

MINUTES

DRAFT

**THOMAS TOWNSHIP PLANNING COMMISSION
THOMAS TOWNSHIP PUBLIC SAFETY BUILDING
8215 SHIELDS DRIVE, SAGINAW, MICHIGAN
OCTOBER 16, 2019**

Members Present

R. Iamurri
R. McDonald
D. Sommers
D. Bird
J. Curry

Members Absent

S. Yockey
P. Lynch

Others Present

D. Sika, Dir. Of Community Dev
C. Watt, Pl.Ast./Code Enforcement
D. Klurfield, CCR
J. Cooper, Civil Engineer for CCR
Interested Parties

Mr. Iamurri called the meeting to order at 7:00 p.m.

Approval of Agenda:

Motion by Mr. Sommers, supported by Mrs. McDonald to approve the agenda as presented.

VOTE 5 YEAS 0 NAYS 2 ABSENT MOTION CARRIED

Approval of Minutes:

Motion by Mr. Sommers, supported by Mrs. McDonald, to approve the minutes of September 18, 2019 as presented.

VOTE 5 YEAS 0 NAYS 2 ABSENT MOTION CARRIED

Hearings:

- A. Request by Cypress Creek Renewables (CCR) for a Special Land Use Permit/Site Plan Review to construct a 2 MW Solar Farm on parcel #28-12-3-21-1002-000 (*Geddes 1*).
- B. Request by Cypress Creek Renewables (CCR) for a Special Land Use Permit/Site Plan Review to construct a 2 MW Solar Farm on parcel #28-12-3-21-4001-001 (*Geddes 2*).

Mr. Iamurri stated that both projects will be heard at the same time and opened the public hearings at 7:04 p.m.

Mr. Iamurri entered into the minutes a letter received from Marie Brisbois of 2220 Lone Road in reference to the solar farms. An article from Crain's Detroit Business titled "Solar Panels Could Be Cash Crop for Farmers" was also entered into the minutes.

Mr. Dewey Klurfield, Lead Developer for Cypress Creek Renewables addressed the commission and audience. He presented a forty-five minute Power Point of the following:

- Company background.
- Site Identification-how parcels are selected for use.
- The look of the site.
- Solar Panel schematics.
- Surface impacts.
- Visual impacts.
- Site Management of soil, storm water, pollinator benefits.
- Benefits of a solar farm.
- Community Impact.

Prior to the meeting the Planning Commission and Community Development staff was provided with two binders, one for each project, ***outlining each of the Thomas Township Zoning Ordinance Special Use Permit specifications and requirements*** of the ordinance Section 18.30 "Solar Farm". These binders are being made part of the minutes. (They can be viewed at the Thomas Township Office.)

Mr. Iamurri noted that the projects have received approval from the Police Department, Department Of Public Works, the Township Manager, who approved conditionally and those conditions have been met, and by the Fire Department, with whom Mr. Klurfield met today. Mr. Iamurri noted that CCR had submitted all required answers to the Special Use Permit requirements in the ordinance and had met the requirements. Mr. Iamurri opened the meeting up for public comment at this time.

Carol Miller of 1639 Lone Road questioned if the trees would be installed around the entire perimeter of the projects? She also asked where the smaller plants (pollinator plants) would be going?

Samantha Engle had questions regarding the environmental impact especially any run-off and if there would be an effect on birds flying into the panels. Dean Bauman of 10575 expressed his concern for the drain tiles. His concerns were addressed by Jason Cooper, Civil Engineer. He also asked why prime farm land was being used for this? Mr. Iamurri did state for the record that the landowners have agreed to this, desire this and have signed a lease with CCR. Mr. Iamurri read the decommissioning statement from the Township Attorney, Otto Brandt, which states that a surety bond can be requested for the removal of the solar farm(s) should the company cease operations, if the Planning Commission requested it. Mr. Klurfield added that at the end of the life of the solar farm, the piles can be removed and the land remains unchanged for farming. Mr. Sika noted that the second half of the statement from the Township Attorney did address an issue with the timeframe for decommissioning. CCR requested sixteen to eighteen months however, the ordinance allows a maximum of twelve months to do so. Mr. Klurfield stated CCR would be more than happy to adjust the decommissioning plan to a maximum of twelve months. The Planning Commission Chair made it a contingency for approval. Wanda Gordy of 11145 Geddes Road spoke up and felt the bond would be invalid if they went bankrupt. At that time, Mr. Klurfield explained how the decommissioning would go. Bill Brisbois of 2220 Lone Road asked if the decommissioning bond would be verified? Would there be any on-site storage? Would the contract terms with the financial info redacted be available to the public? Gerald Enser of 1997 Lone Road had questions regarding the technology park and a previous solar tenant who was to move in there. Tom Miller of 1639 Lone Road spoke of his concerns with the spacing of the trees and visual impacts. Jody Watz of 1705 Lone Road was concerned with the number of trees. Stafford Trinklein was concerned with the drainage of the property. Barb Honig of 1720 Lone Road is concerned with the sound the solar farm will make. Andy Engle of 10090 Geddes Road asked if there was any consideration to property values in the area? He questioned if the solar panels will be washed? He was also concerned with the height of the trees. Adam Engle of 880 North Thomas Road asked what will be growing under the panels at Geddes 1? Will it be maintained? And what is the viability of Cypress Creek Renewables? Hector Geddes of 10125 Geddes Road asked for a show of hands from those for and opposed to the solar farms. A random question was asked about mosquito spraying. A response to all questions/concerns during the public comment were given by Mr. Klurfield and/or Mr. Cooper. The public hearing was closed at 8:25 p.m. Mr. Iamurri asked for any comments from the Board. Mrs. McDonald was concerned with the Consumers easement and crossing that property. Mr. Klurfield said this was excluded from their fenced in area. She asked who will maintain the solar farm. Mr. Klurfield answered that it depends on the investor of the project but it will be maintained. She did add that the grass needs to be maintained and Mr. Klurfield did explain that they do have a maintenance plan. Mrs. McDonald also requested to have contacts from existing projects to verify that their promises have been kept. Mr. Klurfield will provide that information and Mr. Sika stated they will then contact some officials in those areas. This will not be from a project in Michigan because none are up and running as of yet. Mr. Sommers thanked Mr. Klurfield and stated he had never seen anyone so prepared and showed the audience the two binders that were prepared outlining all of the ordinance requirements and noted that he had already responded to the contingencies very well. He did have questions about access to the two sites. He also is concerned with the screening that is to be done with the trees and stated he hopes CCR can work with us. Mr. Klurfield answered that he would work to find common ground that is acceptable for the tree plantings. It was also noted that Mr. Klurfield did meet with the Thomas Township Fire Department today. Mr.

Bird thanked Mr. Klurfield for being so prepared. He noted that a lot of promises were made here tonight but those were all standards that are outlined in the ordinance so they will be taken care of. Mr. Klurfield noted that if they were not met then the project could be decommissioned and that is not what the company is looking to do. Mrs. Curry questioned the potential use of a berm. Mr. Klurfield explained that it would raise concerns of the watershed and cost. He said this could be a deal breaker because of the high cost. They would have to re-engineer the project to avoid shading as well. It was stressed again that CCR is willing to increase the number/placement of trees beyond the ordinance to address any visual impact. Mrs. Curry also questioned the lack of sunlight in Michigan and how this will be worthwhile. Mr. Klurfield spoke of the newer technology of the panel efficiency and that does make it worthwhile. Mr. Sommers added that the solar farm should be approved based on meeting all the requirements of the ordinance. Mr. Iamurri questioned the length of time given as per the special land use permit for the project to be completed. Mr. Sika explained that CCR would need to be working to begin the project. This does not mean actual construction, but specifically working towards the start of construction with things like survey work, any clearing, storm water work, tile plans, permits...etc.

At this time a motion was made by Mr. Sommers and supported by Mr. Bird to approve the special land use permit/site plan review to construct a solar farm at both the Geddes 1 and Geddes 2 properties with the following contingencies:

- A signed sidewalk agreement needs to be completed for each property and the original returned to the Thomas Township Office.
- Any clarifications requested by the Thomas Township Fire Department need to be completed.
- Drain tile surveys will be completed on both properties before any construction begins and a copy given to Thomas Township.
- Should decommissioning ever take place, it needs to be specifically stated in the Decommissioning Agreement that it will take place within twelve months as outlined in the Thomas Township Zoning Ordinance and a copy of the updated plan is to be given to Thomas Township.
- A copy of the surety bond or insurance policy is required for both properties to ensure decommissioning should it ever become necessary listing Thomas Township as beneficiary.
- A 7' fence shall be placed around the perimeter in place of a 6' fence with three barbed wire rows.
- Landscaping requirements will be met around the entire perimeter of the project at one tree per twenty-five feet. In areas that abut a residence very closely, this is increased to two rows of trees at twenty-five feet apart, staggered.
- A list of contacts for other solar farms CCR has developed to be contacted by the Community Development Department for verification of a few.
- Information regarding the solar panel manufacturer.

VOTE 4 YEAS 1 NAY 2 ABSENT MOTION CARRIED

YEAS: Sommers, lamurri, Bird, Curry

NAYS: McDonald

ABSENT: Lynch, Yockey

Adjournment:

Motion by Mrs. McDonald, supported by Mr. Bird, to adjourn the meeting at 9:00 p.m.

VOTE 5 YEAS 0 NAYS 2 ABSENT MOTION CARRIED