

ROBINSON TOWNSHIP PLANNING COMMISSION  
August 27, 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, Randy Schipper and Steve King, both representing the pending HAM Worldwide LLC Zoning Ordinance Text Amendment application, and Doug Marshall. The attendance sheet is attached.

Approval of Agenda

A motion was made by Travis Vugteveen and seconded by Michelle Gillespie 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 Lydia Brown to approve as written the minutes of the July 23, 2024 Planning Commission meeting.  
The motion carried unanimously.

Non-Commission Member Inquiries and Questions

Supervisor Frank Johnson – In regard to Short Term Rentals (STR), he noted that the use of complaints in either granting or renewing a permit for STR is dangerous in that some people will just complain. He noted an example of a resident on 104<sup>th</sup> Ave. that has complaints every week.

Bill Maschewske – Inquired if any of these complaints were in writing.

Supervisor Johnson – He did not believe they were in writing.

Doug Marshall – Stated he received a letter regarding the illegal parking of vehicles on Township Property.

Chairperson Martinie – Stated he was not aware of the problem or the letter and that this was sent under the authority of a Police Power Ordinance with which the Planning Commission is not involved.

Zoning Administrator Lovelace – Responded that the letter was the result of a routine inspection by Treasurer Bonnie Hayward of the Township Property along the Grand River that was purchased with FEMA assistance. The conditions of the assistance from FEMA require the property remain in a natural state, not mowed, and not used for storage.

### Reports and Communications

Travis Vugteveen reported the following from the Township Board.

1. The proposal from Fresh Coast Planning for Master Plan Implementation Strategies to prepare a draft amendment to the Zoning Ordinance was accepted.
2. Vandalism at the Township Park is being addressed.
3. Tom Schultz has retired from the Fire Department after more than 40 years of service.

Announcements – None

### Old Business

The first item on the agenda was the Zoning Ordinance Text Amendment application from HAM Worldwide LLC to amend the I-2 Zoning District to allow marine construction facilities. At the request of Chairperson Martinie, Randy Schipper, representing HAM Worldwide LLC, outlined the concerns of his clients as follows regarding the proposed draft Text Amendment to the I-2 Zoning District in response to the application. A copy of Mr. Schipper's submittal is attached. Mr. Schipper's concerns are as follows. Numbering does not follow the numbering in Mr. Schipper's submittal.

1. The definition included in the draft Zoning Ordinance Text Amendment does not capture the nature of the business. Additionally, it should not be Section 3.77.2.1, but rather Section 3.77.3.  
Township Attorney Bultje responded by agreeing with the definition proposed by Mr. Schipper, however, the numbering must be 3.77.2.1 because there already is a Section 3.77.3.
2. To limit outdoor storage to 3 acres is unreasonable considering they have 65 acres Zoned I-2. He requests the size of the outdoor storage area be scaled to the size of the I-2 Zoned parcel and dependent upon buffering. This should be dealt with in the Site Plan review. He also noted they would be willing to combine parcels to solve setback issues.
3. The setback from the waters edge should apply to the Grand River and not the lagoon.
4. They do not want the Township to review wetlands or flood plain issues. This is already under the control of the State of Michigan.

5. The requirement of not allowing Outdoor Storage to “materially obstruct the neighboring view of the waterfront” is a requirement that is not applicable in any other circumstance in the Zoning Ordinance and is unreasonable.

Chairperson Martinie – Recognizes the issue created by the Outdoor Storage requirement in the draft Text Amendment.

Randy Schipper – Outdoor Storage is most of the use of the site.

Bill Maschewske – Is the only use Outdoor Storage?

Steve King – The other sites they have are approximately 3 acres of Outdoor Storage. They want to grow the business and get larger than their other sites.

Township Attorney Bultje

--Item No. 2 above-- He agrees that Outdoor Storage should scale with the size of the parcel.

--Item No. 4 above--The Township is not going to get involved in permitting regarding wetlands. However, EGLE is a permitting agency and the Township needs to stay involved.

--Item 5 above – Obstructing a neighboring view should remain as a consideration for this particular Special Use.

Bill Maschewske – Noted this is a rather unique Industrial Use and location in that much of the Grand River frontage is developed residentially. As such, this Use is an area where Industrial property does not usually exist.

Chairperson Martinie – Inquired what the change should look like for Outdoor Storage?

Township Attorney Bultje – Go with setbacks and buffering.

Chairperson Martinie – Summarized agreements to date as follows.

- Outdoor Storage size will be based upon parcel size, setbacks, and buffering.
- The setback of 20 ft. from the waters edge will be resolved between the Township Attorney, the Zoning Administrator, and Mr. Schipper and a draft prepared for Planning Commission review.
- The Planning Commission agrees to change the definition to agree with that proposed by Mr. Schipper but not change the Section Number.

The next topic was a continued discussion regarding permitting Short Term Rentals (STR) in the Zoning Ordinance.

Township Attorney Bultje noted that if the Township wished to consider placing a specific maximum on the number of STR permitted, the number should be supported by a study by experts to support the maximum based upon change to the character of the Township and other criteria.

The following criteria were offered for consideration.

1. An isolation distance of 500 ft between STR.
2. Limit their location to the Grand River and Bayou waterfront.
3. Do not allow in a subdivision, Planned Unit Development, or on Site Condominiums.

Travis Vugteveen – Questioned the rationale behind the 500 ft. isolation distance. Maybe it would be better if they were grouped.

Township Attorney Bultje – The isolation distance would prevent any particular area from looking like a rental area.

Township Attorney Bultje also inquired if the Planning Commission was proposing the above criteria as a permitted or Special Use. As a Special Use, the neighbors are kept informed.

4. The consensus was to have STR's as a Special Use.

Bill Maschewske suggested additional issues that should be addressed with consensus noted below. Numbering is a continuation of the first four criteria noted above.

5. Limited STR would not be allowed.
6. An STR would be defined as any rental for less than 28 days. The number of check-ins would be limited to two per week.
7. The total rental duration per year would be 84 days.
8. STR would be allowed in any Zoning District but limited to single family residences.
9. It was also agreed to meet with a contracting enforcement agency.

Township Attorney Bultje was requested to create a draft document based upon the above criteria and the Spring Lake Township Zoning Ordinance text.

At 8:20 PM., the Planning Commission continued the discussion of Home Occupations from the last meeting. The discussion focused on draft Zoning Ordinance Amendment text Zoning Administrator Lovelace prepared following discussion at the July 23, 2024 meeting (Zoning Administrator Memorandum dated August 8, 2024 regarding Home Occupations and including draft Zoning Ordinance text attached). The discussion initially started at the July meeting following verbal complaint(s) regarding a particular Home Occupation in the Township.

Section 4.18 (I) – The proposed amendment would add the following text: “or uses similar to the above as determined by the Zoning Administrator”. Following discussion, the Planning Commission agreed this change could be included as a draft Zoning Ordinance Text Amendment.

Section 4.18 (K) – This section was completely new and attempted to give the Township the authority to inspect a Home Occupation. Township Attorney Bultje stated this could not legally accomplish that intent. It was agreed that the application for a Home Occupation would be revised to require the applicant to grant the Township authority to inspect the Home Occupation to determine compliance. Township Attorney Bultje supported this approach.

New Business – None

Pay Bills

A motion was made by Travis Vugteveen and seconded by Steve Young to pay salaries for the August 27, 2024 meeting (one meeting, all present).  
The motion carried unanimously.

Any and All Other Business That May Come Before the Board

It was noted that Fresh Coast Planning had been contracted by the Township Board for reviewing Master Plan Implementation Strategies in the Zoning Ordinance. Bill Maschewske stated the Zoning Ordinance could be simplified and more user-friendly by including tables to communicate standards and using informative application instructions for common requests. Travis Vugteveen requested the Zoning Ordinance be a searchable PDF and linked.

Zoning Administrator Lovelace stated that she is the representative from Fresh Coast Planning that will perform the review to include Master Plan Implementation Strategies into a revised draft of the current Zoning Ordinance. The review will not include re-writing the entire Zoning Ordinance.

Chairperson Martinie – Inquired how long this task would take.

Zoning Administrator Lovelace – It is not known at this time.

Adjournment

A motion was made by Travis Vugteveen and seconded by Lydia Brown to adjourn the Planning Commission meeting at 8:48 PM.  
The motion carried unanimously.

Respectfully submitted,

Bill Maschewske, Secretary  
Robinson Township Planning Commission

Attachments: August 23, 2024 Planning Commission Sign-in Sheet

Email communication from Randy Schipper of Cunningham and Dalman PC regarding HAM Worldwide LLC Zoning Text Amendment Application

Zoning Administrator Lovelace Memorandum regarding Home Occupations dated August 8, 2024



**SIGN IN SHEET**  
**Regular Meeting of the**  
**Planning Commission**  
**August 27, 2024 - 7:00 pm**

PRINT NAME

SIGNATURE

PRINT NAME	SIGNATURE
Randy Schipper	<i>[Signature]</i>
Frank Johnson	<i>[Signature]</i>
Steve King	<i>[Signature]</i>

**Shawn Martinie**

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**From:** Julie Lovelace <julie@freshcoastplanning.com>  
**Sent:** Wednesday, August 21, 2024 12:24 PM  
**To:** Steve Young; Shawn Martinie; lbrown@cityofcoopersville.com; bill maschewske; Phil Crum; mark.lydia.brown@gmail.com; Michelle Gillespie; Shelley Witte; Travis Vugteveen  
**Cc:** Zoning; Ronald A. Bultje  
**Subject:** Robinson Twp August PC Agenda Packet  
**Attachments:** landUsePrint11x17CurrentSubParcels north of N Cedar\_Green.pdf; 240827\_Robinson\_PC\_agenda\_packet.pdf

Commissioners,

Please see Randy Schipper's comments below regarding the proposed Industrial Zoning Ordinance amendment.

Thanks,

Julie Lovelace  
Senior Planner  
Fresh Coast Planning  
119 1/2 Washington Ste B  
Grand Haven, MI 49417  
616-914-0922  
[www.freshcoastplanning.com](http://www.freshcoastplanning.com)

----- Forwarded message -----

**From:** Randy Schipper <[randy@cunninghamdalman.com](mailto:randy@cunninghamdalman.com)>  
**Date:** Wed, Aug 21, 2024 at 12:09 PM  
**Subject:** FW: Robinson Twp August PC Agenda Packet  
**To:** Julie Lovelace <[julie@freshcoastplanning.com](mailto:julie@freshcoastplanning.com)>  
**Cc:** [rbultje@dickinsonwright.com](mailto:rbultje@dickinsonwright.com) <[rbultje@dickinsonwright.com](mailto:rbultje@dickinsonwright.com)>

Julie

Thank you for providing us the proposed ordinance. We have a few concerns we would ask be addressed.

We don't think that the proposed definition of our use fully captures our use. First, by the numbering, this has a Marine Construction Facility as a subset under Marina. It really has no relation to a marina



other than being water-dependent. We suggest changing the section number from 3.77.2.1, to 3.77.3. Second, the proposed definition could be interpreted as, basically, a boatyard limited to storing and working on vessels. That work would be an accessory use. To better reflect our proposed use, we propose rephrasing the ending to something like "including but not limited to docks, piers, seawalls, and for servicing, repairing, and maintaining of vessels related to such activities."

We also have some concerns with the 4 proposed conditions.

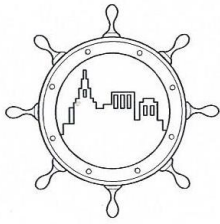
1. Outdoor storage will not exceed 3 acres in size. Rather than a maximum size, the focus should be buffering from neighbors in the particular situation being addressed in that application, something to be addressed in the site plan review. The 3 acres proposed would limit our use to a very small percentage of our property, which consists of over 60 acres, without an offsetting benefit for any abutting residence. We should be able to use our I-2 zoned property as fully as possible, provided we provide a visual buffer for any adjoining residences. In this case, we would agree that, as long as the residence exists at the east end of VanLopik Avenue, we will not have outdoor storage on our peninsula immediately east of it. We are willing to consolidate all our I-2 zoned property into one parcel to remove any concern with internal setbacks.

2. We would ask that this condition be clarified to say "from the bank of the river". Otherwise this language could be interpreted as barring any outdoor storage within 20 ft. of the edge of the bayou, but, as discussed at the Planning Commission meeting, we plan to stage materials by the edge of the bayou, but not by the edge of the river.

3. I would urge the township to leave such concerns to EGLE. For examples, they have the expertise as to the edge of any wetland and as to whether storage in a flood plain is a concern or not and, if so, how it is addressed. We suggest that this condition require EGLE review for impacts on regulated areas and, where required, permitting.

4. This condition would give neighbors greater rights than they have relative to any other use. We are not aware of any requirement that a warehouse in an I-2 zone cannot materially obstruct any neighboring view of the waterfront and Michigan courts have repeatedly rejected claims to a right to a view. Why should outdoor storage be subject to that restriction? In this case, there is no neighbor whose view of the water would be obstructed except possibly the residence at the east end of Van Lopik Ave, a neighborhood that the township is working to eliminate due to frequent flooding. Given the loose language in the proposed ordinance, that neighbor could argue that any outdoor storage within 500 ft of the river would obstruct his view of the waterfront to the east. Instead of having this as a condition, it should be a consideration in site plan review so such impacts can be considered on a case-by-case basis in approving the outdoor storage area for a particular site, as with condition 1, instead of a fixed condition in the ordinance.

If you have any questions on this that you would like to discuss ahead of the PC meeting, please contact me. Otherwise, we look forward to discussing the proposed ordinance amendment the PC meeting August 27.



## Fresh Coast Planning

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## MEMORANDUM

To: Robinson Township Planning Commission  
From: Julie Lovelace  
Date: August 8, 2024  
Re: Home Occupations

At the July Planning Commission (PC) meeting, Staff relayed difficulties in some home occupations exceeding the intent and limitations of Section 4.18 of the Zoning Ordinance. Additionally, Subsection (I) was discussed with regard to uses that may be considered similar to the list of home occupations that are not permitted.

With that in mind, Staff provides a proposed edit to subsection (I) in red and the addition of subsection (K) for further PC discussion.

### Section 4.18 HOME OCCUPATIONS (in part)

- (I) Uses by the nature of the investment or operation which have a pronounced tendency once started to rapidly increase beyond the limits permitted for home occupations, or uses which are of such a nature to be severely incompatible with allowed uses in the respective Zoning District and thereby impair the use and value of an area for the zoned purposes, shall not be permitted. Therefore, the uses specified below shall not be permitted as home occupations: motor vehicle repair, minor or major; dental offices; healing arts offices; painting of vehicles, trailers, or boats; photo studios; private schools; antique shops; renting of trailers; restaurants; stables or kennels in the R-1 or R-2 Zoning Districts; tourist homes; ~~and~~ veterinary clinics or hospitals; or uses similar to the above as determined by the Zoning Administrator.
- (J) No person may establish a home occupation in the R-1, R-2, RR, A-1 or E-1 Zoning Districts without first registering the home occupation with the Township. In registering with the Township, the person shall advise the Township of the home occupation, its nature, its location, its number of employees, its size, and any other information reasonably required by the Township.
- (K) The Zoning Administrator shall have the authority to conduct an inspection of any home occupation in order to determine compliance with the requirements of this Section and, upon making a determination that any home occupation does not comply, may serve a notice of termination on the property owner who shall then have a right of appeal to the Zoning Board of Appeals. The Zoning Board of Appeals shall have the authority to determine whether or not a proposed use complies with the terms of the Ordinance and is within the spirit of the same.

Julie Lovelace  
Planner