

**BUTLER TOWNSHIP PLANNING COMMISSION
MEETING MINUTES-APRIL 18, 2023**

CALL TO ORDER: Meeting called to order at 7:00pm by Chairperson Doug Bracy.

PLEDGE OF ALLEGIANCE:

ROLL CALL: PLANNING COMMISSION MEMBERS PRESENT: Chairperson Doug Bracy, Chris Parker, Jay Cole, Janis Olney, Tom Waltke and Eileen VanVleet

PLANNING COMMISSION MEMBERS ABSENT: Michelle Reed

OTHERS PRESENT: Township Supervisor Gary Smith, Zoning Administrator Matt Ashenfelter and Jeffery Haines from DTE.

APPROVAL OF PREVIOUS MINUTES: Motion to approve the minutes from the March 20, 2023 meeting. T. Waltke/C. Parker. All in favor, motion passes.

NEW BUSINESS:

REVIEW APPLICATIONS FROM ZONING ADMINISTRATOR:

One (1) Zoning permit issued in March, Marcus Graber, 40 X 120 stick-built Ag barn on a 4-foot concrete foundation and a 40 X 28 addition to an existing barn, \$50.00.

One land split, Ronald Gould, 1.32 acre split with an existing dwelling from a 70-acre parent parcel, \$50.00

OLD BUSINESS

DISCUSS SOLAR FARMS REGULATIONS:

All the information, suggestions and language changes that Zoning Administrator Matt Ashenfelter submitted to McKenna was returned to him in a 10 page document, which he passed out to the Planning commission members.

Page 1, no changes to this page.

Page 2, under the section-**The following shall apply to all solar energy facilities, regardless of the maximum kWh capacity, # 2**, All solar energy systems shall have a defensible space for fire protection as required by the **AUTHORITY** with jurisdiction over the site. Motion by D. Bracy/E. VanVleet to leave this as it is written. All in favor, motion passes.

Page 3, no changes on that page.

Page 4, # 3, a motion from T. Waltke/J. Cole, to remove this language and to change it to "Wildlife corridors throughout the project shall be a minimum of 20 feet wide". All in favor, motion passes.

A motion by J. Olney/T. Waltke, to replace the language throughout this document from Solar farms to "Solar Energy Systems, (SES). All in favor, motion passes.

Also on page 4, #3, No solar panels associated with a solar farm shall be located within the boundaries of a wetland delineated by the State of Michigan. This section has been tabled until our next meeting.

Page 5, Under section Landscaping, Ground cover, and Buffering, (i) Evergreen trees, a motion by T. Waltke/C. Parker to remove the word minimum and replace with maximum, all in favor, motion passes.

(iii) A motion by D. Bracy/J. Olney to remove Colorado Blue Spruce from the listing of species as they are not good in this climate. All in favor, motion passes.

Page 6, no changes to this page.

Page 7, #11. Liability insurance, "there shall be maintained a current general liability policy covering bodily injury and property damage (including damage to public roadways and non-participating properties) with the limits of **\$1 million at least per occurrence and \$1 million in aggregate**. The insurance policies shall be reviewed by the Township every five (5) years, and the

Township Board may require increases to the policy limits. This information will be sent to be reviewed by the Township Attorney Chuck Lillis for his input as to whether or not this need to be changed.

Page 8, no changes to this page.

Page 9, no changes to this page.

Page 10, #9, A Decommissioning Bond, review every 5 years, acceptable to the Planning Commission and approved by the Township Board. This language will stay the same.

#10, A tile Damage Bond, (3) three years in duration, acceptable to the Planning Commission and approved by the Township Board. This language is under consideration for possible changes for the protection of the property owner. There is concern over tile damage and who pays after the duration of the (3) three years is up.

#11, An Escrow account as per the requirements for the Township Planning Commission and approval of the Township Board. This is standard. Language to stay the same.

PUBLIC COMMENTS: Tom Waltke is concerned regarding tile damage maintenance and who is responsible for the cost, the property owner or the company who put up the solar panels, if the tile damage is not found within duration time frame. Tom feels that we need to put some kind of protection clause in the Tile Damage Bond section for property owners.

Jeffery Haines from DTE stated that his company is responsible for maintenance and repairs of tiles. Jeff did say that DTE will fix damage after 3 years but other companies may not.

This subject will be covered again at our next meeting.

Our next meeting will also receive information from Township attorney regarding the liability section, we will also review the Master Plan, discuss possibility language changes to the Tile bond issue., and the boundaries of wetland.

Zoning Administrator, Matt Ashenfelter will send all the change the Planning commission has made to McKenna.

NEXT MEETING: Next Planning Commission Meeting is scheduled for May 15, 2023, at 7:00pm

ADJOURNMENT: Motion to adjourn, J. Olney/C. Parker, all in favor, motion passes.

Meeting adjourned at 8:55pm.

Respectfully Submitted:



Eileen R. VanVleet