Chair Saeger called the Animal Control Appeal Board meeting to order at 7:00 p.m. on January 28, 2015 in the Lower Level Conference Room of the Troy City Hall.

1. ROLL CALL

Present:
Patrick Carolan
P. Terry Knight
Al Petrulis
Jayne Saeger
Gretchen Waters

Also Present:
Paul Evans, Zoning and Compliance Specialist
Susan Lancaster, Assistant City Attorney
Nicole MacMillan, City Attorney Assistant
Sargent Michael Szuminski, Troy Police Animal Control Liaison

2. APPROVAL OF AGENDA

Moved by Carolan
Second by Petrulis

RESOLVED, to approve the agenda as submitted.

Yes: All

MOTION PASSED

3. APPROVAL OF MINUTES

Moved by Carolan
Second by Waters

RESOLVED, to approve the November 5, 2014 meeting minutes.

Yes: All

MOTION PASSED

4. ELECTION OF OFFICERS

Moved by Petrulis
Second by Waters

RESOLVED, to nominate Jayne Saeger as Chair.

Moved by Carolan
Second by Waters

RESOLVED, to nominate Al Petrulis as Vice Chair.

Moved by Petrulis
Second by Saeger

RESOLVED, to nominate Patrick Carolan as Secretary.

Vote on combined slate.

Yes: All

5. HEARING OF CASES

A. WAIVER REQUEST, JENNIFER DURHAM, 477 HURST – In order to keep 6 chickens, a waiver from the requirement that the property be at least .75 of an acre in size. The property is approximately .543 acres in size. Animal Ordinance Section 90.70.20 (f).

Mr. Evans advised the Board that the applicant cannot be present tonight and has requested postponement to the regularly scheduled March 25, 2015 meeting.

Motion by Carolan
Second by Petrulis

RESOLVED, to postpone to the March 25, 2015 meeting.

Yes: All

B. WAIVER REQUEST, RODGER WALTERS, 1265 BOYD – In order to keep 2 chickens, a waiver from the requirement that the property be at least .75 of an acre in size. The property is approximately .165 acres in size. Animal Ordinance Section 90.70.20 (f).

Mr. Walters presented the following:
- The Animal Ordinance is dated and needs to be changed.
- There are very few parcels .75 acres or larger in Troy.
- He has had 2 chickens for the past 10 years.
- He views them as pets.
- There will not be roosters.
- He believes 2 chickens are not harmful to the neighborhood.
- The backyard is fenced and the chickens will be housed in a 4’ x 6’ sealed cage that will be 1’ off the ground.

Ms. Lancaster and Board Member Knight advised that the City Council, not the Animal Control Appeals Board, has authority to change the Animal Control Code. In response to Mr. Walters query, Mr. Evans explained the rationale for having an Appeals Board.

The public hearing was opened.

JoLynne Nagayama and Stanley Nagayama, 1251 Boyd, spoke in favor of the request.

Mr. Evans summarized two written comments, both in favor, filed by other Boyd Street residents. On a map presented on the overhead projector, he identified the location of each commenter. Mr. Evans also reminded the Board of favorable public written comments that accompanied the Appeals Application.

The public hearing was closed.

Moved by Knight
Second by Waters

RESOLVED to grant the request.

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

MOTION PASSED

5. OTHER BUSINESS

The Board and staff discussed Robert's Rules of Order, criteria applicable to waiver requests, and other procedures germane to waiver requests.

6. ADJOURNMENT

The Animal Control Appeals Board meeting ADJOURNED at 7:55 p. m

Respectfully submitted,

Jayne Saeger

Jayne Saeger, Chair

Paul Evans

Paul Evans, Zoning and Compliance Specialist

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