

ROBINSON TOWNSHIP PLANNING COMMISSION
November 27, 2018

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

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

Also present were Township Attorney Ron Bultje, Zoning Administrator Brian Werschem, and thirteen members of the public. The attendance sheet is attached.

A motion was made by Shawn Martinie and seconded by Rich Sibley to amend the agenda to schedule the public hearing first.
The motion carried unanimously.

A motion was made by Tom TenBroeke and seconded by George Schippers to approve the September 25, 2018 Planning Commission minutes as written.
The motion carried unanimously.

Non-Commission Inquiries -- None

Reports and Communications -- None

Announcements

Chairperson Martinie distributed a printout of the presentation from a groundwater seminar at the Ottawa County building.

New Business

As scheduled, the public hearing for the rezoning request from Jake Peterson, Ryan Richards, and Gerald Feenstra to rezone parcels 70-08-12-300-034 and 70-08-12-300-020 from Planned Unit Development-Recreational Park to Rural Residential. An introduction was given by Chairperson Martinie and the public hearing notice was read by Secretary Maschewske. The

public hearing was declared open and the rules of procedure were reviewed by Chairperson Martinie.

Randy Feenstra and Gerald Feenstra were present to represent the application. Randy Feenstra gave a presentation showing the location of the property and the proposed development, including private roads. They are requesting RR zoning instead of the A-1 zoning the property will revert to if the golf course is discontinued because the RR Zoning District allows the use of private rather than public roads within the development. Both zonings require the same lot size. All proposed lots on the preliminary plan meet the Zoning Ordinance requirements for size. The layout will be refined if RR zoning is obtained. The applicants recognize that they will need Health Department approval for wells and septic systems and DEQ review for wetlands prior to the creation of a final plan.

Chairperson Martinie – Explained the Planned Unit Development zoning. He noted that if the rezoning is not approved, the zoning would revert to A-1 zoning per the PUD-RP rezoning agreement.

The applicants noted that the golf course was still operational until winter weather forced closure and may open again in the spring.

Chairperson Martinie – Stated that what is proposed is a site condominium project. How many lots would be allowed?

Township Attorney Bultje – As a site condominium, it is not subject to the Land Division Act.

Chairperson Martinie – What is the property designated on the Master Land Use Plan?

Zoning Administrator Werschem – Recreational and a copy of the map is included in the packets.

It was noted that the same development could be allowed in either the A-1 or RR Zoning Districts with the exception that RR would permit private roads instead of the public roads required in A-1 Zoning District.

Rich Sibley – The real issue is what the property should be zoned.

At this time, the hearing was opened to comments from the public.

Patrick Muir – He is trying to understand what would be allowed in A-1 Zoning. He is against the level of development proposed which will result in a big change in wildlife habitat. He is against multifamily condominiums and is concerned about the environmental impact of the people and the volume of traffic.

Site condominiums were explained to Mr. Muir. The sites would be condominium but would have single family residences.

Michelle Schippers – She was told the land would not perk and was unsuitable on which to build.

Chairperson Martinie – Noted that any development would have to meet County requirements. He also noted that the County requests that housing be concentrated in areas already served by public water because of issues with the Marshall Formation aquifer. The Township Water Master Plan shows the subject area unlikely to be served by public water.

Leann Scholten -- Noted that residential development was previously planned for the West side of the subject property and was not permitted to occur.

Patrick Muir – Is concerned about runoff to the creek and degradation of the water supply. Most trees will also be removed.

Chairperson Martinie – Noted that if the property were zoned A-1, it could still be cleared and could become a hog farm or similar use.

Gerald Feenstra – As a realtor, he is trying to provide homes for people. He noted a housing shortage in Ottawa County.

Chairperson Martinie – Noted that the real issue is the best use for the property.

Steve Richards – Stated that he raises horses and does not want to get pushed out because of the smell from them.

Randy Feenstra – Stated that it is noted on the deeds of properties that this is an agricultural area.

Chairperson Martinie –The applicants could put in a public road if the property is zoned A-1.

Township Attorney Bultje – Stated that site condominiums could be done with either private or public roads.

Bill Scholten – Did not think the property could be developed because of the high water table.

Randy Feenstra – Stated that they have not yet met with the Ottawa County Road Commission regarding a public road.

There were no more comments from public.

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

The motion carried unanimously.

Township Attorney Bultje – Stated that the issue is what is the best use of the property.

At this time, the Rezoning Criteria were reviewed.

1. What is the character of the surrounding property? Will the requested rezoning result in spot zoning?

The surrounding area is wooded, public property, residential, and agriculture.
The rezoning to RR would not result in spot zoning.

2. What is the suitability of the property in question for various purposes? Can it be used as it is zoned? Does it have to be rezoned in order to be reasonably used?

It is suitable for a golf course which is the current use.
The property can be used as it is zoned.
The property does not need to be rezoned to be reasonably used.

3. What will be the effect on surrounding property values?

The effect on surrounding property values if rezoned is unknown.

4. What will be the effect on the market value of the property in question?

The property value would be expected to increase.

5. What is the general trend of future building and population growth?

The general trend is for increased building and population growth.

6. How would the welfare of the Township residents be affected if the rezoning is approved or if it is denied?

The effect is unknown because of water and sewage issues.

7. What does the Master Plan indicate the land should be zoned?

The Master Land Use Plan indicates Recreational Park with the Planned Unit Development condition the property is to be rezoned to A-1 if the golf course ceases to operate.

A motion was made by Shawn Martinie and seconded by Tom TenBroeke to recommend to the Township Board denial of the request to rezone parcel nos. 70-08-12-300-034 and 70-08-12-300-020 from PUD-RP to RR because of the conflict with the Master Land Use Plan, because of the PUD-RP agreement to rezone the property to A-1 if the golf course should cease operation, and because of the questionable well and septic suitability of the area and the remote likelihood of public water and sewer extension to this location.

A roll call vote was taken.

Tom TenBroeke – Yes

George Schippers – Yes
Rich Sibley – Yes
Bill Maschewske – Yes
Shawn Martinie – Yes
Steve Young – Yes
Travis Vugteveen – Yes

The motion carried unanimously.

At 9:30 PM., the proposed Solar Energy Ordinance was discussed. The Chairperson requested comments on the September 26, 2018 draft.

Bill Maschewske – Section 34.4 (D) and (E) – Does this section refer to use only and have nothing to do with zoning?

Township Attorney Bultje – Yes.

Bill Maschewske – Section 35.2 (G) – Should batteries still be referenced after making this section more generic?

A discussion followed and it was agreed the current wording was acceptable.

Bill Maschewske – Suggested adding “including but not limited to fire, safety, security, and environmental” to the issues covered by the mitigation plan in Section 35.2 (K).

There was no support to make the change since it was felt this would be covered in the application review.

A motion was made by Rich Sibley and seconded by George Schippers to recommend to the Township Board adoption of the Zoning Ordinance Amendment with draft date of September 26, 2018 regarding solar energy collectors and systems.

A roll call vote was taken.

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

At 9:40 PM., the proposed revisions to Signs in the Zoning Ordinance were discussed.

Chairperson Martinie – Questioned if we adequately distinguish between electronic message boards and digital fuel price signs. He feels Section 4.44(D)(9)(d) needs to be clarified.

The following wording for Section 4.44(D)(9)(d) was agreed upon. “A message board, or a digital sign, which displays only the price of fuel and is limited to 25 square feet in area.”

Chairperson Martinie – Reviewed the impact of the proposed ordinance on churches, farm operations, and horse farms. All were determined to be acceptable.

Bill Maschewske – Section 4.44(C)(7) – Suggested revising the text in parenthesis to be clearer.

It was agreed to revise the text in parenthesis of Section 4.44(C)(7) to read as follows: “One general sign (i.e., a sign not specifically defined, not specifically allowed, and not specifically prohibited by this section)...”. The additional text of this section remained unchanged.

Bill Maschewske – Section 4.44(C)(3) – Questioned the lack of limits on Informational Signs.

Following discussion, it was determined the number would be regulated through the Site Plan Review process.

A motion was made by Travis Vugteveen and seconded by Steve Young to schedule a public hearing for January 22, 2019 to amend Sections 3.98, 4.44, and 4.45 of the Zoning Ordinance and to add Section 4.44A.

The motion carried unanimously.

At 10:30PM., Section 4.9A of the Zoning Ordinance was discussed. Zoning Administrator Werschem provided revised text eliminating the entire third paragraph with the intent to eliminate the ability to access a single parcel with an easement.

Township Attorney Bultje – This revision would impact Private Roads also.

Chairperson Martinie – Suggested that Zoning Administrator Werschem provide a diagram to illustrate current problems and that he and the Township Attorney work out proposed wording for a text amendment to be presented at the next meeting.

A motion was made by Travis Vugteveen and seconded by Rich Sibley to pay salaries for November 2018 (one meeting, all present).

The motion carried unanimously.

A motion was made by Rich Sibley and seconded by Steve Young to adjourn the Planning Commission meeting at 10:50 PM.

The motion carried unanimously.

Respectfully submitted,

Bill Maschewske, Secretary
Robinson Township Planning Commission



SIGN IN SHEET
Meeting of the
Planning Commission
November 27, 2018 at 7:30 pm

PRINT NAME	SIGNATURE
Leann Schelten	Leann Schelten
Billy Schelten	Bill Schelten
Steve Richards	
Jackie Richards	Jackie Richards
Steve Richards	Steve Richards
Chris Peel	Chris Peel
DAVID SCHIPPERS	DL S/H
Michele Schippers	Michele Schippers
Susan Dombrowski	Susan Dombrowski
Randy Feenstra	Randy Feenstra
GERALD FEENSTRA	geraldf
PATRICK MUIR	Patrick Muir
Shelley Sykes-Muir	Shelley Sykes-Muir