



Fresh Coast Planning

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MEMORANDUM

To: Tallmadge Charter Township Planning Commission

From: Gregory L. Ransford, MPA

Date: November 5, 2024

Re: Mineral, Extracting, Monitoring, and Reclaiming Ordinance – Draft Amendment Version 2

Pursuant to your direction at your October 22, 2024 meeting, the Township Legal Counsel reviewed the draft language to amend the Tallmadge Charter Township Mineral, Extracting, Monitoring, and Reclaiming Ordinance to allow the Planning Commission and Board of Trustees to reduce certain setbacks when deemed appropriate in accordance with review criteria. Below is the draft language incorporating his comments. Additions are shown in bold text and deletions are shown in strikethrough text.

Section 6.00 – Restrictions Governing Permit Holder

6.16 The Township Board may authorize a reduction in any dimensional requirement of this Ordinance when the applicant proves, by ~~professional~~ evidence **satisfactory to the Township Board**, that the reduction will not create negative consequences to the health, safety, and welfare of ~~adjacent properties, structures, and persons,~~ and will not create negative consequences to the ~~health, safety, and welfare of the~~ land subject to the excavation **or to any structures or other real property**. Prior to authorizing a reduction in any dimensional requirement of this Ordinance, the Township may require additional professional evidence or studies **at the applicant's cost** to ensure the protection of the lateral stability of abutting lands and the land subject to the excavation, to prevent erosion, to prevent flooding, to prevent contamination of ground water, and to prevent destabilization of the environment.

This language has been scheduled for a public hearing at your November 19, 2024 special meeting. Attached is the related Text Amendment Ordinance. If you have any questions, please let us know.

GLR
Planner

Attachment

cc: Mark Bennett, Supervisor