

Exeter Township Planning Commission Minutes December 6, 2022

Exeter Township Planning Commission chairperson, David Schafer, called the meeting to order at 7:05 pm. The meeting opened with the Pledge of Allegiance.

Roll Call: Present: Roger Bezek, Phillip Bruck, Robert Post, Kyle Preston, Ameer Runyan, and David Schafer
Guests: Lucie Fortin, planner Mannik & Smith Group

Correction / Approval of Agenda:

The Planning Commission members reviewed the meeting agenda. There were no corrections or additions.

- ❖ **Motion: Ameer Runyan, 2nd Kyle Preston:** To accept the meeting agenda as presented.
Motion carried.

Approval of Minutes:

The November 1, 2022 Planning Commission meeting and public hearing minutes were E-mailed to all Planning Commission members and read at the meeting. The following corrections from the Public Hearing were made. Corrections were made by residents who had attended the public hearing and present at tonight's meeting.

- Mr. Jay Murphy said that he also stated support for a minimum 500 foot setback from nearby resident property.
- Comments made by and credited to Mr. Jeral Bruck (after Mr. Jay Murphy's first comments) were in fact made by Mr. Steve Fluharty. He also supported a 500 foot setback from nearby resident property and made the statement, "why not give the residents what they want".
- Corrected spelling of Lefebere to *Lafebvere*.
- Corrected wording of comments made by Julie Murphy (2nd time speaking) to change...*notification of this meeting and planning commission meetings*. To...and planning commission discussion. She said she had also questioned the proposed changes that had been offered during the public hearing.
- Correct name of resident who made comments from Jeral Bruck to *Charles* Bruck

- ❖ **Motion: Phillip Bruck, 2nd Kyle Preston:** To accept the November 1, 2022 Planning Commission minutes as corrected.

Motion Carried.

First Public Comment:

NOTE: There were 18 townships residents present at the meeting.

1). Dan Rigato

Offered the following comments concerning solar (commercial size) energy installations;

All rural townships have been handed a “bag of manure” (about commercial scale solar energy systems) and have been “pressured to pass ordinances” which allow these installations. There “are no guarantees” that operators will “follow through” with any decommissioning (plans). He also stated that the typical practices of solar (energy system) developers includes selling of installations and then declaring bankruptcy to avoid paying any required costs.

Mr. Rigato also stated that developers (of solar energy systems) will make promises that large scale solar installations bring the “benefits” of lower (energy) costs, a positive impact on township tax income, but will not discuss any negative results including loss of valuable farmland and the ripples that will affect to local rural economy and remaining farm businesses. He also commented on the “perceived value of going green” and the poor value provided vs. and claimed benefits. He commented on the improvements made in the nuclear energy power plan designs and its value in providing America’s power needs. He commented that “it’s all a money grab” by a few.

Mr. Rigato supports other townships zoning which limits all commercial scale solar energy to be allowed only on property zoned as industrial. He also highly recommended that the Exeter Planning Commission review the presentation that Mr. Kevon Martis has made which discusses many issues in creating proper zoning ordinances concerning solar energy systems.

2). Kim Monske,

Stated that Exeter Township residents were not asking for anything different that other nearby township had put in their zoning. She said “solar has a place...but it’s not on agricultural land”.

3). Steve Fluhary.

Said the planning commission members should not feel guilty that they have taken a wrong approach to zoning for solar energy and that our pride should not be hurt if we make the proper changes.

4). Charles Bruck

Commented that the planning commission should 'remember who you are working for'. You (the planning commission) still have time to investigate the subject further and to make your ordinance "as difficult to allow any solar installation" into Exeter Township,

5). "Resident"

Suggested the township set up a workshop for all concerned resident to review "good zoning" as described in Mr. Martis presentation. Suggested he be invited and give his presentation to the community.

6). Pam Baker

Stated she has been previously involved with anti-nuclear energy groups. If a community workshop is held, a representative should also be present to explain "the dangers of nuclear power". She commented that solar energy systems (installations) are much safer than nuclear energy power plants.

7). Fred Monteleone

Stated that he had become interested in local zoning of large solar and wind energy systems from his past experiences (with commercial wind turbines) and has been attending the last few planning commission meetings. He commented on his issues with wind turbine "farms" and the negative health impact he stated came from living near such installations. He said he had a significant decrease in his property value (after the wind turbines were installed) when he sold his farm and moved to Exeter Township. He said the township where wind turbines have been allowed are now dealing with pressures to build large scale solar energy farms.

8). Julie Murphy

Asked Exeter Township planner, Lucie Fortin if nearby Raisinville Township has required 500 foot setbacks (to the security fence) in their recent updating of their zoning ordinance. Lucie Fortin said she did not know without looking up the Raisinville Township ordinance revisions.

Old Business:

1). Planning Commission secretary read the Conflict of Interest rules that are contained in the current Exeter Township Planning Commission By-Laws. Planning commission member then volunteered any contacts with any solar energy companies or developers.

2). Planning Commission members discussed the comments offered at the November 6, 2022 Public Hearing and any additional comments made at tonight's meeting.

- ❖ **Motion: Roger Bezek, 2nd Amy Runyan:** To change zoning ordinance requirements as proposed in Section 5.15 Solar Energy Systems, paragraph 3 "Utility Solar Energy Systems", sub-paragraph D "Setbacks, Utility Solar Energy Systems", item #3 to read; "A setback of *five hundred (500)* feet is required from the security fence enclosing the solar facility to *the property line of any existing non-participating residential landowner.*

Motion Carried.

- ❖ **Motion: David Schafer, 2nd Robert Post:** To create new language (suggested after sub-paragraph D) which sets a minimum parcel size of 80 acres for any proposed Utility sized Solar Energy System installation. All additional parcels committed to this proposed project must be contiguous to the initial 80 acre parcel.

Motion Carried.

It was also suggested to strike (remove) the language (contained in parentheses) in sub-paragraph F "Screening", item #3 which sets guidelines that "unhealthy" plants contained within a required planting be...*(sixty (60) percent dead or greater)*.

Additional resident question / comments were accepted. Questions to the planning commission included;

- How would a request to include (build) a transfer or electrical grid sub-station be handled?
 - ✓ Planning commission members referred to existing requirement to underground lines within the installation, project consideration in pre-application meeting and Special Land Use proceedings as being located near existing electrical sub-station
- Does proposed Utility Solar Energy zoning ordinance prohibit the building (or extension) of electrical grid infra-structure?
 - ✓ Would need to be disclosed in pre-application meeting and as course of site plan consideration during Special Land Use discussion / meetings

- Can the proposed zoning ordinance revision mandate township notification before any proposed sale or transfer of ownership / operator and new owner / operator be mandated to maintain all required escrow and bonding amounts?
 - ✓ Installation transfers are stated in (proposed new language) in Paragraph 3 “Utility Solar Energy Systems”, sub-paragraph V; “Performance Security”.

There was general support to hold a resident meeting to allow a presentation by Mr. Kevon Martis to help guide the Exeter Township board in reviewing these proposed changes to the solar and wind energy ordinances.

- ❖ **Motion: Roger Bezek, 2nd Phillip Bruck:** To change the maximum height in Section 5.15 Solar Energy Systems, paragraph 3 “Utility Solar Energy Systems”, sub-paragraph C; “Height” from twenty (20) feet to fifteen (15) feet.

Motion Carried.

- ❖ **Motion: David Schafer, 2nd Robert Post:** To adopt all changes approved and discussed to Exeter Township Zoning Ordinance Section 5.14 Wind Energy Conversion Systems and Section 5.15 Solar Energy Systems and to recommend adoption of all proposed additions, revisions, and changes contained to the Exeter Township Board.

Motion Carried.

New Business:

1). The Planning Commission secretary, read a letter from planning commission member William Gay announcing that he was not recommended by the township supervisor for re-appointment to the planning commission. He thanked past and current members of the planning commission, Lucie Fortin, and the Exeter Township residents for their support.

- ❖ **Motion: Phillip Bruck, 2nd Ameer Runyan:** Because of the lateness of tonight’s meeting to table New Business item #2 Discussion of Home Occupation ordinance.

Motion Carried.

Second Public Comment:

1). Planning commission members suggested that Julie Murphy contact the Exeter Township clerk to be placed on the upcoming December 20, 2023 Exeter Township Board meeting. At that time she could advocate / request a workshop be set up (with the Township Board) to have a presentation by Mr. Kevon Martis to become better informed about Solar Energy System zoning concerns before they consider adoption of the proposed ordinance revisions.

2). There was a general questions about who determines maintenance of township roads.

3). The next regularly scheduled meeting of the Exeter Township Planning Commission will be held on January 3, 2023 at the Exeter Township Hall beginning at 7:00 PM.

❖ **Motion: Phillip Bruck, 2nd Robert Post:** To adjourn the meeting. **Motion carried.**
The meeting was adjourned at 9:20 PM.

Respectfully submitted, _____
Roger Bezek, Secretary
Exeter Township Planning Commission