

**Tallmadge Charter Township
Planning Commission
Regular Meeting
January 23, 2024
7:00PM**

7:05 pm Curt Rypma called the meeting to order. Present: Joel Terpstra, Curt Rypma, David Hanco, Joe Grochowalski and Erin Hill. Matt Fenske, Marv Bennink, absent. Greg Ransford Planner, Alexis Gulker Zoning Administrator, with 20+ members of the public present.

Approval of the Agenda was motioned by Terpstra, Hanco seconded, and it carried unanimously.

Approval of the minutes from the November 28, 2023, Regular Meeting: Terpstra motioned to approve the minutes as printed. Hill seconded, and it carried unanimously.

Non-agenda item inquiries:

None

New Business

- Public Hearing
 - o Map Amendment
 - JAG Development – 1590 Lake Michigan Drive – 70-10-26-100-018
 - Seeking rezoning from the Single Family Residential (R-1) Zoning District to the General Commercial Zoning District

Greg Ransford, Township Planner, took the floor and gave a brief recap of this rezoning request, approximately 46 acres from Single Family Residential (R-1) to the General Commercial Zoning District. They are seeking to rezone entirety of property. Explains the rezoning does extend further than what the master plan has for General Commercial. North 2/3 is consistent with the map but south 1/3 does not. Utilities is not available there. Explained zoning around the property.

Rypma asks if they can rezone just a portion of the property and it be dual zoned? A: Yes.

Applicant Jonathan DePoy with Nederveld Engineering takes the floor, representing the owner, Todd Grasman. Applicant addresses the audience and PC, presenting on the TV. Applicant describes size and where the property is. Also notes it is master planned as General Commercial but is currently Zoned R-1, explains zoning around it. Applicant reviews 3 C's from memorandum, Consistency with the master plan, Compatibility talking about buffer, precedence, and future use. Applicant also notes they are willing to just have the part of the property that is master planned as General Commercial be rezoned and leave the rest the way it is. Applicant then mentions Capability about setbacks, and different uses that could be used there. Then the applicant gave a summary of the 3 C's he just explained. Thanks audience and PC.

Terpstra asks how many acres would be rezoned if it was only the land master planned as General Commercial?

Applicant was not sure how many exactly but around two thirds.

Terpstra asks how many splits are available after if it is rezoned?

Applicant says he would have to check with assessor but maybe six splits.

Rypma asks if anyone else from PC has questions: None.

Terpstra motions to open the public hearing, Grochowalski seconded, and it carried unanimously.

Rypma explains what public hearing is and procedure.

Jackie Courtland, Lake Michigan Drive - States they live directly across the street from property asking to be rezoned, and wonders what kind of business can fit on that kind of property? A: Uses dictate the area they need. Some are special uses some are normal general commercial uses.

Jackie Courtland asks who pays for the utilities if a dollar general comes in? A: It is developer driven.

Terpstra states the Township has started to look into expanding our utility district due to the other rezonings on Lake Michigan Drive. Explains process Township would have to go through for it.

Sandy Barbour, Lovers Lane - States her mother owns a house right on 14th avenue, what does that do to her assessments for taxes? A: Ty Tacoma would know our assessor.

A resident who lives off 12th Avenue- States this will not benefit people here. He is the one who did petition on the last one and spoke to many people about this and no one likes it. States he was lied to by the Clerk, that she was incorrect in the number that he needed. All this process is lies and doesn't benefit anyone in the Township unless it's for developers.

Sandy Barbour, Lovers Lane - Wonders when would this this come into effect? A: It goes to the Board next, either next month or the month after.

Edward Niemi, 2890 Leonard Marne- Wonders about if conditions can be put on the rezoning? A: Not now, but at the site plan level yes.

Edward Niemi, 2890 Leonard Marne- States water and sewer should go to this property and to that area if something does go in there.

Terpstra motioned to close public hearing, Hanko seconded, and it carried unanimously.

Grochowalski says he is in support of the rezone to commercial but only the part of the property that is master planned as commercial and to keep the part that is not master planned as commercial as residential.

Terpsta agrees.

Hanko agrees.

Hill asks if utilities can be mandated when something does go in? A: It can be a condition they are a yes vote once a site plan comes in but not mandated to make them have utilities right away. If it is a PUD, it could change things if they are a certain distance from sewer and water then they would have to extend it to the site.

Hill asks if they are within that? A: No.

Terpstra moves to recommend the adoption of the rezone from Residential(R-1) to General Commercial(C-2) for only that portion of the property that matches the Tallmadge Charter Township Master Plan (TCTMP) for commercial because the request **is consistent with the TCTMP** to the Township Board stating that the application request met the requirements of the 3 C's as stated in the memorandum. Hanko seconded, and the motion carried unanimously.

- Kenneth & Beverly Tanis – 8619 Kenowa Avenue – 70-14-12-200-025
 - Seeking rezoning from the Agricultural Zoning District to Rural Preserve Zoning District for 2.5 acres of their property

Greg Ransford takes the floor to give a brief overview of the rezoning of two and a half acres on Burton. The property requesting to be rezoned is in compliance with the width and acreage needed for the Rural Preserve District. The rest of the land not being rezoned would still be in compliance with the zoning ordinance. Its master planned as Rural/Agricultural Preservation. During the master plan process people vocalized they want to be able to zone some of their land to Rural Preserve. Alexis in her memorandum recommends adoption would be appropriate due to it meeting the 3 C's.

The applicant, Ken Tanis, takes the floor gives a brief overview of the rezoning and states he wants a man cave, he needs money to build a man cave and splitting this off after its rezoned will help him get the money, he needs for it.

Grochowalski motioned to open to public hearing, Terpstra seconded, and it carried unanimously.

James Tanis, he lives on the property directly across from the property requesting to be rezoned- States once he retires from the military, he wants to farm there and wants a lot of property. He states he read the master plan about Agricultural land and operations. His fear is that more will happen if this is allowed. He notes Burton is still a gravel road. He could not purchase it if it gets

switched to Rural Preserve because of grants he would want to use to purchase the land. Just wishes it could stay Agricultural.

Skip Wheeler, he has acres on both sides of Ken Tanis - States he goes way back with Tanis. He just acquired some of their land. He is not going to develop it. Ken is a good friend, but he is speaking against the rezoning, but understands property rights. The Agricultural land belongs there better than septic tanks.

Ken Tanis daughter- States the audience is a whole bunch of hypocrites and has bought or received property from their family. Everyone is all ridiculous.

Resident from 284 Burton- States they have been there for 168 years, did not buy any land from the Tanis's, firm believer on what they want to do for this land. But opportunities of having the land stay agricultural should happen.

Resident from 0-312 Burton- States they are on the gravel part of Burton, they want to farm the family land, he wants to keep the land agricultural, there is other ways to get money. No one wants houses. When you open the flood gates then a whole bunch of other people want it.

Brother of Ken Tanis – States his brother could sell his property for 10 acres. That's what he thinks he should do.

Barbara, 312 Burton Street - She is concerned with increased traffic, dust and dirt, and harm to animals across the street. It opens the flood gates for more.

Barb Bow, lives on Burton Street - States she fell in love with the area. Then the apple farm went downhill, James has made it a lot better. She gets the applicant wants a man cave, but she wants to keep it country.

Terpstra motioned to close public hearing, Hill seconded, and it carried unanimously.

Terpstra explains how the process works, it's pretty black and white. It could be rezoned to Rural Preserve and then backward rezone to Agricultural down the road. The money is irrelevant, what is important is does it meet the master plan, is it spot zoning, etc. These applications are driven by the applicant not the PC driving around looking for property to do this to. It does support a rezone.

Rypma asked if there is any difference between this rezone and other ones we have approved in the past? A: No, it is not different. Only about three dozen of these in the last 20 years. They could keep farming it too as Rural Preserve.

Rypma explains this will go to the board next.

Hanko moves to recommend the adoption of the two and a half acres, Parcel A, rezone from Agriculture (AG) to Rural Preserve (RP) **as presented** to the Township Board stating that the application request met the requirements of the 3 C's as stated in the memorandum. Terpstra seconds and the motion carried unanimously.

- Election of Officers

Terpstra motioned to appoint Curt Rypma as Chair of the Planning Commission for 2024, Hanko seconded, and the motion carried unanimously.

Grochowalski motioned to appoint David Hanko for Vice Chair of the Planning Commission for 2024, Terpstra seconded, and the motion carried unanimously.

Terpstra motioned to appoint Erin Hill to be Secretary of the Planning Commission for 2024, Grochowalski seconded, and the motion carried unanimously.

- 2024 Meeting Schedule

Terpstra states he would like meetings to be at 6pm because it fits better with his schedule and might work better for others too.

Grochowalski states 7pm may be better for some people for dinner.

Terpstra asks maybe 6:30?

Rypma states 6pm works for him.

Hill states 6pm would work better for her too.

Discussion about what would work better for timing of meetings.

Terpstra motioned for Planning Commission meetings to be moved to 6pm for 2024, Grochowalski seconded, and the motion carried unanimously.

Greg Ransford explains February meeting needs to be moved due to an election that day. There is one applicant that will have to be moved.

Discussion about different dates between the PC members and Greg Ransford.

PC decides to cancel February meeting and adopt the following schedule for 2024.

- Tuesday, January 23
- No meeting in February
- Tuesday, March 26
- Tuesday, April 23

- Tuesday, May 28
- Tuesday, June 25
- Tuesday, July 23
- Tuesday, August 27
- Tuesday, September 24
- Tuesday, October 22
- Tuesday, November 26
- No Meeting in December

Old Business

- None

Planning Commission Comment

- Church/School accessory uses

Greg Ransford explains an applicant from southeast corner of Leonard and 8th avenue wants a school and church and senior living on the same parcel. We allow for churches in schools. But an accessory to that is 6-8 units for retirement living, told applicant they could do PUD for all 3. Or have it be an accessory use and do all 3, but a PUD is cleaner. But doing it as an accessory use is a normal site plan and is easier and just one meeting not multiple like PUD's.

Terpstra states he thinks it should come to them as a PUD, not an accessory use. PUD would be more appropriate.

Grochowalski states he thinks it's a stretch as an accessory use, that it should be PUD too.

Hanko wonders how many units they would want for senior living? A: 6-8 retirement living units.

Discussion between PC members and Greg Ransford about other properties like this.

PC agrees it's better to have it come to them as a PUD not accessory use.

Terpstra motions to adjourn, Hanko seconds, and the motion carried unanimously.

Adjournment 8:35pm

Respectfully submitted,

Alexis Gulker