

OID TOWNSHIP PLANNING COMMISSION
OID TOWNSHIP OFFICE, BRANCH COUNTY, MICHIGAN

January 26, 2021

SOLAR WORKSHOP MEETING MINUTES

The Ovid Township Planning Commission Solar Workshop was held via Zoom and was called to order by Andy AcMoody at 6:01p.m.

Members attending online: Andy AcMoody, Chris Donbrock, Sean Groves, Jim Snivley, Tammi Schorfhaar

Other attending online: Robert Hawley, Matt Drennan, Joe Hass, Samuel Gaglio, Jim Haylett, Sean Stocker, Brian Numaker, Brandon Bergman, Laura Johns, Jaiver Latre, Lindsay Latre, Greg Gemmill

Andy AcMoody suggested that we add the Marihuana Ordinance information to the Agenda; Chris Donbrock made a motion that we accept the Agenda as amended; seconded by Sean Groves; motion carried.

Chris Khorey of McKenna provided the Planning Commission with an outline of the various open issues that need to be resolved as they pertain to proposed changes to the Solar Energy Ordinance and Special Use Permits. The Special Use Permit issues include notification of ownership transfer and the treatment of Special Use Permits on Multiple Parcels of Land. Unresolved issues pertaining to the Solar Energy Ordinance include the maximum height of the solar panels, the time period following abandonment of a project, setbacks for participating and non-participating parcels, lot coverage restrictions, buffering and screening, existing trees and woodlands, landscape maintenance, noise/drainage/glare/complaint resolution, surrounding residential lots, fence materials, insurance, panel disconnect and required information. The Planning Commission worked through each of these issues and presented suggestions and possible changes.

The Planning Commission was informed that Branch County did not review or make any comments on our proposed Marihuana Ordinance. Chris Donbrock made a motion that we send our recommendation that Retail Marihuana Establishments be allowed by Special Use Permit in those areas in the Enterprise Zone on to the Township Board for approval; seconded by Andy AcMoody; motion carried.

Public Comments:

Samuel Gaglio requested that we hold off on making a decision about potential wildlife corridors until after Tony LaPratt can provide additional input. Sam also requested that we consider measuring distances from a residence and not from property lines when considering setbacks. Sam had a question about fencing and wondered why we would allow fences on the border currently for properties but the possibility of not allowing them on borders for solar projects has been discussed. Sam concluded by stating that he feels there are three bodies that are interested in solar projects – the residents, the solar companies and the land owners – and Sam asked that the Planning Commission please consider all three parties.

Jim Haylett spoke concerning the buffers on the adjacent property. Jim feels that it should be up to the property owner regardless of whether or not there is a residence. Jim also said that he does not feel that a 200 foot setback on two sides is sufficient.

Sean Stocker provided a map showing an example of natural wildlife corridors which could occur even without mandating them. Sean also stated that it's unlikely that a residence would be surrounded on four sides by solar panels regardless of whether it is specified in the zoning or not.

Matt Drennan of ESA Solar said that, in the projects they do all over the country, it is almost always determined at the site plan review as far as wildlife corridors and requirements regarding not surrounding properties on four sides; it's not listed in the zoning. Matt also said that the larger setback requirements would be incredibly difficult for the developer, especially when added to the landscaping requirements. Matt said that they have spoken to

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the Drain Commissioner and he explained that the solar company is required to manage the drainage as it is required by Eagle and others. In the same light, there are rules already in place in regards to damage that is done to any drainage tiles. Matt feels that some of the new changes would be extremely burdensome. He would request that a lot of the changes could/should take place during the site plan review process instead of being incorporated into the zoning ordinance itself.

Brian Numaker commented about the setbacks and said that his biggest concern with the increased setbacks means that the project would have to get even bigger.

Brandon Bergman expressed concerns that the setbacks might not be large enough as far as people who want to go outside and sit.

Laura Johns asked for further clarification on the fence material as she said that it sounded like that was let go and not addressed. Laura felt that the Township should have some input regarding the fencing materials. Laura also asked which sides of a residence would be included as far as the buffering. Laura supported the idea of a 500 foot setback from non-participating residences. Laura asked if the Township has considered limiting the amount of acreage that can be used in commercial projects? Chris Khorey answered that this is part of an ongoing conversation as the Master Plan is reviewed and updated.

Jim Haylett spoke again and said that while he understands that the suggested change would require that the bond amount be reviewed every five years; Jim asked if anyone knows what it will cost to replace these panels since all of this is so brand new. Jim expressed concern as to what would happen if there is not enough money to take care of problems that arise.

Jaiver Latre wanted to provide a little perspective and said that the Coldwater Airport doesn't have 300 feet setbacks from residences and Interstate 69 doesn't have 200 feet setbacks from residences. Jaiver feels that our proposed setbacks for solar panels that are only 14 feet high is excessive in comparison to other items.

Sean Stocker spoke again and clarified that solar energy is not new – it has been around for 30 years. Sean said that the possibility of the project going away after only 5 years is almost zero.

Lindsay Latre provided photos of landscape buffering from a completed project. Lindsay showed the trees, which were placed 150 feet from the property line in year zero and then again in year two. Lindsay said that she felt that the landscaping buffer is very important and can be obtained without a very large setback.

Greg Gemmill asked if any other area in Branch County has been considered for this project. Greg said that while people in Coldwater Township are thrilled about the project; Ovid Township is not. Andy AcMoody requested that all comments from the Public be limited to those about the ordinance and not overall feelings about the project.

Matt Drennan spoke again and said that ESA Solar is going to have a virtual town hall meeting and he hopes that everyone will attend that and learn all about the project.

Sam Gaglio spoke again and said that he feels that the fact that we could remove parcels from the approval in the special use hearing is excellent and provides additional protections for everyone.

Chris Donbrock made a motion to adjourn; seconded by Jim Snivley; motion carried.

The Solar Workshop adjourned at 8:10 p.m.

Respectfully submitted by Tammi Schorfhaar, secretary.