

Minutes
Cascade Charter Township Planning Commission
Monday, May 20, 2024
7:00 P.M.
2870 Jacksmith Ave SE

ARTICLE 1. Chair Moxley called the meeting to order at 7:01 pm.
Members Present: Noordhoek, Richardson, Bruneau, Moxley, Rissi, Noordyke, Rowland
Members Absent: All Present

Others present: Planning Director (PD) Andrea Hendrick, Zoning Administrator (ZA) Madison Smith-Jacoby, and Legal Counsel Laura Genovich attended via zoom.

ARTICLE 2. Pledge of Allegiance to the Flag

ARTICLE 3. Approve the current Agenda

Member Noordyke recommended moving Article 9 to occur before Article 7.

**Motion was made by Member Bruneau to approve as recommend by member Noordyke the current agenda. Supported by Member Rissi.
Motion carried 7 to 0.**

ARTICLE 4. Disclose any conflicts of interest

Member Bruneau disclosed that he was within 300 feet of the subject property. He stated he has the same issues with the deer and that he knows the applicant but is not currently a neighbor. He stated he could be impartial and that he and most members of the community have the same issues.

Members recognized the disclosure, and none had concerns related to it.

ARTICLE 5. Approve the Minutes of the May 6, 2024 Meeting

Minutes were approved with the following amendment to Article 9:

“Member Bruneau brought up the fact that Old 28th Street has the potential to change the road structure to a one-way or pathway and he questioned how this would integrate with things around it. Planning Director Hendrick said OHM will be creating design concepts for the area. In response, Mr. Kuiper stated that he was at the Village Design Review committee meeting and was fully informed of the possible changes to Old 28th Street. Mr. Kuiper supported the changes stating that he thinks it’s wonderful and it’s an exciting time to be at the forefront of the changes.”

**Motion was made by Member Rissi to approve the meeting minutes from May 6, 2024 with the proposed changes. Supported by Member Bruneau.
Motion carried 7 to 0.**

ARTICLE 6. Acknowledge visitors and those wishing to speak

There was no one wishing to speak.

ARTICLE 7.

Case #24-3824

Public Hearing Applicant: Mary Hollister Sturges

Property Address: 2303 Thornapple River Drive

Parcel Number: 41-19-09-276-001

Requested Action: Special Use Permit for a fence in the front yard that exceeds 4 feet in height.

Zoning Administrator (ZA) Smith-Jacoby presented the applicants request for an 8ft fence in her front yard.

Ms. Hollister Sturges spoke in support of her request.

Member Bruneau commented that the homeowner chose to build the home 300 ft from the front property line, referring to the ZBA and the creation of a self-created hardship.

ZA Smith-Jacoby brought up that the Planning staff is seeing this as a reoccurring issue and that it is being brought up with upcoming zoning amendments to reflect that pattern.

Member Bruneau questioned if this is the right solution to the pattern and referred to residents suggesting a possible cull per the studies currently being done by Kent and Ottawa County related to the deer population. Member Bruneau also noted that approval could open a big can of worms for the Township.

Member Rissi stated that it was a well put together application and that the 200 ft setback provided enough distance. That, along with the area only having a few trees, allowed him to be more open-minded about the approval. He stated that the Planning Commission has traditionally approved 6 ft fences in front yards on Thornapple River Dr.

Trustee Noordhoek mentioned that a nearby nursery treats their trees with a repellent product and asked if the applicant had tried these methods. The applicant stated she hadn't.

Member Noordyke stated the applicant had a nice fence. Driving by the property, he did not believe you would even see the fence.

Member Richardson asked if there were any comments from neighbors on the fence.

ZA Smith-Jacoby stated that she had two neighbors express support for the application because of issues with deer.

Member Rissi made a motion to open the public hearing on the matter. Supported by Noordyke. The motion passed 7-0.

No public comment was received.

Member Noordyke made a motion to close the public hearing. Supported by Member Rissi. The motion passed 7-0.

Member Noordyke made a motion to approve case 24-3824 with the following Conditions:

- 1. The application and plans submitted by the applicant shall constitute the approved plans, except if plan elements are amended in this resolution.**
- 2. That the use shall operate according to this application and per the testimony of the applicant.**
- 3. That any future expansion of the approved Special Use requires an additional review and approval by the Planning Commission.**

Supported: Members Richardson, Moxley, Rissi, Noordyke, Rowland

Opposed: Noordhoek, Bruneau

Motion Passed: 5-2

ARTICLE 8: Case #24-3836

Applicant: Green Castle Properties, LLC, Colin Schiefler

Property Address: 6151, 6157, and 6161 28th

Parcel Number: 41-19-08-451-029, 41-19-08-451-026 & 41-19-08-451-030

Requested Action: Basic Site Plan Review

Planning Director Hendrick mentioned staff has recommended multiple application options and the applicant decided to pursue a Basic Site Plan Review, which had minimal application requirements.

Member Rissi asked if staff was asking for a vote on any actions. Planning Director Hendrick stated that they are not looking for a vote as it is just a basic site plan review, but the applicant would be looking for feedback to determine if they should move forward with an application.

Member Noordyke asked staff if, due to the site being a PUD, a member of the Planning Commission or the Planning Commission as a whole does not have an appetite for an additional car dealership, is the township is under any obligation to approve?

Planning Director Hendrick responded saying that the Township is not under any obligation to approve the application.

Applicant is proposing enfolding a portion of PUD-33 into PUD-67 as well as small portion of PUD 33 into PUD 67. He stated he believed the proposed commercial use would include what the Master Plan envisioned, such as cross access easements, attractive signage, high quality site design, and buildings with high quality materials used. The appropriate zoning district designation would still be PUD and they would only be seeking to amend the PUD and by incorporating it into PUD 67.

Member Noordhoek stated that he has comments from quite a few residents concerned about another car dealership who are not in favor of it. He asked the applicant to explain what community benefit this would provide.

Mr. Schiefler responded that this would incorporate and keep these car dealerships consolidated into one PUD.

Member Bruneau stated that he had received comments on the displacement of a few small businesses that the community relies on. He mentioned that he would like the applicant to consider providing community benefits through small business replacement service.

Trustee Noordhoek would like to see clear community benefits with the request.

Director Hendrick referenced the requirements of PUD approval.

Access to Charlevoix Drive was discussed in regard to emergency access.

Multiple Planning Commissioners expressed concern about displacing current businesses.

Member Rowland stated that, as presented, he would not be in favor of this proposal.

Member Bruneau put forward the idea of possible green space offset or finding other opportunities to provide greater community benefits.

Member Rissi mentioned that this year this was the most comments received from the public on a proposed idea of another dealership with negative feedback being the majority of it along with worry about the displaced businesses.

The Planning Commissioners provided general feedback to the applicant for moving forward.

Member Moxley suggested moving on to case #24-3837

ARTICLE 9. Case #24-3837

Applicant: West Michigan Brick & Stone, Tony Bonnema Property

Address: 6103 60th Street

Parcel Number: 41-19-32-400-018

Requested Action: Basic Site Plan Review

Staff stated that approval would require changes to the Future Land Use Map and Zoning Map.

Member Bruneau brought up that the board had worked on rezoning for this area with member Richardson's idea that Industrial development should be west of Kraft and that this would start to move Industrial to the east.

Member Rissi reinforced the comments by Member Bruneau that it was changed to be just airport use to prevent the creep of industrial use to the east.

Applicant stated that their business has outgrown their current location at 4196 Thornapple River Drive and that the current property owner would likely want to use the property fully going into the future.

Member Rissi questioned what the applicants' use would fall under and if this use would fall under private contractor storage and service yard.

PD Hendrick replied that the zoning ordinance was not clear enough on the intended use of storage yards, to which Member Rissi stated that the township had taken the stance in the past from discussion with former planning directors that a storage yard use and specifically this parcel would be something for example Consumers Energy storing its trucks or a cable company not for commerce of this type.

Member Rowland brought up the fact that the increased traffic, weight and size of vehicles would increase wear and tear on the road.

Member Noordhoek asked staff if they can even approve it with a current lawsuit related to the airport and zoning. Staff responded that the lawsuit did not prevent approval of this request.

Member Bruneau brought up that this parcel is within the utility service boundary of the township and that it also is within the airport safety zone.

Member Rissi mentioned that the utilities and service boundary is different than where the utilities currently are constructed and that they may need to be extended at the cost of the applicant.

Member Bruneau agreed and stated that the nearest connection is on the northwest corner of 60th and Kraft.

Member Bruneau voiced that members of the Commission had spent the better part of 18 months determining that industrial use should be west of Kraft and that approving this could expose the township to potential liability.

Member Rissi also mentioned that the township would be going against precedent if it approved this request.

ARTICLE 10. Case #23-3826 Public Hearing

Applicant: James Rabaut

Property Address: 2020 Devonwood Lane

Parcel Number: 41-19-08-100-038

Requested Action: Special Use Permit for the expansion of an accessory building that exceeds 832 sf

Planning Director Hendrick presented her staff report on the application.

The applicant, Mr. Rabaut, spoke in support of the application, including a discussion of the parcel size and a previous variance granted for a fourth building on the property. The applicant confirmed, in response to an inquiry from Member Bruneau, that there would be no business use in the accessory building; the conference rooms would be used for family purposes.

Motion was made by Member Noordyke to open public hearing. Supported by Member Rissi. Motion carried 7 to 0.

There was no one wishing to speak.

Motion was made by Member Rissi to close public hearing. Supported by Member Noordyke. Motion carried 7 to 0.

Motion Made by Member Noordyke to Approve with the following conditions:

- 1. All outdoor lighting adheres to Cascade Township Zoning Ordinance standards.**
- 2. The accessory building may not be used for a dwelling.**

Supported by Member Rissi.

Support: Noordhoek, Richardson, Bruneau, Moxley, Rissi, Noordyke, Rowland

Opposed: Bruneau

Motion Passed: 6-1

ARTICLE 11. Acknowledge visitors and those wishing to speak

There was no one wishing to speak.

ARTICLE 12. Other Business

Member Rissi asked for clarity on resolutions and Roberts Rules procedures.

Member Bruneau asked for clarity on best practices in variances. Legal Counsel Genovich provided guidance and clarification.

The Planning Commission discussed appropriate processes for Zoning Administration and approval.

Chair Moxley asked for an update on Farmland Preservation

Director Hendrick stated the next meeting would be mid-late June.

The Planning Commission requested a copy of the Township's Answer filed in the Airport lawsuit.

Member Bruneau asked for an update on 5441 36th Street cease and desist. Director Hendrick provided an update on the status.

Member Rowland expressed significant concern about the Whitneyville Road turn from Cascade Road.

Member Rissi expressed concern over Kent County Road Commission development process.

ARTICLE 13. Adjournment

Motion was made by Member Rissi to adjourn the meeting. Supported by Member Noordyke. The motion passed 7 to 0.