

**CHARTER TOWNSHIP OF CLAYTON
PLANNING COMMISSION MINUTES
June 22, 2021**

ROLL CALL

Members Present: Kevin DePottey, Richard Derby, Ed McCartney, Dwight Dennings, Rick Caruso

Members Absent: Andy Suski, George Sippert

Others Present: Ted Henry, Building Official/Code Enforcer; Ken Tucker, Attorney; Sheryllynn Russo, Stenographer

APPROVAL OF PROPOSED AGENDA

Action Taken: Motion by McCartney, supported by Derby, to approve the proposed agenda for the June 22, 2021, Clayton Township Planning Commission meeting.

MOTION CARRIED.

APPROVAL OF MINUTES: May 25, 2021

Action Taken: Motion by Derby, supported by McCartney, to approve the minutes as presented for May 25, 2021 Clayton Township Planning Commission meeting.

MOTION CARRIED.

COMMUNICATIONS

NONE.

REPORT OF OFFICERS & COMMITTEES

Mr. Henry, Building Official, reported an application has been made for residential solar installation on Beecher Road (\$71,000/9 roof panels). 3 new homes under construction in the Township.

PUBLIC COMMENT:

None.

NEW BUSINESS

1. DISCUSSION ON THE NEW MASTER PLAN – ITEMS 1 & 2

Mr. DePottey advised the Commission that Jacob has now been replaced by Alicia at the County and she will now be finalizing any changes to our Master

Plan. The changes discussed at the last meeting have been made. Additionally, we would like to make the change on page 19 to remove any numbers as they relate to the number of full time, part time, and reserve officers. Upon agreement by the Commission, he will get this final change to Alicia.

Action Taken: Motion by Dennings, supported by Derby to pass this recommended Master Plan for review and adoption (as presented with page 19 (police) modification) to the Township Board's July 8th Board Meeting.

MOTION CARRIED by ROLL CALL VOTE.

2. CHICKENS – ORDINANCE FOR CLAYTON TOWNSHIP FARMS

After much discussion, it was determined that it would be more effective to develop a specific Chicken Ordinance as opposed to amending the Special Use ordinance, thus the need to amend/modify all ordinances impacted in specific districts.

The Commission reviewed a draft provided by Mr. Caruso as well as ordinances from Ann Arbor and East Lansing provided by Mr. Derby and the city of Burton which will be sent to the Commission by Mr. Tucker.

Part of the discussion recommended a cost/fee of \$75.00 due to the need for inspection prior to approving permit request. When drafting ordinance, make sure to be mindful of set-backs taking into consideration proximity to neighboring residential dwellings and property lines. Decision was made to limit number of chickens to 6 for ½ acre to less than 5 acres and 12 chickens for 5 acres and less than 10 acres. It was also recommended that confinement (coop) be minimum of 100' from nearest neighbor and 10' from property line.

With respect to rental property – landlord must sign application authorizing renter to have chickens. Permit should be issued to "resident" at a specific address. It is not transferable and void on sale or abandonment of property.

It was determined that a draft of this ordinance will be provided which includes all items discussed thus far, and the Commission members should review the additional ordinances provided and be ready to discuss at the July Planning Commission meeting.

OLD BUSINESS

1. DISCUSSION OF THE SOLAR ORDINANCE

Several members of the Commission have recently driven by the solar farm on Linden Road and were quite concerned over the condition and how bad it looks in that area – must be a significant impact on property values.

Mr. Derby provided the Madison County (Virginia) Solar Ordinance for the Commission to review. Mr. Tucker advised that there was not a great deal of case law regarding solar farms and that should be taken into consideration, that Clayton Township may not want to be the first community to develop a commercial Solar Ordinance due to the fact that it could easily turn into a lengthy and costly legal situation.

It was noted that the Commission needs to address commercial solar farm development if it is for their own private use (not to be sold) in any ordinance that may be developed.

Immediate concerns include, but are not limited to, de-valuation of property, noise, obstruction of wildlife pathways, abatement, aesthetics in the community.

Long term concerns are maintenance of substructure, weather damage/repairs, environmental impact, contamination, blight on Township. This Commission needs to determine what is the cost to clean-up per acre and what effect a leaky panel would have on the ground/environment.

Since the majority of these farms are developed on leased property any costs that may be incurred by the Township must be tied to the property which would provide the recourse to recoup these expenses levied on the property taxes. This is a major area since these contracts are 30 – 40 years in length and the lessee has the ability to sell the lease after 10 years.

Also need to address taxability on the property/equipment and a way to reduce the rates for Township residents.

Mr. DePottey requested the Commission review the Madison County ordinance as well as any others they locate. If they find any additional ordinances, send to Township to include in the July meeting packet.

ADDITIONAL ITEMS

Mr. Derby advised that the sign at the M-13 Gas Station (although closed and all lights off inside) is still lit, is extremely bright and flashing late at night and it may be a potential traffic hazard. Mr. Henry will look into. Light should be turned off during non-business hours.

ADJOURNMENT

Action Taken: Motion by Derby, supported by Dennings, to adjourn the Planning Commission meeting at 7:17 p.m.

MOTION CARRIED

Respectfully submitted,

Sheryllynn Russo, Stenographer

Kevin DePottey, Chairperson

Rick Caruso, Secretary