



**RAISINVILLE TOWNSHIP
PLANNING COMMISSION MINUTES
June 20, 2022**

CALL TO ORDER:

A meeting of the Raisinville Township Planning Commission was called to order by Chairman John Delmotte at 7:00 p.m. on Monday, June 20, 2022, he led the Pledge of Allegiance.

ROLL CALL: John Delmotte, Craig Assenmacher, Ryan Timiney, Keith Henderson, Tom Woelmer, and Catherine Acerboni were present, along with Township Planner, Lucie Fortin. Quorum was established. Ann Nickel-Swinkey was late

APPROVAL of MINUTES: Motion to approve the minutes of the, May 16, 2022 meeting (with typo correction to be fixed) and place on file by Craig, Supported by Tom. Motion carried.

OLD BUSINESS: Chairman Delmotte spoke regarding the DTE letter that was submitted May 16, 2022 a few hours prior to the last PC meeting and it was placed on file. Comments regarding letter:
Ryan- disagreed with DTE's statement regarding MCL 125.3207. He feels that the Township is not "totally prohibiting" a land use.
Tom- submitted a written letter in response to the DTE letter. Wind and Solar were not a part of PA 116 until recently. He would prefer that we not write an ordinance that could change depending on who is in office. He also recalled the 2017 Township Master Plan survey where less than 6% of respondents were in favor of large scale commercial development.
John- discussed the Master Plan of 2017, the plan stated that the goal is to protect open spaces and farmland. He feels that the Commission should represent what Township residents asked for and feels that's what they are trying to do.

Chairman Delmotte addressed some questions that were asked to the Township via email. The first being setbacks. Why is it from the property residence and not the lot line? Township Planner, Lucie Fortin, answered that every application needs to be looked at case by case.
Second question is the 6' high vegetation screen. Whether it's 6' or 8' it is not going to hide a 15' panel. Discussion regarding tree growth.
Property Value was also a question. The Commission has reviewed this and sought advice from the Township Attorney. Under the Michigan Zoning Enabling Act, the Township does not have the authority to impose a property guarantee condition for approval. In addition, such a requirement would be very difficult to enforce and problematic to prove as well.

Chairman Delmotte asked Lucie to review the changes that were made to the ordinance since the last meeting. She had submitted a memo dated June 14, 2022 referencing the changes.
Craig- asked regarding the setbacks, page 13, C, minimum of 100' from road and 500' from the nearest residence. What are the property line setbacks? It would depend on the applicable Zoning district and the Schedule of Regulations.
Tom- clarified the language was in the ordinance regarding the Schedule of Regulation
Catherine- no questions or comments
Ryan- no questions or comments
Keith- no questions or comments
Ann- no questions or comments
Tom- mentioned a letter we received asking why Wind Energy Conversion Systems are allowed on Ag but solar is not. It was explained that the footprint for WECS leaves a much smaller footprint than solar panels do.

Chairman Delmotte expressed his thanks to the Commission members and a special thanks to Lucie for all of the hard work that has been put into revising the ordinances.

**Motion to recommend Township Board adoption of the proposed Wind and Solar Energy Systems Zoning Ordinance amendments of Article 2, 3, 4, and 10 for adoption incorporating the changes from the Planner's memo dated June 14, 2022 by Ann. Supported by Craig.
Motion Carried. 7-0**



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Chairman Delmotte explained that on June 7, 2022 the Township Board extended the Solar and WECS Moratorium for 120 days. The Township Board's next scheduled meeting is on July 5, 2022.

NEW BUSINESS: None

MISCELLANEOUS: None

PUBLIC COMMENT:

Gary Vajcner, 5000 Stewart Rd.- He and his attorney have been speaking to DTE extensively about solar and possibly putting in a substation. He feels that screening won't work because the trees will shade out the panels. If DTE comes onto his property they'll have to cut down trees. He said the contracts are with panels having a max 30 years (5- year extension) and then they are pulled out. He is trying to get a 10- year guarantee. They can pull panels early if new technology is implemented. They will have to remove all posts, repair any damaged tiles, replace any contained dirt and earth, and will pay any additional taxes that are levied against the property for the solar operation. They told him a 50' setback from property line. The land will go back to original farm use if they do pull out.

Wind mills- it should be asked to have a study done to see if they are even viable in Monroe County.

Dan Rigato, 5034 N Custer- wanted clarification on setbacks. It was stated early that each case is looked at case by case. He is surrounded by farmland and if a development went in, he would be surrounded by solar panels. How would he go about getting the 500' or a greater setback? Chairman Delmotte explained that development proposals would have to have public hearings and all neighbors within 300' of the proposed development would be notified and have the opportunity to address the Commission at that time.

The vegetative screening of 6' is inadequate. It's been stated that 10' is hard to maintain, but he says that's the problem of the developer to maintain it. Tom replied that each case will be looked at individually and decided what vegetation buffer will be required.

Ground soil testing and drain field inspections hasn't been mentioned. He thinks that panel leaching should be a concern and testing done prior and 5 years into it. He understands that the Michigan Zoning Enabling Act makes property value agreement not permissible but it is done for quarries and landfills so he is confused about this.

Will Chapter 7 or bankruptcy have any impact in our financial guarantee? We should ask our attorney. Dan thanked the Commission for all of the hard work they have put into this.

Gary Vajcner commented on bankruptcy that we should be aware of the smaller LLC's that are going around. He said he's working with DTE because they won't be filing.

Tom W- answered Dan's question regarding baseline environmental assessment. We do ask for the assessment and for them to divulge what chemicals are in there.

Gary has not seen the draft ordinance changes and asked if restoration is in there. Yes, it is. Gary would like an updated copy when approved and available.

NEXT MEETING: July 18, 2022, if an application is submitted. If not, the next meeting will be in August.

ADJOURN: Motion to adjourn by Tom. Supported by Keith. Motion carried.

Meeting adjourned at 7:57 pm.

Minutes are preliminary until approved.