

## ROBINSON TOWNSHIP PLANNING COMMISSION

December 15, 2020

The special meeting of the Robinson Township Planning Commission was called to order at 7:33 PM via Zoom (virtual meeting).

Present	Absent
Shawn Martinie Travis Vugteveen Bill Maschewske Lydia Brown Steve Young Rich Sibley George Schippers	None

By Michigan law, a roll call attendance was taken with each member and person in attendance identifying their name and the county and state they were in currently for the meeting.

Also present were Zoning Administrator Brian Werschem, Township Attorney Ron Bultje, Chad Lahey, Dalane VanderBerg, Scott Knowlton, Peter Olesczuk, Brenda Sibley, Merle Boes, Rich Bramer, Terry Boersen, and Jason Raleigh.

A motion was made by Shawn Martinie and seconded by Rich Sibley to approve the agenda as revised to make this a special meeting instead of a regular meeting.

A roll call vote was taken.

Steve Young – Yes

Rich Sibley – Yes

Lydia Brown – Yes

Travis Vugteveen – Yes

Bill Maschewske – Yes

George Schippers -- Yes

Shawn Martinie -- Yes

The motion carried unanimously.

A motion was made by Travis Vugteveen and seconded by Rich Sibley to approve as written the Planning Commission minutes of the December 8, 2020 meeting.

A roll call vote was taken.

Steve Young – Yes

Rich Sibley – Yes

Lydia Brown – Yes

Travis Vugteveen – Yes

Bill Maschewske – Yes

George Schippers -- Yes  
Shawn Martinie -- Yes  
The motion carried unanimously.

Non-Commission Inquiries and Questions – None

### Reports and Communications

Travis Vugteveen reported the following from the November 11, 2020 Township Board meeting.

1. A proposal was approved from Burnham and Flower for the ParPlan Insurance coverage for the Township, including the Fire Department, with the addition of the Cyber and Privacy Liability coverage and the PIP Medical coverage to remain unlimited.
2. A motion was approved to renew the Provident Accidental Death and Dismemberment coverage for the Fire Department, keeping the present plan and selecting the three year prepaid premium.
3. Bonnie Hayward was appointed to the Water Board as the Township Board representative.
4. A motion was approved to adopt the METRO Act permit for CenturyTel.
5. A motion was approved to remove from consideration a Facebook page for the Township and to focus communication efforts on the current website.

### Announcements

A disclosure was made by Township Attorney Ron Bultje that his firm has performed work for Dollar General at other locations. He has personally never done work for them. He had secured signed waivers from both the Township and Dollar General agreeing to his representation of Robinson Township.

Old Business – None

### New Business

At this time, the public hearing for the Special Use request for a Commercial Business within the Lake Michigan Drive Commercial Overlay District upon vacant parcel no. 70-08-27-100-010 was held. An introduction to the public hearing was given by Chairperson Martinie and the public hearing notice was read by Secretary Maschewske. Chairperson Martinie declared the public hearing open and the rules of procedure were reviewed.

Zoning Administrator Werschem noted that the public hearing was optional for the Planning Commission and he notified all property owners within 1500 feet since the area was surrounded by large parcels.

A presentation was made by Jason Raleigh of AR Engineering. The subject site is located South of M-45 and East of 120<sup>th</sup> Ave. They were looking for an access to M-45. They worked with the Zoning Administrator regarding the orientation of the 9100 square foot building and located

the building entry and parking to the West side of the building. Sheet 3 of 9 of the Site Plan shows the sidewalk access throughout and connecting to parcels to the South and West. The receiving area is to the rear and the dumpster is fully enclosed. A detention pond for stormwater is located to the West with overflow to the Worley Drain. Approval from the Drain Commissioner is pending. They have included a significant number of trees and shrubs in the landscaping plan and they also revised their typical building to meet architectural requirements.

Peter Olesczuk – Also noted that they have included civic space.

Chairperson Martinie – Called for questions from the public and there were none.

Chairperson Martinie – Called for questions from the applicants.

Peter Olesczuk – Inquired if the applicants were allowed to speak after the public hearing?

Chairperson Martinie – Yes.

Chairperson Martinie – Requested questions from the Planning Commission.

Steve Young – What is the plan for ingress/egress to 120<sup>th</sup> Ave.?

Chairperson Martinie – Connectivity is to the South. He inquired of Rich Bramer of Northland Farms (owner of property to the South and West) regarding future access to the West of the subject site.

Rich Bramer – Stated he would work out access with future clients.

Chairperson Martinie – Is any access planned on 120<sup>th</sup> Ave.?

Rich Bramer – He had planned a driveway between the B-2 and B-1 areas on the site.

Zoning Administrator Werschem – The Ottawa County Road Commission would not allow an access on 120<sup>th</sup> Ave. near M-45.

Bill Maschewske – When was the easement added to the site?

Zoning Administrator Werschem – About two months ago.

Chairperson Martinie – Explained the difficulties of access to the area West of the proposed Dollar General.

Rich Sibley – He is concerned about stopped traffic on M-45 and the proposed ingress/egress.

Chairperson Martinie – This was the basis of MDOT discussions.

Peter Olesczuk – They are planning the only option that MDOT will approve. It maximizes the distance from 120<sup>th</sup> Ave. and MDOT likes this access point.

Zoning Administrator Werschem – He has had several conversations with MDOT. The applicants have included acceleration and deceleration lanes and MDOT will only approve one access point. He noted that Drain Commission approval was also difficult to get.

Rich Bramer – He talked to MDOT seven or eight years ago regarding ingress/egress on M-45. MDOT has now confirmed where the access could be.

Chairperson Martinie – Feels the location of the access closely matches the Overlay Plan.

There were no further comments or questions from the public.

A motion was made by George Schippers and seconded by Lydia Brown to close the public hearing portion of the meeting.

A roll call vote was taken.

Steve Young – Yes

Rich Sibley – Yes

Lydia Brown – Yes

Travis Vugteveen – Yes

Bill Maschewske – Yes

George Schippers -- Yes

Shawn Martinie -- Yes

The motion carried unanimously and the public hearing was closed.

Chairperson Martinie – Appreciates the amount of work that has been done and called for a review of the application starting with Section 31.7 “Required Data for Detailed Site Plan” of the Zoning Ordinance. All Section references included below refer to the applicable sections of the Zoning Ordinance. Only sections either inadequately answered or with questions are referenced.

E. No uses identified on adjacent parcels.

Peter Olesczuk – It is agriculture.

Q. Specifications of the signs are not shown.

Peter Olesczuk –The sign information is not part of their submission package and will be submitted by the sign contractor at a later date.

Bill Maschewske – Inquired about the Dollar General lettering on the building.

Peter Olesczuk – It is just there for illustrative purposes. The signs are not included in this Site Plan application. That will be separate.

R. Per Section 4.34(C) of the Zoning Ordinance, the photometric lighting plan is not compliant.

Peter Olesczuk – They will revise the plan to make it compliant.

S. What is the height of the screening around the dumpster?

Jason Raleigh – It is six feet.

V. No proof of ownership is provided.

Zoning Administrator Werschem – Northland Farms is the owner and Midwest V LLC has a contract with Northland Farms. He has a copy of the contract.

W. No employees by shift provided.

Peter Olesczuk – They typically have two to four employees per shift, but it may be as many as seven to nine as needed.

#### Chapter 18 “LMDCOD Commercial Overlay Zoning District”

This section was found compliant.

A discussion followed regarding the order of review. Attorney Bultje stated the Site Plan should be reviewed prior to the Special Use application and criteria.

#### Section 31.8 “Standards for Site Plan Review”

A. and B. – Acceptable.

C. Contingent on MDOT approval.

D. and E. – Acceptable.

F. Contingent on Ottawa County Water Resources Department approval.

G. Refer to Section 4.53 “Landscaping Requirements for the LSOD and LMDCOD”

B.(4) – Need text from the applicants stating compliance.

E.(2) – Buffering. A discussion followed with the Planning Commission agreeing that this requirement was met.

F.(2) – It appears there is a lack of front yard landscaping. A discussion followed regarding the location of parking and the driveway and it was agreed this requirement was met.

G.(2) – The plan includes 28 parking spaces and only one defined peninsula.

Jason Raleigh – They have the correct number of trees, however, they have included two at the corners of the parking area. This was determined to be compliant.

Chairperson Martinie – The supporting text for Section 4.53 is required and a condition.

Jason Raleigh – They will commit verbally to compliance and will submit a statement in writing after this meeting.

H. Refer to Section 4.54 “Screening” It appeared the required 2.5 to 3 ft. screening was not included. It was determined that since the access covers the front of the building and the parking, it is not required.

I. There is a contingency for Health Department approval and for the Water and Sewer Special Assessment agreement.

J. and K. – Acceptable.

L. Zoning Administrator Werschem has a letter of compliance from the Fire Chief.

M. There is a contingency for the well and septic systems and for the Special Assessment agreement.

N. There is no detail on signs. The applicants state they will apply for this later.

Chairperson Martinie – If the Planning Commission would otherwise not see the application, then it should require a site plan submission when they apply for sign approval.

Township Attorney Bultje – If the Planning Commission wants to review the sign material, then we can recommend it.

Rich Sibley – Feels that signs can be a big deal. The Planning Commission should review.

Travis Vugteveen – Agrees.

Peter Olesczuk – Exclude signs from this pending approval.

Chairperson Martinie – Signs will be a condition of the approval.

Scott Knowlton – Wants the sign locations approved. The specifics can be approved by the Zoning Administrator.

Chairperson Martinie – The sign locations are proposed as two wall signs and one post sign.

Scott Knowlton – They will either fully comply or request a variance.

Township Attorney Bultje – Signs in the Site Plan are illustrative only and will be reviewed at a later date without a Site Plan.

O. and P. – Acceptable.

Section 4.34 “Lighting” of the Zoning Ordinance was reviewed next.

It had been previously noted that the photometric lighting plan did not meet the requirements of the Zoning Ordinance.

Peter Olesczuk – Stated that several pole lights can be added to meet the requirements.

Zoning Administrator Werschem – Stated he will work with the applicants but wants Planning Commission partial approval for lighting.

Bill Maschewske – Will you have guard rails on the bridge or culvert over Worley Drain?

Peter Olesczuk – They will do what is required.

Bill Maschewske – Will the detention pond be fenced?

Jason Raleigh – It is only 3 ½ feet deep with slow release to the County drain. He does not see this as an issue.

Chairperson Martinie – Would prefer it not fenced.

Section 32.5, “General Standards for Considering Special Uses”, was reviewed next.

A. Acceptable.

B.(3) Are there any outside speakers?

The applicants responded in the negative.

C. through J. Acceptable

K. A contingency will cover compliance with Chapter 4 Zoning Ordinance requirements.

L. Acceptable except as noted above.  
All Standards were met except as noted above.

A motion was made by George Schippers and seconded by Rich Sibley to recommend to the Township Board approval of the Site Plan and Special Use Applications from Midwest V LLC for parcel no. 70-08-27-100-010 to construct a Dollar General Store based upon meeting the Zoning Ordinance Standards in Section 31.8 for the Site Plan and Section 32.5 for the Special Use as documented in these minutes and in the Zoning Administrator's report with the following conditions.

1. Well and septic plan approvals from the Ottawa County Health Department.
2. Stormwater management and bridge or culvert approval by the Ottawa County Water Resources Commission.
3. MDOT approval of the Lake Michigan Drive (M-45) ingress/egress.
4. Compliance with all Federal, State, County, and local rules, regulations, and orders.
5. Approval of the Special Assessment Agreement for public water and sewer (Section 18.6 of the Zoning Ordinance).
6. Compliance with the Outdoor Lighting requirements of the Zoning Ordinance (Section 4.34).
7. Compliance with the Sign requirements in Section 4.44 of the Zoning Ordinance.

A roll call vote was taken.

Steve Young – Yes

Rich Sibley – Yes

Lydia Brown – Yes

Travis Vugteveen – Yes

Bill Maschewske – Yes

George Schippers -- Yes

Shawn Martinie -- Yes

The motion carried unanimously.

### Pay Bills

A motion was made by Travis Vugteveen and seconded by Lydia Brown to pay salaries for the December 15, 2020 meeting (all present).

A roll call vote was taken.

Steve Young – Yes

Rich Sibley – Yes

Lydia Brown – Yes

Travis Vugteveen – Yes

Bill Maschewske – Yes

George Schippers -- Yes

Shawn Martinie -- Yes

The motion carried unanimously.

The next Planning Commission meeting was scheduled for January 12, 2021.

A motion was made by George Schippers and seconded by Travis Vugteveen to adjourn the Planning Commission meeting at 10:06 PM.

A roll call vote was taken.

Steve Young – Yes

Rich Sibley – Yes

Lydia Brown – Yes

Travis Vugteveen – Yes

Bill Maschewske – Yes

George Schippers -- Yes

Shawn Martinie -- Yes

The motion carried unanimously.

Respectfully submitted,

Bill Maschewske, Secretary  
Robinson Township Planning Commission