

ROBINSON TOWNSHIP PLANNING COMMISSION
April 23, 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 Lydia Brown Phil Crum Steve Young Michelle Gillespie	None

Also present were Township Attorney Ron Bultje, Zoning Administrator Julie Lovelace, Supervisor Frank Johnson, Treasurer Bonnie Hayward, Earth Change applicant Joe Dresen, and John Wood. 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 Travis Vugteveen to approve as written the minutes of the April 9, 2024 Planning Commission meeting.

The motion carried unanimously.

Non-Commission Member Inquiries and Questions

Treasurer Bonnie Hayward had several questions.

1. She is working on computerizing the fee schedule for applications and wants to know where Sod Farming fits. It is currently an application submitted to the Zoning Board of Appeals but should probably be to the Planning Commission. Bill Maschewske explained that when that portion of the Zoning Ordinance was adopted, there was no Planning Commission so the Zoning Board of Appeals was the logical Board for review. Treasurer Hayward would eventually like a Zoning Amendment placing review

responsibility with the Planning Commission and making recommendation to the Township Board.

2. The next issue regarded Soil Removal permits. Currently, for quantities greater than 600 cubic yards, an Earth Change permit is required. It was agreed to put sand, gravel and topsoil removal all in one application.
3. Mobile Home Park Inspections. This requirement will be included in the PUD permit application.

Township Attorney Bultje noted the Township has a Land Use Fee Resolution. He does not know where the authority comes from for the Township to do Mobile Home Park Inspections.

Bonnie Hayward stated there is no urgency for the Planning Commission to amend the Zoning Ordinance for any of the above items.

Reports and Communications – None

Announcements -- None

Old Business

The first item to be discussed was the Dresen Class A Earth Change application.

Chairperson Martinie – Questioned the magnitude of the Earth Change calculation.

Mr. Dresen – Stated it is calculated using the CAD system drawing of the earth change.

Chairperson Martinie – What are the contour intervals on the page showing both the excavation and the spoils pile topography.

Mr. Dresen – The contour intervals are 3 feet.

Bill Maschewske – Is unable to read the drawings. Is the volume of earth change calculated just the volume of water in the pond?

Mr. Dresen – No. It includes the earth above the water table also.

Steve Young – How will you re-create the designed irregular shape when you excavate?

Mr. Dresen – As close as possible.

Bill Maschewske – Noted the water area is 100 ft. by 200 ft. Using the Alberta Pond Calculator, the volume would be 6865 cubic yards. This, however, assumes a rectangular shape.

Mr. Dresen – States the CAD drawing is accurate and the volume he reported is correct.

Bill Maschewske – Noted two different volumes reported in the application.

Travis Vugteveen – Stated we have no reason to question the CAD earth change volume numbers reported by the applicant.

Steve Young – Agreed and stated the applicant knows he needs to stay under the 5000 cubic yard limit.

Bill Maschewske – Stated that since the written application is incomplete, questions should be asked to get answers and a complete application in the minutes. Questioned which direction is North on the cross-sectional view of the pond.

Mr. Dresen – North is to the top of the page.

Bill Maschewske – On the color drawing of the pond and the spoils pile, which direction is North?

Mr. Dresen – North is to the right on the page.

Bill Maschewske – Which direction is North on the color dimensioned drawing of the pond?

Mr. Dresen – North is to the right and it dimensions the entire excavation.

Bill Maschewske – What are the contour intervals on the color drawing of the parcel showing elevations of both the pond and the spoils?

Mr. Dresen – They are 3 ft. contour intervals except the last one which is 1 ft.

Bill Maschewske – What do the sketch and dimensions on the survey drawing represent?

Mr. Dresen – It is the dimensions of the pond only and the distances to the property lines.

Bill Maschewske – Why was no soil boring done where the pond is proposed?

Mr. Dresen -- The soil borings were done prior to thoughts of having a pond.

Bill Maschewske – There is no drainage plan as required in Section IV, Section 1, e, 5 of the Earth Change Ordinance.

Travis Vugteveen – Stated this was not applicable since the parcel was relatively flat.

Next to be reviewed were the factors in Article V, Section 3 (a) of the Earth Change Ordinance. Planning Commission findings are in *italics*.

1. The recommendation of the Planning Commission.
To be determined after the factors are reviewed.

2. The zoning of the proposed site.
The site is zoned Rural Residential.
3. Its proposed reclamation in a manner consistent with the Robinson Township Land Use Plan.
The end use will be residential.
4. The character of the person in respect to the person's honesty, integrity, and financial responsibility.
There is no reason to question these characteristics.
5. The person's ability to comply with this Ordinance and the probable terms and conditions of a permit, if issued.
The Planning Commission has no concerns.
6. The size, nature, and character of the proposed Earth change activity.
The size will comply with the 5000 cubic yard limit per the applicant and application.
7. The scope and duration of the proposed Earth Change activity.
The applicant states the project will take 3 to 9 months. The Earth Change Permit, if granted, is valid for 180 days and will need to be renewed by the applicant if the project is not complete at that time.
8. The proximity and effect of the proposed Earth Change activity with respect to adjoining properties and the surrounding neighborhood.
A letter was received with the first application from a neighbor with no objection to the requested Earth Change activity. The Planning Commission anticipates no adverse impacts.
9. The relative need or necessity of the proposed Earth Change activity in relation to other possible uses of the property.
The excavated material will be used to create a building site for a residence per the applicant.
10. The impact of the proposed Earth Change activity on the environment.
There are no adverse impacts expected.
11. All pertinent things concerning the health, safety and general welfare, and the preservation of natural and environmental resources and the prevention of nuisances and hazards.

No adverse impacts are anticipated. The applicant has stated he will post the site with "No Trespassing" signs per the Earth Change Ordinance.

12. Shall exercise a reasonable and sound discretion in the premises.
Condition met.

A motion was made by Travis Vugteveen and seconded by Michelle Gillespie to recommend to the Township Board the approval of the Dresen Class A Earth Change application for parcel no. 70-08-10-400-026 to create a pond of less than 5000 cubic yards. All soil is to remain on the site. Approval is based on the review of the application meeting the criteria in Article V, Section 3 of the Earth Change Ordinance and with the following conditions.

1. All topsoil shall remain on site.
2. The slope shall not exceed one foot of rise for every three feet of run to a depth of 5 feet.
3. The bank shall be seeded immediately after completion of the project.
4. The duration of the permit is 180 days.
5. Excavation is limited to daylight hours.
6. Compliance with the application, the input of the Zoning Administrator, and the comments of the applicant recorded in the minutes.
7. Compliance with all Federal, State, County, and Township laws and ordinances.

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.

At 8:07 PM., the next item to be discussed was the Short-Term Rental (STR) postcard and sample survey to be sent to citizens of the Township.

Chairperson Martinie distributed the proposed wording to appear on the postcard for Robinson Township residents.

Bill Maschewske – Inquired if the wording needed Township Board approval.

Supervisor Frank Johnson – Requested to see a copy of the Survey. After a brief review, he noted he had already seen this version earlier in the day and had no concerns.

Bill Maschewske – Recommended deleting the word “residential” from the second sentence of the Survey.

The consensus was to delete the word.

Bill Maschewske – Distributed a map of the Grand Haven Township Overlay District for STR taken from a Citizen Planner Class on Overlay Districts.

Travis Vugteveen – Inquired if additional approval was needed from the Township Board to spend the money and proceed to mail the survey.

Supervisor Frank Johnson – No.

Chairperson Martinie – Stated Zoning Administrator Lovelace was authorized to have the wording checked for length and then send the postcards out. Inquired what is a reasonable time for responses to be returned.

The consensus was approximately 30 days and a specific date would be posted about 30 days after the postcards were mailed.

New Business – None

Pay Bills

A motion was made by Michelle Gillespie and seconded by Travis Vugteveen to pay salaries for the April 23, 2024 Planning Commission meeting (all present).

The motion carried unanimously.

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 8:23 PM.

The motion carried unanimously.

The next meeting was noted to be Wednesday, May 22, 2024 at 7:00 PM.

Respectfully submitted,

Bill Maschewske, Secretary
Robinson Township Planning Commission

- Attachments: 1. Attendance Sheet for the April 23, 2024 Planning Commission meeting.
2. Memorandum from Zoning Administrator Lovelace dated February 13, 2024 regarding the Dresen Class A Earth Change Permit Application.



SIGN IN SHEET
Regular Meeting of the
Planning Commission
April 23, 2024 - 7:00 pm

PRINT NAME

SIGNATURE

John F Wood

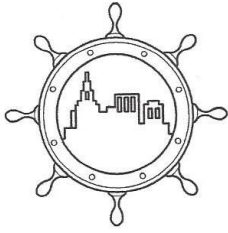
John F Wood

Bonnie Hayward

Bonnie J Hayward

Frank Johnson

Frank Johnson



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MEMORANDUM

To: Robinson Township Planning Commission
From: Julie Lovelace
Date: February 13, 2024
Re: Class A Earth Change Permit Application - Dresen

The Township has received an application, and fees, from Joseph & Kortney Dresen for a Class A Earth Change permit to dig a pond less than one acre in size on a vacant parcel. The property is approximately seven acres in size and located on the west side of 112th Avenue just north of Lincoln Street. It is zoned Rural Residential (RR).

The property legal description is:

PART OF SE 1/4 OF SE 1/4 COM N 0D 38M 45S W 881.52 FT FROM SE SEC COR, TH S 89D 21M 15S W 660 FT, N 0D 38M 45S W 481.05 FT, S 87D 56M 58S E 660.73 FT, S 0D 38M 45S E 449.96 FT TO BEG. SEC 10 T7N R15W 7.06 A

Background

An aerial of the property is shown below outlined in blue:



The property appears relatively flat with the lowest contour at approximately 619.

Request

A hobby pond approximately 200' x 100' x 6'. This would involve removing approximately 4,444 cubic yards of soil, which will remain on site.

Robinson Township Earth Change Ordinance 78-1

Article IV Section 1 lists the required content:

- (a) Owner – Joseph & Kortney Dresen
- (b) Resident Address – 10340 Sleeper St, Grand Haven MI
- (c) Legal Description – see above
- (d) Extend of project - see above. Soil is predominately loamy/medium fine sand
- (e) Contours - The sand is proposed to remain “on other parts of the property.” The slopes will not exceed 3:1. The banks will be stabilized by grass planting. See Soil Boring information for ground water info
- (f) Construction - The pond is proposed to be six foot deep. The Earth Change Ordinance prohibits the slope to exceed 3:1 to a depth of five feet. This should be reiterated as a condition of approval. The applicant will be digging them pond themselves using their personal equipment. This is their first time digging a pond
- (g) Truck route - No soil will be transported off site
- (h) Previous experience - Mr. Dresen is a licensed residential contractor, but this is his first pond project
- (i) Pervious permits - No previous permit application has been submitted
- (j) Timing of project - The project will commence as weather permits and is proposed to conclude in three to nine months. It should be noted that Article VI Section 2 *duration of permits* states “Class A Permits shall be valid for such period of time as may be specified in the permit, but in no event for any period longer than one hundred eighty (180) days...” This should be reiterated as a condition of approval.
- (k) No measures to control noise, vibration, etc. are offered. The Planning Commission (PC) may consider hours of operation as a condition of approval
- (l) Safety - The Applicants propose sign posting and maintaining a safe grade on site during construction

Per Article V Section 1(b), *Processing of Applications for Class A Permits*, the Township Board shall review and approve the application. The Board may, at their discretion, schedule a public hearing. Additionally, the Board may also refer the application to the Planning Commission (PC) for their recommendation if they deem it appropriate. The Board’s decision shall be in accordance with the terms, provisions, and requirements of the Ordinance pertaining to Class A permits.

Per Article V Section 3, *Factors in Considering Applications for Permits*, the Board shall take into consideration, by way of illustration and not of limitation, the following factors:

- The recommendation of the PC, where applicable
- The zoning of the proposed site
- Its proposed reclamation in a manner consistent with the Robinson Township Land Use plan
- The character of the person in respect to the person’s honesty, integrity and financial responsibility
- The person’s ability to comply with this Ordinance and the probable terms and conditions of a permit, if issued
- The size, nature, and character of the proposed Earth Change activity
- The scope and duration of the proposed Earth Change activity
- The proximity and effect of the proposed earth change activity with respect to adjoining properties and the surrounding neighborhood
- The relative need or necessity of the proposed Earth Change activity in relation to other possible uses of the property

- The impact of the proposed Earth Change activity on the environment
- All pertinent things concerning the health, safety and general welfare
- The preservation of natural and environmental resources and the prevention of nuisances and hazards
- Shall exercise a reasonable and sound discretion on the premises.

Article VII *General Terms, Conditions and Limitations Applying to Earth Change Permits*, lists the general conditions in granting such a permit. Of particular note, Staff would like to point out these specific subsections of Section 1:

- (a) Trees and other vegetation or ground cover shall not be stripped off any ground (to prevent soil erosion)
- (g) All topsoil shall remain on site
- (i) "Keep Out – Danger" signs shall be placed around the pond not more than 200 feet apart during construction
- (j) The project shall be stabilized by the replacement of topsoil and seeded
- (k) The final slopes of the banks shall not exceed three feet horizontal to one foot vertical to a depth of five foot

PC/Board Considerations

1. Whether PC review will be desired
2. Whether a public hearing is desired
3. Whether the content of the application is satisfactory
4. Timeline for construction
5. Whether the Class A Earth Change Permit would be acceptable after review of Article V Section 3 Factors for Considering Applications for Permits above
6. Whether hours of operation during construction are desired

Conditions

1. Any topsoil shall remain onsite
2. The slope shall not to exceed one foot of rise for every three feet of run to a depth of 5 feet
3. The bank shall be seeded immediately after completion of the project
4. Permit duration of [insert]
5. [insert condition]

The Applicant plans to attend the February 21, 2024 rescheduled PC meeting. If you have any questions, please feel free to contact me.

JL
Planner