

Riley Township Planning Commission

Regular Meeting Minutes

Meeting Details

Date: September 18th, 2023

Time: 7:00 p.m.

Location: Riley Township Hall, 13016 Belle River Road, Riley, MI 48041

Open:

- Called to order at 7:00 p.m.
- Pledge of Allegiance

Roll Call:

Present: Doug Pratt, Brad Schuster, Duane Hagle, Dave Rushing, David Bergen, Kimberly Budnick

Excused: Jerry Filion

Staff Present: Building Inspector Doug Wendland

Agenda: Changes: None presented

- *Motion to accept agenda as presented made by Rushing, seconded by Hagle. All in favor, motion approved.*

Regular Meeting Minutes for August 21st, 2023: Corrections: none presented

- *Motion to accept minutes as presented made by Rushing, seconded by Budnick. All in favor, motion approved.*

Comments from the Public on Agenda Items: Citizen mentioned there is a resolution for the state to take local control away regarding energy.

Public Hearing: To accept comments from the public on Zoning Ordinance 33, Article IX, Section 923 Wind Energy Conversion Systems Amendment

- *Motion to open public hearing made by Rushing, seconded by Hagle at 7:04 p.m. All in favor, motion approved.*

Chairman explained that two paragraphs have been crossed out that applied to solar, which is going to be presented as a new ordinance. No other changes were made. Request for public comments was made by the Chairperson:

Citizen commented and suggested that the Wind ordinance should offer the same protections that the Solar Ordinance will, and that there are different wind levels and installments could be as high as 650'. Asked if moratorium is in place for wind and solar. Asked if there could be a vote by the people for approval. There is a moratorium currently in place and the current ordinance is for residential, not utility, and can be reviewed at a later date.

- *Motion to close public hearing made by Hagle, seconded by Schuster at 7:11 p.m. All in favor, motion approved.*

Public Hearing: To accept comments from the public on Zoning Ordinance 33, Article IX, Section 925 Small Personal Scale Solar and Utility Scale Solar Energy Facilities

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- *Motion to open public hearing made by Rushing, seconded by Hagle at 7:12 p.m. All in favor, motion approved.*

Chairman explained this is a new ordinance for residential and commercial applications of solar. Request for public comments was made by the Chairperson:

Citizens in attendance commented and asked the following questions: How the ordinance was developed? How long the moratorium is for? Can the land be leased to solar utilities without the township's knowledge? Is there a minimum or maximum number of acres that can be used for solar facilities? Can a maximum be set that discourages development of solar facilities? What about the clean-up and reclamation of the land when finished? Is the bond high enough? How often will facilities be reviewed? Can we limit where these facilities will go? If utilities must present studies showing impact on land and water sources, who does the studies? What about water levels and effect on the wells? Senate Bill 271 being introduced that will take away local control. What about spot Zoning? Can we limit solar installations to commercial sites and not farmland? Does the ordinance address noise controls? Where can we find out about utility leases in the area? Can we stipulate the solar panels be made in the USA only? How is the solar flare being addressed? What about battery storage? Are there any fail-safes if property values decrease as a result of solar facility? What about dust?

Planning Commissioner Budnick commented that many of the concerns have been addressed within the ordinance. The impact studies that would be required are done by an entity of the township's choice. By state law any restrictions or regulations need to be reasonable, so requiring USA made panels at this time can't be included, nor can the size of installation be limited to exclude any. No battery storage will be allowed on-site. The township's Master Plan is being updated to include an overlay area of approximately 200 acres that may allow commercial solar facilities with special use approval. Information on Utility leases can be looked up on the St. Clair County Registrar of Deeds website.

- *Motion to close public hearing made by Hagle, seconded by Schuster at 8:53 p.m. All In favor, motion approved.*

Guest Speaker: County Commissioner Rushing reported on portion of the extra ARPA funds from the county will be given to road commission for ditching / culvert improvement projects including repaving Belle River Road from Boardman Road to the end of Memphis. Drafting a resolution to keep zoning determinations in the hands of local officials. Also drafting a resolution to provide new radios with encryption for local fire and police departments within the county.

Trustee Report: Board approved Emmet Fire Contract, publishing bids for snow removal, and lease of farm land.

Parks & Recreation Report: Fall Festival and Car show is this Saturday, September 23, 2023.

Zoning Board of Appeals Report: No meeting held.

New Business:

- A. Pond Ordinance Review:** Motion to table until next meeting made by Rushing, seconded by Hagle. All in favor, motion carried.

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Old Business:

- A. **Master Plan:** Meeting with Metro Planning this week.

- B. **Section 925 Solar Ordinance:** Discussion held if depreciation of land values be addressed in the ordinance, can be a hardship on the township if zoning changes as a result of solar leases, and resolution proposed on foreign infrastructures.
 - *Motion to Recommend Approval for Adoption of Zoning Ordinance 33, Article IX, Section 925 Small Personal Scale Solar and Utility Scale Solar Energy Facilities to Township Board made by Budnick, seconded by Rushing. All in favor, motion carried.*

 - *Motion to send Zoning Ordinance 33, Article IX, Section 925 Small Personal Scale Solar and Utility Scale Solar Energy Facilities to Metro Planning Commission for review and recommendation made by Budnick, seconded by Rushing. All in favor, motion carried.*

- C. **Section 923 Wind Ordinance:** No set date on Metro Planning's schedule as to when recommendations will be received.
 - *Motion to Recommend Approval for Adoption of Zoning Ordinance 33, Article IX, Section 923 Wind Energy Conversion Systems Amendment to Township Board made by Budnick, seconded by Pratt. All in favor, motion carried.*

 - *Motion to send Zoning Ordinance 33, Article IX, Section 923 Wind Energy Conversion Systems Amendment to Metro Planning Commission for review and recommendation made by Budnick, seconded by Hagle. All in favor, motion carried.*

Communications Received: None

Comments from the Public: Citizen thanked the planning commission for the work they did on the solar ordinance. Asked if the meeting agendas could be posted prior to the meetings on township website. There is a group-working to change laws called Referendum for Michigan (rofmi.org).

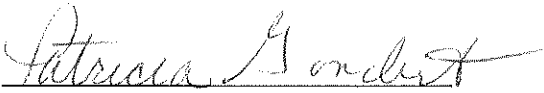
Comments from Planning Commission Members Not Addressed: Don't forget about the Fall Festival this Saturday!

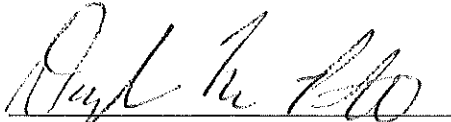
Next Regular Meeting: October 16th, 2023 at 7pm at Riley Township Hall, 13016 Belle River Road, Riley, MI 48041

Adjournment

- *Motion to adjourn made by Rushing, seconded by Hagle at 9:24 p.m. All in favor, motion approved.*

Respectfully submitted by,


Patricia Gondert, Recording Clerk


Doug Pratt, Chairperson