



Calhoun County Planning Commission

Minutes

April 23, 2018

- 1. The April 23, 2018 Planning Commission Meeting was called to order at 4:00 p.m.**
- 2. Roll Call - called by the Program Assistant, Jamie Davis**

Present: Commissioners, Tammi Damerow, Scott Fleming, Sarah Kelly, Dan Livingston, Terance Lunger, Vic Potter, John Sackrider and Ben Lark.

Staff in attendance: Jennifer Bomba; Community Development Director, Jamie Davis; Program Assistant, Doug Ferrall; Project Manager.

Quorum was met.

Excused: Angela Kline and Kelli Scott

Other Attendee: Talia Champlin

- 3. Approval of Agenda**

Moved by Member Lunger to approve the April 23, 2018, Calhoun County Planning Commission agenda, as presented, supported by Member Potter.

On a voice vote, Motion CARRIED.

- 4. Public Comments**

Talia Champlin stated she was there in case anyone had any questions about agenda item of 4-18-04, Emmett Township: Zoning Map Amendment - 13350 6 ½ Mile Road.

- 5. Approval of Minutes**

Moved by Member Lunger to approve the February 26, 2018 meeting minutes as presented, supported by Member Potter.

On a voice vote, Motion CARRIED.

- 6. Communication**

- a. Notice of Intent to Plan, City of Springfield, January 18, 2017
- b. Any other Communication to come before the Commission

There was none.

7. Old Business

- a. Any Old Business to come before the Commission

There was none.

8. New Business

- a. Designate John Sackrider as CCPC representative to the Parks & Recreation Commission

Ms. Bomba explained the by-laws of the Parks and Recreation Commission recognize the Chair of the Planning Commission as a member by right. The statute states the planning chair, or their designated person. Due to time constraints, Member Lunger has asked Vice Chari Sackrider if he would be able to fulfill this position. Member Sackrider has accepted the role.

Moved by Member Potter to designate Member Sackrider as the County Planning Commission liaison to the Parks and Recreation Commission; supported by Member Fleming.

On a voice vote, Motion CARRIED.

- b. Any other New Business to come before the Commission.

There was none.

9. Township Planning & Zoning Coordination

- a. 4-18-01, Eckford Township: PA 116 Application for Dennis Fast

Ms. Bomba explained the application for Farmland Agreement (PA 116) submitted by Dennis Fast for property located in Eckford Township. The application consists of approximately 80 acres located in Section 4. Approximately 71 acres are under cultivation with the remaining acreage classified as swamp and/or woodlands. There are no buildings on the property. The subject property is zoned by Eckford Township as Agriculture. The Eckford Township Future Land Use Plan classifies the property as Agriculture; as does the Calhoun County Master Plan. The property owner has requested a 90 year contract. Ms. Bomba explained that Calhoun County Community Development believes the Application for Farmland Agreement submitted by Dennis Fast is valid, and recommends for approval by the Michigan Department of Agriculture and Rural Development.

Moved by Member Fleming to recommend approval of the PA 116 Application submitted by Dennis Fast; supported by Member Sackrider.

On a voice vote, Motion CARRIED.

- b. 4-18-02, Albion Township: PA 116 Application for My Land, LLC

Ms. Bomba explained the application for Farmland Agreement (PA 116) submitted by Doug and Angela Myers, of My Land, LLC for property located in Albion Township. The application consists of approximately 39 acres located in Section 27. This parcel is definitely under

cultivation and there are no buildings on the property. The subject property is zoned by Albion Township as Agriculture. The Albion Township Future Land Use Plan classifies the property as Agriculture; as does the Calhoun County Master Plan. The property owner has requested a 90 year contract. Ms. Bomba explained that Calhoun County Community Development believes the Application for Farmland Agreement submitted by My Land, LLC is valid, and recommends for approval by the Michigan Department of Agriculture and Rural Development.

Moved by Member Potter to recommend approval of the PA 116 Application submitted by My Land, LLC; supported by Member Sackrider.

On a voice vote, Motion CARRIED.

c. 4-18-03, Bedford Charter Township: Zoning Map Amendment – 1153 Kirby Road

Ms. Bomba explained that the Bedford Charter Township Planning Commission has received a request from a local property owner to amend the zoning classification for approximately 67 acres located at 1153 Kirby Road, Section 17 of Bedford Charter Township. The property is currently zoned Medium Density Residential. The request is to reclassify the property to Agriculture. Ms. Bomba provided maps as supporting documentation. The zoning map shows that there isn't necessarily a spot zoning in this area. The surrounding zoning consists of Medium Density Residential to the north and east, and Agriculture to the south and west. The minutes showcase some uncertainty from the Township as to how this got rezoned or classified as Medium Density Residential instead of Agriculture. It has been a family farm for many years. The request to go from Medium Density Residential to Agriculture allows the family to pass it on to the next generation so that they can have livestock there. Currently, there is no ability to have livestock or farm it under the Medium Density Residential district classification. The Bedford Charter Township Land Use Plan classifies this property as Agriculture, as does the Calhoun County Land Use Plan. Ms. Bomba explained that Calhoun County Community Development believes the zoning map amendment requested by the Bedford Charter Township Planning Commission is consistent with the Township and County Future Land Use Plans and; therefore, recommends for approval by the Bedford Charter Township Board the proposed zoning map amendment.

Moved by Member Sackrider to recommend approval of the request to rezone property located at 1153 Kirby Road to Agriculture; supported by Member Potter.

On a voice vote, Motion CARRIED.

d. 4-18-04, Emmett Township: Zoning Map Amendment – 13350 6 ½ Mile Road

Ms. Bomba explained that the Emmett Charter Township Planning Commission has received a request from a property owner to amend the zoning classification for approximately 24 acres located at 13350 6 ½ Mile Road, Section 30 of Emmett Charter Township. The property is currently zoned Low Density Residential. The request is to reclassify the property to Regional Commercial. Ms. Bomba provided maps as supporting documentation. The surrounding zoning consists of Low Density Residential to the north, east and south; and Regional Commercial to the west. The Emmett Charter Township Land Use Plan classifies this property as Commercial. Ms. Bomba explained that Calhoun County Community Development believes the zoning map amendment requested by the Emmett Charter Township Planning Commission is consistent

with the Township Land Use Plans and; therefore, recommends for approval by the Emmett Charter Township Board the proposed zoning map amendments.

Moved by Member Potter to recommend approval of the request to rezone property located at 13350 6 ½ Mile Road to Regional Commercial; supported by Member Sackrider.

On a voice vote, Motion CARRIED.

Talia Chamblin leaves meeting.

e. 4-18-05, Emmett Township: Zoning Map Amendment – vacant land #10-019-002-00

Ms. Bomba explains that the Emmett Charter Township Planning Commission has received a request to amend the zoning classification for approximately 18 acres located on 6 ½ Mile Road, Section 19 of Emmett Charter Township. The property is currently zoned Medium Density Residential. The request is to reclassify the property as Industrial. Ms. Bomba provided maps as supporting documentation. The surrounding zoning consists of Industrial to the north and Medium Density Residential to the east, south and west. The Emmett Charter Township Land Use Plan classifies this property as a combination of Medium Density Residential and Open Space Waterbody Conservation. Ms. Bomba explained that Calhoun County Community Development believes that the zoning map amendment requested by the Emmett Charter Township Planning Commission is inconsistent with the Township Land Use Plans and; therefore, recommends for disapproval by the Emmett Charter Township Board the proposed zoning map amendments. It would be in the best interest of the Township to consider an amendment to the Township Land Use Plan before rezoning property that conflict with the future vision for this area of the township.

Member Sackrider commented that he had spoken to the township zoning administrator to discuss the topic. He explained her rational for doing this revolved around the fact that the zone already had Industrial, so it would just be an extension of the Industrial zone. Member Sackrider explains that he read the minutes, and there were questions asked of the applicant, but there were no responses in terms of use. Also, there were no comments of opposition from any neighbors. Member Sackrider leans towards agreeing with the extension even though it goes against the Master Plan. Ms. Bomba states that it is difficult to know if there is a proposed development at the time, and doesn't want to hang the zoning on the development proposal because it then becomes conditional zoning. Member Potter states that he would like to see the Future Land Use Plan changed before the Industrial zoning extension is approved, and that there needs to be more information on what kind of Industrial work will be done on the land. Also, more information on the zoning intentions could lead to more public comment.

Moved by Member Potter to recommend disapproval of the request to rezone vacant property identified as 10-019-002-00 to Industrial; supported by Member Fleming.

On a voice vote, Motion CARRIED.

f. 4-18-06, Sheridan Township: Zoning Text Amendment – Large Solar Energy Systems

Ms. Bomba explained how there have been changes in the legislature that are allowing – or promoting – additional renewable energy, and providing incentives for businesses to do this. She had a visit from an entity from New York, Ranger Power, who looked to be a credible entity.

They indicated that they were working in Sheridan Township, and that they had some prospects on property there. The Planning Commission has now received an ordinance from Sheridan Township to look at provisions in their zoning ordinance to allow this type of use. Ms. Bomba explained that she did some research, such as looking into the programs that Michigan State University Extension has been providing and did not find many model ordinances to look at. There are lists of what should be considered, like setbacks and decommissioning. Since this is the first language regarding solar energy that the Planning Commission has seen, the decision made will establish the standard of what the Commission is looking for in the future. Sheridan Township has not proposed anything regarding small or medium sized system units.

Ms. Bomba explained that the Sheridan Township Planning Commission, along with the assistance from land use consultant Carlisle Wortman Associates, has developed proposed zoning language to provide for Large Scale Solar Energy systems within Sheridan Township. The proposed zoning language defines the following terms:

- Large Solar Energy System – a utility-scale solar energy system where the primary use of the land is to generate electric energy or other energy by converting sunlight, whether by Photovoltaic Devices or other conversion technology, for the sale, delivery or consumption of the generated energy with a capacity greater than one megawatt (ME).
- Photovoltaic Device – a system of components that generates electric energy from incident sunlight by means of the photovoltaic effect, whether or not the device is able to store the electric energy produced for later use.
- Solar Array – any number of photovoltaic devices connected to provide a single output of electric energy or other energy.

The new language provides for Large Solar Energy Systems to be permitted as a conditional use in the Agricultural, Light Industrial and Heavy Industrial zoning districts. In addition, the policy establishes regulations such as: site plan process, minimum setbacks and buffers, lighting, noise, signage, abandonment and decommissioning, maintenance and repair, damage to roads, etc.

A few specific regulations to consider include:

- Lot size – a Large Solar Energy System shall be located on one or more parcels with an aggregate area of 10 acres or greater.
- Height – maximum height shall be 15 feet from natural grade; 100 feet for the substation and electrical transmission equipment.
- Setbacks – minimum setback distance of 50 feet from all exterior property lines, existing public roads and railroad right-of-ways; and 75 feet from an adjacent residential structure.
- Lot Coverage – lot coverage minimums are waived for this type of use.
- Noise – cannot exceed 65 dBA as measured at the exterior property boundary or right-of-way line.
- Screening/Security – a Large Solar Energy System shall be completely enclosed by perimeter security fencing to restrict unauthorized access. Fencing shall be a minimum of 6 feet in height with a 1 foot extended arm equipped with 3 strands of barbed wire. An evergreen or native vegetative buffer is also required.

- Abandonment and Decommissioning – a Decommissioning Plan is required as part of the Conditional Use Permit application. Under this plan all structures, concrete, piping, facilities and other project related materials above grade and any structures 42 inches below grade shall be removed off site for disposal. Any Solar Array or combination of Photovoltaic Devices not operated for a continuous period of 12 months will be considered abandoned and shall be removed as specified in the Decommissioning Plan.

Ms. Bomba explained that the recent growth of renewable energy in Michigan is a result of Public Act 295 of 2008 and Public Act 342 of 2016. The 2008 Act required Michigan's energy providers to maintain a least 10% of their energy portfolio from renewable energy sources, including wind energy, geothermal energy, and solar energy. The 2016 Act increases this requirement, mandating that an energy provider's portfolio be 12.5% renewable energy by 2019, with a later increase to 15% in 2021. The ultimate goal of the 2016 Act is to have 35% of Michigan's electric needs met through energy waste reduction and renewable energy by 2025. To meet these requirements, utility companies have undertaken a paid expansion in developing Michigan's renewable energy sources, including solar power. From this initiative, local units of government are establishing the appropriate means to manage these types of land uses in their communities.

Ms. Bomba explains that Calhoun County Community Development believes that the proposed policy amendments to the Sheridan Township Zoning Ordinance regarding Large Solar Energy Systems are thorough and will provide the township with the proper means to manage this type of use. In conclusion, Community Development staff recommend for approval of the language by the Sheridan Township Board.

Member Fleming commented about the length of contracts, and how solar farms could harm the community by taking away important Industrial land in the future. Member Lunger asks Ms. Bomba if she wants the committee to vote now, or in the future. Ms. Bomba responds that she would like to take action now since there is no committee meeting next month. Member Lunger expresses his concern on a making a vote now, as this topic is a big deal and he would like more information on it before making a decision. He is not opposed, but he would like more information on the value and need of solar energy farms, and wind farms. Member Sackrider agreed with Member Lunger. Member Potter commented how studies he has seen say it costs more to generate power with wind farms than it does gas. Member Fleming asks about decommissioning and who is responsible for paying for the rest of the contract if a company were to go bankrupt. Ms. Bomba understands the concerns and says she will follow the committee's lead. She just wanted to present the topic to the planning committee now since there is no meeting next month.

Member Fleming asks if the land is private property. Ms. Bomba responds that the current project proposal is on private property. Member Sackrider mentioned how the equipment there is personal property. Member Fleming asks about what utility the power is being sold to. Ms. Bomba did not have an answer. Concerns about losing farm land are expressed by Member Fleming. Member Lunger asked what kinds of revenue could be generated. Member Fleming answers that it is worth more than the harvest produced. Member Sackrider says more details would be needed, but that he heard \$800 - \$1000 an acre per year. Member Potter states that he is not ready to vote on this at the moment. He states that there is a lot of legality that needs to be discussed before a decision is made. Member Fleming asks to hear Member Lark's opinion. Member Lark expresses his concerns for moving forward too fast and referenced the new

power plant being cited in the City of Marshall. Member Lark would like more insight on the use of solar as a viable means of energy.

Motion to table - Moved by Member Potter to table the requested review of new zoning language regarding Large solar Energy Systems as part of the Sheridan Township Zoning Ordinance; supported by Member Fleming.

On a voice vote, Motion CARRIED.

Member Livingston asked if Ms. Bomba would be sending the committee more information on solar energy. Ms. Bomba replied she would.

g. Any other Planning & Zoning Coordination to come before the Commission

There was none.

10. Department Report

Ms. Bomba expressed her excitement for having two new staff members, Doug Ferrall and Jamie Davis, as part of the Community Development team. She then explained the diversity of the Community Development department with all of the different groups within it, and how the groups are connecting and working together. Ms. Bomba explained that she is currently working with Lee Township on a policy change for their agriculture ordinance. She is also working with Burlington Township. An influx of Amish has given the Township some difficulty with permits. Ms. Bomba also explained the upcoming 2020 Census, and how the GIS department is working with local units to make sure their address list is accurate. Ms. Bomba mentioned working on the Master Plan update for the County in the upcoming months, as well as working on the 2017 Annual Report.

11. Member Comments

Member Lunger asked Member Lark to explain his background to the Committee. Member Lark gave a brief biography of himself.

12. Public Comments

There was none.

13. Announcements:

Member Lunger stated the next Calhoun County Planning Commission Meeting is scheduled for June 25, 2018, at 4:00 p.m.

14. Adjournment

The meeting adjourned at 5:12 p.m.