

Montrose Township

Planning Commission
Meeting Minutes
Thursday, April 6, 2023
6:00 PM

Chairman Harry Powell called the meeting to order at 6:00 PM.

The pledge of allegiance was recited.

Roll Call: Present: Joe Boettger, Dave Wilson, Dave Badgley, Tom Tithof, and Harry Powell

Absent: Chad Wysocki and Bill Stroup

Staff Present: Bill McIlmurray - Building Official

Meeting Minutes – A **Motion** was made by T. Tithof, supported by D. Badgley, to accept the meeting minutes from 3/2/23 as presented. 5-0 motion carried.

Approval of Meeting Agenda: Motion to approve as presented by T. Tithof, supported by Badgley, supported by All in favor 5-0

Public Comments on Agenda Items Only: Dorothy Switalski 11302 Frances Road, Flushing, MI 48433. She asked the commission members if they read her letter in opposition, and they responded that they did. She feels the business being run out of 11272 Frances Road is more of a commercial business than a home occupation. The business is being run from the home but most of the pictures are taken outside, causing a lot of traffic and a nuisance to the quiet residential neighborhood.

James Coon 9322 Sheridan Road, New Lothrop, MI 48460. He shared his version of the survey results from the Township Residents turned in regarding Solar Farms. He feels that the numbers reflect that 7 out of 10 residents do not want solar farms.

Dave Stanley 11345 Wilson Road, Montrose, MI 48457. He does not feel solar is a bad thing, the rest was inaudible

New Business- Postponement of Public Hearing - Special Land Use-Home Occupation Request – Nicole Jenrow, 11272 W. Frances Rd. is requesting a Home Occupation Permit that would allow for a photography studio located within the primary residence.

Nicole Jenrow shared her request for a Home Occupation, she said she shoots all over the country. She does shoot in her back yard but she does not make a big production out of her shoots, she is talking to the clients not causing a nuisance. H. Powell explained that all Home Occupation businesses must be run inside the home, this is how the ordinance is written. N. Jenrow said that she understands that. The public hearing was closed. A **Motion** was made to approve the in-home occupation, with the building department's recommendations, located at 11272 W. Frances Road, by T. Tithof. D. Badgley support the motion. Roll call – J. Boettger (N), D. Wilson (Y), T. Tithof (Y), D. Badgley (Y), H. Powell (Y). 4-1 vote- Motion passes

Public Hearing- Rezoning Request – Douglas M. Taylor is requesting the re-zoning of parcel # 13-13-200-044, commonly known as Vacant Land- Farrand Rd., from RS residential suburban to RF residential farm. The proposed zoning change would correct the existing non-conforming lot of record, and allow for future land development.

Douglas Taylor (inaudible)

The public hearing was closed. J. Boettger made a **Motion** to recommend to the Twp. board of Trustees to approve the rezoning request for parcel # 13-13-200-044 from RS- Residential Suburban to RF- Residential farm. T. Tithof supported the motion. Roll call – D. Badgley (Y), D. Wilson (Y), H. Powell (Y), T. Tithof (Y), J. Boettger (Y). 5-0 vote- Motion passed.

Public Hearing- The purpose of the hearing will be to receive public comment regarding the proposed Master Plan. No Comments, public hearing closed. The resolution was read aloud for the Planning Commission to make a motion by Township Attorney Amanda Doyle. A **Motion** was made to recommend that the Master Plan be adopted by the Planning Commission by J. Boettger, and support was given by D. Badgley. Roll call – D. Wilson (Y), D. Badgley (Y), T. Tithof (Y), H. Powell (Y), J. Boettger (Y). 5-0 vote-Motion passed.

Public Hearing- The hearing is regarding the comprehensive revisions to the Township's Zoning Ordinance. The revisions include changes to the following articles: 153.006 - Definitions and 153.219 (AA) - Special Land Use Standards, Commercial Solar Energy Systems

No Comments from the citizens. The Planning Commission discussed revising the ordinance. A motion was made by J. Boettger to adopt the 25% rule that Flushing Township has on its ordinance. supported by D. Badgley. There was a discussion between the members regarding the motion. Roll call – D. Wilson (Y), T. Tithof (N), D. Badgley (Y), H. Powell (N), J. Boettger (Y). Must have a majority vote of the entire board, 3-2 vote, the motion fails., H. Powell asked residents in the audience about how much land would be wasted if they adopt the 25% rule that was discussed, and the answer was that a lot of lands would be wasted if that was adopted. The audience member also said that the work being done is subpar and there is flooding and the companies only care about the money and not the residents.

J. Boettger made a **Motion** to lower the sound disables to 30 from 40 at the project boundary, supported by D. Wilson. T. Tithof discussed if 30 disables are even a possible number to expect, will this make it impossible for the solar farm to even operate? J. Boettger said that sound can be diverted so something can be built around the unit to divert the sound away from the neighbors. Roll call – H. Powell (Y), T. Tithof (Y), D. Badgley (Y), D. Wilson (Y), J. Boettger (Y). 5-0 vote, Motion passed.

A **Motion** to eliminate a previous limitation on page 2 # 4 that says you must have 20 acres to participate was made by T. Tithof, supported by H. Powell. Roll call – D. Wilson (Y), J. Boettger (N), D. Badgley (Y), T. Tithof (Y), H. Powell (Y) .4-1 vote- Motion passed.

A **Motion** to require any solar project to be enclosed by a 7-foot-high chain link fence, black in color, was made by H. Powell, supported by J. Boettger. After discussion, the motion was amended to say a 7-foot-high chain line fence, black in color, 6 inches off the ground so small animals can pass under, with no barbed wire on the fence. Roll call – T. Tithof (Y), H. Powell (Y), D. Wilson (Y), D. Badgley (Y), J. Boettger (Y). 5-0 vote- Motion passed.

A Motion was made by J. Boettger that if a solar farm is not making power for 90 days, it will be considered decommissioned which changes the original draft that states 12 months. After discussion, the motion was amended to say 6 months, with support given by D. Wilson. Roll call – D. Badgley (Y), H. Powell (Y), T. Tithof (Y), D. Wilson (Y), J. Boettger (Y). Motion passed.

A Motion was made by T. Tithof to approve the 4/5/23 draft, with amendments voted on 4/6/23, of the solar ordinance to be sent to the Township Board, the motion was supported by H. Powell. Roll call – D. Badgley (N), D. Wilson (N), J. Boettger (N), T. Tithof (Y), H. Powell (Y). 3-2 vote- Motion fails.

Old Business- None

Public Comments – Garland Jex 13209 Duffield Rd, Montrose, MI commended the Planning Commission for their work on the solar farm ordinance and he appreciates their work.

Adjournment

A **Motion** was made by D. Badgley to adjourn the meeting at 8:08 pm,

The next regularly scheduled meeting will be held on Thursday, May 4, 2023, at 6 pm.

Respectfully,

P. Coomer-Recording Secretary