

LILLEY TOWNSHIP PLANNING COMMISSION MINUTES
REGULAR MEETING
OCTOBER 19TH, 2023 – UNAPPROVED

The October 19th, 2023 Regular Meeting of the Lilley Township Planning Commission, held at the Multi-Purpose Building, was called to order by Chairperson Israels at 7:30 P.M.

The Pledge of Allegiance was recited, Invocation by Doornbos.

The roll was called with the following members present: Chris Moore, Robert Doornbos, Cindy Israels, Anna Bonnett and Judith Hoving

Motion to Approve the Minutes of the September 28th, 2023 meeting by Moore, second by Bonnett

Roll Call: Moore, Yes, Doornbos, Yes, Israels, Yes, Bonnett, Yes, Hoving, Yes Motion Carried

Motion to Approve the Agenda by Moore, Second by Doornbos

Voice Vote – All in favor – Aye – Opposed None - Motion Carried

Correspondence: None

Visitor Recognition: Leland Calloway representing Harmoni Towers. He appeared later on the agenda.

Chairperson Israels announced the items coming up on this meeting's agenda.

There were no Public Comments on matters not published on the agenda.

Old Business: Update on the previously approved AT&T Cell Tower. Mr. Leland Calloway represents Harmoni Towers. They are the purchaser of all of the Parallel Towers III LLC facilities, the company previously approved for a tower for AT&T usage by Lilley Township in 2021. He explained that Cell Service providers are getting out of the business of building towers and are instead leasing space on new or existing towers that meet their needs for coverage. AT&T now has the money in their budget to expand needed coverage to this area. Zoning Officer Wroblewski asked if there are any changes to the original plan as approved and the answer was there would be no changes and construction would commence within three months. Towers, once built, will market space to other Cell Service providers, as mandated by the Federal government, to provide fairness in competition. Towers make their profit through leasing to Cell Service providers such as AT&T, Sprint, Verizon and others willing to comply with leasing agreements. Tower placement by these service providers depends on each company's needs for capacity and dependable service. Trees, hills and buildings can sometimes impact quality of service but the goal is to provide reliable service to as many users as possible. Questions were asked regarding the existing tower that AT&T currently occupies. The current tower that AT&T is on cannot provide the space for the needed upgrades necessary for equipment to improve their service to this area. In response to questions, Zoning Officer Wroblewski responded that we have not as yet received a response from legal counsel regarding whether the application has lapsed because of the lack of timely renewal and whether they can continue or must reapply and go through the approval process again. Calloway asked for a conditional approval tonight. Wroblewski will let the Harmoni representative, Mr. Calloway, know what answers we are given by our legal counsel as to whether they will be required to reapply or will be allowed to continue based on previous approval in 2021.

Motion was made by Hoving, Second by Doornbos to reapprove the original permit for the AT&T Cell Tower on M37 approved previously in 2021 conditional on legal language from our legal counsel.

Roll Call: Moore, No (No reason given), Doornbos, Yes, with conditions, Israels, Yes, Bonnett, No (Doesn't want one across the road from another), Hoving, Yes – Motion Carried

New Business: Debbie Vargas has requested a Special Land Use approval to locate her new Food Truck business “La Boricua - A Taste of the Island LLC” on various properties within Lilley Township. Her goal is to introduce authentic Caribbean food to our area. At present she has gained temporary approvals from the Newaygo County Health Department lasting 14 days for each event and the permit must be renewed every 14 days for \$100.00 each. Approval and issuance of a permit by the Health Dept. is granted just before the event. Eventually she will apply for a yearly permit. She has already been successful at locations in Merrill Township. She will be getting a license for a certified kitchen and will be able to go everywhere in Michigan. She has a brand-new trailer 16 x 8 for her business. Doornbos requests only that Vargas transmit copies of her permits to Chairman Israels when she receives them. Per Zoning Officer, permission to be granted by property owners or the Township Board for placement on Township properties for planned events.

Motion by Moore, Second by Hoving to recommend, to the Township Board, approval of the Special Land Use Permit to Debbie Vargas to operate her business “La Boricua” in various locations in Lilley Township upon receiving documentation of permits from the Newaygo County Health Department for each event.

Roll Call: Moore, Yes, Doornbos, Yes, Israels, Yes, Bonnett, Yes, Hoving, Yes Motion Carried

Next will be a discussion regarding the keeping of chickens which has been postponed several times. Present is Becky Wilkinson who had requested that the Planning Commission consider this issue. We are entertaining recommending changes to the current Zoning Section 3.21 – B (2). The Keeping of Animals. Past suggestions were made that it should not be on less than two acres of land. Ludington has recently voted to allow three to four chickens in a residential area. Chickens can help with food in this economy. Could be used for eggs and meat but certain rules and regulations should apply. Member Moore states that the City of Newaygo allows four chickens in residential areas. Proper conditions apply. The City of Big Rapids allows three chickens and no Roosters in either Newaygo or Big Rapids. Many other restrictions apply. They cannot sell the eggs or meat or slaughter them on the property. The chickens eat bugs and ticks. A member spoke against having chickens close to neighbors in residential areas. Another member would favor keeping chickens but no slaughtering of chickens onsite. Israels read the wording of the current zoning requirements to assist in the discussion. Current Zoning bans poultry in LDR, MDR and MHP zones. Allowed in WR, AG & RR. Neighboring property owners must agree. Location on the property, housing, fencing and setbacks and distances from property lines should be considered. Zoning Officer Wroblewski will be involved.

Motion by Israels, second by Bonnett that we study existing ordinances with member input to be compiled and further action to be taken at our January, 2024 meeting.

All in Favor Aye, Opposed None – Motion Carried

A Public Hearing regarding the Short-Term Rental Ordinance to be held on November 9th 2023 at 7:30 PM

Motion to adjourn by Moore, Second by Bonnett - Meeting adjourned at 8:50 PM

Judith C Hoving
Recording Secretary