

ROBINSON TOWNSHIP PLANNING COMMISSION
August 23, 2022

The regular meeting of the Robinson Township Planning Commission was called to order at 7:15 PM at the Robinson Township Hall.

Present

Shawn Martinie
Bill Maschewske
Travis Vugteveen
Lydia Brown
Anne Goede
Michelle Gillespie

Absent

Steve Young

Also present were Township Attorney Ron Bultje, Zoning Administrator Julie Lovelace, Supervisor Frank Johnson, Treasurer Bonnie Hayward, Marcia VanVelzen, and five members of the public.

A motion was made by Travis Vugteveen and seconded by Michelle Gillespie to approve the agenda as written.

The motion carried unanimously with one member absent.

A motion was made by Travis Vugteveen and seconded by Lydia Brown to approve the August 9, 2022 Planning Commission minutes as written.

The motion carried unanimously with one member absent.

Non-Commission Member Inquiries and Questions

Claire Ritter, representing The Woods Cannabis Company, stated her company is interested in locating a retail establishment in Robinson Township. She requested the Planning Commission look at permitting Recreational Cannabis in the Zoning Ordinance.

It was noted that there was a vote recently on this subject.

Township Attorney Bultje stated the vote was at the State level and permitted Recreational Marijuana, however, the voting numbers in Robinson Township were decidedly against the issue.

Bill Maschewske noted this issue was discussed at the Township Board in the last several months.

Supervisor Johnson stated the issue of Recreational Marijuana was discussed four months ago at a Township Board meeting, however, there was no support for approval of Recreational Marijuana sales.

Chairperson Martinie noted that the current ordinance was adopted by the Township Board without Planning Commission participation.

Township Treasurer Bonnie Hayward reiterated that the Township Board discussed the issue four months ago and decided to not permit Recreational Marijuana.

Anne Goede – Noted that Recreational Marijuana is currently allowed in Crockery Township just north of here and should be allowed in Robinson Township also.

Claire Ritter – Understood the Planning Commission position and would appreciate Planning Commission support for Recreational Marijuana.

Dennis Berens – Stated he is a resident of Limberlost Lane and is very concerned about the campground that is operating at the end of Limberlost Lane. He noted it is advertised on Air B and B as “One Grand Place Too” and definitely appears to be a commercial campground operating on E-1 (Lowland Resource Conservation District) zoned property. He noted they advertise that they have water, electric service, sewer, a kitchen, showers, and bath house.

Mr. Berens stated that Chapter 9 of the Zoning Ordinance permits one RV per lot. The owner, Mr. Tempe, owns three lots but has more sites than that and is continuing to build more. He noted that the campground is advertised on hipcamp.com.

Chairperson Martinie – Understands Mr. Berens concerns and stated that nothing in the Zoning Ordinance permits a commercial campground in the subject zoning district. This is an enforcement issue and a safety concern because of the electrical service in the floodplain. The renting of canoes and kayaks advertised in the brochure Mr. Berens presented is a State issue because these activities are regulated and licensed by the State. The commercial campground is a Zoning Ordinance violation.

Zoning Administrator Lovelace – Stated that gaining access to this private property to obtain evidence was an issue in the past. With the documentation she now has, she will start by sending a letter to the property owners/operators.

Township Attorney Bultje – Noted that previous Zoning Administrator Brian Werschem was in contact with EGLE regarding this campground, therefore EGLE should be contacted to see if they are pursuing enforcement action.

Michael Goede – Expressed concern about the electrical services that have been installed in the floodplain. He inquired if the work was properly permitted and inspected.

Dennis Berens – Stated the well permit issued by the Ottawa County Health Department for the subject property limits usage to irrigation only and not for human consumption. A copy of the

well permit was given to the Zoning Administrator. Mr. Berens also noted that the campground operators are bringing in loads of gravel and filling in wetlands to make additional campsites.

Mary Palazzolo -- Inquired where the sewage from the campground is going.

Dennis Berens – Stated he has a letter of opposition and concern about the campground from another nearby resident.

Michael Goede – Inquired who is responsible if anyone gets hurt at the campground. He wants the power shut off.

It was explained that enforcement would proceed but that the Township cannot have the electricity disconnected.

Reports and Communications

Travis Vugteveen reported that there was no activity that was Planning Commission related.

Announcements

Chairperson Martinie reported that Township Secretary Shelley Witte's mother passed away on Saturday.

Old Business

The first item of business was draft Zoning Ordinance revisions regarding Accessory Buildings. Zoning Administrator Lovelace had prepared draft revisions to Sections 4.2, 4.2(C), 4.2(D), 4.19(A)(3)(j), and Chapter 30 in response to direction from the Planning Commission at the July 26, 2022 Planning Commission meeting.

The first section discussed was Section 4.2. The Zoning Ordinance currently requires 20 ft. separation between a principal building and an accessory building or between accessory buildings. Bill Maschewske reported that this requirement came from a previous Fire Chief. Fire Chief VanVelzen stated that the 20 ft. was not required to prevent the spread of fire from one building to another and was not supported by him.

Travis Vugteveen reviewed the 2015 Michigan Residential Code which requires 10 ft. separation between buildings.

Bill Maschewske – Questioned the addition of the word “Detached” in the Section 4.2 text.

Attorney Bultje – Suggested revising the Chapter 3.3 definition of “Accessory Building” to state an accessory building is not attached and must stand alone. The words “separate from” would be added to Section 3.3 and the added word “detached” would be removed from Section 4.2 of the Zoning Administrator's latest draft.

Chairperson Martinie – Suggested the 20 ft. separation distance between buildings be reduced to 10 ft. and Chapter 30 also be revised accordingly. The remainder of the Planning Commission agreed.

Next to be reviewed were proposed revisions to the allowable sizes of accessory buildings in Section 4.2(D). It was agreed the word “detached” would be deleted and an example of the calculation would be shown for Section 4.2(D)(1). It was also agreed to add the exception by Special Use to 4.2(D)(1) for the accessory building height requirement as in Section 4.2(D)(2)(b). It was also agreed to delete the words “But in any event” from the text of Section 4.2(D)(2)(c).

The next topic to be discussed was Parking and Loading Standards. Bill Maschewske noted he received an email in response to his inquiry from Citizen Planner regarding proposed standards. The email would be forwarded to the Zoning Administrator for review.

Anne Goede – Stated she thinks the chart, including minimum parking requirements based upon proposed uses, seems reasonable.

Parking standards from Jamestown Township and proposed standards from Crockery Township were reviewed. It was noted that the Surface and Drainage requirements in Section 21.2 of the Jamestown Township document looked acceptable, excluding the LMDCOD District regarding the paving exception. A lengthy discussion followed, however, it was difficult for the Planning Commission to compare the two sets of example requirements in their current form. Zoning Administrator Lovelace agreed to take the Jamestown Ordinance and identify topics additionally included in the Crockery draft document and consolidate them into one document to facilitate review and discussion at the next regular meeting.

New Business

The final topic to be reviewed was proposed changes to Section 4.19 Housing Standards, specifically Section 4.19(A)(3)(j). The draft revision to this section recognized a recent Robinson Township court case in which the Township was not permitted to enforce the 40 pound per square foot snow load requirement on a mobile home. The consensus was the proposed text was revised satisfactorily.

Pay Bills

A motion was made by Travis Vugteveen and seconded by Michelle Gillespie to pay salaries for the two Planning Commission meetings on August 23, 2022 (One special joint meeting with the Township Board and one regular meeting, six members present at both meetings)
The motion carried unanimously with one member absent.

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

Adjournment

A motion was made by Travis Vugteveen and seconded by Michelle Gillespie to adjourn the Planning Commission meeting at 9:18 PM.

The motion carried unanimously with one member absent.

Respectfully submitted,

Bill Maschewske, Secretary
Robinson Township Planning Commission