

AGENDA
Cascade Charter Township Planning Commission
Monday, December 6, 2021
7:00 pm
2870 Jacksmith Ave

Public may access the meeting via video conference software Zoom
<https://us02web.zoom.us/j/87578958074>

Meeting ID: 875 7895 8074
By Phone: +1 312 626 6799

- ARTICLE 1. Call the meeting to order
Record the attendance**
- ARTICLE 2. Pledge of Allegiance to the Flag**
- ARTICLE 3. Approve the current Agenda**
- ARTICLE 4. Disclose any Conflict of Interest**
- ARTICLE 5. Approve the Minutes of the November 8, 2021 Meeting**
- ARTICLE 6. Approve the Minutes of the November 15, 2021 Meeting**
- ARTICLE 7. Acknowledge visitors and those wishing to speak.
(Comments are limited to five minutes per speaker)**
- ARTICLE 8. Case 21-3685/Renucci
Public Hearing
Property Address: 5175 Buttrick Ave
Requested Action: The applicant is requesting approval of a Special Use Permit
for an accessory building over 832 sq ft.**
- ARTICLE 9. Approval of 2022 Meeting Schedule**
- ARTICLE 10. Old Business**
 - Planning Commission Bylaws Discussion
- ARTICLE 11. Any Other Business**
- ARTICLE 12. Adjournment**

Meeting format

- 1. **Staff Presentation** *Staff report and recommendation*
- 2. **Project presentation-** *Applicant presentation and explanation of project*
 - a. **PUBLIC HEARINGS**
 - i. *Open Public Hearing. Comments are limited to five minutes per speaker; exception may be granted by the chair for representative speakers and applicants*
 - ii. *Close public hearing*
- 3. **Commission discussion –** *May ask for clarification from applicant, staff or public*
- 4. **Commission decision - Options**
 - a. *Table the decision*
 - b. *Deny*
 - c. *Approve*
 - d. *Approve with conditions*
 - e. *Recommendation to Township Board*

Minutes
Cascade Charter Township
Planning Commission
Monday November 8, 2021
7:00 P.M.
2870 Jacksmith Ave SE

ARTICLE 1. Chairman Rissi called the meeting to order at 7:00 P.M.
Members Present: Noordhoek, Moxley, Deering, Noordyke, Rissi, Rapin, Korstange, and Meurlin
Members Absent: None
Others Present: Interim Planning Director Brian Hilbrands and those listed on the sign-in sheet

ARTICLE 2. Pledge of Allegiance

ARTICLE 3. Approve the current Agenda

Motion was made by Member Noordyke to approve the current Agenda. Supported by Member Deering. Motion carried 8 to 0.

ARTICLE 4. Disclose any Conflicts of Interest

Chair Rissi disclosed that he owns land in Lowell as it pertains to article 12, the Lowell Charter Township Draft Master Plan.

ARTICLE 5. Approve the Minutes of the September 13, 2021 Meeting.

Member Deering brought up the 'Other Business' section of the September 13th meeting that included a commendation for previous Community Development Director Steve Peterson, saying that the minutes show both Member Meurlin and Member Korstange saying they would abstain from voting on the motion but their votes are still counted in the minutes.

Member Meurlin and Chair Rissi confirmed that this was what happened at the meeting and Member Meurlin clarified that he and Member Korstange had said they would abstain if they were to be the only dissenting votes but, since other members of the Planning Commission agreed with them, they didn't see the need to abstain. It was requested that the September 13, 2021 minutes be corrected to clarify this.

Member Moxley brought up Article 9, Old Business, line 7 that says, "Member Meurlin asked it lot 6 still belonged to the developers," and requested 'it' be corrected to 'if'.

Motion was made by Member Noordyke to approve the Minutes of September 13, 2021 with the aforementioned changes. Supported by Member Korstange. Motion carried 8 to 0.

ARTICLE 6. Acknowledge visitors and those wishing to speak to non-agenda items.

There was no one who wished to speak to non-agenda items.

ARTICLE 7. Case #21-3632/Gole Dental Properties

Property Address: 3636 Kraft Ave

Requested Action: The applicant is requesting preliminary plan approval to amend the existing PUD to permit a dental office.

Interim Planning Director Hilbrands presented the case. The site was rezoned to PUD in 1989 in order to allow the existing home on the property to be used as an office space. The language will have to be amended in order to allow for the dental office as a permitted use. He said that the case was brought in front of the Planning Commission for a Basic Plan Review at the April 19, 2021 meeting and the applicant has now provided the required information to proceed to the preliminary plan review. The developer is proposing use of the existing building for the dental office and slightly expanding the parking lot to accommodate 12 parking spaces. The township engineer has reviewed and approved the plans contingent on their application for permits such as SESC and a water connection from the city before beginning construction. The plans have been reviewed and approved by the Fire Department. They will also need to submit a stormwater maintenance agreement to the township and will be installing a new septic system on the south of the building that has already been approved by the Kent County Health Department. Kent County Road Commission has approved changes to the curb-cuts. A landscaping plan has been submitted that includes new plantings along the west property line, on Kraft Ave. The application includes a \$2,000 landscape bond prior to obtaining a building permit. A photometric plan was submitted that day. If the Planning Commission gives preliminary plan approval, a PUD amendment will be written and brought back to the Planning Commission for a recommendation to the Township Board.

Staff recommends approval of the preliminary plan with the condition that the applicant comply with the Township Engineer's letter dated November 2, 2021 and all necessary permits are obtained before construction begins, a stormwater maintenance agreement is recorded, and a landscape bond of \$2,000 is submitted.

Member Moxley asked if there were two curb-cuts coming out onto the road and Interim Planning Director Hilbrands said that it had previously been a circular drive, but the Road Commission preferred it with only one outlet, with the other cut ending at the property line.

Member Meurlin asked if there was a significant drop-off into a creek of some sort. Interim Planning Director Hilbrands said that there is one to the East and a little bit to the south around where the proposed dumpster enclosure is to be located. Member Meurlin asked what their stormwater requirements will be and Interim Planning Director Hilbrands said that it would follow the current stormwater ordinances. Member Meurlin asked if all of the stormwater was going to be allowed to flow into the creek and Interim Planning Director Hilbrands said that there would be a leeching basin

in the parking lot, capturing much of the water, while the rest flowed into the creek. Member Meurlin asked if the parking lot will be contoured so that the stormwater flows into the basin and Interim Planning Director Hilbrands confirmed that this would be the case.

Chair Rissi asked why the property wouldn't be hooked up to city sewer and was instead installing a septic tank. Interim Planning Director Hilbrands shared that the sewer doesn't extend directly to the property. Chair Rissi asked how many feet away does the sewer line have to be from the property to connect and why they would rather have a septic tank. Member Noordyke said that there are buildings further down Kraft Ave that have sewer but Interim Planning Director Hilbrands clarified that it is an extremely long lateral that extends to the further properties, but not a sewer main in itself. Member Noordyke requested Interim Planning Director Hilbrands do further research into the sewer situation and Chair Rissi said that they will also ask the applicant for more information.

Chair Rissi asked how the value of landscaping performance bonds are calculated when requiring applicants to purchase one. Interim Planning Director Hilbrands said that it is based on the price of the proposed trees and shrubs. Chair Rissi asked how often the base price of the trees and shrubs are updated and Interim Planning Director Hilbrands said that they have not change since he arrived and he will look into it. Chair Rissi said that it may be time to reevaluate those prices as he believes the market price is significantly higher now than it was when the base standards were set.

Member Meurlin asked if the dental waste leaving the property is safe to flow into the septic system or sewer. Interim Planning Director Hilbrands said that the health department had approved the plan but he was not knowledgeable in that field and the applicant may be able to provide better information.

Philip Gole, the applicant who lives in Oliver Woods, addressed the dental waste question. He said that the holding or amalgamation tanks were discussed with the Health Department and that way any dental/medical waste would go into the amalgamating separator which will be a holding tank in the basement that is professionally drained by a third party. He stated that he talked to the health department about this and the recent industry standard is to have a holding tank that all of the dental/medical waste goes into.

Philip Gole said that he looked into using the city sewer system originally and it was his preference to be on city sewer but that wasn't possible and deferred to the project engineer to speak on this.

Chair Rissi asked if the practice was being relocated to this location from another building and the applicant shared that he and his brother have a second-generation dental practice in Hastings and he is looking to add a second practice at this location as he lives in Cascade Township.

Member Noordyke asked if, to the applicant's knowledge, there wasn't an option to connect to the city sewer. The applicant said that was correct and that they had also looked into an additional option of boring under to get to the sewer. He spoke with the Road Commission and they didn't want to tear up the road, especially with the easement allowing an extensive amount of fiber optic cables to run underground in that area, up towards the airport.

Motion was made by Member Moxley to go to public hearing. Supported by Member Rapin.

There was no one who wished to speak.

Member Meurlin motioned to close public hearing. Supported by Member Rapin.

Member Meurlin asked where the building would be on the site in relation to the site map.

Motion was made by Member Meurlin to approve the PUD preliminary plans with the conditions listed by staff. He also recommended these conditions be included in the ordinance so they can be kept track of. Supported by Member Korstange. Motion carried 8 to 0.

ARTICLE 8. Case #21-3677/Elliott

Property Address: 6870 48th St

Requested Action: The applicant is requesting approval of a Special Use Permit for an accessory building over 832 sq ft.

Interim Planning Director Hilbrands presented the case. He said that the property is located on 48th St, just east of Thornapple River Dr. The building will be 48' x 32' for a total of 1,536 sq ft with a height of 12.5 feet as measured to the midpoint of the roof. It requires a minimum of a 10-foot setback to the side property line and a 25-foot to the rear property line. It also must be at least 10 feet from any other building. The 3-acre property is permitted to have one accessory building with an attached or detached garage. There is not currently an attached garage, so the building would be considered a detached garage. Storage is the intended building use and the size of the building is normal for the zoning district. It will have a metal roof and metal siding which is typical for the agricultural areas of the township. The lot and home size are a little smaller than typical but this property is unique in that it is surrounded by agricultural vacant land.

Staff recommend approval of the Special Use Permit with the conditions that the building be in compliance with all applicable zoning ordinance regulations, including the building not be used for living space or to run a business and any outdoor lighting meets regulations.

Member Moxley asked if the site plan was showing that the proposed building be at least 25 feet from the property line in the south east corner as it didn't look like it was and Member Meurlin asked if there was a creek on the property that runs into the

Thornapple River. Interim Planning Director Hilbrands said yes to both accounts and that there is a creek to the south of the property that runs through the golf course and into the Thornapple River.

Chair Rissi asked if there was currently a building there. Interim Planning Director Hilbrands said yes, but it was a very small shed. Chair Rissi said that using rudimentary measurements, it doesn't appear to have the required setback to the property line. Member Rissi recommended extra diligence on the part of the applicant to confirm that the building meets the setback and recommended the owner have the property officially surveyed.

Member Noordhoek asked if the applicant was having a professional survey done and Interim Planning Director Hilbrands said that he was unsure but that the applicant has found the metal stakes that mark out the property line.

The applicant, Jeff Elliott of 6870 48th St, came up to answer questions from the Planning Commission. Member Noordhoek asked if there was a surveyor going to come in and put down stakes for the south side of the building. Elliot said that he had not intended to as he had found the two stakes at the side of the property in question but he will if that is what the commission is requiring of him.

Member Noordyke asked if the commission could require the applicant to build at least 25ft from the property line, following current policy, but not require the applicant to get a survey done as he is in an unusual position of having no neighbors and living in an agricultural district. Member Meurlin said that the applicant will be building it at his own consequence. He asked how the township measured a survey line when the lines are not vertical. Interim Planning Director Hilbrands said that they measure out to the closest spot on the line.

Motion by Member Moxley to move to public hearing. Supported by Member Rapin.

There was no one who wished to speak.

Motion by Member Moxley to close public hearing. Supported by Member Deering.

Motion by Member Deering to approve the application with the following requirements: the building is not used for living space or a business and the lighting meets township regulations. Supported by Member Rapin.

Motion carried 8 to 0.

ARTICLE 9. Case #21-3669/John Rabideau/Cascade Roadhouse

Property Address: 6817 Cascade Rd

Requested Action: The applicant is requesting approval of a site plan review for a new 480 sq ft covered structure.

Interim Planning Director Hilbrands presented the case. He said that the applicant is looking to construct a covered structure/canopy at the Cascade Roadhouse restaurant.

It will be made of transparent panels placed on a steel-framed structure. The addition complies with all B1 zoning regulation, but it is within the front yard setback area. The applicant received a variance for the front yard setback from the Zoning Board of Appeals at their October 12, 2021 meeting. The township engineer has reviewed and approved the plans and required the applicant to submit a stormwater maintenance agreement to the township. The plan has been reviewed by the Fire Department and they have approved the canopy but require the applicant to ensure that the enclosure meets fire code. If there is any outdoor lighting being added, it will need to comply with township regulations.

Staff recommend Site Plan Approval with the conditions that the applicant comply with the Township Engineer letter dated October 26, 2021, all necessary permits are obtained before construction begins, the stormwater maintenance agreement is recorded, and any exterior lighting comply with Township regulations.

Neither the applicant nor anyone on behalf of the applicant attended the meeting to answer questions.

Member Korstange asked if the plan for this enclosure was to be a three season or four-season structure. She said that she's seen them put plastic on the other side of the building to make that area usable during the winter months and wondered if that would occur in this part of the structure as well. Interim Planning Director Hilbrands said that the fact that it has a roof would cause it to be considered a permanent structure so it would not need additional approvals to add walls. Member Rapin said that wouldn't stop them from adding curtains to make it enclosed in the winter months and Member Deering asked if the commission can request they appear and explain their intentions. Interim Planning Director Hilbrands said that you can request that the applicant attend to answer questions.

Multiple members felt that there were unanswered questions and would prefer the case is tabled until the applicant either came to the meeting to answer their questions, the applicant sent in their responses, or they sent in someone on their behalf to answer the questions.

Motion by Member Korstange to table the case pending the applicant provides information as to which months the structure is intended to be used and the purpose of the canopy. Supported by Member Moxley.

Motion carried 8 to 0.

ARTICLE 10. Election of Officer - Secretary

Chair Rissi said that he and Interim Planning Director Hilbrands received communication from Member Katsma on September 27, 2021. Katsma had intended to attend the October meeting which was cancelled on September 27th and he would resign after that meeting but since it was cancelled, he notified Chair Rissi and Interim Planning Director Hilbrands. His reason for resignation was a change in his work schedule and responsibilities. Chair Rissi notified Supervisor Lesperance about the opening on the

commission. The commission is now in need of a secretary to fill out the remainder of Katsma's term, through to the end of the year. Member Deering volunteered to hold the position.

Motion by Member Noordyke to appoint Member Deering as Secretary for the remainder of Katsma's term. Supported by Member Moxley.

Motion carried 8 to 0.

ARTICLE 11. Old Business

Update from Roundhill Subcommittee:

Chair Rissi provided updates from the Roundhill subcommittee. He shared that they have met seven or eight times as a committee with a combination of township staff, two members of the public, and once with a brief visit from Supervisor Lesperance. They typically meet at the Wisner Center with one or two meetings at the township office. At the September meeting Chair Rissi wrote some notes to share with the full Planning Commission. Since the October meeting was cancelled, he was not able to present them and he needed to reacquaint himself with the notes he had taken. He started to do this prior to the meeting but ended up speaking with Member Meurlin who had begun a lengthy memo to provide the committee; the memo has yet to be finished and polished. He said they would have the memo ready for the next week's meeting but he would now share the main points he had pulled from his September subcommittee notes.

One of the meetings of the subcommittee included prior-Planning Director, Steve Peterson and Township Manager Ben Swayze. This was the only meeting they were able to hold that included Peterson as he resigned before more additional meetings were held. They also held a meeting with Manager Swayze in September where he provided them with the township process manual. A few members of the committee also have met with Interim Planning Director Hilbrands about various topics.

Items of concern include: deviations from the site plan that were approved by staff, current staff's inability to find the originally approved site plan, questionable signatures on the stormwater maintenance agreement (due to dates on the notarization not matching dates that staff were employed), performance bonds that were not collected or created at the time of filing (partially due to lack of software to track where applications are in the pipeline, especially when projects drag out), plan application and when building permits are filed, among other things. Chair Rissi said that he understands how things can get missed when the project is stretched over multiple years and there are many moving pieces.

Member Meurlin disagreed on the point of understanding where things may have been missed and believes that some of the action or inaction was intentional. He said that lawyers had been hammering out every section of this agreement and for some of these things to be forgotten is too much of a coincidence. It is hard for him to believe that things were forgotten and/or never filed and that no one had a checklist to keep track of

projects. Chair Rissi said that these are the same documents that had conflicting dates and signatures and were fundamentally different plans than what was approved by the Planning Commission.

Another large problem has been the retaining wall that sits right on the property line without any sort of buffer, especially when there is a drop off after it. There were also questions with the wall height and if a railing is required by state building code. The commission has learned more about how the state building code works and how it can be used, in conjunction with township requirements, to keep residents safe.

Chair Rissi also brought up timing of key infrastructure points that need to be completed. One of their main takeaways from the subcommittee's meeting with Peterson was that the planning commission should set a deadline as to when key infrastructure items (such as roads, walls, etc.) in relation to when other parts of the project are completed. Since the commission hadn't imposed any of these deadlines, that made it so that the wall could be put off so long it could potentially even be the last part of the project completed. Member Deering asked if the recommendation to add these deadlines should have come from staff as the Planning Commission members aren't necessarily knowledgeable about these specific circumstances. Chair Rissi said that was correct and that staff has recommended this sometimes in the past but the commission often relies on the applicant and developer to make sure all steps of the process are completed along a reasonable timeline.

Member Meurlin asked if the 700ft of wall that was originally proposed was part of the soil and sediment plan or stopped storm water from running down the hill. Since it is not specified as a facility as part of the soil and sediment controls, it is in a cloudy area where the Planning Commission needs to be extra careful when there are even minor changes being made by the Planning Director. He also said that the commission may need to revisit what are considered 'minor' changes that the Planning Director can make without first consulting the Planning Commission. Peterson changed the plan from a traditional plan to a site condo and he changed the property lines, as well as other things along the line. The project began in 2015 and the first complaint came from a neighbor about being washed out, since the developer clear cut all of the trees from the front of the lot without providing any protection for the neighbors, pushing the lot to the far corner so that each lot could have as much area as possible. The neighbor, who is a civil engineer, provided evidence that the washout was due to this development and the board ignored him for over a year and questioned his motives, both at the Township Board and Planning Commission level. The first violation noted by Kent County occurred almost immediately after the clear cut and each month they issued a notice of violation or an inspection report. The state also issued an inspection report at water was flowing through a bayou and into the Thornapple River. He stated that the Planning Commission didn't do anything while all of this was happening and should have intervened.

Chair Rissi said that they also noted that lots eight and nine were assigned the wrong addresses for six to eight months before it was corrected. Member Meurlin disagreed

saying that the Road Commission assigns the addresses and took a plat of the property. A document of Peterson's listed lots eight and nine of having the same address and lot nine having a half a million-dollar house on it that was mostly complete, but in reality, there isn't anything on lot nine. Lot eight showed up as vacant on Peterson's document while in reality the two lots were switched, leading the contractors to put liens on vacant property.

Brian Wilson of the Cascade Township Building department issued stop work orders on construction that were recommended by the Kent County Road Commission due to stormwater and sediment erosion that were the first issued within the last 16 years. Member Meurlin clarified that the stop work order was issued on behalf of Wayne Harrall of the Kent County Road Commission, but came out under the letterhead of the Cascade Building Department because the township has the leverage and the Road Commission maintains the soil erosion so they could go at the problem from two sides. Member Meurlin said that Peterson also called the developer and told him that he was going to stop everything but this was in the midst of houses going up and Peterson said he wanted to be as accommodating as possible for developers based on what stage of the development process they are in, as long as the neighbors or others aren't adversely affected.

Member Meurlin said that one of the neighbors to this project was adversely affected by 23 loads of sediment having to be removed from his lawn in addition to trees that were falling down the hill. Member Deering commented that she believed that this topic had come to the Planning Commission in the year before she joined the commission. She remembers that a \$150,000 performance bond came before the commission and the township but the staff never asked the applicant for it. Chair Rissi asked Interim Planning Director Hilbrands if he could confirm that, which he could not. He said he would have to check as the bank had called about another bond for that project that had to be renewed, and he wasn't sure which of the performance bonds it was in relation to as there were three or four for this project. Member Meurlin shared that there was an ordinance adopted in March of 2016 that required a performance bond of \$50,000 for stormwater issues as well as a \$10,000 bond for landscaping. He said those bonds were forgotten. The applicant put in an application to build a deck at one of the units and the planning commission used this as an opportunity to corner all of the problems they were aware of, mainly that the performance bonds weren't ever collected, in their amendment to allow the deck. Once the deck was approved, the developer promptly forgot about the 25ft setback and moved to putting in a pool.

Chair Rissi said that, with Peterson and previous Assistant Manager Stephanie Fast leaving, a lot of first-hand knowledge about the project has been lost and the only people who would have firsthand knowledge are Manager Swayze, Building Official Brian Wilson, and (to a lesser degree) Interim Planning Director Hilbrands. They will work together to create rules and standards that keep situations like the Roundhill project from occurring in the future. Some of the ones currently being pursued are: PUD approvals require basic infrastructure first, per Peterson, and also include a

definition of 'basic infrastructure' and the expected project timelines. The Planning Commission will date site plans with their and the Township Board's date of approval and note any changes to the site plan. Define minor changes that can happen by staff and require they be reported back to the Planning Commission as well as the line between major changes and minor changes. When staff approve a minor change, the Planning Commission wants to be apprised of it so that they know how to respond when a resident has questions. Member Korstange clarified that the only 'minor changes' the Planning Commission needs to be apprised of are ones related to cases that the Planning Commission has reviewed and/or issued decisions on. Member Meurlin stated that the definition of 'minor change' is in section 21.04 of the zoning ordinance and comes back into PUD properties under section 16.12 of the zoning ordinance. Chair Rissi shared that the committee recommends the use of a tracking software to make sure all steps to approval are followed as they believe that is how some of the master deeds and performance bonds have been missed. They also believe a project manager that occasionally visits sites to make sure things look correct and respectable. The current system of relying on residents to follow through with requirements allows these types of things to be missed.

Member Meurlin stated that the major revelation he and Member Moxley have made while researching the Roundhill project is that there is a lack of staff oversight in process, both during construction and after, as well as ignoring the neighbors, Kent County's, and the state's complaints. Chair Rissi said he believed that's where the project manager position comes into play as the township has not done well handling complaints; this would allow staff to take complaints of residents and follow up on them. Member Meurlin said that the Cascade Building Department has good software that functions well but the department has a unique position in the township where they are expected to go into the property and only address what they are there to inspect, ignoring any other violations they may see, setting aside that they're a Cascade employee. He said this was because their policy is to only focus on what they're there for and not get into local politics. He thinks the group should be helping out in the oversight process as they are Cascade employees. Chair Rissi said that he believes that was how the deck was discovered in the Roundhill project when they went and reported to the Planning Department; this is how they believe the department should be working. Member Meurlin said that most Michigan municipalities don't have the money to have someone in an inspection roll to keep track of things. Chair Rissi said that if the township had an ordinance enforcement officer, this may be something they could do part of the time. Member Meurlin said that these currently fall under the honor system with the developer and it would only require common sense rather than a surveyor coming to the property and measuring everything like staff have stated in the past. He sees this as a failure of white space management.

Member Noordyke asked if the building department reports to the planning department or to the manager. Interim Planning Director Hilbrands said that they report to the manager. Member Noordyke asked if this was typical of other Michigan townships and Interim Planning Director Hilbrands said he didn't have the knowledge to speak to that.

Member Noordyke asked that he look into that as the current reporting model didn't make sense. Member Meurlin said that this model doesn't make sense unless the department is also working for other townships and, in Cascade, it's considered a revenue generator and a semi-independent business. Chair Rissi said that this is a conversation for another time and that this was outside of tonight's purview. Chair Rissi said that he hopes to have a lengthy memo that compiles all of the Roundhill concerns sent out by the next planning commission meeting. Member Moxley requested it be sent to them a couple days before the meeting so they have time to go through it. Chair Rissi said that was the goal, it just wasn't prepared for this meeting.

Member Meurlin shared that he believes too many projects are put onto Manager Swayze and the responsibility needs to be spread out. Chair Rissi said that he agrees but that is due to current understaffing and the number of employees that are no longer with the township and need to be replaced, including someone to manage projects. Chair Rissi said that they were getting more into Township Board decisions rather than ones they have influence over. Member Meurlin said that he intends to raise that at the next township board meeting and Member Noordyke suggested the Planning Commission make a recommendation to the Township Board. Member Noordhoek, who is a Township Board member, said that he is pushing to have an outside company come in and do a study to look into the staffing structure and give the township guidance as to how they should restructure before they begin hiring new staff. Chair Rissi said that if that's going to happen, it needs to be done expeditiously as the community's quality of service is already beginning to suffer due to lack of staff. Member Meurlin said that the township has been suffering from a lack of service for a long time and the lack of staff may not be the problem. Member Noordhoek commended Interim Planning Director Hilbrands on seamlessly doing both his own job and the Community Development Director position.

Member Korstange said that everyone seems to be moving toward a better foundation. Member Rapin asked if the Community Development Director position had been posted yet and consensus was that it had not. Interim Planning Director Hilbrands shared that he has it in writing that he is the current Interim Planning Director.

ARTICLE 12. Any Other Business

Draft 2022 Meeting Schedule: Interim Planning Director Hilbrands brought the first draft for the 2022 meeting schedule and shared that the intention was to continue holding meetings the first and third Monday of the month with a few exceptions due to Holidays.

Member Merlin said that caused an awkward problem where the Planning Commission meets on Monday and then the Township Board meets that Wednesday and doesn't have enough time to review the situation. Chair Rissi saw meetings that ended up the same week as beneficial because it got whatever was referred to the board taken care of in an expedient time span. Chair Rissi asked Interim Planning Director Hilbrands if he had heard any complaints about the meeting schedule and he said he had not. Member

Meurlin expressed that he had a problem with the meeting dates because he wanted to meet on the off weeks of the Township Board. Interim Planning Director Hilbrands said that they already do meet on the off weeks of the Township Board, and that would only be changed due to holidays or elections. This was acceptable to all members and the schedule will be brought back once election dates have been confirmed.

Lowell Charter Township Draft Master Plan: Chair Rissi said that the draft of the Lowell Charter Township Master Plan is on their website and recommended the members read through it for any comments and to send those to Interim Planning Director Hilbrands.

ARTICLE 13. Adjournment

Motion was made by Member Rapin to adjourn. Supported by Member Deering. Motion carried 8 to 0. The meeting was adjourned at 8:46 p.m.

Respectfully submitted,

Diedre Deering, Secretary

DRAFT

Minutes
Cascade Charter Township
Planning Commission
Monday November 15, 2021
7:00 P.M.
2870 Jacksmith Ave SE

ARTICLE 1. Chairman Rissi called the meeting to order at 7:00 P.M.
Members Present: Noordhoek, Moxley, Deering, Rissi, Rapin, and Meurlin
Members Absent: Noordyke and Korstange
Others Present: Interim Planning Director Brian Hilbrands and those listed on the sign-in sheet

ARTICLE 2. Pledge of Allegiance

ARTICLE 3. Approve the current Agenda

Motion was made by Member Moxley to approve the current Agenda. Supported by Member Deering. Motion carried 6 to 0.

ARTICLE 4. Disclose any Conflicts of Interest

Member Deering disclosed that, in relation to article 9, her son has been playing hockey at the Patterson Ice Center since he was three years old and he now plays there for Davenport.

No one considered this a concern.

ARTICLE 5. Acknowledge visitors and those wishing to speak on non-agenda items.

There was no one who wished to speak to non-agenda items.

ARTICLE 6. Case #21-3682/Warren

Property Address: 5650 McCords Ave

Requested Action: The applicant is requesting approval of a Special Use Permit for an accessory building over 832 sq ft.

Interim Planning Director Hilbrands presented the case via Zoom. The property is located on McCords Ave between 52nd and 60th St. The building will be 49' x 34' including a 5' bump-out, which totals 1,561 sq ft. It will be 14' tall measured to the midpoint of the roof. This requires a minimum 10' setback to the side property line and 25' to the rear property line as well as being located at least 10' from any other building. The applicant shows a setback of 11' to the closest property line and a setback of nearly 500' to the rear property line. The property is less than 3 acres and that permits the applicant only one accessory building and there is currently an 8' x 10' shed on the property. The applicant has applied for a variance to be able to keep the shed. They want to use the proposed building as a workshop and for general storage. The applicant told Interim Planning Director Hilbrands that he would prefer to access the building

directly from McCords Ave, but any new access would need to be approved by the Kent County Road Commission. The building will have shingled roofing and vinyl siding to match the house and the size of the building is normal for the district.

Staff recommend approval of the Special Use Permit with conditions that the building is not used for purposes of running a business or living space, all outdoor lighting is in compliance with local regulations, and any new access to the street must be approved by the Kent County Road Commission.

Member Moxley asked if the house is still under construction and Interim Planning Director Hilbrands said that he believes the house is complete.

Applicant Justin Warren, 5650 McCords Ave SE, said that the house is finished and has been since last November. He said that the building will be used as a workshop and storage. Member Rapin asked if they would be doing a survey to verify where the property lines were and Warren said that they have a current survey on file from when they did the build and have stakes from the original survey which was only approximately 18 months ago.

Motion was made by Member Rapin to go to public hearing. Supported by Member Moxley.

There was no one who wished to speak.

Member Deering motioned to close public hearing. Supported by Member Rapin.

Member Meurlin asked where the building would be on the site in relation to the site map.

Motion was made by Member Moxley to approve the Special Use Permit with the conditions listed by staff that the building is not used for purposes of running a business or living space, all outdoor lighting is in compliance with local regulations, and any new access to the street must be approved by the Kent County Road Commission. Supported by Member Deering. Motion carried 6 to 0.

ARTICLE 7. Case #21-3669/John Rabideau/Cascade Roadhouse

Property Address: 6817 Cascade Rd

Requested Action: The applicant is requesting approval of a site plan review for a new 480 sq ft covered structure.

Interim Planning Director Hilbrands gave an update on the case. This case was visited at the previous meeting and some committee members had additional questions of the applicant that the applicant was unable to answer at the last meeting as neither he nor anyone on his behalf attended. Interim Planning Director Hilbrands said that he spoke with the property owner and their intention is that the area be usable year-round.

David Graff, 345 Gladstone Dr, spoke to the board. Chair Rissi asked him what they intended to do for walls for the sitting area. The applicant explained that three sides of the area are already walled in as it is a semi-enclosed patio and the fourth side would be

made up of the same clear vinyl curtains that they use for their other patio. These curtains would be unsnapped and the area opened up in the warm months.

Member Moxley asked if new roofing would project out any further than the regular building walls. Graff said it would not, it would line up equally with the walls on each of the two adjacent buildings.

Member Noordhoek asked what they would be doing to prevent carbon monoxide build up from the heaters under the enclosed area and Graff said that they were still unsure if they would be using heaters but, if they did, it would most likely be a gas stove or fireplace that vented up through the roof.

Member Rapin asked if the case was contingent on approval from the Fire Department for safety. Graff responded that that was the case but the problem the Fire Department had originally contested was with the egress where there would be a fence, but the Fire Department did not realize that they had made plans for an exit through the fence.

Member Meurlin confirmed that the back courtyard isn't changing. Graff shared that the purpose of this enclosed area is to act as a waiting area for people to wait and get drinks until there is an available table. They had noticed many people returning to their cars to wait during the pandemic as there wasn't a space for them to stand around comfortably and safely.

Chair Rissi clarified that Graff was aware of the staff requirements laid out in the staff report and Graff responded that he was aware of them but they had yet to get the lighting defined as they are unsure how everything will be laid out at this point but the rest of the requirements were a non-issue.

Member Meurlin asked where the stormwater on the property went. Graff said there is 110 ft of foliage and landscaping that was engineered to collect and utilize the stormwater as well as drainage tubes along the side of the building that direct the water to the foliage and landscaping strip. The original concern was that the stormwater would be flowing over the sidewalk but they don't see that being an issue.

Motion by Member Moxley to approve the application with the following requirements: the applicant complies with the Township Engineer letter dated October 26, 2021 and all necessary permits are obtained before construction begins, the stormwater maintenance agreement is recorded, and all exterior lighting meets township regulations. Supported by Member Rapin.

Motion carried 6 to 0.

ARTICLE 8. Case #21-3632/Gole Dental Properties

Property Address: 3636 Kraft Ave

Requested Action: Consider recommendation to Township Board for PUD Ordinance Amendment.

Interim Planning Director Hilbrands presented the case. He said that the applicant came to the last meeting for the preliminary plan and site plan review. Staff wrote the PUD amendment to the PUD ordinance and the applicant reviewed it. He and the applicant believe this is an accurate representation of what the Planning Commission agreed to at the previous meeting. If the commission agrees with that, they can make a recommendation to the township board and the township board will hold an additional hearing to consider the recommendation.

Motion by Member Rapin to recommend the PUD amendment to the Township Board for approval. Supported by Member Deering.

Motion carried 6 to 0.

ARTICLE 9. Case #21-3681/Patterson Ice Center, LLC

Property Address: 2550 Patterson Ave

Requested Action: Basic Plan Review for an amendment to the PUD Ordinance to lift a number of existing use and development restrictions.

Interim Planning Director Hilbrands presented the case. He said that the applicant is requesting a basic plan review to amend an existing PUD to remove a number of use and development restrictions that are in place since the PUD was created in 1994. There no changes being proposed to the site plan at this time, just amendments to the PUD Ordinance. The lot was rezoned in 1994 to allow for the ice arena and generated a large amount of conversation at that time. The original concerns were traffic and potential devaluation of residences on neighboring properties. At that time, it was a two-lane street and it is now a five-lane street. The applicant is requesting 12 amendments to the PUD focusing on increasing the facility capacity, allowing a larger variety of teams to use the facility, and allowing the sale of alcohol on premises.

The Ice Center has two rinks, one with a capacity just over 1000 and the other with a capacity of just over 800, however the PUD requires that any event with an attendance exceeding 1184 people requires a special event approval from the township. The applicant is requesting this number be increased to 2000 people to accommodate events on both rinks. Since this is such a large increase, he thinks it would be helpful for the applicant to provide information on existing parking and how that will be able to accommodate the increase. Current parking standard is one spot per four seats so the current 391 parking spaces could hold a capacity of 1564 attendees.

There are a number of restrictions on what teams can use the facility that they are looking to have lifted. Currently it is mostly limited to high school and amateur teams and this would open it up to collegiate, semi-professional, and professional teams as well as ice shows. Interim Planning Director Hilbrands said that they would find it helpful to have information as to if the current high school and amateur groups that use the facility would still have enough ice time and what teams they would expect to use the facilities, as well as information on how much traffic is generated during a game and if they see an increase due to the amendments they are requesting.

Finally, they are requesting to be allowed to have alcohol on the premise and not to require a security guard be present at high school games and any event over 500 people. They have received a class C liquor license and received a variance three separate times in the past to serve alcohol at charity events but only for each singular event. Interim Planning Director Hilbrands said they would need to provide information on why the security guards are no longer needed as they are requesting to increase capacity and sell alcohol on the premise.

This was only an introduction to the case and to give the applicant a chance to gather the information requested in the staff report and answer any questions the Planning Commission may have. The next phase would be the public hearing for the preliminary development plan review which would be scheduled once the applicant provides the documents and information that is requested at this meeting.

Member Meurlin asked Interim Planning Director Hilbrands if he would be going through the amendments in the staff report to make sure the wording matched throughout and there weren't any repeating sections. It turned out that the section Member Meurlin was referring to was actually part of the PUD that had previously passed and was on the books, not part of the staff report. Interim Planning Director Hilbrands said that they would be going through the entire ordinance and cleaning it up when there are amendments to insert.

Member Meurlin also wanted to verify that particular questions on compliance with this PUD as a whole should be held off as this is only a review of the amendments the applicant was asking to change. Member Meurlin then asked if Interim Planning Director Hilbrands had reached out to the police about any previous times they had been called out to the rink with respect to this facility. Interim Planning Director Hilbrands shared that he had reached out to Deputy Omar Dieppa, the Community Policing Officer, and he stated that there hadn't really been any calls to them due to the use of the site or major complaints they had heard in the last five years and he didn't have any major concerns about it. There were infractions on site, such as people getting pulled over in the parking lot for speeding or suspicious persons.

Chair Rissi asked Interim Planning Director Hilbrands if he had reached out to the previous Planning Director, Steve Peterson, to see if there were any problems or concerns in the past, to which he replied that he had not gotten a chance for that yet but he can.

The applicants came forward to answer questions: Tom Haney and Kevin Wood who were both associated with the ice center. Currently the schools that utilize the rink are the local high schools, amateur hockey associations, figure skating, and a college club. The high schools are East Grand Rapids, Forest Hills Northern & Eastern (combined team), and Forest Hills Central and cumulatively take up about 13-15 total hours of practice time a week. The meet mostly 3:30-5:00pm and 5:00-6:30pm with sometimes one early morning a week. The college club sport is Davenport University and consists of four teams, three men's teams and one female team) and they tend to practice during the work day with one late night practice, taking about an approximate total of

12 practice hours a week. They are currently booked solid at night with the amateur hockey association and figure skating starting at 3:00pm. They have some open skates and open hockey during the day but they are not busy enough to maximize their profitability.

Chair Rissi asked about shared parking agreements with nearby businesses and the applicants responded, saying that they hadn't had any issues with parking while having two games at the same time. They have 391 striped parking spaces and a decent amount of additional parallel parking and unstriped spaces. They were unaware of some of the provisions in the PUD and have been operating at the capacity they are requesting the amendment to be increased to for years.

Member Meurlin asked why they don't think they need a security guard when there are unruly patrons on both sides of the game with it being a violent sport. The applicants said this is due to staff always being on the lookout and the behavior expectations are set before patrons attend, unlike in the past. If there were to be a problem, the staff or referee kicks the patron out. The staff aren't trained as security guards and there is occasionally an off-duty police officer for special events but there hasn't ever been an issue.

Member Noordhoek asked if there was room to restripe the parking lot and add additional spots and the applicant responded that they believed the lot is at capacity.

Member Moxley expressed concern about parents coming to their child's game or practice, drinking, and then driving home. The applicant clarified that they are not looking to sell liquor, only beer and wine, and there is an establishment next door that currently sells alcoholic beverages that patrons often walk to, drink, and then return.

Member Meurlin asked Interim Planning Director Hilbrands if he had looked into other ice rinks in the area and what they had in terms of capacity, parking, and alcohol restrictions. The applicants shared some information on this that they knew was current. Kalamazoo Wings West has an alcohol license for the building with double the parking spots but they also have a restaurant attached. Rockford has a lounge but that is the only location at their rink with a liquor license; they have approximately the same number of parking spots as Patterson Ice Center and their lounge is constantly crowded and overfilled.

Chair Rissi suggested the rink let their patrons know that they are seeking these amendments, either with a poster on the door or something else to advertise the public meeting, so that people would know they should attend if they want to speak for the amendment of the ordinance rather than just populating the meeting with people who are against the amendments.

Member Meurlin asked Interim Planning Director Hilbrands about the number of disturbances, calls, drunk driving, and related situations the sheriff's department had been called out to related to Patterson Ice Center. Interim Planning Director Hilbrands said that he had already spoken with them and Deputy Dieppa stated that they had not

had situations related to the venue. They had pulled people over in the parking lot and had other situations unrelated to the events at the facility.

Chair Rissi suggested that the applicants prepare for the public hearing. Member Meurlin said that they should prepare content promoting coming to the meeting to their patrons and advertise when they have rink times currently available for use.

Member Rapin asked if the applicants intended to increase security and they replied that they were already working on that and had cameras everywhere inside except for the bathrooms and locker rooms. They are looking to add security cameras to the parking lot.

Chair Rissi clarified that amendments one through three of the ordinances aren't changing anything in how the facility is operating and is rather trying to bring their current and past practices into compliance. The applicants agreed that that was the case.

Member Meurlin asked why they want to increase the attendee limit when they are not increasing the amount of people attending the venue. The applicant responded saying that they are already serving the number of guests we are requesting the number they are requesting it to be changed to; they are just trying to make their current events in compliance with the ordinance by amending the ordinance.

Member Rapin asked how often the rink is going over the number of allowed attendees in relation to the current ordinance. The applicants said this occurred about five to six times a year with high school games.

Member Meurlin asked if they have ever employed a deputy to be at the intersection in front of the rink for traffic control and the applicants said that they haven't ever hired them but sometimes they do show up to help corral traffic.

Chair Rissi said that he doesn't see a problem with these requests as the rink is just looking to match what they were unaware of and change the standards to match what they have been doing successfully in practice for years.

Chair Rissi asked Interim Planning Director Hilbrands if the township will be sending out notices to residents and it was confirmed that they would go out to any neighbor who has a lot line within 300 ft of the rink's nearest lot line.

The public hearing will be tentatively scheduled for the December 20th Planning Commission meeting. The applicants said that they would go door to door, visiting with their neighbors to explain the ordinance amendments they are looking to make and why they would be beneficial.

Member Meurlin asked how many kids come to the rink by bicycle. The applicants said that there are zero children who ride their bike to the rink.

Member Noordhoek shared that his concerns are about the lack of additional parking spaces and the possibility that, if the rink were allowed to sell alcoholic beverages, underage drinking would increase. The applicants agreed that was their original

concern years ago when the ordinance was created but times are different now and they don't believe this is still a concern in the area.

Member Meurlin asked when liquor sales would be allowed. The applicants re-emphasized that they do not intend to sell liquor, only beer and wine, and would sell it through the concession stand, whatever times it was open that day; this would be roughly 4:30-9:00pm on weekdays and 9:00am to 9:00pm on weekends. They may have liquor for wedding receptions and other similar events.

Chair Rissi asked the applicants to gather information about local ice rinks, how many parking spots they have, what times/days they sell alcohol, and any other information that may be useful in the decision-making process.

Member Deering asked if the location had been turned down for tournaments due to their inability to serve alcohol. The applicants we turned down by one just this week since the event was sponsored by Labatt and they couldn't serve it. They need these types of tournaments to stay profitable in the off-season.

The applicants shared that they knew they were going about this sort of backwards as they are trying to change the law so that they're in compliance but it's put them in a unique situation where they won't need to forecast how they think these changes will affect the rink because, other than the alcohol provisions, these they already have the hard data from operating the rink with these standards for years.

ARTICLE 10. Old Business

Thornapple Pointe Stormwater Update: Interim Planning Director Hilbrands reported that the Township Engineer has inspected the site and confirmed that the stormwater improvements that were required have been completed. An email from the Township engineer is included in the meeting packet.

Member Meurlin wanted to know if the neighbor whose septic system got washed out was now 'safe'. Interim Planning Director Hilbrands said that he can't be 100% certain as the vegetation hasn't grown in yet to stabilize the improvements, and water that falls between the subdivision and the neighbor's property may still run towards the neighbor.

Member Noordhoek said that it appears the left side was built up well but the right side not as much so they should pay attention to the next big rain and see what happens. Chair Rissi said that the water would have to go 800 ft to get to the neighbor, so it would take quite a heavy rain event to cause damage to the neighbor's property. Member Meurlin suggested that Interim Planning Director Hilbrands reach out to the neighbor. Interim Planning Director Hilbrands said that he did not have their contact information. Chair Rissi said that he does have the contact information, or at least knows who he can get it from, and will reach out to the neighbor.

ARTICLE 11. Any Other Business

The next meeting will be December 6th and they will be discussing a case for a Special Use Permit for an accessory building.

Members should also bring any examples or additions or changes they think should be made to the committee bylaws as that will be discussed at that meeting as well.

ARTICLE 12. Adjournment

Motion was made by Member Deering to adjourn. Supported by Members Rapin and Meurlin. Motion carried 6 to 0. The meeting was adjourned at 8:21 p.m.

Respectfully submitted,

Diedre Deering, Secretary

STAFF REPORT

STAFF REPORT: Case #21-3685/Renucci
REPORT DATE: November 30, 2021
PREPARED FOR: Cascade Charter Township Planning Commission
MEETING DATE: December 6, 2021
PREPARED BY: Brian Hilbrands, Interim Planning Director

APPLICANT:

John D Renucci & Paul B Renucci Trust
5175 Buttrick Ave SE
Alto, MI 49302

STATUS OF APPLICANT:

Property owner

REQUESTED ACTION:

The applicant is requesting a special use permit to construct an accessory building larger than 832 square feet.

EXISTING ZONING OF SUBJECT PARCEL(S):

R-1

GENERAL LOCATION:

West side of Buttrick Ave, at 52nd St

PARCEL SIZE:

Approximately 55 acres

EXISTING LAND USE ON THE PROPERTY:

Vacant

ADJACENT AREA LAND USES:

All residential

ZONING ON ADJOINING PARCELS:

N,W,E – R-1
S – ARC & PUD 73

STAFF COMMENTS:

1. The applicant is requesting permission to construct an accessory building on the property. The building will be 42' x 60' (2,520 sq ft).
2. The building will be 22' tall as measured to the midpoint of the roof.
3. This requires a minimum of a 60-foot setback to the side and rear property lines. The applicant shows a setback of 350' to the side property lines and there will be a setback of

over 2,000' to the rear property line. The building will also have a setback of 175' to the front property line.

4. There is no home located on the property, so normally an accessory building would not be permitted. There was previously a barn located on the property that was burnt down. The applicant received a variance from the ZBA at the June 8, 2021 meeting to allow for an accessory building to be built on the property even though no home exists. The minutes from the ZBA meeting are attached.
5. The applicant has indicated that the building will be used to store maintenance equipment that is used for the property.
6. The size of the building is "normal" considering the large size of the parcel.
7. The building is planned to have metal roofing and wood siding.
8. Any outdoor lighting will have to meet our standards, requiring it to be shielded and downcast or at a level that is exempted.
9. It should be noted that accessory buildings cannot be used for living space or to run a business.

Conditions for Special Use Permit Approval

Upon review of a Type 1 Special Use Permit for an accessory building, Section 17.03(1)(a) of the Zoning Ordinance requires the Planning Commission to consider several factors. I have listed those items for your consideration followed by my comments for each.

Factors	Comment
The intended use of the building.	The applicant has indicated that the building will be used for storage for equipment that is used to maintain the property.
The proposed location, type and kind of construction and general architectural character of the building.	The building is planned to have wood siding and a metal roof.
The size of the building in relation to the house, lot and zoning district.	The property is about 55 acres, and there is no home located on the property.
The type and kind of principal and accessory buildings and structures located on properties which are adjoining and in the general area.	There are other detached buildings in the general area.
The topography and vegetation in the area.	Wooded and mostly flat.
Whether the proposed building will affect the light and air circulation of any adjoining properties.	No impact.
Whether the proposed building will adversely affect the view of any adjoining property owner or occupant.	The location of the building would not have an adverse effect on adjoining property views.

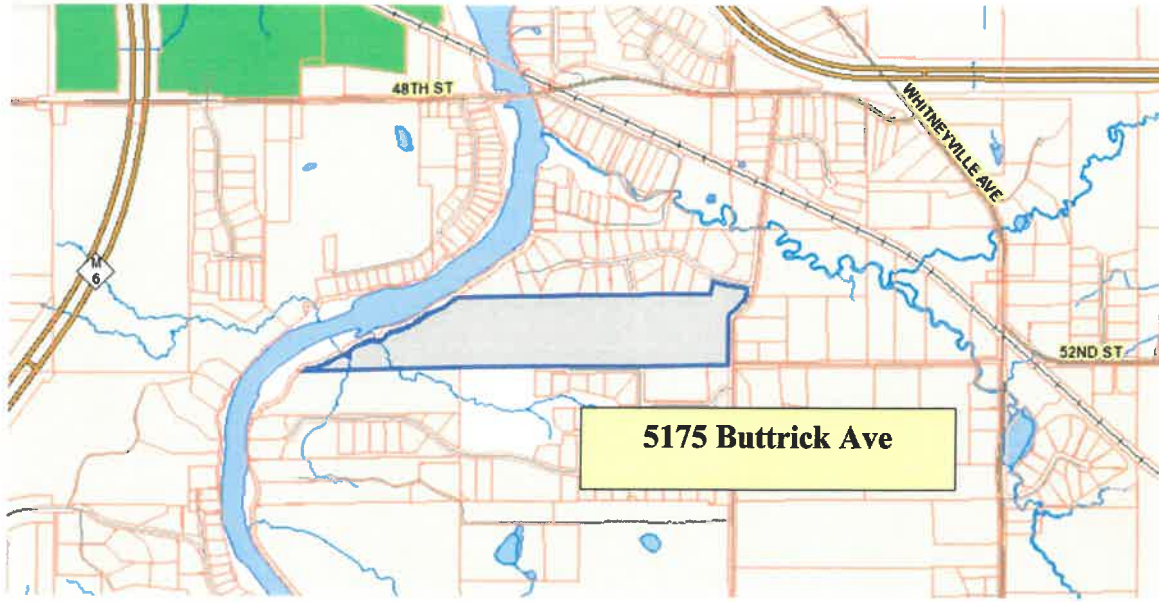
Points of access to the proposed building and their relationship to adjoining properties and the view from the adjacent streets.	No new access to the street will be created.
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STAFF RECOMMENDATION:

I recommend that you approve the special use permit as requested with the following conditions. The building should be in compliance with all applicable zoning ordinance regulations, including:

1. The building is not used for living space or to run a business.
2. Any outdoor lighting meets our regulations.

Attachments: application package, 6/8/21 ZBA Meeting Minutes, accessory building inventory



5175 Buttrick Ave



CASCADE CHARTER TOWNSHIP

5920 Tahoe Dr. SE, Grand Rapids, Michigan 49546-7140

PLANNING & ZONING APPLICATION

APPLICANT: Name: John D Renucci & Paul B Renucci Trust
 Address: 5433 Whitneyville Ave SE
 City & Zip Code Alto Michigan 49302
 Telephone: 616-450-3757 Paul 616-915-3636 John
 Email Address: paulrenucci@icloud.com, johnrenucci@gmail.com

OWNER: * (If different from Applicant)

Name: Same
 Address: _____
 City & Zip Code: _____
 Telephone: _____
 Email Address: _____

NATURE OF THE REQUEST: (Please check the appropriate box or boxes)

- | | |
|---|--|
| <input type="checkbox"/> Administrative Appeal | <input type="checkbox"/> Administrative Site Plan Review |
| <input type="checkbox"/> Deferred Parking | <input type="checkbox"/> P.U.D. – Rezoning * |
| <input type="checkbox"/> P.U.D. – Site Condominium * | <input type="checkbox"/> Rezoning |
| <input type="checkbox"/> Site Plan Review * | <input type="checkbox"/> Sign Variance Subdivision |
| <input checked="" type="checkbox"/> <u>Special Use Permit</u> | <input type="checkbox"/> Plat Review * |
| <input type="checkbox"/> Zoning Variance | <input type="checkbox"/> Other: _____ * |

** Requires an initial submission of 5 copies of the completed site plan*

BRIEFLY DESCRIBE YOUR REQUEST:**

Rebuild barn destroyed by an Arson. Rebuild in the same location roughly centered between North & South property line. Barn proposal 42'x60' The Barn will be used to Store maintenance equipment and implements for the property and adjacent parcels
with metal roof, wood siding ; Gambrel style barn
 (**Use Attachments if Necessary)

-SEE OTHER SIDE-

LEGAL DESCRIPTION OF PROPERTY:**

THAT PT S 1/2 S 1/2 OF SEC LYING E OF CONT 666 FT ON R BANK OF THORNAPPLE RIVER EX N 627 FT * SEC 27 T6N R10W 55.00 A. ALSO PART OF LOT 1 COM AT MOST SLY COR THEREOF TH N 1D 41M 48S W 188.49 FT TH S 88D 19M 06S W 208.34 FT TH N 12D 40M 00S E 129.16 FT TO SLY LINE OF SANDY HOLLOW DR /66 FT WIDE/ TH ELY 126.56 FT ALONG SLY LINE OF SD DR ON A 433.0 FT RAD CURVE TO LT /LONG CHORD BEARS S 72D 22M 30S E 126.11 FT/ TH S 80D 45M 00S E ALONG SD SLY LINE 225.19 FT TO WLY LINE OF BUTTRICK AVE TH S 12D 17M 18S W ALONG WLY LINE OF SD AVE 39.67 FT TH SWLY 140.20 FT ALONG WLY LINE OF SD AVE ON A 232.0 FT RAD CURVE TO RT /LONG CHORD BEARS S 29D 36M 00S W 138.07 FT/ TH S 46D 54M 43S W ALONG SD WLY LINE 109.96 FT TO BEG * WOODSPOINTE

(**Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19-27-478-002

ADDRESS OF PROPERTY: 5175 Buttrick Ave SE

PRESENT USE OF THE PROPERTY: Vacant with Burnt Barn (destroyed)

NAME(S) & ADDRESS(ES) OF ALL OTHER PERSONS, CORPORATIONS, OR FIRMS HAVING A LEGAL OR EQUITABLE INTEREST IN THE PROPERTY:

Name(s)

Address(es)

Renucci, Paul B Trust

5433 Whitneyville Ave SE, Alto Mi

Renucci, John D Trust

7150 Gladys drive SE Grand Rapids, MI 49546

SIGNATURES

I (we) the undersigned certify that the information contained on this application form and the required documents attached hereto are to the best of my (our) knowledge true and accurate. I (we) also agree to reimburse the Cascade Charter Township for all costs, including consultant costs, to review this request in a timely manner. I (we) understand that these costs may also include administrative reviews which may occur after the Township has taken action on my (our) request.

I (we) the undersigned also acknowledge that the proposed project does not violate any known property restrictions (i.e. plat restrictions, deed restrictions, covenants, etc.)

John D. Renucci MD

Owner - Print or Type Name
(*If different from Applicant)

* [Signature] 10/31/21

Owner's Signature & Date
(*If different from Applicant)

John Renucci

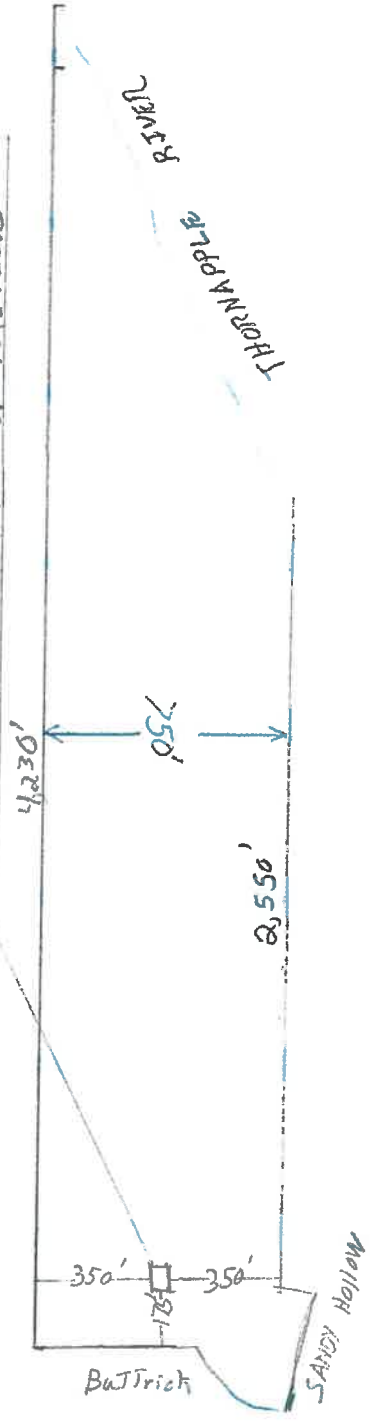
Applicant - Print or Type Name

[Signature] 10/31/21

Applicant's Signature & Date

PLEASE ATTACH ALL REQUIRED DOCUMENTS NOTED IN THE PROCESS REVIEW SHEET - THANK YOU

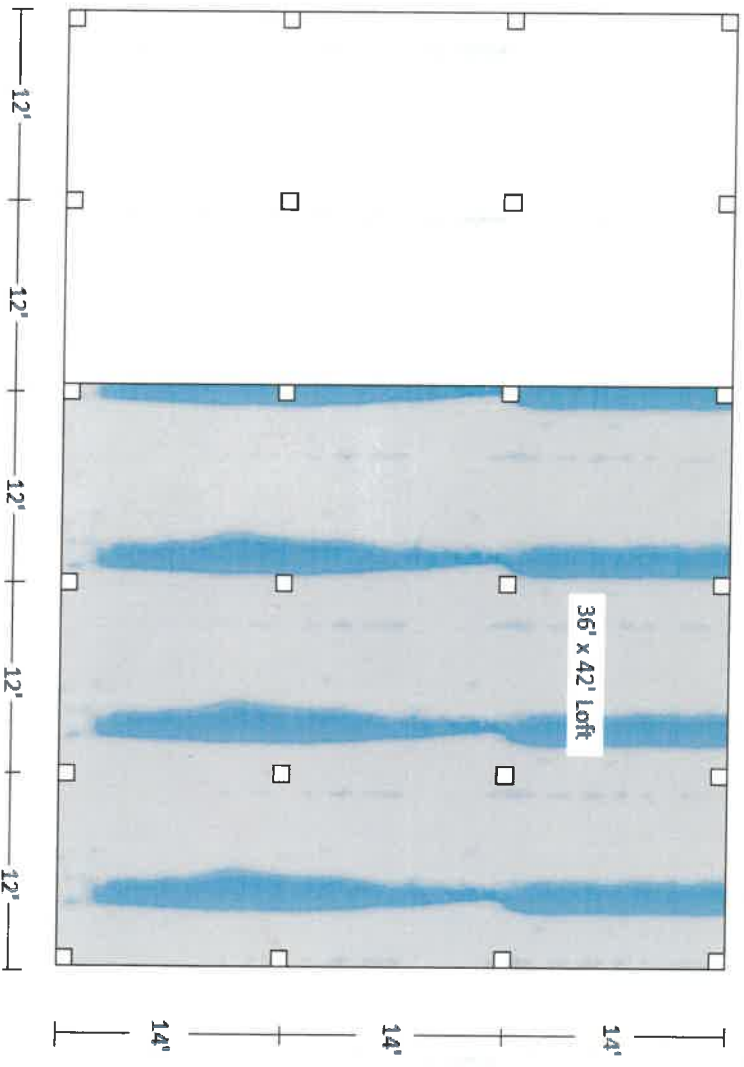
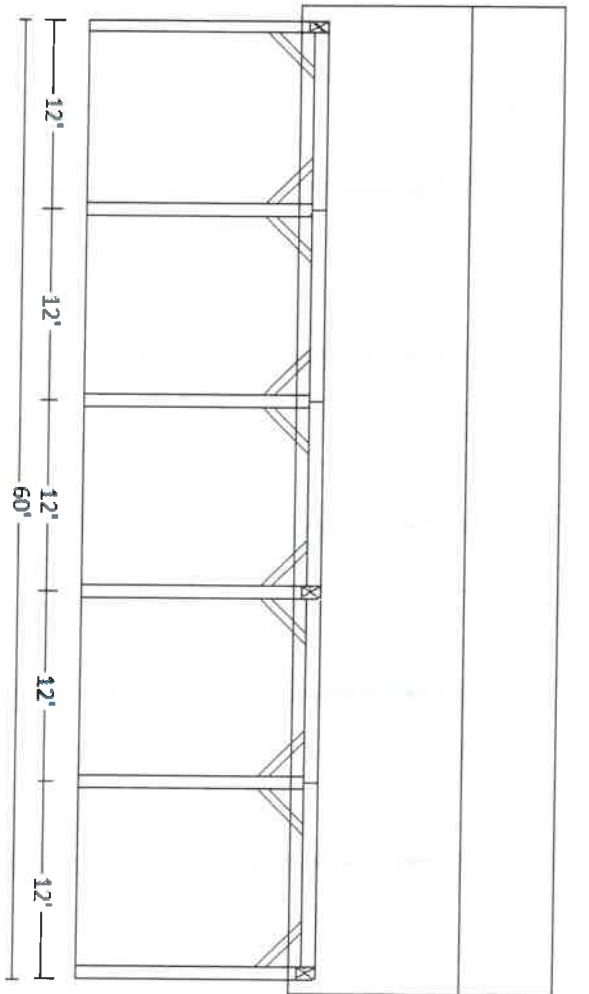
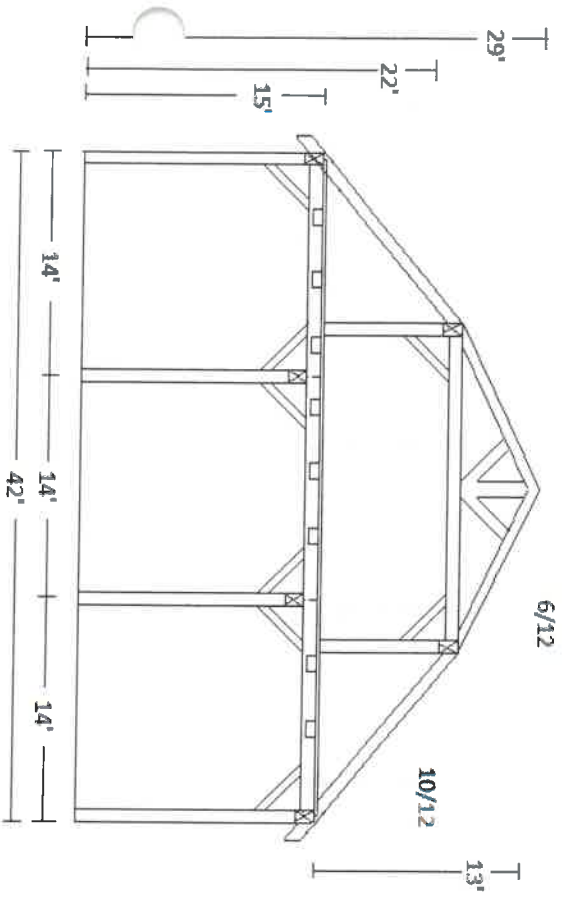
PROPOSED BARN SAME LOCATION AS PREVIOUS



5175 BUTTRICK AVE SE

DIMENSIONS APPROX FROM GOOGLE MAPS

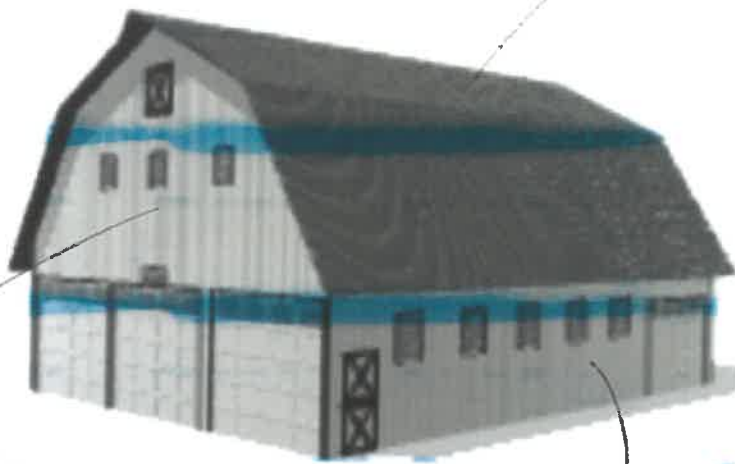




Gambrel style BARN

Metal Roof

Wood Siding



Wood Siding



ICES

MINUTES
Cascade Charter Township Zoning Board of Appeals
Tuesday, June 8th, 2021
5:30 P.M. Virtual Zoom Meeting

ARTICLE 1. Vice Chairman Moxley called the meeting to order at 5:33 P.M.
Members Present: McDonald, Puplava, Berra, and Moxley
Members Absent: Mead (excused), Milliken
Others Present: Community Development Director Steve Peterson

ARTICLE 2. Vice Chairman Moxley led the Pledge of Allegiance to The Flag.

ARTICLE 3. Approval of the Current Agenda.

Motion was made by Member McDonald to approve the current Agenda. Supported by Member Puplava. Motion carried 4 to 0.

ARTICLE 4. Approve the Minutes of the May 11, 2021 Meeting.

Motion was made by Member McDonald to approve the Minutes of the May 11, 2021 Meeting. Supported by Member Berra. Motion carried 5 to 0.

ARTICLE 5. Acknowledge visitors and those wishing to speak to non-agenda items.

No visitors came forward.

Motion was made by Member Berra to close this item. Supported by Member Puplava. Motion carried 4 to 0.

**ARTICLE 6. Case #21-3635/John & Paul Renucci Trust
Public Hearing**

Property Address: 5175 Buttrick Ave SE

Requested Action: The applicant is requesting a variance to allow the construction of a new barn on the property where no home exists.

Director Peterson stated that the applicant is requesting to build a new barn on the property after the current barn had burned down, however since there is no home on the current property, the barn would be considered legal non-conforming. A home is required on the property to have any sort of accessory building. Director Peterson stated that they would like to build the barn in the same spot that it was in before, and this property is about 55 acres in size.

Director Peterson stated that there have been other exception requests granted where an accessory building has been built before the house is finished. Cascade Township requires a house be at least 50% complete before you're able to start building an accessory building. Director Peterson stated that this case is currently being investigated for arson, and while there has been other instances where legal non-conforming status has been lost due to a weather incident, there has never been one due to a criminal activity such as arson. The barn will be over 832 square feet in size, and even though that isn't too important to the Zoning Board, Director Peterson stated that the applicant will need to obtain approval of a special use permit from the Planning Commission for a building over 832 square feet.

Director Peterson stated that a variance approval tonight will be conditioned on the fact of the applicant getting approval from the Planning Commission to build a building over 832 square feet.

Director Peterson stated that as this case is unique, and given the arson investigation that is going on, he is in favor of granting the variance allowing the applicant to essentially have what they had before. With the public notices that were sent out, Director Peterson stated that there was no comment received by Staff regarding this case.

Member Puplava asked if law enforcement articulated any kind of restriction on development while the investigation is pending. Director Peterson stated they have not relayed that to him.

Member McDonald asked what the barn is used for. Director Peterson stated that the applicant should answer that question.

Motion was made by Member McDonald to open Public Hearing. Supported by Member Berra. Motion carried 4 to 0.

Mr. John Renucci stated that his family has had property in this area since 1975, with a little over 270 acres. There was a house and sugar shack on the property removed due to disrepair, and Mr. Renucci stated that they have been cleaning up the area over the years to be a good neighbor. Mr. Renucci stated that the new barn will be used for equipment such as tractors to maintain and clean up the property.

Motion was made by Member McDonald to close Public Hearing. Supported by Member Berra. Motion carried 4 to 0.

Member McDonald stated that when approving a variance, the Zoning Board is very conscientious of looking for exceptional conditions, and in this case agrees with Staff to approve this as the non-conforming condition was taken away from the applicant, not at their own fault. Member McDonald also states that this property is sizeable, and he would much rather have equipment needed to maintain the property stored in a barn than not.

Motion was made by Member McDonald to approve the variance with Staff conditions above. Supported by Member Berra. Motion carried 4 to 0.

ARTICLE 7. Any other business.

Director Peterson stated there will be a meeting in July. Members agreed to meet virtually for that meeting.

ARTICLE 8. Adjournment

Motion was made by Member Berra to adjourn. Supported by Member McDonald. Motion carried 4 to 0. Meeting adjourned at 5:35 p.m.

Respectfully submitted,
Ralph Moxley, Secretary

Accessory Building Inventory 2010-2021 (11/16/21)

Case	Name	address	Zoning	accessory building sq.ft	acres	home (FLS)
11-3029	Korhorn	3480 Buttrick Ave	ARC	900	2.5	1,800
11-3052	Buckius	4900 Streamside Point	ARC	2,304	4.5	3,500
10 2999	Downing	1400 Windy Ridge	ARC	1,728	5.6	2,600
10 3010	Pepin	5640 McCords	ARC	2,400	10	3,000
10 3017	Halfmann	4590 Quiggle Ave	ARC	1,020	3.6	3,000
12-3070	Thornapple Pointe GC	7211 48th St	ARC			
12-3073	Burd	5630 Buttrick Ave	ARC	1,200	4.9	2,700
12-3077	Morris	5225 Buttrick Ave	ARC	2,432	5	2,000
12-3101	Hilbrands	6482 52nd St	ARC	1,536	80	1,500
13-3145	harold Cornelisse	8773 Running Deer Lane	ARC	1,440	10	2,200
14-3216	Gary Jehnke	5766 Buttrick Ave	ARC	1,920	7.6	1,800
15-3239	Chad Weldy	9575 52nd St	ARC	1,728	2.3	2,400
15-3256	Robert Harmon	4150 Cherry Lane	ARC	1,536	7.8	3,100
15-3260	Jay Nehls	3100 Foxfire Lane	ARC	1,575	5	4,000
15-3267	Paul Kucharczyk	9150 52nd St	ARC	1,728	2.9	1,500
16-3315	Roelofs	9554 52nd St	ARC	4,864	4.4	3,700
17-3379	Shaffer	8665 28th st	ARC	1,066	2.5	2,500
17-3404	Teppo	3777 Cherry Lane	ARC	2,720	8.3	3,000
17-3411	Ruby	8358 28th St	ARC	2,192	1.9	2,500
18-3439	McConnell	5470 McCords	ARC	15,120	160	1,600
18-3448	Van note	8233 28th St	ARC	1,800	4.3	2,500
18-3482	Seeley	9404 28th St	ARC	1,680	17	2,800
18-3483	Hillman	8790 52nd St	ARC	2,688	4	2,800
18-3486	DeMeester	9478 Grand River Dr	ARC	3,136	12	3,300
18-3496	Eisen	7233 60th	ARC	1,728	4.4	2,300
19-3511	Doering	5500 McCords Ave	ARC	1,200	160	1,600
19-3524	Tolan	8505 60th St	ARC	1,600	11	2,100
19-3529	Hulst	3717 Cherry Lane	ARC	1,600	8	3,300
19-3530	Howard	8125 45th St	ARC	1,200	2.9	2,900
19-3546	Swift	8730 52nd St	ARC	1,344	2.5	2,600
20-3589	Dykhouse	2645 Meadow Crossing	ARC	1,634	13	7,900
20-3598	Maslowski	9585 60th St	ARC	1,296	2	1,900
20-3601	Poolman	6667 60th St	ARC	4,288	4.5	3,800
20-3616	Staples	5288 Buttrick Ave	ARC	1,300	2.3	4,500
21-3637	Seely	4200 Cherry Ln	ARC	1,224	0.97	1,100
21-3638	Davis Flia Construction	6541 60th St	ARC	4,000	14.7	2,900

Accessory Building Inventory 2010-2021 (11/16/21)

21-3659	Lange	9205 28th St	ARC	1,600	3.4	2,800
21-3664	Eggleston	9091 36th St	ARC	1,680	9.2	2,900
21-3677	Elliott	6870 48th St	ARC	1,536	0.9	1,400
21-3682	Warren	5650 McCords Ave	ARC	1,561	2.9	2,700
12-3076	Lash	8951 Cascade Rd	FP	1,680	2.4	1,800
15-3265	Randy Gaskin	3505 Snow Ave	FP	1,536	2	1,400
18-3443	Carpenter	8650 36th St	FP	1,560	15	3,400
19-3531	Beatson	9100 Cascade Rd	FP	3,200	15	2,600
20-3600	Grzywacz	8683 Cascade Rd	FP	1,440	3.7	4,000
21-3625	Randall Burri Builder	4670 Quiggle Ave	FP	1,728	3.6	1,700
13-3161	Epique Homes	1415 Ballybunion Dr	PUD	4,500	6	6,600
16-3314	Reynolds	5701 Buttrick Ave	PUD 52	1,256	2.2	2,500
18-3494	Stibitz	3494 Bloomington Hills	PUD 66	1,500	1.39	2,200
10 3008	Koetje/Proos	8091 Ashwood Dr	PUD 89	1,120	2.5	4,520
19-3561	Hayes	3570 Buttrick Ave	PUD 61	1,200	2.2	2,600
21-3619	Krause	2439 Sturbridge Dr	PUD 65	1,728	6.6	4,000
21-3631	Bigger	4983 Clear Ridge Dr	PUD 72	1,200	1.2	2,800
10 3001	Ike	4390 Whitneyville	R1	1,200	3.8	1,000
10 3014	Borisch	5333/5200 Dayenu	R1	2,304	44	6,000
12-3082	DeVos	2020 Devonwood Lane	R1	8,500	35	17,000
14-3184	Jon DeGraff	6960 Thornview	R1	1,520	4.6	3,500
14-3185	James Hackett	1547 Briarcliff Dr	R1	1,400	2.2	7,500
14-3190	Aaron Schaap	1910 Laraway Lake Dr	R1	2,604	13	8,200
14-3197	John Shipley	7373 Biscayne Way	R1	1,000	2.6	3,200
15-3241	John Borisch	5200 Dayenu Dr	R1	3,000	9	6,000
15-3253	Derek Benedict	1961 Steketee Woods Lane	R1	1,936	2.9	6,900
15-3257	Jeff Shull	7500 Buttrick Park Dr	R1	1,440	3.03	3,600
15-3290	Hockstra	1350 Briarcliff	R1	1,232	1	4,000
16-3301	Keeler	8100 45th st	R1	1,504	1.2	2,500
16-3311	Borisch	5292 Dayenu	R1	5,000	3.8	5,000
16-3337	Romence	5752 Hall St	R1	1,200	1.7	2,200
16-3352	Rise	8200 48th st	R1	1,600	1.05	3,000
17-3383	Popp	1360 Briarcliff	R1	1,200	1.16	4,800
17-3417	Salmon	6350 Cascade Rd	R1	1,440	4.6	1,300
18-3452	Kortman	4555 Little Harbor Dr	R1	1,296	0.95	3,000
18-3474	Rowland	4250 Whitneyville Ave	R1	1,300	5	2,800
18-3480	Stachowiak	7871 Shadybrook	R1	1,800	2	2,200

Accessory Building Inventory 2010-2021 (11/16/21)

18-3481	Doezema	5625 Alaska Ave	R1	1,944	5	2,000
19-3567	Brinks	1596 Buttrick Ave	R1	1,296	1.5	2,700
20-3595	Mayton	1468 Buttrick Ave	R1	1,326	1.8	4,700
21-3621	Engler	7080 Hidden Ridge	R1	3,312	4.4	7,000
21-3652	Waugh	7630 Cascade Rd	R1	1,200	1.8	2,000
11-3028	Slauer	3824 Goodwood Dr	R2	900	0.88	3,500
Case	Name	address	Zoning	accessory building sq.ft	acres	home (FLS)
Avg				2,098	10.65	3,362
Avg ARC				2,244	15.61	2,731
Avg FP				1,857	6.95	2,483
Avg PUD				1,786	3.16	3,603
Avg R1				2,062	6.28	4,484

CASCADE CHARTER TOWNSHIP 2022 MEETING SCHEDULE

	TOWNSHIP BOARD	TOWNSHIP BOARD	PLANNING COMMISSION	PLANNING COMMISSION	ZONING BD. OF APPEALS	PARKS	DDA	HISTORICAL COMMITTEE	INFRASTR. COMMITTEE	FINANCE & PERSONNEL COMMITTEE
JANUARY	12	26	3	17	11	18	18	6	5	12
FEBRUARY	9	23	7	28*	8	15	15	3	2	9
MARCH	9	23	7	21	8	15	15	3	2	9
APRIL	13	27	-	18	12	19	19	7	6	13
MAY	11	25	9*	16	10	17	17	5	4	11
JUNE	8	22	6	20	14	21	21	2	1	8
JULY	13	27	11*	18	12	19	19	-	6	13
AUGUST	10	24	8*	15	9	16	16	4	3	10
SEPTEMBER	14	28	12*	19	13	20	20	1	7	14
OCTOBER	12	26	3	17	11	18	18	6	5	12
NOVEMBER	2*	16*	14*	21	15*	15	15	3	2	9
DECEMBER	14	-	5	19	13	-	20	1	7	14

* indicates a change in the regular meeting date

Township Board: 2nd & 4th Wednesday of each month, or as indicated above

Planning Commission: 1st & 3rd Monday of each month, or as indicated above

Zoning Board of Appeals: 2nd Tuesday of each month, or as indicated above

Parks Committee: 3rd Tuesday of the month, or as indicated above.

DDA: 3rd Tuesday of the month, or as indicated above

Special meetings are on the call of the Chairperson.

- ◆ All regular meetings which fall on an official legal holiday are usually held on the next business day or as rescheduled by the Chairperson.
- ◆ All Parks Committee meetings are held at the Township Offices, located at 5920 Tahoe Drive SE at 8:00 a.m.
- ◆ All Planning Commission meetings are held at the Cascade Public Library – Wisner Center, located at 2870 Jacksmith Drive at 7:00 p.m.
- ◆ All Zoning Board of Appeals meetings are held at the Cascade Public Library – Wisner Center, located at 2870 Jacksmith Drive at 5:30 p.m.
- ◆ All DDA meetings are held at the Cascade Public Library – Wisner Center, located at 2870 Jacksmith Drive at 5:30 p.m.
- ◆ All Township Board meetings are held at the Cascade Public Library – Wisner Center, located at 2870 Jacksmith Drive at 7:00 p.m.
- ◆ All Township Board Committee meetings are held at Township Hall, located at 5920 Tahoe Drive SE at 9:00a.m.
- ◆ All Historical Society meetings are held at the Township Museum Building, located at 2839 Thornapple River Drive at 9:30 a.m.
- ◆ Any meeting changes to the above schedule (time/date/location, etc) will be posted at the Township Hall at least 18 hours prior to the meeting.

Infrastructure Committee: 1st Wednesday of the month, or as indicated above
Finance & Personnel Committee: 2nd Wednesday of the month, or as indicated above
Public Safety Advisory Committee: 3rd Wednesday of the month, or as indicated above
Governance Committee: 4th Wednesday of the month, or as indicated above
Historical Society: 1st Thursday of each month, or as indicated above

CASCADE CHARTER TOWNSHIP PLANNING COMMISSION

BYLAWS

Adopted on _____, 2021

RULE 1: AUTHORITY AND SCOPE

These bylaws are adopted by the Cascade Charter Township Planning Commission ("Planning Commission") pursuant to the Michigan Planning Enabling Act, 2008 Public Act 33 (MCL 125.3801 et seq.), as amended, as well as Chapter 23 of the Cascade Charter Township Zoning Ordinance. In cases where these bylaws are in conflict with the Zoning Ordinance, the Zoning Ordinance shall prevail.

RULE 2: CREATION AND MEMBERSHIP

2.1 Creation. Pursuant to the Michigan Planning Enabling Act (Act 33 of the Public Acts of 2008, as amended) and the Michigan Zoning Enabling Act (Act 110 of the Public Acts of 2006, as amended), the Cascade Charter Township Board of Trustees confirmed the establishment of the Cascade Charter Township Planning Commission by resolution and ordinance with the powers and duties set forth in the Michigan Zoning Enabling Act.

2.2 Members. The Planning Commission shall consist of nine (9) members representing all major interests present in the Township. Members shall be appointed by the Township Supervisor of Cascade Charter Township with the approval of the Township Board.

- a. All members must be residents and qualified electors of the Township.
- b. One (1) member of the Township Board must be appointed to the Planning Commission.
- c. One member of the Planning Commission must be appointed to the Township Zoning Board of Appeals. However, the person who is the

Planning Commission Member-Zoning Board of Appeals member may not vote on the same matter voted on as a Planning Commission member.

2.3 Chairperson, Vice Chairperson, and Secretary. At the first meeting in January, the Planning Commission must select a chairperson, vice chairperson, and secretary from among its members, and must create and fill other offices and committees as it considers advisable by a majority of the quorum present at the meeting. The term of each office is 1 year, with eligibility for re-election for no more than 2 consecutive terms. The Township Board member is not eligible to be selected as an officer.

- a. Chairperson. The Chairperson presides at the public meetings of the Planning Commission, appoints committees, subject to Planning Commission approval, and performs other duties as may be ordered by the Planning Commission.
- b. Vice Chairperson. The vice chairperson is authorized to serve as chairperson if the chairperson is absent. If there is a vacancy in the office of chairperson, the vice chairperson shall fill the vacancy for the unexpired term and the Planning Commission shall fill the vacancy in the office of the vice chairperson the remainder of the unexpired term.
- c. Secretary. The secretary (or authorized designate) must execute all documents in the name of the Planning Commission. The Planning Director shall serve as the recording secretary and is responsible for the minutes of each meeting and must provide for permanent keeping of all documents of the Planning Commission at the Township Hall. All communications, petitions, and reports addressed to the Planning Commission must be delivered or mailed to the secretary (or the secretary's authorized designate).

2.4 Compensation. Members of the Planning Commission shall be compensated for their services as provided by the Township Board.

RULE 3: TERMS OF OFFICE; VACANCIES

3.1 Terms of Office. Except for members of the Planning Commission first appointed under MCL 125.3815, Planning Commission members shall be appointed to three-year terms and shall hold office until his or her successor is appointed (except for the member representing the Township Board, whose term shall expire with his or her term on the Township Board).

3.2 Vacancies. If a vacancy occurs on the Planning Commission during a term for reasons including, but not limited to death, disability, resignation or removal, or the Planning Commissioner is no longer a resident and registered elector, the vacancy shall be filled for the unexpired term in the same manner as provided for an original appointment.

3.3 Removal from Office. The Township Board may remove members from the Planning Commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing. Failure to attend three consecutive regular meetings or miss more than 50% of the meetings within a twelve-month period shall be considered nonfeasance in office. To initiate this action, the Chair shall prepare a memo requesting the Commissioner to resign. If the Commissioner does not resign, the Chair shall submit the memo to the Township Board to request that the Commissioner be remove for nonfeasance in office.

RULE 4: RESPONSIBILITIES AND AUTHORITY

4.1 Responsibilities. The Planning Commission must perform all of the actions required by law, the Township Zoning Ordinance (including but not limited to Chapter 23), and other applicable rules and regulations.

4.2 Requirements for Action. A majority of the Planning Commission shall constitute a quorum for the transaction of ordinary business and all questions which

shall arise at their meetings shall be determined by a vote of the majority of the members of the Planning Commission attending any meeting where a quorum is present, unless Michigan law provides otherwise. If a decision of approval is not obtained or in the event that the vote results in a tie, then the matter being considered shall be deemed to have been denied.

4.3 Voting Procedure.

- a. Motions before the Planning Commission may be restated by the chairperson before a vote is taken. The name of the person making the motion and its supporter shall be recorded.
- b. Voting shall be by voice vote. All motions or resolutions resulting in Township expenditures shall be by a roll call vote. All members present are required to vote unless excused for reasons of a conflict of interest, as noted in Section 23.03(5)(b) of the Zoning Ordinance and these Bylaws.
- c. Action by the Planning Commission on any matter for which a public hearing is required shall not be taken until the public has had the reasonable opportunity to address the Planning Commission.
- d. A member may be allowed to withdraw from the entire remainder of a meeting by majority vote of the remaining members present for any good and sufficient reason other than the member's desire to avoid voting on matters to be considered at the meeting. A motion to allow a member to be excused from voting or excused from the remainder of the meeting is in order only if made by or at the initiative of the member directly affected.

4.4 Conflict of Interest.

- a. A conflict of interest shall include, but is not limited to, a matter pending before the Planning Commission in which:
 - 1) The member has a direct financial interest in the outcome of the matter at issue;

- 2) The matter at issue involves the member's business or place of employment;
 - 3) Participation in the matter might violate the letter or spirit of a member's code of professional responsibility;
 - 4) The member has such close personal ties to the applicant that the member cannot reasonably be expected to exercise sound judgment in the public interest; or
 - 5) Participation would violate a rule or regulation adopted by the body involved.
- b. Before participating in a decision, hearing, or casting a vote on a matter on which a Planning Commission member may reasonably be considered to have a conflict of interest, the member must publicly disclose the potential conflict of interest to the Planning Commission.
 - c. The member is disqualified from voting on the matter if a conflict of interest exists and a majority vote of the remaining Planning Commission members concludes that a conflict exists. The member shall not attempt to exert his or her personal influence with respect to the matter, either at or outside the meeting. The presence of the disqualified member at the meeting shall not be counted in determining the presence of a quorum for purposes of the vote on the matter presenting the conflict of interest. The member's ineligibility to vote shall be reflected in the minutes of the meeting.
 - d. If the member is an applicant submitting an application, contract, transaction or any other matter to the Planning Commission, the member may be present in the meeting room during the discussion to make a presentation and answer questions.
 - e. If a member plans not to attend a meeting at which he or she has reason to believe that the Planning Commission will act on a matter in which the

member has a conflict of interest, he or she shall disclose to the chair of the meeting all facts material to the conflict of interest. The chair shall report the disclosure at the meeting and the disclosure shall be reflected in the minutes of the meeting.

- f. Failure of a member to disclose a potential conflict of interest as required under these bylaws and Michigan law and disqualify himself or herself from the vote constitutes malfeasance in office, which may result in disciplinary action including censure, reprimand, removal, dismissal, or discharge.

RULE 5: MEETINGS

5.1 Meeting Schedule.

a. Regular Meetings Regular meetings of the Planning Commission shall be held on the first and third Mondays of each month at a time and place as determined by the Recording Secretary unless cancelled or rescheduled by the Planning Commission. When the regular meeting day falls on a legal holiday, the Planning Commission may select a suitable alternate day in accordance with the Michigan Open Meetings Act. At the Planning Commission's first meeting in December, the Recording Secretary shall submit to the Planning Commission a proposed meeting schedule for the upcoming year. At this meeting, the schedule shall be approved as submitted or amended to reflect the changes directed by the Planning Commission.

b. Special Meetings. A special meeting of the Planning Commission may be requested by any Planning Commissioner or the Recording Secretary. The Recording Secretary shall send written notice personally, by mail (if time is sufficient), or any other electronic means, including facsimile, text or email, of a special meeting to Planning Commission members not less than 18 hours before the meeting.

5.2 Meetings. Planning Commission meetings, subcommittee meetings, and hearings will be held in compliance with the Open Meetings Act.

5.3 Notice of Meetings. Notice of all public meetings must be posted pursuant to the Open Meetings Act.

5.4 Agenda. A written agenda outlining the order of business for all regular or special meetings may be developed by the Planning Director and the Planning Commission Chairperson. The agenda may be supplemented or re-ordered by the Planning Commission during a meeting, provided the same complies with any applicable law.

5.5 Public Participation. A member of the public may speak at public meetings or the public hearing part of a meeting of the Planning Commission in accordance with procedures adopted by the Planning Commission. The following procedures apply:

- a. Time for public comment must be provided at each Planning Commission meeting. Additional time for public comment may be scheduled at the end of any meeting, if necessary in the discretion of the Planning Commission.
- b. Individuals wishing to speak are requested to provide the person's name and address.
- c. Persons must be recognized by the Chairperson before speaking and may be limited by the rules of the Planning Commission.
- d. No person may speak more than once during public comment (excluding any comments made at a public hearing).
- e. Persons addressing the topic of a scheduled public hearing are encouraged to present their remarks during the public hearing portion of the meeting.
- f. Public comments shall be directed to the Chairperson.
- g. The Planning Commission will generally not respond to public comments, but reserves the right in its sole discretion to make inquiries, correct factual errors or provide any other information it deems appropriate.

RULE 6: ATTENDANCE AND QUORUM

6.1 Quorum. A majority of the members of the Planning Commission appointed and serving constitute a quorum for purposes of transacting business of the Planning Commission and the Open Meetings Act. Each member of the Planning Commission has one vote.

6.2 Attendance. Members of the Planning Commission who are absent from more than three consecutive, regularly-scheduled Planning Commission meetings or more than 50% percent of the regularly-scheduled Planning Commission meetings in a calendar year are subject to review and possible recommendation for removal to the Township Board. Exceptions may be made if absences are due to the conduct of other business as authorized by the Planning Commission or are excused by the Planning Commission. The following procedures must apply:

- a. A member of the Planning Commission must notify the Planning Commission Chairperson of an anticipated absence as far in advance of the meeting as possible, stating the reason for such absence.
- b. The Chairperson may postpone or reschedule a meeting in the event a quorum will not be present.

RULE 7: RECORDS

7.1 Meeting Records. Minutes must be maintained for all Planning Commission proceedings, including evidence, information and data relevant to each case under consideration, resolutions, transactions, findings, voting by members, determinations, and final disposition of each case.

7.2 Maintenance of Records. Minutes of each Planning Commission meeting must be filed with the Township Clerk and must be available to the public. Minutes of closed sessions must be maintained separately and not disclosed to the public, except upon court order. A writing prepared, owned, used, in the possession of, or retained by the Planning Commission in the performance of an official function

must be made available to the public except where exempted by the Freedom of Information Act.

RULE 8: COMMITTEES

8.1 Formation of Committees. The Planning Commission may establish committees to meet the needs and objectives of the Planning Commission and must specify the number of members, terms of appointment, functions, goals, and projected time periods for such committees. The Planning Commission may appoint advisory committees outside of its membership.

8.2 Public Notice. Notice of the formation of committees, their purpose, membership, and meeting schedule must be posted at the Cascade Charter Township Hall. All meetings and meeting records must be open to the public as required by the Open Meetings Act or the Freedom of Information Act.

8.3 Accountability and Records. Committees must be accountable to the Planning Commission. Records must be maintained for all meetings. Reports and recommendations must be submitted to the Planning Commission in writing.

8.4 Discharge of a Committee. A committee may be discharged from its responsibilities by a majority vote of the Planning Commission.

RULE 9: PERSONNEL

The Township Board, in consultation with the Planning Commission, may employ a zoning administrator, planning director or other personnel or consultants, contract for services of planning and other experts and technicians, provide support staff, and pay or authorize payment of expenses within the funds budgeted for planning or zoning purposes by the Township Board.

RULE 10: EX PARTE COMMUNICATION

Members shall avoid *ex parte* contact regarding any pending agenda item before the Planning Commission whenever possible. If it is not possible to avoid *ex parte* contact, the member shall publicly report to the Planning Commission at a public

meeting what was said and by whom, so that other members and interested persons are made aware of the same information.

RULE 11: REVIEW AND AMENDMENT OF BYLAWS

Rules and procedures adopted by the Planning Commission may be reviewed and amended from time to time. Amendments will require an affirmative vote of a majority of the Planning Commission.

STATE OF MICHIGAN)
)
COUNTY OF KENT)

I the undersigned, the duly qualified and acting Secretary of the Planning Commission of Cascade Charter Township, Kent County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of the Bylaws adopted by the Planning Commission at a meeting held on the _____, 2021 at _____ p.m.

_____, Planning Commission Secretary