

**CHARTER TOWNSHIP OF CLAYTON  
PLANNING COMMISSION MINUTES  
November 23, 2021**

**ROLL CALL**

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

**Members Absent:** Andy Suski

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

**APPROVAL OF PROPOSED AGENDA**

**Action Taken:** Motion by Sippert, supported by Derby, to approve the proposed agenda for the November 23, 2021, Clayton Township Planning Commission meeting.

**MOTION CARRIED.**

**APPROVAL OF MINUTES: October 26, 2021**

**Action Taken:** Motion by Derby, supported by Dennings, to approve the minutes as presented for October 26, 2021 Clayton Township Planning Commission meeting.

**MOTION CARRIED.**

**COMMUNICATIONS**

NONE.

**REPORT OF OFFICERS & COMMITTEES**

**1. DISCUSSION ON AMENDMENT TO ORDINANCE 152.034 (FOUNDATION)**

Mr. Henry is working with Mr. Tucker to develop a draft for review at the January Planning Commission meeting.

**2. SOLAR PRESENTATION FROM PINEGATE RENEWABLES**

Pinegate representatives Joe Torkelson and Hannah Richards introduced themselves and advised that they currently are working on 16 projects in Michigan and plan on another 20 in the next two years. These projects range in size from 10 to 200 acres.

They have reviewed previous Planning Commission minutes and would like to address those concerns raised. (1) **set-backs** – 50' is standard, but they have

seen up to 100'; (2) **noise** – the only noise would be generated by the inverters (similar to a refrigerator) and analysis conducted thus far state that noise levels are not to exceed 60 decibels from road and the noise generated is well below this threshold; (3) **maintenance** – crews monitor remotely panel by panel and every effort is made to maintain these panels at optimum output; (4) **reports** – energy production reports are not a problem and can be provided in any format or timeframe required; (5) **vegetation** – maintained throughout year so as not to hinder production; (6) **environmental impact** – thoroughly analyze all areas of impact and can provide a report; (7) **panel contamination** – can provide all material components from manufacturer; (8) **life expectancy** – currently 40 years which coincides with consumers purchase agreement which is 20 years then renegotiated; (9) **decommission** – plan can be provided which is a step by step process. A bond can be posted if required for the entire life of the lease. (10) **tie to property taxes** – there is a bill currently in the State addressing this issue there a specific megawatt produced equates to a taxable income; (11) **size** – prefer 60 – 70 acres (one large as opposed to several smaller farms) and any smaller would not be financially equitable; (12) **aesthetics** – fencing – the Planning Commission minutes refer to an 8' berm (this is something they have never had required before), but federal law requires fencing. A berm would require addition dirt and drainage would be a concern. They currently install wild life fencing with evergreen trees and vegetation buffers and what is planted would also be part of the site plan approval process

They provided the Commission with a copy of an "Ordinance Guide for Michigan Local Governments". They also have contracts currently in place with utility companies.

They are currently doing environmental studies in our area with one particular farm (73 acres) Beecher & Nichols Roads.

Mr. Caruso requested the following information: 1. The nearest project where the Planning Commission could see an actual farm that they have built; and 2. The last site decommissioned in Michigan, where it was located and the associated cost. He also asked if a benefit to residents could be part of the negotiated power purchase agreement. Need to identify the benefits for the community and the Commission needs to tie the decommission bond to the land.

Additional questions from the Commission were regarding efficiencies and what affect overcast conditions would have – Pinegate responded that this had no significant impact in the past. Another questions regarded the letters that have been going out to land owners regarding any interest they might have In leasing – Pinegate responded that this is a general letter and in no way is a commitment from developer that a solar farm is planned for any particular site since no studies have been performed.

Pinegate did want it noted that all panels are fully insured.

## **PUBLIC COMMENT:**

NONE.

## **NEW BUSINESS**

### **1. ADDITION OF DECEMBER 14, 2021 @ 6:00 P.M. MTG FOR FICK REZONING**

Fick is petitioning for a rezone from commercial to residential.

**Action Taken:** Motion by Dennings, supported by Derby to add a December 14, 2021 meeting and cancel the regularly scheduled December 28 meeting and hold two meetings in January, the 11<sup>th</sup> and the 25<sup>th</sup>.

**MOTION CARRIED.**

### **2. PUBLIC HEARING FOR DRAFT MASTER PLAN**

Public Hearing opened at 6:51 p.m.

No Comments

Public Hearing closed at 6:52 p.m.

### **3. RECOMMEND THE ADOPTION OF THE MASTER PLAN TO THE BOARD**

**Action Taken:** Motion by Sippert, supported by Derby to recommend adoption of the Master Plan as written and forward to the Board for their approval. Roll Call vote: 6 Yes / 0 No RESOLUTION NO. 21-1123-02

**MOTION CARRIED.**

## **OLD BUSINESS**

### **1. DISCUSSION OF THE SOLAR ORDINANCE**

Draft was reviewed the following to be include:

Item j – fencing – revise to include the federal requirements for fencing (our ordinance should include both fencing and berming).

Item v. – add language to include bond amounts and battery usage and storage.

Mr. Tucker will look into battery issue/restrictions. It may be possible to include any additional battery storage construction with site plan review and additional permit requirements.

This will be reviewed again at the December 14, 2021 meeting.

## **2. SET PUBLIC HEARING DATE FOR THE CHICKEN ORDINANCE**

Date to be set for January 25<sup>th</sup> meeting.

### **ADDITIONAL ITEMS**

NONE.

### **ADJOURNMENT**

**Action Taken:** Motion by Sippert, supported by Dennings, to adjourn the Planning Commission meeting at 7:34 p.m.

### **MOTION CARRIED**

Respectfully submitted,

Sheryllynn Russo, Stenographer

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Kevin DePottey, Chairperson

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Rick Caruso, Secretary