

MINUTES
CASCADE CHARTER TOWNSHIP PLANNING COMMISSION
MONDAY, June 2, 2025
6:00PM
2870 JACKSMITH AVE SE

ARTICLE 1. Chairman Rowland called the meeting to order at 6:00 pm.
Members Present: Rowland, Madiol, Korstange, Cribbs, Kraemer
Members Absent: None
Others Present: Community Planning and Development Director Andrea Hendrick, Zoning Administrator Ryan Sennett, Legal Counsel Leslie Abdoo of Foster Swift, Planning Assistant Nick Govan and others listed on the sign-in sheet.

ARTICLE 2. Pledge of Allegiance to the Flag

ARTICLE 3. Approve the current Agenda

Motion was made by Vice Chair Kraemer to approve the Agenda. Supported by Member Madiol. Motion carried unanimously.

ARTICLE 4. Disclose any Conflict of Interest

There were no conflicts of interest.

ARTICLE 5. Approve the Minutes of the May 19, 2025, Meeting

Motion was made by Treasurer Korstange to approve the May 19, 2025 Meeting minutes. Supported by Member Cribbs. Motion carried unanimously.

ARTICLE 6. Acknowledge visitors and those wishing to speak.

There was no one wishing to speak.

ARTICLE 7. Case #25-3891 – Public Hearing

Applicant: Matt Kraker

Property Address: 5540 Whitneyville Ave SE

Parcel Number: 41-19-35-251-004

Requested Action: Request for a Type I Special Use Permit for an accessory building in the front yard per Section 17.03.1.b. of the Zoning Ordinance.

Community Planning & Development Director Andrea Hendrick presented the application, explaining this item was initially approved administratively but came to the Planning Commission as a special use due to ordinance interpretation discrepancies. She noted the applicant was previously advised this could be approved administratively. Director Hendrick read section 17.03.1.b which allows accessory structures in front yards by Special Use under certain conditions.

She noted the subject property was a large site with significant tree coverage, rolling hills, and a river on the eastern side of the property which would require grading and tree removal if a new accessory structure was built. She also noted that the current accessory structure would be located in the front yard once the house is demolished and a new house rebuilt further on the property. Director Hendrick recommended approval due to the unique features of the property.

Applicant Kendra Lacker (5540 Whitneyville Ave) explained that she and her husband are moving to the property with their family. The existing house, built in

the 1950s, is close to Whitneyville Road. Due to traffic and safety concerns, Mrs. Lacker explained that they wanted to move the house back, which creates the front yard issue with the existing barn. She also explained that they plan to paint the barn to match the new house and maintain its structural integrity rather than demolish the barn that is in good condition.

Treasure Korstange asked if any of the other structures would remain. Matt Kracker (1809 Edgewood Avenue, Grand Rapids), the builder, confirmed the existing house is unsafe and being used by the fire department for training. The existing garage and pergola will also be demolished, leaving only the barn.

Vice Chair Kraemer noted that addressing similar issues of existing structures in the zoning ordinance might be helpful in the future. Treasure Korstange responded that this was on the list to discuss with the Zoning Subcommittee, as she felt this was an issue that needed addressing as well. Treasure Korstange also noted that she appreciated and liked the idea of keeping the old growth trees.

Motion was made by Treasurer Korstange to open public hearing. Supported by Vice Chair Kraemer. Motion carried unanimously.

There was no one wishing to speak.

Motion was made by Treasurer Korstange to close public hearing. Supported by Vice Chair Kraemer. Motion carried unanimously.

Motion was made by Treasurer Korstange to Approve Case Number 25-3891 for a Type I Special Use Permit for a residential accessory structure located in the front yard at 5540 Whitneyville Ave. SE for the following reasons:

- 1. The structure already exists on the property.**
- 2. Constructing an accessory building in the rear or side yard of the proposed development would require grading and tree removal which would significantly change the landscape and views of the neighborhood,**

And with the following conditions:

- 1. The accessory building shall not be used for a home occupation.**
- 2. Outdoor lighting must adhere to the Cascade Township standards; shielded or downcast, not creating glare for neighbors.**
- 3. All other accessory structures that will be in the front yard after the home is built shall be removed.**

Supported by Vice Chair Kraemer. Motion carried unanimously.

ARTICLE 8.

Case #25-3886

Applicant: James VandenBerge, Joshua Baker

Property Address: 5441 36th St. SE

Parcel Number: 41-19-18-477-012

Requested Action: Site Plan Review for modifications to the site of the previously approved 12,000 sf warehouse addition.

Director Hendrick provided background on the property's history since 2020, involving multiple approvals and compliance issues. She noted the original approval included a temporary grading easement on the neighbor's property that was never recorded. She stated that after discovering this issue, a cease-and-desist order was issued, but construction continued. The applicant received Planning

Commission approval in September 2024 for a plan that met all standards and satisfied the neighbor. However, construction recently began again on a retaining wall one foot from the property line rather than the approved seven (7) foot nine (9) inches, prompting a request to stop work.

Director Hendrick noted that there was a material change in the retaining wall, and this can be, and was, approved administratively, but clarified that when the material change was administratively approved, she explicitly stated the location could not move from the seven (7) foot nine (9) inch setback.

Jon VandenBerge, (JVB Architects) the applicant, presented the proposal as a win-win solution, explaining the seven (7) foot nine (9) inch dimension was calculated based on foundation requirements for a concrete retaining wall. He noted the new block system can be built without disturbing the neighbor's property at one foot from the property line, addressing drainage concerns and providing better landscaping. He acknowledged the errors in the previous construction and the recent placement of the retaining wall not being at the approved site plan location.

Josh Baker, applicant and owner, apologized for the project's problems, taking responsibility for hiring inadequate contractors. He emphasized his desire to complete the building as his business requires maneuvering space for tractor trailers and that this created the need to move the retaining wall closer to the property line.

John McGovern (5505 36th Street) provided background on his neighbor's contractors encroachments on his property, including unauthorized staging of equipment and placement of incorrect property stakes. He expressed concerns about future maintenance access and drainage problems with a wall at the property line.

After extensive discussion by the commissioners, the applicant and neighbor it was agreed that a three (3) foot setback with landscaping would be a condition of approval.

Sean, (Suburban Landscaping) landscaper for the project, explained the engineering differences between concrete and block walls, noting the block system provides better drainage through its crushed stone foundation. He also offered solutions to landscaping between the applicant's property and neighboring one.

The Planning Commission and staff also discussed the need to meet the landscaping requirements on the eastern side within the buffer now that there was space to provide plantings.

Motion to approve the site plan for 5441 36th Street (Case #25-3886) with the following conditions:

- 1. The east side of the wall shall be at least three (3) feet from the east property line above grade.**
- 2. Shrubs will be placed in the three (3) foot buffer on the east side of the wall at least five (5) feet apart.**
- 3. All other conditions imposed under the original approval dated September 16, 2024 that are not otherwise modified by this approval**

including, but not limited to, landscaping, remain in full force and effect.

- 4. The applicant shall provide updated copies of the final site plan, consistent with this approval, to the Township and the neighbor, John McGovern.**

Supported by Trustee Korstange. Motion carried 5 to 0.

ARTICLE 9.

Case #25-3892

Applicant: Cascade Charter Township

Requested Action: Set Public Hearing for Draft Zoning Ordinance.

Director Hendrick explained the goal was to set a public hearing for July 7, noting that it will continue to be refined by the subcommittee until the public notice issued.

Treasurer Korstange expressed concerns about setting a public hearing date before the subcommittee completes its review of the final draft. She emphasized wanting the ordinance completed but felt it inappropriate to finalize something the subcommittee hadn't fully examined.

Chairman Rowland agreed the subcommittee should complete its work before the full Planning Commission reviews the document, allowing members to identify issues like the pre-existing building exception discussed earlier.

Legal Counsel Abdoo clarified that a final draft must be available when public notice is issued, at least 15 days before the hearing.

The Commission decided to wait on scheduling the public hearing until the subcommittee completes its final review.

ARTICLE 10.

Acknowledge visitors and those wishing to speak.

There was no one wishing to speak.

ARTICLE 11.

Other Business

There was no other business.

ARTICLE 12.

Adjourn

Respectfully submitted,

Andrea Hendrick, Community Planning and Development Director, Recording Secretary