

**CHARTER TOWNSHIP OF CLAYTON
PLANNING COMMISSION MINUTES
August 20, 2019**

ROLL CALL

Members Present: Kevin DePottey, Ed McCartney, Dennis Milem, George Sippert, Tom Spillane, Andy Suski

Members Absent: Dwight Dennings

Others Present: Ted Henry, Building and Zoning Administrator, Ken Tucker, Attorney, Sherylynn Russo, Stenographer

APPROVAL OF PROPOSED AGENDA

Action Taken: Motion by Suski, supported by Spillane, to approve the proposed agenda for the August 20, 2019, Clayton Township Planning Commission meeting.

MOTION CARRIED.

APPROVAL OF MINUTES: July 16, 2019

Action Taken: Motion by Sippert, supported by Milem, to approve the minutes of July 16, 2019 Clayton Township Planning Commission meeting.

MOTION CARRIED.

COMMUNICATIONS

1. CONTACTED THE STATE DEPT OF AGRICULTURE ON SETTING UP A PRESENTATION

Ted Henry advised that he has made several attempts at contacting, but has not received a response. He feels that it is quite possible that they may not be equipped to present to this Commission or address questions that may be raised. He will continue to pursue this with the Dept. of Agriculture. Andy Suski will contact Ken Horn and get back with Ted.

2. Additional Information

The Township has received a letter from Rebecca Nyenhuis of Q-Cells requesting licensing requirements for building utility scale solar projects including "PV plants and substations". The question was raised as to what the PV stood for, but no one knew. Due to the moratorium this will be referred to the Board for a response.

REPORT OF OFFICERS AND COMMITTEES:

BUILDING COMMITTEE:

Ted Henry reported to following:
8 out of 10 homes in Cold Creek have started
1 on old Miller Road
1 on Potter Road
1 in Double Tree

Andy Suski asked for information relative to Hyde Park (between Potter and River west of Elms). According to Mr. Henry, three builders are involved and appear to have a fast occupancy, but had no additional information.

Mr. Henry also reported receipt of a letter requesting information on what is needed to establish a Care Growing facility in the old My Store consisting of 72 plants (medical growing only). There was much discussion, that since this is zoned commercial it may not be governed under the ordinance since this is a retail location. Also, smell would be an issue, but perhaps uncontrollable as it may be impossible to enforce the nuisance ordinance (how do you measure smell). It was suggested that we require an enhanced filtering system, but difficult to monitor/enforce. Mr. Suski raised a concern for neighbors and Mr. Tucker advised that there might be a need for a special use permit which would require a site plan since it is a commercial property. Recommendation was made that Public Hearing be held as well as taking it under advisement to address possible restrictions.

PUBLIC COMMENT:

None.

OLD BUSINESS / DISCUSSIONS

1. REVIEW OF SOLAR FARMS ORDINANCE FROM TOWNSHIP ATTY TUCKER

The Board began review of the ordinance developed by Attorney Tucker, Section by Section. Previous changes were reviewed for accuracy and were determined to be complete.

Taking up where review had left off at the July meeting:

Section 3 REGULATIONS

Item 2. Building-mounted Solar Energy Systems

- g.** Change to read: "the existing building roof-line if installed on the wall of a structure."
- h.** Change to read: "system shall not exceed a 40% maximum of surface square footage of the structure."

i. Change to read: "and shall not exceed 40% of square footage of one side of sign."

e. Change to read: "maximum of 40% of square footage as allowed in the Accessory Building Ordinance." (Check for conflict between Set-Back Ordinance and Accessory Building Ordinance.)

Item 4. Commercial Solar Energy Systems

f. **Change to read:** "minimum of 100 feet from the property line"

l. & m. – both these sections require research with regards to transfer requirements/notification including bond. Also need to address issue of maximum decibels allowed.

SECTION 4 CONFLICT OF LAWS

If we keep this section, should add "are allowed, but subject to Township Ordinances".

Additional note: With regards to "commercial" we should look into possible franchise fees.

Planning Commission will review revisions at September meeting.

NEW BUSINESS / DISCUSSIONS

None.

ADDITIONAL ITEMS

None.

ADDITIONAL COMMENTS

None.

ADJOURNMENT:

Action Taken: Motion by Suski, supported by Sippert, to adjourn the Planning Commission meeting at 7:30 p.m.

MOTION CARRIED

Respectfully submitted,
Sheryllynn Russo, Stenographer

Kevin DePottey, Chairperson

Dennis Milem, Secretary