

AGENDA
Cascade Charter Township Planning Commission
Monday, July 11, 2022
7:00 pm
2870 Jacksmith Ave

Public may access the meeting via video conference software Zoom
<https://us02web.zoom.us/j/87044149458>

Meeting ID: 870 4414 9458
By Phone: +1 301 715 8592

- ARTICLE 1. Call the meeting to order
Record the attendance
- ARTICLE 2. Pledge of Allegiance to the Flag
- ARTICLE 3. Approve the current Agenda
- ARTICLE 4. Disclose any Conflict of Interest
- ARTICLE 5. Approve the Minutes of the June 6, 2022 Meeting
- ARTICLE 6. Accept the Minutes of the Composting Use Subcommittee Meetings
- ARTICLE 7. Acknowledge visitors and those wishing to speak.
(Comments are limited to five minutes per speaker)
- ARTICLE 8. Case #22-3719/Cascade Charter Township
Public Hearing
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.
- ARTICLE 9. Old Business
- ARTICLE 10. Any Other Business
- ARTICLE 11. Acknowledge visitors and those wishing to speak.
(Comments are limited to five minutes per speaker)
- ARTICLE 12. Adjournment

Meeting format

- 1. *Staff Presentation* *Staff report and recommendation*
- 2. *Project presentation-* *Applicant presentation and explanation of project*
 - a. **PUBLIC HEARINGS**
 - i. *Open Public Hearing.* *Comments are limited to five minutes per speaker; exception may be granted by the chair for representative speakers and applicants*
 - ii. *Close public hearing*
- 3. *Commission discussion –* *May ask for clarification from applicant, staff or public*
- 4. *Commission decision - Options*
 - a. *Table the decision* *d. Approve with conditions*
 - b. *Deny* *e. Recommendation to Township Board*
 - c. *Approve*

Minutes
Cascade Charter Township
Planning Commission
Monday June 6, 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 and Korstange
Members Absent: Engel (excused)
Others Present: Planning Director Brian Hilbrands, Leslie Abdoo of Foster & 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 Rissi to approve the current agenda. Supported by Member Deering. Motion carried 8 to 0.

ARTICLE 4. Disclose any Conflicts of Interest

Member Deering disclosed she is good friends with the Albrights and Member Rissi stated that he knows the Albrights as well. Neither member nor the other members of the commission believed this would interfere with their ability to be impartial reviewing the case.

ARTICLE 5. Approve the Minutes of the May 9, 2022 Meeting.

Motion made by Member Deering to approve the minutes of the May 9, 2022 meeting. Supported by Member Rowland. Motion carried 6-0 with 2 members abstaining since they were absent from the May 9 meeting.

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.

ARTICLE 7. Case #22-3708/Albright

Property Address: 2970 Thorncrest Dr SE

Requested Action: The applicant is requesting approval of a Type 1 Special Use Permit to allow a 6-foot-tall fence in the front yard.

Planning Director Hilbrands explained that the township standard for a front yard fence is 4' and the applicant is requesting a 6' fence. The applicant's lot is unique as it is a through lot which consists of two front yards, one facing west toward the service drive and one facing east toward Cascade Road. The applicant received a variance to build a pool in their front yard facing the service drive, so they would like to add a 6' tall privacy

fence around that area. The fence will be located along the west property line, by the service drive, extending up the entire south property line. Planning Director Hilbrands also noted that, when he was on a site visit, he saw that there is an existing approximately 6'1" tall fence along Cascade Road. The applicant would like to keep this fence and it is noted in the special use permit application. Due to the uniqueness of the through lot, staff believe the applicant meets the standard for a special use permit and staff recommend approval to build a 6' tall fence in the front yard of the property.

The applicants, Andrew and Kate Albright (2970 Thorncrest Dr), came forward to answer the commission's questions. Member Korstange asked how far the fence would extend along the yard and Albright said it would extend from the service drive to the property line adjacent to Cascade Road. Albright clarified that the fence will not completely enclose the pool.

Planning Director Hilbrands said he had received two letters of support of the pool variance but he had not received any other feedback regarding the fence.

Member Rowland asked if it was a wooden fence and Albright said that it will be a pre-stained, wooden, dog-eared fence.

Motion was made by Member Rissi to go to a public hearing. Supported by member Moxley. Motion carried 8-0.

No one wished to speak.

Motion made by member Rissi to close the public hearing. Supported by member Moxley. Motion carried 8-0.

Member Rowland inquired as to if there was an ordinance that said cross supports had to be on the inside of the fence. Planning Director Hilbrands answered that all supports had to be on the inside of the fence, facing the property owner.

Motion was made by Member Rissi to approve the Special Use Permit to build a 6' fall fence in the front yard as written. Supported by Member Korstange. Motion carried 8-0.

ARTICLE 8. Update from Composting Subcommittee and Review of Draft Ordinance Amendment

Planning Director Hilbrands shared that the Composting Use Subcommittee has held 4 meetings between April and May with staff and legal counsel present. The draft amendment to the zoning ordinance would allow commercial composting as a special use permit in the ARC, FP, and Industrial zoned districts, subject to township conditions. Member Rissi chaired these meetings and stated that this special use is more restrictive than most in Cascade, including 15 conditions composting facilities must abide by to be considered for a special use permit. He said they wrote the amendment to be more restrictive in ARC and FP zoned parcels than in the Industrial district. The amendment calls for annual review of composting facilities, by the Planning Commission, for the first 1-3 years of their operation to ensure conditions continue to be met. Once they have

established compliance, special use recipients will not have required yearly reviews, as long as the commission believes the conditions are being met.

Member Rowland commented that there may be a time down the road where the applicants have shown they are regularly in compliance and the commission won't have to review them each year, switching to sending an inspector to the property every two to three years to check for compliance. Planning Director Hilbrands explained that the township can request special use permit recipients to come back for a review if there is a complaint from a neighbor or they want to confirm continued compliance. They would still be required to keep their intake log current, even if they were no longer being reviewed yearly, and the township could ask to see it at any point in time.

Chair Noordyke requested a few members of the composting use subcommittee attend the Township Board meeting to help present the zoning amendment.

Member Rowland asked if it would be beneficial for Wormies do their presentation at the board meeting but Member Rissi said that would be a question for legal counsel as the amendment isn't just regarding their application but rather composting on a larger scale. Abdoo said that, while this amendment isn't only to regulate Wormies, she doesn't think it would be a conflict for them to present and it could help frame the situation for the board and they have used Wormies' guidance to craft this amendment. Members said they would encourage members of the Township Board to review recordings of Wormies related meetings prior to considering the ordinance, but Wormies will not need to come back and give a new presentation. The board members will also be sent Wormies presentation packet and the link to the video where Wormies presented with the time that Wormies began presenting during the meeting. They will also send the meeting information to Wormies so they can attend the board meeting to answer questions the board may want to direct at subject matter experts.

Some members were concerned that the Township Board members wouldn't be open minded when reviewing this amendment to the ordinance, since they did not have a favorable opinion of allowing vermiculture in the township prior to their presentation. Member Noordyke said that the Township Board relies on its committees and commissions to take a deep dive into complicated questions and the Board will realize that now as well.

One of the questions EGLE had about the draft amendment was if the township intended to require these types of operations to use negative aeration or if they should include a list of other acceptable practices that effectively accomplish the same goal. Member Korstange said that she believes they would need to do more research to allow for other methods of aeration or odor removal. They also didn't want to referencing only one type of aeration technology when there may be other technologies that do the same job or an even better one further down the line.

Luis Chen (5745 Whitneyville), founder of Wormies, spoke to the commission to clarify which step of the process the aeration needs to occur during. He also said that it is impossible for the board to loosely require negative aeration variation for all types of

composting. Chen will only need to utilize this technology in the first 21 days, while material is still volatile.

Chandler Michalsky (5745 Whitneyville), also a member of the Wormies team, shared that there are already other methods, such as EM technologies, that are used to neutralize odor at farms and manure application sites. He also asked if woodchips count in section t(10) that states only 1,000 cubic yards of raw, volatile, composting material on site at one time, since they can and will be used for various purposes. Abdo said they may need to redefine intakes and clarify which items are used solely for composting and which have other intended uses. They didn't currently want to consider un-composted woodchips, soil, etc. as part of the 1,000 yards of raw waste. Member Rissi said that they did still want to put a limit on the amount of inventory they could keep on site. Chen said they would need to be allowed an additional 4,000 yards of un-composted input material. Planning Director Hilbrands clarified that they can have a maximum of 4,500 cubic yards of compost/composting intake/finished compost on site at any one time, with no more than 1,000 cubic yards being composting intake material.

Chen further explained their soil mixing operation where finished compost could be added to soil to create fertilizer and sold as a value-added product. At this time, compost, woodchips, and soil will be mixed together and he wanted to ensure that the soil, woodchips, and fertilizer inputs, such as hay bales and moss, wouldn't count towards composting intake as they are not raw waste or a nuisance. Planning Director Hilbrands stated that these items would still fall under the same setback requirements as composting materials, and would need to fit in the operational area that is only allowed to make up a maximum of 30% of the parcel. The commissioners reiterated one of their goals was to allow composting in the ARC district but if an organization is getting too big, producing, mixing and selling mass amounts of product, they will need to move at least part of their process out of the agricultural zoned area and into the industrial area. The 30% operational area limit is only applicable in the ACR zoned area and not the industrial zoned district.

The commission decided that these changes could be completed by Planning Director Hilbrands and legal counsel then discussed either via another subcommittee meeting or electronically with the subcommittee members.

ARTICLE 9. Discussion of Airport Are Zoning

Chair Noordyke talked about the zoning for different portions of the airport property and that, due to the ground water and PFAS situation that the township is currently dealing with, the commission may want to consider further restricting what 'non-aeronautical areas' of the property can be used for and what is allowed in terms of irrigation. Chair Noordyke, Planning Director Hilbrands, Supervisor Lesperance, and Manager Swayze had a meeting where they concluded that the Planning Commission should form a subcommittee to look into land use and ground water concerns on non-aeronautical airport property and bring their findings back to the Planning Commission. Chair Noordyke recommended Member Rissi to chair the subcommittee due to his experience on the Thornapple River Association.

Motion was made by Chair Noordyke for Member Rissi to lead a subcommittee, with three or more members, to evaluate land use and ground water on airport land targeted for non-aeronautical use and bring suggestions back to the Planning Commission as a whole. Supported by Member Korstange. Motion carried 7-1.

Members Korstange, Moxley, and Rapin volunteered to join the subcommittee which won't begin meeting until mid to late July.

ARTICLE 10. Old Business

Roundhill/Process Implementation Subcommittee: Member Moxley updated the commission on the Roundhill/Process Implementation Subcommittee. They are nearing the end of the study and should meet the Township Board's deadline of June 30th. They have meetings scheduled on June 8th and June 22nd and hopeful to formalize by the end of the subcommittee after presenting at the June 30th Township Board meeting. At a previous meeting, a representative from BS&A Software, Brian Powell, presented on software solutions that could strengthen the Planning & Zoning Department's ability to track cases. Manager Swayze is soliciting a bid from BS&A for the new software and, once he receives it, they will ask the board to approve the software purchase. Member Moxley requested a member of the subcommittee attend the board meeting with him for the presentation and Member Rowland volunteered.

New Zoning Administrator: Planning Director Hilbrands introduced Madison Smith-Jacoby, the new Zoning Administrator for the township, who will be assisting him in the Planning department and answering any zoning questions that come up.

ARTICLE 11. Any Other Business

Member Rapin encouraged all members to update the passwords to their township email address due to current technological shortfalls.

ARTICLE 12. Acknowledge visitors and those wishing to speak.

Luis Chen (5745 Whiteville) asked when he would be allowed to bring in the needed material to feed his worms as they are beginning to die. Planning Director Hilbrands stated that he is working with an attorney to make that possible but the commission did not realize his worms were progressively dying. Member Rowland asked how much material would need to be added to keep the worms alive and Chen stated it would take about 10 cubic yards a month. Member Korstange stated that they originally understood that it would take 3-4 months before the worms started dying off, not that that was how long it would take for all of the worms to die. Planning Director Hilbrands will work to get approval for Wormies to bring in food to feed the remaining worms.

James Yost commented, via Zoom, "Bulking agents are like woodchips." He was referring to the piles of wood chips, dried leaves, and soil that they talked about excluding from the raw waste number, earlier in the meeting.

ARTICLE 13. Adjournment

Motion was made by Member Rissi to adjourn. Supported by Member Rapin. Motion carried 8 to 0. The meeting was adjourned at 8:02 PM.

Respectfully submitted,

Diedre Deering, Secretary

DRAFT

Minutes
Cascade Charter Township
Planning Commission
Composting-Use Sub-Committee
Friday April 29, 2022
3:30 P.M.
5920 Tahoe Dr.

ARTICLE 1. Member Rissi called the meeting to order at 3:33 P.M.
Members Present: Rissi, Rapin, Korstange, Deering
Members Absent: None
Others Present: Planning Director Brian Hilbrands, Management Office Administrative Assistant Jessica Stine, and Leslie Abdoo (F&S)

ARTICLE 2. Approve the current Agenda

Motion was made by Member Deering to approve the current Agenda. Supported by Member Korstange. Motion carried 4 to 0.

ARTICLE 3. Disclose any Conflicts of Interest

There weren't any conflicts of interest disclosed.

ARTICLE 4. Acknowledge visitors and those wishing to speak on non-agenda items.

There weren't any visitors who wished to speak.

ARTICLE 5. Responsibilities, who will take minutes?

Administrative Assistant Stine will take meeting minutes.

ARTICLE 6. Future Sub-Committee Meetings Schedule

The next meeting will take place at the Township Office at 7:30 AM on Tuesday, May 3, 2022.

ARTICLE 7. Title of the Sub-Committee

The committee decided on the name 'Composting-Use Sub-Committee'.

ARTICLE 8. Discussion on what zoning is recommended for use

Looking into how neighboring municipalities are regulating vermiculture/worm composting, staff from neighboring municipalities, other than Kentwood, indicated that they would place vermiculture in ARC designated properties. Kentwood staff indicated that they would allow it in areas zoned for industrial. The committee discussed allowing vermiculture in ARC zoning as a special use and then, dependent on the garbage intake volume and product output volume, requiring the operation be run in Industrial zoned parcels instead.

The members requested Planning Director Hilbrands check with Aaron Hiday of EGLE to see if there are other composting facilities like this that are completely enclosed. There was also discussion as to if the applicant from Wormies is still operating under the same scope as when his use of the ARC zoned land was approved for this type of vermiculture use by previous Community Development Director Peterson.

ARTICLE 9. Discussion of Special Use Conditions, setbacks, parcel size, etc.

Member Rissi proposed a list of conditions to consider setting when allowing vermiculture and other composting. His suggestions included:

- ARC zoning on 12+ acres as a special use if it is deemed a low traffic area and the impact of the operation is negligible after a review of site plan operations, Industrial zoning with special use and site plan approval.
- Setback of 150'
- Berm of 6' against residential properties, variable dependent on site plan approval, Forest or landscape-buffer along all other sides of the property
- Must register with EGLE
- Composting can occur on no more than 20% of the parcel; 50% of the parcel must remain natural or landscaped (this area may include a house).
- Equipment operations occur 7am-9pm
- Lighting must meet township ordinances
- The site must be kept neat and clean
- Neighbors should have no complaints regarding operations such as foul odors or garbage blowing.
- Submit to a one year annual review of the special use permit to determine if the use is still a good fit for the township.
- Impervious surface runoff must be collected and released into a pond overflow structure that is maintained and routed so as to not harm neighbors.

Member Rapin had some similar suggestions as well as a few extras, including:

- Regulating the volume of intake/output by cubic yards, acres, or percentage of land used.
- Require registration with EGLE
- Require a downward filtration carbon system, like the one Wormies intends to use, to cut down on the smell of the input material.

Member Korstange suggested Planning Director Hilbrands speak with EGLE to see if the property is far enough from the airport, both horizontally and vertically as well as what kind of worms are generally used (and which worms are being used by Wormies) to verify that they are not an invasive species. She also suggested they define the different types of intakes currently being used, such as yard waste/leaves, food scraps, and others. Wormies uses woodchips rather than yard waste which means they aren't required to register with the state.

Member Rapin proposed requiring the sorting out of inorganic material to take place in an enclosed space to cut down on odor effecting other residents. Leslie Abdoo stated that processing could be required to be indoors, in an industrial zoned area, and the

other processes could be in ARC zoned areas. She said that the committee may need to include general requirements that are different for each step of the process including sorting, processing, etc.

Another suggestion was to allow vermiculture in ARC until it reaches a certain size and then it is only permitted in industrial zoned areas. A different option would be to allow outdoor sorting of materials in ARC zoned areas if it is only the sorting of organic materials, but if the sorting begins to require the removal of inorganic materials, it must be done indoors or in an industrial zoned area.

Liquid fertilizer and the fertilizer enhancement experimentation lab were viewed as more industrial than ARC by Member Korstange due to safety reasons.

Member Rissi requested Planning Director Hilbrands ask EGLE what they see happening or what do they think should be allowed for size of property requirements based on input and output, but also what would be appropriate as based on physical space and percentage of active use. He also suggested 10 acres be the minimum size of the property for this kind of special use.

ARTICLE 10. Goals of Next Meeting

The goal for the next meeting is for Planning Director Hilbrands to compile the conditions and regulations discussed at this meeting so that they can be reviewed and refined. Eventually, a draft ordinance will be created which will be sent to the whole Planning Commission and eventually the Township Board for approval. It was mentioned that the final ordinance would have to be enforceable by the Township because EGLE doesn't currently have the capacity to monitor and enforce this type of ordinance.

ARTICLE 11. Any Other Business

There was not any other business to discuss.

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 Korstange to adjourn. Supported by Member Deering. Motion carried 4 to 0. The meeting was adjourned at 4:42 PM.

Respectfully submitted,

Jessica Stine, Management Office Administrative Assistant

Minutes
Cascade Charter Township
Planning Commission
Composting-Use Sub-Committee
Tuesday May 3, 2022
7:30 A.M.
5920 Tahoe Dr.

ARTICLE 1. Member Rissi called the meeting to order at 7:30 A.M.
Members Present: Rissi, Rapin, Korstange, Deering
Members Absent: None
Others Present: Planning Director Brian Hilbrands, Management Office Administrative Assistant Jessica Stine, and Leslie Abdo (F&S)

ARTICLE 2. Approve the current Agenda
Motion was made by Member Deering to approve the current Agenda. Supported by Member Rapin. Motion carried 4 to 0.

ARTICLE 3. Disclose any Conflicts of Interest
There weren't any conflicts of interest disclosed.

ARTICLE 4. Acknowledge visitors and those wishing to speak on non-agenda items.
There weren't any visitors who wished to speak.

ARTICLE 5. Brief Discussion on Information Staff Collected
Planning Director Hilbrands worked with Foster & Swift to prepare a list of possible conditions and regulations that could be included as part of a special land use requirement for vermiculture/composting in the ARC zoning district, based on the discussion held at the April 29 subcommittee meeting.

Member Rapin liked that the draft conditions didn't allow for the stockpiling of waste.
Member Korstange suggested using the state's limit of 5,000 cubic yards per acre or 2,000 cubic yards of waste as the maximum amount of waste being processed at any one time. Wormies' proposal used the state's definition of a 'small operation' being 3,000 cubic yards with a maximum of 2,500 cubic yards on thirteen acres with up to 1,000 cubic yards of food waste. On page nine of the Wormies proposal they listed the maximum height of the piles allowed and stated that they were targeting a maximum of 2,400 cubic yards per year. The same section also mentioned farms that Wormies believed had much higher and larger waste piles that what they intended to utilize. The subcommittee wondered which farms those were and if they are solely manure piles. They suspected that those may be in Bowling Township or Lowell. Lawyer Abdo explained that those type of piles fall under the 'Right to Farm' designation. Member Rissi suggested requesting a list of these locations from Wormies and reaching out to a few of them.

Member Rissi reminded the committee that they may want to set a minimum amount to be considered a vermiculture facility in the amendment so that residents that have it in their back yard for personal use aren't required to follow the same rules as corporations.

The subcommittee went through the conditions and regulations Planning Director Hilbrands had prepared and agreed on the stipulations of distance of the active vermiculture area to the property line and neighboring building but suggested that if the distance is less than 400ft, berming or screening would be required with the absolute minimum allowed (even with berming, screening, or fencing) as 250 ft. Member Rissi asked if that would apply to the distance from the resident's own home, if they had built on the property and Lawyer Abdoo said that it would only relate to adjoining parcels.

The potential to have a house on the property with the vermiculture site brought about the question as to what would be considered the principal use. Member Rissi said that he believed they should be able to live on the property as a primary residence because that would give them a better hold on the operations of the business. The suggestions were to allow two principal uses for the land or list one as a primary and one as a secondary use. Lawyer Abdoo mentioned that they could distinguish vermiculture as an accessory land use with specific requirements rather than calling it the principal use. Member Korstange suggested splitting the parcel and using one of the resultant pieces of property as a principal residence and the other as commercial.

Member Korstange recommended requiring applicants to register their facility with the state within one year of their SUP being approved. Member Rissi also suggested limiting the active composting area to 20% (including the composting rows and bins) and requiring at least 50% be left to natural or other (non-composting) uses; this would leave the other 30% for areas such as driveways, lawns, and some of the setback area. There was discussion as to if composting that occurs in a building should be included in the 20%. Some thought that, if the active composting area were to include buildings where composting is occurring, the percentage available for active composting should be increased to 25-30%. There was discussion as to if the term they should be using is 'composting activity' or 'active use'. Member Rapin suggested phrasing it as to suggest they can use 30% of the property for operational use.

The committee considered limiting the hours of operation from 7 A.M. to 9 P.M. but then talked about requiring them to meet stricter lighting and sound restrictions outside of the aforementioned time frame. This would still allow them to operate outside of those hours because it would not affect the neighbors if they were doing quiet and/or inside work at night if it didn't violate sound and lighting ordinances.

Another priority of the committee was to make sure that unpleasant odors and trash wouldn't end up on the neighbor's property. They thought one way to prevent this would be to require an annual review of the SUP for one to three years. The neighbors would be notified the date of the review so they could come to the meeting and tell the commission if they don't believe the neighbor is following the commission's requirements. Members Rapin and Deering recommended requiring the company to

keep a log of all material coming in and out of the facility. The company would then need to submit that log at their review each year one is held. They suggested performing the reviews for a minimum of two years and then at the discretion of the Planning Commission. Lawyer Abdoo clarified that, if they are including a provision for reviews, the reviews can start again, even years later, as long as the company is given adequate notice.

“Impervious runoff” was changed to “Meets the stormwater ordinance”. There was discussion as to who controls the soil/compost leaving the site and it was determined that depends on if it’s just soil leaving the site or if the soil is leaving the site via stormwater runoff. Member Rapin requested the addition of a statement that said this is not an exhaustive list of all possible ordinances to be met.

ARTICLE 6. Next Sub-Committee Meetings Schedule

The next meeting was planned for Thursday, May 12 at 7:30 A.M.

Member Rapin left at 8:38am.

Conversation returned to the conditions and regulations. The committee contemplated regulating volume by the percentage of land used with an annual number of cubic yards that may not be exceeded. For example, not exceeding 3,000 cubic yards annually for a 20,000-acre parcel. Parcels larger than 20,000 cubic yards would require approval on a case-by-case basis. This would allow small to mid-sized vermiculture units to form in Cascade but would require additional approval and information for large facilities to open. There was conversation to consider requiring negative aeration systems like the one Wormies intends on installing to minimize unpleasant odors.

There were questions as to which breeds of worms can be used for vermiculture and if they are native to the area; Planning Director Hilbrands will ask EGLE about this.

The subcommittee talked about limiting what types of intakes are allowed in the different zoning areas such as organic and inorganic. Organic waste is the type vermiculture utilizes but there is generally some amount of inorganic waste that comes in with it. One suggestion was to require facilities that generate more than one cubic yard of inorganic waste per month, from sorting, to be located in the industrial zoning district. This would only require their sorting portion of the process to move into the industrial district; the other steps of the vermiculture process could still take place in the agricultural zoning district.

Hours of operation for the retail part of the process were to fit into what are generally considered normal business hours for a store. There was discussion as to if incoming waste should be required to be covered or enclosed.

ARTICLE 7. Any Other Business

There was not any other business to discuss.

ARTICLE 8. Acknowledge visitors and those wishing to speak.

There were not any visitors who wished to speak.

ARTICLE 9. Adjournment

**Motion was made by Member Korstange to adjourn. Supported by Member Deering.
Motion carried 3 to 0. The meeting was adjourned at 8:51 A.M.**

Respectfully submitted,

Jessica Stine, Management Office Administrative Assistant

Minutes
Cascade Charter Township
Planning Commission
Composting-Use Sub-Committee
Tuesday May 12, 2022
7:30 A.M.
5920 Tahoe Dr.

ARTICLE 1. Member Rissi called the meeting to order at 7:30 A.M.
Members Present: Rissi, Rapin, Deering
Members Absent: Korstange (Excused)
Others Present: Planning Director Brian Hilbrands and Leslie Abdo (F&S)

ARTICLE 2. Approve the current Agenda
Motion was made by Member Deering to approve the current Agenda. Supported by Member Rapin. Motion carried 3 to 0.

ARTICLE 3. Disclose any Conflicts of Interest
There weren't any conflicts of interest disclosed.

ARTICLE 4. Acknowledge visitors and those wishing to speak on non-agenda items.
There weren't any visitors who wished to speak.

ARTICLE 5. Approve minutes of April 29th meeting
Motion was made by Member Deering to approve the April 28, 2022 minutes as written. Supported by Member Rapin. Motion carried 3 to 0.

ARTICLE 6. Approve minutes of May 3rd meeting
Member Deering pointed out that on page two, fourth paragraph. Change 'Member Rissi recommended' and 'she' to 'Member Korstange recommended' 'Member Rissi recommended'.
Motion was made by Member Deering to approve the April 28, 2022 minutes with the change on page two. Supported by Member Rapin. Motion carried 3 to 0.

ARTICLE 7. Review first draft zoning amendments for composting
There was discussion as to the definition of composting and changing it so that the word 'composting' is not used in the definition. The committee decided to break composting into two groups: onsite composting and commercial composting. Their way to sort out composting for personal use was adding a minimum requirement for the amount of compost processed to be considered an 'onsite' composting use. The lawyer pointed out that they should make sure to include the terms they are defining as uses in the list of acceptable special uses of residential and agriculturally zoned property in other areas of the Zoning Ordinance.

Member Rissi brought up the section on what types of items can be composted. They decided to remove the portion of the definition that included inorganic materials as well as raw waste sewage and sludge.

Planning Director Hilbrands said he reached out to Wormies and they said their compost was 35% food scraps, 25% manures mixed with sawdust or hay, 5% spent mushroom substrate, 20% woodchips and sawdust, 5% leaves, and 20% finished compost. The members discussed how much manure they would allow and if they should include that in the amendment or leave that decision to the commission when approving these permits. They decided to include the statement 'including but not limited to' in the items that can be composted; they changed the 'raw sewage and sludge' to specifically not be permitted with this special use.

Member Rapin liked that the draft conditions didn't allow for the stockpiling of waste.

ARTICLE 8. Next Sub-Committee Meetings Schedule

The next meeting was planned for Thursday, May 12 at 7:30 A.M.

Member Rapin left at 8:38am.

Conversation returned to the conditions and regulations. The committee contemplated regulating volume by the percentage of land used with an annual number of cubic yards that may not be exceeded. For example, not exceeding 3,000 cubic yards annually for a 20,000-acre parcel. Parcels larger than 20,000 cubic yards would require approval on a case-by-case basis. This would allow small to mid-sized vermiculture units to form in Cascade but would require additional approval and information for large facilities to open. There was conversation to consider requiring negative aeration systems like the one Wormies intends on installing to minimize unpleasant odors.

ARTICLE 9. Any Other Business

There was not any other business to discuss.

ARTICLE 10. Acknowledge visitors and those wishing to speak.

There were not any visitors who wished to speak.

ARTICLE 11. Adjournment

Motion was made by Member Korstange to adjourn. Supported by Member Deering. Motion carried 3 to 0. The meeting was adjourned at 8:51 A.M.

Respectfully submitted,

Jessica Stine, Management Office Administrative Assistant

Minutes
Cascade Charter Township
Planning Commission
Composting-Use Sub-Committee
Tuesday May 19, 2022
7:30 A.M.
5920 Tahoe Dr.

ARTICLE 1. Member Rissi called the meeting to order at 7:31 A.M.
Members Present: Rissi, Rapin, Deering, Korstange
Members Absent: None
Others Present: Planning Director Brian Hilbrands, Management Office Administrative Assistant Jessica Stine, and Leslie Abdo of Foster & Swift

ARTICLE 2. Approve the Current Agenda
Motion was made by Member Deering to approve the current Agenda. Supported by Member Rapin. Motion carried 4 to 0.

ARTICLE 3. Disclose any Conflicts of Interest
There weren't any conflicts of interest disclosed.

ARTICLE 4. Acknowledge visitors and those wishing to speak on non-agenda items.
There weren't any visitors who wished to speak.

ARTICLE 5. Review Draft Zoning Amendments for Composting
The committee went through the draft zoning amendment to view the changes since the last meeting and clarify parts that were confusing or didn't accurately reflect their intent.
On page one, the agricultural and personal sections were combined. Member Korstange suggested adding 'wood chips' to the composting intake list. Member Rissi brought up item t on page two, regarding allowance of vermiculture in the transitional industrial zoning district. Planning Director Hilbrands said that it would not be allowed there as that district is generally used for businesses and commercial ventures. Member Korstange asked about the equipment operation and distribution times in t5 and recommended changing 'be done' to 'occur'.

In item t8, Member Rissi suggested changing 'as requested by the township' to more position specific phrasing. Planning Director Hilbrands said that making it position specific was more restrictive than their aim because they want any entity at the township to be able to request a review of the facility.

For item t10, Planning Director Hilbrands suggested that larger operations be allowed to take place in the industrial zoned areas of the township and not have as many restrictions as the agricultural zoned areas. Member Rissi suggested that, rather than

just decreasing the restrictions on the operations, they change the text to, 'permitted in industrial zoned areas at the discretion of the township'.

Member Rapin recommended merging items t11 and t7 to decrease the number of sections. Planning Director Hilbrands suggested just calling out the aeration in 11 and adding that as a line in item 7.

Member Rissi said that, in item t12, they should call out which specific worms are allowed for vermiculture under this zoning amendment rather than only requiring them to be considered 'non-invasive'. They decided to list out the two species of worms that are allowed in item t12 and added 'and other species of worm native to Michigan, with the approval of the Planning Commission.

ARTICLE 8. Next Sub-Committee Meetings Schedule

This was tentatively considered the last meeting of this subcommittee at that time. This amendment now goes to the Planning Commission who will hold a public hearing and then recommend the amendment to the board. The meeting will have to be noticed for two weeks and then will go to the Township Board.

Abdoo will send a letter to the Wormies explaining where they are in the approval process and reach out to the board to see if they can allow the worms of Wormies one feeding as they have been very accommodating.

ARTICLE 9. Any Other Business

There was not any other business to discuss.

ARTICLE 10. Acknowledge visitors and those wishing to speak.

There were not any visitors who wished to speak.

ARTICLE 11. Adjournment

Motion was made by Member Rapin to adjourn. Supported by Member Deering. Motion carried 4 to 0. The meeting was adjourned at 7:57 A.M.

Respectfully submitted,

Jessica Stine, Management Office Administrative Assistant

MEMORANDUM

To: Cascade Charter Township Planning Commission
From: Brian Hilbrands, Planning Director
Subject: Zoning Amendment regarding Composting
Meeting Date: July 11, 2022

Attached is a draft of possible amendments to the zoning ordinance regarding vermiculture/composting that was developed by the Planning Commission Composting Use Subcommittee. This was discussed at the June 6, 2022 Planning Commission meeting where staff were directed to schedule the amendments for the required public hearing.

To summarize the amendments, commercial composting would be a use permitted by Special Use Permit in the ARC (Agricultural/Rural Conservation), FP (Farmland Preservation), and I (Industrial) zoning districts, subject to the design standards which would be included in Section 17.07 of the Zoning Ordinance.

At the June 6 meeting there was discussion held regarding whether wood chips should be considered composting intakes, and if negative aeration needed to be required as a design standard. To address these comments, a line has been added to the definition of Composting Intakes to clarify that they do not include inventory/bulk items, and special design standard t(10) has been revised so that a negative aeration system is not solely required for odor mitigation. These two sections should be reviewed to confirm that they meet your expectations.

One additional item that was brought up by Wormies was their desire to have an accessory soil blending operation. Essentially, they would take finished compost and mix it with inputs such as top soil or peat-moss to create different soil blends. The Planning Commission should determine if you believe this type of operation and the associated materials should be subject to the special use standards, or if it should be treated similarly to the inventory/bulk items which would not be included in the restrictions of materials.

At this time the Planning Commission is requested to review the draft ordinance amendments and provide a recommendation to the Township Board, and staff are recommending that you pass on a favorable recommendation that would allow composting as a special use.

Attachments: Draft Zoning Ordinance Amendment
Written Comments Received

CASCADE CHARTER TOWNSHIP
KENT COUNTY, MICHIGAN
Ordinance #_ of 2022
AN ORDINANCE TO AMEND CERTAIN PORTIONS OF THE CASCADE
CHARTER TOWNSHIP ZONING ORDINANCE

CASCADE CHARTER TOWNSHIP ORDAINS:

Section 1. Chapter 3 of the Cascade Charter Township Zoning Ordinance is amended to read as follows:

Section 3.03 Definitions

The following definitions are added to the Zoning Ordinance:

Commercial Composting Operation:

Composting that collects composting intakes generated off-site for the purpose of creating composted material or compost on the premises. Commercial composting operations shall not include composting accessory to a principal nursery or greenhouse use, which shall be regulated and approved in the same manner as nurseries and greenhouse as set forth in this ordinance.

Composting Intakes:

Any organic biodegradable and compostable material including, but not limited to: lawn clippings and leaves, woodchips, animal or paunch manure, any other plant or food waste or a mixture of any of the above. For purposes of this ordinance, composting intakes does not include raw sewage or treated sewage sludge, nor does it include inventory items/bulk materials used solely for landscaping purposes on-site.

Personal/On-Site Composting:

Composting that is an accessory use to the primary agricultural or residential use of the property, that uses composting intake materials generated on-site for the purpose of creating composted material or compost that is used for agricultural or residential use. Compost piles located in residential districts must be less than 100 cubic feet in area, located in the rear yard, and set back at least 10 feet from any lot line. Personal/On-Site Composting is permitted only as an accessory use in the R1, R2, ARC and FP zoning districts.

Vermiculture or Vermicomposting:

The controlled and managed process by which live worms convert materials into finished compost product.

Section 2. Chapter 7 and 7a of the Cascade Charter Township Zoning Ordinance are amended to read as follows:

Chapter 7 ARC, Agricultural Rural Conservation

Section 7.04 Uses Permitted by Special Use Permit

Section 7.04 is amended to allow for the following use by special use permit:

16. Commercial composting operations involving one (1) cubic yard or less per month of waste from sorting of Composting Intakes. Section 17.07.2.t

Chapter 7a FP, Farmland Preservation

Section 7.04a Uses Permitted by Special Use Permit

Section 7.04a is amended to allow for the following use by special use permit:

16. Commercial composting operations involving one (1) cubic yard or less per month of waste from sorting of Composting Intakes. Section 17.07.2.t

Section 3. Chapter 13 of the Cascade Charter Township Zoning Ordinance is amended to read as follows:

Chapter 13 I, Industrial

Section 13.04 Uses Permitted by Special Use Permit

Section 13.04 is amended to allow for the following use by special use permit:

15. Commercial composting operations. Section 17.07.2.t

Section 4. Chapter 17 of the Cascade Charter Township Zoning Ordinance is amended to read as follows:

Chapter 17 Special Uses

Section 17.07 Type II Special Use Design Standards

Section 17.07 is amended to add the following design standard:

t. Commercial composting operations with associated limited retail and wholesale trade of material created on the premises.

- 1) Minimum parcel size shall be 10 acres in the ARC and FP zoning districts and 2 acres in the I zoning district. Operational areas (buildings, composting areas, material storage, etc.) in the ARC and FP districts shall be located a minimum of 150 feet from property lines and 250 feet from adjacent residential dwellings. Operational areas in the I zoning district must meet the setback requirements of that district and shall also be located a minimum of 250 feet from adjacent residential dwellings.
- 2) Operational areas shall be visually screened from neighboring parcels with a screen consisting of berming, fencing, and/or vegetation buffer if the operational areas are within 400 feet of a residential parcel.
- 3) The operation must be registered with the Michigan Department of Environment, Great Lakes and Energy - Material Management Division (EGLE MMD) within one year of commencing operations. The operation must comply with all other applicable federal, state, and local laws, rules and regulations. The operation must comply with all standards, rules, and regulations of EGLE MMD registered compost operations.
- 4) When located in the ARC or FP districts, operational areas are limited to 30% of the total area of the parcel and 50% of the total area of the parcel must be kept natural, landscaped, or used for agriculture.
- 5) Equipment operation and receiving or distribution of materials, including retail/wholesale sales, may only occur between the hours of 7:00am to 9:00pm.
- 6) The use shall comply with all applicable Township and local Ordinances, regulations and standards including, but not limited to, the Township Noise Ordinance, stormwater regulations and lighting regulations.
- 7) The applicant must return to the Planning Commission for an annual review for a minimum of two years after receiving the special land use permit, and, thereafter, at the discretion of the Planning Commission. The applicant shall keep an inventory log showing the amount of Composting Intake and the total composted output, which shall be provided to the Township Planning Commission at the annual review and as otherwise requested by the Township.
- 8) An operation located on a parcel 20 acres or less in size in the ARC or FP districts is limited to 3,000 cubic yards of intake material and 3,000 cubic yards of output material per year. Facilities exceeding 3,000 cubic yards of intake and/or output per year may be permitted at the discretion of the Township, but must be located on a parcel that exceeds 20 acres in size, or in the I district.
- 9) An operation may have a maximum of 4,500 cubic yards of compost/composting intake/finished compost on site at any one time, with no more than 1,000 cubic yards being composting intake. Greater volume may be allowed at the discretion of the Township for operations located in the I district or on parcels 20 acres or more in size in the ARC or FP districts.
- 10) The facility must take reasonable action to mitigate the potential of odor leaving the site, such as using negative aeration systems or other common industry methods for odor mitigation. Such odor mitigation methods are subject to review and approval of

the Township through the special land use approval process. The site shall be kept neat and clean and there shall be no noxious odors or garbage affecting neighboring properties.

- 11) In the case of vermiculture, the species of worms that may be used are limited to red wiggler (*Eisenia fetida*), red worms (*lumbricus rubellus*), and other species that are native to Michigan, at the discretion of the Township.
- 12) All machinery and equipment, except for motor vehicles and trailers used in the conduct of business, shall be stored within a completely enclosed building. Motor vehicles and trailers shall be stored indoors, out-of-view when not in use for longer than a two-week period.
- 13) Retail and wholesale sales on the premises to the general public shall be limited to material created on the site.
- 14) If waste from sorting exceeds one (1) cubic yard per month, that sorting process must be located in the Industrial (I) zoning district.
- 15) All Composting Intake material must be covered or stored so that it is contained and protected from wildlife and leaving the site.

Section 5. Effective Date

This ordinance/ordinance amendment shall become effective upon publication in the Grand Rapids Press, a newspaper of general circulation within Cascade Charter Township.

Section 6. Effect

The Cascade Charter Township Zoning Ordinance, as amended, except as otherwise expressly amended herein, shall remain in full force and effect.

The foregoing Ordinance amendment was offered by Board Member _____ supported by Board Member _____. The roll call vote being as follows:

YEAS:

NAYS:

ABSENT:

ABSTAIN:

Sue Slater
Cascade Charter Township Clerk

CERTIFICATION

I hereby certify the foregoing to be a true copy of an Ordinance adopted at a Regular Meeting of the Cascade Charter Township Board on the ___th day of _____ 2022.

Sue Slater
Cascade Charter Township Clerk

87192:00001:6351275-2

Brian Hilbrands

From: John Said <jsaid@adatownshipmi.com>
Sent: Friday, July 1, 2022 2:49 PM
To: Brian Hilbrands
Cc: Brent Bajdek
Subject: RE: Text amendment - commercial composting facility - and Master Plan note

Follow Up Flag: Follow up
Flag Status: Flagged

Brian:

Thanks very much for the information. I'll provide some general comments, which are only reflective of my perspectives and position as the Director of Planning for Ada Township, and do not reflect an 'official' Township position nor the opinions of any other Township officials, including our elected Board.

So with all that in mind, I'll offer the following (please share with the Planning Commission at the public hearing for the record):

- 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.

(Also a quick note: in the draft document, was the word "composting" – listed several times – supposed to be "composting"?)

If you have any questions on my comments, please let me know. Above all, thanks very much for the opportunity to comment.

Thanks very much,