

ROBINSON TOWNSHIP PLANNING COMMISSION
March 26, 2024

The regular meeting of the Robinson Township Planning Commission was called to order at 7:00 PM at the Robinson Township Hall.

Present	Absent
Shawn Martinie Bill Maschewske Travis Vugteveen Michelle Gillespie Lydia Brown Phil Crum Steve Young	None

Also present were Township Attorney Ron Bultje, Zoning Administrator Julie Lovelace, Supervisor Frank Johnson, T.J. Thompson representing DTE Energy, and Doug Marshall. The attendance sheet is attached.

Approval of Agenda

A motion was made by Travis Vugteveen and seconded by Lydia Brown to approve the meeting agenda as written.
The motion carried unanimously.

Adopting of Previous Minutes

A motion was made by Michelle Gillespie and seconded by Shawn Martinie to approve as written the minutes of the March 14, 2024 Planning Commission meeting.
The motion carried unanimously.

Non-Commission Member Inquiries and Questions – None

Reports and Communications – None

Announcements

Chairperson Martinie reported a communication from Township Board member Bonnie Hayward regarding pending State legislation. The communication was a report from Attorneys Foster, Swift, Collins, and Smith PC summarizing pending legislation that would enact some State regulations on Short Term Rentals but still allow municipal ordinances to apply provided

they did not completely prohibit Short Term Rentals. Chairperson Martinie will email the document to all members of the Planning Commission.

Old Business

The first item of business was the Dresen Class A Earth Change Application. Mr. Dresen had previously submitted a Class A Earth Change Application that was reviewed and tabled at the February 21, 2024 Planning Commission meeting pending receipt of complete information as required in the Earth Change Ordinance. The current application was a revised version of the one reviewed on February 21, 2024.

Neither the applicant nor anyone representing the applicant was present.

Chairperson Martinie requested general comments regarding the application.

1. Some of the diagrams did not have the orientation noted.
2. The dimensioned overhead view of the pond could not be read.
3. The finished grade of the site drawing did not have the contour lines labelled.
4. Calculations by the Planning Commission regarding the amount of earth to be excavated do not agree with the calculation of the applicant and exceed the 5000 cubic yard limit for a Class A Earth Change application.

A discussion followed regarding how to deal with the missing or unreadable information and the fact that, by Planning Commission calculations, the excavation exceeds 5000 cubic yards.

A motion was made by Shawn Martinie and seconded by Travis Vugteveen to table the Dresen Class A Earth Change application pending additional information and explanation. The motion carried unanimously.

At 7:27 PM., the discussion of Short -Term Rentals (STR) was continued from previous meetings. The specific topic of discussion was the draft survey that will be available to each household in Robinson Township to provide feedback to the Planning Commission on the issue of locations, duration, and potential issues.

Zoning Administrator Lovelace reported the cost of printing the postcards with a QR Code, postage, and addressing would be approximately \$1500.

Chairperson Martinie – Inquired what percentage of the households would respond.

Zoning Administrator Lovelace – She does not know, but this will be the most successful method of getting input.

Chairperson Martinie – Stated that Township Board approval will be required prior to spending money to proceed.

Travis Vugteveen – Since he is a Trustee on the Township Board, he will inquire at the Township Board budget meeting to be held tomorrow evening.

Bill Maschewske – How many alternative ways will there be to complete the survey since some citizens may not have smart phones or the ability to utilize the QR code on the postcard.

Zoning Administrator Lovelace – The postcard will state that paper copies of the survey are available at the Township Hall.

Travis Vugteveen – We want to see a sample copy of the postcard.

Lydia Brown – Noted that the addressing could be combined with the postcard printing rather than using address labels. This could save time and expense.

Chairperson Martinie requested comments on the existing list of sample questions.

Bill Maschewske –

1. Add “in Robinson Township” to question #3.
2. The available answers to select are not responsive in question #5. None of the available answers refer to “seasons”. It was agreed to delete “seasons” from the question.
3. Does question #4 need to state “Circle one” for the three available responses?
It was noted that the question would be electronically formatted and the user would just “click” on their choice.

It was suggested that question #1 be modified to include Airbnb and Vrbo as examples after “short term rentals (STR)”.

Doug Marshall – Inquired if Question #2 applies to the renter or the owner.

It was agreed to revise Question #2 to read “Have you ever witnessed any of these concerns with Short Term Rentals”?

At 7:53 PM., the next discussion was held on the topic of ground mounted sign maximum height. This issue was brought to the Planning Commission by Zoning Administrator Lovelace after noting that the Zoning Ordinance did not address this issue. Zoning Administrator Lovelace also provided the Planning Commission with maximum sign heights from other local municipalities.

Travis Vugteveen – Stated he did not like the Tallmadge Township approach in which there were two different maximum heights stated depending on the height of the lowest edge of the sign.

Zoning Administrator Lovelace – Explained the intent of the Tallmadge Township sign height concept was to keep clear vision at the height of a car windshield for safety reasons.

A discussion followed regarding what is a ground mounted sign. Ground mounted sign is not specifically defined in the Zoning Ordinance. Following the discussion, it was agreed not to take action on this topic.

New Business

At this time, the Rillema Special Use and Site Plan applications were reviewed. Neither the applicants or any representatives of the applicant were present. The applicants, Keith and Kris Rillema, are requesting to construct an addition of 3120 square feet to the existing Commercial Building of 8704 square feet located at 12880 North Cedar St. The current machine shop use was approved by the Township Board in 2014 as a Special Use not normally permitted in the B-1 Zoning District.

Chairperson Martinie – What are the existing conditions on the Special Use?

The Special Use conditions were not immediately available so the Planning Commission continued on to review Section 4.31, Non-Conforming Uses, Buildings and Structures, in the Zoning Ordinance to determine if there were any implications regarding expanding the building since the use was non-conforming. The machine shop use was originally approved as a different non-conforming use under Section 31.5 (F). It was noted the building could be expanded up to 50% per Section 31.5 (B) subject to Special Use approval by the Township Board.

The Site Plan was reviewed for content compared to the requirements in Section 31.7 of the Zoning Ordinance. Chairperson Martinie requested comments.

Bill Maschewske –

1. Section 31.7 (Q) – It is unclear if a sign is proposed since no mention is made other than a 2 ft. by 6 ft dimension.
It was agreed to just state that Zoning Approval would be required if a sign was to be placed and it would be a condition.
2. Section 31.7 (T) – Nothing is noted in the application regarding the storage of hazardous chemicals.
It was agreed this information would be a condition of approval.

Chairperson Martinie – Section 31.7 (F) -- There is no elevation view and no height specified for the addition. In one part of the application, it is stated the addition would match the existing peak height and another place it is stated to be 2 ft. higher.
It was agreed to make the submission of an elevation view with the height of the addition dimensioned a condition.

The Site Plan was then reviewed per the Standards for Site Plan Review found in Section 31.8 of the Zoning Ordinance. The Zoning Administrators findings (complete memorandum attached) are included in *Italics* and the Planning Commission findings are in **Bold** type. The Zoning

Administrator's findings are from her Memorandum dated March 1, 2024 and attached to these minutes.

- (A) Master Plan and M-231 Sub-Area Plan. Proposed uses and development activity shall be substantially consistent with the Robinson Township Master Plan, as supplemented by the M-231 Sub-Area Plan.

The property in question is not located within the Lincoln Street or Lake Michigan Drive Commercial Overlay Districts. While the property is not Master Planned for commercial use, it is zoned commercial and has received a Special Land Use for its current operation. Pending PC discussion, this standard may be met.

The Planning Commission agrees with the findings of the Zoning Administrator and this standard is met.

- (B) Connectivity. Pathways for bicycles and pedestrians shall be incorporated throughout the development and along all perimeter streets to ensure connectivity between internal uses and with adjacent properties.

Staff finds this standard does not apply.

The Planning Commission agrees with the Zoning Administrator finding.

- (C) Traffic Circulation. The number, location, size of access and entry points, and internal vehicular and pedestrian circulation routes shall be designed to promote safe and efficient access to and from the site, and circulation within the site. In reviewing traffic features, the number, spacing, and alignment of existing and proposed access points shall be considered relative to their impact on traffic movement on abutting streets and adjacent properties.

Staff finds the connectivity between the building and parking lots is adequate for safe access. If the PC agrees, this standard may be met.

The Planning Commission agrees with the findings of the Zoning Administrator and this standard is met.

- (D) Interior Street Connectivity. Streets or private roads may be required to be extended to exterior lot lines in order to allow connection to existing or planned streets on adjacent parcels, to provide for secondary access, to establish continuity of the circulation system, and to reduce traffic and impact to the transportation network.

Staff finds this standard does not apply.

The Planning Commission agrees this standard is not applicable.

- (E) Natural Resource Preservation. Site design shall prioritize the preservation of natural features, such as steeper slopes, wetlands, significant hardwood tree stands, streams, and other significant site characteristics. Applicants must demonstrate how alternatives were considered during the planning process and shall provide justification for the selected development alternative.

The Applicant shall be required to receive stormwater and Soil Erosion/Sedimentation Control (SESC) approval from the Ottawa County Water Resources Commissioner (OCWRC). Pending their approval, this standard may be met.

The Planning Commission agrees with the findings of the Zoning Administrator and notes that some trees have to be removed for the expansion. This standard is met.

- (F) Stormwater. Stormwater detention and drainage systems shall be designed so the removal of surface waters will not adversely affect neighboring properties or public stormwater drainage systems and shall maintain or improve predevelopment conditions.

See (E) above. The Applicant has discussed the site plan with the OCWRC's office and have designed their proposed swales at the OCWRC's direction. Stormwater approval shall be a condition of site plan review approval.

The Planning Commission agrees with the findings of the Zoning Administrator and this standard is met.

- (G) Landscaping. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing unnecessary tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas. Provision or preservation of landscaping may be required to ensure that the proposed uses will be adequately buffered from one another internally and from surrounding property.

It appears all trees around the perimeter shall remain, screening and buffering neighboring properties. To every extent possible, all trees on the east and west sides of the properties shall be retained. If the PC agrees, this standard may be met.

The Planning Commission agrees with the findings of the Zoning Administrator and this standard is met.

- (H) Screening. Where commercial uses abut residential uses, appropriate screening consisting of attractively designed, opaque fencing or equivalent landscaping shall be provided to shield residential properties from noise, headlights, and glare.

If fencing or landscaping along the northeast and northwest parcel lines was not required as part of the initial site plan review for the existing building, it cannot be required now. Given the fact that this faces the rear yard of the neighboring residential use to the east, additional screening for the addition may not be necessary, especially if existing trees are retained along the east parcel line. Pending PC discussion, this standard may be met.

The Planning Commission agrees with the findings of the Zoning Administrator and this standard is met.

- (I) On-site Treatment. Outside of utility service areas or prior to sanitary sewer availability, land use intensity shall be scaled appropriately based on the capability of on-site systems to adequately accommodate usage. On-site treatment systems shall be designed to protect groundwater and surface water quality to the maximum extent possible.

No additional bathrooms are planned. The Applicant states there are nine employees including the owners and there is no plan to expand the number of employees. Ottawa County Health Department (OCHD) review shall be a condition of approval. As such, this standard may be met.

The Planning Commission agrees with the findings of the Zoning Administrator and this standard is met.

- (J) Utility Service. All utility service shall be underground, unless deemed impractical by the Township, on the basis of the size of the development, the cost of placing utility service underground, the character of the area, and such other factors as are deemed important by the Township.

Any utilities are pre-existing. As such, this standard does not apply.

The Planning Commission agrees this standard is not applicable.

- (K) Exterior Uses. Exposed storage areas, machinery, heating and cooling units, service areas, loading areas, utility buildings and structures, and similar accessory areas shall be located to have a minimum negative effect on adjacent properties, and shall be screened, if reasonably necessary, to ensure compatibility with surrounding properties.

No screening of the HVAC on the south end of the proposed addition should be necessary, given the wooded buffer. Pending PC discussion, this standard may be met.

The Planning Commission agrees with the findings of the Zoning Administrator and this standard is met.

- (L) Emergency Access. All buildings and structures shall be readily accessible to emergency vehicles. Prior to approval or as a condition of approval, building layouts, internal circulation, and other site characteristics that affect life safety shall be reviewed and approved by the appropriate public safety official or fire marshal.

The Fire Chief has reviewed the plan and has no concerns. As such, this standard may be met.

The Planning Commission agrees with the findings of the Zoning Administrator and this standard is met.

- (M) Water and Sanitary Sewer. Water and sanitary sewer installations shall comply with all Township, County and State specifications and requirements, and the utility service area policies outlined in the M-231 Sub-Area Plan, as applicable.

As stated above in subsection (I), this shall require OCHD review and approval. As such, this standard may be met.

The Planning Commission agrees with the findings of the Zoning Administrator and this standard is met.

- (N) Signs. Signs shall be located to avoid the creation of distraction and visual clutter. They shall be designed to be visually compatible with the architecture of the principal structure. Sites with multiple signs should incorporate common design theme.

Any new signage shall require a zoning permit. As such, this standard may be met.

The Planning Commission agrees with the findings of the Zoning Administrator, and with clarification from the applicant, this standard is met.

- (O) Building Design. To the maximum extent reasonable, new or substantially remodeled buildings shall be reasonably compatible in appearance with, or shall enhance, the established general character of other buildings in the immediate vicinity or development.

The proposed building materials will match the existing building. As such, this standard may be met.

The Planning Commission agrees with the findings of the Zoning Administrator and this standard is met.

- P) Civic Space. At least one (1) civic space shall be provided per development, including but not limited to small parks, playgrounds, fountains and sitting areas, or other similar elements. The developer shall provide civic space that is designed and sized commensurate with the scale of the proposed development, intended user, level of public access, occupant load, and type of lot.

A picnic table is proposed for civic space. If the PC approves, this standard may be met.

The Planning Commission agrees with the findings of the Zoning Administrator and this standard is met.

The Planning Commission next reviewed the Special Use Application compared to the Standards found in Section 32.5 of the Zoning Ordinance. Planning Commission responses are in *Italics*.

- (A) The size, character and nature of any buildings or structures to be erected, constructed or located upon the lot shall not create serious social, economic or visual conflicts with adjacent land uses or the immediate neighborhood.

Letters from the neighbors were submitted stating no opposition to the building addition. The Planning Commission finds this standard met.

- (B) The proposed use of land, buildings or structures shall not create substantial adverse or hazardous environmental conditions for adjacent property owners or the surrounding neighborhood. For the purposes of special use review only, "environmental conditions" shall include, but not be limited to the following general categories.

- (1) Dispersion of light, heat or other forms of radiant energy.

The standard is met.

- (2) Soil, air, and water quality and movement.

This standard is met with the condition that Ottawa County Water Resources approval is received.

- (3) Noise, both volume and pitch.

Standard is met.

- (4) Abundance and type of wildlife and vegetation.

Standard is met.

- (C) The concentration of population or land use resulting from a special use shall not be so substantially greater than the population or use density prevailing in the surrounding area so as to increase the likelihood of further requests for other land use changes which, if granted, would not conform to the land use types, patterns or density proposed for the surrounding area by the Township Master Land Use Plan.

This standard is met.

- (D) Vehicular and pedestrian traffic circulation shall be designed to minimize conflicts on public streets and upon the property involved and to provide safe and convenient parking

in relation to streets, pedestrian walkways and adjoining properties or parking areas. Parking and loading space shall be provided according to the needs of the particular use.
The standard is met.

(E) Safe and adequate water supply and sewage disposal facilities shall be provided as required by County and State regulations and shall be designed for compatibility with existing systems and future development.
The standard is met conditional upon Ottawa County Health Department review and approval.

(F) The period of day and times of the year during which a special use activity commences or continues should be reasonably related to both the use and the neighborhood or area in which it is proposed.
The standard is met.

(G) The proposed use shall not create excessive additional demand, at public cost, for public facilities and services.
The standard is met.

(H) The proposed use shall meet all additional standards or conditions of eligibility which are specified elsewhere in this Ordinance.
The standard is met.

(I) The proposed use shall be consistent with the intent and purpose of the Zoning District in which it is proposed to be located, with the overall intent and purpose of this Ordinance, and with other applicable ordinances and statutes.
The standard is met. Reference the Planning Commission minutes from June 10, 2014.

(J) The proposed use shall comply with any standards specified in the Chapters of this Ordinance corresponding to the Zoning District wherein the special use is proposed.
The standard is met. Reference the Planning Commission minutes from June 10, 2014.

(K) The proposed use shall comply with any standards specified in Chapter 3, Definitions, and Chapter 4, General Provisions.
Standard is met.

(L) The proposed use shall comply with the requirements, terms and conditions of the Robinson Township Earth Change Ordinance, as amended, as if the Earth Change Ordinance applied to special uses.
Not applicable.

A motion was made by Michelle Gillespie and seconded by Steve Young to recommend to the Township Board approval of the Rillema Site Plan and Special Use Applications for the expansion of a commercial building at 12880 North Cedar St. based upon compliance with the Site Plan Standards in Section 31.8 and the Special Use Standards in Section 32.5 of the Zoning Ordinance and with the following conditions.

1. Any signage shall require a Zoning Permit.
2. Chemicals and hazardous substance storage must be stated per Section 31.7 T of the Site Plan Requirements.
3. Per Section 31.7 (F) of the Site Plan Requirements, an elevation view of the new and existing buildings must be submitted with the height of the addition shown.
4. Ottawa County Water Resources Commission and Soil Erosion and Sedimentation Commission approvals must be submitted.
5. Ottawa County Health Department approvals for well and septic must be submitted.
6. Compliance with all Federal, State, County, and Township Ordinances.
7. Compliance with all conditions for the Special Use as stated in the Township Board Agreement dated July 31, 2014 and signed by all parties.
8. All existing trees shall be retained along the West and East parcel lines to the extent possible.

A roll call vote was taken.

Travis Vugteveen – Yes

Steve Young – Yes

Shawn Martinie – Yes

Bill Maschewske – Yes

Lydia Brown – Yes

Michelle Gillespie – Yes

Phil Crum – Yes

The motion carried unanimously.

Pay Bills

A motion was made by Lydia Brown and seconded by Shawn Martinie to pay salaries for the March 26, 2024 Planning Commission meeting (one meeting, all present).

The motion carried unanimously.

It was noted the next meeting was scheduled for April 9, 2024 at 8:00 PM.

Any and All Other Business That May Come Before the Board – None

Adjournment

A motion was made by Travis Vugteveen and seconded by Lydia Brown to adjourn the Planning Commission meeting at 9:33 PM.

The motion carried unanimously.

Respectfully submitted,

Bill Maschewske, Secretary
Robinson Township Planning Commission

Attachments:

- Memorandum dated March 1, 2024 regarding the Rillema Special Use and Site Plan Application from Zoning Administrator Lovelace.
- Attendance Sheet for the March 26, 2024 Planning Commission meeting.