

## Minutes

Cascade Charter Township  
Planning Commission  
Monday May 9, 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, and Engel  
Members Absent: Rapin and Korstange, (excused)  
Others Present: Planning Director Brian Hilbrands and those listed on the sign-in sheet.

**ARTICLE 2. Pledge of Allegiance**

**ARTICLE 3. Approve the current Agenda**

**Motion was made by Member Rissi to approve the current Agenda. Supported by Member Moxley. Motion carried 7 to 0.**

**ARTICLE 4. Disclose any Conflicts of Interest**

There weren't any members with a conflict of interest to disclose.

**ARTICLE 5. Approve the Minutes of the April 18, 2022 Meeting**

Member Deering shared errors she found in the meeting minutes. On page 5, paragraph 2, line 2, she said to change 'planed' to 'planned'. [Note: The word should have been 'planted' so that is what it was changed to after edits.] On page 6, 5<sup>th</sup> paragraph, second line, strike the word 'for'. On the seventh page, fifth paragraph, right in the middle, insert the word 'is' so that it reads, 'there is an area that is at least'. The next line down on the same page and in the same paragraph, insert the word 'area'. Page eight, last paragraph, fourth line from the bottom, insert the word 'River' to make it read 'Thornapple River Drive'. Page nine, second paragraph from the bottom, change 'meats' to 'meets'.

Member Moxley pointed out page ten, paragraph seven, said 'prevue' should be changed to 'purvue'. Note: the correct spelling of the word is 'purview' and that is what it was changed to in the minutes.

**Motion was made by Member Rissi to approve the April 18, 2022, meeting minutes with the aforementioned corrections. Supported by Member Engel. Motion carried 7 to 0.**

**ARTICLE 6. Acknowledge visitors and those wishing to speak on non-agenda items.**

There weren't any visitors that wished to speak on non-agenda items.

**ARTICLE 7. Case #22-3696/Luminar Technologies, INC**

**Property Address:** 4300 Thornapple River Dr

**Requested Action:** The applicant is requesting site plan review for an approximately 26,500 sq ft building.

Planning Director Hilbrands explained that this article was tabled at the April 18, 2022, meeting in order for the applicant to provide renderings of the building and additional information related to the fabric that is to be used for the exterior. There were also questions about potential PFAS contaminants leaving the site. Information on this was included in the meeting packet and the applicant attended the meeting to answer any questions.

**Motion was made by Member Engel to un-table the article. Supported by Rissi.**

**Motion Carried 7 to 0.**

Brooke Swartzlander, Director of System Tests and Validation for Luminar Tech Inc at their Orlando facility, presented on what Luminar Tech does and why their facility would be a benefit to Cascade Township. She shared that the company produces sensors for autonomous vehicles that help to prevent car accidents. The reason they are looking to build a temporary facility in Cascade Township is that they have a sensor that can see out to 300 meters in Florida, but they want to be able to test the sensors at 500 meters. Partnership with Intertek, a company in Kentwood, is the reason they came to Michigan. They need the space for testing enclosed because any atmospheric interference would compromise the repeatability and reliability of the test. The testing space does not require climate control, but it must be shielded from snow, rain, fog, etc. They could use an industrial building, but that is cost prohibitive when the structure is solely to shield them from the elements. They won a contract with Mercedes and were put on a very rapid schedule. They can only test up to 250 meters at their current facility and needed somewhere they could quickly put up a structure to test at the distance required for the Mercedes project.

Swartzlander explained the reason for the 'ClearSpan' fabric was that it could be set up quickly but was sturdy, modular, and reusable; the industrial fabric has a lifespan of 15-20 years. The building would contain a server but be considered an unmanned facility. The reason they don't see the need for a restroom is due to its unmanned capacity which will require employees to come to the facility for one to two hours at a time, maximum, to gather data and set the equipment up for the next test.

Member Rowland noted that there is an option for Luminar to terminate their lease with the airport at any time, given 60 days' notice, in the lease contract.

Member Noordhoek asked if this business would be bringing any jobs into the community and Swartzlander said it would be no more than two people. She said this is due to the unmanned nature of the site, but they would be employing people through Intertek, a business in Kentwood.

Member Deering said that she felt much better about the fabric exterior now that she had seen renderings and had more information, but she wondered if the fabric would be quickly mended if it were to rip or break. Swartzlander said that it would be quickly

repaired as the equipment in it is essential to their testing and success, costing over one million dollars.

Member Deering asked if Luminar would potentially be extending their lease past five years. Swartzlander said yes, they would hope to eventually build more permanent facilities in Michigan as it makes sense because of all the car manufacturing infrastructure. They would also like to add onto the building an additional 200 meters so they can do testing at 500 meters as well but that would require a separate site approval that they are prepared to come back and request at a later date.

Chair Noordyke asked if Luminar had done any water testing and Swartzlander said they had not; Intertek found the site that was authorized to build on for Industrial use and they took that to mean any required testing had been done.

John Stroo of Prein & Newhof, the engineer working with Luminar, answered Member Noordhoek's question, about if Luminar was planning on performing a Phase 1 Environmental. Stroo said that since it is leased land, it isn't generally required unless the property is transferring owners, so they did not intend to perform a Phase 1 Environmental.

Chair Noordyke asked if the water on site was tested for PFAS; Stroo said that they had not done PFAS testing to his knowledge.

Member Rissi asked how much the grade of the soil would be changing to accommodate this project. Stroo said that the northwest end of the building would be excavated down 3 ft and then extended out over the lower plateau, reaching 20-25 ft of fill at the southeast end of the building.

Member Moxley asked if there would be a gravel drive on both sides of the structure. Stroo said there was a gravel personnel path on the north/northeast side and a wider drive on the opposite side for vehicles with a turnaround down by the southeast end. Member Moxley also asked about the parallel lines shown in the picture and Stroo explained that they are a tile drain to keep water away from the building. There will be fabric over the top with gravel on top of that.

Chair Noordyke asked what wind rating was for the fabric building. Stroo said that even though it is a temporary building it still must meet Michigan building code requirements and the structural integrity of it in windy conditions is part of that. He then asked where the stormwater was being diverted to and Stroo said that was on the northeast and southwest sides of the building. There are two detention basins being created, one at each end; they are to collect and store all water from a two year to a twenty-five-year event. They will be above ground and designed to drain dry within 24 hours.

Member Rissi said that he would like to make sure there is a limit on how long the temporary use lasts and what site restoration they will require when the tenant leaves. He suggested screening or a berm so that the building isn't so visible from Thornapple River Dr and requiring the stormwater plan to accommodate for more than a 25-year

event. He also thought that any changes that were to occur would need to come back to the Planning Commission for approval, not just requiring staff approval.

Member Noordhoek said that he didn't see how Luminar was benefiting the residents of Cascade. Member Rowland agreed and said they would be setting a precedent if they allowed this temporary building. He also said that, if there were any problems with the property or tenant, since the land is being leased, the township would have to go after the airport and would most likely be unsuccessful as the airport currently isn't communicating or addressing concerns from the township.

Chair Noordyke also didn't see the community benefiting from the Luminar project. He said he would like to see remediation as part of the approval and would require extensive landscaping if the project were to go through.

Member Rissi questioned if the groundwater needs to be tested or if the soil that is being disturbed is what should be tested. A well isn't being proposed and the township already knows that PFAS is in the ground water so the disturbed soil runoff is what they would be more concerned with.

Chair Noordyke asked if they would be hooking up to sewer or city water. Planning Director Hilbrands said that they would be required to build a bathroom if they were going to occupy the site longer than five years but that would require another site approval due to other requirements, such as landscaping, changing because they would no longer be considered a temporary use. Member Rissi said that he would not recommend putting in a septic system for a project that would have previously required sewer, under the last Planning Director.

Member Moxley shared that he didn't like the temporary nature of the structure or the large size of the structure.

**Motion was made by Member Rissi to approve the Site Plan Review for case 22-3696/Luminar Technologies, Inc. with staff recommendations with additional conditions that the storm retention system must be rated for a 50-year event, rather than a 25-year event, the tenant on-site, the use of the structure, and the size of the structure cannot change without prior Planning Commission approval, a landscaped berm must be installed to minimize the view of the building while creating an acceptable aesthetic from the road, a septic system may not be installed and sanitary sewer must be extended to the site, a SESC plan must be submitted to the township, and upon the tenant's termination of their lease on the site, the tenant must remove all impervious surfaces and reseed the land; this will be certified by a bond to the township. Supported by Member Deering. Motion carried 4 to 3 by roll call vote. In favor- Members Rissi, Moxley, Deering, and Engel. Opposed- Members Noordhoek and Rowland, Chair Noordyke.**

**ARTICLE 8. Case #22-3703/Matthews**

**Property Address: 8320 45<sup>th</sup> St**

**Requested Action:** The applicant is requesting approval of a Special Use Permit for an accessory building over 832 sq ft.

Planning Director Hilbrands presented the case to the Planning Commission. The applicant is looking to build a 1,200 sq ft accessory building with adequate setbacks of 14' to the side property line and 99' to the rear property line. The applicant has less than three acres of property so they are permitted only one accessory building. There is currently an existing shed on the property that would have to be removed before the new building is completed. The applicant intends to use the building for general storage; its size is normal for the zoning district, and is in a more agricultural area of the township. Staff would recommend approval of this Special Use Permit with requirements that any outdoor lighting comply with township regulations, the building cannot be used as living space or to run a business, and the existing shed must be removed before a final inspection of the new accessory building can be scheduled.

The applicant, James Matthews (8320 45<sup>th</sup> St), came forward to answer questions from the Planning Commission. Member Rissi asked if he knew where his septic was, and he said that he did, and it was not in the path of the new building. Member Rowland asked if he intended to use it to run a business and Matthews said that he would not be.

**Member Rissi motioned to open public hearing. Supported by Member Deering. Motion carried 7 to 0.**

No one wished to speak.

**Member Rissi motioned to close public hearing. Supported by Member Rowland. Motion carried 7 to 0.**

**Motion was made by Member Rissi to approve the Special Use Permit with staff recommendations including that the building is not used to run a business or as a residence, any outdoor lighting meets township regulations and the existing shed be removed before final inspection of the new accessory building is scheduled. Supported by Member Rowland. Motion carried 7 to 0.**

**ARTICLE 9. Case #22-3707/Harwood**

**Property Address:** 8189 Ashwood Dr

**Requested Action:** The applicant is requesting approval of a Special Use Permit for an accessory building over 832 sq ft.

Planning Director Hilbrands presented the case to the Planning Commission. The applicant is requesting to construct a 1,260 sq ft building to store a boat and serve as a pool house as well as include a covered patio. It meets the required setback with 40' to the side property line and approximately 75' to the rear property line. The size of the building is normal for the zoning district, and it will be sided and shingled to match the house. Staff recommend approval of the Special Use Permit with the conditions that outdoor lighting meets township standards, and it is not used as living space or to run a business.

Jeff Harwood (3100 Fuller), the applicant, came forward and said that the building will not be live in.

Member Moxley said that he thought the plan was very well done.

**Member Rissi motioned to open public hearing. Supported by Member Moxley. Motion carried 7 to 0.**

No one wished to speak.

**Member Rissi motioned to close public hearing. Supported by Member Moxley. Motion carried 7 to 0.**

**Motion was made by Member Rissi to approve the Special Use Permit with staff recommendations including that the building is not used to run a business or as a residence and any outdoor lighting meets township regulations. Supported by Member Deering. Motion carried 7 to 0.**

#### **ARTICLE 10. Old Business**

**Township Email Setup:** All members in attendance have successfully logged into their township email address. Member Moxley thanked Katie Murawski, Human Resource Director for Cascade Township, for helping him get his township email address set up.

**Educational and Workshop Opportunities:** Chair Noordyke encouraged members to look back at the educational workshops in the last meeting packet and sign up for them so that the committee can have more subject matter experts.

**Zoning Stormwater Rules:** Member Rissi shared that he had seen construction in areas around where the structure related to case 22-3696 is to be built and wondered if the Planning Commission would want to consider implementing stricter stormwater rules going forward. The buildings aren't currently having their stormwater regulated as much as other sites nearby due to the zone they are in. Chair Noordyke said he would add it to a future agenda.

Planning Director Hilbrands will reach out to the township attorney and get an opinion as well as a 10-year lookback. Subzone One is a large area that doesn't require review by the Planning Commission. Chair Noordyke requested Planning Director Hilbrands get the opinion from Mike Homier and request he attend the Planning Commission meeting where this will be discussed.

#### **ARTICLE 11. Any Other Business**

**Agenda Organization:** Member Rowland requested future meetings have the number of items limited so that they are not excessively long and are organized so that companies are not being put before residents. Chair Noordyke requested Planning Director Hilbrands organize it this way in the future. He explained that the reason this agenda was organized with the company before residents is that the first case had been tabled at a previous meeting and it is standard practice to put items that were previously tabled first on the agenda before new items.

**Roundhill/Process Implementation Subcommittee:** Member Moxley shared that the Roundhill subcommittee will be meeting on Wednesday at 4:00 PM and they are usually done by 5:00 PM.

**Vermiculture Subcommittee:** Member Rissi shared that the Vermiculture subcommittee had been learning a lot and their next meeting will be Thursday at 7:30 AM. They hope to bring their findings back to the full commission soon and are in the process of crafting an amendment.

**Fire Station:** Member Moxley shared that the new fire station plan will be presented on Wednesday at 6:00 PM and the community is welcome to attend.

**Strategic Planning Workshop:** Member Deering said that she and Member Rissi had been attending strategic planning sessions and they look forward to seeing the township's next steps. The next meeting will be on Friday at 10:00 AM, at the Wisner Center, and is open to the public.

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

There were not any visitors who wished to speak.

**ARTICLE 13. Adjournment**

**Motion was made by Member Rissi to adjourn. Supported by Member Deering.  
Motion carried 7 to 0. The meeting was adjourned at 8:31 PM.**

Respectfully submitted,

Diedre Deering, Secretary