

ROBINSON TOWNSHIP PLANNING COMMISSION
July 23, 2024

The regular meeting of the Robinson Township Planning Commission was called to order at 7:01 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 Supervisor Frank Johnson, Tim and Sharon Schafer, Doug Marshall, and five additional members of the public. There was no attendance sheet.

Approval of Agenda

A motion was made by Michelle Gillespie 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 Travis Vugteveen and seconded by Shawn Martinie to approve as written the minutes of the May 22, 2024 Planning Commission meeting.
The motion carried unanimously.

Non-Commission Member Inquiries and Questions

Wendy Coon introduced herself and stated she is running for Robinson Township Trustee this fall.

Doug Marshall – Stated he has talked to numerous Robinson Township residents who did not get a copy of the survey regarding Short Term Rentals. He also did not get one. He requests that the survey be re-opened so additional people can participate. He would also like an explanation of why it appears that each household did not receive a survey.

Chairperson Martinie – He has no explanation.

Reports and Communications

Travis Vugteveen reported the following from the Township Board.

1. The updated Master Land Use Plan was adopted by the Township Board on 6/12/24.
2. The Township Board requested a quote from Fresh Coast Planning for a quote to update the Zoning Ordinance.
3. The Township is withdrawing from NORA effective next year.
4. The Township Website is being updated to be ADA compliant and to change from a .org to a .gov address.

Announcements -- None

New Business

As scheduled, the public hearing for the HAM Worldwide LLC Zoning Ordinance Text Amendment request to amend the I-2 Zoning District was held. Chairperson Martinie declared the public hearing open and explained the rules of procedure for the conduct of the hearing.

Randy Schipper, representing DK Construction and HAM Worldwide, gave a description of the requested Zoning Ordinance amendment and the activities proposed by the applicants. He explained the unique potential of the site they own on the Grand River (70-04-34-200-003, -004, 70-04-34-400-003, and -001) consisting of approximately 165 acres. The Robinson Township Zoning Ordinance, like most Zoning Ordinances, does not recognize marine construction as a permitted use in an Industrial Zoning District. This type of construction is typically conducted outdoors since the materials are very large and must be moved by a crane. They would like to have a small building for office use only. They are requesting marine construction be added as a permitted use and exempt from the limit on outside storage and exempt from rear yard storage restrictions since the required rear yard would be the waterfront per the Zoning Ordinance.

Chairperson Martinie – Requested questions from the Planning Commission.

Travis Vugteveen – Will the rear yard be an eyesore?

Steve King of DK Construction – Noted that most of the site was not visible from off the property.

Chairperson Martinie – What type of work and storage would take place along the river?

Steve King – Most of the actual work would be on the long West shore of the lagoon. The shorter shore on the West side of the lagoon would probably just have a two-track road leading to the river.

Travis Vugteveen – How much outdoor storage acreage are you considering?

Steve King – Their current storage yard is about three acres. Their goal would be to not spread storage out over the site.

Michelle Gillespie – How much barge traffic would there be on the Grand River?

Steve King—Maybe one barge per week.

Travis Vugteveen – Would the Township have more control over the activity as a Special Use compared to a Permitted Use?

Chairperson Martinie and Bill Maschewske – Yes, definitely.

Travis Vugteveen – Noted this was a very special request.

Hearing no more questions from the Planning Commission, the Public Hearing was opened to questions from the public.

Sharon Schafer – Does this business generate toxic waste?

Randy Schipper – Most of the work does not involve toxic materials. There will be paint and solvents that will be used but their use is regulated by other agencies.

Chairperson Martinie – What regulating agencies do you work with?

Steve King – They deal mostly with EGLE and the Corp of Engineers.

Chairperson Martinie – Do you anticipate any changes to the waterway on the site?

Steve King – Nothing major, perhaps a dock and some movement of stockpiled material on the site.

Travis Vugteveen – How do construction materials move in and out of the site?

Steve King – There would be some material delivered by truck, however they do not own many trucks. They would mostly move material by boat.

Doug Marshall – Noted the lagoon is a protected inlet that is currently used by the public for fishing and recreation. Where is your work conducted?

Steve King – Most of their work is from Manistee to New Buffalo along the Lake Michigan coastline. Their equipment is spread out all over the lakeshore and is in use. They could not restrict the public from using the lagoon.

Supervisor Frank Johnson – Are the existing barges adequate for your work? Would you need to drive pilings?

Steve King – They plan to use the existing barge(s).

Chairperson Martinie – Will you do any dredging?

Steve King – Probably not but there might be some limited dredging.

Bill Maschewske – Are there any similar marine construction sites that could be viewed?

Steve King – One location is the West side of the US-31 bridge in Grand Haven. Additionally, the Verplank Dock and the Brewer City Dock in Holland. These are their sites.

Chairperson Martinie – How large are the cranes you use?

Steve King – Usually 200 tons.

Supervisor Frank Johnson – Noted this site was particularly suited to marine construction and he is in favor of this use in the location owned by HAM Worldwide LLC.

Steve King – Noted that they do not object to fishermen in the lagoon.

Chairperson Martinie – Requested additional questions and noted that he believes marine construction is best suited as a Special Use.

Steve Young – Why was a Zoning Ordinance Amendment requested?

Zoning Administrator Lovelace – Marine construction is not currently a permitted or Special Use in the I-2 Zoning District and needs to be added to the list of Special Uses to allow anyone to apply for marine construction as a Special Use.

Randy Schipper – Explained his understanding of the Zoning Amendment and Special Use application and approval processes.

Chairperson Martinie – Confirmed Randy Schippers description of the process.

There were no more comments or questions from the Planning Commission, the applicants, or the public.

A motion was made by Lydia Brown and seconded by Michelle Gillespie to close the public hearing.

The motion carried unanimously and the public hearing was closed.

Zoning Administrator Lovelace – Noted the proposed activity area is approximately 6 acres.

A discussion followed regarding the required rear yard and relief from the prohibition of outdoor storage in this area. Per the Zoning Ordinance, the rear yard is the waterfront.

Zoning Administrator Lovelace – Discussed with the applicants the possible combination of parcels to help re-define the Front Yard of the parcel(s).

Steve King – Noted the part of the property intended to be used for marine construction is approximately 65 acres.

Chairperson Martinie – Questioned if there should be a limit on the area allowed for outdoor storage.

The Planning Commission seemed to favor a limit on outdoor storage, however, no consensus was reached.

Also discussed was no outdoor storage of marine construction materials in the required side yard. Steve King stated this should not be a problem.

Bill Maschewske – Suggested the open issues regarding the addition of marine construction as a Special Use should be discussed with Township Attorney Ron Bultje before a conclusion is reached.

Lydia Brown – How tall is the crane used in this business?

Steve King – Approximately 100 – 150 feet.

Chairperson Martinie – Stated it appears the requested amendment is headed in the direction of a Special Use and requests a motion to table action on the requested amendment request pending additional review.

Zoning Administrator Lovelace – Stated she will amend the draft motion she included in her report to include “no outdoor storage in the required 100 ft. side yard setback”.

A motion was made by Steve Young and seconded by Lydia Brown to table the Zoning Ordinance Text Amendment request from HAM Worldwide LLC to the I-2 Zoning District to permit a marine construction facility and to provide relief of the rear yard setback and outdoor storage requirements.

The motion carried unanimously.

At 7:55 PM, the topic of Home Occupations was discussed at the request of Zoning Administrator Lovelace. Zoning Administrator Lovelace reported that there is a particular Home Occupation in the Township that has received several verbal complaints from neighbors but there have been no signed complaints. The main issue of the complaint is trucks delivering packages early in the morning and having to back out of the driveway, causing the trucks backup alarms to activate. The Home Occupation is registered with the Township.

There was a lengthy discussion regarding package deliveries, which did not appear in itself to be a violation. Also discussed was whether Home Occupations should be a Special Use to provide better regulation by the Township. Discussion followed and it was noted that as a Special Use,

Home Occupations would be much more cumbersome and expensive to conduct and they still would require written complaints or complaints at a public hearing to initiate enforcement action by the Township. A Special Use requirement would, however, require a public hearing at which neighbors could voice concerns. As either a registered use or Special Use, formal complaints must be received by the Township to initiate enforcement action.

Zoning Administrator Lovelace – Inquired if Home Occupations, Section 4.18(I) should be revised to include wording such as “or as determined similar by the Zoning Administrator.”

There was no resolution to the above request. It was agreed to discuss this issue with Township Attorney Ron Bultje the next time he is in attendance.

Old Business

Short Term Rentals (STR) were discussed next. The list of questions from the Citizen Survey were reviewed along with the responses to each question. (Reference the Robinson Township Short Term Vacation Rentals Survey which is not included with these minutes for complete details.) In general terms, the response to the survey was favorable to STR.

Chairperson Martinie – Reviewed some of the negatives associated with STR from a publication by Foster Swift Attorneys and also reviewed by Township Attorney Ron Bultje. He then requested ideas for approaching this subject.

Zoning Administrator Lovelace – Suggested allowing STR in any Residential Zoning District but only allow a specific number total for the Township and perhaps include an isolation distance from another STR. Zoning Administrator Lovelace stated there are approximately 2300 residences within the Township.

Doug Marshall – Suggested making the permitting an “earn to achieve” process wherein an applicant must demonstrate compliance.

Travis Vugteveen – Stated that the “earn to achieve” process could be accomplished by permitting for one season and then evaluating the applicant. He suggested limiting STR to a small percentage anywhere in the Township.

A discussion followed regarding making STR a Special Use in any zoning district at least for the first year. If the applicant demonstrated compliance during that first year, the applicant could then progress to a permitting process by the Township that would be monitored by a third party contracted by the Township.

Any and All other Business That May Come Before the Commission

Tim Schafer – Is there any news about when construction of the bike path will be complete across Stearns Bayou?

The question was outside of the scope of the Planning Commission and no one had any information.

Mike Hintz – Would like a Home Occupation repairing small engines.

Zoning Administrator Lovelace -- Felt this activity was similar to automotive repair which is a prohibited Home Occupation.

Bill Maschewske – Stated this activity was not similar to automotive repair in that it could be conducted in part of an accessory building (garage) and comply with the conditions for a Home Occupation. The Planning Commission appeared to agree with this view.

Pay Bills

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

The motion carried unanimously.

Adjournment

A motion was made by Travis Vugteveen and seconded by Steve Young to adjourn the Planning Commission meeting at 9:35 PM.

The motion carried unanimously.

Respectfully submitted,

Bill Maschewske, Secretary
Robinson Township Planning Commission

Attachment: None