



PRESQUE ISLE TOWNSHIP
Planning Commission Minutes - Draft
April 1, 2024 - 6:00 p.m.

Call to Order

6:00 PM

Pledge of Allegiance

Pledge was recited.

Roll Call

Present: Tom Guyer, Lisa Larkin, Cynthia Paavola, and Rick Kurkechian. Absent: Tom Ludwig. Township Supervisor and Zoning Administrator, Stephen Lang, was also in attendance.

Approval of Agenda

A motion was made by Guyer, supported by Larkin, to approve the agenda as written. All ayes. Motion carried.

Approval of Minutes (3/4/24)

A motion was made by Larkin, supported by Paavola, to approve the minutes of the March 4th meeting. All ayes. Motion carried.

Audience Comments – not related to the Time of Transfer Ordinance or Solar and Wind Energy Discussion

No comments.

Public Hearing: C-1 Zoning District Changes

Guyer began the public hearing with a brief explanation of the public hearing procedure. Lang then summarized the C-1 ordinance for the audience. Next, Guyer asked the commission members if any had received correspondence pertaining to the issue. No members had. The audience was then invited to comment. No comments were made regarding the ordinance. Guyer then closed the public hearing. He asked the commission members if they had any further comments. No comments were made. A motion was made by Paavola, supported by Guyer, to approve the C-1 Ordinance. Roll call vote. All supported. Motion carried.

Unfinished Business

a. Brown Island Firearm Discharge

Brown Island Firearm Discharge: Guyer explained the issue to the audience. The Township received several complaints from residents regarding firearm discharge on Brown



PRESQUE ISLE TOWNSHIP
Planning Commission Minutes - Draft
April 1, 2024 - 6:00 p.m.

Island. The owners were contacted but never responded. The Board of Trustees passed a resolution in February asking the DNR to investigate. A letter was sent to the DNR in March. There have been no further updates. The issue will remain as Unfinished Business until it is resolved.

b. Continuing Discussion of Potential Time of Transfer Ordinance (Septic – Well)

Continuing Discussion of Potential Time of Transfer Ordinance:

Guyer began the discussion by asking commission members if they had received any correspondence regarding the issue. Three (3) items were received. Two were summarized and one was read aloud. He then opened the discussion to public comments. The commission heard concerns and suggestions from thirteen residents regarding the potential time of transfer ordinance. Some suggestions included:

- Contacting neighboring communities which border our lakes and coordinating activity with them.
- Conducting a one-time baseline inspection for all homes.
- Beginning the septic inspection process with older septic systems.
- Giving residents some kind of encouragement to have their septic inspected such as a tax benefit.
- Testing the waters of Grand Lake, Long Lake, and Lake Esau to see if there is already an issue.
- Speaking with the Health Department of Northwest Michigan which has been working with similar ordinances.

When there were no more remarks from the audience, Guyer closed the discussion for public comment and asked to hear from commission members.

Kurkechian questioned the impact of such an ordinance if neighboring communities that share our lakes don't do something as well. He then volunteered to contact Krakow Township to discuss working together on the issue. (Larkin agreed to speak with Alpena Township.) Kurkechian next



PRESQUE ISLE TOWNSHIP
Planning Commission Minutes - Draft
April 1, 2024 - 6:00 p.m.

reported that he had talked to a realtor in Alcona County regarding how the local time of transfer ordinance had impacted realtors there since its passage. From the realtor's perspective, one more document at closing was inconsequential. Kurkechian next read a letter aloud written by the Caledonia Township Planning Commission. The letter was sent to local real estate agents after Caledonia passed a similar ordinance. The letter explained to realtors when the ordinance would go into effect. It also said that all homeowners had been notified whether their septic system was in conformance or not. Kurkechian then proposed getting more information out into the community by way of the Presque Isle Township website, signs, the community newsletter, and emails. He also proposed giving a talk at the Presque Isle Harbor Association. He then suggested picking a deadline for a public hearing. He proposed to make the deadline next spring.

Guyer then called on Larkin. She agreed that the commission needs to educate the community about the ordinance and alert those who will be immediately impacted. She also liked the idea of sending a letter to realtors advising them about the ordinance. She expressed concern about the problem of noncompliance and how to handle transfers that don't go through realtors. She recommended a baseline inspection of every home based on the age of the septic system and to put a notice in the newsletters sent out with tax bills. Guyer asked what she thought about the deadline. Rather than next spring, she thought it should be the end of the year.

Guyer then called on Paavola to share her thoughts. She stated that she believes the ordinance is essential to protect the local waters.

Guyer liked the idea of setting a deadline. He then asked the commission members if everyone agreed that the trigger for septic inspection could not solely be time of transfer. The members agreed. Guyer then said he would



PRESQUE ISLE TOWNSHIP
Planning Commission Minutes - Draft
April 1, 2024 - 6:00 p.m.

invite Mr. Hall of Hall's Septic to speak next month in addition to Kevin Prevost, Environmental Sanitarian at District Health Department #4. While he liked the idea of speaking with someone from the Health Department of Northwest Michigan, he thought the commission should talk to Mr. Prevost first. It was agreed that questions should be submitted to Mr. Prevost before the next meeting.

Members next discussed what information should be put on the website regarding the ordinance. Kurkechian proposed that someone draft a statement. Guyer volunteered to craft a paragraph that will be posted.

Guyer then opened the discussion up for public comment a second time. The commission heard from three (3) residents. When there were no further comments, Guyer thanked everyone for their input and moved onto the next item on the agenda.

New Business

a. For Discussion Commercial Wind and Solar Energy

Commercial Wind and Solar Energy Discussion: The commission received two (2) correspondence items regarding wind and solar energy which Guyer summarized. He then outlined Public Act 233 of 2023 ("233") for the audience. He explained that 233 will take control of wind and solar development away from local communities and give it to the State of Michigan when it goes into effect on November 29th, 2024. Guyer pointed out a member of the audience who was collecting signatures for a petition to rescind 233. He explained that even if 233 is rescinded, the Township of Presque Isle can't legally prohibit wind and solar farms. All they can do is regulate such projects.

Guyer then opened the discussion up for public comment. The commission heard from eight (8) residents on the issue. The majority expressed their disapproval of wind and solar energy farms being built in Presque Isle Township.



PRESQUE ISLE TOWNSHIP
Planning Commission Minutes - Draft
April 1, 2024 - 6:00 p.m.

Guyer reiterated that the Presque Isle Township Planning Commission can't ban wind and solar farms. They are not able to override regulations and laws passed by the State of Michigan. They can only regulate zoning. He explained that the township already has solar and wind ordinances, and they are about to be prohibited once 233 goes into effect because they are too strict.

Lang suggested they invite Denise Cline to the public hearing when the solar and wind ordinances are amended.

When there were no further comments, Guyer closed the discussion for public comment and opened it up for deliberation amongst commission members.

Larkin asked how to amend the ordinance so that we don't get sued by the state or by companies. She recommended making the ordinance as compatible to 233 as possible.

Kurkechian asked what harm there would be in just leaving the current ordinance the way it is. He wondered if Guyer could send a letter to express the commission's opposition to 233. Lang pointed out that the commission could only recommend that the Township Board of Trustees send a letter.

Guyer then explained that the utilities have an incentive to come to a place like Presque Isle Township instead of the state because the state has a year to consider their application whereas the Township only has 6 months. The commission may add certain restrictions that aren't in 233 but aren't so onerous as to drive companies away. For instance, the current ordinance has solar glare and fencing requirements which are not in 233. Guyer then commented on the confusion of 233 and recommended inviting Denise Cline from NEMCOG to come speak with the commission. (Cline has rewritten many similar ordinances.) The commission agreed to invite Cline to May's meeting as a next step.



**PRESQUE ISLE TOWNSHIP
Planning Commission Minutes - Draft
April 1, 2024 - 6:00 p.m.**

Guyer then asked the commission members if they would like to schedule a special meeting next month or if they would rather fit everything into one meeting. The majority agreed on holding just one meeting next month with only Larkin objecting.

Zoning Administrator Report – Steve Lang

Report
Attached

Township Board Report – Cynthia Paavola

Report
Attached

ZBA Liaison Report – Rick Kurkechian

No Report

Adjournment:

8:20pm

Meeting Reminder:

The next Planning Commission meeting is scheduled for May 6, 2024 at 6pm.