

MINUTES

Cascade Charter Township Planning Commission
Monday, May 16, 2016
7:00 P.M.

ARTICLE 1. Chairman Waalkes called the meeting to order at 7:00 PM.
Members Present: Lewis, Mead, Pennington, Robinson, Sperla, Williams
Members Absent: Member Katsma (Excused) Member Rissi (Excused)
Others Present: Community Development Director, Steve Peterson, and others listed on the sign in sheet.

ARTICLE 2. Pledge of Allegiance to the flag.

ARTICLE 3. Approve the current Agenda.

Motion to adjust the Agenda to move discussion of Article 7 before Article 6 by Member Lewis to approve the amended Agenda. Support by Member Pennington. Motion carried 7-0.

ARTICLE 4. Approve the Minutes of the April 18, 2016 meeting.

Motion by Member Lewis to approve the minutes of the April 18, 2016 as written. Support by Member Pennington. Motion carried 7-0.

ARTICLE 5. Acknowledge visitors and those wishing to speak to non-agenda items (Comments are limited to five minutes per speaker.)

No one wished to speak on a non-agenda item.

ARTICLE 6. Case # 16:3301 Patrick Keeler

Public Hearing

Property Address: 8100 45th St

Requested Action: The applicant is requesting a Special Use Permit to allow an accessory building resulting in a building in excess of 832 sq.ft.

Director Peterson stated the location is 45th St. between Whitneyville and Cherry Lane. The request is an addition to an accessory building over 832 sq. ft., it is just over 1500 sq. ft. total, the site plan in the packet shows the addition to the existing building. On a recent site inspection, I did find a small plastic out building on the property, it has a roof, so we define that as a building.

Technically this piece of property is only allowed one accessory building, so that particular building has to come down, with or without this project. I believe this

building is on the larger side. I am recommending approval with the condition that the small plastic building be removed and that the accessory building is not used for any business purposes. Member Lewis wanted to make a correction on the presentation, that they not use it for business purposes or for living space. No opposition has been heard on this addition.

Chairman Waalkes asked the Applicant to come forward with comments.

Patrick Keeler, 8100 45th St, I did want to address anyone that would have any opposition to the accessory building. I have spoken to my closest neighbors and they have not stated any opposition.

Member Mead asked the reason for the large size of the building. The Applicant stated that he wants to put two 10' doors on the building and he needed to be at 24x28 or the 2nd door would not fit. My mother-in-law has antique cars that we want to be able to get into the building for storage.

Member Sperla asked the Applicant if he was going to remove the other building from the site. The Applicant stated that is was his intention to remove the building.

Member Mead asked if the building would be plumbed and electric service. The Applicant stated that it would have electric only.

Member Robinson made a motion to open the Public Hearing. Support by Member Lewis. Motion carried 7-0.

No one wished to speak at the Public Hearing.

Member Mead made a motion to close the Public Hearing. Second by Member Sperla. Motion carried 7-0.

Member Sperla made a motion to approve the Special Use Permit for Case #16:3301 Patrick Keeler. Second by Member Robinson. Motion passes 7-0.

**ARTICLE 7. Case #16:3303 Cascade Thornapple River Association
Public Hearing
Property Address: 7238 Cascade Road
Requested Action: The Applicant is requesting TYPE II Special Use Permit to allow river association member to launch and retrieve boats.**

Director Peterson presented the case. The Type II Special Permit is a little different, in that, the Planning Commission will make a recommendation to the Township Board and Board will make the final decision. They have been after a boat launch for their members for a number of years as our Ordinance stated that access to the river is allowed for only those that have property on the river or have deeded rights to the river prior to November of 1995. This means that there are a lot of people that have rights to the river but have no access. Some of the neighborhoods like Goodwood, Maracaibo Shores, Whispering Ridge and Kilmer have their own neighborhood launch sites. The River Association extends from the Cascade Road dam to 68th St so there is a piece of it that is in Caledonia Township. Based on the literature from the River Association there are about 150 members of the association. It is being set up on a private piece of property owned by Scott and Hazel Rissi. They have access and would allow for the launching based on an appointment process. Property is over an acre and the driveway is long enough to allow cars to get off of Cascade Rd and if there were people waiting there is enough space to pass. The River Association wants to use this to gage if it is working for the members and the property owner. I am recommending approval with the proposed rules and the rules recommended in the staff report.

Member Lewis asked if this launch is limited to a specific time of year to be used. They have in their rules that there is an appointment type setup and it is intended to be used in the spring to launch and fall for the retrieve. According to their rules, no greater than April 10 thru the second Sunday in May 9am-9pm and September thru the first Sunday in November 9am-9pm. Member Lewis wants to know if there are any other restrictions would apply to this river launch. Director Peterson thought this is better directed to their association, but indicated they have submitted a set of rules.

Chairman Waalkes asked the Applicant to come forward with comments.

Hazel Rissi, 7238 Cascade Rd, stated that number 11 in the rules states that it would be a scheduled time, done at the property owner's discretion. It would not be all day every day. We did talk to the neighbors and they are on board with it. Member Mead asked if there is a fee associated with the launch. The Applicant responded that the current fee is \$100.00 per season per household and those are fees collected by the River Association. Also are there any Association members of record that don't own enough property to accommodate a boat for the season, if they just want to put the boat in for a day. Director Peterson states that Rule number 4 of their rules addresses that as no daytime use. Member Williams would like to know how many would pay the \$100.00 for the service to the River Association. Carl Mast, 7796 Thornapple Bayou, is Vice President of the River Association, responds that there are

approximately 50 active members who do not have adequate access. Our membership is voluntary and this is another thing that we can offer to them. Member Williams asked if the Applicant would get paid for every boat that is launched. The Applicant replied that some of the money would go to the property owner for maintenance of the ramp, dock and lawn. Chairman Waalkes asked how the Association is going to secure the launch. The Applicant replied that it will not be visible from the road so only the members will know it is there. Member Williams wonders if there will be a time span between each launch and if the cars will have ample space. The Applicant refers to the map and shows that there can potentially be three cars and boat trailers at a time without issue. Member Williams asked if there is any issue with the size of the boats. The Applicant replies that it is a deep ramp and can accommodate any size boat that fits in the river.

Member Lewis needs clarification on what is going to be voted. Are the 17 items and the three additional rules and that the Township be notified if there are any rules that are changed. Member Pennington reiterates that they are making a recommendation for approval of the Special Use Permit, and if any changes are made to their rules that the Township be notified. Chairman Waalkes agrees.

Member Mead asked Director Peterson if it creates any issue if the property owner will financially benefit from this commercial venture. Director Peterson would not categorize this as a commercial venture it is more for getting reimbursed to fix their lawn.

Member Pennington wants to know if the Applicant sells their property, is the next owner stuck with this situation or does this approval make it so the launch can be there. Director Peterson responds that the launch can be there as long as it continues to operate under the conditions that the Township grants, but the next owner can discontinue if they choose.

Member Pennington made a motion to open the Public Hearing. Support by Member Sperla. Motion passes 7-0.

Lyle Breem, 7196 Cascade Rd, lives next door to the Applicant. Scott and Hazel Rissi are members of the river association and know what members have paid and which have not. I have been launching boats for 24 years and the Rissi's will have to use that money to fix their lawn, as it will get torn up. We share the same driveway and I am the only one that sees it. I love that they are doing this.

Chuck Whitley, 5030 Sequoia Dr., I am on the board of the River Association. Getting this boat launch started will be a learning curve. I am concerned about the rules that get drafted, being that it is a one year test. What kind of wiggle

room is there and do we have to go back to the Township or stop doing something. Being that it is a short window that the boats can launch. Chairman Waalkes states that the 17 rules have to be followed. If there are any rule changes that need to be made, it will be small enough that Stephanie Fast can address those. Director Peterson says the one year time limit will determine what is working and what isn't.

David Lewis, 7310 Kilmer, I used to have a lot on the river without access and had a difficult time finding someone to let me on the river with their launch. I think with all the rules and regulations put in place this is a great help for people with no access.

Dave Mills, 7425 Kenrob DR SE, I have been in the area for many years and I think this solves a need and a problem. I credit the Rissi's and think this is a good thing.

Jeff Carpenter, 5016 Sequoia Dr., we support the granting of the Type II Special Use Permit for the Cascade Thornapple River Association, on the property owned by the Rissi's, regarding the use of the existing boat ramp at 7238 Cascade Rd for the river association members only.

Chairman Waalkes states that everything we have heard tonight seems to be in favor of the launch. I think that goes to communicating to everyone ahead of time instead of getting a notice of a public hearing.

Member Lewis wants to submit that the Township has no plans to add a ramp to the river for public use. Member Sperla states that government can get a bit too technical and strict on what people can do with their property and being that there is no opposition being expressed, I think this should be passed. Chairman Waalkes also states that the Townships has a Key hole Ordinance, where one person has property on the river and it is opened up to others not on the river. I think the rules and how this is set up through the association is a good way to do it.

Member Pennington made a motion to close Public Hearing. Support by Member Mead. Motion carried 9-0.

Member Sperla made a motion to forward Planning Commission approval to the Cascade Township Board on Case #16:3303 to approve the Type II Special Use Permit with the following conditions:

1. Approval of the proposed CTRA Boat launch rules you submitted.
 - i. As well as the following township conditions:

2. The CTRA add a rule that would require the Association to notify the Township Board of any proposed rule changes to the use and restriction for the launch site.
3. The township should be allowed to revoke launching privileges and/or close the launch site for violations.
4. Permit is granted for one year at that time this could be reviewed again by the Township for approval and/or modifications to the special use permit.
5. Member use only.
6. This approval is only good for the current property owner.
7. The property owner has the right to terminate the agreement with the CTRA.

Support by Member Williams. Motion passes 9-0.

ARTICLE 8. Any other business.

Member Lewis wanted to thank the members of the Planning Commission in the past. Those that sat through the period in time when the architects were requested to put flowers and bushes into the plans. I am proud of this board and those in the past. Cascade looks beautiful because of it. I tip my hat to them.

ARTICLE 9. Adjournment

**Motion made by Member Lewis to adjourn. Support by Member Robinson
Motion carried 9-0. Meeting adjourned at 8:06 PM.**

Respectfully submitted,
Scott Rissi, Secretary
Ann Seykora/Julie Kutchins – Planning Administrative Assistant