

Chairperson

Roni Christmas

Vice-Chairperson

Patti Schafer

Secretary

Margaret Sayles

Members

Jan Motz

Michael O’Bryant

Peter Psarouthakis

Val Vail-Shirey (BOC Rep.)



**Clinton County
Planning Commission**

Community Development Dept.

Director

Raphael Kasen

Planning & Permit Technician

Jessica Bolt

Clinton County Courthouse

100 East State Street, Suite 1300

St. Johns, Michigan 48879-1571

(989) 224-5180

MEETING MINUTES

OCTOBER 12, 2023

CALL TO ORDER

The Clinton County Planning Commission (PC) met on Thursday, October 12, 2023 at 6:30 p.m. with Chairperson Christmas calling the meeting to order.

ROLL CALL

Jan Motz
Margaret Sayles
Michael O’Bryant
Patti Schafer
Peter Psarouthakis
Roni Christmas
Val Vail-Shirey

STAFF PRESENT

Joel Haviland, Building Official/Zoning/SESC Administrator
John Fuentes, County Administrator
Raphael Kasen, Community Development Director
Laura Genovich, Legal Counsel Foster Swift
Todd Campbell, Deputy County Administrator

VISITORS

Donna Graham, 6712 N. Williams Road, St. Johns
Janine Dyer, 15773 S. Tallman, Eagle
Jan Upton, 3410 E. M-21, St. Johns
Kim Kellogg, Greenbush Twp
Michelle Kent, Greenbush Twp
Raleigh, ESA
Gillian, ESA
Thomas Banks, ESA
Gloria Barker, 225 Beaupre, Gross Pointe Farms, MI
Gary Barker, 225 Beaupre, Gross Pointe Farms, MI
David Castner, 1303 N. St. Clair Road, Ovid
Kathleen Castner, 1303 N. St. Clair Road, Ovid
Dan Connelly, 30845 Embassy, Beverly Hills, MI
Jim Kiskane, 2723 N. DeWitt Road, St. Johns
Allannah Wooding, ESA
Karol Sanborn, 4550 N. Hubbardston Road, Pewamo
Karen Bird, 2349 Almond Road, Williamston, MI
Kelly Campbell, 2502 Steel Road, St. Johns
David Smith, Essex Twp
Larry Strzalka, Eagle Twp
Coreen Strzalka, Eagle Twp
Walter Schmidtman, Bingham Twp
Ray Gross, 12262 Hinman, Eagle
Joan Gross, 12262 S. Hinman Road, Eagle
Larry Kindel, Greenbush Twp

Matt Drennan, ESA
Gary Lell, 2450 E. Walker Road, Bingham Twp
Heather Duttonhaver, 2701 W. Maple Rapids Road, St. Johns
Gordon Larkins, 4375 W. Howe, DeWitt
Todd Thelen, 2610 E. Steel Road, St. Johns
Rosy Thelen, 2610 E. Steel Road, St. Johns
Dawn D. Levey, 6048 N. Lasky, Elsie, Duplain Twp Clerk
Yvonne Makara, 3644 N. Chandler Road, St. Johns
Peg Burnham, 8740 N. Scott Road, St. Johns
Nikki Selleck, 11340 W. Howe Road, Eagle
Gary Zehr, 1162 S. Chandler Road
Clifford Zehr, 1212 S. Chandler Road
Kay Zehr, 1212 S. Chandler Road
Carolyn Patrick, 3630 E. M-21
Bruce Hanses, 11162 S. Wright Road, Eagle
Lee Thelen, Greenbush Twp Supervisor
Rosemary Feldpausch, 11221 Tyler Drive, Fowler
Cindy Helms, 1780 W. Hyde Road, St. Johns
Richard Chapko, 2547 Avery Road
Melany Mack, 11849 Shavey, DeWitt
Dennis Strahle, 12833 W. Clark, Eagle
Roger Dennings, 7881 N. Upton Road, Elsie
Janet Dennings, 7881 N. Upton Road, Elsie
Chelsea Hoppel, 15048, S. Tallman Road, Eagle
Darrin Gray, 11585 W. Howe Road, Eagle
Debbie Gray, 11585 W. Howe Road, Eagle
Kathy George, Essex Twp
Margaret Maniez, Essex Twp
Pete Maniez, Essex Twp
Ron Pattison, 2785 Avery Road
Harold Defever, Fulton Twp
Steve Malkin, St. Johns
Kay Snyder, St. Johns
Tommy Matthews, St. Johns
Renee Jorae, St. Johns
Curt Kenyon, Eagle
Martha Kenyon, Eagle
Nicole Fickes, Laingsburg
Sheryl Spitzley, Portland
Laurie Rouhier, DeWitt
Dennis Rouhier, DeWitt
Verna Kelley, Elsie
Lou Markel, Westphalia
Karen Andrews, 8992 Williams Road, DeWitt
Stacey Hodges, 11280 Howe Road, Eagle
David Vanderbroek, 13311 S. Grange Road, Eagle
Theresa Hubbard, 1124 E. Alward Road
Fred Gifford, 7100 N. Williams Road
Linda Gifford, 7100 N. Willimas Road
Jerry Waldrop, 11590 W. Howe Road
Mark Clifford, 6902 N. Williams Road
Dave Faivor, 5998 S. Krepps Road
Lee Faivor, 5998 S. Krepps Road
Gail Wadell, 5112 E. Maple Rapids Road
Kathy Kavanags, 11890 S. Hinman Road, Eagle
Ryan Carrigan, Consumers Energy

Margie Wirth, 15779 W. Price Road, Westphalia
Carla Wardin, 6522 W. Colony
Dave Pohl, 1180 S. Hinman Road, Fowler
Dwight Washington, 15560 Park Lake Road, East Lansing
Jan Miller, 8620 S. Hinman Road, Westphalia
Neal Miller, 8620 S. Hinman Road, Westphalia

PLEDGE OF ALLEGIANCE The Pledge of Allegiance was given to the flag of the United States of America.

AGENDA • The agenda was presented for review and approval.

PLANNING COMMISSION ACTION: Peter Psarouthakis moved, supported by Patti Schafer to approve the agenda as presented. Motion carried.

COMMUNICATIONS

- A. Charter Township of Meridian, Ingham County** – Notice of Draft Master Plan Distribution
- B. Watertown Charter Township** – Notice of Master Plan Distribution
- C. Lois Husby** – draft solar and wind ordinances
- D. ESA Solar** – draft solar ordinance: letter & proposed revisions to draft ordinance
- E. Consumers Energy** – draft solar ordinance: Letter & proposed ordinance provisions
- F. Duplain Township** – PC-37-23 MA OR 195-23 Verna D. Kelley: letter of support

PLANNING COMMISSION ACTION: Patti Schafer, moved and supported by Peter Psarouthakis to receive and file communications as presented. Motion carried.

APPROVAL OF PLANNING COMMISSION MEETING MINUTES

PLANNING COMMISSION ACTION: Maggie Sayles moved, supported by Patti Schafer to approve the September 14, 2023 PC Meeting Minutes as presented. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 7-0, all in favor, none opposed.]

NEW BUSINESS *PC-37-23 MA*

- Raphael Kasen, Planner Reviewed ***PC-37-23 MA – Application for Zone Map Amendment (Rezoning)*** as detailed in the Staff Report (which includes the Zone Map Amendment criteria to be reviewed by the PC).
- Chairperson Christmas asked for any comments or questions from the PC.
 - Val Shirey asked staff for clarification regarding page #8 of the staff review, Additional Agency/Governmental Comments and Requirements, specifically 4.1 Essex Township. Director Kasen identified “Essex Township” as an error, as the correct wording is “Duplain Township” (where the subject property is located)

PLANNING COMMISSION ACTION: Patti Schafer moved, supported by Peter Psarouthakis to open the public hearing. Voting

on the motion by roll call vote, motion carried unanimously. [Vote of 7-0, all in favor, none opposed.]

- Chairperson Christmas called on the applicant.
- Verna D. Kelley (applicant) – stated that she is selling half of the parcel to her son
- Other Comments – Dawn Levey, Duplain Twp Clerk stated the Duplain Twp reviewed the rezoning request and supports the request

PLANNING COMMISSION ACTION: Peter Psarouthakis moved, supported by Jan Motz to close the public hearing. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 7-0, all in favor, none opposed.]

PLANNING COMMISSION ACTION: Peter Psarouthakis moved, supported by Patti Schafer to approve PC-37-23 MA (OR 195-23), Verna D. Kelley, to the Board of Commissioners to amend the Zoning Map from A-2 (General Agriculture) to A-3 (Agricultural/Residential Transition) for the property located in Section 29 of Duplain Township as legally described in the petition based on the following reasoning:

Reasoning: (1) The seven (7) findings of fact outlined in Section 7.21.E of the Zoning Ordinance, as detailed in the staff report, have been met. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 7-0, all in favor, none opposed.]

OLD BUSINESS
(A)ADVISORY COMMITTEE

Utility Scale Solar and Wind Zoning Regulations
Draft Ordinance Recommendations

- Jan Motz stated that she has a conflict of interest regarding the Utility Scale Solar and Wind Zoning Ordinances and is therefore recusing herself from the discussion and relocating to the Board of Commissioners' Office for this item.
- Director Kasen introduced County Legal Counsel, Laura Genovich (Foster Swift) to provide an over-view of procedural items as it pertains to the review of the Utility Scale Solar and Wind Zoning Regulations Draft Ordinance as drafted and recommended by the Citizens' Advisory Committee.
- Ms. Genovich provided a summary of the recent happenings regarding the Utility Scale Solar and Wind Zoning Regulations Draft Ordinance – PC received initial draft from the Citizens' Advisory Committee (CAC); but requested one additional meeting of the CAC to review and refine the draft language that was originally submitted to the PC. The Board of Commissioners (BOC) approved the addition of a single meeting for the CAC to complete their work prior to having the PC begin its review of the draft ordinances. The CAC met to complete the draft ordinance on September 28, 2023 to go through the draft ordinance line by line and voting on each and every proposed change to the draft documents. The CAC voted unanimously to send the Utility Scale Solar

and Wind Regulations Draft Ordinances to the Planning Commission for their review and consideration. The CAC reserved two specific areas of the ordinance for the PC to review and make determinations on – the setbacks in the non-agricultural districts, if the PC chooses to allow utility scale solar and wind in zoning districts other than in the agriculture, specifically commercial and industrial districts and private systems as the CAC thought private systems were beyond its scope. The private systems are those solar and wind systems that provide power directly to the structures on the property they are installed on. The energy produced by these private systems is not sold back to the power grid. The PC may determine to include the setbacks and private systems questions as part of the current Utility Scale Solar and Wind Ordinances discussion or the PC may choose to handle them separately from the Utility Scale Solar and Wind. Ms. Genovich suggested the PC include the setbacks for commercial and industrial districts as part of the current Utility Scale Solar and Wind Ordinance discussion. Ms. Genovich discussed next steps for the PC to review the draft Utility Scale Solar and Wind Ordinances from the CAC – Once the PC determines if they want to include the commercial and industrial setbacks and/or the private systems, the PC could begin reviewing the draft ordinances at the current or future regular meeting, PC could conduct a separate work shop to review the draft from the CAC to determine if any changes may need to be made. Once the PC has agreed upon its version of the draft Utility Scale Solar and Wind ordinances, the PC must schedule a public hearing. After the public hearing, the PC needs to make a recommendation to the County BOC regarding their proposed Utility Scale Solar and Wind regulations. Ms. Genovich completed her overview and asked for any questions.

- Peter Psarouthakis asked three questions: 1. Are the draft ordinances presented to the PC by the CAC amendments to the existing County ordinances or did the CAC start from scratch and rewrite the draft ordinances? Ms. Genovich responded that the proposed new ordinances should be considered that the CAC started from scratch.
2. Is the County able to prohibit solar outright? Ms. Genovich responded; the County can't exclude a use if there is a demonstrated need in that zoning jurisdiction. The question to consider is whether or not there is a demonstrated need for that particular use.
3. Can an ordinance be created that is considered prohibitive and not allow solar? Ms. Genovich responded, there will always be people that perceive an ordinance to be prohibitive if it does not meet their project specification. However, there have not been any cases where the courts have struck down the solar ordinance because they are too restrictive.
- Patti Schafer asked if demonstrated need versus public benefit are those just interchangeable words? Ms. Genovich responded, demonstrated need is term used within case law for zoning stating you need to show there is a need within

this zoning jurisdiction for this use specific to the township and county.

- Maggie Sayles, served as the chair of the CAC, summarized the results the CAC's September 28th meeting
- Peter Psarouthakis asked PC member Sayles if the CAC reviewed the solar/wind ordinances of the five townships in Clinton County that are not under Clinton County planning and zoning. Maggie Sayles responded that the CAC reviewed some of the other townships solar and wind ordinances discussed at early meetings and summarized that those townships reflected not wanting solar and wind developments. Val Shirey rebutted Maggie Sayles' comments that she had a difference of opinion regarding the five townships' solar and wind ordinances in that two were prohibitive and three were not prohibitive.
- Chair Roni Christmas asked how the PC members would like to proceed in evaluating the solar and wind ordinance recommendations from the CAC – go through line by line? Conduct a special workshop specific to evaluating the proposed solar and wind ordinance language?
- Patti Schafer commented that the PC needs to make sure that whatever changes to the solar and wind ordinances they propose to the BOC that the language has “teeth” and is defensible in court by County legal counsel.
- Val Shirey proposed the PC remove the “private” and “commercial” solar and wind ordinance review from the Utility Scale Solar and Wind Ordinances language that was reviewed by the CAC per their project scope and have the PC review the “private” and “commercial” solar and wind ordinances at a later date, once the review and updating of the Utility Scale Solar and Wind Ordinances language is adopted by the BOC. Ms. Genovich clarified the specifics regarding the difference between the private solar and wind installations and the commercial and industrial setbacks included in the Utility Scale Solar and Wind Ordinance language.

PLANNING COMMISSION ACTION: Val Shirey made a Motion to remove the private solar energy and private wind from the Utility Solar and Wind Ordinance language review and to consider the private solar and wind ordinance separately, supported by Peter Psarouthakis. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 6-0-1, six in favor and one abstention, motion carried.]

- Maggie Sayles summarized the discussion the CAC had specific to the commercial and industrial setbacks for the Utility Scale Solar and Wind Ordinance language. The CAC felt that since the commercial and industrial districts were separate from agricultural uses that they would set aside the commercial and industrial discussions for the PC to determine.
- Peter Psarouthakis suggested the PC needed to have a work session dedicated to the discussion and review of the CAC's recommended changes to the County's Utility Scale Solar and Wind Ordinances.

- Maggie Sayles requested the PC members discuss the specific items to be reviewed since the state legislature is currently considering multiple bills that would remove local government zoning control for solar and wind sitings and give that authority to the Michigan Public Service Commission (MPSC). Some specific examples include discussion of property setbacks, noise restrictions and screening of solar and wind projects. Peter Psarouthakis asked about clarification regarding the recommendation to exclude solar and wind projects from properties enrolled in the state PA116 program. Ms. Genovich clarified the CAC's reasoning for excluding PA116 properties was to safeguard farmland and preserve the rural character of the community farmland. Ms. Genovich added they are continuing to keep a close eye on the proposed bills in the state legislature in case any changes to the current proposed changes to the County's Utility Solar and Wind Ordinances are required.
- Patti Schafer asked Maggie Sayles if she had specific items the CAC's recommended changes she would like to see the PC discuss. Maggie Sayles specified her items that she would like to be further discussed by the PC – amount of an insurance policy required by the solar/wind company, soil testing information/questions (pre-test, mid-test, post-test), setbacks. The PC further discussed setback questions. Maggie Sayles also mentioned proposed height language, screening, noise regulations and decommissioning work. Specific to wind ordinance – setbacks for wind turbines (specific to bodies of water),
- Peter Psarouthakis asked Val Shirey about the BOC's timeline to complete the review of the Utility Scale Solar and Wind Ordinances review. Val Shirey stated the BOC placed a 12-month moratorium on all new Utility Scale Solar and Wind projects beginning in June 2023, with the desire for the CAC and PC to complete their work and bring a recommendation to the BOC in December 2023 or January 2024.
- PC members and legal counsel discussed the posting requirements for a public hearing and when the PC may make a recommendation once the public hearing has been completed.

PLANNING COMMISSION ACTION: Maggie Sayles made a motion to schedule the Utility Solar and Wind Ordinances workshop for Thursday, October 26, 2023 at 6pm at the BOC Room, supported by Peter Psarouthakis, motion carried unanimously. [Vote of 7-0]

- Jan Motz re-entered the PC meeting at approximately 7:46pm and took her seat at the dais for the remainder of the meeting.

PUBLIC COMMENTS

- Lee Thelen, Greenbush Twp Supervisor – summarized the Board of Commissioners' (BOC) charge for the Citizens Advisory Committee (CAC) to review and make recommendations for any changes to the County's existing Utility Scale Solar and Wind Ordinances. The CAC's focus was not to prohibit or welcome Utility Scale Solar and Wind

projects, but to determine desired regulations if any Utility Scale Solar and Wind projects wanted to be sited in Clinton County. Mr. Thelen's primary goal for this project was to be fair for the property owner, that would have a Utility Scale Solar or Wind project sited on their property, and their neighbors.

- Ken Wieber, Fowler, MI (represented Lebanon Twp on the CAC) – Agreed with Mr. Thelen's comments describing the CAC process. Mr. Wieber added, one of the major focus points of the CAC was to develop ordinance language that would reduce the nuisances created by renewable energy developments and creating a resolution process for the residents that is more workable (focused on the needs/desires of the residents first and the renewable energy industry second). Mr. Wieber also mentioned the importance of preserving prime farmland and noise regulations.
- Gloria Barker, 225 Beaupre, Grosse Pointe Farms, MI – has owned property in Greenbush Twp for over 40 years – mentioned the Walker Road solar project will assist in electricity production to support Greenbush Twp and PA116 properties should be allowed to have solar and wind projects on them. Ms. Barker encouraged the County to overcome the social and political policy constraints of renewable energy projects and allow Clinton County to benefit from the increased tax revenue from renewable energy projects and to approve a county zoning ordinance that will support the state's goal of 60% of the state's energy to be generated from renewable energy by 2030.
- Donna Graham, 6712 N. Williams Road, St. Johns – have owned and farmed their property since 1948. Opposed to renewable energy developments in Clinton County. Provided information on the negative impacts that solar and wind developments have on the land. Is tired of being forced into only two types of energy generation by the local, state and federal governments. Note: Maggie Sayles requested Ms. Graham provide informational handout that she referred to during her comments (Tri-County Homeworks)
- Nikki Selleck, 11340 Howe Road, Eagle – opposed to large scale solar and wind farms in Clinton County and to strongly encourage Clinton County to take a stance what is at the heart of our community – our citizens, our farmland, the natural beauty we are lucky enough to benefit from. Not opposed to finding alternative energy solutions.
- Kim Kellogg, Greenbush Twp – concerned with the proposed solar and wind ordinance language, specific to screening. Wants to see three rows of trees required for screening, not two rows of trees. Also has concerns with the proximity of wind turbines to bodies of water – the minimum distance should be 2.5 miles to protect waterfowl and migration patterns of thousands of birds. Last concern is the setback for wind turbines for neighboring properties (page 8 of the wind ordinance, Section 8. B)
- Lou Markel, Westphalia – regarding earlier comments about impact on vacant land. What if someone wants to build a house on that vacant land in the future?

- Kelly Campbell, 2502 Steel Road, St. Johns – concerned with the proximity of solar panels to bodies of water. Also concerned with leaching of solar panels into bodies of water
- Michell Kent, 3535 E. Colony Road – Ms. Kent and her husband have been property owners in Clinton County for over 30 years and supports renewable energy in Clinton County. Ms. Kent encouraged the BOC to enact reasonable and sensible zoning ordinances for the county solar program. Ms. Kent stated that this is primarily about three items – 1. Landowner rights, 2. Appropriate land use and 3. Realistic threats to agriculture land. Renewable energy will be in the top five sources of tax revenue for Clinton County.
- Kathy George, Essex Twp (served on the CAC) – reiterated what Ms. Laura Genovich, County Legal Counsel, stated that the draft solar and wind ordinance proposed by the CAC is not too restrictive (making it more onerous on renewable energy companies to construct solar and wind projects). Every piece of the draft ordinance from the CAC was carefully constructed and purposely put into place for a specific reason. The draft ordinance was not simply cut and pasted from other existing zoning ordinances. It is reflective of the needs and concerns of the 11 townships zoned by Clinton County. Concerned with the loss of valuable farmland which will negatively impact food production.
- Margie Wirth, 15779 W. Price Road, Westphalia – three grave concerns – 1. Possible mega-development in Eagle Twp, 2. Concerned with status of Giffels Webster study for Eagle Twp parcels, 3. Proposed new ITC power lines. Asked that PC members stay off their phones during the meeting.
- Matt Drennan, ESA Solar – solar developer looking to do solar developments in Clinton County. Mr. Drennan provided his phone # (863-255-5799) for anyone that has any questions about any ESA projects. Mr. Drennan wants to be as transparent as possible as there is a large amount of misinformation being disseminated. Mr. Drennan also complimented the CAC for having one of the best committees he has witnessed, specific to decorum and respect in the state of Michigan. However, the draft language developed by the CAC is exclusionary and it is because of local ordinances similar to the CAC's proposed language that the state legislature is working on passing legislation that will take away local control for solar and wind siting projects. It's about private property rights trying to make American made energy with American made equipment to produce energy for the communities they are located in. Lastly, the state is in the process of codifying the PA116 regulations to allow solar and wind on PA116 property.
- Karol Sandborn, 4550 N. Hubbardston Road, Pewamo – her family is collateral damage regarding solar and wind, as they have monstrosities monopoles decorating our back 80 acres. Ms. Sandborn is against any bill that will take away people's rights. Ms. Sandborn will continue to fight against any development in their backyard. Concerns that these mega developments are from China.

- Coreen Strzalka, 14705 W. Grand River, Eagle – opposes the proposed new ITC power lines. Encouraged people to attend the Michigan Public Service Commission meeting that is discussing the proposed new ITC power lines. Regarding solar farms, people should be able to use their property how they choose to.
- Ryan Carrigan, Consumers Energy – thanked Maggie Sayles for chairing the CAC and commended the CAC’s work on the solar and wind ordinances. Also, offered Consumers Energy’s assistance as the PC moves forward in evaluating the CAC’s draft ordinances.
- Melany Mack, 11849 Shavey Road, DeWitt, MI (served on the CAC) – grateful to sit on the CAC. Ms. Mack stated that in fact the proposed solar and wind ordinance recommended to the PC by the CAC was cut and pasted from other existing ordinances and the CAC then made the proposed County zoning ordinance even more restrictive. Ms. Mack encouraged the PC to get expert advice as these issues are so complex. Ms. Mack suggested Sarah Mills from the University of Michigan and Chuck Gould MSU Extension. Lastly, Ms. Mack complimented Maggie Sayles for doing a good job chairing the CAC. **Note:** Maggie Sayles encouraged the PC members to review the information on the County’s website specific to the CAC that includes meeting minutes, presentations and other resources that were available to the CAC as they developed their draft solar and wind ordinance.
- Janine Dyer, 15773 S. Tallman, Eagle – Has the County requested a master plan from Consumers Energy to see how much land Consumers Energy is planning on using for solar and wind in Clinton County?
- Theresa Hubbard, 1124 E. Alward Road, Olive Twp – thanks for all of the work that has been done thus far on the solar and wind ordinances. However, believes that the draft ordinance being recommended to the PC by the CAC is not acceptable. As a result, the state is considering passing legislation that will take away local control for solar and wind siting projects.
- Maggie Maniez, 6400 W. Mead, Essex Twp – Ms. Maniez read the remainder of Kathy George’s comments that Ms. George was not able to complete during her public comments. Ms. Maniez commented on the negative impact that solar and wind will have on the agricultural community such as the new cheese factory in St. Johns.
- David Smith, Countyline Road, Essex Twp – Concerned with the possibility of the state of Michigan taking away private property for renewable energy sources (solar and wind). Wonders about how the power companies will invest their money into renewable energies that are not reliable. Mr. Smith also commented on his concerns about the money the utility companies are paying to the state elected officials in support of renewable energy sources. Mr. Smith is concerned that all of the hard work the CAC put into the draft ordinance will be in vain. Lastly, Mr. Smith thanked the PC for allowing him to serve on the CAC.

- Larry Strzalka, 14705 W. Grand River, Eagle – Mr. Strzalka is concerned with the comment made by a PC member about, “where are all of these people coming from?”
- Larry Kindel, 3273 W. Island Road, St. Johns (served on CAC) – attended every CAC meeting and the CAC members made sure that any item that was proposed to be added to the solar and wind ordinances was not a “red flag” (that might be challenged by a solar or wind company), even as far as asking the County legal counsel whether or not any of the items were “red flags”. It is Mr. Kindel’s understanding is that there are no “red flags” in the draft solar and wind ordinances presented to the PC. Mr. Kindel also stated that any of the solar and wind companies will be guests in Clinton County and as such, the guests need to comply with the rules in Clinton County.
- Stacey Hodges, 11280 Howe Road, Eagle, MI – suggestions for the required written emergency response plan in the zoning ordinance. Recommending the draft ordinance requires the solar and wind companies to provide a copy of the detailed emergency response plan to municipalities and the public (neighbors).
- Martha Kenyon, Eagle – Is there sufficient sunshine and wind in Michigan for solar and wind developments to properly energize the solar panels and turn the wind turbines.
- Dawn Levey, 6048 N. Lasky Road, Elsie, MI Duplain Twp (served on the CAC) – concerned with large drainage ditches required when the solar projects are washed annually. Also, concerned with what will be used to clean the solar panels and any environmental impacts.
- Sheryl Spitzley, 9609 Jones, Portland, MI (Westphalia Twp) – Ms. Spitzely opposed to the proposed new ITC power line. Ms. Spitzely wants to the new ITC power lines run next to freeways. Note – Patti Shafer asked Ms. Spitzely if she had informed ITC that they oppose the proposed route of the new power line traveling through their property. Patti Shafer also asked for Ms. Spitzely’s contact info so Patti can pass along any information she receives, as the Eagle Twp Supervisor, regarding the proposed ITC power line.
- Gail Wadell, 5112 E. Maple Rapids Road, Duplain Twp – confirmed Dawn Levey’s earlier comments regarding the required annual washing of the solar panels. Ms. Wadell is concerned about any contaminated run-off from the annual cleaning of solar panels. Opposed to solar and wind on good farmland in Clinton County.
- Darrin Gray, 11585 W. Howe Road, Eagle – has lived at the same address for 53 years. Opposed to mega site developments and solar developments. Supports local control over the overreach of socialist state government. Lastly, Mr. Gray is for the preservation of farmland and farming

OTHER BUSINESS

None

COMMUNITY
DEVELOPMENT
DIRECTOR'S REPORT

- Raphael Kasen, Planner, provided a brief update: The PC will need to appoint a PC representative to the Zoning Board of Appeals prior to the end 2023. Additionally, the November 2023 PC meeting agenda will have two cases with public hearings.

PLANNING COMMISSIONER
COMMENTS

- Maggie Sayles asked if Director Kasen had any updates on any state legislation that may impact the PC. Director Kasen deferred to Val Shirey regarding bills in house and senate committees pre-empting local control on large scale solar and wind project siting. Val Shirey and Director Kasen provided information.
- Peter Psarouthakis stated that he disagrees with the current PC by-laws regarding the required actions of a PC member to leave the room after declaring they have a conflict of interest. Mr. Psarouthakis is proposing to amend the specific by-laws to eliminate the requirement that the member leave the room after such a recusal. This item will be on the October 26, 2023 PC Special Workshop for Utility Scale Solar and Wind Ordinances review.

ADJOURNMENT

PLANNING COMMISSION ACTION: With no further business to come before the Commission, Peter Psarouthakis moved, supported Maggie Sayles to adjourn the meeting at 9:10 p.m. motion carried unanimously. [Vote of 7-0]



Todd J. Campbell, Deputy County Administrator

NOTE: These minutes were approved by the Planning Commission on October 26, 2023.