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**Hamburg Township
Planning Commission
Virtual Meeting using GoToMeeting platform
Wednesday, March 17, 2021
7:00 P.M.**

1. CALL TO ORDER:

The meeting was called to order by Chairman Muck

Present: Bohn, calling in from Hamburg Township, Livingston County, Michigan *
Hamlin, calling in from Hamburg Township, Livingston County, Michigan
Hughes, calling in from Hamburg Township, Livingston County, Michigan
Leabu, calling in from Hamburg Township, Livingston County, Michigan
Muck calling in from Hamburg Township, Livingston County, Michigan
Muir calling in from Hamburg Township, Livingston County, Michigan
Priebe calling in from Hamburg Township, Livingston County, Michigan

Absent: None

Also Present: Scott Pacheco, Township Planner & Amy Steffens, Planning & Zoning Administrator

2. PLEDGE TO THE FLAG:

3. APPROVAL OF THE AGENDA:

Motion by Muir, supported by Priebe

To approve the agenda as presented

Voice Vote: Ayes: 7

Nays: 0

MOTION CARRIED

4. APPROVAL OF MINUTES:

a) January 20, 2021 Planning Commission Meeting Minutes

Motion by Hughes, supported by Priebe

To approve the minutes of the January 20, 2021 meeting minutes as presented

Roll Call Vote: Hamlin - Yes
Hughes - Yes
Leabu - Yes
Muck - Yes
Muir - Yes
Priebe - Yes

MOTION CARRIED

5. CALL TO THE PUBLIC:

Chairman Muck opened the call to the public. Hearing no comment, the call was closed.

6. OLD BUSINESS: None

7. NEW BUSINESS:

a) Draft ZTA20-008 Alternative Energy Regulations

Planner Pacheco stated that he is looking for some guidance on how the Planning Commission wishes to move forward looking at wind and solar power regulations. He has submitted a staff report outlining the reasoning behind addressing these issues now instead of waiting until we get an application for the use. We have not received any inquiries about putting in a large scale solar or wind power project. However, we do review small-scale solar power applications as an accessory structure application. If it is attached to a house, it would have to meet the regulations for the main structure. These are used to provide power to the development on the parcel. Planning & Zoning Administrator Steffens stated that we have only had 1-2 inquiries regarding wind power. Pacheco stated that the way we currently review an application for small scale wind power is that we do have regulations that allow structures to exceed the maximum height limits such as you would see for a ham radio antenna. It reads that it would be limited to the minimum height that would allow an antenna to work, which would be tricky with small scale wind power. He further explained the height required to make a small-scale wind tower work. Pacheco explained how a large-scale wind or solar power project would be reviewed under our current ordinance, which would be a commercial use only allowed in an industrial district. He explained the need for specific language needed to address these uses. In the staff report he has included some benefits to both wind and solar and a link to a Planning for Renewable Energies presentation. There are also a series of webinars put on by the Michigan DNR on both residential and larger projects. He further discussed upcoming opportunities to possibly work with other governmental entities and the incentives that would be available. He discussed the other communities with regulations within Michigan. He has provided examples from surrounding communities. He reviewed the examples. He stated that he is looking to find out where Hamburg Township wants to go with this.

*Bohn arrived at 7:07 p.m.

Commissioner Muir discussed the need to shield the solar panels. He questioned how we would determine the size of the structures as well as surety bonds to guarantee removal in case it went out of service.

Commissioner Leabu stated that he does not believe that we get enough wind and thinks that leaving these in the industrial district is fine. He is not opposed to renewable energy. Clearly, we want people to use solar energy for their homes. However, we should have language to address it. He agrees that we should require screening from the roads and he would prefer something natural underneath. It usually requires hundreds of acres to make the large-scale systems work. He would not be opposed to a special use permit with a lot of requirements. He discussed the possibility of community solar, not necessarily commercial but within a development for their own use. Further discussion was held on community or subdivision systems.

Commissioner Hughes asked if the proposal for Thompson Pond including solar energy was a similar community system. Pacheco stated that they have proposed solar on tops of houses which is covered under our current regulations. Hughes asked if the Township has space in an industrial area that could handle a large-scale system. Pacheco stated that it would be unlikely that anyone would buy that much property for this purpose because it is very valuable, but we would allow them to if they wanted.

Commissioner Bohn questioned the regulations that are used for a small-scale wind system. Pacheco stated that currently it does not address it anywhere in our code. What it does cover is if you are installing a system that requires you to extend beyond the maximum height. We have people come in and indicate that 35 feet does not allow them to put up their ham radio antenna because they need to be up 50 feet to work. Steffens stated that this would require a variance. Bohn questioned smaller units such as those that can be attached to a boat on a much smaller scale. Further discussion was held on regulating solar if it is attached to the house. If it were attached to the ground, it would have to meet the accessory

structure regulations. Commissioner Bohn questioned the noise component. Pacheco stated that it would have to meet the noise ordinance.

Commissioner Hamlin stated that he felt that the Putnam Township ordinance was the most valuable. He asked if staff would be comfortable approving systems with large rotors or if that would be something that should come before the Planning Commission. He stated that he cannot see anyone putting up a commercial wind system in Hamburg Township. Possibly prohibiting them may be the easiest solution. He asked if an individual system could be located in the front yard. Pacheco stated that it could if it met the front yard setback and the side yard setbacks of the main structure. Bohn stated that for ground mounted solar collectors, it may be best if it did not have to go to the ZBA but rather handled administratively.

Commissioner Priebe discussed temporary units to determine how high it needs to be in order to function.

Chairman Muck stated that he agrees with the statements made limiting commercial uses to industrial zoning. He discussed restoration of the properties once the use is decommissioned. Further discussion was held on the time frame we would require them to come done once they are determined to be not useful.

Pacheco stated that it sounds like the Commission would like him to create some regulations for small-scale systems to allow them with some requirements. He discussed some of those requirements and restrictions as well as special use and variance. He will work on the language and bring it back to the Commission for review. Discussion was held on variance versus special use and hardship versus discretionary standards. Pacheco discussed the Right to Farm Act and how that would impact this. He stated that he will discuss this with the Attorney.

Discussion was held on height restrictions relating to the height of the rotor and blade.

b) Draft ZTA 21-002 code clarification and cleanup of multiple sections:

- Section 7.3.2., minimum house size
- Section 7.5.1., cutting and filling on floodplains
- Section 7.6.1. footnote 3, alternative front yard setbacks and footnote 4, reduced setback from a waterbody
- Section 7.7.1., horses and chickens on vacant sites
- Section 7.7.9.1.(E), historic buildings in the VC and VR districts
- Section 8.3.10, accessory structures on rear lots;
- Section 8.18.1 and 8.18.2, non-contiguous wind breaks

Planner Pacheco stated that these are a result of the 2021 February Joint meeting. These are the clarifications and clean-ups of our ordinance. He reviewed the proposed changes.

The question was asked regarding the keeping of horses and chickens if a property owner has a contiguous lot. Discussion was held on adding that into the ordinance. Pacheco stated that he would look at adding a section that would address that issue.

Discussion was held on Section 8.3.10. Pacheco stated that we have had problems where you have a non-conforming situation. We have been suggesting that the lots be combined. This could be a problem because our Waterfront Residential district requires one acre lots, and once you combine the lots, you cannot un-combine them. We could look at reducing the legal size lot in the Waterfront Residential district if there is sewer available. Further discussion was held on the difficulty within this district. Pacheco suggested that this section be removed at this point and reviewed more in-depth. Discussion was held on the history behind why the one-acre lot requirement was adopted.

Pacheco continued to explain the reasoning for the proposed changes.

Discussion was held on the types of screening and material for wind breaks. Discussion was held on leaving this for elevated decks but leave it to the fence ordinance for lower decks. It was stated that there are circumstances where these types of screens should be allowed as written.

Chairman Muck stated that the next step will be for staff to notice these items, with the exception of Section 8.3.10, for a public hearing.

8. ZONING ADMINISTRATOR'S REPORT:

Planning & Zoning Administrator Steffens stated that she sent the link to everyone for the solar and wind energy webinars.

9. ADJOURNMENT

Motion by Hughes, supported by Hamlin

To adjourn the meeting

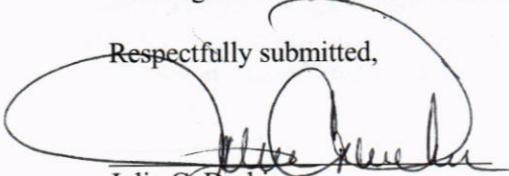
Voice Vote: Ayes: 7

Nays: 0

MOTION CARRIED

The Regular Meeting of the Planning Commission was adjourned at 8:21 p.m.

Respectfully submitted,



Julie C. Durkin
Recording Secretary

The minutes were approved as presented/Corrected: _____



Jeff Muck, Chairperson