

Minutes

Cascade Charter Township
Planning Commission
Monday, July 11, 2022
7:00 P.M.
2870 Jacksmith Ave SE

- ARTICLE 1.** Chair Noordyke called the meeting to order at 7:00 P.M.
Members Present: Noordhoek, Rowland, Rissi, Moxley, Noordyke, Deering, Rapin, Korstange and Engel
Members Absent: None
Others Present: Planning Director Brian Hilbrands, Laura Genovich of Foster and Swift, and those listed on the sign-in sheet.
- ARTICLE 2. Pledge of Allegiance**
- ARTICLE 3. Approve the current Agenda**
Motion was made by Member Deering to approve the current Agenda. Supported by Member Moxley. Motion carried 9 to 0.
- ARTICLE 4. Disclose any Conflicts of Interest**
There were not any conflicts of interest disclosed.
- ARTICLE 5. Approve the Minutes of the June 6, 2022 Meeting**
Member Rapin noticed an error in the title of Article 9, the word “area” is missing an “a”.
Member Engel stated in Article 10 that “hopeful” should be changed to “hope”.
Motion was made by Member Rapin to approve the minutes of June 6, 2022, with the previously mentioned edits. Supported by Member Korstange. Motion carried 9 to 0.
- ARTICLE 6. Accept the Minutes of the Composting Use Subcommittee Meetings**
Motion was made by Member Rissi to accept the minutes of the Composting Use Subcommittee meetings. Supported by Member Rapin. Motion carried 9 to 0.
- ARTICLE 7. Acknowledge visitors and those wishing to speak.**
There was no one that wished to speak.
- ARTICLE 8. Case #22-3719/Cascade Charter Township**
Requested Action: Planning Commission recommendation to amend the Zoning Ordinance to allow commercial composting as a special use in the ARC, FP, and I zoning districts.

Planning Director Hilbrands gave an update. The draft of the possible amendments from the zoning ordinance was given to each member at the June 6th meeting and two changes have since been made. At the previous meeting, there was discussion on whether to consider woodchips as composting intake and if the township should require negative aeration at composting sites. Changes were made to the definition of composting intake, clarifying that it does not include inventory or bulk items. There was also a change to state that negative aeration is not the only way to mitigate odor. Planning Director Hilbrands encouraged the committee to discuss further Wormies' potential soil blending operation where they will take finished compost and mix it with intaks, such as topsoil, to create different soil blends. The committee needed to decide whether the material used in this operation should be counted towards the total allowed input/output of composting material, or if it should be treated as an accessory to composting use.

Planning Director Hilbrands clarified that Wormie's worms had been fed and they allowed Wormies to bring in a specific amount of product to do so.

Member Rissi pointed out that the minutes from a previous composting special committee meeting had an error stating 20,000 acres, instead of 20 acres.

Motion was made by Member Rapin to open public hearing. Supported by Member Deering. Motion carried 9 to 0.

Planning Director Hilbrands explains that the zoning ordinance amendment requires sending the amendment to neighboring municipalities. Ada Township's Director of Planning, John Said, responded back with a letter with the following comments:

- The specific location of a composting facility in the location on Whitneyville Road south of 52nd Street would not appear to raise any concerns for Ada Township, due to its distance from our community; however, the planned allowance of such facilities in the ARC (Agriculture Rural Conservation) District raises some concerns, even when allowed only as a special use.
- If such uses were proposed in ARC areas close to Ada Township residential areas, concerns will arise regarding potential odors, truck traffic and similar effects. This is all exacerbated by the potential transition of operations into larger-scale business activities than approved by the Township, without Township knowledge.
- It is not perceived that such a use would be consistent with the legislative intent of the ARC District, as identified in Sec. 7.02 of the Cascade Township Zoning Ordinance. The intent appears to clearly identify the areas in these districts for agriculture, open space, and low-density residential uses. A commercial composting facility would appear to be inconsistent with this intent and these uses.

Planning Director Hilbrands also received two letters of support for the new ordinance amendments.

Motion was made by Member Rissi to close public hearing. Supported by Member Rapin. Motion carried 9 to 0.

Planning Director Hilbrands clarified a question pertaining to section 7.02 stating he did look into chapter 7. In summary, that section is intended to conserve land suitable for agriculture and other specialized rural uses. In Planning Commission and subcommittee discussions, he believed they had viewed composting as a rural use with potential harm to neighbors. This is why they created conditions that must be met.

Member Noordhoek disagreed with allowing a commercial operation in the agricultural district: he felt that the size of the parcel with residential houses right next door was not a good fit. Member Korstange explained that this is a special use, meaning individuals must apply and present to the board to use their property in this way.

Member Rowland expressed concern with hours of operation saying that 9:00 pm was too late to allow operations, even though the commercial noise ordinance restricts volume after 10:00 pm and the residential one doesn't restrict volume until 11:00 pm. Member Korstange stated that there were numerous discussions on the timing of the operation at subcommittee meetings, and the time selected was what everyone agreed on.

Member Rissi questioned if our conditions are strong enough to ensure applicants for this special use will not branch into something bigger than approved. Planning Director Hilbrands said he shared some of the same concerns, but that is why they included specific conditions such as an annual review and a strict operational area to limit special use to its intended purpose. Also, if there are neighbor complaints, the committee can request applicants come back in front of the board.

Chair Noordyke suggested adding to number 7 that the planning commission may modify or edit an approved special use permit at its discretion. Attorney Genovich advised the board to proceed with caution when amending approved permits, while also providing ways the board can circumvent future amendments. She suggested alternatives including setting different hours of operation depending on the district's zoning and requiring restricted hours as a condition of the special use permit.

The committee continued to have varying opinions on the timing of operation. Some members believed that having shorter hours would better preserve the agricultural area while also adhering to potential neighbor complaints and wishes. Others thought that the ordinance was already strict enough and that there are enough regulations in place to ensure compliance of residents wishing to apply for this special use permit.

Chair Noordyke moved on to discuss the accessory mixing operation, he believed it should be included in the 3,000 square feet that would be counted as inventory items. There were concerns about mixing and that the amount would exceed the 3,000 square feet allowed, once piles were combined. Member Rissi clarified that an operation may have a maximum of 4,500 cubic yards of compost, composting intake, and finished compost on-site at any one time, with no more than 1,000 yards being composting intake.

Luis Chen (5745 Whitneyville) explained that composting intakes reduce by 50% of the original volume by the end of the composting process, so there won't be a surplus after mixing.

Member Rowland inquired about number 10 and what would be considered reasonable action to take. It was stated that it would be difficult to set requirements for technology because there are always newer and better products being invented. Keeping this section broad allowed for leniency for the applicants to come up with their own, potentially even better, technology to present to the Planning Commission when filing for a permit. Attorney Genovich stated that "reasonable" is defined by the board upon application for a special use permit. Residents applying for this special use permit must be able to explain their technology and demonstrate how it is used to mitigate odor to the board.

Motion was made by Member Rapin to recommend the amendments to the zoning ordinance to allow for commercial composting as a special use in the ARC, FP, and I zoning districts. Supported by Member Deering. Motion carried 9 to 0.

Member Korstange thanked everyone on behalf of the subcommittee.

Chair Noordyke asked Planning Director Hilbrands to keep the committee informed on when the Township Board will be considering their recommendation. He also requested someone, preferably a subcommittee member, to be present during that Township Board meeting. Member Rissi and Planning Director Hilbrands previously met with Supervisor Lesperence to summarize the subcommittee's findings.

ARTICLE 9. Old Business

Member Rissi mentioned the airport land-use subcommittee that he will be chairing and asked if there were any members who wanted to be a part of it. He proposed holding the first meeting on July 28th. Members Korstange, Moxley, and Rapin agreed to be on the committee.

Member Moxley thanked everyone who has been a part of the Process Implementation subcommittee and shared that they would be making their final recommendation to the Board of Trustees at their meeting, later in the week.

ARTICLE 10. Any Other Business

There will be a meeting on July 18th to discuss a site plan and a special use permit.

ARTICLE 11. Acknowledge visitors and those wishing to speak

Luis Chen and Chandler Michalsky (5745 Whitneyville) thanked the Planning Commission and the Composting Use Subcommittee for their diligence and support in setting a process to allow for composting in Cascade Township.

ARTICLE 12. Adjournment

**Motion was made by Member Rissi to adjourn. Supported by Member Moxley.
Motion carried 9 to 0. The meeting was adjourned at 8:08 P.M.**

Respectfully submitted,

Diedre Deering, Secretary