Chair Saeger called the Animal Control Appeal Board meeting to order at 7:00 p.m. on January 28, 2014 in the Lower Level Conference Room of the Troy City Hall.

1. ROLL CALL

Present:
Patrick Carolan
Al Petrulis
Jayne Saeger
Steve Toth
Gretchen Waters

Also Present:
Paul Evans, Zoning and Compliance Specialist
Susan Lancaster, Assistant City Attorney
Sergeant Michael Szuminski, Troy Police Liaison

2. APPROVAL OF AGENDA

Motion by Toth
Second by Carolan

RESOLVED, to approve the agenda as amended.

Yes: All

MOTION PASSED

3. APPROVAL OF MINUTES

Moved by Carolan
Second by Petrulis

RESOLVED, to approve the January 22, 2014 meeting minutes.

Yes: All

MOTION PASSED

4. CITY ATTORNEY REPORT

Assistant City Attorney Susan Lancaster provided a brief overview of the Michigan Right to Farm Act and a recent change to Generally Accepted Agricultural Management Practices. The recent change allows local units of government to regulate backyard chickens.

5. HEARING OF CASES

A. WAIVER REQUEST, MICHAEL AND LORI SCHMITT, 2042 KIRKTON – In order to keep six (6) chickens and one (1) duck, a waiver from the requirement that the property be at least .75 of an acre in size. The property is approximately .30 acres in size.

Mr. Evans summarized the case for the Board. Mr. Schmitt indicated that in addition to the information presented in the application, there would be no roosters. He has researched reasonable amounts of area to provide per animal and has provided more than the recommended.

The public hearing was opened.

Several residents in the area spoke in favor, others against the proposal. Mr. Evans summarized for the Board, written comments, both for and against the proposal, from area residents.

The public hearing was closed.

The Board discussed the proximity of those publicly commenting relative to the subject site. Mr. Petrulis indicated that waivers should be the exception, and granted for special circumstances.

Motion by Petrulis
Second by Carolan

RESOLVED, to deny the request.

All: Yes

MOTION PASSED

B. WAIVER REQUEST, KYLE SEIDEL, 3535 ANVIL – In order to keep up to six (6) chickens, a waiver from the requirement that the property be at least .75 of an acre in size. The property is approximately .38 acres in size.

Mr. Evans summarized the case for the Board. Mr. Seidel indicated that in addition to the information presented in the application, there would be no chicken wire but rather hardware cloth to keep rodents out. He has selected quiet breed hens and there will be no free ranging except when cleaning.

The public hearing was opened.

One area resident spoke in favor. Mr. Evans summarized for the Board, written comments, both for and against the proposal, from area residents.

The public hearing was closed.

The Board discussed the proximity of those publicly commenting relative to the subject site. Mr. Petrulis indicated that waivers should be the exception, and granted for special circumstances.

Motion by Petrulis
Second by Carolan

RESOLVED, to deny the request.

Yes: Carolan, Petrulis, Saeger
No: Waters, Toth

MOTION PASSED

5. OTHER BUSINESS

The Board discussed methods of publicizing the Animal Ordinance's three-quarters of an acre requirement. Mr. Evans will work on getting these publicized.

Sergeant Michael Szuminski introduced himself and reported on the status of the Police Department's involvement with animal control services.

6. ADJOURNMENT

The Animal Control Appeals Board meeting ADJOURNED at 8:20 p.m.

Respectfully submitted,

_____
Jayne Saeger, Chair

_____
Paul Evans, Zoning and Compliance Specialist

G:\Animals\Animal Control Appeal Board\Minutes\2014\Draft\2014 05 28 Draft.doc