

ROBINSON TOWNSHIP PLANNING COMMISSION
November 22, 2016

The regular meeting of the Robinson Township Planning Commission was called to order at 7:30 PM at the Robinson Township Fire Station.

Present	Absent
Shawn Martinie Rich Sibley Travis Vugteveen Bill Maschewske Tom TenBroeke George Schippers Steve Young	None

Also present were Township Attorney Ron Bultje, Zoning Administrator Kathy Kuck, and eight members of the public. See attached attendance sheet.

A motion was made by Tom TenBroeke and seconded by Rich Sibley to approve the October 25, 2016 Planning Commission minutes as written.
The motion carried unanimously.

Non-Commission Member Inquiries – None

Reports and Communications

Travis Vugteveen reported the following from the Township Board.

1. The property at recently vacated Eastman St. has been divided.
2. A budget amendment was approved as a result of road brining costs.
3. The purchase and installation of a new computer server for the Township Hall was approved.
4. A new planning contract with Williams and Works was approved.

Announcements

Chairperson Martinie thanked Tracy Mulligan for her years of service as Township Supervisor and congratulated Kathy Kuck on being elected the new Township Supervisor.

Old Business

At this time, the public hearing was held as scheduled for the rezoning of a proportion of parcel no. 70-08-33-400-032 and for a Zoning Text amendment to add “Parking areas” as a permitted use in the B-1 Zoning District. An introduction was given by Chairperson Martinie. The public hearing notice was read by Secretary Maschewske. The public hearing was declared open and the rules of procedure for the public hearing were read by Chairperson Martinie.

Aaron Bodbyl-Mast, Planner with the Ottawa County Parks and Recreation Department, gave a presentation regarding the requested rezoning. It was stated the long range goal is to connect Grand Rapids and Grand Haven by non-motorized trail, including the Grand Valley State University campus. The shorter term plan is to construct a trail from Connor Bayou Park to Riverside Park, with 70% of the cost supported by Federal funding. The primary purpose of the parking area on the property requested to be rezoned is to serve those who want to walk the bridge. There is no local cost for the MDOT property to be used for parking. Trail construction is being funded north from the M-231 bridge to Nunica. The proposed parking is located on the parcel as submitted due to Native American artifacts located on the site. Bus parking is planned to provide for schools to tour the bridge and read the interpretative signs required by MDOT. The parking area is to be open 24 hours per day and lighting is per MDOT. They are considering bathroom facilities on the site. The lot will not be plowed in the winter.

Charles Moll – Stated he is not opposed to the project but has questions. What is the timing for construction completion?

Aaron Bodbyl-Mast – The project will be bid in early 2017 and is expected to be complete in the fall of 2017.

Travis Vugteveen – Will the bathroom facilities be a port-o-let?

Aaron Bodbyl-Mast—Yes, on a concrete slab.

Charles Moll – Stated his mother lives across the street from the current proposed access. He would like the driveway moved closer to M-231 to prevent automobile headlights from shining in her house. Her house is in direct line with the proposed drive.

Aaron Bodbyl-Mast—He does not know if it can be moved but the request will be noted.

Charles Moll – Stated he does not understand the concern about artifacts since the south part of the parcel has been filled by MDOT.

Aaron Bodbyl-Mast—Stated that tribal artifact concerns are for the North part of the parcel.

Tom Hoekstra – How many lights will there be and how bright?

Aaron Bodbyl-Mast -- The proposed lights will be LED sharp cutoff of minimum required power. There will also be lights on the sign.

Chairperson Martinie – Noted that the complete Site Plan, when submitted, must include lighting details.

Tom Hoekstra – If the property is zoned to B-1, what else could be built on the property in the future?

Chairperson Martinie – Explained the contract zoning proposed for the parcel.

Charles Moll – If the parking lot does not get used, who decides to abandon?

Aaron Bodbyl-Mast—He does not know, however, he believes it will be used. The parking area needs to be used for a minimum of 20 years, otherwise, Ottawa County must pay back the Federal Government grant money.

Travis Vugteveen – Will there be running water on the site?

Aaron Bodbyl-Mast—No.

There were no further comments or questions from either the public or the Planning Commission.

A motion was made by George Schippers and seconded by Rich Sibley to close the public hearing.

The motion carried unanimously.

Travis Vugteveen – Several questions regarding inconsistencies in Exhibit B of the submitted documents.

Township Attorney Bultje – Stated that the Planning Commission will only make a recommendation regarding the Zoning Text and Map amendments at this time. Exhibit B documents may be revised with the Site Plan submission.

A motion was made by Rich Sibley and seconded by Tom TenBroeke to recommend approval to the Township Board of the Zoning Map and Text amendment with draft date of November 7, 2016 based on the contract zoning request from the applicant using the contract zoning agreement with draft date of November 7, 2016 or substantially equivalent and basing the recommended rezoning on the findings in Section 3 of the November 7, 2016 document.

A roll call vote was taken.

Steve Young – Yes

Tom TenBroeke – Yes

George Schippers – Yes
Shawn Martinie – Yes
Bill Maschewske – Yes
Travis Vugteveen – Yes
Rich Sibley – Yes
The motion carried unanimously.

At 8:30 PM., the Merle Boes/Bay Park Sapphire Site Plan and Special Use applications were considered.

Chairperson Martinie – Noted that revised Site Plan and Special Use applications had been submitted by the applicants.

Bill Maschewske – Questioned the location in the Zoning Ordinance of the text that excluded the electronic price signs from the allowable square footage.

Township Attorney Bultje – Refer to Section 4.44 (G) (4).

Chairperson Martinie reviewed the answers to questions supplied to Planning Consultant David Jirousek at Williams and Works regarding his review of the Site Plan and Special Use applications and included in his response dated November 17, 2016.

1. Special Land Use (C. – Conditions necessary, but there are none listed)
Response -- There are no specific conditions.
2. Special Land Use (K.2. – Light fixture height.)
Response -- The application is acceptable.
3. Site Plan Standards (A. – The building must be shifted 4.3 ft. to the east)
Response -- The building has been moved on the revised Site Plan.
4. Site Plan Standards (K. – AC unit is screened on east side of the building)
Response -- This is acceptable.
5. Site Plan Standards (O – Does the plan comply with the Highway Commercial building requirements?)
Response -- The transparency requirement for windows does not apply on the east side of the building. Compliance with Section 18.3 only applies to the front façade which is the west side of the building.
6. Section 18.2 (A) (3) (a) – A maximum of 8 pumps is permitted. A single pump serves two vehicles, with one fuel dispensing hose on each side.)
The application is compliant.

Next reviewed were the Recommendations dated November 17, 2016 from Williams and Works regarding David Jirousek’s analysis of the Site Plan and Special Use applications. The Planning Commission response follows each item.

1. Assess the potential to allow cross-access movements to the northern parcel.
This is acceptable and is shown on C-101.
2. Demonstrate the ability to connect to a future public sewer system.
This is covered in Item 4.h. of the Resolution.
3. Provide light fixture details and adjust illumination levels to fall under the maximum requirement.
New submissions make this acceptable.
4. Ensure compliance with the requirements, terms, and conditions of the Robinson Township Earth Change Ordinance.
This is addressed in Item 4.I. of the resolution.
5. Shift the principal building approximately 4.3 feet to the east to comply with the 50 – 70 ft. build-to zone requirement along 120th Ave.
The new plan shows the building moved (C-101).
6. Remove 2 parking spaces from the “front” yard.
Done.
7. Secure outside permits or approvals.
Covered in Sections 4. C, H, I, J, and P. Zoning Administrator Kathy Kuck also stated that the Fire Department has reviewed the plan with no issues.

Chairperson Martinie inquired if there were any more questions, either from the public or the Planning Commission. There were no more questions.

It was noted that the sign exceeds the square footage allowed. This would either need to be revised to comply or the issue taken to the Zoning Board of Appeals for approval.

Township Attorney Bultje – Stated there were two issues.

1. Need to add Item R to the Report list of contents of the Site Plan. (addition of M-45 sign)
2. Revise Item 4. B of the Report to add “either by meeting those standards explicitly or by approval of the Zoning Board of Appeals.

A motion was made by Rich Sibley and seconded by Tom TenBroeke to adopt the Resolution and Report with draft date of 11/18/16 regarding the Merle Boes/Bay Park Sapphire Site Plan and Special Use applications with the following amendments.

1. Amend the Report by adding Item R. (addition of the M-45 sign).

2. Amend Section 4. b of the Report to add “either by meeting those standards explicitly or by approval of the Zoning Board of Appeals.”
3. Amend Section 4. f of the Report to state the project shall start by April 2017 and be complete by September 2017.
4. Amend Section 4.p of the Report to add “and MDOT.”

A roll call vote was taken.

Steve Young – Yes

Tom TenBroeke – Yes

George Schippers – Yes

Shawn Martinie – Yes

Bill Maschewske – Yes

Travis Vugteveen – Yes

Rich Sibley – Yes

The motion carried unanimously.

New Business

At 9:45 PM., a preliminary review of the Ottawa County Parks Department/MDOT Site Plan for parcel no. 70-04-33-400-032 was performed even though the applicants had stated that the plan was still subject to changes. The letters below reference the items in Chapter 31.7 of the Zoning Ordinance.

E. Verify that no structures are within 100 feet of the property boundaries.

G. Acceleration and deceleration lanes need to be approved by the Ottawa County Road Commission.

I. No existing or proposed utilities are shown.

Q. Need location, size, and specifications for the road sign.

R. Illumination types and illumination area needed.

X. Construction schedule not stated.

In addition, the exhibits need to be cleaned up to show only one parking lot plan and be properly referenced.

A motion was made by Travis Vugteveen and seconded by Tom TenBroeke to table the review of the Ottawa County Parks Department/MDOT Site Plan application.

The motion carried unanimously.

At 10:00 PM., the Westerbeke Class A Earth Change application was considered. A brief explanation was given by Mark Westerbeke. Mr. Westerbeke stated that under a previous Class A Earth Change permit, approximately 2000 cubic yards were dug for

residential construction and to form a pond. He now wishes to enlarge the pond since another 1000 cubic yards of fill are needed for the house construction. The revised pond will continue to meet the 50 foot setbacks from property lines.

Bill Maschewske – The original pond was dug 16 feet deep. The plan now states 35 feet deep. Is this correct?

Mark Westerbeke – No. The pond is currently 14 feet deep and will be three feet deeper when the expansion is complete.

An estimated volume of the proposed pond was calculated and the total appeared to be less than 5000 cubic yards.

Bill Maschewske – Section E. 3 states that the disturbed area will be stabilized by regrowth of natural vegetation. This is not an acceptable reclamation plan.

Mark Westerbeke – Stated the disturbed areas will be seeded as lawn since it will be the yard for the residence.

Rich Sibley – The size of the pond stated in the application needs to be corrected. The pond, per the verbal statements of the applicant, will be 115 feet by 160 feet by 17 feet deep when complete.

Mark Westerbeke – Confirmed the above dimensions of the pond.

A motion was made by George Schippers and seconded by Tom TenBroeke to recommend to the Township Board approval of the Mark Westerbeke Class A Earth Change with the same conditions and findings as detailed in the original application approval recommendation.

The motion carried unanimously.

At 10:30 PM., the Preliminary Site Plan and Class B Earth Change Application from MME Development were reviewed. Representatives Phillip Johnson of Resource Planning and Design and owner Mark Sloothaak were present. The proposal is to dig a 14 acre lake across three parcels owned by Mr. Sloothaak and create three lakefront lots.

The Preliminary Site Plan was discussed for informational purposes. The following were the major considerations.

1. The proposed lots do not meet the requirements of Section 3.64 of the Zoning Ordinance in that the lot dimensional and area requirements of Chapter 30 must be met with land that is not under water.
2. The private road must meet the 1000 ft. maximum length requirement of the Private Road Ordinance if it is to be a dead end private road.
3. A cul-de-sac will be required at the dead end of the private road.

It was agreed that the applicant, if he desired to pursue this project, would need to submit a revised Site Plan and a revised Class B Earth Change permit. Recently adopted State legislation permits mining in any zoning district, so a rezoning to Mining District is not required.

A motion was made by George Schippers and seconded by Travis Vugteveen to pay salaries for the month of November 2016 (one meeting).
The motion carried unanimously.

Any and All Business

Zoning Administrator Kathy Kuck reviewed the following.

1. Dykstra Earth Change renewal pending.
2. Submittals recently have been too confusing and too late.
3. Short term rentals should be reviewed for possible inclusion in the Zoning Ordinance.

A motion was made by Travis Vugteveen and seconded by George Schippers to adjourn the Planning Commission at 11:45 PM.
The motion carried unanimously.

Respectfully submitted,

Bill Maschewske, Secretary
Robinson Township Planning Commission

