

PINE TOWNSHIP PLANNING COMMISSION  
WORK SESSION – SOLAR ORDINANCE  
Wednesday, November 9, 2022 at 5:00 PM

A work session of the Pine Township Planning Commission held at the Pine Township Hall, 7900 W. 2<sup>nd</sup> Street, Stanton, Michigan 48888 for the purpose of discussing the solar and blight ordinances.

CALL TO ORDER

The meeting was called to order by Chairman Scott Millard at 5:00 PM, followed by the Pledge of Allegiance.

ROLL CALL

Present were Scott Millard, Chair; Gary Christensen, Vice Chair; Jamie Gorby, Secretary; Tyler Nadeau, Township Board Liaison, Bob Behrenwald, Dan Main

Absent – Chris Bell

Millard explained to the Commission that Chris Bell offered to resign due to job demands that kept him from attending the last 2 meetings. Millard expressed that there has been a quorum during the times that Bell is absent and that his resignation should not be necessary. The Commission agreed.

APPROVAL OF AGENDA

Behrenwald moved, supported by Main, to approve the agenda. MOTION PASSED.

APPROVAL OF MINUTES

Nadeau moved, supported by Behrenwald, to approve the November 2, 2022 Minutes.

MOTION PASSED

OLD/UNFINISHED BUSINESS

DISCUSSION OF SOLAR ORDINANCE REVISIONS

Discussion of the solar ordinance resumed with page 6, #6, Insurance.

Solar lifespan was questioned.

It was suggested to check with legal counsel on decommissioning responsibilities, including whether property owners and the solar company would share equal responsibility during the decommissioning process and (referring to the last sentence under #6), what happens after a permit is terminated. Suggested wording – 30 days to provide proof of insurance, during which time Pine Township holds no responsibility.

#7, Certificate of Compliance – (leave as is)

#8, Administration Costs -

- a) “For each (insert the word “industrial”) solar energy system application escrow amount \$25,000 instead of \$5,000
  - i) correct typing error (“Pine” instead of “Pines)
  - ii) there are two “ii)”. Make the second one “iii)”.
  
- b) “account shall fall below \$1,000” - change dollar amount to \$10,000  
  
“ to restore the account to” – change \$5,000 to \$25,000  
add “within a period of 30 days”

#9, Removal Cost Guarantee

- a) Change wording to read “each industrial solar energy system” by adding the word “industrial”  
Seek legal counsel on who provides the independent verification  
Add “and shall be reviewed every three years and be subject to change based on the determination of the Planning Commission”

Millard – noted that permits are typically valid for one year

- b) no change
- c) no change
- d) add “as determined by a third party determined by Township, paid for by the developer”

Section 2 – leave as is

Section 3 – leave as is

Nadeau shared two recommendations - 1) changing the term “solar farm” to “industrial solar energy system throughout the document, (examples: page 2 #10 and page 4, bold G).

2) in the planting of trees section, page 6, # 4) l) in the sentence that includes “modify the landscaping requirement”, adding in parentheses “only plants native to the area”.

Main suggested adding “drainage” right after “soil erosion” in the sentence on page 5, 3. G. e)

Nadeau will prepare a written statement for Millard and Gorby to review which will then be submitted to the Board, recommending the solar ordinance be submitted to the legal firm Foster, Swift for review within the next week.

The next planning commission quarterly meeting will be January 9, 2023. Nadeau proposed to have Foster, Swift present at that meeting (if approved by the Board) unless the reviewing attorney approves the solar ordinance with few changes.

Nadeau moved, supported by Main, that the commission recommend that the Board enact 12-month moratorium on industrial solar development (so that no development is begun before the revised ordinance is in place).

Roll call vote – Behrenwald – Yes; Christensen – Yes; Millard – Yes; Gorby – Yes; Main – Yes; Nadeau – Yes.

MOTION PASSED.

## NEW BUSINESS

### BLIGHT ORDINANCE REVISIONS

The commission discussed how to go forward with the blight ordinance without Board direction and that other ordinances could be researched while waiting for Board direction on the blight ordinance.

Nadeau moved, supported by Gorby, to table discussion on the blight ordinance for now.

MOTION PASSED.

## PUBLIC COMMENT

Nancy Spanski – thanked commission for the time and energy they have put into the solar ordinance and verbalized things she would like the Board to consider regarding the ordinance, based on her visits to solar areas in Illinois and southern Ontario:

- burden glare, glint, noise be placed on developer
- funds held in escrow (legal costs, mediator)
- consider how permit is issued, wear and tear on roads
- adjust escrow periodically based on inflation
- decommissioning/disposal costs/some parts not recyclable
- visual aspect – restrict advertising/lighting on installation
- access for emergency vehicles
- environmental impact study - 3<sup>rd</sup> part review, erosion at panel drip line
- runoff needs to be considered
- security of system – fencing, signage
- define in ordinance glare, glint, roof mounted, wall mounted, commercial/industrial
- consider cost to township from panel upgrades, etc (maintenance/upgrades/repowering)
- asked for specifics on rezoning agricultural to industrial

Laurie Johnson – asked for the location of the industrial zone in Pine Township.  
Millard provided the location.

ADJOURNMENT

Nadeau moved, supported by Behrenwald, to adjourn the meeting.

MOTION PASSED.

The meeting was adjourned at 6:11 PM

Minutes submitted by

  
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Jamie Gorby, Planning Commission Secretary

Minutes typed by Barbara Kaaikala