

Hayes Township Planning Commission
October 15th, 2024
Regular Meeting
Hayes Township Hall
9195 Major Douglas Sloan Rd.
Charlevoix, MI 49720

CALL TO ORDER: Chairperson Roy Griffiths called the meeting to order at 7:00 p.m.

Members present: CT Martin, Roy Griffiths (Chair), Carey Cuddeback, Rex Greenslade, Marilyn Morehead and Mark Snyder.

Excused: Matt Cunningham

Also, present: April Hilton (Deputy Clerk/Recording Secretary), Ron VanZee (Zoning Administrator)

Audience: LuAnne Kozma, Julie Collard, Kristin Baranski, Rebekah Berg, David Zipp, Alexander Curly, Jim McMahon, Diane McMahon, Kevin Willis, Tim Boyko, Debbie Luhrs, Carol Umlor, and Melvin Czechowski.

REVIEW AGENDA:

Ms. Morehead made a motion, supported by Mr. Snyder, to approve the agenda as presented.

Yeas: Rex Greenslade, Marilyn Morehead, Roy Griffiths, CT Martin, Carey Cuddeback, and Mark Snyder.

Nays: none **Motion Carries**

DECLARATIONS OF CONFLICTS OF INTERESTS:

None

APPROVAL OF MINUTES SEPTEMBER 17TH, 2024 REGULAR MEETING

Mr. Snyder made a motion, supported by Ms. Morehead, to approve the September 17th, 2024, regular meeting minutes as corrected.

Yeas: Rex Greenslade, Marilyn Morehead, Roy Griffiths, CT Martin, Carey Cuddeback, and Mark Snyder.

Nays: none **Motion Carries**

PUBLIC COMMENTS: Public comments opened at 7:02pm.

None

Public comments closed at 7:02pm

REPORT OF TOWNSHIP BOARD REPRESENTATIVE TO THE PLANNING COMMISSION:

Next meeting November 11th, 2024, at 7:00pm.

REPORT OF ZONING BOARD OF APPEALS REPRESENTATIVE:

ZBA did not meet.

ZONING ADMINISTRATOR REPORT:

Written report available at Hayes Township Hall.

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New Business:

COMPATIBLE RENEWABLE ENERGY ORDINANCE DRAFT DISCUSSION (PA 233-234):

- PA 233-234 will be in effect on November 29th 2024.
- There is no way for a Township to prohibit Renewable Energy.
- MTA recommends Townships to put regulations for Renewable energy in the Township Ordinance, suggest a Special Use Permit required.
- A Zoning Permit Application submitted for Renewable Energy must be decided on within 120 days.
- MTA recommends having language in the Zoning Ordinance that states the Developer of the project is responsible for all the cost involved in the Renewable Energy project they are proposing.
- The Township needs a Zoning Ordinance for Renewable Energy to protect the Township from Legal and Financial Responsibility.
- PA 233-234 cannot force a land owner to allow a development of Renewable Energy on their land.
- Reviewed and discussed the proposed Zoning Ordinance text amendments recommended by the Michigan Township Association.
- The Township can restrict the zoning districts allowing Renewable Energy Facilities.
- The Planning Commission came to a consensus to limit Renewable Energy Facilities to only Commercial, Industrial, Conservation and Agricultural Zoning districts.
- The Planning Commission came to a consensus to change all setback distances for Solar Energy Facilities and Energy Storage Facilities to be measured from the nearest property line.
- The Planning Commission came to a consensus to change the setback distance from the nearest shared property line to be 300 feet for Solar Energy Facilities and Energy Storage Facilities.
- The Planning Commission came to a consensus to refer to the current Hayes Township Lighting ordinance when implementing dark sky friendly lighting solutions for Solar, Wind and Energy storage Facilities.
- Planning Commission will add “road way” to item 2 (II) regarding shadow flicker of a wind turbine.
- Will consult the Township attorney about decommissioning language in the Zoning Ordinance for Solar, Wind and Energy Storage Facilities.

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OLD BUSINESS:

REVIEW OF MASTER PLAN:

To be continued.

SET/CONFIRM PUBLIC HEARING DATES: None

SET/CONFIRM DATE OF NEXT PC MEETING –OCTOBER 22ND, 2024.

Next Planning Commission meeting will take place on October 22ND, 2024, at 7:00 pm.

PUBLIC COMMENT:

Public Comment Opened at 9:09pm

Comments Included:

- Stated they have lived in Hayes Township since 1974, and when they have attended meetings they always hear how people do not want to see development changes in Hayes Township. Concerned with what will happen to land being sold due to farms retiring.
- Stated they found it to be a good meeting, however, would like clarification how a developer can negotiate the Zoning Ordinance.
- Would like to know when the State of Michigan created PA 233-234.
- Stated they agree with the property line setbacks. Concerned with the noise ordinance and dark sky ordinance for the renewable energy facilities. Concerned of the throw distance if a blade were to come off of one of the Wind Turbines. Suggest language regarding view screening.

Public Comment Closed at 9:18pm

PLANNING COMMISSION and STAFF COMMENT:

Mr. Griffiths stated with renewable energy applications coming in as Special Use Permits the conditions are set by the Planning Commission and do not go in front of the ZBA.

Mr. Greenslade stated they are concerned about leaving a better place for future generations.

ADJOURNMENT: Ms. Morehead made a motion, supported by Ms. Cuddeback, to adjourn the meeting at 9:21pm.

Yeas: Roy Griffiths, CT Martin, Carey Cuddeback, Mark Snyder, Marilyn Morehead, and Rex Greenslade.

Nays: none **Motion Carries**

Respectfully Submitted by:
April Hilton
Deputy Clerk/Recording Secretary

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