

# Riley Township Planning Commission

## Regular Meeting Minutes

### Meeting Details

Date: January 20, 2020 Time: 7:00 p.m. Location: Riley Township Hall

### Open

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

### Roll Call

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

**Absent:** Larry Moquin (excused), Jerry Fillion (excused)

### Agenda

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

### Regular Meeting Minutes – November 18<sup>th</sup>, 2019

- Changes to Meeting Minutes: Guest Speaker section: Strike out “at the main library” in first sentence.
- *Motion to accept minutes with correction made by Duane Hagle, seconded by Dave Rushing. All in favor, motion passed.*

### Public Comments on Agenda Items – None

### Public Hearing: To accept public comments for **Special Use / Site Plan Application # 2019-02 for Kennels – Commercial (Sec 1122).**

- *Motion to Open the Public Hearing at 7:02 p.m. made by Duane Hagle, seconded by Dave Rushing. All in favor, motion passed.*

Doug Pratt asked for comments from the public in attendance. None presented. Dawn Behem commented the public hearing had been posted at the township locations, published in the local newspaper and mailed to the surrounding property owners as required and listed in the affidavit. No written public comments were received at the township office.

- *Motion to Closed the Public Hearing at 7:04 p.m. made by Dave Rushing, seconded by Michele Daly-Brown. All in favor, motion passed.*

### Guest Speaker

County Commissioner Dave Rushing reported that they are looking into forming a resolution regarding our 2<sup>nd</sup> Amendment rights and would like our township to do the same. Residents may show up to aggressively address it at our Township meetings soon in response to actions that are taking place in the state of Virginia. Dave Rushing commented he will support any resolution that affirms his oath of office and upholds the Constitution. The Commissioners removed the

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resolution off their agenda and will be meeting with State Legislators at their next Board of Commissioners meeting held on February 20<sup>th</sup> for feedback on possibly forming one.

### Trustee Report

Duane Hagle reported the Township discussed three current blight cases; received and working on achievable, time-based goals for the Township in 2020 including to actively search for a new Planning Commission member to replace Larry Moquin who will be retiring; have every member attend their training requirements by June 2020 which can be web based; and to review Ordinance 33 in segments making necessary changes / updates to it by December 2020. Duane will report back to the Township Board the concerns and implied costs discussed from the Planning Commission members in reviewing the zoning ordinance 33 within the goal deadline.

### Parks & Recreation Report

Duane Hagle reported a meeting will be held next month.

### Board of Appeals Report – None

### New Business

- A. Officer Election for Planning Commission:** Doug Pratt commented in speaking with Larry Moquin, he would be able to remain his Chairman position until a replacement is found for his retirement.
  - *Motion to retain all current officer assignments as they are for 2020 made by Dave Rushing, seconded by Duane Hagle. All in favor, motion passed.*
- B. Schedule of meeting dates for 2020:** Dawn Behem prepared and presented a tentative schedule of dates.
  - *Motion to schedule regular meetings of the Planning Commission to be held on the third Monday of each month, except December, at 7:00 pm, at the Riley Township Hall made by Dave Rushing, seconded by Michele Daly-Brown. All in favor, motion passed.*
- C. Annual Summary Report for Riley Township Board:** Dawn Behem prepared and presented a copy of the report for review and asked if any members attended any conferences or trainings that were not listed. Duane Hagle stated he had not attended any and an email will be sent to Larry Moquin to verify any attended by him. Correction to application ID on page two.
  - *Motion to accept the Annual Summary Report for 2019 with correction, updates to Trainings / Conferences section, and to send to the township board made by Dave Rushing, seconded by Duane Hagle. All in favor, motion passed.*
- D. Special Use / Site Plan #2019-02 for Kennels – Commercial (Sec 1122):** Applicant Patricia Berger and James Berger were present in audience to answer questions from the planning commission on their application request. Erika Stroman, from St. Clair County Animal Control, was present in audience to answer questions from the planning commission on

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the county licensing requirements and procedures. A copy of the ZBA Appeal No 2019-03 decision on minimum setback requirement variance for fencing was approved on 11/14/2019 was received from the clerk to be included for the Special Use Application review. Doug Pratt asked for comments and questions from each of the planning commission members and discussion was held. A kennel license is required to be obtained from the county department by any person who keeps or operates a kennel under MCL 287.20. Applicants stated they have been operating as a kennel for some time and have not applied for special use approval prior to this application. They have been obtaining individual dog licenses at the county department and currently have 17 adult dogs on the premises. All dogs are of the Pomeranian breed and are owned by the applicant. SCCAC currently holds 15 dog licenses on its record for the applicant. No comments nor concerns were received from the surrounding property owners nor from the public, and none presented during the public hearing held.

- *Motion to approve, with listed stipulations, the Special Use Application #2019-02 for Kennels – Commercial (Sec 1122) located at 11534 Smiths Creek Road made by Doug Pratt, seconded by Michele Daly-Brown. Four in favor, one opposed; Motion passed. Listed Stipulations:*

- 1) *Applicant will meet all requirements of Zoning Ordinance Section 1122 for Commercial Kennel with specified variance granted from the ZBA on minimum setback requirements for fencing on Appeal ID # 2019-03;*
- 2) *Applicant will meet all state regulations mandated of Act 339 the Michigan Dog Law of 1919;*
- 3) *Applicant will meet all current requirements mandated by the St. Clair County Animal Control and Protection Ordinance;*
- 4) *Applicant will have no more than 17 licensed dogs at the approved kennel above the age of 6 months;*
- 5) ***Applicant will not construct dog run fences closer to the East property line than which was currently in place at the time of special use approval.***
- 6) *All licensed dogs kept on site at the approved kennel will be limited to the specific breed of Pomeranian;*
- 7) *All licensed dogs kept on site at the approved kennel will be owned and deemed under the responsibility of the applicant, Patricia Berger;*
- 8) *Applicant will submit a copy of the current Kennel License and annual renewals from St. Clair County Animal Control to be kept on file at the Township office;*
- 9) *This Special Approval Use will be revoked when any of the listed stipulations are not met;*
- 10) *This Special Approval Use is temporary and will be in effect after a one (1) year trial period upon review and approval by the Planning Commission; and*

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11) *This Special Approval Use will end and be removed from this property location when the applicant sells and/or vacates the property and premises.*

### Old Business

- A. Section 1209 – Temporary Mobile Home or Construction Office:** Received the recommendation report from Metropolitan Planning Commission approved at their regular meeting held on 12/19/2019.
- *Motion to send recommendation to the Riley Township Board to amend Section 1209: Temporary Mobile Home or Construction Office made by Doug Pratt, seconded by Larry Moquin. All in favor, motion passed.*
- B. Mining Permit Ongoing Review:** Annual Permit Renewal will be coming this Spring. Duane Hagle commented another well was recently replaced by the mining company. No further updates nor information presented.
- *Motion to table this agenda item made by Dave Rushing, seconded by Duane Hagle. All in favor, motion passed.*

**Committee Reports** – None

### Communications Received

11/21/2019 Email to Twp Clerk Re: Request copy of ZBA approval for Special Use Application #2019-02  
11/25/2019 Letter Received from Metropolitan Planning Commission Re: update to County Master Plan  
12/4/2019 Email from Metropolitan Planning Commission Re: Removing MPC Fax Line

**Comments from the Public** – None

**Comments from Planning Commission Members (not addressed)** – None

### Next Regular Meeting

Date: February 17<sup>th</sup>, 2020                      Time: 7:00 p.m.                      Location: Riley Township Hall

### Adjournment

- *Motion to adjourn made Duane Hagle seconded by Doug Pratt at 8:32 p.m. All in favor, motion passed.*

***Respectfully submitted by,***

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Dawn Behem, Recording Secretary

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Doug Pratt, Acting - Chairperson