

CHARTER TOWNSHIP OF FLUSHING

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FLUSHING, MICHIGAN 48433

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MINUTES OF THE PLANNING COMMISSION MEETING

DATE: JULY 11, 2022

TIME: 7:00 P.M.

WEB ADDRESS <http://www.flushingtowship.com>

MEMBERS OF PLANNING COMMISSION

Chair – Vicki Bachakes

Ronald Voigt

Vice Chair -Christopher Czyzio

Craig Davis

Secretary - William Mills

Amy Bolin

Terry A. Peck, Board of Trustees Representative

Mandy Hemingway, Recording Secretary

This meeting was held at North Flushing Baptist Church at 7500 Mt. Morris Road, Flushing, MI 48433.

PRESENT: Vicki Bachakes, Christopher Czyzio, William Mills, Ronald Voigt, Craig Davis, Amy Bolin and Terry Peck

ABSENT: None

OTHERS PRESENT: Forty-nine (49) other individuals were present.

I. MEETING CALLED TO ORDER at 7:00 P.M. by Planning Commission Chairperson Bachakes with Roll Call and Pledge to the American Flag.

II. APPROVAL OF AGENDA:

COMMISSIONER PECK MOVED, supported by Commissioner Czyzio to approve the agenda with the amendment of correcting the next scheduled meeting to Monday, August 8, 2022.

THE MOTION CARRIED UNANIMOUSLY.

III. APPROVAL OF PREVIOUS MINUTES:

COMMISSIONER PECK MOVED, supported by Commissioner Bolin to approve the minutes of the June 13, 2022 meeting.

THE MOTION CARRIED UNANIMOUSLY.

IV. PUBLIC COMMENTS

OPEN FOR PUBLIC COMMENTS 7:02 P.M.

No comments were made.

CLOSED FOR PUBLIC COMMENTS 7:03 P.M.

V. UNFINISHED BUSINESS

None

VI. NEW BUSINESS

1. Motion to approve the Special Use Permit to place an Accessory Structure in the front yard at 7137 N. McKinley Road, Flushing, MI 48433, P.P. No. 08-10-400-010, pursuant to Article XVIII Special Use Permits, Sec. 20-1804 (A).

The applicants, Mr. and Mrs. Larry Crandell, were in attendance and gave a brief description of their request. After reviewing the application and support materials and a short discussion, the following motion was made.

COMMISSIONER PECK MOVED, supported by Commissioner Voigt to approve the request for a Special Use Permit to place an Accessory Structure in the front yard at 7137 N. McKinley Road, Flushing, MI 48433, P.P. No. 08-10-400-010, pursuant to Article XVIII Special Use Permits, Sec. 20-1804 (A).

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Bachakes, Davis, Czyzio, Peck, Voigt, Bolin and Mills

NAYS: None

ABSENT: None

THE MOTION CARRIED UNANIMOUSLY.

2. Public Hearing pursuant to a petition circulated and signed by Flushing Township residents along with the direction of the Board of Trustees to consider a possible amendment to Zoning Ordinance Article 18, Special Use Permits Article: Section 20-1804 Requirements for Permitted Special Land Uses (OO) Commercial Solar Energy Collector System (b) (2) The total area of ground-mounted solar energy collections shall be included in calculations to determine lot coverage and shall not exceed a maximum lot coverage of 25 percent regardless of the residing zoning district.

PUBLIC HEARING OPENED AT 7:08 P.M.

At this time, Chairperson Bachakes introduced Jason Ball from Rowe Engineering, who briefly explained the Planning Commission's role of making a recommendation to the Township Board. He further explained that the Planning Commission could approve the petition as written, deny the petition, or approve the petition with changes.

Chairperson Bachakes asked the board of planning commissioners if any of them had a financial interest in the outcome of the solar ordinance.

Commissioner Mills stated he had a financial interest in the outcome of the solar ordinance and excused himself from the meeting at 7:15 P.M.

- Rex Wheeler of 11063 Easton Rd., New Lothrop, MI stated he would like to see no more than 10% coverage of a parcel including farmland from fence to fence of solar.
- Brook Terryah of 11191 Stanley Rd., Flushing, MI stated she would like the 25% language considered, setbacks to be considered further back, concerns about water, max coverage of the township for solar farms, consider the potential damage to the roads and hold solar company accountability for road repair, 500 ft setback, noise decibel limit.
- Beverly Storm of 11399 Coldwater Rd., Flushing, MI stated 25% should be 25% fence to fence; solar company seems "sneaky, coming in the backdoor"; needs clarification of ordinance.

- Douglas McDonald of 10322 W. Colwater Rd., Flushing, MI stated he is in agreement with Rex Wheeler, should maintain or change to the 10% rule rather than the 25%; the housing structure should not be a part of that, 10% should not include the house. Should take the advice of Rowe and follow the conciseness that they are offering.
- Rosalind Salbenblatt of 6023 Turner Rd., Flushing, MI stated she would like to see the definitions in the ordinance changed to include the wording of the petition and add any additional structures that may come into play later on; also agrees with Rex Wheeler, no more than 10% maximum lot coverage; has concerns about the impact on wildlife, the power grid, 60 ft buffer area, would like clarification, wetland soil concerns
- Loucyndra McDonald of 10322 W. Coldwater Rd., Flushing, MI stated she would like to see enacted the strictest rules as possible for solar farms, 10% sounds really good and as far back away from residents as possible. Agree with the impact on wildlife, taxes, water, selling homes, etc.
- Rick Bills of 5422 Duffield Rd., Flushing, MI stated solar farms should be spread out more, no township should bear the brunt of it all. Has seen solar farms that are built better; these were certainly not done by Ranger Power. Agrees with increased setbacks, such as 500 ft from residents is reasonable to keep something very industrial away from properties and further setbacks from the road forcing the solar farms more into the middle of these farmlands so it's less of an impact.
- Yvonee Ryan of 6240 Duffield Rd., Flushing, MI stated she does not want solar farms, they are not farms, they are a business; 10% max if you have to do anything, but do not want them at all. Going to have an adverse effect on property values. Very sad for our community.
- Eric Terbush of 5254 Duffield Rd., Flushing, MI stated he was one of the members of the petition for this community; the solar panels put in by Ranger Power on M-13 are already in disrepair, showing that Ranger Power is already not taking care of their equipment and it hasn't even been a year. Would like to see this ordinance as strict as possible. Reaffirm what the township has put in place. Setbacks, hunters have 450 ft rules, what does this mean for property owners? Go as strict as legally possible, limit this eyesore and keep our community the way it is currently.
- Gillian Peterson of 11186 Stanley Rd., Flushing, MI stated she has concerns of radiation produced from solar farms. Dirty energy, how are the residents

going to be protected? Has concerns about who is going to be monitoring that wells are not contaminated. Moved here for agricultural area, not to live in an industrial park. Reviewed Master Plan prior to moving. Risks for fire dept, wildlife, pets and children. Does not want this. Survived two transplants, did not expect to be burdened with the risk of solar farms. Please take careful consideration with this ordinance because it could ruin our community. Submitted a letter. Please take to heart.

- Alison Morrison of 5311 Duffield Rd., Flushing, MI stated she is very concerned about solar farms and the fact that a member of the planning commission has a vested interest. Asked commission to consider the voice of the people, can get more signatures. Appreciates the clarification and recommendations of Rowe Engineering, please take under strong advisement. Have a good long range plan.
- Mike Buzell of 5277 Worchester Swartz Creek, MI stated solar farms are being built because of climate crisis; this is about food production and food chain, may seem contradictory but he feels this would be saving the farmlands. Most of the fears are unjustified.
- Katelyn LaDuke 11426 Stanley Rd., Flushing, MI stated people work hard to make their homes a haven, enjoying wildlife, agriculture, peaceful surroundings. Nobody wants to live in a solar farm area. Solar is killing a dream. Limit it as best we can. Just don't want it to happen at all in our community.
- Christina Franklin of 11436 Stanley Rd., Flushing, MI stated she does not want solar farms, but the 25% or 10% sounds better. She will be inside an industrial prison at her home, surrounded by solar on 3 sides. Setbacks need to be more; the solar farms will affect property value adversely.
- Cathy Bills of 5422 Duffield Rd., Flushing, MI stated M-13 solar farms in Shiawassee County is appalling and she agrees with Rex Wheeler 10% max, zero would be great.
- Tim Ryan of 6240 Duffield Rd., Flushing, MI stated anything over 10% will push all the animals into the city and the farmers who are in between don't stand a chance. Agrees with 10% maximum coverage.
- Jennifer Steinley of 6069 Turner Rd., Flushing, MI stated solar will not support the charging of electric vehicles, should be stricter than 25% - lower if possible. Most of the farmers who own the farms do not live in this community, do not support this township at all.

- Francis Mead of 8252 Stanely Rd., Flushing, MI suggested putting woods all around the solar farms, thinks 25% is a little high. Need to pay attention to where food is going to be coming from. Will end up in landfills which are already at maximum capacity. Not against solar energy, but is against solar farms. 500 ft setbacks, resources are limited globally.
- Jennifer Smith of 11429 Stanely Rd., Flushing, MI stated she left an industrial area that was not taken care of or maintained and chose to come to this community for its rural area. Taking away future farmers, making an impact on our community. Would like to see 10% maximum considered and pushing setbacks as far away as possible from residential properties. There should be a stipulation that panels must be maintained or a fine will be imposed. Solar farms are ugly to look at. If they are not working, they should be removed at Ranger Power's expense.
- Greg Beckley of 6109 N. Duffield Rd., Flushing, MI stated he would like max coverage to be changed from 25% to 10%.
- Tom Theile of 10329 Coldwater Rd., Flushing, MI stated wildlife will essentially be gone. He does not want solar farm in his backyard. It should be contained and as far back as possible; 10% maximum sounds good.

PUBLIC HEARING CLOSED AT 7:51 P.M.

3. Discussion and possible motion regarding Zoning Ordinance Article 18, Special Use Permits Article: Section 20-1804 Requirements for Permitted Special Land Uses (OO) Commercial Solar Energy Collector System (b) (2) The total area of ground-mounted solar energy collections shall be included in calculations to determine lot coverage and shall not exceed a maximum lot coverage of 25 percent regardless of the residing zoning district.

At this time, Chairperson Bachakes deferred to Jason Ball of Rowe Engineering to discuss the suggested revisions as attached. The commissioners discussed changing setbacks, noise concerns, clarification of decommissioning plan, and maximum coverage limitations. After hearing the possible revisions and opinions from the Township attorney and a very lengthy discussion the following motion was made.

COMMISSIONER PECK MOVED, supported by Commissioner Voigt to move this item to Unfinished Business on the August 8, 2022 agenda.

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Czyzio, Davis, Peck, Voigt, Bolin and Bachakes

NAYS: None

ABSENT: Mills

THE MOTION CARRIED.

Jason Ball from Rowe Engineering directed by the Planning Commission will construct a draft ordinance with the suggested revisions and possible options the Planning Commission have discussed for the next meeting.

VI. PUBLIC COMMENTS

OPEN FOR COMMENTS: 8:41 P.M.

Six comments were made.

CLOSED FOR COMMENTS: 8:51 P.M.

VII. COMMISSION COMMENTS

Commissioner Peck reported he was informed that Ranger Power was going to put more pressure on landowners to lease their property. If people are being bothered by Ranger Power, they should contact the police department; nobody should be harassed or bullied by this company to do something they do not want. Stated he had asked Ranger Power what happens to the equipment of solar farms if someone wants to get out of it down the road and he was told they were bonded by the state and would have to put it back to how it was before they started and that's not necessarily true. Wires left in ground, not what they said. Ranger Power should go back to Shiawassee County and take care of the mess they left there.

Chairperson Bachakes thanked the members of the planning commission for the great discussion and all the research that had been done prior to the meeting.

Commissioner Bolin thanked the public for their input.

**VIII. NEXT REGULAR SCHEDULED MEETING IS MONDAY,
AUGUST 8, 2022 AT 7:00 P.M.**

IX. ADJOURNMENT

With no further business, the meeting adjourned at 8:55 P.M.

VICKI BACHAKES, Chairperson

WILLIAM MILLS, Secretary

Date of Approval

Mandy Hemingway, Recording Secretary