

Riley Township Planning Commission

Regular Meeting Minutes

Meeting Details

Date: September 16, 2019 Time: 7:00 p.m. Location: Riley Township Hall

Open

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

Roll Call

Present: Doug Pratt, Jerry Filion, Michele Daly-Brown, Duane Hagle, Dawn Behem

Absent: Larry Moquin (excused), Dave Rushing (excused)

Agenda

- Changes to agenda: None
- *Motion to accept agenda with addition made by Duane Hagle, seconded by Jerry Filion. All in favor, motion passed.*

Regular Meeting Minutes – July 15, 2019

- Changes to Meeting Minutes: Duane Hagle requested correction of name from Watson to Weston within the Trustee Report.
- *Motion to accept minutes with correction made by Duane Hagle, seconded by Jerry Filion. All in favor, motion passed.*

Public Comments on Agenda Items – None Present

Public Hearing: None Scheduled

Guest Speaker – None

Trustee Report

Duane Hagle reported Brian Carten was hired as the new Ordinance Enforcement Officer; approved Heaven's Touch Grave Care Service from Armada for remodeling of the cemetery on Masters Road; approved the AYSO contract for the 2019-2020 season; put out bids for 11 acres of farm land to be farmed within the township; resolution to opt-out of the fire authority; and Hough Road bridge is planned to be replaced in the Spring of 2020.

Parks & Recreation Report

Duane Hagle reported discussed the future of their Master Plan, the last one was updated in 1998; and working on the upcoming Fall Festival on September 28th, from 11am to 3pm, activities planned include a car show, horse and pony rides, face painting, DJ music, food and a monster truck from Jeremy's Automotive.

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Board of Appeals Report – None present

New Business

- A.** Special Use Application for Dog Kennel – Commercial located 11534 Smiths Creek Road: Applicant Patricia (Trish) Berger was present in the audience and presented the following information to the Planning Commission: she started raising Pomeranians 7 years ago at their home; has kept all dogs all individually licensed as directed by the St. Clair County offices; she is an AKC breeder of merit and shows them in specialty dog shows in which her dogs have placed “Best of Breed” at held at Goodells Park dog show recently and that her dogs are now known worldwide; she is one of only two known registered AKC breeders of Pomeranians located in Michigan; and AKC regularly visits their home to inspect the dogs kennel areas, licensing, and vet records. When registering the dogs for this year at the county offices, she was told that they were over the limit and needed get a Special Use from the township. James Berger commented under recommendation from their lawyer they obtained a survey and plot plans to do everything that was required for the special use application and are asking for a variance. Zoning Administrator, Jim Golembiewski, reviewed the submitted site plan and denied it because it did not meet the ordinance setback requirements from property lines for either a private nor commercial kennel. The township office requested that the Special Use Application to be sent to the planning commission for review despite the denial. The commission members reviewed and discussed the application with the site plans and agreed the site plan does not meet the ordinance set back requirements in which the planning commission does not grant decisions on ordinance variances.
- *Motion to table the Special Use Application pending ZBA’s decision with recommendation to the applicant to schedule a meeting with the Zoning Board of Appeals (ZBA) requesting a setback variance was made by Doug Pratt, seconded by Michelle Daly-Brown. All in favor, motion passed.*
- B.** Hot Topics in Planning & Zoning Conference Report – August 20, 2019: Dawn Behem attended the MTA conference in Frankenmuth with speaker Catherine Kaufman from Bauckham, Sparks, Thall, Seeber & Kaufman, P.C. Copies of the presentation was included in the meeting packets. Dawn reported on the many topics that were presented including recent case law and legislation material on Preemption of Township Zoning Authority, Short Term Rentals, Right to Farm Act, Zoning for Marihuana, MMMA, MMFLA, Michigan Regulation and Taxation of Marihuana Act, Zoning Regulation of Mining, Wireless Communications Equipment and Small Wireless Communications Facilities Deployment Act.
- C.** Annual Mining Inspection Report – August 23, 2019: At the request of the township board, Zoning Administrator, Jim Golembiewski, conducted the Annual Zoning Inspection of the Mining operation located at 1280 Kinney road. Dawn Behem accompanied the inspection with the ZA. Copies of the report with photos taken by the ZA were included in the meeting packets. The report was reviewed by the commission members.

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Old Business

- A. Review Section 1209 – Temporary Mobile Home or Construction Office:** The updated draft was reviewed and discussed with a correction to the wording in Section E.
- *Motion to send the draft to Metroplanning for review was made by Michelle Daly-Brown, seconded by Jerry Filion. All in favor, motion passed.*

Committee Reports – None

Communications Received

- 7/16/19 Letter to HSP Diesel re: Site Plan changes approval
- 8/26/19 Complaint received re: drop in well water
- 8/27/19 Complaint received re: well went dry
- 9/3/19 Complaint received re: well went dry

Comments from the Public

Dawn and Scott Behem, from 10978 Masters Road, commented they have been having issues with their water pressure since the Spring and then recently have lost all water on a daily basis from their well. The mining company was contacted and we requested to have a Water Supply Assessment completed by their well contractor. The well contractor came out quickly and found the well had a flow rate that was less than a gallon per minute with a prolonged recovery rate and that the water level was very low. The well contractor recommended a deeper well to be drilled as soon as possible which was completed.

Comments from Planning Commission Members (not addressed) – None

Next Regular Meeting

Date: October 21st, 2019

Time: 7:00 p.m.

Location: Riley Township Hall

Adjournment

Motion made Doug Pratt, seconded by Duane Hagle at 8:30 p.m. All in favor, motion passed.

Respectfully submitted by,

Dawn Behem, Recording Secretary

Doug Pratt, Chairperson (Acting)