
8. An easement shall be prepared for the stormwater drainage into the neighbor's property or a letter from the neighbor acknowledging the changes in storm water flow;
9. Any changes to the approved site plan shall return to the Planning Commission for review and approval, if appropriate;
10. The proposed shed shall contain LP siding and colors similar to the house wall and roof

Erin Hill seconds, and it carries unanimously.

**o Lake Michigan Drive Developers – 381 Lake Michigan Drive –
70-10-24-400-071 & 70-10-24-400-074**

- Seeking a warehouse addition and operate a contractor's office

Matt Cole, applicant engineer, takes the floor and gives a brief recap of the intended uses and plans for this project. Greg Ransford highlights some areas of the property, touching on the exterior façade material currently used is made of brick and wood. This property is a bit unique. Bringing to attention the intended materials to be used. Parking lot is existing and reminds Commissioners they may require expansion if needed.

Discussion among Commissioners, applicant and Greg Ransford.

The applicant indicated they will remove all pole mounted lighting. They will also restripe parking spaces into the flush sidewalk area since landscaping exists between the parking and the building.

Dave Hanco motions to approve the site plan as presented in the Memo from Fresh coast dated, 10/12/23, which includes:

- Site Plan sheets prepared by Roosien and Associates dated October 2, 2023, Sheet 1 of 4 Existing Conditions and Removal Site Plan, Sheet 2 of 4 Site Layout, Utility & Landscape Plan, Sheet 3 of 4 Grading and SESC Plan, and Sheet 4 of 4 Detail Plan.
- Floor Plan and Architectural sheets prepared by BCI Construction dated October 2, 2023, Sheet 1 of 7 Cover Page, Sheet 2 of 7 Framing Plan and Foundation Plan, Sheet 3 of 7 Code Plan, Sheet 4 of 7 Reflected Ceiling Plan and Floor Plan, Sheet 5 of 7 Elevation Plans and Roof Plan, Sheet 6 of 7 Wall Section Plans, and Sheet 7 of 7 Dumpster Plan
- Site Photometric Plan dated July 24, 2023.
- Storm Water Calculation Sheets prepared by Roosien and Associates dated June 23, 2023.
- Roof material specification sheets dated March 2023.
- Light specification sheets dated March 8, 2022.

- Exposed metal fastener siding specification sheets received July 27, 2023.
- Hidden fastener siding specification sheets received October 5th, 2023.
- Surveys dated July 19, 2007, and May 5th 2000.

with the following conditions:

1. Submission of a land combination application and approval of the land combination is given prior to issuance of a building permit;
2. The Township Engineer is satisfied with the proposed plans prior to issuance of a building permit and;
3. The Township Fire Department is satisfied with the proposed plans prior to issuance of a building permit.
4. The applicant shall receive approval from the Ottawa County Water Resources Commission (OCWRC).
5. The front façade (west elevation) has stamp concrete used.

Joel Terpstra seconds the motion and it carries unanimously.

Old Business

- None

Planning Commission Comment: Greg Ransford addresses the scheduled agenda for future meetings. Decide to address the Ironwood Overlay in November and to officially cancel the December meeting.

Adjournment 9:06pm