

Chairperson

Roni Christmas

Vice-Chairperson

Patti Schafer

Secretary

Willis Heisey

Members

Jan Motz

Michael O’Bryant

Val Vail-Shirey (BOC Rep.)

William Nurenberg



**Clinton County
Planning Commission**

Community Development Dept.

Director

Doug Riley

Planning & Permit Technician

Jessica Bolt

Clinton County Courthouse

100 East State Street, Suite 1300

St. Johns, Michigan 48879-1571

(989) 224-5180

MEETING MINUTES

FEBRUARY 9, 2023

CALL TO ORDER The Clinton County Planning Commission (PC) met on Thursday, February 9, 2023 at 6:30 p.m. with Chairperson Christmas calling the meeting to order.

ROLL CALL Jan Motz
Michael O’Bryant — *absent with notification*
Patti Schafer
Roni Christmas
Val Vail-Shirey
William Nurenberg
Willis Heisey

STAFF PRESENT Doug Riley, Director
Jessica Bolt, Planning & Permit Technician
Joel Haviland, Building Official/Zoning/SESC Administrator

VISITORS Alec Rogers, 1560 E. Colony Road
Alex Hoeksema, Grand Ledge
Andy Livingston, Livingston Road
Angie Pifer, 1500 E. Colony Road
Banton Haisler, St. Johns
Brad Rich, 11100 Eden Trail
Brian Randolph, 1401 W. Maple Rapids Road
Carol Keys, 1272 W. Colony Road
Charles Magsig, 3179 Banner Road
Clayton Higbee, Eagle
Cori Feldpausch, 11780 State Road
Dan Feldpausch, 11780 State Road
David Smith, 4739 W. Gratiot County Line Road
David Vanderbroek, 13311 S. Grange Road
Dennis Strahle, 12833 W. Clark Road
Dennis Whitlock, 1374 E. Silvers Road
Doug Smith, 7910 N. Williams Road
Emily Boots, 1738 E. Silvers Road
Eugene Livingston, Livingston Road
Fred Gifford, 7100 N. Williams Road
Grant Kindel, 3573 W. Island Road
Holly Simon, 3854 New Salem Avenue
Jamie Shay, 5645 Meranda Lane
Jason Havens, Eagle
Jeff Rademacher, 668 Looking Glass Avenue
Jill McNeilly-Ostrander, Delta Township/Grand Ledge
Joe McNeilly, Grand Ledge

John Andrews, East Lansing
 Jordan Whitford, St. Johns Fire Chief, 1835 E. Colony Road
 Jordyn Burrell, WILX
 Josephine Smith, 4739 W. Gratiot County Line Road
 Josh Pifer, 1500 E. Colony Road
 Kathleen Pierce, 9180 E. Woodworth Road
 Kelvin Webster, 1608 E. Silvers Road
 Kim Bowe, 12421 S. Wright Road
 Kim Kellogg, 1250 W. Colony Road
 Kristie Feldpausch, 668 Looking Glass Avenue
 Kristin Rich, 11100 Eden Trail
 Kyle Graham, 1741 E. Mead Road
 Larry Kindel, 3273 W. Island Road
 Lee Thelen, Greenbush Township Supervisor, 3077 W. Hyde Road
 Lori Schrauben, 11193 S. Monroe Road
 Lorraine Bergman, Pine Gate Renewables, 130 Roberts Street
 Macy Fleischer, 1622 E. Colony Road
 Mark Sancall, Lansing
 Melany Mack, 11849 Schavey Road
 Michael Dyer, 15773 S. Tallman Road
 Pam Brown, 11740 W. State Road
 Patricia Foreman, 10200 S. Wright Road
 Peg McLood, Eagle
 Peter Apostol, 1032 W. Mead Road
 Ramona Smith, Greenbush Township Clerk
 Richard Kellogg, 1250 W. Colony Road
 Robert Mack, 11849 Schavey Road
 Rosemary Magsig, 3179 Banner Road
 Ross Boots, 1738 E. Silvers Road
 Ryan Diederichsen, ECT Inc., 348 Logan Street SE
 Sandra Vanderbroek, 13311 S. Grange Road
 Scott Simon, 3854 New Salem Avenue
 Stephanie Gifford, 6902 W. Williams Road
 Steve Smith, 11740 W. State Road
 Theresa Hubbard, 1124 E. Alward Road
 Theresa Owen, 5261 N. Williams Road
 Tim Graham, 6712 N. Williams Road
 Tim Pifer, 1500 E. Colony Road
 Todd Campbell, 5233 W. Taft Road

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was given to the flag of the United States of America.

AGENDA

- Doug Riley, Director asked the PC for the opportunity to address the public regarding the Eagle Township special area study open house/workshop.
- *The PC approved Mr. Riley's request.*
- Doug Riley summarized:
 - The County's planning/zoning consultant, Giffels Webster, is hosting a public open house/workshop in Eagle Township on March 2, 2023 at 4 p.m. to 6:30 p.m.
 - Information on how to participate will be available on the Clinton County and Eagle Township's respective websites.
 - Encouraged anyone that may be in attendance tonight regarding this issue to attend the open house/workshop.

- Clarified that a specific development application has not been made at this time.
 - The agenda was presented for review and approval.
- PLANNING COMMISSION ACTION:** Jan Motz moved, supported by Patti Schafer to approve the agenda as presented. Motion carried.

APPROVAL OF
PLANNING
COMMISSION
MEETING MINUTES

PLANNING COMMISSION ACTION: Patti Schafer moved, supported by Willis Heisey to approve the January 12, 2023 PC Meeting Minutes as presented. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 6-0, all in favor, none opposed.]

COMMUNICATIONS
(A) PORTLAND TWP

- Doug Riley, Director presented **Portland Township's Notice to Update their Master Plan**
- PLANNING COMMISSION ACTION:** Val Vail-Shirey moved, supported by Jan Motz to receive Communication item A and place on file. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 6-0, all in favor, none opposed.]

PUBLIC COMMENTS

- Chairperson Christmas called for public comments.
- Cori Feldpausch spoke about the [potential] "mega site" in Eagle Township:
 - Expressed frustrations toward the way that Michigan State University's (MSU) land is being advertised for sale.
 - Feels the zoning decision has already been made.
 - Disappointed in local government and all those above them.
 - Indicated that her opposition group will relentlessly return if they are met with resistance.
- Kristin Rich spoke about the [potential] "mega site" in Eagle Township:
 - Agriculture provides 17% of employment in the state of Michigan and contributes \$104 billion to our economy.
 - Is this development best for everyone?
 - Cited concerns such as crime rate, growth of the county, and monitoring of waste production and disposal for the site.
 - How will this development affect our fresh water in Michigan?
 - Asked the PC not to be pressured into making any zoning decisions in regards to this "mega site".
 - Her vote is for food and clean water.
- Brad Rich spoke about the [potential] "mega site" in Eagle Township:
 - Large "fabs" use a lot of water.
 - Cited several local and country-wide statistics in relation to "fabs":
 - Cancer rates are higher in Taiwan where most chips are manufactured today.
 - Asked the PC to deny any changes to the Future Land Use Map (FLUM).
- Chairperson Christmas thanked those who spoke for their comments and asked for any additional comments from the public.
 - Hearing none, Chairperson Christmas continued to the next agenda item.

OLD BUSINESS
PC-33-22 SLU

- Doug Riley, Director suggested the PC remove case PC-33-22 SLU from the table as the PC tabled the case December 8, 2022 until February 9, 2023.
- Chairperson Christmas announced that she will be recusing herself as having a conflicting contractual / financial relationship with Pine Gate Renewables – a company involved in the application of this case.

- There will still be a quorum with 5 voting members.
- *Roni Christmas excused herself from the room for this case.*
- *Patti Schafer, Vice-Chairperson, assumed the Chair.*
 - Called for a motion to remove case PC-33-22 SLU from the table.

PLANNING COMMISSION ACTION: Willis Heisey moved, supported by Jan Motz to remove case PC-33-22 SLU from the table. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 5-0, all in favor, none opposed.]

- Chairperson Schafer called on Doug Riley for report.
- Doug Riley reviewed PC-33-22 SLU – Application for a Special Land Use Permit as detailed in the updated Staff Report (which includes the Special Land Use Permit criteria to be reviewed by the PC, and the recommended conditions of approval if the PC were inclined to recommend approval to the Board of County Commissioners).
 - Relayed, for the record, that there were 2 additional written public comments received just prior to this meeting which were forwarded to the PC:
 - Richard Kellogg – opposition to the proposed solar farm.
 - Consumers Energy Public Affairs Manager, Jessica Tramontana – supporting the proposed solar farm.
 - Noted, the public hearing was closed for this case December 8, 2022 – however, if the PC was inclined, they could motion to hear additional public comment.
 - Recommended, when appropriate, the PC could also motion to request the Board of County Commissioners hire a consultant or legal counsel to conduct a study or review to ensure all best management practices, etc. are being implemented in regard to regulation of solar farms.
- Chairperson Schafer asked for any comments or questions from the Commission.
- Willis Heisey asked, in regard to environmental concerns, if the Michigan Department of Environment, Great Lakes, and Energy (EGLE) has requirements for closure of a solar farm?
 - Noted, EGLE and the U.S. Environmental Protection Agency (EPA) require testing, clean-up, etc. with chemical spills.
- Doug Riley indicated that he is not aware of any such requirements specific to solar farms at this time.
 - However, he did see recently that EGLE posted a webinar regarding solar.
- Chairperson Schafer asked for any additional comments or questions from the Commission.
 - Hearing none, Chairperson Schafer called on the applicant.
- Ryan Diederichsen, on behalf of Environmental Consulting & Technology, Inc. (ECT) / Sunbelievable Solar, LLC), introduced Lorraine Bergman of Pine Gate Renewables (Sunbelievable Solar, LLC) for a short word.
- Lorraine Bergman provided information about the entities involved:
 - Pine Gate Renewables currently has 89 operating solar farms all over the United States.
 - The portfolio that encompasses the Michigan projects is held by another entity called Irradiant Partners, LP, who owns and operates 96 megawatts of power in Michigan / 16 total projects currently online with another 5 that are being developed for operation this year.
 - They are very dedicated to their work, here, in Michigan.

- Assured that Pine Gate Renewables and Irradiant Partners, LP have gone to great lengths to produce the best project possible in Clinton County, including newly implemented improvements made after hearing public/community comments in December.
- Thanked the PC for the opportunity for additional time to explain all the ways this project addresses the concerns that were discussed in December.
- Ryan Diederichsen reviewed the supplemental materials that were submitted on January 18, 2023 in response to the concerns indicated at the December 8, 2022 PC meeting.
 - Agreed with the recommended conditions of approval.
 - Noted, a 5-year review of the decommissioning bond is preferred.
- Chairperson Schafer asked for confirmation that the proposed panels are not being produced with heavy metals.
- Ryan Diederichsen explained that the panels are primarily made of glass, plastic, aluminum, traces of silicone, copper, silver, and tin.
 - The Toxicity Characteristic Leaching Procedure (TCLP) process considers a range of 10-20 metals, heavy metals included.
 - Further analysis of the TCLP process is then tied to the Michigan 10 Metals.
 - There will be some traces (analytes) – but the TCLP process ensures, through crushing and testing of the panels, that they meet the regulatory threshold.
- Willis Heisey asked if the panels were crushed / leaching, would it be considered a “spill” by EGLE / the EPA?
- Ryan Diederichsen responded that he is unsure – but could get the answer.
 - However, when doing the due diligence for these projects, they do consider the possibility of that and develop an operations and maintenance plan for such mitigation.
 - It would be highly unlikely that, if panels were smashed due to weather, they would break to the point that there would be leachates.
 - Also, heavy metals do not typically move well with water.
 - The encapsulation process is very durable.
- Willis Heisey expressed that he was expecting a revised landscaping plan to show landscaping around the entire site.
- Ryan Diederichsen clarified, although it doesn’t go around the entire perimeter of the site, it does go the entire length of the northern and eastern portions of the site; the entire southern portion the southeast parcel with a small gap between the drain and where the Point of Interconnect (POI) is proposed (about 300 feet of the road); the entire southern portion of the southwest parcel; and no screening on the western portion due to existing dense vegetation with ample distance.
 - *Reviewed the revised (proposed) landscaping plan.*
 - Noted, Michigan gets more sun than Germany – who has led solar development up until 2014.
- Val Vail-Shirey asked Mr. Diederichsen to clarify how Michigan is considered a good producer of solar.
- Ryan Diederichsen stated that he doesn’t have the exact data for typical number of days of sun, etc., however, the proposed panels can still generate power off radiation from the sun even when there is cloud cover.

- It is a common misconception that, due to winters, etc., Michigan isn't a solar-efficient state.
 - The snow can actually act as a "cleaner" for the solar panels.
- Noted, the State has set specific goals for megawatt output by 2025, 2030, and 2035.
- Jan Motz asked how long Pine Gate Renewables have had operating solar farms in the United States?
- Lorraine Bergman relayed that Pine Gate Renewables has been operating since 2014 with projects going online in Michigan, specifically, since 2021.
 - Noted, Consumers Energy has portfolio standards that they have/want to meet and are excited about projects like these.
- Jan Motz asked how decommissioning might affect the drainage of the subject properties?
 - Does the Clinton County Drain Commissioner (CCDC) handle that?
- Doug Riley explained that the CCDC ensures the project does not impact the county drain(s) or adjacent properties.
- Lorraine Bergman assured that drainage would be reverted to the way it was as part of the decommissioning plan.
- Chairperson Schafer noted that the proposed project does not include batteries – which is better for recycling, in regard to contamination.
 - Highlighted the applicant's responses to all of the points that were discussed at the December PC meeting.
 - Asked the PC's pleasure in regard to hearing additional public comment?

PLANNING COMMISSION ACTION: Val Vail-Shirey moved, supported by Jan Motz to accept new public comments for a maximum of 2.5 minutes per speaker.

- Willis Heisey offered a friendly amendment to specify only comments containing "new information" be allowed.
- Val Vail-Shirey accepted the friendly amendment.
- Jan Motz seconded the friendly amendment.

PLANNING COMMISSION ACTION: Voting on the motion by roll call vote, motion carried unanimously. [Vote of 5-0, all in favor, none opposed.]

- Chairperson Schafer asked for any new comments from the public.
- Lee Thelen, Greenbush Township Supervisor:
 - Concerned about the decommissioning bond.
 - Doesn't feel \$1 million will be sufficient.
 - Suggested it be automatically increased annually based on Consumer Price Index (CPI).
 - Agrees that the County needs to reevaluate its solar farm regulations.
- Richard Kellogg:
 - Feels the TCLP analysis should be done by a third party.
 - The Hayworth County Drain is used for livestock and wildlife and could become contaminated by the panels.
 - There is also a possibility of fires due to muck soils – which can happen for any random reason – but will fire-fighting equipment be able to reach the fire?
 - *Submitted written public comments to be placed in the PC file.*
- Ramona Smith, Greenbush Township Clerk, questioned why Roni Christmas could listen to and chair the last meeting but has recused herself from this meeting?

- Chairperson Schafer asked Staff to clarify Mrs. Christmas' conflict.
- Doug Riley indicated that Roni Christmas had not realized previously that Pine Gate Renewables was involved in this project, but as soon as she realized, she recused herself as her business has a conflicting contractual / financial relationship with Pine Gate Renewables.
- Melany Mack:
 - Commented that this is a much bigger issue that affects more than just Greenbush Township, and as such, appreciates the opportunity to speak tonight.
 - The 8 warmest years have occurred since 2014.
 - Climate change can't be denied.
 - Has experienced it herself in her 71 years.
 - Commented on a public comment opposing the proposed solar farm she read from the December PC meeting:
 - If we don't take responsibility, individually and collectively, for reducing the use of fossil fuels we might not only not be leaving our future generations without something to be proud of – but perhaps, something that's not even habitable.
 - Its incumbent for all of us to reduce the use of fossil fuels for our children and grandchildren.
 - Based on what she's heard tonight, if this company is willing to work with the community to find ways to mitigate issues, we should be working with them to work toward reducing the use of fossil fuels.
- Theresa Hubbard:
 - Asked the PC to put little weight on the adjacent landowners' comments as this is a larger problem.
 - Commented that she would prefer to live next to a solar farm than an agricultural farm.
 - Noted, her home used to be adjacent to a golf course but has since been converted to agricultural land where impacts of farming has affected her life in a negative manner.
 - Solar farms require no additional maintenance of roads, drains, etc. where farms affect those things, but are not individually responsible for maintaining them.
- David Smith:
 - Asked the PC to place a moratorium on this item.
 - Discussed township-level zoning.
- Angie Pifer:
 - Commented if this solar project is approved, the decommissioning of the project will cause financial strains on the County and Greenbush Township.
 - Estimated 33% of the year could generate power in Michigan.
 - Solar panels cannot generate power when covered with snow and ice, according to her research.
 - Stated that her previous comment in December (concerns about leaving future generations with something to be proud of) was in regard to dealing with effects of decommissioning.
 - *Submitted written public comments to be placed in the PC file.*
- Fred Gifford:
 - Concerned about decommissioning – feels the cost incurred from decommissioning should fall on those benefitting from the project.
 - *Submitted written public comments to be placed in the PC file.*
- Andy Livingston:

- Concerned about the competitive edge solar farm companies have over agricultural leases.
- Believes solar has its place – but in smaller, individual uses (ex., rooftops, brownfields, etc.).
- Commented that large solar projects are at our doorsteps because of government mandates.
- Grant Kindel:
 - Referenced application materials that state the proposed site does not have “prime agricultural soils” or “unique soils”.
 - Noted that Boyer Complex, which covers about 41 acres of the proposed site, is a “unique soil” to Greenbush Township.
 - Boyer Complex is commonly seen in gravel pits.
 - *Submitted written public comments to be placed in the PC file.*
- Alec Rogers:
 - Believes studies presented benefitted the applicant.
 - Concerned about realtors selling land without disclosing solar farm leases.
 - When solar leases are known, lenders are hesitant to loan money for land that could be poor collateral.
 - Asked the Planning Commission to deny the request to protect property values.
 - *Submitted written public comments to be placed in the PC file.*
- Kelvin Webster:
 - Commented that its not that he’s against global warming initiatives, but rather, is more concerned about scarcity of farmland.
 - Referenced the letter that he submitted to the PC on February 6, 2023 (which was forwarded to the PC).
- Larry Kindel:
 - Feels that the proposed screening efforts means that the use does not match the area.
 - Commented that a reasonable person would expect to be exposed to farm elements – not a solar farm.
 - Noted that the Zoning Office has done a good job up to this point on keeping the county landscape organized.
 - Does not believe solar farms do that when located in agricultural areas.
 - *Submitted written public comments to be placed in the PC file.*
- Ross Boots:
 - Feels the project would be a tax loss to Greenbush Township.
 - Suggested, if the project is approved, the applicant plan 50-foot trees rather than 4-foot bushes so adjacent property owners don’t have to see it.
- Charles Magsig:
 - Feels this push for green energy may be all for nothing – noting many other countries are still mining for coal.
 - Asked if adjacent property owners will be compensated for the “eyesore”?
- Chairperson Schafer any additional new comments from the public.
 - Hearing none, Chairperson Schafer called for a 5-minute recess.
 - *Resumed the meeting.*
 - Asked the applicants if they would like to respond?
- Lorraine Bergman reiterated that the decommissioning bond is evaluated thoroughly.
 - Expressed understanding of the concerns that she heard in those regards.

- Noted that 5-year review of the decommissioning bond is preferred, but if the PC is not favorable of that, a 2-year review is fine.
 - Solar farms are very expensive and those invested really want to make it work.
 - Solar is a passive use that can allow the ground to be returned to farmland.
- Jan Motz asked how the panels can be tilted to control glare?
- Lorraine Bergman indicated that they are on a tracking system that automatically moves the panels with the sun – or additional buffering could be done.
 - Airports, for example, are installing solar panels all around them and the Federal Aviation Administration (FAA) is in agreement with it / no associated harm.
- Jan Motz asked Ms. Bergman to confirm that there are no batteries associated with this project.
- Lorraine Bergman confirmed.
- Chairperson Schafer clarified that this use (solar farm) is allowed in the A-2 (General Agriculture) zoning district per the Zoning Ordinance.
 - Noted, various county departments would be working with this project to ensure its compliance.
 - Thanked everyone in attendance for expressing their concerns.
 - Asked Ms. Bergman to confirm that the solar leases for the subject properties are currently contracted for 20 years, but could be extended to 40 years?
- Lorraine Bergman confirmed.
- Chairperson Schafer asked if Consumers Energy could continue beyond the contracted 40 years if they wanted to continue?
- Lorraine Bergman answered, yes, based upon the current lease agreement.
- Chairperson Schafer inquired, if the St. Johns Fire Chief finds the site inadequate, the plan could be modified?
- Doug Riley indicated that minor changes can always be made through administrative review/approval, but major changes would necessitate PC review/approval.
 - SLU projects have 1 year to apply for building permits before they are required to re-apply to the PC.
- Chairperson Schafer commented that the PC worked hard to develop the solar regulations in the Zoning Ordinance.
 - Thanked the applicants for their thoughtful consideration.
- Willis Heisey asked Mr. Diederichsen to clarify the discussion regarding contamination.
 - Noted, that discussion left him with the feeling that we could be exposed to contamination.
- Ryan Diederichsen explained that ECT, Inc. does not pick and choose what to test for – they use industry standards.
 - Noted that they work for themselves.
 - Commented on the importance of being truthful.
 - The panels are encapsulated 2 times; have gone through the TCLP analysis; and can withstand extreme weather conditions.
 - Noted, there certainly wouldn't be any greater chemical use beyond that of an average farm operation.
- Chairperson Schafer referenced the growing use of solar panels in residential properties.
 - Asked if these panels would be the same quality?

- Ryan Diederichsen explained that there are many different kinds of panels and could not speak to the quality of those being used for individual use.
- Jan Motz asked, in event of a major weather, who checks the site to ensure the site is protected from leaching?
- Ryan Diederichsen discussed the maintenance plan that is in place with local contractors.
- Val Vail-Shirey asked for clarification on double decommissioning bonding?
- Ryan Diederichsen corrected Ms. Bergman's previous statement – only sites that are enrolled in the Farmland Preservation Program (PA-116) are double-bonded.
- Doug Riley clarified that the 2 subject properties are not in PA-116.
- Val Vail-Shirey asked why they are not prosing varying heights of trees?
- Ryan Diederichsen explained that Clinton County's Zoning Ordinance requires a minimum of 4-foot only.
 - Noted, the species chosen for the landscape plan vary 20 to 80-foot at full-grown height.
- Val Vail-Shirey asked if his company participates in impact payments?
- Ryan Diederichsen answered, no – they are not in the business of property evaluation, etc.
- Chairperson Schafer asked for any additional comments or questions from the applicants?
 - Hearing none, Chairperson Schafer called for discussion from the Commission.
- Doug Riley explained that 4-foot plantings is a standard size used.
 - To go beyond that, he would recommend the PC set a basis for conditioned height greater than 4-foot.
- *The PC and Doug Riley discussed the decommissioning bond, as recommended in the Staff Report.*
- Val Vail-Shirey stated that the PC needs to consider the criteria for the review of this case.
- Doug Riley provided his professional opinion, that this proposal does meet the minimum technical requirements as set forth in the Zoning Ordinance.
- Willis Heisey expressed empathy in regard to landowners' property rights and to all adjacent property owners involved.
 - Commented, as a retired civil engineer, he does not believe that solar is the future, but rather, small nuclear plants.
 - Stated that he is unsure what way he will vote.
- Chairperson Schafer, in regard to recommended condition of approval #5, asked the PC if they would be in support of a 2-year review of the decommissioning bond?
- *The PC agreed.*
- Doug Riley briefly discussed the changes/additions to the recommended conditions of approval as written in the Staff Report.
- Val Vail-Shirey asked Jordan Whitford, St. Johns Fire Chief, if he agrees with the 12th recommended condition of approval?
- Jordan Whitford agreed that he does.
 - Noted, he toured the solar farm in Bingham Township to gain better understanding regarding accessibility for emergency services.

PLANNING COMMISSION ACTION: Willis Heisey moved, supported by Patti Schafer to recommend approval to the Board of Commissioners of PC-33-22 SLU/SP Sunbelievable Solar, LLC, application for Special Land Use and Site Plan approval for a solar farm in Section 27 of Greenbush

Township based on the following reasoning and subject to the following conditions:

- Reasoning: **(1)** The standards set forth under Sections 6.1 (site plan requirements), Section 4.48 (criteria for solar farms) and Section 6.2.F (Special Land Use – General Standards/Basis of Determination) have been or can be met subject to the conditions set forth below.
- Conditions: **(1)** The landscaping/plantings for the project shall be continually monitored/evaluated by the applicant/operator and any screening/buffering die offs will be replaced within a one-year period (as may be seasonally optimum for plantings). Weed management and mowing of the facility and landscape areas will be completed, at a minimum, six (6) times a year. **(2)** The applicant/operator shall complete a waste management plan, (including identifying an on-site collection/recycling area), as part of this project to be reviewed as part of the final construction plan/building permit process. **(3)** The applicant/operator shall work with the County Drain Commissioners Office in regard to the final grading and drainage plan for the project. The Drain Commissioners Office shall approve the final grading and drainage plans prior to the issuance of a building permit for the facility. **(4)** The applicant/operator shall work with the County Road Commission in regard to the final construction plans in relation to access and construction traffic and necessary road bonding. The Road Commission shall approve the final construction plans in these regards prior to the issuance of a building permit for the facility. **(5)** The applicant/operator shall provide a reclamation/financial guarantee of \$1,000,000 OR 150% of the cost for the removal, whichever is greater, to the County prior to final project permitting. This amount and financial guarantee shall be updated and reviewed by an Engineer and the County's engineer/legal counsel prior to acceptance and final permitting. The security guarantee shall be updated every two (2) years at the rate of 1.5 times CPI (consumer price index) for each year. **(6)** All standards set forth in the Zoning Ordinance will be complied with prior to the issuance of permits and/or the issuance of any certificate of occupancy for the project including all standards or requirements under Section 4.48 (Solar Farms). The site will also be subject to annual inspection by the Community Development Department (as specified in Section 6.2.J.2 of the Zoning Ordinance). **(7)** The applicant/operator shall obtain all necessary permits and licensing from all applicable agencies including Clinton County, State of Michigan and U.S. Government as applicable prior to construction and shall maintain any necessary approvals, including compliance with all current and future state and federal environmental regulations, as required by respective jurisdictions or agencies. **(8)** All site lighting shall be in accordance with Code and directed toward the interior of the site. Section 5.6 of the Zoning Ordinance requires that the lights be shielded/directed downward to avoid any adverse impacts on adjacent properties or streets. Final site lighting shall be detailed and reviewed as part of building permit review/issuance. **(9)** The applicant shall coordinate with the St. Johns Fire Department for on-site training for local emergency personnel prior to operation of the facility and the issuance of occupancy approval by the Community Development Department. Periodic on-site training shall also be accommodated in coordination with the St. Johns Fire Department. **(10)** The applicant shall complete a glint/glare analysis, performed by a qualified third party, as referenced in their January 18, 2023, supplemental materials to assure that any adjacent properties or

roadways are not impacted by the proposed project. This analysis shall be completed prior to building permit issuance for the facility. **(11)** Any transfer or sale of the property/project in the future will be subject to Section 6.2 (Special Land Uses - Transfer and/or Expiration of Special Land Use) in the Clinton County Zoning Ordinance. **(12)** The applicant shall satisfactorily address the access considerations with the St. Johns Fire Department for the northeast portion of the site prior to building permit issuance for the facility.

Voting on the motion by roll call vote, AYES: Jan Motz, Val Vail-Shirey, Patti Schafer; NAYS: Willis Heisey, William Nurenberg, motion carried. [Vote of 3-2, three in favor, two opposed.]

- Val Vail-Shirey asked the PC to discuss why members voted yes?
- Chairperson Schafer indicated that she voted yes because the proposed project meets and exceeds the current Zoning Ordinance standards.
 - Noted, she agrees that the PC should revisit solar farm standards.
- Val Vail-Shirey agreed.
- *Roni Christmas re-entered the room.*
 - Apologized for having not realized that Pine Gate Renewables was part of the application sooner.
 - Noted, luckily, there was not an actionable vote in December.
 - Expressed that she was glad to have had the opportunity to listen the meeting in December, however, to bring light to the concerns that should be of consideration for potential amendment to the Zoning Ordinance.

PLANNING COMMISSION ACTION: Val Vail-Shirey moved, supported by Patti Schafer to recommend to the Board of County Commissioners that they consider hiring a consultant to review the renewable energy regulations in the Clinton County Zoning Ordinance, and not to accept any further applications until those standards have been reviewed. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 6-0, all in favor, none opposed.]

- Ramona Smith, Greenbush Township Clerk, gave a round of applause and thanked the residents of Greenbush Township, the solar applicants, and county for this eye-opening experience.
 - Noted, this may not have gone the way that they had hoped, but there is now a strong sense of community in the area.

NEW BUSINESS
PC-42-22 MA
(OR 183-23)

- *Roni Christmas, Chairperson, assumed the Chair.*
- Doug Riley, Director reviewed ***PC-42-22 MA (OR 183-23) – Application for a Zone Map Amendment (Rezoning)*** as detailed in the Staff Report (which includes the Zone Map Amendment criteria to be reviewed by the PC).
- Chairperson Christmas called on the applicant.
- Holly Simon indicated that she didn't have anything to add to Mr. Riley's report.
 - Thanked Mr. Riley for his help.
- Chairperson Christmas asked for any comments or questions from the Commission.
 - Hearing none, Chairperson Christmas called for a motion to open the public hearing.

PLANNING COMMISSION ACTION: Jan Motz moved, supported by Patti Schafer to open the public hearing. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 6-0, all in favor, none opposed.]

- Chairperson Christmas asked for any comments from the public.
 - Hearing none, Chairperson Christmas called for a motion to close the public hearing.

PLANNING COMMISSION ACTION: Willis Heisey moved, supported by Val Vail-Shirey to close the public hearing. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 6-0, all in favor, none opposed.]

PLANNING COMMISSION ACTION: Jan Motz moved, supported by Patti Schafer to recommend approval of petition PC-42-22 MA (OR 183-23), Simon/Belen, to the Board of Commissioners to amend the Zoning Map from A-2 (General Agriculture) to RR (Rural Residential) for the property located in Section 5 of Westphalia Township as legally described in the petition based on the following reasoning:

- Reasoning: **(1)** The seven (7) findings of fact outlined in Section 7.21.E of the Zoning Ordinance, as detailed in the staff report, have been met. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 6-0, all in favor, none opposed.]

OTHER BUSINESS

None

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

- Doug Riley, Director provided a brief update:
 - Giffels Webster, the County's hired planning/zoning consultant, is arranging the open house/workshop scheduled for March 2, 2023 at Eagle Township in regards to the comprehensive update – Eagle Township special area study.
 - Planning Commissioners will be paid per diems for attending this open house/workshop.
 - As no applications/cases were submitted by the noticing deadline, advised that the PC could consider cancelling their March 9th meeting.
 - *Discussed the potential/interest of some training with the PC.*

PLANNING COMMISSION ACTION: Jan Motz moved, supported by Patti Schafer to cancel the March 9, 2023 Planning Commission meeting. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 6-0, all in favor, none opposed.]

PLANNING COMMISSIONER COMMENTS

- Patti Schafer has high hopes for the March 2, 2023 open house/workshop to evaluate complaints and research viable options.
 - Asking the community to not only say what they don't want, but what they would rather have.
 - Suggested a follow-up survey after the open house/workshop.
- Jan Motz asked about Lansing Economic Area Partnership's (LEAP) video that was referenced in a public comment earlier.
- Doug Riley stated that LEAP has been marketing the site in conjunction with the Michigan Economic Development Corporation (MEDC).
 - Clarified that if a development application were made, it would still have to come before the PC.
 - Reiterated that this is just a study and that there have been no development applications submitted.
- Willis Heisey commented that eventual development is inevitable.
 - Posed the question: is it better to plan for specific types of development prior to their request?

ADJOURNMENT

PLANNING COMMISSION ACTION: With no further business to come before the Commission, Patti Schafer moved, supported by Chairperson Christmas to adjourn the meeting at 9:58 p.m. Voting on the motion by roll call vote, motion carried unanimously. [Vote of 6-0, all in favor, none opposed.]



Jessica Bolt, Planning & Permit Technician

NOTE: These minutes were approved as amended by the Planning Commission on April 13, 2023.