

# LILLEY TOWNSHIP PLANNING COMMISSION MINUTES

APRIL 18<sup>th</sup>, 2024

UNAPPROVED

The April 18<sup>th</sup>, 2024 Regular Meeting of the Lilley Township Planning Commission, held at the Multi-Purpose Building, was called to order by Chairperson Israels at 7:00 P.M.

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

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

**Approval of Agenda:** Motion by Bonnett, Second by Hoving to approve tonight's agenda  
All in favor – Aye - Motion Carried

**Approval of Previous Meeting Minutes of 2/15/2024:** Motion to approve by Bonnett, Second by Doornbos  
Roll Call: Doornbos Yes, Israels Yes, Bonnett Yes, Hoving Yes – All in favor - Motion Carried

**Correspondence:** Special Event Application from the Bitely Homecoming Committee

**Visitor recognized:** Madalyn Wroblewski – Assistant Lilley Township Zoning Officer

**Public Comment:** Member Vice-Chair Robert Doornbos reported a complaint from a frustrated local resident and neighbor regarding a Short-Term Rental operating while under the Moratorium. The report was concerning loud obnoxious noise and music disturbing the peace on Mawby Lake coming from an STR located on the lakefront. During discussion mention was made of two known STR's operating despite the Moratorium on Pettibone Lake, one with scattered trash bags roadside. Bins were overflowing. Another disturbance at 3 AM awoke and frightened residents on private Channel Road, Lilley Lake, involving a possible rental property with police cars & searchlights looking for a missing person from a party. Information was received by a resident who called 911 about the disturbance.

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

Chair Israels began the old business regarding the requested changes in Zoning to allow the keeping of chickens in Lilley Township. (Note: Current regulations require 5 acres for poultry.) Israels requested from Becky Wilkinson, who had made the initial request, information regarding her property size. Information was required for possible future changes to the zoning ordinance. At this point Israels determined and Madalyn Wroblewski the Zoning Officer agreed that Zoning would have to be amended so as to be consistent and uniform within the Township and would require changes to the Township Zoning Ordinance. Bonnett mentioned that many urban areas are allowing 2 or 3 chickens. Information gathered by Israels stated that it is not recommended in residential areas. Avian influenza spreading is a concern. It can spread to other animals and rarely to humans. Israels suggests no lower than two acres. Wroblewski spoke about her research on backyard chickens in residential areas. There would be setback and other restrictions. Those would include the number and kind of birds (chickens, hens no roosters), egg or meat production, coop size, fencing, and permitting rules. There are some positives to keeping chickens such as food, educational tools for families and garden pest control. Maybe we should consider smaller property sizes and do additional research on safe distances of coops and waste disposal. Chickens can contract and spread Avian flu. Officer Wroblewski, suggested that much more research be done regarding safety and information on what has worked elsewhere.



**Old Business (continued)**

Israels then spoke regarding information gathered and suggested on the subject from Michigan State University. Suggestions are for limiting the keeping of chickens to single family or two-family residences. Allow only 4 to 6 per site and no roosters. Birds would not be allowed in residences, porches or attached garages. Must have separate coop in the back yard with one square foot per bird. Roaming area must be all enclosed with chicken wire. Require disposal of waste in the trash? Compost or bagged? Chickens to be protected from rodents and wild birds entering. Food must be kept safe from rodents and prevent flies and maggots by keeping litter and feed dry. Safe disposal of dead birds or waste eggs. Trap rodents and feed & water chickens every day. Sales of eggs should not be allowed, personal consumption only. Permit should be required and fees should be nominal. Required permits would have a number of benefits to include notifying permit holders of a disease outbreak. None should be within four miles of a commercial poultry operation. Permits would identify those who keep chickens and provide Zoning officers with the tools needed to enforce the ordinance.

Next Israels read from another document supplied to the Commission membership, a Code of Ordinances for City of Newaygo, Michigan since we are in Newaygo County. The City zoning allows the keeping of female chickens (hens) with restrictions. This document includes specific rules, some similar to those previously stated. It does not specify a parcel size requirement. It does require licensing permits. The Committee members were given copies of these and other research documents for use in making their future recommendations.

Discussion followed with input from Commission members and Madalyn Wroblewski, Lilley Township Zoning Officer. Bonnett supports chickens and suggested that parcel size should be less than an acre and a half. Doornbos spoke about how so many in the Township do not abide by the rules anyway and who would enforce. Roadside chickens could be a hazard if not properly contained. Odors should not be a problem for a few chickens. Should not be allowed on lakeside or waterways. Hoving leans toward allowing chickens with proper input from Zoning regarding restrictions and enforcement. Doornbos and Israels are more skeptical regarding several issues and difficulties. Israels spoke regarding the necessity of gaining advice from legal. We are considering how to help those who want chickens to feed their families. Wroblewski is concerned about those citizens who will never follow the rules. She asked that we be thoughtful in considering this issue. Israels found that Wilkinson has just less than 2 acres. If we set parcel size we do not want to appear to be discriminating against anyone or favoring certain individuals. Wroblewski conceded that it may be time to address this issue since it has become so widespread and sometimes rules need to be updated. She spoke of the difficulties they encounter in enforcing the zoning rules that already exist. Israels apologized for the delay in addressing this issue due to all of the time and resources taken up last year by the Short-Term Rental issues. Israels will be conferring with the Township lawyer regarding this subject and get his input. Wroblewski requested that we continue to study this issue to possibly find a way to allow the keeping of chickens with licensing and enforcement requirements. Israels spoke of a situation in another township where there are no regulations being enforced. Zoning is still working on getting the final version of licensing enforcement for short-term rentals. Wroblewski said that we should still move forward and she is willing to get to work on the chicken issue. She feels that change is worth considering. Neighbors should agree. Violators always ruin things for those who follow the rules. These suggestions are to be compiled by the Chairperson, and presented to the Zoning Officers. Zoning Officers will make recommendations regarding possible changes to our Zoning. Some of the things listed are numbers of chickens, hens only, no roosters. No sale of eggs or meat. No slaughter of hens on property. Enclosure and fence requirements and storing of feed. Regulatory permits required for enforcement purposes. Legal input will be necessary. Again, any changes to Zoning require careful consideration by the Planning Commission, Zoning Officers, Legal advisors and Community input.

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



Motion was made by Doornbos to table the issue of the Keeping of Chickens in Lilley Township for now pending more work to be done. Discussion followed as to the need for further information such as who will be controlling the issue and a point person to monitor it. Wroblewski asked for rules to be set for her to enforce complaints. She needs an Ordinance to enforce. The motion to table was then seconded by Hoving. Roll Call: Doornbos, Israels Yes, Bonnett Yes, Hoving Yes – Motion Carried

Wroblewski suggested things that could be done by the community to assist Zoning in following up on enforcement such as submitting pictures of violations. The Planning Commission is grateful for her important assistance and input.

**New Business:** The Bitely Homecoming Committee Special Event Application was submitted. The application was approved by the Township Supervisor as it will take place on Township grounds and properties. Any future additional information necessary will be submitted prior to the event.

Motion to approve the Special Event Application by the Bitely Homecoming Committee made by Doornbos, second by Bonnett – Roll Call: Doornbos Yes, Israels Yes, Bonnett Yes, Hoving Yes – Motion Carried

**Further Discussion:**

Israels spoke to Wilkinson hoping that she understood why we had to consider her issue carefully. She said that she did. Bob Doornbos said he appreciated her reply and patience and that we have to be careful and thorough in any decisions made. All agreed to feeling sorry to take so long to get final answers. Israels spoke regarding not allowing less than two acres. Wroblewski replied that actually one acre could work if setbacks and distance from neighbors could be done and mentioned an example. She gave footage distances required. Lot size was then discussed. Some could qualify under one-acre rule if they can meet the setback, distance and neighbor approval rules required. Wroblewski suggested that one violation, a talk to, and a second violation would result in being required to get rid of chickens. A permit would be a necessity. We should be specific about chickens and hens only. One acre in an MDR could possibly have chickens. Rules should be made and enforcement provided. To be decided on two, three or four chickens (hens) allowed per property if allowed. Lakes should be excluded. Israels determined that one acre is 43,560 square feet. Permits need to be written with input from all. Need teeth in rules. Wroblewski likes the two-visit rule previously suggested. All members will submit their ideas to Israels to be compiled and Legal will be consulted. Remember to include anything important. Avian influenza can be passed to humans.

Many thanks again to Madalyn Wroblewski for her very valuable advice and the information and guidance she provided.

The next regular meeting of the Planning Commission will be July 18<sup>th</sup>, 2024 at 7:00 P.M.

Motion to adjourn made by Doornbos, second by Hoving – All in favor – Motion carried.

Meeting was adjourned at 8:13 P.M.

Respectfully submitted,

*Judith C. Hoving* - Recording Secretary