

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 Abdo 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. Abdoo 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 Area 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 hope 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