

MINUTES

Cascade Charter Township Planning Commission
Monday, November 4, 2013
7:00 P.M.

ARTICLE 1. Chairman Sperla called the meeting to order at 7:00 p.m.
Members Present: Lewis, Mead, Pennington, Robinson, Sperla, Waalkes,
Williams
Members Absent: Hammond, McCarthy
Others Present: Planning Director Steve Peterson,

ARTICLE 2. Pledge of Allegiance to the flag

ARTICLE 3. Approve the current Agenda.

Motion was made by Member Lewis to approve the Agenda. Support by Member Pennington. Motion carried 7-0.

ARTICLE 4. Approve the Minutes of the October 21, 2013 meeting.

Motion was made by Member Mead to approve the Minutes as written. Support by Member Williams. Motion carried 7-0.

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

There was no one wishing to speak on non-agenda items.

ARTICLE 6. Case #13-3161 – Erik Hedlund

Public Hearing

Property Address: 1415 Ballybunion Drive

Requested Action: The applicant is requesting a Special Use Permit to construct a new 4,500 sq. ft. accessory building at his property at 1415 Ballybunion Drive.

Planner Peterson stated the Applicant is requesting a SUP to build a 4,500 sq. ft. accessory building in the Tammarron North PUD. There is nothing in the development bylaws that limits or prevents the building of an accessory building. We typically do not see an accessory building of this size but it fits within the size of the homes in this area. The building will be 40-60 feet off the property line which would allow for an 18 foot tall building. We measure height to the midpoint of the structure and plans indicate the building will be 18 feet tall. The building is proposed to be located 40 feet from the north property line and 60 feet to the west. This meets our setback guidelines.

We count the covered porch as well because it has pillars on the outside. We measure setbacks and the entire area including the porch because it has a roof over it. The majority of the building is the sports court with garage and some viewing areas.

We've had some other buildings just like this so it's not completely out of the ordinary. Obviously it's a bit larger in that subdivision than others have, but the property itself is about six acres in size with the house being about 6500 square feet. This accessory building is in proportion to the size of the property and the size of the house.

Planner Peterson stated that the Township did not receive any comments from the neighbors. This property does abut to the west property that is not in the subdivision but is owned by one of the neighbors. Stoneshire Development Phase Two is further to the west, but you have lots of setback from this development and it wouldn't be visible to these new homes.

Planner Peterson recommends approving the application for a Special Use Permit. As mentioned before, he did not receive any comments from the neighbors or anyone else in regards to the Public Hearing notice.

Chairman Sperla asked if the accessory building was 300 feet from the property line.

Planner Peterson confirmed that the accessory building was 300 ft from the property line.

Chairman Sperla inquired as to how many people were noticed regarding the public hearing.

Planner Peterson stated that 15 notices were mailed.

Chairman Sperla asked what the Hedlund's planned to do for parking as there seems to be several hundred feet between the house and the accessory building.

Planner Peterson stated that there is a drive back there now. They are not asking for any new curb cuts or any new access. They have not indicated any additional parking as the accessory building includes a garage.

Member Lewis asked if there was storage space above the garage.

Planner Peterson stated that the basketball court is on the lower level so that when people enter the building they are entering the main level and then go

downstairs for the basketball court. The garage parking level is on the main level above the basketball court. Underneath the garage parking is optional storage.

Chairman Sperla requested the Applicant come forward with comments.

Troy Schrock, Epique Homes, spoke on behalf of the Applicant.

Troy Schrock stated that the closest neighbor to the right has a driveway that follows along the property line to his own accessory building and tennis court. He does not have a problem with the addition.

Member Mead asked if there were going to be any exterior utilities.

Troy Schrock stated that the facility would be heated by a furnace on the interior.

Member Lewis stated there is a sign in the front yard that reads Epique House and I am curious as to what this sign is for.

Troy Schrock stated that the sign is his company sign and he is currently finishing the basement of the home. The sign is not a For Sale sign.

Member Pennington asked if the material used to construct the building would be similar to what is currently used on the home.

Troy Schrock stated that the same materials would be used; hardy plank siding and stone with brick to match the current house.

Member Williams stated that it does not look like the driveway is that large but it looks like there could be a fair amount of activity at the location.

Troy Schrock stated that the basketball court is being constructed for the Applicants four boys and not for public use.

Member Mead stated that his only concern would be that the second phase of Stoneshire may be affected by the addition.

Troy Schrock stated that the next door neighbor owns the lot next to this site. The Stoneshire neighborhood does not extend to this site.

Member Lewis stated that this will be built before Stoneshire Phase II so there will not be any surprises to anyone who would purchase a lot in the subdivision.

Chairman Sperla stated that the developer received a copy of the notice and if he had any concerns about it affecting property values in the area he would have responded to the notice.

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

Chairman Sperla asked if there was anyone that wishing to come forward. No one came forward.

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

Member Mead made a motion to approve the Special Use Permit to construct a new 4,500 sq. ft. accessory building at 1415 Ballybunion Drive. Member Robinson supported. Motion carried 7-0.

ARTICLE 7. Case #13-3163 – Cascade Township

Requested Action: Discussion of possible Zoning Ordinance Amendments for Telecommunication.

Planner Peterson stated there are some changes in the law in regards to telecommunications. This is just an effort to update our regulations. This is not a public hearing. There will be a Public Hearing on this next month. This would make our ordinance up to date from a legal perspective.

Chairman Sperla stated that in the amended sections it excludes wireless communication support structures. Does that mean we can't adopt an Ordinance that governs the support structure or is that governed by Boca restrictions and regulations?

Member Mead stated that it is stated in the section that it also includes the support structure but is not clear and should be clarified.

Planner Peterson stated that he will have that point clarified with our legal department to make sure it is worded clearly.

Member Lewis asked if this would go to Public Hearing.

Planner Peterson stated that there would be a Public Hearing next month.

Chairman Sperla asked if the Township Engineer had reviewed the Amendments.

Planner Peterson stated that he would have the Township Engineer look over the Amendments.

Member Lewis asked why we are revisiting the issue and if we had run into any shortcomings in the current Ordinance?

Planner Peterson stated that it was because of the changes in the legislation. We are making sure that our code is up to date with the laws.

Chairman Sperla stated that the towers can be very obnoxious when built close together so they can be offensive in high end residential area. I can see how they can be offensive. I do know they have gotten preferential treatment both at the federal and state level and then there are preemptions when it comes to air rights so it gets fairly complex.

Planner Peterson stated that it does not change our rules and where they are allowed.

Chairman Sperla stated that the public hearing will be at the December meeting.

ARTICLE 8. Any other business

Member Lewis stated that the Applicant for the Watermark Addition has not painted the lines yellow in the road. The Applicant had stated in the meeting that this had already been done at the time of the meeting and it has in fact not been done. He also claimed that the reason for the addition had nothing to do with additional business but to give current guests more room to move about freely. This should have been challenged from the parking stand point.

Chairman Sperla stated that parking additions had been addressed and the contingency showed there was enough parking with the addition.

Member Lewis stated that the signs they have posted, do not say "Fire Lane. No Parking".

Member Lewis also stated that we should have a capacity limit posted on site as well. Watermark does not have this posted and I would like to know what the new capacity numbers are. It should be posted and they need to follow the rules. This is a great asset to the Township but they need to follow the same rules everyone else follows.

Planner Peterson stated that the capacity numbers are handled by the Fire & Building Departments.

Member Williams stated that there have been events where the banquet room was crammed with people and she wondered what the capacity limit was as well.

Member Lewis stated that everyone has to play fair with parking issues and capacity issues and we need to keep this in mind going forward.

Chairman Sperla requested that in the future we put capacity limits in the staff notes so that we understand the process and how the numbers are reached.

Planner Peterson stated that the Fire Department and Building Department set the numbers. He will ask the Fire Department to come to one of the meetings to explain how they reach the capacity numbers and when and where fire lanes are required.

Chairman Sperla stated that we had talked about some amendments at the intersection of Thornapple and Cascade. You stated that the Township Board was not willing to grandfather in some areas. That does not seem like that would work in an area that you are trying to change the character of an area. You will always have some non-conforming areas. I would like to see some consideration given to that intersection. I think that area has a lot of potential for some high end restaurants. I think it has a lot of potential for a boardwalk in the area as well.

Planner Peterson stated that we were going to let the Complete Streets Committee present their proposals and then we could present to the Township Board our ideas if they differ from the Complete Streets Plan.

Member Lewis stated that there are other auto repair businesses in the area that would then be affected by the changes. We are just running out of good locations to open businesses. Rezoning is going to have to occur for progress but it has to be tempered with businesses that we currently have.

Article 9. Adjournment

Member Waalkes made a motion to adjourn. Member Robinson supported. Motion carried unanimously 7-0. The meeting was adjourned at 7:45 pm.

Respectfully submitted,
Karen McCarthy, Secretary
Ann T Seykora & Debbie Groendyk, Planning Administrative Assistant