

MINUTES
CASCADE CHARTER TOWNSHIP PLANNING COMMISSION
MONDAY, April 7, 2025
6:00 pm
2870 Jacksmith Ave SE

- ARTICLE 1.** Chair Rowland called the meeting to order at 6:00 pm.
Members Present: Korstange, Kraemer, Rowland, Cribbs, Madiol
Members Absent: None
Others Present: Community Planning and Development Director (Director) Andrea Hendrick, Planning & Zoning Administrator Ryan Sennett, Legal Counsel (LC) Leslie Abdoo of Foster Swift, Planning Administrative Assistant Nick Govan and others listed on the sign-in sheet.
- ARTICLE 2. Pledge of Allegiance to the Flag**
- ARTICLE 3. Approve the current Agenda**
Motion was made by Vice Chair Kraemer to approve the current agenda. Supported by Treasurer Korstange. Motion carried 5 to 0.
- ARTICLE 4. Disclose any Conflict of Interest**
There were no conflicts of interest disclosed.
- ARTICLE 5. Approve the Minutes of the March 10, 2025 Meeting.**
Treasurer Korstange provided a correction that needed addressing:
Article 7. Incorrect property address “7320 Whispering Ridge Dr” corrected to “1701 Spaulding Ave SE”.
Motion was made by Vice Chair Kraemer to approve the minutes of the March 10, 2025 meeting with the edits provided. Supported by Treasurer Korstange. Motion carried 5 to 0.
- ARTICLE 6. Acknowledge visitors and those wishing to speak.**
There was no one wishing to speak.
- ARTICLE 7. Case #25-3880 – Public Hearing**
Applicant: Bruce Wright (Shaggy Pines Dog Park)
Property Address: 3895 Cherry Lane SE
Parcel Number: 41-19-23-100-008
Requested Action: Amendment to previously approved site plan for a Type I Special Use Permit for an accessory building over 832 square feet.

Community Planning and Development Director Hendrick presented the case, explaining that this hearing was procedural in nature. The applicant had previously received approval for an accessory building but was now requesting to move the building from the south side of the property to a more central location. Director Hendrick noted that the footprint remains the same and the new location would not require removal of any trees. She recommended approval of the amendment.

Bruce Wright, the applicant, presented his request explaining that the new location works better with existing infrastructure including the septic system, for which they now have health department approval. He noted that the soil erosion

permit had been obtained from the road commission, and the new location is farther from property lines. He confirmed the building footprint remains unchanged.

Treasurer Korstange inquired about the conditions from the previous approvals, noting that these should be included in any new motion to ensure all conditions remain in effect. Community Planning and Development Director Hendrick confirmed that the draft motion in the staff review referenced the previous case numbers and conditions. She also confirmed that the minutes would include the full conditions from the previous case.

Motion was made by Treasure Korstange to open public hearing. Supported by Vice Chair Kraemer. Motion carried 5 to 0.

There was no one wishing to speak.

Motion was made by Chair Rowland to close public hearing. Supported by Member Cribbs. Motion carried 5 to 0.

Motion was made by Vice Chair Kraemer to APPROVE Case Number 25-3880, an amendment to the site plan associated with a special use approval for an accessory building over 832 square feet located at 3895 Cherry Lane SE, with the following conditions:

1. All outdoor lighting shall comply with requirements of the Township Ordinance.
2. All stormwater runoff shall be retained on site.
3. The site meets all the Township Engineer's requirements.
4. The accessory building shall only be utilized for accessory activities, incidental to the principal use, and shall not be used as a residential dwelling.
5. The existing trees on the site remain for screening except as shown on the site plan.
6. The lighting on the site is downcast and turned off at 9:00 pm.
7. Privacy fencing be used to block the view from the two homes on Cherry Lane.
8. The fence be setback 25 feet from the property line.
9. The applicant receives permits and approvals for all required construction activities from the Township Planning Department and Building Department.
10. The general rules and regulations as documented in the application regarding keying of gates, refuse pickup, and vaccinations shall be the baseline. If any of those changes including hour of operations, they must come back before the Planning Commission for approval.
11. The applicant agrees to alert Staff with site plan alterations in any way.
12. There shall be no boarding on parcel 41-19-23-100-008.

**Supported by Treasurer Korstange.
Motion carried 5 to 0.**

ARTICLE 8.

Case #25-3881

Applicant: Cascade Charter Township

Property Address: 1701 Spaulding Ave SE

Parcel Number: 41-19-06-327-016

Requested Action: Zoning Map Amendment from PUD-97 to ARC (Agricultural Rural Conservation).

Community Planning and Development Director Hendrick presented the case for rezoning 1701 Spalding Avenue. She explained that PUD-97 was approved in 2017, but many of the requirements were never fulfilled, and the PUD had expired. After consultation with legal counsel, the recommendation was to revert the property back to its original ARC zoning to provide a clean slate for any future development.

Director Hendrick noted she had spoken with the property owner who lives in Arizona and requested that the Planning Commission wait until May for their recommendation to the Board. She clarified this rezoning was procedural in nature and did not approve any development on the site.

Chair Rowland confirmed that this action would simply revert the property to its original zoning, and any future development would still require Planning Commission approval.

Motion was made by to Chair Rowland to open public hearing. Supported by Treasure Korstange. Motion carried 5 to 0.

AJ Busharah (4810 Cavalcade Dr SE) stated he supports rezoning the property back to ARC, also requesting two conditions be put in place if possible. First, he requested the removal of a 729-foot paved path constructed between his property and his neighbor's property. He showed photos of the path and explained it separates their yards and has received no maintenance. Second, he requested termination of an easement established between the landowner and Graystone Homes, as the landowner has not maintained the path as required. He also requested that the township enforce performance guarantees on any future development to ensure significant tree planting along the border with neighboring properties.

Bill Bos (1674 Spaulding Ave SE) inquired about township property ownership in the area and confirmed that a county drain runs through the property. Staff clarified which property nearby was township property.

Motion was made by Chair Rowland to close public hearing. Supported by Treasure Korstange. Motion carried 5 to 0.

Chair Rowland inquired about legal options for addressing the pathway issue. Legal Counsel Abdo explained she would need to review the easement to determine what rights the township might have, noting that typically the township cannot force termination of an easement between private property owners. She advised that future development approvals could include conditions regarding maintenance of the path.

Legal Counsel Abdo also addressed concerns about financial surety for erosion control, noting that the current ordinance requires only a \$200 deposit which is insufficient for the correction of tree removal and earth moving work that had already been done. Treasurer Korstange added that the current Township Board and Planner have been working to establish more appropriate surety bonds to ensure completion of projects and compliance with requirements.

Treasurer Korstange commented that this rezoning was essentially a formality, noting after reviewing the legal recommendations that since the PUD is already null and void, this process simply puts the property back to its original zoning designation to ensure it has proper labeling for future reference.

Legal Counsel Abdo further supported this, explaining that the Township Board directed the Planning Commission to pursue this rezoning because maintaining an expired PUD designation would create confusion for any future development applications. She explained that unlike conditional rezoning, PUDs do not automatically revert to their original zoning designation upon expiration. Therefore, following the Michigan Zoning Enabling Act, this formal rezoning process was necessary to provide a clean slate for future development proposals.

Motion was made by Treasure Korstange to recommend the rezoning of 1701 Spaulding Ave from Cascade One PUD to ARC: Agricultural Rural Conservations based on the following findings:

- 1. The Township Board approved the rezoning of the subject parcel on November 1, 2017.**
- 2. The applicant failed to fulfill the requirements of the PUD.**
- 3. The applicant did not commence construction within a year or seek an extension from the Township Board.**
- 4. The Township Board, by resolution, requested the rezoning.**

**Supported by Vice Chair Kraemer.
Motion carried 5 to 0.**

ARTICLE 10. Acknowledge visitors and those wishing to speak.

There was no one wishing to speak.

ARTICLE 11. Other Business

There was no other business.

ARTICLE 12. Adjourn

**Motion was made by Treasure to adjourn. Supported by Vice Chair Kraemer,
Motion carried 5 to 0. The meeting adjourned at 6:40 pm.**

Respectfully submitted,

Andrea Hendrick, Community Planning and Development Director, Recording Secretary