

PRESQUE ISLE TOWNSHIP
Planning Commission Minutes - Draft
June 3, 2024 - 6:00 p.m.



Call to Order

6:00 PM

Pledge of Allegiance

Pledge was recited.

Roll Call

Present: Chair Tom Guyer, Vice Chair Lisa Larkin, Secretary Tom Ludwig, Board Liaison Cynthia Paavola, and member Rick Kurkechian. Township Supervisor and Zoning Administrator Stephen Lang was also in attendance.
Absent: None.

Approval of Agenda

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

Approval of Minutes (4/1/24 & 5/6/24)

A motion was made by Ms. Larkin, supported by Mr. Ludwig, to approve the minutes from the April 1st meeting. All ayes. Motion carried.

A motion was made by Ms. Paavola, supported by Ms. Larkin, to approve the minutes from the May 6th meeting with a revision to correct the spelling of Perry Losinski's name. All ayes. Motion carried.

Comments from the Audience: (3 minutes per audience member)

Unfinished Business:

- a. **Township Response to 2023 PA 233 Regulating Zoning for Wind and Solar Projects (Wind and Solar Ordinance)**
- b. **Continuing Discussion of Potential Time of Transfer Ordinance (Septic-Well)**
- c. **Michigan Clean Water Corp.**

Response to 2023 PA 233: Mr. Guyer opened the discussion by summarizing the commission's options:

1. Create a Compatible Renewable Energy Ordinance (CREO) which would be no more restrictive than the State of Michigan's provisions.
2. Create a more restrictive workable ordinance. (An example of such was provided to the commission by Denise Cline, Director and Chief Planner of the Northeast Michigan Council of Governments.)
3. Keep the current ordinance which would force developers to bypass Presque Isle Township and go directly to the State of Michigan for approval.



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Mr. Guyer next asked for input from the commission regarding the three options. Mr. Ludwig, Ms. Larkin, and Mr. Kurkechian stated that they preferred the workable ordinance to a CREO. Mr. Guyer agreed and noted that the workable ordinance draft provided by Ms. Cline requires developers to provide training and equipment to handle any fires.

Mr. Guyer next asked the commission if they recommended any revisions to Ms. Cline's draft.

Mr. Ludwig asked about the requirement to restore a property to its original condition should an energy facility be abandoned. The commission deliberated and resolved to add a requirement that upon abandonment, developers will replace any cut trees with indigenous saplings which are at least 6 feet tall.

Ms. Larkin had a revision to page 10, Section D.1.b. of the draft which states that "Ground-mounted accessory solar energy panels shall be setback the required district". Larkin noted that "district" should be "distance". The commission agreed.

Ms. Larkin next had a revision to page 25, number 9 which states that "the wind turbine shall not produce sound levels that because of volume or frequency of occurrence annoys, disturbs, injures or endangers the comfort, repose, health, peace, or safety of any reasonable person of normal sensitivities." Ms. Larkin recommended making the requirement less vague by specifying a decibel level limit. The commission agreed.

Ms. Larkin also had a revision to page 25, number 10 regarding wind turbine reception interference. Ms. Larkin noted that the regulation does not mention wireless communication and recommended adding a provision which would state that wind turbines must not interfere with cell phone coverage. The commission agreed.



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Mr. Kurkechian asked if the ordinance could set a maximum limit of land a developer could use. Mr. Guyer left it as a question for Ms. Cline.

Next, Mr. Guyer presented his own revisions. Regarding page 6, section 13e, Mr. Guyer suggested discussing the adoption of a purchase of development rights ordinance with Ms. Cline or removing section 13e from the draft. The commission agreed.

On page 9, section A2, Mr. Guyer recommended changing accessory solar panels from permitted use to special use. The commission agreed.

On page 16, section d which begins, "The method of ensuring that funds will be available...", Mr. Guyer recommended making the same requirement for batteries. The commission agreed.

On page 25, number 13, which states "The property owner of a wind turbine shall make reasonable efforts to minimize shadow flicker", Mr. Guyer suggested the revision, "The property owner of a wind turbine shall prevent shadow flicker." The commission agreed.

Mr. Guyer then opened the discussion to the audience. The commission heard from seven (7) audience members. Based on the discussion, the commission will be adding a requirement that as part of a site plan review, a developer will make a survey of any trees cut so that they can be replicated should the facility be abandoned. It was also agreed that the workable ordinance draft would be made available on the township website.

Mr. Kurkechian suggested meeting with the Presque Isle Township Fire Chief to inquire about what equipment would be necessary should an energy facility catch fire. Mr. Guyer agreed. He added that the commission will also need to speak with Denise Cline and township attorney



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Timothy Gulden regarding the ordinance and revisions discussed.

When there were no more comments from the audience or commission members, Mr. Guyer moved to the next item on the agenda.

Continuing Discussion of Potential Time of Transfer Ordinance: Mr. Guyer opened the discussion by asking for input from the commission.

Ms. Paavola stated that the township should be more concerned about the effects of fertilizer in our lakes.

Mr. Ludwig stated that the ordinance should focus on time of transfer. Mr. Guyer reminded the commission that District 4 Environmental Health Director Kevin Prevost believed the best trigger for an inspection is a septic system with no permit.

The commission then deliberated over how the ordinance would be enforced. Mr. Guyer suggested bringing in the Presque Isle County Prosecutor Ken Radzibon to speak with the commission.

Next, Mr. Guyer opened the discussion to the audience. The commission heard from five (5) audience members. During the discussion, Steve Lang agreed to have a showing of the Tip of the Mitt Watershed Council seminar at the township hall. He also agreed to look into removing newer homes from the list of waterfront homes in question. Mr. Lang will also continue to reach out to Mr. Joe Hall of Hall's Serv-All to ask if he would speak with the commission.

Mr. Kurkechian stated that he received no word when he reached out to Krakow Township to discuss the ordinance. Ms. Larkin heard from Alpena Township Supervisor Nathan Skibbe. Mr. Skibbe would like to see what the commission comes up with before speaking on a potential ordinance.

Mr. Guyer told the audience that the commission will try to incorporate their suggestions into the planned draft



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ordinance. He then moved onto the next item on the agenda.

Michigan Clean Water Corp.: Presque Isle Township resident Mary Anne McCoy gave an update on her progress. She completed the 4th week of the water transparency test and will continue testing from now until October. She is seeking volunteers to assist her and will be working with the township hall staff to get the word out.

New Business:

None.

Reports:

Zoning Administrator Report – Steve Lang

Mr. Lang discussed the Lake Esau and Grand Lake special assessment districts and summarized the public hearing which took place in the afternoon on June 3rd, 2024. Mr. Lang stated that the PowerPoint presentation given at the hearing would be made available on the township's website.

Township Board Report – Cynthia Paavola

Report attached.

ZBA Liaison Report – Rick Kurkechian

No report.

Audience Comments:

The commission heard from one (1) audience member.

Mr. Kurkechian then asked to address the commission and announced his immediate resignation due to pressing time commitments related to a condominium development project. His resignation was reluctantly accepted. The commission members and Zoning Administrator Steve Lang acknowledged Mr. Kurkechian's significant contributions during his tenure.

Adjournment:

7:37pm.

Meeting Reminder:

The next Planning Commission meeting is scheduled for July 1, 2024 at 6pm.