

**Minutes**  
Cascade Charter Township  
Planning Commission  
Monday, September 11, 2023  
7:00 pm  
2870 Jacksmith Ave SE

- ARTICLE 1.** Chair Noordyke called the meeting to order at 7:00 P.M.  
Members Present: Noordhoek, Moxley, Noordyke, Engel, Bruneau, Rowland  
Members Absent: Richardson, Rissi  
Others Present: Planning Director Brian Hilbrands, Zoning Administrator (ZA) Madison Smith-Jacoby, and others listed on the sign-in sheet.
- ARTICLE 2. Pledge of Allegiance**
- ARTICLE 3. Approve the current Agenda**  
**Motion was made by Member Engel to approve the current agenda. Supported by Member Moxley. Motion carried 6 to 0.**
- ARTICLE 4. Disclose any conflict of interest**  
There were no conflicts of interest disclosed.
- ARTICLE 5. Approve the Minutes of the August 21, 2023 Meeting**  
**Motion was made by Member Engel to approve the August 21, 2023 meeting minutes as written. Supported by Member Bruneau. Motion carried 5 to 0. (Noordyke abstains).**
- ARTICLE 6. Acknowledge visitors and those wishing to speak**  
Kenneth Carey (2929 + 2923 Thornapple River) expressed understanding that Cascade has been seeking to create more of a village feel throughout the township. He said there have been many individuals looking to acquire his properties. Carey wanted to bring awareness to the Planning Commission to give background on his property and his desire to have them rezoned to allow for office or commercial uses.
- ARTICLE 7. Case #23-3786/Deppe**  
**Property Address:** 1878 Country Brook Dr  
**Requested Action:** Seeking a Type I Special Use Permit for an 8-foot-tall fence.  
ZA Smith-Jacoby presented the case and explained that the applicants are seeking an 8ft tall fence to prevent deer from getting into their large garden area. The fence will be dark black and was proposed to be 2ft above the standard height due to land grading. They will only be adding a fence around the garden, not the perimeter of their whole property. Letters of support were received by neighbors and Staff did not indicate any negative impacts on neighboring individuals or obstruction of view from the road.

Staff recommended approval with consideration of a potential condition for the design of the fence to allow for some transparency for light and air.

Dean Deppe (1878 Country Brook) said the fence will be black chain-link to protect his hosta plants and he is also considering having a portion of the fence be only 6ft tall between his driveway and a neighbor's.

Member Bruneau expressed empathy with deer eating plants, but he did not want to set a precedent and felt there are other solutions. Deppe added that they have 1,400 hosta plants.

ZA Smith-Jacoby noted that the deer population is increasing and there may be an uptick in similar requests. If this becomes more common, it would be addressed with a zoning ordinance amendment.

**Motion was made by Member Engel to open public hearing. Supported by Member Moxley. Motion carried 6 to 0.**

There was no one who wished to speak.

**Motion was made by Member Engel to close public hearing. Supported by Member Moxley, Motion carried 6 to 0.**

**Motion was made by Member Engel to approve the Special Use Permit allowing for an 8-foot-tall fence. Supported by Member Noordhoek. Motion carried 4 to 2.**

**ARTICLE 8. Case #23-3787/King**

**Property Address: 6820 Burton St**

**Requested Action:** Seeking a Type I Special Use Permit for an 8-foot-tall fence.

ZA Smith-Jacoby presented the case and said the applicant is seeking approval for an 8ft tall fence to block the view of the neighbor's recreational vehicle. Since her neighbor is permitted to store their RV there, installation of an 8ft tall fence stretching 50 ft has been requested.

Chuck King, the applicant's son, attended the meeting to speak on his mother's behalf. He stated that his mom is a master gardener and has had to look at this RV for years since the Township changed their storage rules.

ZA Smith-Jacoby mentioned that the township had contacted the RV owner, but there was no interest in storing it elsewhere.

**Motion was made by Member Engel to open public hearing. Supported by Member Moxley. Motion carried 6 to 0.**

Ginny Wanty (6255 Heathmoor Ct) is a friend of the applicant and stated that King's neighbors will also run their RV periodically, causing exhaust issues.

Scot VanSolkema (2570 Orange Ave) stated he is fine with the fence but wondered why she couldn't plant shrubs instead.

Mike Cronk (6830 Burton St) is a neighbor of the applicant and has no issues with the fence.

Rosalva Clap, owner of 3 homes in Cascade, said if the applicant were to plant bushes, deer would eat them.

Joann King, the applicant, said the township previously did not allow parking of campers on home sites in 2014. She stated that ZA Smith-Jacoby has been great help to her.

**Motion was made by Member Engel to close public hearing. Supported by Member Moxley. Motion carried 6 to 0.**

Member Rowland suggested having the Zoning Board review RV standards so if a recreational vehicle obstructs a neighbor's view, the owner should have to put up a fence.

**Motion was made by Member Engel to approve the Special Use Permit allowing for an 8-foot-tall fence. Supported by Member Noordhoek. Motion carried 6 to 0.**

**ARTICLE 9. Case #23-3746**

**Property Address: 5745 Whitneyville Ave**

**Requested Action:** Type II Special Use Permit to construct a commercial composting operation.

Planning Director Hilbrands presented the case and explained the applicant is requesting a Type II Special Use Permit to allow for commercial composting operation in the Agricultural and Rural Conservation zoning district. The Planning Commission previously forwarded a positive recommendation to the Township Board and the Board decided to send the application back for further consideration. There were concerns expressed about the on-site retail and potential negative effects the operation may have on neighboring properties.

The applicants provided a letter, located in the packet, with information addressing concerns. They describe measures being taken to prevent odor and contaminants from leaving the site along with a plan for runoff.

There have been additional conditions added to address the Township Board's concerns. Planning Director Hilbrands suggested an edit to condition 13 to read, "If the composting operation is discontinued, any contamination and all composting material and composting intakes must be remediated and removed off of the site."

Staff recommended forwarding a positive recommendation back to the Township Board with the 13 conditions listed in the packet.

Chair Noordyke reiterated for the audience that this meeting is not to approve the Wormies operation, as it has previously been approved by former Township staff.

Member Noordhoek expressed concern with the commercial aspect of the Special Use Permit. Planning Director Hilbrands said the applicants are not necessarily proposing

that, rather that is the way the zoning ordinance is written. A zoning amendment can be made in the future to exclude the word “commercial.” One of the proposed conditions also limits sales on the property to appointment only.

Luis Chen, the applicant, agreed that the “commercial” title is not applicable, as they are a farm composting operation with associated sales. He addressed an issue with condition number 10 regarding the request to plant 5 trees. Chen said it is unfair because there is not a house built there yet, there is natural screening from a hill, and it may cost up to \$5,000.

Member Rowland asked if the applicant had an issue with the condition limiting sales by appointment. Chen noted that it seemed unfair to include that as a condition, but that is how they were planning to operate.

Member Bruneau questioned whether condition number 9 could be reworded to include what is allowed, opposed to what is not allowed. Planning Director Hilbrands explained it was written that way since the items singled out were most likely to cause smell or attract bugs and animals.

**Motion was made by Member Engel to open public hearing. Supported by Member Moxley. Motion carried 6 to 0.**

Laurel Johnson (5640 Whitneyville Ave) stated the applicants have stated their intention to have school groups visit for educational programming. She explained how there have been no discussion on how they will make this operation ADA compliant for these school groups and classes.

Daren Stedman (5539 Whitneyville) said they have already planted 100 trees and he did not understand the pushback for the 5 additional trees.

Jim Beary (5651 Whitneyville) is the property owner who requested the trees be planted along his property line. He explained the request is to insure the enjoyment of his property.

Alice VanTuinen (5527 Whitneyville) stated she was unaware this was already approved. It was her understanding that someone previously gave permission, but she is disappointed. She wanted Cascade to maintain the community’s natural beauty.

Chandler Michalsky (5745 Whitneyville) agreed with the previous comment and presented a picture of green space, stating that the entire northeast portion of the property will be left wild for pollinators, songbirds, and butterflies.

Gerald Alexander (5860 Whitneyville) stated there is increased traffic in the area and does not want more. He suggested adding a flashing red light to the intersection at 60<sup>th</sup> St.

Del Warner (5488 Whitneyville) did not understand why there would be a commercial business in the middle of a residential area.

Scot VanSolkema (2570 Orange) had a discussion with the applicant earlier and learned he purchased the land, with promise from a previous township employee, that he could operate his business here. He further stated the area is zoned for agriculture, the applicants use no pesticides or chemicals, and that limiting sales is not how America works.

Rudy Klein (5542 Whitneyville) wondered if anyone would want this business sitting in their backyard.

Megan Kroll with Miller Johnson LLC is the legal counsel for Wormies. She thanked the commission for their thoughtful consideration of the application. She stated the applicant has done everything asked of them repeatedly and hopes they can reach approval tonight. Kroll explained they received a substantial grant from the State of Michigan conditioned on receiving expansion approval by December.

Craig Rumschlag (8456 Loral Ridge) wanted members to consider other products the applicants might be growing, such as marijuana.

A letter was submitted to Township staff prior to the meeting:

“To the Zoning Board of Cascade Township

To be read into the zoning commission minutes 9/11/2023. Whitneyville has survived for more than a century as a community of family homes and neighborly interactions. New residential developments and many interdenominational churches. Traffic has increase with many aggregate trucks passing there at 50 miles per hour and causing difficulty accessing private drives, additional truck traffic will further impact private residences but is this the best plan to allow industrial development in Cascade? When there are ample areas for industrial type businesses along the 36<sup>th</sup> Street, 32<sup>nd</sup> Street and Patterson corridors.

Leave Whitneyville to residential housing along with the turkeys and deer populations shared as a country community.

Residences of Whitneyville in opposition to the proposed recycling operation in our community.”

The letter was signed by 12 property owners along Whitenyville Ave.

**Motion was made by Member Engel to close public hearing. Supported by Member Moxley. Motion carried 6 to 0.**

Chair Noordyke said that ADA compliance is something to consider, especially if there will be field trips there. Planning Director Hilbrands said from a zoning perspective they do not have ADA requirements, but there might be building code requirements.

Member Bruneau expressed reservations on making provisions based on the potential that someone will build in the future. He also was not supportive of conditions 10 and 11.

Member Noordhoek did not believe Wormies would generate enough traffic to the point of Kent County conducting a traffic study. Regarding by-appointment sales, he figured the commission and Wormies are on the same page that limiting the number of people coming in at random hours during the day would be beneficial.

Member Rowland suggested having a small window during the day where sales could take place and anything outside that time frame is by-appointment.

**Motion was made by Member Rowland to accept the additional conditions suggested with the removal of number 10, revisions to number 11 to include retail sale hours of operation conducted between 11am-3pm with anything outside those hours being appointment only, and the proposed amendments to Condition 13 as stated by staff. Supported by Member Moxley. Motion carried 6 to 0.**

**ARTICLE 10. Old Business**

There was no old business to discuss.

**ARTICLE 11. Any Other Business**

Planning Director Hilbrands said the initial meeting for the Village Design Review Committee was recently held. The purpose of this committee is to analyze the current regulations and see what should be altered.

Member Bruneau wondered how the deer population issue could get better managed. He believes that everyone will start asking for 8' tall fences.

**ARTICLE 12. Acknowledge any visitors and those wishing to speak.**

There was no one that wished to speak.

**ARTICLE 13. Adjournment**

**Motion was made by Member Engel to adjourn the meeting. Supported by Member Moxley. Motion carried 6 to 0. The meeting adjourned at 8:36 P.M.**

Respectfully submitted,

Joe Engel, Secretary