

ROBINSON TOWNSHIP PLANNING COMMISSION

April 27, 2021

The regular meeting of the Robinson Township Planning Commission was called to order at 7:06 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 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, Steve Eyestone, Derek Novak, and Annette and David Munroe.

A motion was made by Lydia Brown and seconded by Michelle Gillespie to approve the agenda as written.

A roll call vote was taken.

Bill Maschewske – Yes

Michelle Gillespie – Yes

Steve Young – Yes

Lydia Brown – Yes

George Schippers – Yes

Travis Vugteveen – Yes

Shawn Martinie -- Yes

The motion carried unanimously.

A motion was made by George Schippers and seconded by Travis Vugteveen to approve as written the Planning Commission minutes of the March 23, 2021 meeting.

A roll call vote was taken.

Bill Maschewske – Yes

Michelle Gillespie – Yes

Steve Young – Yes

Lydia Brown – Yes

George Schippers – Yes

Travis Vugteveen – Yes
Shawn Martinie -- Yes
The motion carried unanimously.

Non-Commission Inquiries and Questions

Annette Munroe requested the Planning Commission review and revise the Private Road Section of the Zoning Ordinance regarding required yards. She and two others in attendance could be negatively impacted by front yard requirements compared to side yard requirements as the result of a Private Road being constructed on a neighboring parcel adjacent to their property line. The proposed Private Road would change their current side yard into a front yard and increase yard requirements from 20 ft. to 75 ft. Her property is 150 ft. by 290 ft. and the increased setback would make approximately 5000 square feet of her parcel unbuildable and the entire property non-conforming because of existing buildings. The negative impacts of being a non-conforming residential parcel were stated. She requests the following changes to the Private Road section of the Zoning Ordinance.

1. All impacts of creating a Private Road should be absorbed by the developer and the parcel on which the Private Road is proposed.
2. No Private Road should be allowed within 75 ft. of a property not served by the Private Road.
3. Update the Private Road section of the Zoning Ordinance to conform with the Master Land Use Plan which does not allow flag lots.
4. Correct any other requirements that would allow infringements on the property rights of adjacent parcels as a result of development by another party.

Ms. Munroe emphasized that they did not want to lose property rights to benefit another property owner.

Mr. Derek Novak stated he was in attendance for the same issue and supports the statements made by Annette Munroe. He does not want negative impacts to his property rights.

Chairperson Martinie stated the above comments would be considered by the Planning Commission and inquired if a Private Road creates a front yard requirement.

Township Attorney Bultje – Yes. One solution would be to just redefine the Corner Lot definition and limit to public roads.

Annette Munroe – She also does not want a Private Road adjacent to her property line.

Township Attorney Bultje – Stated that Zoning is about property rights.

Annette Munroe – Wants all of the requirements of creating a Private Road to be absorbed by the developer.

Chairperson Martinie – How would we do this?

Township Attorney Bultje – Change the definition of Corner Lot to only include public roads.

Zoning Administrator Werschem – Stated that Derek Novak is impacted in that the proposed Private Road makes his parcel a Through Lot. We would need to redefine Through Lot also. He also stated that he would be cautious about residences being only 20 ft. from a Private Road which could be allowed if Private Roads were not included in the definition of Corner Lot.

Chairperson Martinie – Summarized the current property and proposed Private Road layout and the denial of the Private Road request by the Zoning Administrator.

Zoning Administrator Werschem – Stated the Zoning Ordinance currently defines the area between a residence and any road as a Front Yard with a 75 ft. setback requirement.

Derek Novak – Showed a picture of the subject properties. It was stated that the developers have an ingress/egress easement from Wolverine Power.

Bill Maschewske – How many parcels are to be served by the proposed Private Road?

Zoning Administrator Werschem – Four total.

Chairperson Martinie – How do we initiate an investigation of amending the Zoning Ordinance?

Bill Maschewske – Put the subject on the agenda.

Township Attorney Bultje – The Planning Commission can discuss by consensus and ordinance amendment is by motion of the Planning Commission.

Zoning Administrator Werschem -- Stated he will supply the Planning Commission with copies of all relevant materials.

Reports and Communications

Travis Vugteveen reported the following from the April 14, 2021 Township Board meeting.

1. There was a complaint voiced regarding the property at the SW corner of North Cedar St. and 120th Ave.
2. County Commissioner Phil Kuyers reported that the County is looking at potential projects to use the money that may be received from the American Rescue Plan.
3. Township Dumpster Day was approved for April 24, 2021.
4. A motion was approved to contribute \$500 to Ottawa County for Phase 1 of their Broadband Initiative.
5. Nate Adamczyk was appointed to the Water Board for a three year term to replace Sherri Kootsier.
6. The purchase of three new computers was approved.
7. The estimate from the Ottawa County Road Commission was approved for the resurfacing of Richland Court.
8. The purchase of electric hand dryers was approved for the Fire Station.

9. A discussion regarding rolling the soccer fields was tabled.
10. The Township Attorney was directed to draw up a new contract zoning agreement for Pete Bourque that would allow him to continue to do business at the same location for the length of his career with the provision that he pays his back personal property taxes and remains current with them in the future.
11. A discussion was held regarding Private Road zoning issues.
12. A contract was approved for TYSO to use the soccer fields.

Announcements

Zoning Administrator Werschem inquired if anyone was familiar with the property at the SW corner of 120th Ave. and North Cedar. There has been at least one citizen complaint about the earth materials stockpiled on the site. Bill Maschewske relayed some past history of the site regarding zoning and uses.

Old Business

The discussion continued from last month on the subject of permitted Accessory Building sizes in the R-1 Residential Zoning District.

Chairperson Martinie – Inquired if the Special Use Criteria found in Section 32.5 of the Zoning Ordinance were adequate for the proposed Zoning Ordinance Text Amendment that would allow larger accessory buildings by Special Use on parcels larger than 5 acres in the R-1 Zoning District.

Township Attorney Bultje and Bill Maschewske – Yes, they are adequate.

Bill Maschewske – Would like to know how many parcels Zoned R-1 that are larger than the required 150 ft. by 250 ft. and how many are larger than 5 acres. Also, the current proposed text actually allows larger accessory buildings under special circumstances for R-1 than for the RR Zoning District.

Township Attorney Bultje – Stated the Special Use option could be extended to the RR Zoning District.

Zoning Administrator Werschem – Proposed revised text that would allow an additional 1000 sq. ft. of additional accessory building per acre by Special Use only for lots exceeding 5 acres in size for the R-1 Zoning District. The previous proposal would still apply for parcels up to 5 acres.

The consensus of the Planning Commission favored this option.

Township Attorney Bultje – Suggested that Paragraph C of the proposed Text Amendment be revised and to schedule a public hearing for next month.

Travis Vugteveen – Requested information on the number of parcels potentially affected by the proposed revision to the Zoning Ordinance.

Bill Maschewske – We should at least have this information by the time of the public hearing.

Zoning Administrator Werschem stated that the Assessor had been in COVID quarantine and he had not been able to obtain the data from him but would have it prior to the public hearing.

A motion was made by Shawn Martinie and seconded by Michelle Gillespie to schedule a public hearing for May 25, 2021 for the purpose of a Zoning Text Amendment regarding Accessory Building permitted sizes in the R-1 and R-2 Zoning Districts.

A roll call vote was taken.

Bill Maschewske – Yes

Michelle Gillespie – Yes

Steve Young – Yes

Lydia Brown – Yes

George Schippers – Yes

Travis Vugteveen – Yes

Shawn Martinie -- Yes

The motion carried unanimously.

It was stated that the next meeting would be virtual by Zoom and the State of Emergency had been extended until May 31, 2021.

Zoning Administrator Werschem stated he would get revised zoning text to all Planning Commissioners.

New Business -- None

Chairperson Martinie stated he had contacted Master Land Use Planner Greg Ransford for an update on progress in updating the Plan. It was agreed that it would be very difficult and not acceptable to hold public workshops virtually. Outdoor workshops were considered a possibility. Mr. Ransford noted that he is very busy and has not looked at the Citizen Survey results.

Zoning Administrator Werschem stated that input on the Citizen Survey is closed now. Mr. Ransford has completed the Agricultural Stakeholder meetings and 5 paper Citizen Surveys were submitted.

Pay Bills

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

A roll call vote was taken.

Bill Maschewske – Yes

Michelle Gillespie – Yes

Steve Young – Yes

Lydia Brown – Yes

George Schippers – Yes
Travis Vugteveen – 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 8:30 PM.

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

Respectfully submitted,

Bill Maschewske, Secretary
Robinson Township Planning Commission