

**MINUTES**

Cascade Charter Township Planning Commission  
Monday, February 22, 2021  
7:00 P.M.  
Virtual Zoom Meeting

**ARTICLE 1.** Chairman Rissi called the meeting to order at 7:00 P.M via online Zoom Meeting  
Members Present: Rissi, Johnson, Katsma, Moxley, Krieter, Noordyke,  
Deering, Rapin, and Noordhoek  
Members Absent: None  
Others Present: Planner Brian Hilbrands

Chairman Rissi introduced Member Noordhoek as the newest Member of the Planning Commission.

**ARTICLE 2. Pledge of Allegiance**

**ARTICLE 3. Approve the current Agenda**

**Motion was made by Member Johnson to approve the Agenda. Supported by Member Katsma. Motion carried 9 to 0.**

**ARTICLE 4. Approve the Minutes of the February 1, 2021 meeting**

**Motion was made by Member Katsma to approve the Minutes of the February 1, 2021 meeting. Supported by Member Krieter. Motion carried 9 to 0.**

**ARTICLE 5. Acknowledge visitors and those wishing to speak to non-agenda items (Comments are limited to five minutes per speaker)**

No public comment was made.

**ARTICLE 6. Case #21-3621/Engler, Jeff  
Public Hearing**

**Property Address:** 7080 Hidden Ridge

**Requested Action:** The Applicant is requesting a special use permit to construct an accessory building over 832 sq ft.

Planner Hilbrands stated that the proposed building is 40x66 feet, with an approximate 6-foot-wide covered porch on two of its sides. This totals the building footprint at approximately 3,312 square feet, with an approximate height of 20 feet tall measured to the midpoint of the roof. Planner Hilbrands states that this height requires a setback of 60 feet from the side and rear property lines, and that the applicant shows a setback of over 100 feet from both side property lines, and over 70 feet to the rear property line. Planner Hilbrands states that the applicant's property is between 3-6 acres, so they are allowed to have up to two accessory buildings. This will be their second accessory building on the property.

Planner Hilbrands stated that applicant indicated the building will be used for the storage of lawn equipment, vehicles, and have a workout room. Planner Hilbrands states the building is normal in appearance for the area, although its is larger in size than average accessory buildings in the area. Planner Hilbrands stated that there is a row of evergreen trees along the south property line that will provide a partial screen of the building.

Planner Hilbrands stated that he did receive a comment from the residents of 7101 Windcrest stating they are concerned about the amount of water that comes onto their property from the direction of the applicants property, and that the construction of this building may increase that. Planner Hilbrands stated that there is nothing in the Zoning Ordinance that requires a drainage or storm water plan for single family homes or accessory buildings, however it is possible to make sure the topography of the property is not being altered. Planner Hilbrands stated that he does not see anything to indicate that the construction of the proposed building would alter the flow of water or topography.

Planner Hilbrands stated that he did receive an email from the resident at 7007 Windcrest indicating that she would like this application denied based on the size of the proposed building.

Planner Hilbrands stated that it appears that the proposed building does meet all standards for an accessory building, and that he is recommending approval of the special use permit with the following conditions:

1. The building is not used for living space or to run a business out of
2. Any outdoor lighting meets Township regulations

Member Deering asked where the accessory building will be located in relation to the applicants home. Planner Hilbrands stated that the house is 70-80 feet north of where the proposed building location, almost equal distance between the house and the southern property line.

Member Krieter asked if there was any precedent for this type of single-family home situation creating a hardship for neighboring homes. Planner Hilbrands stated that he is not aware of one, and that potential hardships to neighbors are factored into decision making.

Member Moxley asked which lot on Windcrest was reporting the water problem, Planner Hilbrands replied that he believes it to be the seventh lot from the left on the displayed map. Member Moxley stated that parcel is adjacent to Parcel 1 (on the map), and asked if that parcel is also owned by the applicant. Planner Hilbrands stated that it is owned by the applicant.

Chairman Rissi invited the applicant to comment.

Mrs. Joann Engel stated that she does not have anything to add, and will be happy to answer questions.

Member Johnson asked Mrs. Engler if she was aware that there is a neighbor to the south that has issued a complaint inferring that water comes from the applicants property onto theirs. Mrs. Engler states that she is not aware, and the only thing they have put up in years is a privacy fence along the south side of the property, and that the rest is heavily wooded.

Member Moxley stated that a neighbor has mentioned that there was excessive noise from heavy machinery from around 9am to 9:30 pm, and asked the applicant if it was coming from their property, and what may have caused that. Mrs. Engel stated that it was probably their tractor as her husband loves to landscape.

Chairman Rissi asked Mrs. Engler if the proposed building will be near the fork in the driveway on their property. Mrs. Engler stated that the building would be behind the garage that is parallel to the south property line. Chairman Rissi asked Mrs. Engler if they intend to have electricity and water in the building, Mrs. Engler stated they will for sure have electricity, but have not planned for water at this point. Chairman Rissi asked Mrs. Engler if it they can/will work to not promote more water running off of their property by way of landscaping, grading, or gutters now that they are aware of the neighbors complaint of water coming from their property. Mrs. Engler stated that she is not aware of any changes that they have made while living on the property that would have produced more water runoff.

Member Moxley asked Mrs. Engler if there will be gutters and downspouts on the proposed metal roof. Mrs. Engler stated that she is unsure at this time. Member Moxley is concerned that water runoff from a metal room can be very rapid, and states that gutters and downspouts could help control the flow towards a drain system.

Member Rapin asked if the owner could confirm that there will be no commercial use out of the proposed building. Mrs. Engler confirmed there will be no commercial use.

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

Chairman Rissi invited the public to comment.

There was a question and comment submitted anonymously via the Q&A section of Zoom. The question was if the equipment used inside of the building will make any noise, and the comment was that they live on the section of Windcrest that gets water from this property.

Mr. Dan Westerhof (7039 Windcrest) stated his concern of the size of the building and although it does look nice, how it will impact his view. Mr. Westerhof is also concerned about the drainage runoff with the building having a metal roof.

**Motion was made by Member Katsma to close public hearing. Supported by Member Krieter. Motion carried 9 to 0.**

Chairman Rissi asked Planner Hilbrands if he is aware of any conditions being put on an accessory building related to managing water runoff. Planner Hilbrands stated that there is nothing in the Zoning Ordinance about water drainage in a residential area, so it is difficult to attach a condition.

Member Moxley asked Planner Hilbrands if there is a storm drain on Windcrest. Planner Hilbrands stated that he is unsure, Chairman Rissi stated that he believes the water on Windcrest is managed by ditches that flow downhill.

Member Rapin asked if there will be any noise generated inside of the building that will fall out of Zoning requirements. Mr. Jeff Engler is now present and states that there is no plan to add any equipment that would make additional noise.

Chairman Rissi asked Mr. Engler if he is aware of water runoff concerns, and if he plans anything to manage these concerns. Mr. Engler stated that although gravity plays a role in the water runoff, he may try to create a collection point to slow the water flow. Chairman Rissi states that he believes grading and landscaping would play a role in slowing the water flow towards neighbors.

Member Katsma stated that although he does not know when water runoff issues began, he does not believe that adding a building will create more water runoff as it does not appear that the applicant has changed much on the property in the 15 years they have lived there. Member Katsma states that he believes water issues may have previously been in the area, and may not be directly related to the applicants property.

Member Moxley stated that he believes these water issues have existed for a while, and believes that corrugated and perforated drain tiles routed to the drain ditch on Windcrest would help relieve this problem.

There was a question asked in the Q&A box asking if it was possible to make gutters and downspouts a requirement for the applicants proposed building. Chairman Rissi asked Planner Hilbrands to answer this question as there is nothing in the Zoning Ordinance related to storm water for accessory buildings on an R1 property. Planner Hilbrands stated that he has a hard time requiring that condition as there is nothing in the Ordinance addressing or requiring gutters to be on a building in the R1 zone.

Member Katsma stated that the size of the building does seem larger than other accessory buildings for the specific area that it is in. Chairman Rissi stated that although the building does seem large, it is on a larger parcel that happens to be next to smaller parcels with smaller homes.

**Motion made by Member Moxley to approve Case #21-3621 with the conditions that the building is not used for living space or to run a business, that any outdoor lighting meets regulations, and that gutters and downspouts are used to control water. Supported by Member Deering.**

Member Noordyke asked if it should actually be required to have downspouts and gutters, or just recommend the applicant considers these. Member Noordyke states

that he is in favor of only the recommendation. Member Moxley replies that he believes these should be included to help control the water.

Member Noordhoek asks when the stormwater runoff plan was removed from the Ordinance. Planner Hilbrands stated that he was not aware of any previous requirement for single family homes. Planner Hilbrands stated that a drainage plan that shows the direction of flow is required for single family homes, but that a management plan is not. Planner Hilbrands also stated that a plan for directional flow is not required for accessory buildings.

Member Rapin stated that he is also only in favor of a recommendation, not a requirement of gutters and downspouts.

Member Johnson stated that even if the Planning Commission can not require the downspouts and gutters, it becomes a recommendation by default.

**The motion above was voted on, and carried 7 to 2. Member Noordyke and Member Katsma did not vote in favor of this motion.**

**ARTICLE 7. Case #21-3622/DeVos, Douglas and Maria  
Public Hearing**

**Property Address: 2020 Devonwood Lane**

**Requested Action:** The Applicant is requesting a special use permit to construct an accessory building over 832 sq ft.

Planner Hilbrands stated that the original proposition of the addition was 750 square feet, but that the applicant contacted him today and stated that after talking with the development team the size of the addition has slightly increased. The applicant is now requesting an 800 square foot addition to the existing 13,438 square foot building. The total size of the building after the addition will be 14,238 square feet. The proposed addition will be 19.5 feet tall, which is below the current height of 34.5 feet tall.

Planner Hilbrands stated that the owner has previously received a special use permit for this building, with one of the conditions being that a 300-foot setback from all property lines be maintained. Planner Hilbrands stated that the minimum setback shown is 335 feet to the eastern property line. Planner Hilbrands states that the property is over 6 acres so they are allowed to have up to three accessory buildings, however the owner has previously received a variance to have an additional accessory building so there are four on the property at this time. Planner Hilbrands stated the applicant has indicated the building is used as a residential recreation facility, and the addition will be used an exercise room. Planner Hilbrands states that the additions exterior will match the current buildings exterior.

Planner Hilbrands stated that although the accessory building is much larger than an average accessory building, the parcel it is on is much larger than average, and the property owner also owns several neighboring parcels.

Planner Hilbrands states that the applicant does appear to meet standards for an accessory building, so he is recommending approval of the special use permit with the following conditions:

1. The building is not used for living space or to run a business
2. Any outdoor lighting meet Township regulations
3. They continue to comply with previous requirements that the building maintain a 300-foot setback from all property lines.

Member Noordyke asked where the additional 50 square feet is going to be added. Planner Hilbrands stated that he believes it is being added to the storage area, and that the site plan that is shown is current.

Chairman Rissi invites the applicant to comment.

Mr. Peter Baldwin (AMDG Architects) stated that the buildings configuration grew slightly in the storage and vestibule area, totaling the addition close to 783 square feet, and this is why they are asking for an 800 square foot addition versus 750 square feet.

**Motion was made by Member Katsma to open public hearing. Supported by Member Johnson. Motion carried 9 to 0.**

Chairman Rissi invited members of the public to comment.

No member of the public came forward.

Chairman Rissi asked Mr. Hilbrands if any comment was made to the Township Office regarding this case, Mr. Hilbrands stated there was none.

**Motion was made by Member Johnson to close public hearing. Supported by Member Katsma. Motion carried 9 to 0.**

**Motion was made by Member Rapin to approve the special use permit of Case #21-3621 with the conditions that the building is not used for living space or to run a business, that any outdoor lighting meets regulations, and that owner continues to comply with the previous setback requirement. Supported by Member Deering. Motion carried 9 to 0.**

**ARTICLE 8. Any other business**

**ARTICLE 9. Adjournment**

**Motion was made by Member Katsma to adjourn. Supported by Member Moxley. Motion carried 9 to 0. The meeting was adjourned at 8:02 P.M.**

Respectfully submitted,  
Brett Katsma, Secretary