

ROBINSON TOWNSHIP PLANNING COMMISSION
September 24, 2024

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

Present

Shawn Martinie
Bill Maschewske
Travis Vugteveen
Lydia Brown
Phil Crum
Michelle Gillespie

Absent

Steve Young

Also present were Township Attorney Ron Bultje, Zoning Administrator Julie Lovelace, and six members of the public. The attendance sheet is attached.

Approval of Agenda

A motion was made by Michelle Gillespie and seconded by Lydia Brown to approve the meeting agenda as amended by deleting the public hearing, which was not required, from the “New Business” Item of “13353 Green St. Oversized Accessory Building Special Use.”
The motion carried unanimously with one member absent.

Adopting of Previous Minutes

A motion was made by Michelle Gillespie and seconded by Lydia Brown to approve as written the minutes of the August 27, 2024 Planning Commission meeting.
The motion carried unanimously with one member absent.

Non-Commission Member Inquiries and Questions -- None

Reports and Communications

Travis Vugteveen reported the following from the August 14, 2024 Township Board meeting.

1. Joe Carter gave a presentation representing the Save the Campbell Plant group.
2. A public hearing was held and the updated Recreation Plan was adopted.
3. The Township Board is considering the adoption of a Maintenance Code.
4. Monitoring wells were approved for three locations within the Township for Ottawa County to monitor the quantity/quality of the deep aquifer.

Announcements

Zoning Administrator Lovelace reported that Rodney Rotman will be back next month to renew his Approved Site Plan since it was expiring and he has not started construction.

New Business

A Special Use application and Site Plan were received from Janice and Rex Pease at 13353 Green St. to construct an oversized and over height accessory building per Section 4.2(D)(2)(c) of the Zoning Ordinance.

Chairperson Martinie – Inquired what the setback was of the proposed building from the East property line since this was not dimensioned on the Site Plan.

Mr. Pease – It is 30 or 31 feet.

Chairperson Martinie – Where is the flood plain in relation to the subject property.

Zoning Administrator Lovelace showed the GIS view online but it did not show the 100-year flood plain elevation. This information would need to be included on the Site Plan.

Chairperson Martinie – Noted that a topographic map should be included in the applicants Site Plan.

Chairperson Martinie – Are all adjacent uses Residential?

Mr. Pease – Yes.

Chairperson Martinie – Where does the electricity service run on the property and is it overhead or underground?

Mr. Pease – It is on the West side of the existing pole barn and it is overhead.

Chairperson Martinie – How does it get to the proposed barn?

Mr. Pease – It will be underground.

Bill Maschewske – Inquired if the applicant completed a Site Plan per the Zoning Ordinance that the Planning Commission did not receive?

Zoning Administrator Lovelace – No, only the information from GIS and the Special Use Application.

Chairperson Martinie – The height of the building is not on the drawings.

Mr. Pease – Showed his copy of the elevation view of the proposed building. On the back of the page was an elevation view that included the building height. Apparently the back side of the page was inadvertently not copied for Planning Commission packets.

Bill Maschewske – How is your property being used now? Is there a business operated there?

Mr. Pease – There is no business, only Residential use.

At this time, the Planning Commission decided to go through all of the requirements in Section 31.7, Requirements for Site Plan, since there was so much information missing from a complete Site Plan. The numbering below follows Section 31.7 of the Zoning Ordinance.

Section 31.7

- A. Acceptable.
- B. There are no dimensions on the parcel. This needs to be submitted before Township Board review.
- C. Elevations are not shown. This needs to be submitted before Township Board review.
- D. Acceptable.
- E. Uses of the property and structures within 100 ft. are not shown. It was noted they are Residential with a church to the East.
- F. Acceptable.
- G. The driveway is shown. The remaining requirements are not applicable (N/A).
- H. Not shown and N/A.
- I. No electric, water wells, or water lines shown. This needs to be submitted before Township Board review.
- J. The vicinity map is acceptable.
- K. No storm sewers or detention ponds per Mr. Pease.
- L. N/A
- M. No borings were taken. The applicant reports sandy soil.
- N. The location of the proposed building site is wooded from the GIS view.
- O. Screening is N/A.
- P. No common spaces needed for a Residential building.
- Q. No sign – Residential.
- R. Exterior lighting needs to be shown in addition to details of the lights.
- S. N/A since no dumpster per the applicant.
- T. No hazardous chemicals per the applicant.
- U. Special Use Application dated. No date on Site Plan.
- V. Complete.
- W. No bedrooms. N/A.
- X. Contractor is prepared to begin construction 10/01/2024.
- Y. No impact on existing infrastructure.
- Z. Height must be shown on elevation view.
- AA. 100-year floodplain needs to be shown on Site Plan GIS view.
- BB. N/A
- CC. N/A

Next to be reviewed were the Standards for Site Plan Review in Section 31.8 of the Zoning Ordinance. Numbering follows the Zoning Ordinance.

- A. Acceptable
- B. N/A for private residence.
- C. N/A for private residence.
- D. N/A for private residence.
- E. The applicants stated they will only clear enough trees to construct the building.
- F. N/A
- G. Tree removal will be minimal. The applicant agreed to leave the trees on the East side of the proposed building.
- H. N/A for Residential.
- I. There will be no bathroom per Mr. Pease.
- J. Power will be underground to the proposed building.
- K. N/A.
- L. Appears it meets the requirements.
- M. Mr. Pease stated there will be a water hydrant and a sink in the proposed building.
- N. There will be no sign.
- O. The proposed building will be pole- frame construction.
- P. N/A for a private residence.

Next to be reviewed was the General Standards for Considering Special Uses in Section 32.5 of the Zoning Ordinance.

Greg Kobrzycki – Inquired regarding the differences between a Variance and a Special Use.

Township Attorney Bultje explained the differences and Chairperson Martinie read Section 4.2(D)(2)(c) of the Zoning Ordinance.

Lydia Brown – Are we just approving the dimensions of the building and not the use?

Chairperson Martinie – Yes.

Following discussion regarding the Standards for Considering Special Uses, it was agreed to accept the findings of the Zoning Administrator in her Memorandum dated August 13, 2024 and attached to these minutes.

A motion was made by Michelle Gillespie and seconded by Shawn Martinie to recommend to the Township Board approval of the Pease Special Use request for an Oversized and over height Accessory building at 13353 Green St. based upon the findings of the Planning Commission in reviewing the Standards for Site Plan Review in Section 31.8 of the Zoning Ordinance and the General Standards for Considering Special Uses in Section 32.5 of the Zoning Ordinance. (The Planning Commission agrees with the findings of the Zoning Administrator regarding the review of the Special Use Standards in Section 32.5 of the Zoning Ordinance). The approval recommendation is conditioned upon:

1. Compliance with all Federal, State, County, and Township Ordinances.
2. Compliance with the representations of the applicant in these minutes.
3. The following information must be submitted by the applicant prior to review by the Township Board and as noted in the above minutes.

Site Plan Requirements

- a. Section 31.7(c) – Electrical details need to be shown.
- b. Section 31.7(E) – Uses of properties and structures within 100 ft. of subject parcel.
- c. Section 31.7(I) – Electric, wells, water lines, and septic need to be shown.
- d. Section 31.7(Q) – Exterior lighting must be shown.
- e. Section 31.7(AA) – The 100-year flood plain along with topography need to be shown on the aerial view.

Special Use Requirement

- a. Section 31.8(G) – There shall be no tree removal on the East side of the proposed building to the property line.
4. Compliance with the application.
5. Compliance with the requirements in the Zoning Administrator Memorandum dated August 13, 2024. (copy attached)
6. The applicant shall submit a recorded deed restriction at the Ottawa County Register of Deeds per Section 4.2(G) of the Zoning Ordinance.
7. Compliance with Section 4.2(E) of the Zoning Ordinance requiring the use of the Accessory building to be compliant with the applicable Zoning District.

A roll call vote was taken.

Travis Vugteveen – Yes
Shawn Martinie – Yes
Bill Maschewske – Yes
Lydia Brown – Yes
Michelle Gillespie – Yes
Phil Crum—Yes

The motion carried unanimously with one member absent.

Old Business

At 8:25 PM., the discussion continued from the August 27, 2024 meeting of the Zoning Text Amendment request from HAM Worldwide, LLC to amend the I-2 Zoning District to allow marine construction facilities. No representatives of the applicant were present. A draft Zoning Ordinance Text Amendment was jointly prepared by the Zoning Administrator and Township Attorney Bultje, with draft date of 09/12/2024, representing the consensus of the Planning Commission at the August 27, 2024 meeting with input from attorney Randy Schipper, representing HAM Worldwide, LLC.

Chairperson Martinie – Questioned draft Section 15.3(H)(1) regarding the landscaped buffer zone and stated the applicant’s site already has an earthen berm around at least the road frontage

that is greater than 8 feet in height. He feels an earthen berm should be included as an acceptable landscape buffer.

Bill Maschewske – Agrees that a minimum 8 ft. tall earthen berm should be added. Additionally, the proposed 6 evergreens per 100 ft. of perimeter should have a minimum size if remaining but it would be preferable if the evergreen buffer was deleted as an option since it was basically inadequate to screen marine construction facilities.

Chairperson Martinie – Agrees with deleting the option of screening with evergreen trees.

The consensus of the Planning Commission agreed to delete the option of using evergreen trees.

Bill Maschewske – Suggested changing Section 15.3(H) to replace “Planning Commission” with “Township Board” in two occurrences. The current draft text would allow the Planning Commission to approve or deny requests to allow outdoor storage in the required rear and side yards and also to allow outdoor storage to exceed 20% of the square foot area of the principal buildings on the site. The Township Board has historically agreed that the Township Board should make all decisions since they are elected by the voters.

The consensus of the Planning Commission agreed with the above change.

Bill Maschewske – Inquired what the “minimum setback as determined by the State” is as stated in the draft Zoning Ordinance Text Amendment. It was additionally noted the Township would have no input regarding whatever setback the State determines.

This issue was discussed and it was noted that the proposed text grants the Township the flexibility to allow or deny storage in required yards.

It was agreed to revise Section 15.3(H)(2) to require a State permit for a marine construction facility before considering granting storage in required yards.

Section 15.3(H)(3) was discussed and the consensus was to leave it unchanged.

Pay Bills

A motion was made by Lydia Brown and seconded by Michelle Gillespie to pay salaries for the September 21, 2024 meeting (one meeting, 6 members present, one member absent). The motion carried unanimously with one member absent.

Any and All Other Business That May Come Before the Board

Copies were received from Township Attorney Bultje of both a draft Zoning Ordinance Text Amendment and a Police Power Ordinance regarding Short Term Rentals (STR). The Planning Commission requested these documents to be prepared with specific requirements as stated in the August 27, 2024 Planning Commission minutes. These documents will be reviewed at the October regular Planning Commission meeting.

Adjournment

A motion was made by Travis Vugteveen and seconded by Shawn Martinie to adjourn the Planning Commission meeting at 9:12 PM.

The motion carried unanimously with one member absent.

Respectfully submitted,

Bill Maschewske, Secretary
Robinson Township Planning Commission

Attachments: September 24, 2024 Planning Commission Sign-in Sheet

Zoning Administrator Lovelace Memorandum regarding the Special Use Application for 13353 Green St. dated August 13, 2024

Zoning Administrator Lovelace Memorandum regarding the Pease Oversize Accessory Building Request for 13353 Green St. dated September 24, 2024