

TENTATIVE (pending approval October 3, 2019)

Riley Township

September 5, 2019

7:00 PM

CALL TO ORDER:

Meeting called to order by Supervisor Potts at 7:00 PM. Board members present Feldpausch, Powell, Lawless and Martens. Pledge of Allegiance recited.

APPROVAL OF AGENDA:

Motion by Martens to approve, support by Lawless to approve the agenda as presented. Motion carried.

APPROVAL OF MINUTES:

Motion by Feldpausch, support by Lawless to approve August meeting minutes. Motion carried.

TREASURERS REPORT:

Treasurer's report presented showing balances of:

Special Project Fund \$200377.69

General Fund Checking \$51527.07

Road and Bridge Fund \$40081.22

TOTAL \$291986.61

Motion by Powell, support by Martens, to approve treasurer's report as presented. Motion carried.

PUBLIC COMMENT ON NON-AGENDA ITEMS:

NONE

RECOGNITION OF GUESTS:

Sheriff Jerue –

There has been no criminal activity in the Riley Township area. There have been a number of fatal accidents in the 27 and 96 highways. Sheriff also cautioned people to be careful as we approach the fall season when car deer accidents are more prevalent.

Roy Thelen, DAESA –

Roy was unable to attend in person, but submitted a written report in advance of the meeting. Runs in August were 29, 10 of which were fire and 19 EMS. Riley had 3 of these runs.

Randy Whitney, Planning Commission –

Nothing to report at this time

OLD BUSINESS:

OR-152-19 Recreational Marijuana Establishments –

The county has requested input on the draft ordinance amendment regarding the townships that have opted out of allowing marijuana establishments within their jurisdictions at this time. Motion by Martens, support by Lawless to send a letter supporting language as proposed. Clerk Powell will draft a letter and submit to the county no later than Monday, September 9th.

FlyMIPPG, Inc Special Use Permit -

The manner in which the board will review the information was presented to those in attendance at the meeting which includes an overview of the application submitted, the charge of board in carrying out the review and recommendation, how comments will be received, and how a vote will be conducted-

The board had the following discussion regarding the proposed application-

- Concern was presented over the public safety impact of the operation
- Concern was presented over reduction in property values for adjacent properties
- Concern was presented over the noise of the operation/decibel study presented in the application
- Concern was presented over industrial sprawl of such activities
- Concern was presented over the impact to wildlife in the area
- It was reviewed that the concerns over the camping of students and instructors that exceeded allowable use per our current zoning ordinance
- Concern was presented over the compatibility of this special use with adjacent properties

The applicant introduced themselves and offered to answer questions of the board –

- They explained the general business operations
- They explained their process for altitude and what their average and limits are (imposed by Capital City International Airport)
- They explained their equipment and process for communication with students
- They stated that there is an option to move the ground motor training to another location on the property to decrease noise if that is a concern to residents
- The applicant stated that the students only fly a specific pattern and that there are recreational flyers who use this airport for personal use outside of the scope of this school

A motion was made to open the floor to public comment regarding the issue, support by Feldpausch. Motion carried.

- Concerns were expressed regarding the noise that appears to not be regulated, like it is for other industries (example was construction) and the resident recommends that there be limits to the hours of operation
- Concerns were expressed over the impact to the livestock (example was a small child who rides a horse in a nearby arena who has been spooked where the startled horse takes off bucking and the risk of injury to the child)
- It was clarified that there are no more than 2 students in the air with multiple instructors. The resident had a video of 4 in the air at one time with excessive noise and expressed strong opposition for all the reasons documented above
- Concern was expressed over the ability of a local resident who has a drone license to be in the same airspace. It was also reiterated that they appear to be flying very low, disturbing livestock, and creating risk for all during hunting season
- Concerns were expressed from a directly adjacent resident who has experienced the impact including the flight pattern being directly over their pasture which contains their agricultural livestock operation

- It was reminded that the local jurisdiction has authority over the regulation of the land use, and that aviation authorities regulate airport operations and air space
- Concern was expressed about property values, unprofessional interactions via Facebook with those who run the business, and incidence of more than 4 campers, as well as noise that is disruptive to everyday activities
- Concern was expressed over video being captured during the flight that includes resident's properties, families, etc that they do not approve of being photographed/videos
- There was concern over the amount of people flying at one time (multiple instances of at least 4) flying so close that residents can tell if a pilot has shaved or not
- Concern is expressed that people will not be able to sell homes in summer months due to this operation, and that their investments in their home and the value is being compromised
- Resident expressed concerns over a sky light in her second-floor bathroom that makes use of that room uncomfortable, especially knowing that may end up on video
- The typical use of an airport, for airplanes, is an activity that they take off and leave the area, and do not continue to circle over the same area for up to hours. This is not "usual" airport activity
- A resident is in support of the school with restrictions being placed on hours of operation, where they can be to protect local livestock, number of campers, and courtesy over the height of which they fly over properties
- A resident shared an example of flights occurring at the tree tops over his property, as well as expressed concern over the

A motion to close public comment was made by Powell, support by Martens. Motion carried.

A response to concern was provided by the applicant –

- The applicant shared statistics on power paragliding and why they are offering this service to assure people are educated properly, as well as their safety record
- The company has invested in a silencer to make the operation quieter
- The students are instructed to stay clear of livestock/wildlife
- The public was encouraged to obtain flight day, time and glider color with complaints so the instructor can follow up with those who are non-compliant
- There are strict rules regarding airspace and shared visual responsibilities to see and avoid other manned and unmanned craft in the air (visual flight rules)
- The applicant states that they have not experienced any impact to property values in past operations
- The applicant states that they have an emergency plan in place both internally and with local agencies
- The applicant states that they do not market to anyone other than potential students and that they do not actively recruit others to come fly at the airport

Each of the general standards of section 1305 (Basis of Determination) were reviewed on an individual basis –

- 1) Independent study of noise impact to the surrounding neighbors/properties/the community and a way to monitor and enforce noise violations on an ongoing basis (numbers of flyers/flights, hours of operation, days of operation)
 - a. Hours are recommended to be restricted to 9 am to 5 pm, Monday through Friday (no holidays) with 10 am to 3 pm on weekends
- 2) No concern with this item
- 3) No concern with this item
- 4) No concern with this item
- 5) No concerns with this item
- 6) No concerns with this item
- 7) Restriction on altitude/runway set back (to protect livestock and people that may be working with them), video that includes residential properties/personal property/people

Motion by Powell, support by Feldpausch to draft a letter to both the Clinton County Planning Commission as well as the Clinton County Board of Commissioners to take into consideration the extensive concerns of the residents in the township that feel they are being negatively impacted.

ROLL CALL VOTE –

Lawless: YES

Powell: YES

Potts: YES

Feldpausch: YES

Martens: YES

Motion carried.

NEW BUSINESS:

Manufactured Home Installation on Cutler Road –

This is moving along with all required permits and processes being pursued. Supervisor Potts will keep the board up to date on progress.

APPROVAL OF BILLS:

Bill warrant presented. Motion by Martens, support by Feldpausch to approve bills dated September, 2019. Motion carried.

ADJOURN:

Motion by Martens, support by Feldpausch to adjourn, meeting closed 8: PM.

Respectfully,

Lisa Powell, Clerk