

**MINUTES SILVER CREEK TOWNSHIP
PLANNING COMMISSION MEETING HELD ON MAY 23, 2018**

The Planning Commission meeting was called to order by Chairman Terry Harris at 7:03 p.m. on Wednesday, May 23, 2018. The Pledge of Allegiance to the Flag of the United States of America was recited.

MEMBERS PRESENT: Bill Zuhl, Terry Harris, Debbie Brown, Dave Grabemeyer

MEMBERS ABSENT: Jon Tidey, Tim Feirick, Jerry Donley

OTHERS PRESENT: Recording Secretary Lindsay Krohne, Terry Rubenthaler, Chief Technology Officer for Midwest Energy Cooperative

MOTION TO APPROVE AGENDA

Dave Grabemeyer motioned to approve the agenda for May 23, 2018. Debbie Brown seconded. Motion passed by voice vote.

MOTION TO APPROVE MINUTES

Dave Grabemeyer motioned to approve the April 25, 2018 minutes. Debbie Brown seconded. Motion passed by voice vote.

SOLAR ENERGY OUTLOOK PRESENTATION

Terry Rubenthaler, Chief Technology Officer for Midwest Energy gave a presentation about Solar Energy, which resulted in a lengthy discussion.

Chairman Terry Harris stated that an interested person contacted Supervisor Bill Saunders requesting a list of names and addresses of farmers in Silver Creek Township who may be interested in selling farmland for solar energy farming. Terry advised that they should not provide that information.

Terry Rubenthaler explained net metering where you only generate as much energy as you use. He also explained Buy All-Sell All where you buy what you use, and sell what you don't use.

Terry Rubenthaler stated that Midwest Energy has plans for three solar farms to be built.

Terry Harris questioned if there are any potential hazards with solar energy farms, like there are with wind energy. Terry Rubenthaler stated that there aren't really any hazards in this area.

Dave Grabemeyer questioned if the sun is economically better at certain times of the year. Terry Rubenthaler answered that summer and fall were better due to there being more sun.

Terry Rubenthaler stated that with Midwest Energy's plans to install their solar panel farm, the property is already zoned commercial.

Terry Harris stated that he had a good point, and questioned whether they would require the land owner to change their zoning.

COMMUNICATIONS

None.

PUBLIC COMMENT

None.

TOWNSHIP ATTORNEY'S REPORT

Terry Harris stated that he has had conversation with both Clerk Barb Runyon and Supervisor Bill Saunders regarding the new attorney. He stated that they are out of Kalamazoo, and that they will attend a meeting if we request them to, or if they deem it necessary. Terry Harris stated that when they need to hold a public hearing, he will contact Clerk Barb Runyon, who will prepare and publish the notice. Dave Grabemeyer stated that it was convenient to have an attorney present to answer questions on the spot.

BUILDING/ZONING ADMINISTRATOR'S REPORT

None.

NEW BUSINESS

REVIEW OF "WIND GENERATED POWER" AND DISCUSSION OF "SOLAR ENERGY"

With a Solar Energy ordinance draft provided by Chairman Terry Harris, the Planning Commission members read through and discussed each section.

Discussion took place that the ordinance should state that the local power company approval would be required before coming to the Planning Commission.

Debbie Brown suggested adding "net metering" and "buy all sell all" to the definitions, and all agreed.

Dave Grabemeyer commented that he did not think they would need to have a meeting for every person who wanted to put up a solar panel for personal use for a pool heater, for example. He stated that if someone wants to put one up for personal use, they didn't need to have a meeting to ask permission, and that should be included in the ordinance somewhere.

Bill Zuhl stated that with wind energy, anything under 25kw is a permitted use. Dave Grabemeyer questioned if the same numbers are used for solar energy. Bill Zuhl answered that he is not sure.

Discussion followed regarding the height. If someone had a 35øhome, they could not install a solar panel on the roof due to the maximum height allowable.

Discussion on setbacks took place. In 155.325 Section (2) a, it was agreed that the wording should read "solar energy collectors located in the rear yard and the side yard shall be located no closer to the property line than the height of the solar energy collector or property setback, whichever is greater."

After reading Section (2) b, Dave Grabemeyer stated that you can have the solar panels on your beach, but not if they are over 3øtall if it is within 40øof the waterøedge. With everyone in agreement, Terry Harris stated that section would be removed and they would not allow them within that 40øsetback.

Bill Zuhl stated that those numbers were closer than our current setbacks of 30øfor rear yard and side yard in Ag-Res, and 50øfor front yard in Ag-Res. The members agreed that the wording should read that setbacks shall meet the minimum setbacks for the zoning district.

Bill Zuhl stated that the lot coverage in AR is 25%, which is why they aren't including it in the ordinance, because it would defeat the purpose.

Terry stated that he will remove Section 155.340 1. g. "Noise."

It was discussed that Section 1. h. was to somewhat hide the solar energy farm due to them being unattractive.

It was agreed to add "local energy company" to 155.340 Section 1. i. The Planning Commission members also agreed that in Section k. 12. adding that a performance bond be required for decommissioning.

Bill Zuhl stated that Section I is not necessary. Terry Harris stated that he will remove Section I completely. He stated the Planning Commission can always go back and review their ordinances.

Chairman Terry Harris stated that he will resubmit the Solar Generated Power Ordinance draft to the Planning Commission members with the changes for review. He explained that once finished, there will be a public hearing, and then it will be sent to the County Planning Commission, then the Township Board for approval.

DISCUSSION TO CHANGE WORDING IN SECTION 155.254 (B)

Chairman Terry Harris stated that he received a request from Clerk Barb Runyon to consider changing the wording in Section 155.254 (B) from "video recording" to "written record" and explained that it would require a notice for it to be included in the public hearing scheduled for

the June 27, 2018 meeting. Discussion followed. Dave Grabemeyer stated that he believes Attorney Magyar suggested changing the wording a long time ago.

MOTION TO HOLD A PUBLIC HEARING TO CHANGE THE WORDING OF “VIDEO RECORDING” TO “WRITTEN RECORD”

Dave Grabemeyer motioned to change the wording of “video recording” to “written record” in Section 155.254 (B). Debbie Brown seconded. Motion passed by voice vote with Bill Zuhl abstaining to reserve his vote for the Township Board.

COMMISSION MEMBER DISCUSSION

Bill Zuhl stated that American Legal changed some of the wording in the new ordinance book. He stated that the map and the legend do not match, and Residential District and R2 need to match. He stated that it is probably not a big deal, but something he noticed.

Discussion followed, and it was determined that the map was taken from the previous ordinance book and was not included with the new ordinance book.

PUBLIC COMMENT

None.

PLANNING COMMISSION MEETING DATE

Terry Harris verified the next meeting date would be Wednesday, June 27, 2018. He stated that he will be out of town, and Tim Feirick has agreed to chair. He stated that he will send Clerk Barb Runyon an e-mail regarding the public hearing.

ADJOURNMENT

Dave Grabemeyer motioned to adjourn the meeting. Bill Zuhl seconded. Motion passed by voice vote. The meeting was adjourned at 8:46 p.m. by Chairman Terry Harris.

Respectfully submitted,

Lindsay Krohne
Planning Commission Secretary

Jon Tidey, Secretary

To be approved at the June 27, 2018 Planning Commission meeting