



## Conway Township Planning Commission

Monday, January 9, 2023 | 7:00pm

Fowlerville Junior High School | 7677 Sharpe Road, Fowlerville, Michigan 48836

1. **CALL TO ORDER / PLEDGE**
2. **ROLL CALL**
3. **CALL TO THE PUBLIC**
4. **APPROVAL OF PLANNING COMMISSION MEETING January 9, 2023 AGENDA**
5. **APPROVAL OF THE December 12, 2022 MEETING MINUTES**
6. **APPROVAL OF THE 2022 ANNUAL REPORT**
7. **COMMUNICATIONS**
  - a. Zoning Administrator's Report
  - b. Board Ex-Officio Report
  - c. Livingston County Planning Commission Report
8. **CLOSED SESSION | DISCUSSION of WRITTEN CONFIDENTIAL LEGAL OPINION WITH TOWNSHIP ATTORNEYS**
9. **NEW BUSINESS**
  - a. Election of Planning Commission Officers
  - b. Cadence of Meetings
10. **PLANNING COMMISSION MEMBER DISCUSSION**
11. **LAST CALL TO THE PUBLIC**
12. **ADJOURNMENT**

Any person may speak for up to 3 minutes during the public comment period.

***Next Meeting will be February 13, 2023***



## Conway Township Planning Commission Meeting Minutes

Monday, December 12, 2022 | 7:03pm EST

Fowlerville Jr. High Auditorium | 7677 Sharpe Road, Fowlerville, MI 48836

Agenda	Items Discussed	Actions to be Taken
<b>Attendees</b>	PC Members Present: Jeff Klein, Meghan Swain-Kuch, Dave Whitt, George Pushies - Ex-Officio, Lucas Curd, and Kayla Poissant  Zoning Administrator – Gary Klein  Livingston County Planning Commissioner: Dennis Bowdoin  Township Attorney: Abby Cooper, JD and Michael Homier of Forster Swift.  Township Planners: Justin Sprague and Hannah Smith	
<b>Call to Order/Pledge</b>	Chair, M. Swain-Kuch called the Conway Township Planning Commission meeting to order at 7:03pm and led the Pledge of Allegiance.	None
<b>Approval of Agenda</b>	Motion to accept the meeting agenda as amended for December 12, 2022. Motion by D. Whitt. Support J. Klein. Motion approved.	Motion Approved
<b>Approval of October Minutes</b>	Motion to accept meeting minutes from October 2022. Motion by D. Whitt. Support by J. Klein. Motion approved.	Motion Approved
<b>Approval of November Minutes</b>	Motion to accept meeting minutes from October 2022. Motion by J. Klein. Support by D. Whitt. Motion approved.	Motion Approved
<b>Call to the Public</b>	None at this time.	
<b>Communications</b>	a. Zoning Administrator Report: G. Klein stated that four land use permits were approved over the last month.  b. Board Ex-Officio Report: G. Pushies stated that he deferred to the Board of Trustees Minutes, and stated are regarding the subject of tonight's meeting. M. Swain-Kuch stated that there were no minutes in the packet and asked if G. Pushies would like to add anything. G. Pushies replied no.	None  None

	c. Livingston County Planning Commission Report: M. Swain-Kuch stated that she had the packet with minutes, agenda, and other information in the Conway Township Meeting Packet so we are aware of what is taking place at the county level.	None
<b>Public Hearing for Swimming Pools- Section 6.07 Supplemental Regulations Pertaining to Yards</b>	Opened to the Public at 7:09pm. No public comments were made. Public Hearing closed at 7:09pm.	None
<b>Public Hearing for Solar Energy Systems- Section 6.26 Solar Energy Systems</b>	<p>Opened to the Public at 7:10pm. M. Swain-Kuch stated that the PC knows that there is a lot of residents that wish to talk, and that the PC wants to hear from everyone. She asked for residents to speak clearly due to their comments being recorded so they can be heard, and to sign in on the sign in sheets with their name and addresses. She reminded the residents that they each have three minutes to speak.</p> <p>Kennedy Parker- 7000 Hayner Rd.- She stated that there will be property damage due to allowing solar to come into the community. She doesn't want to see solar energy systems on residential or natural property. She also stated that these leases are 40 years long, that the solar energy systems will have a dramatic impact on our environment, and there is no demonstrated need for solar power in our area.</p> <p>Sarah Porter- 9402 Sober Rd.- She stated she was speaking on behalf of 10 people. She said that the Master Plan is what sets the vision of the township, and sets the formal plan for the township. She said that 93% of the residents in Conway chose to move here and drive over 40 minutes to work because of the esthetics/country setting. She is concerned regarding bringing in industrial businesses that can impact the community's natural areas including flora, fauna, farmland, and open spaces. She stated that solar is not considered agricultural per the State. She suggested to only allow solar based on what could be needed in Conway, which would be 18.18 panels per house and equal 21,852 panels total. 2,000 panels per acres would be roughly 11 acres, but suggested 20 acres in total for growth away from the majority of residents. She</p>	

	<p>referred to the Solar Committee's recommendations to protect the residents of Conway.</p> <p>Ken Carmen- 7990 Schrepfer Rd. Howell– He stated that in Minnesota a new solar farm costs roughly \$1.3 million to install, and that between Conway and Cohoctah there is 2,600 acres going to solar which would be \$104 million in taxpayer money to fund it. He stated that Michigan is the third worst state to put in solar panels, and nationally 2.5 million acres of land are going to solar which would fit 3 national parks. He stated we should care about this because projections have us running out of food in 2030/2040 and to remove agricultural land now to deal with the food shortage later doesn't make sense.</p> <p>Jim D.- 6425 Chase Lake Rd.- He stated he is baffled at the size of this issue, and with regarding money there is a lot of tax breaks offered to businesses for renewable energy. He believes it is a money grab, that there are a lot of lawsuits going on right now regarding these big businesses. He is concerned that lands can not go back to prime productivity once used for solar, and that there are more important things to be concerned about like the value of food and view.</p> <p>Diana Jacob- 7850 Sherwood Rd.- She stated that she put her house up for sale and that on the day of closing the buyer withdrew because of all of the solar going into this area. She stated that she is stuck with the house, and wants to know who is going to pay for her house because no one will buy it now.</p> <p>Clint Beach- 11388 Owosso Rd.- He stated that we are talking about large scale solar not individual projects, and that four are currently in process in nearby townships. He said that Granger Waste Services is going into solar as well, and that right now it would be about 10 sq. miles of solar. He stated that moving into solar quickly is a bad plan, and it is a get rich quick scheme. He stated that a house in Shiawassee County sold for 40% less in property value being next to a solar farm. He stated that ethics need to be upheld throughout this process.</p> <p>Michelle O.- 2501 Lovejoy Rd.- She stated that Potomac Solar has leased the property next to theirs, and other properties nearby. She doesn't know if they are smaller</p>	
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	<p>individual projects or one big project. She is against the solar farms because of the number of residents nearby, how it affects the property values, the potential metals and toxins from the panels, and overall impact to our community. She wants no solar energy systems in residential areas.</p> <p>Roy S.- 8875 Owosso Rd.- He stated that he spoke with Ken Recker from the Drain Commission, Livingston County to discuss the drainage in Conway Township. He is concerned about the storm water runoff of the solar energy systems and how it is going to affect properties nearby. He stated that there are multiple articles referencing this, and that there are first-hand accounts of these issues. He stated that common law is that the properties of high elevations can not make major adjustments to affect lower elevation properties. He also stated that Conway is already draining storm water drainage into other areas which could bring up legal issues should we continue with the solar.</p> <p>Kelly Ralko- 11935 Daisy Lane- She stated that her home and family have been impacted by flooding, and has met many others in this township with the same issue. She is sorry for resigning from the PC, but has since learned that no one in the township wants solar. She stated that there are a lot of concerns with solar, including making sure there is clean water, which can be impacted from the moving of sediment/topsoil.</p> <p>Motion to allow Kelly Ralko finish her statement. Motioned by G. Pushies. Supported by L. Curd. Motion approved.</p> <p>Ralko Continued- She stated that there are permits for drainage, but some companies have failed to protect the land and local water supplies. There were construction issues which started these lawsuits, and it would be a burden to bring solar energy systems into our community.</p> <p>Brenden Miller-(address unreadable)- Land of Liberty Coalition- representing 5 land owners- He stated that freedom is really important, and that there have been many studies on how beneficial solar is, how it doesn't impact water, and that there are no health, safety, or welfare concerns regarding solar farms. He stated that he is a small farmer, and that people like to look at</p>	<p>Motion Approved</p>
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	<p>farmland but do not realize the work or struggle involved in farming.</p> <p>Kenneth Glynn- 6637 Hayner Rd.- He stated that he moved here for the peace and quiet, and purchased land off a farmer. He stated that he was forced to bring power into his property which took over 11.5 months because the power company didn't do what they said they were going to do. He also stated he isn't against renewable energy, but it should be on commercial property not residential and stop doing it for profit.</p> <p>Megan Beach- 9020 Eva Ln- She stated that she likes to eat and doesn't want to remove the farmland. She is concerned regarding fire safety due to Fowlerville Fire Department is volunteer based which already needs help from surrounding townships. She is looking for the risk assessment of living next to a solar farm, the risk of property value decreasing, and preventing the loss of assets to her and the community.</p> <p>Peter Sinclair- 3610 (unreadable) Midland- He stated he is a videographer and consultant to various clean energy developers including Ranger Power. He is going to be hosting a class Thursday in the same room regarding solar energy. He has been interviewing a lot of experts to share their opinions regarding preserving farmland and farmers.</p> <p>Drew Vielbig- 226 N. Morgan St. - He stated he is a developer with Ranger Power, and was thanking the Board for hiring outside planners and modeling after the MSU extension guidelines. He said the ordinances are fairly balanced for all, and that it has been a transparent process. He stated that he and his team are open for discussion after the meeting in the atrium, but did conduct a survey of 600 Conway Townships residents regarding solar. He is providing a copy of the results, and stated that 58% of the surveyed residents said they were supportive of solar.</p> <p>Darren Clark- 9641 Stow Rd.- He stated that there have been a lot of great concerns tonight, and believes that the solar projects are inevitable so the Townships needs to act to have a say in what happens with those projects. He stated that if we fight it, we could lose and have the state take over. He is concerned over esthetics like</p>	
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	<p>setbacks, landscaping, etc. and is in favor of renewable energy.</p> <p>Kathleen Jackson- 11555 Mohrle Rd.- She stated that solar farms have no business being on residential land due to blight and enormous amounts of waste. She stated that big energy companies are not trustworthy, and that the PC Board was voted for and they are not acting in the residents' best interests.</p> <p>Andrea Bedwell- 11109 Owosso Rd.- She stated that she doesn't want solar, wind, or landfill expansion in her community because she wants it to be natural, beautiful, and peaceful. She also stated that she doesn't want health concerns or wildlife impacted due to these solar farms.</p> <p>Mike Buza- Swartz Creek- He stated that he is a local expert with the Sierra Club, and that there is a lot of misinformation going around regarding fossil fuels. He stated the renewable energy companies are tricking the public. He said the 8% of farmland is used to make gas for automobiles, and if that if that was changed to solar the gas mileage would go from 9,000 miles to over 700,000 miles. He said this information is from the USDA and the U.S. government. He stated that he is pro solar.</p> <p>Melissa Henig- 9281 N. Gregory Rd.- She stated that her, her family, and the community do not want to see solar farms in this area, and that her wife is a fire fighter and they have a lot of fire risks. She stated that the current proposed ordinances will hold the solar companies to tighter restrictions than what is currently allowed, but would still like to see solar eliminated in this area.</p> <p>Richard Allen- 2073 E. Lovejoy Rd.- He stated that he doesn't support big solar companies in residential areas, that this issue has divided the community, that the community has not been involved in this project, and that there is no demonstrated need for solar in our community. He stated that the promised money for schools and communities from solar companies will not happen which is happening in the "thumb" now. He said that property values will have a huge decrease, but does support individual homeowners buying solar panels.</p> <p>Scott Brown- (unreadable) Sober Rd.- He stated that he has read the Master Plan, ordinances, and other</p>	
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	<p>Township documents, and nowhere does it mention allowing solar fields so there is a lack of transparency. He stated he has health concerns regarding solar because he has a son that has no immune system, so he asked for studies making sure that the solar would impact his son's health. He also stated that he wants more studies to protect his family's health and wellbeing. He stated that farmers that want to do solar and no longer farm crops, should sell it to a real farmer.</p> <p>Sam Kilbert- 3957 Woodward Ave, Bloomfield Hills- He stated that he is a land use and real-estate attorney who has been involved in about a dozen solar projects. He stated that with the mandate from the state, MDARD is allowing solar on PA 116 land. He stated that under land use standards, it is considered low intense use due to low noise, low drainage, etc. He stated that cornering these solar farms into an area that is unfeasible is called exclusionary zoning which is illegal. He stated he submitted two reports to the Planning Commission to the township that were specifically created for Conway Township.</p> <p>Dylan Marsh- 10068 Sober Rd.- He stated that there was no transparency regarding the solar, and that if big companies are wanting to help the planet by using solar then why are they not discussing it with homeowners to put panels on their roofs. He stated that the Township residents do not want solar farms.</p> <p>Larry Gardner- 7303 Fowlerville Rd.- He stated that homeowners have personal property rights, and that they should be able to chose what they do on their property.</p> <p>Randy DeFaut- 8308 Fowlerville Rd.- He stated that although solar companies are positive about the outcomes of solar farms, he was told something similar when it came to the fracking and this was the first year he didn't have water in his basement from it. He stated that water filtration systems don't help with the excess water or smell of sulfur from it, and that more research needs to be done before moving forward.</p> <p>Larry Gresehover- 9341 Robb Rd.- He stated that there hasn't been any major commercial development since he moved here, but that solar farms will impact this area by having less crops grown here, and land will not be fully</p>	
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	<p>returned to agricultural use. He also stated that the community or county will benefit from solar farms, and that property values will decrease significantly.</p> <p>Shawn Morrison- 7104 Fowlerville Rd.- He stated that he was thankful for G. Pushies to stand up in this situation, and that he believes that the Township is getting pushed into the solar farms. He stated that there are some farmers that can and can't handle these solar farms, that the Township isn't prepared for the solar farms, and is willing to take an open seat on the Planning Commission.</p> <p>Jill Redinger- (didn't sign-in)- She stated that she wants to see the minutes of Board Meetings and wants help to find them, and that she wants clean soil and water. She stated that she is concerned with toxins, and wants more facts regarding solar farms because there have been a lot of generalized terms used.</p> <p>Darren Smith- 9126 Eva Lane- He stated that he is in the heating and cooling business, but his concerns are regarding pollution. He stated that there are galvanized poles holding the panels can and will pollute the soil, and also the chemicals in the solar panels can pollute the soil. He stated that he is concerned about radiation, and water runoff as well as there are little to no facts to cover all of this.</p> <p>Jennifer Davis- 8058 Hemingway Rd.- She stated that these are wild times, and to please don't listen to lawyers or big companies and to listen to the people in the community.</p> <p>Brian Williams- 6124 N. Herrington Rd.- He stated that there is a lot of good information to push back on these companies wanting solar farms, as well as the ethics because they only want the profit. He stated that he was on the zoning board for Conway Township and would be happy to come back if it was available.</p> <p>Amanda Priest- (no address given)- She stated that she was born and lived in the Mohave Desert. She stated that today, the area in which she born is covered in solar panels and not the poppy fields that use to grow there. She also stated that the solar farms tore apart the community, and birds are catching on fire just flying over the panels.</p>	
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	<p>Mary Retell- 2345 Gannon Rd.- She stated that a lot of good points have been made, but her main concern is regarding toxins from the solar panels and farms. She mentions that if a tornado were to occur, how would the first responders respond to that situation with the panels. She also stated that without the resources and training to handle these types of situations, it is really unsafe. She stated that any toxins that are released from the panels will not just stay on that land, but will also get into the water and the air.</p> <p>Randy Britton- 9038 Fowlerville Rd.- He stated that there was a fracking well put in near his home a few years ago, and that his water has never been the same since. He stated that the oil companies for these wells couldn't be held liable for the damages, and he doesn't like big companies coming in and not having to be liable for their actions or follow the same ordinances as residents.</p> <p>Didn't sign-in or state his name- He stated that although the leases are 40 years long, that most of them have to be renewed every 5 years. He also stated that the farmers were responsible to return the land to its original state if the company goes bankrupt.</p> <p>Jason H.- No sign-in or address given- He stated that Ranger is a five-year old company, and that the parts for the panels are stripped mined from other parts of the world. He wanted to know if the panels are made in China as well.</p> <p>Jennifer Smith- 9079 Pierson Rd.- She stated that she had a question for the Ranger representative, and asked the audience if they had received that survey from Ranger. She asked that if property values go down, do the property taxes also go down, and asked if it was true if those that are leasing their properties for the solar farms do not actually live on those same properties. She also asked about who was going to fix the roads after they are damaged.</p> <p>Aaron Evenoff- 8845 Sherwood Rd.- He stated that farming is definitely hard, and he doesn't want to see the farmers leave. He stated that he wants to see landowners be responsible for their property and be good stewards to the land.</p>	
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	<p>Didn't sign-in or state her name- She stated that Ranger power had met with her, and told her that property values would change because of the solar farms. She asked them to put it in a contract, in which they refused to do so.</p> <p>Eli Steyskol- 8875 Owosso Rd.- She stated that she owns 80 acres, and had a young farmer work on their land for a long time in which all they required was for him to be a good steward to their land. That same farmer then purchased the property north of her, and is now going to put solar panels on her property line. She stated that there has been no transparency, and she only found out about this situation.</p> <p>Chris Swails- 7165 Nicholson Rd.- He stated that it is not only the farmers being approached for solar farms. He stated that he was approached for a solar project, and he told them no. He stated that if the Township is worried about litigation or can't stand up to the bigger companies, than his taxes should be raised to fight them in court. He believes that the big companies are going to destroy this community.</p> <p>Public Hearing Closed- 9:28pm</p>	
<b>Old Business</b>	<p>a. Recommendation to Conway Township Board Regarding Proposed Zoning Ordinance Amendments- Swimming Pools</p> <p>i. Planning Commission Discussion- There was no discussion at this time.</p> <p>Motion to recommend to the Township Board of Trustees to pass the updated Section 6.07 Supplemental Regulations Pertaining to Yards. Motion by D. Whitt. Support by J. Klein. Motion approved.</p> <p>b. Recommendation to Conway Township Board Regarding Proposed Zoning Ordinance Amendments- Solar Energy Systems</p> <p>i. Solar Advisory Committee Comments- M. Swain-Kuch stated that comments have been received from the Solar Advisory Committee. The Solar Advisory Committee wanted to speak regarding their comments.</p>	Motion Approved

	<p>Motion to allow the Solar Advisory Committee to speak. Motioned by G. Pushies. Supported by K. Poissant. Motion approved.</p> <p>Steve Smith- He stated that the community has done a lot of research, and they are concerned, scared, and worried about these solar farms. He stated that Township and landowners have been given wrong advice about these solar farms, and that the committee sent the Board a list of 31 concerns including ordinance changes which allow solar on industrial land and not on PA 116 land, limiting companies to only 2.25% of acreage in the township, 1000 ft. setbacks of all non-participating properties, minimum setback of 500 ft. from wetlands, no clear cutting of trees, no topsoil changes, no topography changes, enhanced safeguards on drainage, enhancing bonding and escrows on projects, improved landscaping and screening, property value and good neighbor agreement requirements, ongoing groundwater testing, requiring specialized consults, and minimizing ecosystem impacts. He stated that he encouraged everyone to read their proposed changes.</p> <p>ii. Planning Commission Discussion-</p> <p>Motion to allow Mr. Homier to comment on what he has heard tonight, and his opinion of the draft ordinance. Motion by G. Pushies. Support by J. Klein. Motion approved.</p> <p>Mr. Homier stated that he is retained by Conway Township, and has had some preliminary looks at the proposed ordinances. He stated that he has looked at some of the comments emailed to him as well. He stated that is impossible to think that the Planning Commission can process all of the comments made in one night, and he recommended that nothing be passed in the same night as a public comment. He stated that there is no rush to pass the ordinance.</p> <p>K. Poissant stated she was recently appointed, and had some questions. She asked that since the state is allowing solar on PA 116 land, can the Township say no. Mr. Homier replied that MDARD made a policy for stating you couldn't have solar on agricultural land. MDARD then changed the policy, and a lot of townships believe they have a say over those land ordinances. He stated that if it is in the ordinance to not allow solar on</p>	<p>Motion Approved</p> <p>Motion Approved</p>
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	<p>PA 116 land, then under the Michigan Zoning Enabling Act solar would not be allowed on PA 116 land. K. Poissant asked that if the state law changes regarding the PA 116 land, then the ordinances would also have to be updated. Mr. Homier replied that if any state law changed then ordinances would also have to change to not impede each other. K. Poissant asked that since the state is allowing solar on agricultural land, if the Township could stop it. Mr. Homier replied that local Townships have authority over this type of land use. He stated that the land type doesn't have a major impact on this type of situation, and that what matters is what is stated in the ordinances. K. Poissant stated that the Solar Advisory Committee had requested that the ordinance have a clause about hiring specialized consultants for these projects hired by the Township, and paid for by the developer. She asked whether this was possible. Mr. Homier stated that this is usually done in the application process, but it would be dictated in the ordinance just like escrow and bonds. K. Poissant stated that the bonds that were proposed would cover drainage damage at the conclusion of a project, but asked if the developer would be responsible for drainage damage during the project. A. Cooper replied yes. K. Poissant asked about whether the use of federal funds in a project would require the Township to contact local tribal representatives under Section 106. G. Pushies also commented that when the cell tower on Mr. Coon's property, there had to be a tribal representative there at all times. Mr. Homier stated that he didn't believe it would apply here, but he would have to look into it further and could confirm at this time. K. Poissant asked if we could require only U.S. made solar panels. Mr. Homier stated that that was probably not possible due to conflicting with inter-state commerce which is prohibited by the Constitution. K. Poissant stated that the moratorium is ending in March, and that the Planning Commission makes a recommendation to the Township Board. She asked that the current ordinance be stated because if nothing is passed before the moratorium ends, the current ordinance stands as it. H. Smith stated that the current ordinance allows large scale or utility scale solar systems in the residential, agricultural, industrial, and commercial districts, that there are some safeguards listed in the ordinance, but nothing compared to the proposed ordinance. K. Poissant asked if Mr. Homier has read the proposed ordinances in which Mr. Homier replied that he has glanced at them. K. Poissant then asked if Mr.</p>	
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	<p>Homier could read it along with the residents' concerns and get back with the Planning Commission on his recommendation of what can legally be done and not done. Mr. Homier replied yes.</p> <p>M. Swain-Kuch asked how and where does the drain commission come in regarding solar farms and what are they requiring. Mr. Homier replied that the drain commission really is not requiring anything at this time. He stated that there may be some considerations, and one commissioner is recommending to their Township some things to consider regarding solar energy systems. He also stated this was not happening in Livingston County. M. Swain-Kuch asked if it would be good to involve and question the drain commissioner in our county. Mr. Homier said that until we know what exact properties are in consideration for the solar energy systems, they would only give basic recommendations or concerns which could still be helpful moving forward. M. Swain-Kuch asked how other counties handle these proposals. Mr. Homier referred to the process of applications that the Planning Commission sends the proposal to the county for review, but the Planning Commission can disregard all of their opinions because the levels are so different. M. Swain-Kuch stated that she agreed with Mr. Homier that nothing should be passed tonight with it being the first public hearing, but asked in regards to the ordinance updating process that after the recommendation leaves the Planning Commission and goes to the county for review and then to the Township Board of Trustee for approval, she asked if Mr. Homier had seen a Township Board change the recommendation at that point in the process before approval. Mr. Homier stated that it does happen sometimes, but the Township cannot act on the recommendation until after 30 days at the county Planning Commission level. The Township Board could vote to approve the recommendation as is, make modifications to it, or to send it back to the Planning Commission for review. He also stated that Township Board has the legal authority over whether something gets passed or not.</p> <p>G. Pushies asked whether the moratorium can be extended further than March, but that he also believed it had already been extended. A. Cooper replied that the Township has only extended the moratorium once, and could be extended again. G. Pushies asked for the length of the extension. Mr. Homier stated that he had</p>	
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	<p>attorney-client privilege with the Township, but that there is a current moratorium that we are working on.</p> <p>Motion to postpone a recommendation to the Township Board on the proposed text amendments to the Zoning Ordinance relating to accessory use and utility scale solar energy systems to consider the input received at the public hearing, questions presented at the public hearing, and comments from Mr. Homier regarding the concerns of the Solar Advisory Committee and proposed ordinance. Motioned by M. Swain-Kuch. Support by G. Pushies. Motion approved.</p> <p>c. Master Plan Update</p> <p>M. Swain-Kuch stated that the Master Plan is due for an update in 2023, and that the Planning Commission is looking to make changes to the existing land use map, update the demographics, address the commercial nodes, update the links, and make capital improvement recommendations to the Township Board of Trustees.</p>	Motion Approved
<b>New Business</b>	None at this time.	
<b>Commission Discussion</b>	None at this time.	
<b>Last Call to the Public</b>	<p>Darin Smith- 9126 Eva Lane- He stated that they were thankful for the Planning Commission for listening to their comments.</p> <p>Kelly Ralko- 11935 Daisy Lane- She read her email from the tribal historic preservation officer. (This email is in the Planning Commission Communications Packet). She also stated that she is a permitting contractor, and makes sure the developers follow the laws.</p> <p>Steve Smith-8963 Robb Rd.- He stated that the Solar Advisory Committee and residents were unpaid volunteers. He stated to watch and follow the money and where the incentives are when making decisions.</p> <p>Kennedy Parker- 7000 Hayner Rd.- She stated that the attorney who was interested in helping with all of this solar is gone and walked out.</p> <p>Sarah Porter- 9402 Sober Rd.- She stated that they are asking the farmers to use their land as intended, and that they receive breaks because their land is considered</p>	

	<p>PA 116. She also said that she would rather see a subdivision be built than the solar energy systems put in and lower property values 30-40%.</p> <p>Kenneth- Hayner Rd. (no sign-in or address given)- He asked for the Planning Commission to read more information on how efficient solar panels actually are in the winter. From his personal experience, they have barely worked in the winter and his opinion is that they are not worth it.</p>	
<b>Adjournment</b>	<p>Motion to adjourn at 10:10pm. Motion by G. Pushies. Support by J. Klein. Motion approved.</p>	

Respectfully Submitted:

Kayla Poissant,  
PC Secretary

Approved:

Meghan Swain-Kuch,  
PC Chair





## Conway Township Planning Commission 2022 Annual Report

Date	Overview
January	<ul style="list-style-type: none"> <li>• Jeff Klein was welcomed to the planning commission.</li> <li>• Community Image Builders were introduced for consideration as new planners.</li> <li>• Made changes to the accessory dwelling units ordinance.</li> <li>• Discussed Master Plan updates that are needed and member assignments.</li> <li>• Discussed Large Event Zoning.</li> <li>• Section 6.26 review: fencing, decommissioning, glare/lighting. Also discussed concerns regarding solar installation.</li> <li>• Motion to create a survey for solar farms to all taxpayers in the township. Motion passed.</li> <li>• Two revisions to the planning commission bylaws.</li> <li>• Election of officers: Chuck Skworsk – Chair, Meghan Swain-Kuch – Vice Chair, Londa Horton – Secretary.</li> <li>• Meeting cadence is set for second Monday of every month.</li> <li>• Several planning commission and board of trustees attending a training on updating a Master Plan.</li> </ul>
February	<ul style="list-style-type: none"> <li>• Discussed conflict of interest regarding Section 6.26 by planning commissioner. Motion to allow planning commissioner to participate in discussion until a solar project comes for a vote. Motion passed.</li> <li>• Public hearing regarding 6.27 and 6.09(A)(8)</li> <li>• Bylaws revisions: motions regarding terms of office for officers, planning commission agenda items sent to chair/secretary by Noon the Tuesday before the meeting. Motion passed.</li> <li>• Livingston County Planning Commission review: Sections 7.07, 8.03, 10.03, 11.03, 13.10 (new) and 15.04 and Section 6.25.</li> <li>• Discussed definitions of large and small events.</li> <li>• Section 6.26 discussion: fencing, wetland setbacks, transmission lines, additional setbacks, site drainage, tile disruption, performance/surety bonds, water discharge, impact studies for storm water, environmental, and wildlife impacts, drain commissioner input, site plan final requirements, scale drawing, pre-development process, review all ordinances by planners, zoning administrator, attorney, supervisor, and chair of planning commission. What do we like/what are goals and be consistent.</li> </ul>
March	<ul style="list-style-type: none"> <li>• Discussed Conway Township Policy 21 regarding who prepares and provides notice regarding public hearings.</li> <li>• Small event ordinance template was reviewed.</li> <li>• Discussed creation of solar farm survey.</li> </ul>

	<ul style="list-style-type: none"> <li>Reviewed Caledonia and Handy Township's solar energy zoning ordinances.</li> <li>Resolution to recommend approval of zoning ordinance amendments to the township board: Z-05-22, Z-06-22, Z-08-22, Z-09-22, Z-10-22, and Z-11-22. Remove Z-07-22 to allow for further review before making recommendation.</li> <li>Update on meeting between planning commission chair, attorney, township supervisor, zoning administrator, and officials from Cohoctah Township (Section 6.26). Items discussed: building mounted vs ground mounted, commercial, height requirements, drainage, fencing, transmission lines, setbacks, groundcover, access corridors, landscaping, site plan review process, formal site plan, modifications to site plan, and decommissioning plan.</li> </ul>
April	<ul style="list-style-type: none"> <li>Chuck Skwirsk resigned from the planning commission. Meghan Swain-Kuch, as vice chair, chaired the meeting.</li> <li>Discussed small event/wedding, solar survey, and solar corridor access.</li> <li>Additional Section 6.26: Master Plan, dual uses, and farm tiles.</li> <li>Proposed Zoning Ordinance updates: Sections 7.07, 8.03, 10.03, 11.03, 13.10 (new) and 15.04. Also Section 6.27 (new) and Section 6.09.</li> <li>Considered a conditional rezoning request by Conway Land Company, LLC.</li> <li>Discussing zoning administrator's discussions regarding Luke Bryant concert.</li> </ul>
May	<ul style="list-style-type: none"> <li>Meghan Swain-Kuch, as vice chair, chaired the meeting.</li> <li>Public hearing to consider application for conditional rezoning by Conway Land Company, LLC.</li> <li>Motion to approve Conway Land Company, LLC's conditional rezoning. Motion passed.</li> <li>Section 6.26: survey, draft outline presented, residential vs commercial, screening, decommissioning/bonding, annual reporting, and tiles/drainage.</li> <li>Zoning ordinance: Section 6.27 (new)</li> <li>Londa Horton, planning commission secretary for over 20 years, passed away.</li> </ul>
June	<ul style="list-style-type: none"> <li>Motion to consider tribute to Londa Horton. Motion passed.</li> <li>Conway Township Zoning Administrator resigns.</li> <li>Ongoing discussion regarding Conway Land Company, LLC's conditional rezoning.</li> <li>Section 6.26 update from planners: Items discussed included structure requirements, landscape screening, decommissioning vs escrow, abandonment restrictions. All approved by commissioners.</li> </ul>

	<ul style="list-style-type: none"> <li>• Motion to appoint Meghan Swain-Kuch as Chair of the Conway Township Planning Commission. Motion to approve Kelly Ralko as Vice Chair of the Conway Township Planning Commission. Motion to appoint Elizabeth Whitt, Conway Township Clerk, as the recording secretary of the planning commission. All motions passed.</li> </ul>
July	<ul style="list-style-type: none"> <li>• Motion to accept June, 2022 minutes with changes to G. Pushies statement that Community Image Builders is doing a good job. Planning commission agrees.</li> <li>• The Livingston County Planning Commission will review Conway Land Company, LLC's request for conditional rezoning.</li> <li>• Section 6.26 Update: language changes, accessory systems, parcel setback, screening, and annual reporting requirements as approved by commissioners. Substation and battery storage also discussed.</li> <li>• Welcome Lucas Curd was new planning commissioner.</li> </ul>
August	<ul style="list-style-type: none"> <li>• Londa Horton tribute presented to the Horton family by State Representative Bob Bezotte.</li> <li>• Welcome new Conway Township Zoning Administrator, Gary Klein.</li> <li>• Livingston County Planning Commission approval of Conway Land Company, LLC's conditional rezoning application. Motion to recommend approval to board of trustees. Motion passed.</li> <li>• Section 6.26 discussion: setbacks, decommissioning, three-year reviews, conceptual plan made optional, battery storage concerns, substations, and uniformity with all solar-related ordinances.</li> <li>• Welcome to Kayla Poissant as new planning commissioner. Motion to approve Kaya Poissant as secretary. Motion passed.</li> <li>• Recommendation by commissioners to extend the commercial solar moratorium for an additional six months.</li> <li>• Recommended change to Section 6.06 (N) regarding legal description(s).</li> </ul>
September	<ul style="list-style-type: none"> <li>• Motion to table approval of August minutes pending information from Kelly Ralko.</li> <li>• Kelly Ralko resigned from the planning commission.</li> <li>• Discussed the board of trustees vote not to approve Conway Land Company, LLC's conditional rezoning, citing concerns of spot zoning.</li> <li>• Discussed the solar farm tour in Shiawassee County, attended by many Conway Township representatives. Sarah Mills, PhD was available to answer questions commissioners had in follow up to the tour. Meghan Swain-Kuch, on behalf of Kelly Ralko, asked about an overlay district concept.</li> <li>• Discussed Section 6.06 (N) and Section 6.07.</li> <li>• Motion to appoint Commissioner Lucas Curd to the Zoning Board of Appeals. Motion passed.</li> </ul>

	<ul style="list-style-type: none"> <li>Meghan Swain-Kuch received notice from Trustee George Pushies that the Conway Township Board of Trustees motioned, at its September meeting, that the planning commission to approve the Section 6.26 amendment and schedule a public hearing.</li> </ul>
October	<ul style="list-style-type: none"> <li>Section 6.26 discussion: Focused on the commercial side of the solar ordinance: landscaping, maintenance, decommissioning, financial guarantee, setbacks, wetland setbacks, battery/battery storage, pollinator habitat, fire department training (for the board to discuss), noise, agency (federal, state, county, etc.) review, annual reporting, ground water contamination. Motion to hold a public hearing. Motion passed.</li> <li>Motion to board of trustees to initiate an update to the Conway Township Master Plan. Motion passed.</li> <li>Motion to have a public hearing on Section 6.07. Motion passed.</li> <li>Several Conway Township representatives will participate in planner's school.</li> </ul>
November	<ul style="list-style-type: none"> <li>Meeting was called to order and adjourned due to violations of the fire ordinance and Open Meetings Act.</li> </ul>
December	<ul style="list-style-type: none"> <li>Public hearing regarding Section 6.07 and 6.26, taking a majority of public comment on Section 6.26.</li> <li>Motion to recommend the board of trustees pass the updated Section 6.07. Motion passed.</li> <li>Discussion/Q&amp;A with Attorney, Michael Homier of Foster Swift and planning commission members regarding Section 6.26. Homier has done some preliminary review, PA116 requirements/guidance, changes in state law and its impact on local ordinances (authority), hiring specialized consultants, drainage damage, tribal representation, USA-made solar panels, moratorium extension/expiration, drain commissioner's input, county review, board of trustees' review (approve, make modifications, or send back for further review/work by planning commission).</li> <li>Motion to postpone a recommendation to the board of trustees to consider input from public hearing, questions presented, and comments from Mr. Homier regarding concerns of the advisory committee. Motion passed.</li> </ul>



# Livingston County Department of Planning

## LIVINGSTON COUNTY PLANNING COMMISSION MEETING

Wednesday, December 21, 2022 – 6:30 p.m.

Administration Building, Board of Commissioners Chambers  
304 East Grand River, Howell, MI 48843

***Please note that this is a hybrid meeting with County Planning Commissioners and staff meeting in-person. Audience participants are welcome to attend in-person or via Zoom by using the meeting link at the bottom of the agenda***

**Kathleen J. Kline-Hudson**  
AICP, PEM  
Director

**Robert A. Stanford**  
AICP, PEM  
Principal Planner

**Scott Barb**  
AICP, PEM  
Principal Planner

### Agenda

1. Call to Order
2. Pledge of Allegiance to the Flag
3. Roll and Introduction of Guests
4. Approval of Agenda – December 21, 2022
5. Approval of Meeting Minutes – November 16, 2022
6. Call to the Public
7. Zoning Reviews
  - A. Z-40-22 Hamburg Township, Text Amendment, Article VI District Regulations, Section 36-187 Additional district regulations (3) Raising and keeping of poultry
8. Old Business
  - A. Fall 2022 Citizen Planner Educational Series
  - B. 2023-2027 Parks & Open Space Plan
  - C. Submittal of Michigan Spark Grant
9. New Business
  - A. Update on Planning Director position
10. Reports
11. Commissioners Heard and Call to the Public
12. Adjournment

### Department Information

Administration Building  
304 E. Grand River Avenue  
Suite 206  
Howell, MI 48843-2323

•  
(517) 546-7555  
Fax (517) 552-2347

•  
Web Site  
[co.livingston.mi.us](http://co.livingston.mi.us)

#### **Via Zoom (on-line meetings):**

<https://zoom.us/j/3997000062?pwd=SUdLYVFFcmozWnFxbm0vcHRjWkVIZz09>

Via the Zoom app

**Join a meeting**, with meeting number: **399 700 0062**

Enter the password: **LCBOC** (ensure there are no spaces before or after the password)

Meeting ID: **399 700 0062**

Password: **886752**

Meeting recordings may be made using a personal computer or laptop, after requesting ability from the meeting host.



## Conway Township Planning Commission

Schedule of Meetings | 7:00pm | Second Monday of Each Month  
(unless otherwise notified through proper/legal notice)

8015 N. Fowlerville Road, Fowlerville, Michigan 48836

January 9, 2023

February 13, 2023

March 13, 2023

April 10, 2023

May 8, 2023

June 12, 2023

July 10, 2023

August 14, 2023

September 11, 2023

October 9, 2023

November 13, 2023

December 11, 2023