

# MEETING OF THE RIVES TOWNSHIP PLANNING COMMISSION (PC)

## REGULAR MEETING

### HELD- AT LANSING AVENUE FIRE STATION

JUNE 24, 2019

Meeting called to order at 6:30 pm.

Members present: Roger DeCamp-chairman, Dwight Carmer-vice chairman, Adam Williams-member, Debbie Miller-ex-officio member from Township Board (TB), Jim Lindstrom-secretary. Guest-Steve Burnett-Township Zoning Enforcer.

Agenda was approved as written. Motion by Mr. Lindstrom, seconded by Mr. Carmer. All ayes.

Mr. Williams made motion to approve minutes of the 5-20-2019 regular PC meeting, seconded by Mrs. Miller. Vote was yes by Williams, Miller, Carmer, and Lindstrom. DeCamp abstained as he didn't attend that meeting.

Chairman asked for reports: Mr. Carmer reported that no ZBA meeting had been necessary. Mrs. Miller reported from the TB 1) approval of retroactive pay for month of April for new collection site manager, 2) some minor changes were made to the approved rescue truck design at no change in cost, 3) 2019 road work was discussed with approval of Oak Creek, Berry Rd., Churchill from Rives Eaton to Baseline, and 3 RR crossings (Churchill, Rives Eaton, and Rives Junction). 4) the TB was presented with a written "Actions requested of the TB" of 6 items. Moratorium on new natural gas power plants and 5 areas of Code of Ordinance review language related to clean air, industrial, public nuisance, essential services, and conditional use. Mr. Carmer reported that MTA training held May 30, 2019 was very informative and helpful.

Public Comment was invited at 6: 37 pm.

1. Pat Cochran (resident) a. expects the PC and TB to keep Novi Energy out of the Township and listed various reasons, b. stated that she has COPD and the air from a power plant would be a health hazard to her personally.
2. Chris Fauser (resident) stated that he is opposed to a natural gas power plant and to keep Novi out of township by requiring strict control conditions.
3. Natalie Hazard (resident) stated she doesn't want the power plant.
4. Kathy Jenson (resident) lives on Churchill Rd. and is concerned about clean water and wants the PC and TB to critically evaluate power plant on this. She mentioned the planned township involvement in the Grand River cleanup. She favors renewable energy such as solar.
5. Cheryl Whitney (resident) Henry Rd. hasn't seen any positive information given about the power plant.
6. CJ Fauser (resident) stated he is opposed to power plant as it would be in his backyard and wants the PC to remember all the letters submitted by residents and non-residents.
7. Megan Short (non-resident) thanked all the people that came to the meeting and the TV station that sent reporters.
8. Donna Domm (resident) appreciates the ruralness of township and doesn't want the power plant.
9. Joseph Yang (resident) says the residents are fearful of the constant threat of a power plant. He read from a prepared statement that he doesn't trust the PC or the TB to block the power plant for

stated reasons. He would like the PC to make the Code of Ordinance restrictive toward natural gas power plants and place other legal roadblocks in place. He said he would offer the written comments to the PC. The written wording submitted later was different from what we received and voted to submit to township attorney during the meeting.

10. Lisa Manwell (resident) wants a 6 month moratorium placed on natural gas power plants.
11. Carol Schultz (resident) supports the Yang and Manwell opposition to the natural gas power plant and asked the audience for a show of hands of support in opposition. A large number of hands went up.
12. Carly Bostedor (resident) spoke in support of moratorium in opposition to natural gas power plant and asks that the ordinance be updated.
13. Vercilla Hart (resident) stated that she supports Mr. Yang's comments regarding the request for moratorium, Essential Services language addition proposed. She asked the PC to consider township resident attorney for paid legal advice instead of current township attorney.
14. John Brenner (resident) asked why this meeting couldn't have been held in banquet hall.
15. Cheryl Whitney (resident) ???????
16. Alice Sutliff (resident) stated that comment is rude that so many people are attending because the TV station is here. Member apologized.
17. Helen Peterson (resident) asked why decision can't be made now to exclude natural gas power plant.
18. Megan Short (non-resident) requested that her proposed language be added to Essential Services definition be approved tonight. At this point she submitted the language to the PC for the first time.
19. Stacy Stoner (resident) wants language in the Code of Ordinance to keep a natural gas power plant out of township.
20. Judy Formolo (resident) stated that many residents have strong feelings against the power plant and are fearful of its potential affect and they see it as a real possibility. "Novi Energy has everything to gain and many residents have everything to lose." She states that her equestrian business would be lost.
21. Jim Trout (resident) asked for a show of hands opposed / in favor of power plant. Chairman stated that had already been allowed.
22. Lisa Manwell (resident) stated that even though Novi Energy had "gone dark" it has spent over \$500k on evaluating the township for a natural gas power plant.

Public comment closed at 7:03 pm.

Business:

1. CUP history update. – Steve Burnett (township zoning enforcer) was introduced and he discussed the task he has been given by the PC to review past approved conditional use permits (CUP). The list he was given dates from 1969? to 2015. He states that some listed were never granted. He states that from his review so far that 45-48 can be removed as "abandoned for greater than 6 months" and therefore no longer a permitted use. He will continue his review and plans to prepare a form letter to be sent to each property where the permitted use has been "abandoned" and no longer in effect on the property. Mr. Burnett does not have a Master Plan book and was asked to read the 2019 MP for a better understanding of the scope and intent of the Plan. This would guide him applying the ordinance.

2. Update Solar Ordinance- Mrs. Miller reported that the proposed draft language has been updated in response to prior discussion by the PC. Discussion proceeded regarding residential, large and small applications. Michael Buiten made comments regarding the proposed ordinance.
3. Validate MP inserts – Chairman DeCamp lead a validation search among members books to verify they have complete inserts.
4. Industrial district Code of Ordinance review- Chairman DeCamp referred to p. 73 in Code of Ordinance. He stated that language should support the MP and the decisions made in the MP update as that was how the MP updates were made to support the Code of Ordinances. P. 73 was read aloud and discussed (the purpose, permitted uses and conditional uses). Reference was made to p. 75 signs and P. 80 Article 7. Discussion proceeded about considering removing Industrial Planned Unit Development and Commercial Planned Unit Development. This could be accomplished by dropping reference A on p. 72 and 73 and dropping 3 words on p.87. Discussion that if the Code of Ordinance is amended in future that each change be handled separately. The previously discussed language regarding Essential Services was read aloud and discussed extensively. It was concluded that reference to Essential Services on p. 65 needed review in light of proposed language. A motion by Mr. Lindstrom, 2cd by Mr. Williams as follows: “ Refer the suggested language regarding Essential Services presented to the PC tonight, to the Township attorney for review and comparison to the Code of Ordinance for a legal interpretation with special attention to pages 57,65,71,72 and 73. Motion carried, all ayes.

Public comment was invited at 8:41 pm.

1. Megan Short (non-resident) challenged that the June 7 action request given to the TB should have been passed to the PC and that the PC hadn't done its due diligence in evaluating the Essential Services definition to disallow generation facilities.
2. Renae Conklin (resident) clarified that suggested Essential Services language will be sent to Township attorney for review and depending on outcome that Code of Ordinance can be changed through the due process of Public posting, Public hearing, recommendation to TB and TB action.
3. Vercilla Hart (resident) suggested a. that a “work around” of making an amendment to Code of Ordinance could be allowed that would save the bother of a public hearing, and b. asked the PC to hold a special meeting to save time and expedite the suggested changes.
4. Michael Buiten (non-resident) asked the PC to consider a moratorium on a natural gas to electric generation plant.
5. Joseph Yang (resident) stated that a moratorium would put the residents at ease. He urged the PC to write changes to Code of Ordinances tightly and to not leave open to interpretation.
6. Stacy Stoner (resident) suggested that Fred Lucas should be the attorney used to review Essential Services motion.
7. Donna Domm asked who will evaluate solar farm applications.
8. Lisa Manwell (resident) stated that she supports the moratorium.
9. Megan Short (non-resident) stated that TB meets July 9.

Public comments were closed at 9:00 pm.

Motion by Mr. Carmer, 2cd by Mr. Williams to adjourn meeting at 9:01 pm. All ayes.

**The next Regular PC meeting will be held Monday July 22, 2019 at 6:30 pm at the Lansing Avenue Fire Station.**