

**LILLEY TOWNSHP
NEWAYGO COUNTY, MICHIGAN
2024 PLANNING COMMISSION ANNUAL REPORT**

THE PLANNING COMMISSION TOOK THE FOLLOWING ACTIONS IN 2024

The Regular Meeting on January 18th, 2024: was held at the Lilley Township Multi-Purpose Building with all members present including Cindy Israels Chairperson, Judith Hoving Recording Secretary, Robert Doornbos Vice-Chair, Anna Bonnett Member and Chris Moore Member

The Pledge of Allegiance was recited – Invocation by Doornbos

Annual Adoption of By-Laws for 2024: Motion was Approved unanimously as Written.

Election of Officers: Motion to approve keeping the current officers in place was unanimously approved.

Approval of previous Planning Commission minutes: from 11/9/2023 were Approved with Corrections pertaining to numbers of housing units and percentages in the township. All members in favor

Approval of Tonight's Regular Meeting Agenda – All members in Favor

Old Business: The keeping of animals especially chickens was the topic. We examined the packet of information collected by the Chairperson and other sources provided by members. There was much discussion and it was agreed that further work and study must be done before this subject can be finalized regarding changes to our Zoning Ordinance which does not currently allow "backyard chickens". Motion to table this subject for further study was approved with unanimous consent.

New Business: Special Event Applications from the Bitely Firefighters Assn. for a fund raising Cornhole Tournament and the Bitely Boys Annual Fundraising Event List were approved unanimously by the members. Event proceeds go to Community Support.

The Lilley Township Draft of proposed non-zoning STR Licensing Documents from legal counsel was distributed to members. These consisted of proposed non-zoning, licensing, police power or regulatory ordinances for Short Term Rentals. This an early draft only to be studied and discussed at a later meeting.

A Public Hearing was announced scheduled for February 15, 2024 regarding re-application for a previously approved AT&T Cell Tower.

The February 15th, 2024 SPECIAL MEETING AND PUBLIC HEARING: regarding a Special Land Use Application was held at the Multi-Purpose Building and called to order by Chairperson Israels at 7:00 P.M.

The Pledge of Allegiance was recited followed by the Invocation by Doornbos.

The roll was called with members present: Doornbos, Israels, Bonnett, Hoving and Absent, Moore.

Approval of the Minutes of January 18th, 2024 Planning Commission: unanimously approved.

The Agenda for this Special Meeting and Public Hearing was unanimously approved.

Correspondence: Email from the law firm of Mika Meyers representing SBA Towers II LLC and the packet placed on the table just prior to the meeting contesting the approval of the Parallel/AT&T application. **Note: The email with attachments totaling 79 pages was transmitted to the Planning Commission just prior to this meeting at 3:38 PM.**

Correspondence from Parallel/Harmoni Towers was received previously and information contained is unchanged from the specifications in the 2021, previously approved, original 2021 application.

Public Comment: on matters not published on the Agenda – None

Visitor Recognition: Ronald Ridick for Mika Meyers PLC representing SBA Communications Corp. opposing re-approval of the Parallel/AT&T Tower. Leland Calloway representing Parallel and Harmoni Towers from Archaven LLC as broker and principal agent and Tillman as leasing agents to provide for additional provider coverage on the tower.

Regular Meeting adjourned for Public Hearing

*******OPEN PUBLIC HEARING*******

Special Land Use Application – Re-Apply by Leland Calloway for Parallel Towers III LLC. Original date of application was June 3, 2021, Original Public Hearing August 19, 2021 approved the application. Purpose of the construction of a new tower is for the use of the AT&T cellphone provider who wishes to leave their current tower for the new construction necessary for equipment upgrade and for improved coverage in this area. Nothing has changed since the original approval. Reapplication was deemed necessary when construction of tower was not begun timely due to unspecified delays.

Property Parcel #62-02-35-400-009, owned by James and Ashleigh Droste. The property size 12.02 acres located at NO ADDRESS, adjacently south to 9827 N Woodbridge Ave., Bitely, MI 49309 43.73238, - 85.82231

New Wireless Communication Tower, of self-supporting design, 280 structure He/height before appurtenances, inside 60 x 60 compound in 100 x 100 lease area.

Public Comment on this matter only: The original property owner where the existing SBA Tower is located stated that the original lease agreement was finalized, paid off and completed. A decision was made by a commission member to recuse from discussion and voting on this matter to prevent the appearance of a familial conflict of interest

Mr. Ronald Ridick for Mika Meyers PLC representing the SBA tower where AT&T is currently located spoke in favor of requiring AT&T to stay by denying construction of a new tower. He stated that changes have been made since the original application that would accommodate upgraded equipment and lower the lease price. He also claimed that changing towers would not improve **AT&T service to the Township area which is now very poor or nonexistent**. He stated that our zoning would require denial based on **Section 20.07 YY** regarding Wireless Communication Towers etc. **Note:** Full coverage of his presentation and Commission questions can be read in the Minutes for this meeting.

The Zoning Officer noted that a new tower can be built if the current situation is not meeting the needs of the Township regarding **service and safety**. All 5 requirements regarding construction, fencing and setbacks would be met for the new tower. It would meet the requirements and would accommodate a total of 3 providers.

A Commission member noted that the existing SBA Tower is 250 feet tall and the new AT&T Parallel Tower would be 280 feet tall, a 30-foot difference in height.

Chairperson Israels then questioned the audience regarding any opposition to a new tower. There were no objections voiced. Questions regarding the current provider occupiers of the existing tower were asked and answered.

The Public Hearing was then closed for deliberation.

Chairperson Israels then covered the **Federal Communication Act of 1996**, prior to deliberation, which we are required to follow. Any denial must be fully documented in writing supported by substantial evidence.

Discussion by Commission Members followed with questions asked and assurances given by Mr. Calloway for AT&T and Parallel. Confirmation of the extra 30 feet in height was affirmed. Many other questions were asked and answered. Zoning Officer Wroblewski spoke of the many calls he gets from Tower Representatives.

Note: More discussion detail is available from the full minutes.

Chairperson Israels closed discussion requesting a motion to commence voting on this application.

Motion to approve the Special Land Use Application from Parallel Towers III LLC and Harmoni LLC for the Construction of a New Wireless Communication Tower on the Proposed site south of Woodbridge/M37 made by Doornbos, Second by Hoving – Roll Call: Doornbos Yes, Bonnett Abstain, Hoving Yes, Israels Yes – Motion Carried

Decision to be reported to the Lilley Township Board for consideration at their next meeting on March 11, 2024

Regular Meeting Date: April 18th, 2024: was held at the Lilley Township Multi-Purpose Building at 7:00 PM

The Pledge of Allegiance was recited followed by the Invocation by Doornbos

The Roll was called with the following members present: Israels, Doornbos, Bonnett, Hoving, Absent – Moore

Approval of the Agenda: All present in favor – Motion Carried

The February 15, 2024 Special Meeting and Public Hearing Minutes were Approved unanimously.

Correspondence: Special Event Application from the Bitely Homecoming Committee

Visitor Recognized: Madalyn Wroblewski – Assistant Lilley Township Zoning Officer

Public Comments: Numerous Complaints regarding disturbances and scattered trash from Short Term Rentals operating in violation of the Moratorium.

Old Business: **Section 3.21 Keeping of Animals (B) Page 34 Zoning Ordinance**

Discussion began regarding required changes to our Zoning Ordinance in reference to the keeping of backyard chickens. Current Zoning requires 5 acres for poultry. There have been requests from Township citizens to keep chickens for eggs. Many other cities and towns have allowed them for years. We received guidance from Madalyn Wroblewski regarding Zoning changes that would be required and the restrictions regarding coop size, property setbacks, food storage, waste disposal, total units allowed, hens only and other restrictions and controls.

Chairperson Israel shared information from [Michigan State University](#). Much additional information was supplied and suggestions were made regarding permits required, no sales of eggs or onsite slaughter of hens.

Chairperson Israels read a [Code of Ordinances for the City of Newaygo, Michigan](#). The City zoning allows the keeping of female chickens. It does not specify parcel size but does require licensing and other restrictions are required.

Much discussion followed along with suggestions and opinions offered by Commission members. We will also get input from our legal sources. Wroblewski suggested that careful consideration be done before any decisions are made with input from Planning, Zoning and the community.

Israels then suggested that a motion be considered to table this issue for future consideration.

Motion by Doornbos to table the issue of Chickens in Lilley Township pending more work and research to be done. Wroblewski asked for rules to be set for her to enforce. There must be an ordinance to enforce. Motion to table was seconded by Hoving. Roll Call: Doornbos Yes, Israels Yes, Bonnett Yes, Hoving Yes – Motion Carried

New Business: The Bitely Homecoming Committee Special Event Application was submitted. The application was previously approved by the Township Supervisor since it will take place on Township grounds. Motion to approve by Doornbos, Second by Bonnett – Roll Call Doornbos Yes, Israels Yes, Bonnett Yes, Hoving Yes – Motion Carried

Meeting Adjourned

Regular Meeting Date: July 18th, 2024: was held at the Lilley Township Multi-Purpose Building at 7:00 PM

The Pledge of Allegiance was recited followed by the Invocation by Doornbos

The Roll was called with the following members present: Israels, Doornbos, Bonnett, Hoving and Moore

Approval of Previous Meetings Minutes of April 18, 2024: All were in Favor of Approval

Approval of Agenda: (Note – Dock lengths under New Business will be tabled.) Agenda with change was approved.

Correspondence and Visitors – None

Public Comment on Old Business: Section 3.21 Keeping of Animals (B) Page 34 Zoning Ordinance.

Three members of the Community were present with many important suggestions and opinions presented. The three-minute limit to public comments was suspended and member discussion with visitor input was allowed. Each community member was in favor of the keeping of chickens for healthy food and making changes to Zoning to allow for this. They stressed the importance of keeping Lilley Township rural, keeping fees low while stating that the keeping of chickens is already allowed in cities around the state. One community member suggested even looser regulations concerning roosters, number of birds allowed and using chickens for meat as is already allowed on five-acre agricultural sites. Community input was appreciated and will be considered in the final decisions.

Commission Member Discussion

Having looked a number of different ordinances we have decided to look closely at the City of Newaygo in Newaygo County for our guideline model. We discussed lot size, setbacks, acreage vs. square footage, restricting roosters and the sale of eggs and slaughtering of chickens onsite. Adjacent neighbors must approve in writing. Structures and fencing required, safe storage of feed, disposal of waste, and banning chickens in MDR (Medium Density Residential) Zoning areas and those close to water were discussed. Zoning Officer Madalyn Wroblewski reminded us that our Zoning has been in place for many years offering a number of different lifestyle choices. Residential areas with very small 50 ft. lots as well as the other residential and agricultural areas show the importance of preserving natural features in rural areas. A large Zoning map of Lilley Township displays these areas and description of the areas is provided in the Zoning book. Further study of other area restrictions will be looked at and there are many decisions to be made. **The new Ordinance as amended will not change the original zoning but will be separate.** Site Plan is needed.

Israels then stated that due to the late hour deliberation will be concluded. For the next meeting she will compile these notes, make a document out of them and give them to each Planning Commission Member to review. Members will then review the information heard at this meeting and return their decision to her.

Note: Zoning has completed the Licensing Application for Short-Term Rentals and it will be distributed for input.

The next regular meeting will be held on October 17th, 2024 at 7:00 PM – Meeting adjourned

The Regular Meeting Date October 17th, 2024: was held at the Lilley Township Multi-Purpose Bldg. at 7:00 PM

The Pledge of Allegiance was recited followed by the Invocation by Doornbos

The Roll was called with the following members present: Moore, Doornbos, Israels, Bonnett and Hoving

Approval of Agenda with Additions: A special event application received for approval of the Haunted Fire Barn by LTFD. Issue of amending the language of the STR Ordinance to examine the new tactic of subletting 30-day monthly rentals. Supervisor to check with Legal Counsel.

Motion to approve the Agenda with Additions by Doornbos, second by Moore – All in favor – Motion Carried

Correspondence: Email request from the Zoning Administrator to review the Zoning Ordinance regarding a request for placement of a small Building on a Pettibone lakefront vacant lot received from Marci Purcy. More study required.

Visitor Recognition: Township property owner Mr. Jerry Barofski, interested in learning about Township Government. Zoning Officers Madalyn and Jeff Wroblewski to advise on Zoning matters.

Public Comments: None

Old Business: **Section 3.21 Keeping of Animals (B.2.) Page 34 – Lilley Township Zoning Ordinance**

Members previously received and reviewed a packet with highlighted information to be finalized. Number of HENS allowed 4, 6 or possibly 8 based on family needs. Six HENS was decided on. Hens must be kept in the Backyard. Consensus is that setbacks and not acreage should be required if setbacks can comply. Zoning officers stated the difficulty regarding setbacks due to differences in lot size. Coop must be 10 ft. from another structure and constructed of recommended materials and to prevent entry of other animals. A required run must be attached to the coop. Chickens will not be allowed near any body of water including lakes, creeks, streams or defined wetlands. Adjacent land owners must approve in writing. In addition, it was decided on Hens only, No Roosters. Hens used as pets, not for income. Eggs and meat will not be sold. Hens cannot be slaughtered onsite. Covered or fenced enclosure to be 30 feet from adjacent property line and 40 feet from adjacent residential structure. **THIS CAN BE WAIVED.** All feed structures must prevent rats and mice access. Waste must be disposed of properly with no piling up onsite. A three-year permit to be obtained from Zoning and must be renewed on or before the expiration date. A permit can be revoked if conditions are not met. Fee to be determined by the Township Board. Chickens must not be allowed to run at large. An officer can impound any hen running loose or abandoned on public or private property. Failure to comply with requirements can result in revocation of permit and possible prosecution for a civil infraction violation. Chairperson Israels will compile a finished document for Zoning to examine with any necessary additions and corrections to what was decided at this meeting. Copies of the revision will be sent to each member.

New Business: Special Event Application from the Lilley Township Fire Department to hold a Haunted Fire House Event on November 2nd, 2024. This is an annual event and was approved unanimously.

Announcement was made by Israels regarding an October 28th, 2024 meeting to be held by the Fire Dept. at the Multi-Purpose Bldg. at 6:00 PM to make plans for an annual Christmas Parade Event. Community input is requested.

Zoning Ordinance Section 3.14 Accessory Building and Uses – Under F. 5. d. Private Boat Docks

“Boat Docks shall be no longer than 25 feet in length from the shoreline” Page 28

Complaints have been made regarding new dock lengths of up to 100 feet being installed in smaller lakes. Fears are that this will cause accidents and impair navigation. A Member suggested that because commercial dock sections come in 10-foot lengths, that the mandated length be modified to at least 30 feet in length. Zoning Officers will study this proposal with the suggestion that letters be sent to certain property owners letting them know about the Zoning Ordinance regulation. Any changes to Zoning considered should be done at the same time as other proposed modifications to save taxpayer expense.

A request was made by the Township Supervisor for the Planning Commission to review and update contract components for the rental of the new updated Community Building. We will look at what other Townships are doing and write updated rental conditions and fees more suited to our current needs. There was a spirited discussion with complaints and suggestions regarding the current condition of the Community Building. Questions were raised regarding the existing rental contract and what rental fees and security deposits are currently being collected and enforced. The Township has limited funding available for this purpose.

Zoning Ordinance Section 3.14 Accessory Buildings and Uses – Section C – Page 26

We will now review the request from Marci Percy of Pettibone Lake for approval for placement of an outbuilding on their vacant lake front lot. Their cottage is on a separate non-lakefront parcel a short distance away. A very comprehensive document request has been provided. Several other noncompliant sites located on Pettibone lakefront lots were documented with photographs and Newaygo County GIS detailing.

Jeff Wroblewski, our Zoning Officer, answered some of our questions. He noted that as of now the request would be non-compliant with current Zoning. Further investigating will be done by Zoning Office. This request will be tabled for now for possible future consideration by Planning. It is not our intent to change Zoning for one situation that could conflict with other situations in the Township. Israels tasked us to further educate ourselves on this request in case we will be involved with any decisions later.

The next Regular Meeting of the Lilley Township Planning Commission will be held on January 16th, 2025 at 7:00 PM

Meeting adjourned.

This completes the 2024 Planning Commission Annual Report – 2024 Attendance Attached

NOTE:

Even though this Annual Report is much more detailed than some previous reports, it is suggested that even more detailed information can be found on the Lilley Township website where the Minutes of each Planning Commission Meeting and Township Board Meeting can be found. Much valuable information can be found at the lilleytownship.org website including the Zoning Ordinance Book, the Zoning Map, the Master Plan and lots of other information important to Lilley Township citizens and taxpayers.

Judith C. Hoving – Recording Secretary for the Lilley Township Planning Commission

LILLEY TOWNSHIP PLANNING COMMISSION ATTENDANCE RECORD FOR 2024

JANUARY 18TH, 2024 – REGULAR MEETING

CHAIRPERSON	CINDY ISRAELS	PRESENT
VICE-CHAIR	ROBERT DOORNBOS	PRESENT
RECORDING SECRETARY	JUDITH HOVING	PRESENT
MEMBER	ANNA BONNETT	PRESENT
MEMBER	CHRIS MOORE	PRESENT

FEBRUARY 15TH, 2024 – PUBLIC HEARING – Special Land Use – Re-Apply by Parallel Towers for Cell Tower

CHAIRPERSON	CINDY ISRAELS	PRESENT
VICE-CHAIR	ROBERT DOORNBOS	PRESENT
RECORDING SECRETARY	JUDITH HOVING	PRESENT
MEMBER	ANNA BONNETT	PRESENT
MEMBER	CHRIS MOORE	ABSENT

APRIL 18TH, 2024 – REGULAR MEETING

CHAIRPERSON	CINDY ISRAELS	PRESENT
VICE-CHAIR	ROBERT DOORNBOS	PRESENT
RECORDING SECRETARY	JUDITH HOVING	PRESENT
MEMBER	ANNA BONNETT	PRESENT
MEMBER	CHRIS MOORE	ABSENT

JULY 18TH, 2024 -REGULAR MEETING

CHAIRPERSON	CINDY ISRAELS	PRESENT
VICE-CHAIR	ROBERT DOORNBOS	PRESENT
RECORDING SECRETARY	JUDITH HOVING	PRESENT
MEMBER	ANNA BONNETT	PRESENT
MEMBER	CHRIS MOORE	PRESENT

OCTOBER 17TH, - REGULAR MEETING

CHAIRPERSON	CINDY ISRAELS	PRESENT
VICE-CHAIR	ROBERT DOORNBOS	PRESENT
RECORDING SECRETARY	JUDITH HOVING	PRESENT
MEMBER	ANNA BONNETT	PRESENT
MEMBER	CHRIS MOORE	PRESENT