

# Riley Township Planning Commission

## Regular Meeting Minutes

### Meeting Details

Date: April 19, 2021

Time: 7:00 p.m.

Location: Riley Township Hall, 13016 Belle River Road, Riley, MI 48041

### Open

- Called to order at 7:00 p.m.
- Pledge of Allegiance

### Roll Call

**Present:** Doug Pratt, Dave Rushing, Duane Hagle, Dawn Behem, Michele Daly-Brown, Brad Schuster

**Absent:** Jerry Filion (Excused)

### Agenda

- Changes to agenda: Doug Pratt added Public Comments on Agenda Items
- *Motion to accept agenda with addition made by Duane Hagle, seconded by Dave Rushing. All in favor, motion approved.*

### Special Meeting Minutes – March 29<sup>th</sup>, 2021

- Changes made to Regular Meeting Minutes: None
- *Motion to accept minutes as presented made by Dave Rushing, seconded by Duane Hagle. All in favor, motion approved.*

### Public Comments on Agenda Items

None presented

**Public Hearing:** To accept comments from the public on **Annual Mining Permit Application / Site Plan ID # 2021-01**, for property located at 1280 Kinney Road, ID # 74-29-024-1003-000:

- *Motion to open public hearing at 7:03 p.m. made by Duane Hagle, seconded by Dave Rushing. All in favor, motion passed.*

Chairperson Doug Pratt presented on the purpose of this hearing and asked for comments from the public who are in attendance:

- Lonnie Stiers commented he wants to see the same stipulations be kept in place.
- Al Titus stated there have been no well issues reported to him this past year.
- *Motion to close public hearing at 7:05 p.m. made by Duane Hagle, seconded by Brad Schuster. All in favor, motion passed.*

**Public Hearing:** To accept comments from the public on proposed Riley Township Zoning Ordinance text amendment of **ARTICLE IX, SECTION 905**, to amend Item I: **“No** accessory building...”:

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- *Motion to open public hearing at 7:05 p.m. made by Duane Hagle, seconded by Dave Rushing. All in favor, motion passed.*

Chairperson Doug Pratt presented on the purpose of this hearing on the proposed ordinance amendment and asked for comments from the public who are in attendance:

- Harold Green asked if the township will take “a hit” on the taxes. Doug Pratt replied it could but the change will help stop the influx of marihuana growers wanting to come into the Township. Dawn Behem commented the Township office is taking about 15-20 phone calls a day from persons asking if a barn can be built without having a house on the property.
  - Charles Blankenship commented he has plans to build a house and a barn and it is less expensive to build the barn first but cost of materials to build a house keeps climbing and may have to delay building the house. He asked if he is building a regular barn first if that will now not be permitted. Doug Pratt confirmed that is correct when the amendment is approved by the Township Board. Pratt commented this change was sent to the Planning Commission by the Township Board. Dave Rushing commented the Planning Commission is an Advisory Board to the Township’s Board of Trustee’s who gives us directions on ordinances to review and act on. Charles asked is there is an appeal process. Pratt replied there is the ZBA but need to have an outstanding or practical hardship reason for the request.
  - Al Titus commented that the Township is not trying to discourage building within the Township but trying to discourage the amount of marihuana growers coming into the area who do not intend to live on the property. The Township is seeing persons coming into the area buying up property to put up a pole barn to grow medical marihuana and not wanting to actually live here. Many other surrounding townships in our area are also making this change too.
  - Mark Baranowski asked how long are the steel storage containers are going to be allowed including the steel carports that are only anchored into the ground. Doug Pratt replied the shipping containers will be worked on soon. Doug Wendling stated the carports require a building permit and they are considered an accessory building. Wendling asked if the allowed square footage is changed or if no buildings at all will be allowed. Pratt replied no buildings will be allowed that require a building permit.
- *Motion to close public hearing at 7:15 p.m. made by Duane Hagle, seconded by Doug Pratt. All in favor, motion passed.*

### New Business

- A. Review and Consideration for Annual Mining Permit ID # 2021-01:** Current stipulations were read out loud and held discussion that no more well issues have been reported to the Township since last year’s permit.
  - *Motion to approve the Annual Mining Permit Application and proposed site plan ID# 2021-01 for Wiegand Crushing Company located at 1280 Kinney Road with the original*

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*stipulations listed made by Dave Rushing, seconded by Brad Schuster. All in favor, motion passed. Stipulations:*

- 1. Operating hours 6am-7pm on Monday thru Friday, 6am-3pm on Saturday, no Sundays and Holidays;**
- 2. No retail sales;**
- 3. No crusher on site;**
- 4. Any unreasonable reduction of static water level attributed to the mining operation located at 1280 Kinney Road to a residence, the well will be replaced; and**
- 5. Water level of the pond on site will not go lower in elevation than 717 feet.**

### **B. Review and Recommendation for Zoning Ordinance Text Amendment of Section 905:**

Discussion held among members on next steps and action to be taken.

- *Motion to approve the proposed text amendment to Zoning Ordinance Section 905 as presented; make recommendation to approve it to the Riley Township Board; and send it to St. Clair County Metropolitan Planning Commission for review and recommendation made by Dave Rushing, seconded by Doug Pratt. Further discussion: none. All in favor, motion approved.*

### **C. Kohler Propane Proposed Site Plan Changes:**

An email was received at the Township office on 4/5/2021 from the owner of Kohler Propane regarding proposed changes to their current approved site plan. An updated proposed site plan was submitted to the Township office and signed with Preliminary Approval by the Zoning Administrator on 4/12/2021. Doug Pratt stated that no fee was collected by the Township office. Discussion was held among members and agreed the proposed site plan change was a major change that would require a public hearing to be held and a review fee to be collected by the Township office.

- *Motion to ACCEPT receipt of the Amended Site Plan changes from Kohler Propane, property ID 74-29-026-3013-000, and schedule a public hearing at the next regular scheduled meeting upon receipt of the Site Plan Review Fee within 6 days to the Township office made by Dave Rushing, seconded by Brad Schuster. All in favor, motion approved.*

### **D. Review and Recommendation from MPC on Zoning Ordinance Text Amendments for Sections 1119, 403 and 503:**

An email was received on 4/16/2021 from St. Clair County Metropolitan Planning Commission containing attachments regarding their review and recommendation to approve the proposed text amendments for Sections 1119, 403 and 503. The documents and report were reviewed by members and discussed next action to be taken.

- *Motion to approve the proposed text amendments to Zoning Ordinance Sections 1119, 403 and 503 as presented, and to send the Metro Planning Commission Text Amendment Referral and review report with recommendation to approve of the proposed text amendments to the Riley Township Board made by Dave Rushing,*

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*seconded by Doug Pratt. Further Discussion: Dave Rushing thanked MPC for expediting their review, the Township attorney and everyone for all their hard work on this. All in favor, motion approved.*

### Old Business

**A. Review of Ordinance #33:** Dawn Behem recommended removing this item from the agenda as ordinances are being addressed as they are needed. Discussion held and all members agreed.

- *Motion to remove item from the agenda made by Dave Rushing, seconded by Doug Pratt. All in favor, motion passed.*

### Committee Reports – None

### Trustee Report

Duane Hagle reported the Township Board held their Annual Meeting and Budget Hearing and on March 30<sup>th</sup>; Applied for assistance on Aiden Road bridge/culvert at a cost of approx. \$83,000; No deed found yet for Tibbits Road cemetery, next step will be a quiet title search; Closed with Richmond/Lenox EMS on 609 Burnell Road property who are the new owners of the property; Approved 97 loads of limestone that will be delivered in mid-May, 1 mile on Lambs Road and 1 mile on Gilbert Road; And hired new Ordinance Enforcement Officer Fred McCallumore.

### Guest Speaker

County Commissioner Dave Rushing reported he has asked for a proclamation honoring Marv Roberts on his retirement for all of his years of dedication and hard work that he has done for the county.

### Board of Appeals Report

Doug Pratt reported a meeting was held to consider a side setback variance for a private airstrip on Braidwood Road. With opposition from neighbors at the meeting, the request was withdrawn by the property owner.

### Parks & Recreation Report

Duane Hagle reported meeting will be held next Monday, April 26<sup>th</sup>.

### Communications Received

- 4/1/2021 Email to Metro Planning Commission re: Text Amendments Referral for Sections 1119, 403 & 503
- 4/5/2021 Email forwarded from RT Office re: Sharpe's Strip Sectional and Airport Information
- 4/5/2021 Email forwarded from RT Office re: Kohler Propane Site Plan changes
- 4/5/2021 Email forwarded from RT Office re: Business License Inquiry

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- 4/16/2021 Email received from Metro Planning Commission re: Text Amendment Referral and Recommendation for Sections 1119, 403 & 503

### Next Regular Meeting

Date: May 17<sup>th</sup>, 2021

Time: 7:00 p.m.

Location: Riley Township Hall, 13016 Belle River Road, Riley, MI 48041

### Adjournment

- *Motion to adjourn made by Duane Hagle, seconded by Doug Pratt at 7:47 p.m. All in favor, motion approved.*

***Respectfully submitted by,***

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Dawn Behem, Recording Secretary

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Doug Pratt, Chairperson