

# MONTCALM TOWNSHIP PLANNING COMMISSION PUBLIC MEETING MINUTES

AUGUST 15, 2023

Call to Order and Roll Call:

Meeting called to order at 7:00 p.m. with Pledge of Allegiance

Members Present: Richard Palmer, Karon Baird, Jeff Dolphin and Brian Cousineau,  
Recording Secretary-Barb Prah; Absent: Bob Hemmes

APPROVAL OF AGENDA:

**Motion to Approve Agenda** by B. Cousineau, **Seconded** by K. Baird. No discussion.  
Aye-All; Nay-None. **Motion carried.**

PUBLIC HEARING – ZONING ORDINANCE SECTION 7.25 – SOLAR ENERGY, AND  
TABLES 3-2, 3-3, AND 3-4

Opening of the Public Hearing, and Opening information by Chairperson:

Called to Order by R. Palmer, gave history of how the new Section 7.25 solar ordinance in our township was developed and approved by Planning Commission, including how four protective subsections were eliminated, concerning ground-mounted private solar systems. New Section 7.25 provides less protection than current zoning ordinance. Commercial zoning ordinance has been significantly increased to protect residents. Guidelines for comments were read and are on back of Agenda.

Written Questions and Comments from the Public:

No written questions or comments from public.

Oral Questions and Comments from the Public:

Mike Nelson (Zoning Administrator): Question as to what point do you determine difference between private and commercial unit. Questioned about an apartment complex.

Response: R. Palmer: Stated a certain size is required for commercial. Definition is in first part of Ordinance. (Subsection A). Apartment would be considered a private citizen, if it is on a residence of private citizen or small unit. Solar farm is a sale to off-site premises.

Helen Kennedy, Lake Road: Thank you to the Board for reducing restrictions on private solar systems. Also thinks it would be nice to have solar arrays in parking lots to provide shade and wondered if our ordinance allows this.

Response: Something to revisit later to discuss. Currently, would not be permitted “to cover” parking lots. Cannot be for profit.

Dick Karnatz, Fitzner Road: Terminology of “lot” and “parcel”. Suggest using one or the other for less confusion. Second, minimum lot of 15 acres, is this the size of the lot or solar panels on said lot? The 10-foot height limit seems low to maintain the property. Third, the setback of 350’ is too large as it will eat up farmland and not conserve it. Fourth, that PA 116 is not allowed. It is a contract between landowner and the state. The state has criteria that allows solar farms on PA 116 and what the developer must do to maintain. Fifth, question on 20% of lot use, 10’ chain link fence. There is no mention of key and lock for emergency vehicle entrance. Sixth, drain tile inspection—is there a robotic camera that can go up a 2” hole and 12,000 feet? How do you inspect drain tile without digging up tile.

Response by R. Palmer: Solar farm is the portion of the land containing the solar panels and equipment to maintain the solar farm.

Scott Karnatz, Fuller Road: First, that 6’ tall shrubs roots would block tile. Second, the 15 acres minimum description is not clearly written in the ordinance. Third, 350’ setback from property line would eliminate more land and put solar farm out in middle of field. Too strong of a setback. He would not be able to put solar farm on his 40-acre farm. Does not feel setbacks are fair. Feels outside edge will be an eye sore due to outside edge requirement.

Response by R. Palmer: Selling solar back to grid/supplier is considered commercial in Ordinance. Definition of small solar energy system provided.

Response by J. Dolphin: Private solar farms would be tied to normal setbacks. Also thinks that 20% and 350’ setback is extremely restrictive.

R. Karnatz, Fitzner Road: Went to training starting in 2018 and has changed a lot. State has changed PA 16 to accommodate. The term “finding of fact” should be used to base what goes in an ordinance.

R. Palmer **moved to close public hearing. Supported by** B. Cousineau. No discussion.

Aye-All; Nay-None; Abstain-None. **Motion passed.**

APPROVAL OF MINUTES FROM July 18, 2023 MEETING;

K. Baird made **motion to approve meeting minutes of 7/18/23 PC meeting; seconded** by J. Dolphin. No discussion.

Aye-All; Nay-None; Abstain-None. **Motion carried.**

COMMENTS FROM ZONING ADMINISTRATOR:

M. Nelson Regarding new application for zoning changes does not address changing from ag to commercial if resident has to declare what will be on property.

Response by R. Palmer: No, but need to know what commercial district they would change to. Can put anything on the zoning district permits.

#### COMMENTS FROM PLANNING COMMISSION MEMBERS:

J. Dolphin: It does seem like PC is way over restrictive on commercial and 350' setback is too restrictive. Feels commercial solar or alternative energy is not welcome in township. Inspection of tile is ridiculous. Not a huge fan of solar on farmland. Vegetative barrier does not make sense (wall of bushes). 68-acre property in Eureka is being looked at for solar. Asked if there is a database of who has private systems?

K. Baird: Would like to go back and look at drawings as to size of lot to see restrictions and battery storage—how much land is usable. Solar arrays take up many acres and have walls around solar farms and are back from fence. Suggested calling solar company and ask what is the least amount of acreage they would put a solar array on.

B. Cousineau: Would like added to database for dispatch or 911 to have a premise alert so fire department know what they will be dealing with prior to going out to a call and who to call to shut off power.

#### OLD BUSINESS:

- Section 7.25 Solar Energy and Tables 3-2, 3-3, and 3-4:

Discussion to table this matter due to the 350' setbacks, vegetation and restrictions. Better understanding is needed. PC needs to revisit and feels this is over restrictive. PC has worked on this for 10 months and people are waiting for a decision. Different language will have to be suggested to make changes discussed. Moratorium is still in effect and changes can be made. J. Dolphin will prepare drawings/plans and B. Cousineau will work on emergency language.

J. Dolphin made **motion to table Section 7.25, Solar Energy and Tables 3-2, 3-3, and 3-4 for further discussion. Supported** by B. Cousineau. No further discussion. **Roll call vote:** J. Dolphin-yes; B. Cousineau-yes, K. Baird-yes, R. Palmer-no. **Motion passed.**

- Review of Master Plan: PC decided at last meeting to take a month off. Next month they will look at Appendix C. PC members are to read to review at next meeting.

- Application forms and procedures: Site plan review and special land use discussed. K. Baird prepared a draft form and distributed (taken from Zoning Ordinance/requirements from Article 14). This proposed form could be used for both solar and wind. Section 14.3. has more specific requirements and should be reviewed for form compliance. Also, amendments need to be reviewed. K. Baird will compare to current Zoning Ordinance Amendment for requirements. Discussed adding citation for specific Ordinance on form.

Special Land Use was not reviewed for this. The requirements were read by R. Palmer. Section 15.2.A.2 states that an application for special land use must consist of an application form, preliminary site plan (14.3.A), detailed description of proposed project in narrative form. K. Baird will try to work out a new form for both matters.

- Spencer Township Master Plan: Discussion that Master Plan was well done with more text and less tables/graphs. Very well put together. Board feels there is nothing to add that could assist or make it better.

#### GENERAL PUBLIC COMMENT:

Rodney Nutt, Dickerson Lake Road: Concerning concern on solar for fire department. A simple line added to zoning ordinance could state any line must have a manual disconnect for any array. Roof mounted must have disconnect on side of building. Re property setbacks, sun is low in winter and there will be a natural setback on south line. Suggested 100'-125' on south would be appropriate.

Mike Nelson, Zoning Administrator: Suggested 50' foot from road right-away is what dwelling have to be, doesn't feel that array must be out in middle of field. Should be similar to current setback rules.

Dick Karnatz, Fitzner Road: He is neither for or against solar. Has had chances to sign up. He is for people who have smaller parcels which are sand, to have opportunity to have solar farm. Feels Ordinance to written to keep solar farms out. Stated it takes 15 acres for 2 megawatts.

Diane Fountain, Sidney Road: Stated drawings would be hard for setbacks on parcels when property is not "square". Feels PC is trying their best and all will not be happy. People who have been present for 10 months are here tonight and appreciative.

Scott Karnatz, Fuller Road: Would like PC to take into consideration the parcel in Eureka Twp. regarding special land use on Vining Road. He would rather look at a solar farm than a burnt down piece of property. People are moving to industrial park in city. Feels we are pushing businesses away. He has been busy farming and it is hard to be present at meetings. Public meetings are for hearing the public.

Silas Aldridge, Dickerson Lake Road: Stated he missed discussion on 350' setback and that it is extreme. Feels PC has done a good job thinking of people in this township for almost a year now. Does not want to drive people away from developing. Keep going and strive forward for people in the community.

Pam Hemmes, Greenville Road: Agrees that PC has done fantastic job. Would be interested in knowing why a storage building and Dollar General would be discouraged to coming to our township.

ADJOURNMENT:

**Motion** by J. Dolphin to adjourn. **Supported** by B. Cousineau. Aye-All;. Nay-None.  
**Motion carried.**

Adjourned at 8:23 p.m.

Submitted By:

Barbara Prah, Recording Secretary