

Palmyra Township
Planning Commission Meeting
September 17, 2024

The meeting was called to order 7 pm and the Pledge of Allegiance was led by Chairperson, Ryan Mapstone.

Present: Ryan Mapstone, Carmen Loar, Vivian Pell, Mark Crane, Rich Beauleaux, John Turpening

Absent: None

Audience in attendance: 7

Meeting Recorded by Peter Sinclair of Midland, MI.

Motion by John Turpening to approve agenda as presented, carried by Vivian Pell.
Motion carried.

Review of Rules for Public Comment read by Chairperson Ryan Mapstone

Motion by John Turpening to approve September 5, 2024 Special Meeting minutes as written, carried by Rich Beauleaux. Motion Carried.

Written Comments- None

Public Comments

- Thomas Bank, representative from ESA, introduced self to Planning Commission and stated he was available to answer any questions.
- Mike Voght, attorney for ESA, introduced self to Planning Commission and stated he was available to answer questions regarding proposed overlay district and ordinance amendment.

Old Business

Compatible Renewable Energy Ordinance (CREO)

- Planning Commission members reviewed a proposed map for overlay district that would meet the size requirements of the proposed ESA project.
- Vivian Pell requested information regarding the size of overlay district in proposed CREO needed for ESA project and potential changes to the CREO if

area is not large enough to accommodate project. Voght states all participating parcels and were included in the proposed overlay district. Banks stated there is currently a 0.5-mile buffer included in the overlay district that is not currently signed up to participate in project. Not all areas of proposed map will be utilized by project. Overlay allows areas that were not previously allowed by current zoning ordinance to be utilized. Size of proposed overlay district is a draft and can be redefined.

- Banks states specific details regarding finalized site plans are not completed at time of meeting.
- David Lacasse informed PC members that if using an overlay district, it is not the PC responsibility to ensure all residents are willing to participate within a proposed overlay district. Use of land is between individual land owners and developers and if a developer cannot acquire enough land owners needed for their project, it is not the Township's responsibility. It is the Township's responsibility to pass an ordinance that complies with PA 233. If the PC passes a workable ordinance that does not meet the required land needs for a developer, it falls on the developer to modify their development or work with land owners.
- Lacasse explained the difference between a workable ordinance and a CREO. A workable ordinance may not comply with requirements of the State statute and it gives the developer the option to work the Township or go to the Michigan Public Service Commission for approval. A CREO requires the developer to start process with the Township and then may go to MPSC for approval if the Township doesn't meet deadlines or approve project according a statute. States an overlay can be included within a CREO as long as the overlay district does restrict all development within defined boundaries. He clarified each component of PA 233 may be structured using CREO or workable ordinances. Stated the township currently does not have an ordinance that addresses wind. Explained an overlay could limit further development of additional 50-megawatt solar projects and discouraged making the overlay a size that could be deemed exclusionary. All remaining proposed solar projects under 50 megawatts would fall under the existing ordinance and subject to approval from the township.
- Lacasse informed PC there has not been any additional guidance provided on the implementation of PA 233 at the time of meeting. Information anticipated the last week of September or first week of October.
- ESA stated current ordinance does not meet setback, lot coverage, and sound requirements for their proposed project. ESA stated proposed overlay district is 6,000 acres. Within that area, 1900 acres are participating. 900

acres would be fenced and includes a 0.5-mile buffer which will not be utilized by a proposal. Cole stated proposed project is 175 megawatt.

- Planning Commission requested a detailed map from ESA of solar panels and equipment placement that will be placed and a redline document of the proposed draft ordinance that would comply with PA 233 and meet the requirements for the proposed project. Final details of the project map have not been finalized by ESA at the time of meeting, per ESA. John Turpening requested specific PAO numbers for participating properties in the proposed project prior to developing overlay district. Members state they are unable to vote on changing the zoning map without future information from the State of Michigan and a detailed map of the proposed project boundaries.
- Mark Crane and John Turpening objected to the size of proposed overlay. States development is still subject to referendum. Turpening expressed concerns for the project extending into residential areas.
- Lacasse explained the process for adopting a CREO with an overlay district. States PC must amend zoning ordinance to include CREO language, go through approval process to recommend changes, then must go through Township Board for review. A public meeting for the Planning Commission and Township Board are required. A CREO without an overlay, any solar development 50 megawatts or greater can go into ag, ag residential, or industrial within the township.
- Discussion regarding Energy Storage Facility. Banks clarified materials are stored in cargo-style containers and placed on concrete pads. Vivian Pell asked questions regarding fire safety and prevention of ground water contamination. Approx 5 acres needed for proposed project.
- Kevin Cole, representative for RWE, introduced self to Planning Commission. Stated he is partnering with ESA and his company will be the owner of proposed project when completed. Stated his company has been working on project since 2021. Cole stated his company is pursuing two paths currently, one in which they work with the township, and the other that goes to the State for approval. Expressed desire to work with the township. Stated "our desire is to get our permit as soon as possible. At some point RWE is going to say 'pull the trigger and go the State route'. We've got to get this done." States "we can't really wait much longer. Comments were met with pushback from Carmen Loar and Vivian Pell. Both expressed concern that voters previously voted against solar companies and are now trying to comply with new State requirements. Voght read through a proposed timeline of approval of project.

New Business

Recording of Zoom meeting with Attorney Mike Homier, Ryan Mapstone, Mark Crane and David Pixley

- Recording not available at time of meeting.

Next meeting: TBD

Motion to adjourn meeting at 9:26 pm by John Turpening. Supported by Rich Beauleaux. Motion carried.

These minutes were recorded by Carmen Loar.