

## ROBINSON TOWNSHIP PLANNING COMMISSION

February 23, 2021

The regular meeting of the Robinson Township Planning Commission was called to order at 7:31 PM via Zoom (virtual meeting).

Present	Absent
Shawn Martinie Travis Vugteveen Bill Maschewske Lydia Brown George Schippers Michelle Gillespie Steve Young	None

By Michigan law, a roll call attendance was taken with each member in attendance identifying their name and the township and county they were in currently for the meeting. All members present were in Robinson Township.

Also present were Township Attorney Ron Bultje, Zoning Administrator Brian Werschem, Supervisor Frank Johnson, rezoning applicant Michael Novakoski, John Walsh (Civil Engineer representing Mr. Novakoski) and Terry Shrum.

A motion was made by Travis Vugteveen and seconded by George Schippers to revise the agenda as written by moving the Election of Officers to the end of New Business.

A roll call vote was taken.

Bill Maschewske – Yes

Travis Vugteveen – Yes

Lydia Brown – Yes

Steve Young – Yes

George Schippers -- Yes

Michelle Gillespie – Yes

Shawn Martinie – Yes

The motion carried unanimously.

A motion was made by Michelle Gillespie and seconded by Lydia Brown to approve as written the Planning Commission minutes of the January 26, 2021 meeting.

A roll call vote was taken.

Bill Maschewske – Yes

Travis Vugteveen – Yes

Lydia Brown – Yes

Steve Young – Yes  
George Schippers -- Yes  
Michelle Gillespie – Yes  
Shawn Martinie – Yes

The motion carried unanimously.

#### Non-Commission Inquiries and Questions

Terry Shrum – Had questions about the Novakoski rezoning.

Chairperson Martinie – Questions on this subject will be dealt with during the public hearing later in the meeting.

#### Reports and Communications

Travis Vugteveen reported the following from the February 10, 2021 Township Board meeting.

1. The 2021 Requirements for Poverty Exemption were approved.
2. Fire Fund Budget Resolution No. 202102-02 was approved.
3. Depository Resolution 2021-02-03 was approved.
4. The cell modification request for the MME Class B Earth Change Permit was approved.
5. A motion was approved to deny the Rodney Rotman rezoning request for 10395 Lake Michigan Drive (Permanent Parcel No. 70-08-24-300-006 from B-1 to B-2).
6. The regular meeting schedule for the Township Board was set for the second Tuesday of the month at 7:00 PM.
7. A motion was approved to designate 60% of the post audit surplus funds to the Road Fund and 10% to the Water Capital Fund.
8. Treasurer Compensation Resolution 2021-02-04 was approved.
9. Clerk Compensation Resolution 2021-02-05 was approved.
10. Supervisor Compensation Resolution 2021-02-06 was approved.
11. Trustee Compensation Resolution 2021-02-07 was approved.
12. The 2021 Wage Schedule was approved granting the Fire Department a 10% raise and a 2% raise for all other Township positions.
13. A motion was approved to amend the 2021 Wage Schedule to increase the Fire Chief Compensation to the same as Township Board Officers.
14. A Budget Workshop meeting was scheduled for March 4, 2021 at 1:00 PM.
15. Discussion was tabled on Spring Clean-up Day.
16. The cost was approved to include the Master Plan survey with the assessment notices.
17. The purchase of portable scene lights for the Fire Department was approved.
18. Supervisor Johnson announced he would be appointing Ernest Marvin as his Deputy.
19. Per Diem was approved for Michelle Gillespie to attend Planning Commissioner training and for Rich Saddler to attend Zoning Board of Appeals training.

## Announcements

Zoning Administrator Werschem reported that the Citizen Survey for the update to the Master Land Use Plan is active and 49 responses have already been received.

## Old Business – None

## New Business

As scheduled, the public hearing for the rezoning request from Mr. Michael Novakoski for parcel No. 70-04-31-400-002 was held. An introduction was given by Chairperson Martinie to the public hearing. The public hearing notice was read by Secretary Maschewske and the Chairperson declared the public hearing open. Chairperson Martinie reviewed the rules of procedure for the conduct of the public hearing and requested the applicant to make a presentation regarding the rezoning request.

Mr. Novakoski stated that he had been looking for property to raise seven horses for approximately 10 years. He stated that he has purchased the 73 acres that had been for sale on Green St. near 136<sup>th</sup> Ave. His intent is to construct a large home, a barn, and a riding arena and horse stable. He noted that approximately 29 acres of the property is outside of the Flood Plain. While not buildable, the Flood Plain property can be used for trails. The sizes of the barn and riding arena planned exceed the accessory building size permitted in R-1 Zoning. He introduced John Walsh, a Civil Engineer who helped him with the EGLE wetlands delineation process. He feels that the best use of the subject property is not high density residential (R-1) as it is currently zoned. The plan is for 8 horse stalls and a hay storage building.

John Walsh, a Civil Engineer working in land development, reinforced the statements made by Mr. Novakoski and showed a proposed site plan of the property. The Flood Plain and wetlands were identified and the locations of the proposed new house, barn, pastures, and areas to be cleared were shown.

Chairperson Martinie called for questions from the Planning Commission.

Chairperson Martinie – How many animals are you considering having on the property?

Mr. Novakoski – It will comply with the R-1 Animal Keeping requirements.

Zoning Administrator Werschem – Stated that R-1 Zoning allows the horses but limits accessory buildings to 1250 square feet maximum. The applicant has engaged EGLE to delineate the wetlands and will build outside of the Flood Plain and wetlands.

Chairperson Martinie—Do you plan to board horses for other people?

Mr. Novakoski – There will be no horse boarding.

Bill Maschewske – How much street frontage does the parcel have?

John Walsh – There is 389 feet on Green St.

George Schippers – This proposal is much better than a subdivision.

Zoning Administrator Werschem – Stated there were several inquiries from neighbors of the property regarding the rezoning. They inquired what was planned and why. Three inquiries stated that the proposal was better than high density residential. There was one request from the lady living across the street requesting the new driveway not be located directly across from her house and front window. The property has been for sale for a long time. He had directed all interested buyers to contact EGLE. He noted that the neighbors are in favor of the requested rezoning.

George Schippers – Where is the driveway planned?

Mr. Novakoski – On the West side of the school. The drive will be 100 feet offset from the neighbor across the street.

Terry Shrum – What is the environmental impact of having horses on the property with surrounding shallow wells.

Chairperson Martinie – It is a small number of animals and it is permitted in the R-1 Zoning District.

Terry Shrum—Does RR Zoning increase the number of animals?

Township Attorney Bultje – The keeping of horses for personal use is not an agricultural use.

Terry Shrum – Noted they have no access to public water and wants his water well protected. Are all buildings to the rear of the property?

Mr. Novakoski – Stated that the groundwater flows North at this site and there will be low impact with a small number of horses.

Terry Shrum – Stated he is concerned about the environmental effects and is satisfied with the answer.

Chairperson Martinie called for additional questions from the public and there were none. He also called for questions from the Planning Commission.

Chairperson Martinie – Explained contract rezoning and noted that a full rezoning to RR would permit all allowable uses in the RR Zoning District.

Bill Maschewske – What are the terms of the Conditional Rezoning. I do not see them specifically in the application.

Township Attorney Bultje – The conditions are up to the applicant. They are the five bullet points in the letter from the applicant dated January 21, 2021.

Mr. Novakoski – Inquired if family members could build additional homes on the parcel?

Zoning Administrator Werschem – That would require a private road instead of a driveway.

Township Attorney Bultje – That is a difficult question to answer at this time.

Zoning Administrator Werschem – Stated the Planning Commission is considering increasing the allowable size of accessory buildings on large R-1 Zoned parcels.

Bill Maschewske – Inquired how the contract rezoning conditions were worded for the seven R-1 zoned parcels on Johnson St. that were Conditionally Rezoned to RR?

Township Attorney Bultje – Stated he would make the contract read the same as the Johnson St. parcels.

Mr. Novakoski – Stated his contract request is to Contract Rezone to RR with all R-1 permitted uses except with the RR Zoning District accessory building requirements.

George Schippers – Is this property adjacent to the Pytlinski property?

Zoning Administrator Werschem – No, it is adjacent to the Crum property.

Chairperson Martinie – Any comments or questions?

Supervisor Johnson – He is good with the horse farm but does not like the mechanism of getting there. He would like the property to stay R-1 and change the accessory building sizes.

Chairperson Martinie – That is our intention but it takes longer than the contract rezoning.

Bill Maschewske – Is in favor of beginning the change to the Zoning Ordinance now independent of this rezoning request.

Supervisor Johnson – Wants the rezoning to move ahead so the applicant can have his horse farm.

Mr. Novakoski – If the Zoning Ordinance is revised, could the property automatically revert back to R-1 Zoning?

Chairperson Martinie – No.

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

A roll call vote was taken.

Bill Maschewske – Yes

Travis Vugteveen – Yes

Lydia Brown – Yes

Steve Young – Yes

George Schippers -- Yes

Michelle Gillespie – Yes

Shawn Martinie – Yes

The motion carried unanimously and the public hearing was closed at 8:45 PM.

A discussion followed regarding a zoning ordinance amendment to revise accessory building sizes in the R-1 Zoning District.

The Rezoning Criteria were reviewed at this time.

1. What is the character of the surrounding property? Will the requested rezoning result in spot zoning? Response: The character is largely rural residential and vacant. The requested rezoning will 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? Response: The property is suitable for various purposes and is well suited for a single family residence and horses. The property can be used as it is zoned. The property does not have to be rezoned to be reasonably used, however, the accessory building restrictions are not reasonable for a parcel of this size.
3. What will be the effect on surrounding property values? Response: There is no evidence. The rezoning would not be expected to detract from the value.
4. What will be the effect on the market value of the property in question? Response: There is no evidence to support an increase or decrease but there is a willing buyer and a willing seller and a reasonable use of the land.
5. What is the general trend of future building and population growth? Response: Both are increasing.
6. How would the welfare of the Township residents be affected if the rezoning is approved or if it is denied? Response: There is no known negative impact if approved. The public reaction to the rezoning request is positive.
7. What does the Master Plan indicate the land should be zoned? Response: The Master Land Use Plan indicates R-1. Contract rezoning to RR and keeping R-1 allowable uses except for accessory buildings would be consistent with the Master Land Use Plan.

A motion was made by Michelle Gillespie and seconded by Lydia Brown to recommend to the Township Board approval of the Michael Novakoski contract rezoning request based upon the

above findings if a written contract rezoning request is received that requests RR Zoning with R-1 uses except for the limitations on accessory building sizes.

A roll call vote was taken.

Bill Maschewske – Yes

Travis Vugteveen – Yes

Lydia Brown – Yes

Steve Young – Yes

George Schippers -- Yes

Michelle Gillespie – Yes

Shawn Martinie – Yes

The motion carried unanimously.

At 9:10 PM., the annual election of officers was held as scheduled.

Chairperson Martinie nominated Bill Maschewske for Secretary, Steve Young for Vice-Chairperson and himself for Chairperson. The motion was seconded by Travis Vugteveen.

A roll call vote was taken.

Bill Maschewske – Yes

Travis Vugteveen – Yes

Lydia Brown – Yes

Steve Young – Yes

George Schippers -- Yes

Michelle Gillespie – Yes

Shawn Martinie – Yes

The motion carried unanimously

Next on the agenda was setting the 2021 – 2022 Planning Commission Meeting Schedule. Chairperson Martinie explained the number of regular scheduled meetings and the reason for increasing them from four to eleven.

A motion was made by George Schippers and seconded by Steve Young to schedule regular meetings of the Planning Commission for the following dates at 7:00 PM:

March 23, 2021

April 27, 2021

May 25, 2021

June 22, 2021

July 27, 2021

August 24, 2021

September 28, 2021

October 26, 2021

November 23, 2021

January 25, 2022

February 22, 2022

A roll call vote was taken.  
Bill Maschewske – Yes  
Travis Vugteveen – Yes  
Lydia Brown – Yes  
Steve Young – Yes  
George Schippers -- Yes  
Michelle Gillespie – Yes  
Shawn Martinie – Yes  
The motion carried unanimously

The Planning Commission Annual Report and Budget were reviewed next.

Bill Maschewske – Noted the word “to” needed to be added to the second sentence of “Special Use Permits and Site Plan Reviews”.

A motion was made by Travis Vugteveen and seconded by Michelle Gillespie to approve the 2020 – 2021 Annual Report and the 2021 – 2022 Proposed Budget with one correction as noted above.

A roll call vote was taken.  
Bill Maschewske – Yes  
Travis Vugteveen – Yes  
Lydia Brown – Yes  
Steve Young – Yes  
George Schippers -- Yes  
Michelle Gillespie – Yes  
Shawn Martinie – Yes  
The motion carried unanimously

Chairperson Martinie inquired regarding the mechanism to initiate the Zoning Ordinance Text Amendment to revise the allowable sizes of accessory buildings in the R-1 Zoning District.

Township Attorney Bultje – It just needs to be added to the agenda for the next meeting.

A motion was made by Travis Vugteveen and seconded by George Schippers to pay Planning Commission salaries for the month of February 2021 (one meeting, all present).

A roll call vote was taken.  
Bill Maschewske – Yes  
Travis Vugteveen – Yes  
Lydia Brown – Yes  
Steve Young – Yes  
George Schippers -- Yes  
Michelle Gillespie – Yes  
Shawn Martinie – Yes  
The motion carried unanimously



A motion was made by George Schippers and seconded by Travis Vugteveen to adjourn the Planning Commission meeting at 9:28 PM.

A roll call vote was taken.

Bill Maschewske – Yes

Travis Vugteveen – Yes

Lydia Brown – Yes

Steve Young – Yes

George Schippers -- Yes

Michelle Gillespie – Yes

Shawn Martinie – Yes

The motion carried unanimously

Respectfully submitted,

Bill Maschewske, Secretary  
Robinson Township Planning Commission