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Casco Township Planning Commission

Regular Meeting

November 15th 2023

6:00 PM

Casco Township Hall

Members Present: Andy **Litts**, Dian **Liepe**, Dan **Fleming**, Kelly **Hecker**

Members Absent: Greg **Knisley**, Ryan **Brush**, Irene **Wood**

Audience: Victoria **Villwock**, Tom **Tucker**

1. Call to order: Meeting was called to order by Chairman **Litts** 6:04PM
2. Review and approve agenda: A motion was made by **Fleming** to approve the agenda, supported by **Hecker**. All in favor. Motion carried.
3. Public comment: None
4. Correspondence:

Litts received an e-mail from Lois **Swartz** Re: Erosion Planning Seminar

5. Approval of Minutes: A motion was made by **Fleming** to approve the September 20th 2023 minutes, supported by **Liepe**. All in favor. Motion carried.
6. Public Hearing: None
7. New Business: None
8. Old Business:
 - a. Continue Solar Farm Ordinance Discussion.

Hecker presented her second draft of the Casco Township Solar Energy Systems (SES) to the PC members. **Hecker** combined the Michigan State University (MSU) Solar Ordinance Sample and other samples from various other jurisdictions along with the Casco Township Wind Energy Ordinance to draft an Ordinance for SES.

The PC members had a discussion regarding the Michigan Senate passing House Bills 5120 and 5121. These bills will only allow local units of government to regulate solar projects with a capacity of 50 Megawatts (MW) or greater if the jurisdiction's renewable energy ordinance complies with statewide standards; like setbacks, decibel levels, and height. Casco Township's

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SES Ordinance cannot be more restrictive than the statewide standards or the applicant can apply directly to the Michigan Public Service Commission (MPSC).

The PC requested that the Township Attorney, Ron Bultje, provide a brief synopsis of the new Legislation, pending Governor's approval. The idea of Net Metering was also discussed. This would allow individual solar projects to sell the excess electricity they produce back to the power Company for a one-to-one credit. The idea of putting solar farms on roofs instead of productive farmland was also discussed.

Details regarding Decommissioning, Glare Studies, and Setbacks will need to be worked out. As well as; Definitions for Private, Small Scale (under 50 MW), and Large Scale (50 MW and over) Principle SES Uses. The PC agrees that, for the time being, they should focus their Ordinance efforts on the Large Scale Commercial uses.

b. Private Road and Shared Driveway Discussion

Tom **Tucker** commented that there are existing driveways in his zoning district that have two homes sharing the same driveway, which is grandfathered in. **Smalley** suggested that Private Roads and Shared Driveways be allowed in all of the Districts. By Definition, a Shared Driveway could only service the parent parcel and one additional parcel.

Litts suggested that there should be a minimum Width and Utility Easements. **Smalley** commented that South Haven Emergency Services (SHAES) also has minimum requirements for Private Roads and long driveways that could be incorporated. **Smalley** stated that she would provide some shared driveway text ordinance samples at the next meeting.

Smalley commented that there would have to be a Public Hearing to make a text amendment. **Fleming** questioned why there were minimum road frontage requirements for land divisions. He would also like to know the reason why a shared driveway could only serve two parcels, and not more. Mr. **Tucker** thanked the PC members for their time.

c. Text amendment Tickle file

Smalley's List:

- Review the Sign Ordinance for compliance with new case law.
- Further discussion Re: Private Roads and Shared Driveway Requirements
- Further discussion Re: Minimum Dwelling size and Accessory Dwelling Units
- Further discussion Re: SES Ordinance(s)
- Discussions Re: Temp Dwellings, Reconstruction after Fire, Etc.
- Animals: Allowed in all Districts with acre size? 2/more
- Commercial Uses in Agricultural (AG) Districts: Farm Equipment Repair, Greenhouses/Retail

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Cisco Sand Mine: **Litts** would like some additional information Re: the elevations of the specific wells that the High Water Table calculations are being reported from. **Litts** also requested all of the 2023 log book information that has been done previous to May 2023. Smalley has requested that the Sand Mine Escrow amount be reduced from \$5,000.00 to \$1,000.00.

9. Administrative reports:

Zoning Administrator – **Smalley** presented the September monthly Invoice. **Smalley** also presented her plan to Administer, Regulate, Monitor, and Enforce the Sand Mine Ordinance

Township Board Representative – **Fleming** stated that the Board had discussed the Coastline Resiliency effort. Adding, that it was a noble goal which ultimately takes people’s property rights away. **Fleming** also reported that Cemetery Sexton and the Dump Administrator were both retiring and their positions were available.

ZBA Representative – **Liepe** reported that there were three variances applications at the ZBA’s September 21st meeting. **Cisco’s** sand mine variances requests Re: the height, type, and location of their fence and the requirement to pave the entrance of the driveway were both denied. **Liepe** reported that the setback variance requests for an attached garage at 1009 68th St and a 3 season room addition at 7350 Beachview Drive were approved.

10. Public comment: None

11. Adjourn at 9:15 pm

Attachments: available upon request

Minutes prepared by:

Jennifer Goodrich, Recording Secretary