

Douglass Township Planning Commission
3521 W. McBrides Rd
Stanton, MI 48888
989-762-8014

Special Meeting and Public Hearing Minutes
10/9/24
7:00 pm

Special Meeting was called to order by Jon Bailey at 7:00 pm

Pledge Of Allegiance recited

Roll Call

Present: Kathy Rasmussen, Matt Moorman, Rick Baldwin, Jon Bailey, Mike Swan, Melissa Bannen, Eric Tester. Also present Mallory Reader from Foster Swift Law Firm.

Approval of agenda items

Eric Tester made motion to accept agenda as written, seconded by Kathy Rasmussen. Ayes: 7 Nays: 0
Motion passed.

Approval of Minutes from Sept. 11, 2024 Special Meeting

Eric Tester made motion to accept minutes as written, seconded by Melissa Bannen. Ayes: 7 Nays: 0
Motion passed.

Jon Bailey opened Public Hearing on “ordinance to amend the zoning ordinance to regulate utility-scale battery energy storage systems and to create renewable energy overlay zoning district”.

Public Comments opened at 7:04 pm and closed at 7:26 pm

Resident	Comment
Linda Reynolds	Comment refers to multiple public hearings. Recommends we consider removal of parcel number 007-003-005-00 which is 38.71 acres right in the middle of the overlay district. This would still give over 500 acres and not have this parcel's home surrounded.
Mark Hill	Questioned the justification for all of this. Sees many turbines all around not functioning, can we say no to these? Have we looked at hydro? Decommissioning issues?
Bradley Wade	New to Montcalm county and the township. Questions why we are here looking at this when the local residents rejected it one time already. The local residents do not want this. Who is representing the township- (who are the PC members)? Also had question on battery storage space.
Mallory Reader from Foster Swift	Responded to questions, explaining PA 233, state law, local control, and that no one is required to participate.
Bob Scott	Described wind and solar ordinances for our township, the state power,

	what the PC is trying to do, and reports that other local townships are looking at this also.
Jon Bailey, PC chair	Responded to questions, describing the current ordinance was written for safety.
Caryl Hackett	A previous resolution does not include battery storage, wonders how this will apply.
Pat Kilbourne	Asked who hired the attorney. (Mallory Reader answered the Township Board hired Foster Swift).

Further Commission Discussion/Action

PC discussed comment option on removing parcel, sought the input of the attorney, the conditions/use of the overlay district. PC members also addressed comments/ questions from the public comments explaining the history of this issue in the township, how the PA 233 impacts our township, the work that went into our existing ordinances, and our intention to continue to protect our residents through the overlay district.

- Eric Tester made motion to send the ordinance to amend the zoning ordinance to regulate utility-scale battery energy storage systems and to create renewable energy overlay zoning district to the township board, seconded by Rick Baldwin. Roll call vote: Eric Tester: aye, Melissa Bannen: aye, Mike Swan: Aye, Jon Bailey: aye, Rick Baldwin: aye, Matt Moorman: aye, Kathy Rasmussen: aye. Motion passed.
- Rick Baldwin made motion to close public hearing, seconded by Matt Moorman. Ayes: 7 Nays: 0 Hearing closed.

Jon Bailey opened Public Hearing on “ordinance to amend the zoning ordinance to regulate solar energy systems in accordance with PA 233 of 2023”.

Public Comments opened at 7:43 pm and closed at 7:49 pm

Resident	Comment
Rob Urbanski	Clarification on if the overlay district is for solar, wind and battery. (PC confirmed it is).
Ken Bunting	Member of ZBA-how do we handle the overlay district going forward?
Mallory Reader from Foster Swift	Responding to Ken’s question: the overlay district keeps the underlying requirements.
Tom Koepke	Asked if a solar project is smaller than 50 MW, will our township ordinance apply? (PC confirmed it does).
Bob Scott	Offered clarification that the ZBA handles variances, so any attempt at rezoning goes back to the PC.

Further Commission Discussion/Action

Discussed adding description of zoning district to agenda at next PC meeting, received clarification from attorney that a request to add space to the zoning district would have to come back to the PC and it would require a map amendment.

- Kathy Rasmussen made motion to send the ordinance to amend the zoning ordinance to regulate solar energy systems in accordance with PA 233 of 2023 to the township board, seconded by Eric Tester. Roll call vote: Eric Tester: aye, Melissa Bannen: aye, Mike Swan: Aye, Jon Bailey: aye, Rick Baldwin: aye, Matt Moorman: aye, Kathy Rasmussen: aye. Motion passed.
- Eric Tester made motion to close public hearing, seconded by Rick Baldwin. Ayes: 7 Nays: 0 Hearing closed.

Jon Bailey opened Public Hearing on “ordinance to amend the zoning ordinance to regulate wind energy systems in accordance with PA 233 of 2023”.

Public Comments opened at 7:53 pm and closed at 7:55 pm

Resident	Comment
Linda Reynolds	Thanks the PC-recognizing this is protective, and that we have no choice.
Bradley Wade	Believes the board is listening and asks that we continue to fight as the majority of the residents don't want this.

Further Commission Discussion/Action

PC discussed height concerns, expressed safety concerns for lease signers due to state setbacks (1.1 tip height), lease signers' neighbors, parameters of FAA hazard zone (depends on flight path).

- Eric Tester made motion to send ordinance to amend the zoning ordinance to regulate wind energy systems in accordance with PA 233 of 2023 to the township board, seconded by Rick Baldwin. Roll call vote: Eric Tester: aye, Melissa Bannen: aye, Mike Swan: Aye, Jon Bailey: aye, Rick Baldwin: aye, Matt Moorman: aye, Kathy Rasmussen: aye. Motion passed.
- Eric Tester made motion to close public hearing, seconded by Jon Bailey. Ayes: 7 Nays: 0 Hearing closed.

Jon Bailey opened Public Hearing on “ordinance to amend the zoning ordinance regarding the timeline for pursuing violations of the Zoning Ordinance from 45 days to 21 days”.

Public Comments opened at 8:09 pm and closed at 8:10 pm.

Resident	Comment
Ken Bunting	Supports this change, our zoning admin is reasonable.

Further Commission Discussion/Action

- Kathy Rasmussen made motion to send ordinance on timeline for pursuing violations from 45 days to 21 days to the township board, seconded by Melissa Bannen. Roll call vote: Eric Tester: aye, Melissa Bannen: aye, Mike Swan: Aye, Jon Bailey: aye, Rick Baldwin: aye, Matt Moorman: aye, Kathy Rasmussen: aye. Motion passed.
- Kathy Rasmussen made motion to close public hearing, seconded by Matt Moorman. Ayes: 7 Nays: 0 Hearing closed

General Public Comments opened at 8:12 pm and closed at 8:24 pm

Resident	Comment
Ben Reynolds	Observed that these ordinances took time, are good and protective. Observed that there was additional videorecording happening.
Pat Kilbourne	Question on how this compares to other townships and how decommissioning works.
Linda Reynolds	Asked Mallory Reader who was responsible for damage or injury from the renewable energy projects. Also asked for clarification on next steps-does it go right to the board and can they make any changes?
Mallory Reader	Provided explanation that operator and insurance would be involved in case of damage/injury, not injured party or township and that decommissioning costs are set aside in an escrow account. Explained it will go to the board next and that the board can make changes.
Mark Hill	Decommissioning question
Rob Urbanski	Questioned where the power to be stored at a battery plant comes from
Ken Bunting	Addressed a concern from the ZBA on height of homes in lake residential district. Is currently 25 feet but the rest of township is 30 feet.
Kay Scott	We don't know what companies may be coming in next-this protects us.

Further commission discussion

PC discussed several other local solar projects, adding height of lake houses to agenda for next meeting, sought clarification from Mallory on damage from these projects, and asking board for language on environmental studies. Mallory reiterated that the township does not have liability.

Next meeting date October 30, 2024 at 7 pm

Adjourn Special Meeting

Rick Baldwin made motion to adjourn special meeting, seconded by Eric Tester. Ayes: 7 Nays: 0 Meeting adjourned at 8:31 pm.

Respectfully submitted,

Kathy Rasmussen
 Douglass Township Planning Commission Secretary

