



Conway Township Planning Commission Meeting Minutes
 Monday, April 10th, 2023 | 7:00pm EST
 Conway Township Hall | 8015 N. Fowlerville Road, Fowlerville, MI 48836

Agenda	Items Discussed	Actions to be Taken
Attendees	PC Members Present: Jeff Klein, Meghan Swain-Kuch, Dave Whitt, George Pushies - Ex-Officio, Shawn Morrison, Lucas Curd, and Kayla Poissant Zoning Administrator – Gary Klein Livingston County Planning Commissioner: Dennis Bowdoin Township Attorney: Absent- Michael D. Homier and Abby Cooper	None
Call to Order/Pledge	Chair, M. Swain-Kuch called the Conway Township Planning Commission meeting to order at 7:00pm and led the Pledge of Allegiance.	None
Approval of Agenda	Motion to accept the meeting agenda as amended for April 10 th , 2023. Motion by J. Klein. Support L. Curd. Motion Approved.	Motion Approved
Approval of March 2023 Minutes	Motion to accept meeting minutes from March 2023. Motion by S. Morrison. Support by J. Klein. Motion Approved.	Motion Approved
Call to the Public	Sarah Porter- Sober Rd.- She stated that she emailed and is submitting an edited version of the town ordinance regarding solar energy systems, and that the people took the time to add additional language that they feel is needed. She asked if this version can be used to be the starting point of the townhall meeting. She stated that section C1B was removed from the first version (not stricken), and that C4 had an error regarding the setbacks which should be 1000 ft. She asked who is responsible for editing the drafts and if it is someone on the PC. She asked about the motions passed by the Board of Trustees and why the PC is not following them, and that the Solar Committee is eager to meet with the PC. Kennedy Parker- Hayner Rd.- She stated that she is wondering why the setbacks for the 1000ft are not	None

	<p>within the draft ordinance, and why the PC seems to be acting independently regarding the ordinance. She stated that the setback was voted on and needs to be in the ordinance.</p> <p>Steve Smith- Robb Rd.- He stated that the pre-amble to the ordinance is great, but he believes that something regarding the drains should also be added to that section (he provided a written example). He also stated that the overlay district is a very good idea, and is also the approach that the LC Commissioners are recommending. He believes that the fire suppression system section is also good, but is concerned with the number of clerical errors or clarifications that need to be done/corrected. He stated that defining small, medium, and large systems would be a good idea, and submitted a copy of an ad from Alamo Valley Ag Solar Solutions from Michigan Farm Trader for review. He stated that the idea of a filtration system for the fire suppression system would also be a good idea.</p>	
Communications	<p>a. Zoning Administrator Report: Four Land Use Permits issued last month; One breezeway permit, one house permit, two steel barn permits, and one electrical permit.</p> <p>b. Board Ex-Officio Report: None</p> <p>c. Livingston County Planning Commission Report: M. Swain-Kuch stated that the LCPC report is attached to the meeting packet, and that they are a bit behind in their minutes.</p>	<p>None</p> <p>None</p> <p>None</p>
Old Business	None	None
New Business	<p>a. Article 6: General and Supplemental Regulations Section 6.07: Supplemental Regulations Pertaining to Yards- Approve</p> <p>The LCPC made a recommendation to the ordinance, and it is now ready to be reviewed by the PC. The PC will then vote to send to the Board of Trustees for approval. The LCPC recommended adding section G which is included in the PC packet.</p>	

	<p>Motion to accept section G as recommended from the LCPC for Article 6: General and Supplemental Regulations Section 6.07: Supplemental Regulations Pertaining to Yards and to submit the ordinance to the Board of Trustees for Approval. Motion by S. Morrison. Support by J. Klein. Motion Approved.</p> <p>b. Zoning Ordinance Amendment No. 2023-02: Review draft of new Article 19, Solar Energy System District and replacement of existing Section 6.26 regarding Solar Energy Systems</p> <p>M. Swain-Kuch stated that Mr. Homier is not in attendance at this meeting, and did not inform the PC of his absence. She recommended that the PC have a discussion on the second draft written and provided by Mr. Homier, and work on questions, concerns and issues that the PC has at this time.</p> <p>Motion made by G. Pushies to accept on the record the written commentary that was submitted by Sarah Porter and Steve Smith tonight as a roll call vote. Motion by G. Pushies. Support by J. Klein. Motion Approved.</p> <p>L. Curd- Yes J. Klein- Yes S. Morrison- Yes K. Poissant- Yes M. Swain-Kuch- Yes D. Whitt- Yes</p> <p>M. Swain-Kuch asked the PC about Mr. Homier’s second draft version of the ordinance. G. Pushies stated that he would like to see a definition of demonstrated need in the ordinance, as well as maybe residential solar added into it to clarify this since the ordinance states private solar. M. Swain-Kuch stated she had looked at section 4D regarding setbacks, and that there are multiple different types of locations like residential, farms, etc. and that it refers to the setbacks of the zoning area. She said that the 200 ft setback that was discussion before was for residential settings. It was discussed that a separate section for residential solar should be there so that residents can easily read the parts of the ordinance that pertains to them.</p> <p>M. Swain-Kuch brought up section 4F about screening for private/residential usage requiring screening around panels in their side yards. She said this type of screening</p>	<p>Motion Approved</p> <p>Motion Approved</p>
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	<p>was discussed for utility scale projects, but not for resident/private usage. G. Pushies brought up the green-mesh screening that is in the screening for utility scale projects, and that the screening will not hold up after a short period of time. It was discussed to strike that section out. D. Whitt mentioned that the PC knew about the vote on setbacks of 1000 ft, and the PC was waiting for Mr. Homier to add it back into the draft ordinance. L. Curd mentioned that Mr. Homier stated that the setbacks could change based on the location of the overlay, and that once the location was determined a setback can be better established. M. Swain-Kuch brought up drainage tiles on pg. 8, and how there are no requirements on property owners to replace or fix broken tiles. She also discussion pg. 9 section A2 for location of dwellings on participating properties and setbacks. It was discussed about possible definitions of participating and non-participating. M. Swain-Kuch stated pg. 11 section C regarding setbacks in that section, and section D should be up to 150 ft setback from wetlands. She also brought up pg. 12 section 6D regarding the trees and the trees should be a species that deer do not prefer to eat, and section E regarding the planting of new trees to replace the dead/diseased trees not replanting the dead/diseased trees. She mentioned pg. 14 section 12 about drain tiles not affecting other properties due to run off or flooding issues, and that the batter storage needs to be removed since it was already discussed that batteries were not going to be permitted. She stated that on pg. 15 with the fill-in-the-blanks and that they need to filled in. K. Poissant brought up that a section for subdivision may need to be added to clarify the setbacks in subdivisions since most own less than two acres per lot. G. Pushies stated that it should be handled within the Master Deed or Bylaws of the association, and K. Poissant said that a small verbiage in the ordinance referring to the association to handle the setbacks should be included. M. Swain-Kuch stated on pg. 16 section 18 it should be clarified regarding access roads/routes and are subject to the LCPC or the LC Road Commission for internal routes. D. Bowdoin clarified that access off a main road is for the LC Road Commission to review, and any internal roads on the property are for the site plan review. He also recommended maybe getting the fire authorities involved on the internal roads in case of an emergency. M. Swain-Kuch stated on pg. 17 regarding decommissioning and having a cash bond whether</p>	
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	<p>another form should be accepted, and pg. 18 section 27 regarding transferability and having clarification about having a deadline to file the information of the new owner, and a clarifier on the difference on new operators verses land owner. It was discussed about having a deadline of 30 days with an option to extend it. S. Morrison stated that on pg. 13 it may need a portion for the glare of the solar panels. It was discussed that panels are made differently now, and that the FAA or Michigan Aeronautics study could be done to cover these areas of concern and be added into the ordinance. S. Morrison brought up the idea of fines/penalties be added into the ordinance for those who choose to disregard or defy the ordinance. It was discussed that the fines/penalties could come out of the bond and that then the bond be replaced back to the original amount, as well as putting the developer and operator definitions into the ordinance.</p> <p>J. Klein brought up about the meeting with the Solar Committee.</p> <p>K. Poissant stated that there are communication issues, and that Mr. Homier is writing the drafts not the PC. It was discussed having a special meeting and adding a section to the agenda specific to the solar committee. L. Curd stated that the solar committee is one-sided and that the committee should be made up of both sides of the issue. G. Pushies stated that there have been meetings that pro-solar supporters could have attended to voice their opinion, and that there have been pro-solar comments. L. Curd asked if there were pro-solar members asked to join the committee. G. Pushies stated that the members of the solar committee were voted on by the Board of Trustees. It was discussed that the meeting would need to take place at a time and date that Mr. Homier could be in attendance.</p> <p>Motion to have a special meeting with the solar committee and the public to discussed the solar ordinance and the draft provided by Sarah Porter. Motioned by G. Pushies. Supported by J. Klein. Motion Approved.</p> <p>c. Update Shipping Containers as primary residence or accessory use</p>	<p>Motion Approved</p>
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	<p>M. Swain-Kuch stated that she contacted the LCPC regarding this topic and to see if other townships have addressed this issue. The LCPC stated that Marion Township is the closest, but they have not passed anything as of yet. It was discussed about whether the allowance of the shipping containers as storage, as well as a dwelling. M. Swain-Kuch stated that once the containers were cut into to make it a dwelling, it would violate the state laws pertaining to it. G. Klein mentioned that the county is treating the containers the same as a shed. If it is under 200 sq ft, no permit is needed, and if it is over 200 sq ft then a permit would be required. D. Whitt stated that some containers are pre-built and ready to live in. It was discussed whether to allow the containers for storage with stipulations, and not for dwelling purposes. It was discussed using the current county ordinances regarding this issue. G. Pushies stated that there are containers that are called one-trippers which look really nice and almost brand new and are cargo worthy.</p>	
<p>Commission Discussion</p>	<p>S. Morrison stated that he is concerned about the Chase Lake and Fowlerville Rd. intersection due to all the accidents and traffic issues. He stated that he spoke with Township Supervisor Bill Grubb regarding this issue, and B. Grubb (in attendance) stated it was sent to the engineering department and forwarded on to another planning/engineering department for review. S. Morrison suggested blinking lights on the signs on Chase Lake to get the attention of drivers. Another suggestion that was discussed was rumble strips and a better sightline for that intersection.</p> <p>K. Poissant asked about hiring planners to help PC with the upcoming Master Plan review and possible new ordinances. G. Pushies stated that as long as it wasn't CIB hired back. M. Swain-Kuch and D. Whitt both stated that Mr. Homier had mentioned hiring back CIB a few months ago, and further discussion needs to be had on this topic.</p>	<p>None</p>
<p>Last Call to the Public</p>	<p>Sarah Porter- Sober Rd.- She stated that she is offended by some of the comments made and that the solar committee is not anti-solar but they are against utility-scale solar that is unchecked. She said she sent over nine hours on the draft she submitted, and to even throw out the solar committee because it was created to help the community. She wants the community to work together to create an ordinance that for the betterment of the</p>	<p>None</p>

	<p>community as a whole. She said that L. Curd should step back and look at the situation as a whole. She said she would like to see an open dialogue meeting where everyone can go over the sections.</p> <p>Kennedy Parker- Hayner Rd.- She stated that she is not offended by L. Curd's comments, but she is not surprised. She stated that the committee has spent their own money to send out the information they have provided to the committee. She said that no one is against solar, but they are against decreased property values, health, and welfare. She said the meetings are open and anyone can come, and that there is no divide. She said that the PC's job is to represent the community, and he needs to get on board.</p> <p>Steve Smith- Robb Rd.- He publicly announced for L. Curd's resignation from the PC. He stated that the information presented to the PC is to help and protect the community. He said that the community is opposed to utility scale solar power farms, not solar in general. He brought up the DTE attorney that did not announce herself at the public meeting as an attorney. He stated that there are two different overlay parts of open community and community parts and asked about the open community overlay. He stated that he agreed with K. Poissant on the communication issues taken place, and that if Mr. Homier can not do it than a planner needs to be hired. He stated that he did not believe that L. Curd should be on the PC and should resign.</p> <p>Jason Simmons- Herrington Rd.- He is concerned about the fines/fee/penalties in the solar ordinance. He wants to make sure that if an offense is done, it does not have to go to court on the smaller offenses. He suggested maybe taking the penalties out of the bond or escrow that is issued for the project.</p> <p>Jim Chelton- Fowlerville Rd.- He asked about the setbacks about the security fencing, and how per the ordinance the security fence could be on the property line. He states that it should be a nice fence if it is allowed on the property line affecting the adjoining property.</p> <p>Steve Weiss- Sober Rd.- He said that the comments made were not good about the solar committee. He said that the meetings are open, and that the solar</p>	
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	<p>companies are the ones who stand to make money yet say they are intimidated to attend the meetings. He stated that he would like L. Curd to represent the community.</p> <p>Michelle- Lovejoy Rd.- She asked about the possibly location of the overlay district.</p> <p>M. Swain-Kuch stated that normally she would not respond to her question because it is public comment time, but she felt it important to respond. She stated that until Mr. Homier has mentioned one possible location, but further review and discussions need to take place. She mentioned the trailer park overlay as an example as how it was done before. She stated that she did not have a definitely of community property at this time.</p> <p>Karen O’Neal- Hayner Rd.- She asked about cash bonds, and if when offenses occur that money could be removed from the bond/escrow.</p> <p>It was mentioned about adding a maintenance bond that is separate from the decommissioning bond.</p>	
Adjournment	Motion to adjourn at 8:50pm. Motion by D. Whitt. Support by J. Klein. Motion Approved.	Motion Approved

Respectfully Submitted:

Approved:

Kayla Poissant

Kayla Poissant,
PC Secretary

Meghan Swain-Kuch,
PC Chair