

Minutes
Cascade Charter Township
Planning Commission
Monday, December 4, 2023
7:00 pm
2870 Jacksmith Ave SE

- ARTICLE 1.** Vice Chair Moxley called the meeting to order at 7:01 p.m.
Members Present: Noordhoek, Richardson, Bruneau, Moxley, Engel, Rissi
Members Absent: Noordyke, Rowland (excused)
Others Present: Zoning Administrator Madison Smith-Jacoby, Clerk Sue Slater, and others listed on the sign-in sheet.
- ARTICLE 2. Pledge of Allegiance**
- ARTICLE 3. Approve the current Agenda**
- Motion was made by Member Bruneau to table Article 11 until further documentation is provided and to table Article 10 until the legal council's opinion is given. There was no support for this motion.**
- Motion was made by Member Bruneau to table Article 11 until a later meeting. Supported by Member Engel. Motion carried 4 to 2.**
- Motion was made by Member Bruneau to table the Planning Commission discussion of Article 10 but still hold the public hearing. Supported by Member Richardson. Motion failed 3 to 3.**
- Motion was made by Member Rissi to approve the amended agenda. Supported by Member Bruneau. Motion carried 6 to 0.**
- ARTICLE 4. Disclose any conflict of interest**
- Member Rissi stated his company has completed yard work for an individual involved in Article 10.
- Member Engel has toured a neighboring property to the one listed in Article 10 with someone involved in the case.
- Members did not view either of these as an issue.
- ARTICLE 5. Approve the Minutes of the November 13, 2023 Meeting**
- Member Rissi noticed Chris Khorey's name was spelled incorrectly in Article 7.
- Motion was made by Member Engel to approve the minutes with the proposed change. Supported by Member Rissi. Motion carried 6 to 0.**
- ARTICLE 6. Acknowledge visitors and those wishing to speak**

David Bult (6855 Thornapple River Drive) has studied tiny housing and ADUs and wondered if anyone had considered studying this and allowing these types of dwellings.

ARTICLE 7. Case #23-3798 Salmon

Property Address: 6390 Cascade Road

Requested Action: Seeking a Type 1 Special Use permit for an accessory building exceeding 832sqft.

ZA Smith-Jacoby presented the case and explained that the applicant is seeking approval for a 1,440sqft building on his 1.9-acre parcel. The barn will be placed in the backyard with all required setbacks met and no utilities conflicting with placement. The applicant will be using this building for personal use and will match the design of the house.

Staff recommended approval with conditions listed in the packet.

Alan Salmon, the applicant, explained he lives at the property immediately to the north where he built a similar barn.

Member Noordhoek asked if he would be running a business out of the barn. Salmon stated it is purely for personal use.

Vice Chair Moxley asked if neighbors have issues with the noise from his woodworking machines. Salmon said his neighbors have not had any problems with the noise.

Member Bruneau questioned the amount of wood inventory on the applicant's existing home property. Salmon said his hobby is milling lumber, but reassured members that there would be no commercial operation.

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

There was no one wishing to speak.

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

Member Bruneau expressed concern that the applicant could turn this into a major furniture shop. Member Rissi noted he has had the same equipment at his current property with no issues or complaints to Township Staff.

Motion was made by Member Engel to approve the Special Use permit with Staff conditions of not utilizing the building to operate a business, that the building not be used as a dwelling, and that all outdoor lighting would adhere to Cascade Township's zoning standards. Supported by Member Rissi. Motion carried 5 to 1.

ARTICLE 8. Case #23-3795 Josh Baker

Property Address: 5441 36th Street

Requested Action: Site Plan Review and approval.

ZA Smith-Jacoby presented the Site Plan Review for a 12,000sqft addition to an office and warehouse located in the transitional industrial zoning district. The building will be used for storage as they own AT&T stores and have extra inventory. As indicated in the plans, there will be an addition for a trucking dock and the creation of the retention pond. Originally, 30 additional parking spaces were required but upon further evaluation, it was determined they only needed 23 spaces. The township engineer reviewed and approved plans, but required a geotechnical report with soil test data.

The landscaping plans submitted meet township requirements but as extra assurance, a \$5,000 landscape bond should be submitted upon approval.

Staff recommended approval for the 12,000sqft addition with staff conditions listed in the packet.

Member Bruneau noted that it appeared they had begun construction on the loading dock. Randy Burry, the general contractor, clarified that there was a previous dock located there that was dug out and they had completed a compact test for soil. He also mentioned that the existing sewer was extended for the new addition. Member Bruneau wanted the plumbing updated on the Site Plan.

Motion was made by Member Rissi to approve the Site Plan as presented with conditions of executing the stormwater maintenance agreement, that they provide a landscaping bond of \$5,000, and that they must provide updated plans showing the location of water, sewer, and utilities. Supported by Member Engel. Motion carried 6 to 0.

ARTICLE 9. Case #23-3801 Epique Homes

Property Address: 3660 Cherry Lane

Requested Action: Seeking a Type 1 Special Use Permit for an accessory building exceeding 832sqft.

ZA Smith-Jacoby presented the case and explained the applicants are requesting a 3,072sqft accessory building on their 10.2-acre property. This case was recently approved by the Zoning Board for the placement of the building. She noted if the applicants were to have the allowed amount of 3 accessory buildings on their property, the total square footage would equate to 2,496sqft. The applicant is a wheelchair user, so they are requesting this structure for storage and to make spending time with family easier. There will be an extension of the existing driveway to the accessory building.

The average size for accessory buildings in the district is 1,857sqft, making the applicant's proposed building the largest in the district.

Staff recommended denial of the Special Use permit since the findings determined this accessory building to be the largest by more than 1.5 times in the district and that it may negatively impact neighbors. If the commission chooses to approve due to the unique circumstances of the applicant, she recommended approval be subject to the listed conditions in the packet.

Vice Chair Moxley noted some discussions the Zoning Board had that included the neighbors to the north requesting extra screening along the property line and managing potential drainage issues.

Member Rissi expressed concern regarding items being brought to the Zoning Board before obtaining planning approval.

Member Rissi questioned if there was anything that could be done to bring the application further into compliance with the ordinance. ZA Smith-Jacoby explained the applicant does have a unique situation, but her main concern was the building size and negative impacts on neighbors. She indicates the applicant has been willing to work with the Township to improve the plans.

Scott and Becky Schrottenboer, the applicants, stated that there will be evergreens planted as screening.

Member Bruneau questioned why their home and barn were placed in that location. Becky stated they found this parcel that is close to their kid's school and it was the best piece of property they could locate promptly. The home and accessory building were placed there due to the elevation making it easier for wheelchair users. They are willing to create a more cohesive facade for the building as well. The applicant also noted the need for an indoor area to remain active with his kids.

Member Bruneau asked if they would be willing to reduce the size of the structure. The applicants were both willing to figure out a way to reduce the size by potentially removing the lean-to and creating an overhang instead.

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

Jack Holst (3717 Cherry Lane) gave his support for this accessory building. He felt that the family had gone through enough already.

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

Motion was made by Member Bruneau to table this case so the applicants can reduce the size of the structure by changing the lean-to into an overhang and creating a new design for the building. Supported by Member Richardson. Motion carried 4 to 2.

ARTICLE 10. Case #23-3800 Islamic Masque & Religious Institute

Property Address: 6670 52nd Street

Requested Action: Seeking a Type II Special Use Permit for a cemetery in the ARC District.

ZA Smith-Jacoby presented the case and explained the applicants are seeking a positive recommendation to the Township Board for a Special Use Permit allowing for a cemetery with 4,350 grave sites on approximately 9.6 acres of vacant land. The plans indicate the project to have 3 phases, with roughly 25-30 people buried annually, the

first phase is estimated to take about 75 years to fill. This will be owned by a not-for-profit organization. There will be no electricity, water, or sewer on the property. Kent County Road Commission will require a curb cut out for the circle drive access in the plans.

ZA Smith-Jacoby noted she has been in contact with legal counsel and provided a memo from them. The ordinance addresses Special Use permits for township-owned cemeteries, with nothing defined for privately owned cemeteries, so this case is treated as a general Type II Special Use.

The township engineer has reviewed and approved the plan but requested a stormwater maintenance plan and noted a soil erosion and sedimentation control permit will be required from the Road Commission. Fire officials have also reviewed plans and had no concerns.

Member Richardson wanted clarification on whether anything would be built on the property. ZA Smith-Jacoby said they will potentially be building a pavilion.

Member Rissi asked what the setbacks for existing township cemeteries are. Clerk Slater indicated that the cemetery off of 30th Street has 6ft of space beyond the pathway from neighbors. Whitneyville and Snow cemeteries are fenced and are roughly 10ft from the road.

Member Noordhoek expressed concern with parking.

Member Engel wanted to ensure that the applicant had sufficient funds to manage this site in perpetuity.

Ali Metwalli (7444 Whispering Ridge St) thanked the commission for the questions and explained that cemeteries for Muslims are very simple. He noted that the Graceland Cemetery has double the number of burial sites per acre than this proposed cemetery. If they were to construct a pavilion, it would be simple. The driveway will be sufficient for parking.

Member Noordhoek asked what the burial process would be. Metwalli explained that the individual is taken to the funeral home to be washed, covered, and placed in a bottomless cement vault within 24 hours of death.

Member Bruneau questioned the pond on the plans. Paul Henderson, the project engineer, stated this would be a detention basin. He also mentioned the driveway will be gravel and the drive was designed with room for cars to pull to the side for parking.

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

Marty Hilbrands (6482 52nd St) is part owner of the neighboring property. He asked if the current burials at Graceland would have the same appearance as the ones proposed and he asked if there would be any equipment on site. Hilbrands wanted to ensure that the aesthetics were up to standards.

Elyaas Albeirut (1900 Tall Pines) is a member of the Mosque and said they are committed to creating a neighborly, peaceful area. He emphasized the simplicity of the proposed cemetery and ensured this space would not be off-putting.

Rebecca Hilbrands (6482 52nd St) said her home is aesthetically pleasing and questioned how the cemetery could match the area. She was concerned about driving past the cemetery every day and others using their driveway to turn around.

Dan Hilbrands (6482 52nd St) was also concerned about aesthetics. He did not feel this was a good fit for the community. Hilbrands said this would set precedence for other religions to create additional cemeteries. Increased traffic was also mentioned as a concern.

Janice Hilbrands (3839 Cook Valley) is part owner of the property off of 52nd St. She was concerned about the aesthetics of the area changing and property values decreasing.

Hikmat Piromari (6240 Glenstone Drive) is in full support of the cemetery and location. He stated the owners would be very respectful of neighboring properties.

Mohammad Salah (5514 Alhambra Drive) stated that the neighbors will be respected. He said there would be 1-2 burials a month, less than 20 a year, so traffic would not be an issue.

David Bult (6855 Thronview Drive) said that understanding the topography might help people understand the plans better along with showcasing the cemetery design.

Tom Stoutjesdyk (5545 Thornapple River) attended the meeting to share a neighbor's request for a buffer of trees.

Max Smith lives on 52nd St and stated he purchased his property in 1968 and did not expect a cemetery to be placed next door. He is strongly against this use of land and wants a buffer to go in.

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

Henderson clarified some questions. With the minimal number of people being buried there, the maintenance will be low and there will not be a need for heavy equipment on sight. They are willing to abide by the Township's cemetery standards regarding aesthetics and will have plans to create a buffer of trees and landscaping.

Member Bruneau questioned what time the grave sites would be dug. Henderson agreed to complete grave digging during business hours.

Member Rissi believed that thoroughly thinking the application through was important, to avoid setting a precedent. He noted that maintaining a 20-30ft setback and aligning with township regulations where it makes sense would increase the odds of approval.

Motion was made by Member Rissi to table the application until the applicant provides an updated site plan to include a 30ft setback along the road, a 20ft setback along the east and west property lines with trees and landscaping, further regulation

to cemetery aesthetics consistent with the Cascade Township ordinance, Road Commission approval for access with an opinion on incorporating a cul-de-sac, and compliance with Staff recommendation. Supported by Member Engel. Motion carried 6 to 0.

ARTICLE 11. Acknowledge visitors and those wishing to speak

There was no one wishing to speak.

ARTICLE 12. Any Other Business

Member Rissi would like to see the legal counsel's opinion on bylaws. He believed that the Planning Commission needed to conduct a review.

Member Engel requested the initial memo from legal counsel regarding the cemetery.

Members were reminded to appoint a new chair, vice chair, and secretary.

Vice Chair Moxley said there is a Farmland Preservation Subcommittee meeting on Thursday.

ARTICLE 13. Adjournment

Motion was made by Member Engel to adjourn the meeting. Supported by Member Rissi. Motion carried 6 to 0. The meeting adjourned at 9:57 p.m.

Respectfully submitted,

Joe Engel, Secretary