

Chairperson
Margaret Sayles, PC Rep.

Members
Michael O'Bryant, PC Alternate
Eric Silm, Bingham Twp. Rep.
Dawn Levey, Duplain Twp. Rep.
Dennis Strahle, Eagle Twp. Rep.
Kathleen George, Essex Twp. Rep.
Lee Thelen, Greenbush Twp. Rep.
Ken Wieber, Lebanon Twp. Rep.
Eric Voisinet, Olive Twp. Rep.
Jennings West, Ovid Twp. Rep.
Kevin Garvey, Riley Twp. Rep.
Jim Conklin, Victor Twp. Rep.
Troy Thelen, Westphalia Twp. Rep.
Donald Lowell, General Rep.
David Smith, General Rep.
Melany Mack, General Rep.
Rene Rosenbaum, General Rep.
Russell Braun, General Rep.



Clinton County

Planning Commission

Advisory Committee

Utility Scale Solar and Wind Zoning Regulations

MEETING MINUTES

AUGUST 24, 2023

Facilitator
Val Vail-Shirey, PC / BOC Rep.

Community Development Staff
Jessica Bolt, Planning/Permit Tech.
Joel Haviland, Building Official/
Zoning/SESC Admin.

County Administrators
John Fuentes, Admin.
Todd Campbell, Dep. Admin.

County Legal Counsel
Foster Swift Collins & Smith
Michael Homier
Leslie Abdo

Clinton County Courthouse
100 East State Street, Suite 1300
St. Johns, Michigan 48879-1571
(989) 224-5180

CALL TO ORDER The Clinton County Utility Scale Solar and Wind Zoning Regulations Advisory Committee (Committee) met on Thursday, August 24, 2023 at 6:01 p.m. with Chairperson Sayles calling the meeting to order.

ROLL CALL Margaret Sayles, Planning Commission
Michael O'Bryant, Planning Commission Alternate
Dawn Levey, Duplain Township
Dennis Strahle, Eagle Township
Kathleen George, Essex Township
Larry Kindel, Greenbush Township
Ken Wieber, Lebanon Township
Eric Voisinet, Olive Township
Troy Thelen, Westphalia Township
David Smith, General Representative
Melany Mack, General Representative

Members Absent:
Eric Silm, Bingham Township
Jennings West, Ovid Township
Kevin Garvey, Riley Township
Jim Conklin, Victor Township
Donald Lowell, General Representative
Rene Rosenbaum, General Representative
Russell Braun, General Representative

OTHERS PRESENT Jessica Bolt, Planning & Permit Technician
Joel Haviland, Building Official/Zoning/SESC Administrator
John Fuentes, County Administrator
Laura Genovich, Foster Swift Collins & Smith (County Legal Counsel)
Sherry Curtis, Clerical Pool

VISITORS David Castner, 1303 N. St. Clair Road
Ed Rivet, MICEF

Madeleine Krol, 214 S. State Street
Matt Drennan, ESA
Kathleen Castner, 1303 N. St. Clair Road
Kevin Cole, RWE
Theresa Hubbard, 1124 E. Alward Road

APPROVAL OF
ADVISORY
COMMITTEE
MEETING MINUTES

ADVISORY COMMITTEE ACTION: Dawn Levey moved, supported by Troy Thelen to approve the August 17, 2023 Advisory Committee Meeting Minutes as presented. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 11-0, all in favor, none opposed.]

ORDINANCE
LANGUAGE
DISCUSSIONS

- *Ed Rivet, MICEF distributed an analysis with concerns that he would like to bring to the Committee's attention regarding the draft ordinances that was disseminated to the Committee at the August 17th meeting.*
- Matt Drennan, ESA commented that he is alarmed by the draft ordinance provided by Foster Swift.
 - Is concerned that the draft ordinance is exclusionary and includes arbitrary issues that he did not understand to be within this Committee's purview.
- Margaret Sayles explained that the Committee's charge was to review and provide recommendations to the Planning Commission on potential amendments to the Zoning Ordinance regulations for utility scale solar and wind projects.
 - This "editing" can certainly include "major" edits.
 - Introduced Laura Genovich, County Legal Counsel.
- Laura Genovich identified the process of how the Committee will be reviewing the ordinance samples provided.
 - *Discussed the following topics with the Committee:*
 - Overlay districts – including benefits, disadvantages, and implementation of.
 - Demonstrated need/limitation by acreage – including difficulties of.
 - The referendum process as it relates to zoning ordinances.
 - Regulation on types of solar panels/wind turbines (i.e., American-made, recyclable, mitigation of electrical interference, etc.)
 - Fire suppression systems
 - Land leases
 - Property owner rights
 - Setbacks to property lines, the Road Right-of-Way (ROW), and waterways
 - Landscaping/buffering, including species.
 - Maintenance bonds/escrow accounts
 - Fencing requirements as they relate to the National Electrical Code
 - Maximum dBa allowances as recommended by the World Health Organization (WHO).
 - Regulation on costs related to required training for these facilities (such as not to fall onto the local fire department).
 - Reclamation requirements – including records to ensure the land is returned to the original, or improved, state.
 - Complaints and process of resolution/enforcement.
 - Restricting utility scale solar and wind projects from Farmland and Open Space Preservation Program (PA-116)-enrolled properties.

- Comparison and consistency with other townships, such as Dallas Township.

REVIEW / WRAP-UP

- Margaret Sayles discussed the upcoming meeting scheduled for August 31, 2023:
 - The ordinance language discussions will continue.
 - Reminded the Committee to review these ordinance samples for revisions and to be prepared to finalize the draft at this meeting.
 - Discussion will be halted at 7:30 p.m. in order to finalize the draft.
- Kathleen George commented that she feels the timeline the Committee has been given is not adequate time to complete this part of the process.
- Margaret Sayles clarified that the Committee is simply setting parameters.
 - Ultimately, this information will be forwarded as recommendations to the Planning Commission.
- Val Vail-Shirey thanked the Committee for their time and dedication.
- Eric Voisinet commented that he is concerned about the potential shift in property investment due to solar being too lucrative.
- Ed Rivet commented that it is a positive option to give to farmers to help maintain the goals of agricultural preservation.

ADJOURNMENT

ADVISORY COMMITTEE ACTION: With no further business to come before the Committee, Chairperson Sayles adjourned the meeting at 8:37 p.m.



Jessica Bolt, Planning & Permit Technician

NOTE: These were approved by the Advisory Committee on August 31, 2023.