

**MARION TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING
OCTOBER 25, 2022 - 7:30PM**

CALL TO ORDER

Larry Grunn called the meeting to order at 7:30 pm.

APPROVAL OF AGENDA

Jim Anderson made a motion to approve the agenda as presented for the October 25, 2022 Planning Commission meeting. Bruce Powelson seconded. **MOTION CARRIED**

APPROVAL OF MINUTES

Jim Anderson made a motion to approve the minutes as presented from the August 23, 2022 Planning Commission meeting. Cheryl Range seconded. **MOTION CARRIED**

CALL TO THE PUBLIC

None

PUBLIC HEARING: TXT #02-22 SOLAR ORDINANCE

John Martin resides at 446 Trestle Drive. Mr. Martin commented on the Township's Solar Ordinance. Bruce Powelson stated that Solar Farms typically are placed where there is plenty of acreage and good connectivity to existing power lines. Sandy Donovan resides at 1229 Triangle Lake Road. Sandy stated that Solar Farms will be expanding into this area eventually and she would rather go with the original overlay option for our ordinance.

UNFINISHED BUSINESS

1) REVIEW SOLAR ORDINANCE AND FORWARD TO LCPD FOR REVIEW AND COMMENT

Zach presented the new language for the Townships Solar Ordinance. The Commissioners have the option of going with a zoning overlay district. This would allow us to regulate the proximity to power lines and require larger lots to avoid disturbance to other parcels. Solar farms would be required to get a special use permit, have a public hearing and obtain approval from the Board of Trustees. The language would include fencing and buffering requirements, set-backs and set-back easements. It would also include decommissioning rules, signage requirements and require building code approval. The Planning Commission agreed for Zach to make the following changes/updates to the Solar ordinance. Add language that refers to the Performance Standards about sound/noise nuisance. (55 decibels at the fence line.)

Bob Hanvey inquired about the sections in the ordinance:

PAGE 1 - #8 under the definitions, regarding surrounding properties that are owned by other solar farm companies.

PAGE 4 - D4 is a bit confusing and would like to see that part reword. Zach said that he would get with Dave to make sure it is consistent with our other ordinances.

PAGE 5 - D and #5 both state that "The Planning Commission will require/approve". Zach agreed to correct these items along with any other reference throughout the ordinance.

PAGE 5 - #7 add the "Oxford Comma"

PAGE 5 - #9 correct the height requirement and special dependent.

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PAGE 9 - #6 move the second sentence to item #5.

PAGE 10 - #5 remove the first word "entitled"

Zach will make these changes and then send it back to be forwarded over to the Livingston County Planning Commission for review and comment.

Les Andersen asked about making adjustments to the decommission bond. Zach stated that adjustments can be made every three years.

Cheryl Range made a motion to have Zach send the proposed Solar Ordinance to the Livingston County Planning Commission and the Township Attorney once all of the updates previously discussed are made and Dave Hamann reviews everything. Jim Anderson seconded. **MOTION CARRIED.**

Zach said that Sara Mills will be coming to the next Planning Commission meeting on November 22.

Jim Anderson asked when Zach would have these changes complete. Zach said that he would have this updated and sent to Dave on Friday, October 28th.

Larry Grunn suggested having Sara Mills review this language and provide her input.

Bob Hanvey recommended that we put together an agenda for Sara Mills.

2) REVIEW PROPOSED DRAFT FOR KENNELS

Zach reviewed the updated Kennel language. Zach is also going to make the following changes.

For the language regarding "Sound" Zach will refer to the Nuisance ordinance. Zach also stated that he could make this change to all of our ordinances that reference language about "sound" or "noise regulations".

PAGE 7 - #3 remove the word "instead".

Zach is also going to check the County's licensing age requirement, so we can make our language align with theirs.

Sandy Donovan suggested removing the note on PAGE 2.

Zach will have these updates ready for the next Planning Commission meeting in November.

3) UPDATE/FINAL RESULTS FROM THE OPEN SPACE QUESTIONNAIRE

Jim Anderson stated that based on the responses, he believes that residents want Open Space / Land Preservation as long as they do not have to pay for it.

Les Andersen suggested asking Sara Mills to provide some feedback on this at the next Planning Commission meeting.

Larry Grunn would like to get Sara Mills input and feedback on our Questionnaire before moving forward or sending it to the Board.

ANNOUNCEMENTS

Bruce Powelson stated that Kathleen Kline-Hudson will be retiring before January 2023.

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SECTION 4 PENALTY PROVISIONS

John Gormley and John Enos are working on pulling out the sections in this language that Gormley is really hesitant about.

WHAT ARE YOUR TEXT AMENDMENTS TO WORK ON?

Jim Anderson thinks that we should start working on our PDR ordinance and the language on commercial activities on farmlands. After this we should then start working on clarifying the language about parking in section 14.

CALL TO THE PUBLIC

None.

ADJOURNMENT

Larry Grunn motioned to adjourn the meeting at 9:45pm. Jim Anderson seconded. **MOTION CARRIED.**