

ROBINSON TOWNSHIP PLANNING COMMISSION
March 25, 2026

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 Phil Crum Steve Ambrose Lydia Brown Kathy Kuck Michelle Gillespie	None

Also present were Township Attorney Ron Bultje, Zoning Administrator Gregory Ransford, Doug Marshall, Chris Markatos, and five 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 agenda of the March 25, 2026 meeting as written.
The motion carried unanimously.

Adopting of Previous Minutes

A motion was made by Michelle Gillespie and seconded by Shawn Martinie to approve as written the minutes of the February 24, 2026 Planning Commission meeting.
The motion carried unanimously.

Non-Commission Member Inquiries and Questions -- None

Reports and Communications

The following was reported by Township Board representative Steve Ambrose.

1. The Boersen Special Use Application to construct an attached garage in the E-1 Zoning District was approved.
2. Approval was granted to S and M Gravel to accept interim reclamation to close cells and open new cells.

Announcements – None

New Business

Zoning Ordinance Text Amendments

At this time, the Public Hearing was held for several Zoning Text Amendments initiated by the Township Board. Chairperson Martinie declared the Public Hearing open and read the content of the four Zoning Ordinance Text Amendments which included:

Section 3.15A – Add definition of “Boat Landing Site”.

Section 3.26A – Add definition of “Dock”.

Section 4.3 – Structure, Accessory – Add Section (D).

Section 9.2(N) – Permitted Uses – Add Section (N) .

A copy of the Memorandum from Zoning Administrator Greg Ransford, Dated March 11, 2026, is attached that includes the complete content of the above Sections.

Chris Markatos – Presented and read an undated letter regarding docks. A copy of the letter is attached. He is opposed to not allowing docks without a principal use erected.

Chairperson Martinie – Stated he does not have the background on these amendments since they originated with the Township Board.

Township Attorney Bultje – Explained that the amendments resulted from a meeting he attended with Mr. Markatos, his attorney, and Supervisor MacMillan. Mr. Markatos had constructed a dock on his property in the E-1 Zoning District without a building permit, without Special Use approval, and without a principal use on the property. The subject Zoning Text Amendments represent a compromise among the individuals in attendance at that meeting.

Bill Maschewske – Inquired if the intention was for the Township to not allow docks on VanLopik and Limberlost where a principal dwelling is difficult if not impossible to construct.

Township Attorney Bultje – The Township has always required a principal dwelling on the site before accessory uses.

There were no other comments and the Chairperson requested a motion to close the public hearing.

A motion was made by Kathy Kuck and seconded by Michelle Gillespie to close the public hearing. The motion carried unanimously.

Chairperson Martinie – Noted that the definitions of a “Dock” and a “Boat Landing Site” were definitely needed, stating that a Boat Landing Site is a place to launch and retrieve boats while a dock is clearly an accessory use.

Bill Maschewske – Once again inquired if docks would be permitted on Limberlost and VanLopik?

Chairperson Martinie and Township Attorney Bultje – They are not allowed now without a principal use.

Chris Markatos – Is the Township devaluing these lots and is the Township purchasing them?

It was noted that it is the State of Michigan that has limited dwelling construction.

Doug Marshall – Are floating docks legal?

Township Attorney Bultje – They are still considered semi-permanent structures.

A motion was made by Shawn Martinie and seconded by Kathy Kuck to recommend to the Township Board the approval of Zoning Ordinance Text Amendments to Sections 3.15A, 3.26A, 4.3, and 9.2 of the Zoning Ordinance as noted in the Zoning Administrators Memorandum on this subject dated March 11, 2026 and attached to these minutes.

A roll call vote was taken.

Phil Crum – Yes

Michelle Gillespie – Yes

Lydia Brown – Yes

Bill Maschewske – Yes

Shawn Martinie – Yes

Steve Ambrose – Yes

Kathy Kuck – Yes

The motion carried unanimously.

Bakale Preliminary Site Plan for Storage Units

At 7:30 PM., the Preliminary Site Plan submitted by John Bakale III was reviewed. Mr. Bakale and Steve Czadzeck of Abonmarche were present to represent the application. All Planning Commissioners agreed the submitted materials met the content requirements of Section 31.5 of the Zoning Ordinance.

Chairperson Martinie – Is the parking area paved?

Steve Czadzeck – Yes, it is asphalt.

Chairperson Martinie – Will there be an office building?

Steve Czadzeck – Not at this time. The facility will be fenced and gated.

Steve Czadzeck and John Bakale – A Special Use Application is included.

Township Attorney Bultje – The Special Use Application is and must be for the entire parcel for the stormwater detention to be located outside the B-2 Zoning District and in the A-1 Zoning District on the same parcel.

Zoning Administrator Ransford – Is the A-1 part of the parcel really zoned for the stormwater basin?

Township Attorney Bultje – What would the stormwater retention area look like? A Special Land Use for the entire parcel would be the B-2 Storage Units plus the stormwater basin. If the project is approved, a special binder will be required to retain the entire parcel in common ownership and will result from the Special Use Permit.

John Bakale – What could they do with the A-1 part of the parcel?

Township Attorney Bultje – No structures, but could farm the parcel. For structures, they would need to amend the Special Use Application.

Zoning Administrator Ransford – The Special Use would be for the entire parcel.

Chairperson Martinie – Are there structures on the parcel now?

John Bakale – There is nothing on the remainder of this parcel. Could they construct a barn or a greenhouse?

Chairperson Martinie – Yes.

Lydia Brown – Drawings might be needed.

Bill Maschewske – Would an amended Preliminary Site Plan or a Final Site Plan be the next step?

Chairperson Martinie – They could go directly to the Final Site Plan.

John Bakale – If they had a barn in the A-1 portion of the property, could it have a concrete approach.

Chairperson Martinie – Yes.

Township Attorney Bultje – The Planning Commission needs to approve the Preliminary Site Plan and authorize the applicant to proceed to the Final Site Plan.

John Bakale – Could they add another storage building to the B-2 portion of the property if it fits?

Chairperson Martinie – Yes.

Chairperson Martinie – Noted that Dark Sky Compliant lighting is in the works as a requirement. Please comply.

A motion was made by Michelle Gillespie and seconded by Lydia Brown to approve the Preliminary Site Plan for the proposed Bakale Storage Buildings for Parcel No. 70-08-23-400-027. The applicant is authorized to proceed to a Final Development Plan and Special Land Use Application. Reference Zoning Administrator Greg Ransford Memorandum titled “Bakale Public Storage Units – Preliminary Sketch Plan” and dated March 11, 2026 for details.

A roll call vote was taken.

Phil Crum – Yes

Michelle Gillespie – Yes

Lydia Brown – Yes

Bill Maschewske – Yes

Shawn Martinie – Yes

Steve Ambrose – Yes

Kathy Kuck – Yes

The motion carried unanimously.

Emerald Lakes Preliminary Planned Unit Development Plan

At 8:10 PM., the Preliminary Planned Unit Development Plan for Emerald Lake Estates was considered. John Male of Exxel Engineering and Alex Drew were both present representing the Emerald Lake Estates project.

Chairperson Martinie – Noted that after the mining is complete, the property needs to be rezoned from M-1 back to the underlying zoning district, which is A-1. To support the lot sizes proposed in the Preliminary Plan submitted, the property would need to be rezoned to R-1 Residential. The subject property is adjacent to A-1 Zoned property. The Master Land Use Plan also designates A-1 for the subject property and surrounding properties. To rezone to R-1 would be a giant leap from the A-1 underlying zoning, incompatible with the surrounding properties, and against the Township Master Land Use Plan. The Township supports the Residential end use; however, the density is an issue. If you wish to follow through with this plan, the Planning Commission may want to hold an Advisory Public Hearing to get public input.

Chairperson Martinie requested any other questions.

Bill Maschewske – The routing of the electric lines does not appear to be shown.

John Male – They will be located in the 10 ft wide utility strip shown adjacent to the roads.

Chairperson Martinie – Do you plan to make private access for the non-lake frontage lots?

John Male – Yes. Mr. Male made a presentation on the entire plan. He noted they do not want to sell sand that would be needed for the roads.

Bill Maschewske – Do you plan to begin development before you are finished mining?

John Male – Yes.

Kathy Kuck – Will there be homes on the East property line?

John Male – No.

At the Chairpersons request, Bill Maschewske read excerpts from the original Township Board resolution, Exhibit A Report, for the rezoning of the subject property to M-1, draft date 09/19/2001. Section 2(b) read as follows:

“The Township Board need not and does not make any findings relative to the end use plan for the Premises. The end use plan is currently not compatible with the area properties or the Robinson Township Land Use Plan. However, the Township Board finds that the ultimate end use of the Premises could still be harmonious with the character and zoning of adjacent property and the surrounding area, and with the Robison Township Land Use Plan, either because the end use plan eventually changes or the character and zoning of the adjacent property and surrounding area changes. Therefore, the end use plan is not a legitimate reason to deny the Project. “

Kathy Kuck – Will roads be private?

John Male – Yes, and the lots will be single family condominium.

Bill Maschewske – Will the Master Deed for the development permit Short-term Rentals?

John Male – He does not know at this time but knows they are controversial.

Chairperson Martinie – Stated that if the applicant wishes to pursue the proposed lot sizes, the Planning Commission would want to hold an Advisory Public Hearing. If they were to change the plan to reflect RR District lot sizes, they could go direct to the Final Development Plan and Rezoning.

Township Attorney Bultje – How many lots if they are RR lot size?

John Male – He does not know at this time.

A discussion followed regarding the Zoning Administrators schedule and the noticing requirements for an advisory public hearing. It was determined the applicant would need to advise the Zoning Administrator no later than Monday, March 30, 2026 regarding a decision on what lot size would be pursued.

John Male – They are planning to connect to the County water line on Fillmore St. He wants to know if the Township is interested in buying into the system.

Bill Maschewske – Explained he did not know the answer, however, it was not on the priority list in the adopted Master Water Plan.

A motion was made by Michelle Gillespie and seconded by Kathy Kuck to schedule an advisory public hearing for the Emerald Lake Estates Preliminary Planned Unit Development application for the April 22, 2026 Planning Commission meeting if the applicants desire to pursue R-1 size lots.

The motion carried unanimously.

The Chairperson inquired about upcoming business.

Zoning Administrator Ransford noted there is a pending Class A Earth Change request and a change of use of commercial property at 120th Ave. and North Cedar St.

Derby Cars as Junk Automobiles

Kathy Kuck – Gave a history of inoperable vehicles in the Township.

A lengthy discussion followed regarding if it was reasonable to permit outside storage of derby cars.

Chairperson Martinie – Supports that derby cars stored outdoors should generally be considered junk vehicles.

Chairperson Martinie – Has there been any communication between the derby car owner and the Township?

Zoning Administrator Ransford – He thinks a letter was sent from Andrea Goodell, the previous Zoning Administrator.

Phil Crum – What about outdoor screening?

Kathy Kuck – That may help but another issue is leaking fluids.

It was decided the Zoning Administrator is to contact the derby car owner and report back to the Planning Commission.

The final decision of the Planning Commission regarding derby cars is that Section 3.57 of the Zoning Ordinance, as currently written, correctly defines derby cars stored outside as junk vehicles. This is in the best interest of the Township.

Zoning Map

The recently updated Zoning Map prepared by the Zoning Administrator was discussed. It appears that the graphics have been revised to outline and designate Contract Zoned areas and does not show up when printed 11 x 17 paper. The Zoning Administrator will investigate and work with Ottawa County GIS to correct.

Pay Bills

A motion was made by Kathy Kuck and seconded by Lydia Brown to pay salaries for the March 25, 2026 meeting (all members present).
The motion carried unanimously.

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

The next Planning Commission meeting is scheduled for April 22, 2026.

Adjournment

A motion was made by Lydia Brown and seconded by Michelle Gillespie to adjourn the Planning Commission meeting at 9:35 PM.
The motion carried unanimously.

Respectfully submitted,

Bill Maschewske, Secretary
Robinson Township Planning Commission

Attachments:

Memorandum dated March 11, 2026 from Zoning Administrator Greg Ransford regarding the Emerald Lake Estates Planned Unit Development Preliminary Development Plan

Memorandum dated March 11, 2026 from Zoning Administrator Greg Ransford regarding Derby Cars

Memorandum dated March 11, 2026 from Zoning Administrator Greg Ransford regarding Zoning Text Amendments – Public Hearing

Memorandum dated March 11, 2026 from Zoning Administrator Greg Ransford regarding Bakale Public Storage Units – Preliminary Sketch Plan

Undated letter from Chris Markatos regarding Zoning Text Amendments

Attendance Sheet for the March 25, 2026 Planning Commission meeting

Hey all,

While I do want to raise concerns relating to my own property, this ordinance affects far more than one parcel. Using the Marshall property as an example — one of the points made during those meetings was that RV use in the E-1 Overlay District was intended to allow people who could not build houses on their property to still use and enjoy that land. For waterfront property owners, that enjoyment includes access to the Grand River and the exercise of riparian rights. This proposed ordinance effectively strips that away.

There are roughly 240 properties on the Grand River and its bayous. Docks are not new to this township, and they are not absent from the current ordinance. The E-1 Overlay District expressly lists boat landing sites as a permitted use and allows buildings and structures to support that use.

This ordinance now appears to redefine that concept as essentially only a boat ramp, but that does not even align with the ordinary meaning of "landing." Webster's defines it, in the boating context, as "a structure used by boats and ships for taking on or landing cargo or passengers." In other words, a dock facilitates that use. A boat ramp can also facilitate that use, but in practice, most boat ramps I am aware of in this township also include a dock.

A Boat landing site is a permitted use. Why are we now trying to define it as a structure.

I understand that ordinances may regulate docks. That was recognized in *Hess v. West Bloomfield Township*. But *Hess* was about regulating the intensity of use. It was not about requiring a residence before a dock could exist. In fact, that case involved property without a residence.

Riparian ownership has long been understood under Michigan common law to carry certain inherent rights, including:

- Access to the water
- Navigation
- Docking and mooring boats
- Building structures necessary to reach navigable water

That brings me to another term already listed as a permitted use in the E-1 Overlay District: navigation. My understanding is that the Planning Commission has removed that in future publications, but it is there now, and I hope after today you will decide it should remain. A dock is almost always necessary for someone to navigate on a body of water. If both boat landing site and navigation are permitted by-right uses, then a dock is simply a structure that facilitates those uses.

The third permitted use that supports a dock is residential accessory use which is also permitted by right. In *Pheasant Ridge Dev. Co. v. Nottawa Twp*, the court recognized that an accessory use to a residential purpose does not necessarily require the physical presence of a dwelling on the same parcel. The opinion states "A dock would be an accessory use to a single-family residence, and a dock could be in place as an accessory use even if a lot did not yet have a single-family residence."

At face value, this ordinance does not read like an attempt to regulate docks or their intensity of use. There is no mention of dock size, the number of boats, or any other actual use-related limitation. The Michigan Supreme Court struck down a Robinson Township ordinance in *Robinson Twp v. Knoll*, holding that a per se exclusion without a reasonable police-power basis is unconstitutional. The rule "no dock without a principal building" is the same type of per se

exclusion. It bans a use entirely based on the absence of an unrelated condition, without any individualized assessment of whether the dock actually causes harm.

I submitted a FOIA request for all dock permits issued since 2020. That request was denied... not because the township was withholding anything, but because no such permits exist. The township's building permit application does not even list docks as an option. Likewise, in recent site plans and special use approvals involving waterfront development, the township has not applied any dock-specific permitting framework. For example, with the Smeenge boat condo development, the only discussion of the docks was that a Joint EGLE permit had been obtained. The special use permit did not follow the structures-in-E-1 framework. So while I agree a dock fits the broad definition of a structure, it is clear the township has never applied it that way.

I think most of you here understand the practical context behind this ordinance. In effect, it appears directed at one property, mine, because I do not yet have a house on that parcel and the township is concerned about preventing unlicensed or impromptu camping. If that is the concern, then the ordinance should address that concern directly. Do not use dock regulation as a proxy. There are parcels throughout this township, nowhere near water, being used as informal campsites. A dock ordinance does nothing about those.

Finally, my family owns five parcels. The parcel directly abutting our waterfront parcel contains the home where I live. Because it is a nonstandard lot, I cannot simply combine it with the waterfront parcel and split it later when we are ready to build. We are also not the only waterfront owners in the township who own multiple adjacent parcels.

For that reason, I would ask the Planning Commission to expand the ordinance so that it also allows docks on contiguous parcels under common ownership, rather than limiting them only to parcels with a residence directly on the waterfront lot itself. If the township truly wants to protect against funneling, limit the number of boats on a dock which is already done in the marina ordinance. That is exactly the approach taken in Hess v. West Bloomfield.

Thank you.

Chris Markatos