

ROBINSON TOWNSHIP PLANNING COMMISSION  
January 22, 2019

The special 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

Also present were Township Attorney Ron Bultje, Zoning Administrator Brian Werschem, Supervisor Kathy Kuck, Clerk Chris Saddler, and five members of the public. The attendance sheet is attached.

A motion was made by Tom TenBroeke and seconded by Travis Vugteveen to approve the agenda as written.  
The motion carried unanimously with one member absent.

A motion was made by George Schippers and seconded by Tom TenBroeke to approve the November 27, 2018 Planning Commission minutes as written.  
The motion carried unanimously with one member absent.

Non-Commission Inquiries -- None

Reports and Communications

Chairperson Martinie noted that a Notice to Plan was received from Allendale Charter Township.

Travis Vugteveen reported the following from the December 12, 2018 Township Board meeting.

1. The recommendation from the Planning Commission regarding the rezoning of 10125 Osborne St. was sent back to the Planning Commission.
2. The Solar Energy Ordinance was adopted.
3. The option on a foreclosure property from Ottawa County was declined.
4. The hiring of Morgan Michmerhuizen for the Fire Department was approved.
5. Renewal of group term life insurance for Fire Department members was approved.
6. Shelley Witte was hired for the Township receptionist position.

Travis Vugteveen additionally reported the following from the January 9, 2019 Township Board meeting.

1. School taxes were approved.
2. Board appointments were made.
3. Road brining for 2019 was approved (three applications).
4. Trash collection day was set for April 13, 2019.
5. A recreational marihuana ordinance was approved.

### Announcements

Chairperson Martinie stated that Tom TenBroeke had expressed his desire to end his tenure on the Planning Commission in November 2018 but agreed to continue to serve through January 2019 to provide opportunity for a replacement to be found. Lydia Brown was introduced as Tom's replacement and will take office before the next meeting. Tom was thanked for his two terms of service to the Township on the Planning Commission.

Supervisor Kuck – Stated that Township Attorney Bultje will be teaching Basic Planning and Zoning and Basic Zoning Board of Appeals classes at the Ottawa County Fillmore St. complex on February 7 and February 12, 2019.

Supervisor Kuck also thanked Tom TenBroeke from the Township Board for his two terms of service.

### Old Business

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 was returned from the Township Board. The Planning Commission had recommended denial of the request at the November 27, 2018 meeting.

Randy Feenstra made a presentation in favor of approving RR rezoning on the subject parcels. Mr. Feenstra noted that the main difference between rezoning to RR and A-1 was whether private or public roads, respectively, needed to be constructed. If public roads are used, the Ottawa County Road Commission wants two additional roads created that would dead end at the east and west property lines. A layout was shown including both the private and the public road options. Mr. Feenstra also noted that the public roads would require a larger footprint on the parcel since they needed to be wider in addition to the extra two stubbed streets. Additionally, with a public road, the Township is responsible for 50% of the maintenance costs. With a private road, the residents of the development are responsible for maintenance.

Mr. Feenstra also noted that the golf course would not be in operation in the spring.

Mr. Feenstra continued to state that the applicants have contacted the Ottawa County Health Department and noted that most of the wells would be deep and in the Marshall Formation. They have also done a soil analysis but have not done wetlands delineation. He also stated that if the subject parcels are rezoned to A-1, the parcel to the south across Osborne St. would become

spot zoned since it would not be adjacent to any RR zoning. Mr. Feenstra also noted there were several other private roads in the area. He feels that if the property is rezoned to A-1, it will promote more development in the area than if rezoned to RR because of the road situation. It was also noted that the applicants contacted and got signatures from eleven of the neighbors and got positive feedback from nine. Two signatures stated no opinion.

Chairperson Martinie – The parcel to the south of Osborn St. was rezoned to RR in 2003.

Township Attorney Bultje – Stated that the Township Board knew that the golf course would no longer be in operation when they returned the rezoning request to the Planning Commission.

Chairperson Martinie – Wants to go back through the factors for rezoning.

The seven factors are listed below with the Planning Commission responses from the November 27, 2018 meeting included. In *Italics* are the responses from this meeting.

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.  
*Same responses.*

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.  
*The property is suitable for a golf course.*  
*The property can be used as it is zoned.*  
*The property does need to be rezoned if the golf course activity is not continued. The PUD zone is not appropriate if the golf course is not operational; however, it does not answer the question of whether it should be zoned A-1 or RR.*

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

The effect on surrounding property values if rezoned is unknown.  
*The effect is still unknown.*

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

The property value would be expected to increase.  
*The property value is expected to increase whether rezoned to A-1 or RR.*

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

The general trend is for increased building and population growth.  
*Same response.*

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.  
*Same response.*

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.  
*Same response.*

Bill Maschewske – Noted a deficiency in the Zoning Ordinance. The purpose and intent of the Agricultural Zoning District in both the Master Land Use Plan and the Zoning Ordinance was not to allow residential housing developments. This is now possible in the A-1 Zoning District due to the introduction of Site Condominiums since the Zoning Ordinance was written. This deficiency in the Zoning Ordinance should be addressed.

Travis Vugteveen – Questioned what is accomplished with A-1 Zoning on the subject parcels.

Chairperson Martinie – Except for two extra stub streets and 10 ft. of extra road width, it just comes down to money.

Gerald Feenstra – Stated that the applicants had approached the neighbors and showed them both the private and public road plans. The neighbors reportedly favored the private road plan. They talked to eleven neighbors and nine signed indicating they favored the private road plan. It was noted that one of the stub roads required for the public street option would dead end at the neighbor's property that owned horses and was opposed to the development at the November 27, 2018 public hearing.

Chairperson Martinie – The issue of zoning really does not relate to the plans presented. He feels an obligation to fulfill the condition of the rezoning to PUD.

Bill Maschewske – The issue is complicated by the sequence of the rezoning.

Tom TenBroeke – Feels the RR Zoning concept is better for the neighborhood.

Steve Young – Based on the seven criteria for rezoning, the decision would not change. However, including other factors, RR Zoning makes sense.

A motion was made by George Schippers and seconded by Tom TenBroeke, based on reconsideration of the application, reconsideration of the factors for rezoning, recognizing that

the same density and lot size can be achieved with A-1 and with RR Zoning, recognizing that RR Zoning is consistent with development and zoning within the area, and based upon the petitions circulated by the applicants, the Planning Commission recommends the rezoning of parcels 70-08-12-300-034 and 70-08-12-300-020 from PUD-RP to RR (Petitions submitted by applicants and included in minutes).

A roll call vote was taken.

Tom TenBroeke – Yes

George Schippers – Yes

Bill Maschewske – No

Shawn Martinie – Yes

Steve Young – Yes

Travis Vugteveen – Yes

The motion carried with one member absent.

This issue will be considered by the Township Board on February 13, 2019.

At 8:40 PM., the public hearing for the proposed Zoning Ordinance amendment for Signs was held. 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 explained by Chairperson Martinie.

Chairperson Martinie – Provided background to the Zoning Ordinance amendment by explaining the Supreme Court decision of Reed v. Gilbert determining that the regulation of signs could not be content based.

Joanne Kosanic – Stated that she has a small farm and wants a sign with the farm name on it.

Chairperson Martinie – Noted that under the proposed amendment, she would be allowed up to a 20 square foot sign.

Joanne Kosanic – Could she have two signs

Chairperson Martinie – Yes, not to exceed a total of 20 square feet in area.

A motion was made by George Schippers and seconded by Travis Vugteveen to close the public hearing.

The motion carried unanimously with one member absent.

Bill Maschewske – Inquired if a State Historical Commission sign would require a Zoning Certificate of Compliance.

Chairperson Martinie – Yes.

Bill Maschewske – Noted an issue with Sections 4.44(C)(6)(k) and 4.44(E)(8) in that the intent is not to allow inoperable vehicles.

Township Attorney Bultje – Agreed to revise section 4.44(C)(6)(k) by deleting “or sign displayed on a vehicle”. Section 4.44(E)(8) would remain unchanged.

All agreed this change would correct the issue.

A motion was made by George Schippers and seconded by Tom TenBroeke to recommend to the Township Board approval of the Zoning Ordinance amendment to Sections 3.98 and 4.44 and the addition of Section 4.44A, all with draft date of January 22, 2019.

A roll call vote was taken.

Tom TenBroeke – Yes  
George Schippers – Yes  
Bill Maschewske – Yes  
Shawn Martinie – Yes  
Steve Young – Yes  
Travis Vugteveen – Yes

The motion carried unanimously with one member absent.

At 9:03PM., the public hearing for the proposed Zoning Ordinance amendment adding Section 4.57 “Prohibition of Recreational Marihuana Establishments” was held. An introduction was given by Chairperson Martinie and the public hearing notice was read by Secretary Maschewske. The public hearing was declared open. Chairperson Martinie explained that the ordinance was initiated by the Township Board.

Township Attorney Bultje – Stated the Township Board had already approved a similar regulatory ordinance. Since the subject of this ordinance is also a land use issue, it is also being addressed as a Zoning Ordinance amendment.

There were no comments from the public or the Planning Commission.

A motion was made by Travis Vugteveen and seconded by George Schippers to close the public hearing.

The motion carried unanimously with one member absent.

A motion was made by Tom TenBroeke and seconded by Steve Young to recommend to the Township Board the approval of the Zoning Ordinance text amendment to add Section 4.57 “Prohibition of Recreational Marihuana Establishments” with draft date of December 11, 2018.

A roll call vote was taken.

Tom TenBroeke – Yes  
George Schippers – Yes  
Bill Maschewske – Yes

Shawn Martinie – Yes  
Steve Young – Yes  
Travis Vugteveen – Yes

The motion carried unanimously with one member absent.

A motion was made by Travis Vugteveen and seconded by George Schippers to pay salaries for the month of January 2019 (one meeting, one member absent).

The motion carried unanimously with one member absent.

Bill Maschewske – Inquired what could be done to prevent Site Condominiums from circumventing the intent of the Agricultural Zoning District.

Township Attorney Bultje – he will have something prepared for the next meeting.

A motion was made by George Schippers and seconded by Travis Vugteveen to adjourn the Planning Commission meeting at 9:25 PM.

The motion carried unanimously with one member absent.

Respectfully submitted,

Bill Maschewske, Secretary  
Robinson Township Planning Commission

Attachments: Attendance Sheet  
Petition from Peterson, Richards and Feenstra



**SIGN IN SHEET**  
**Robinson Township**  
**Planning Commission**  
**January 22, 2019 at 7:30 pm**

PRINT NAME

SIGNATURE

PRINT NAME	SIGNATURE
<i>Kathy Kuck</i>	<i>Kathy Kuck</i>



Surrounding Neighbors of Evergreen Golf Course

Support Private Road Plan

Name:

Signature:

David & Judith Sensibar

\_\_\_\_\_

Loren Vaneerden

\_\_\_\_\_

John & Penny Reed

\_\_\_\_\_

Thomas & Angela Dykstra

\_\_\_\_\_

Susan Dombrowski

\_\_\_\_\_

James Monroe

\_\_\_\_\_

Ken & Deb Mulder

\_\_\_\_\_

Ken & Dana Hansen

\_\_\_\_\_

Eric & Jamie Tubergen

*Jamie Tubergen*

Mitch & Katie Raspor

*Mitch Raspor*

Norman Bieber

\_\_\_\_\_

*Mitch Durham*  
Mitch Durham

*Mitch Durham*

*DD*

Name:

Signature:

Brian & Ann Marie Tilburt

*Stephen Tilburt*

Don & Lisa Blackmer

*Do*

Scott & Tami Zahl

*Scott Zahl*

Paul & Donna Schipper

\_\_\_\_\_

William & Jean Simaz

\_\_\_\_\_

Shelley Sykes

\_\_\_\_\_

Rich & Elizabeth Heyblom

\_\_\_\_\_

Barry & Mary Chittenden

\_\_\_\_\_

Steve & Jackie Richards

\_\_\_\_\_

Robert & Patty Kolkema

\_\_\_\_\_

Surrounding Neighbors of Evergreen Golf Course


Name:

Signature:

David & Judith Sensibar

\_\_\_\_\_

Loren Vaneerden

\_\_\_\_\_

John & Penny Reed

\_\_\_\_\_

Thomas & Angela Dykstra

\_\_\_\_\_

Susan Dombrowski

\_\_\_\_\_

James Monroe

\_\_\_\_\_

Ken & Deb Mulder

\_\_\_\_\_

Ken & Dana Hansen

\_\_\_\_\_

Eric & Jamie Tubergen

\_\_\_\_\_

Mitch & Katie Raspor

\_\_\_\_\_

Norman Bieber

\_\_\_\_\_

Mitch Durham

\_\_\_\_\_

Name:

Signature:

Brian & Ann Marie Tilburt

\_\_\_\_\_

Don & Lisa Blackmer

\_\_\_\_\_

Scott & Tami Zahl

\_\_\_\_\_

Paul & Donna Schipper

\_\_\_\_\_

William & Jean Simaz

\_\_\_\_\_

Shelley Sykes

\_\_\_\_\_

Rich & Elizabeth Heyblom

\_\_\_\_\_

Barry & Mary Chittenden

\_\_\_\_\_

- NO  
opinion

Steve & Jackie Richards

\_\_\_\_\_

- NO  
opinion

*Steve Richards*

Robert & Patty Kolkema

\_\_\_\_\_

