

April 5, 2017

Huron County Planning Commission Minutes

A meeting of the Huron County Planning Commission was held on April 5, 2017, in the Huron County Meeting Room, Room 305, County Building, Bad Axe, MI 48413.

1. Call Meeting to Order

The meeting was called to order by County Clerk Neal-Wonsowicz at 7:00 p.m. with the Pledge to the United States of America. County Clerk Neal-Wonsowicz, called the roll of members: Roll call - Members present: Mary Babcock, Charles Bumhoffer, Bernie Creguer, Carl Duda, Terry Heck, Jeffery Krohn, Robert McLean, Dr. Robert Oakes, and Ken Walker. Members absent/excused: None. Others present: There were approximately thirty (30) people in attendance, including: Jeff Smith, Planning/Building & Zoning Office Director and Mickayla Bischer, Recording Secretary.

County Clerk Lori Neal-Wonsowicz asked if there were any nominations for Chairman.

Carl Duda nominates Robert McLean as Chairman for 2017. Heck supports the nomination. Motion by Duda, seconded by Heck to nominate Robert McLean as Chairman. Motion carried.

Dr. Robert Oakes nominates Bernie Creguer as Chairman for 2017. Babcock supports the nomination. Motion by Oakes, seconded by Babcock to nominate Bernie Creguer as Chairman. Motion carried.

Motion by Duda, seconded by Babcock to close nominations for Chairman. Motion carried.

ELECTION: County Clerk Neal-Wonsowicz calls for the election of 1 member for Chairman of the Huron County Planning Commission. The 2 candidates received votes as indicated:

- Robert McLean-4 votes
- Bernie Creguer-5 votes

Bernie Creguer was elected for Chairman of the Huron County Planning Commission.

Votes cast as follows: For Robert McLean- Bumhoffer, Heck, McLean, Duda
For Bernie Creguer-Babcock, Creguer, Walker, Krohn, Oakes

Walker nominates Robert McLean as Vice-Chairman for 2017. Heck supports the nomination. Motion by Walker, seconded by Heck to nominate Robert McLean as Vice-Chairman. Motion carried.

Dr. Robert Oakes nominates Mary Babcock as Vice-Chairman for 2017. Krohn supports the nomination. Motion by Oakes, seconded by Krohn to nominate Mary Babcock as Vice-Chairman. Motion carried.

Motion by Duda, seconded by Dr. Robert Oakes to close nominations for Vice-Chairman. Motion carried.

ELECTION: County Clerk Neal-Wonsowicz calls for the election of 1 member for Vice-Chairman of the Huron County Planning Commission. The 2 candidates received votes as indicated:

- Robert McLean-5 votes
- Mary Babcock-4 votes

Robert McLean was elected for Vice-Chairman of the Huron County Planning Commission.

Votes cast as follows: For Robert McLean-Bumhoffer, Heck, McLean, Duda, Walker
For Mary Babcock-Babcock, Creguer, Krohn, Oakes

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Duda nominates Jeff Krohn as Secretary for 2017. Babcock supports the nomination. Motion by Duda, seconded by Babcock to elect Jeff Krohn as Secretary. Motion carried.

Dr. Robert Oakes made a motion, seconded by Mary Babcock to approve the agenda as presented. Motion carried.

2. Approval of Minutes

The reading of the March 1, 2017, regular meeting minutes was waived. Member Mary Babcock made a motion to approve the March 1, 2017, as presented. Motion was seconded by Member, Carl Duda. Motion carried.

The reading of the March 22, 2017, special meeting minutes was waived. Member Carl Duda made a motion to approve the March 22, 2017, as presented. Motion was seconded by Member, Robert McLean. Motion carried.

3. Public Comment (Open Meeting Act.)

Robert Gaffke, Bloomfield Township, addresses members regarding wind ordinance regulations and sample guidelines from MSU Land Policy.

Dennis O'Neil, Sand Beach Township, states Mr. Gaffke is operating a mining operation on land enrolled in PA 116. Mr. O'Neil questions if mining activity was approved and permitted?

Sally Kain, Meade Township, comments on turbine noise.

Carolyn Guza, Sigel Township, comments on turbine noise.

John Creguer, Delaware Township, comments on turbine noise and landscape.

Dale Hass, Dwight Township, comments wind turbine sound testing should be completed during all 4 seasons of the year.

Dave Peruski, Board of Commissioner, stated an informational meeting about Solar Energy will be held April 6, 2017 at 6 pm at Farm Bureau building.

Matt Wagner, DTE Energy, gives an update on DTE Solar Projects. Mr. Wagner stated Cypress Creek Renewables is not associated with DTE. DTE Energy's Solar Expert was present to answer any questions.

4. Public Hearing ZA 2017-01 Jake & Anne Tschirhart, owners of Verona Tavern, 12 North Verona Road, Bad Axe, Michigan, 48413, requesting a zoning classification change for three parcels of land from Agricultural (AGR) zoning to General Business (BUS) District zoning classification. Said parcels of land are located in Section 19 Sigel Township: Sigel Township, Parcel No. 3226-019-010-00, Sigel Township, Parcel No. 3226-019-009-00, and Sigel Township, Parcel No. 3226-019-002-00.

Mr. Tschirhart states they plan to combine all parcels into one. Also, if needed, they will put fencing up to protect the neighbors. Mr. Tschirhart states the MDOT M-142 road resurfacing project will eliminate some of the existing parking and states that new parking on the 3 lots would hold approximately 25 cars.

No public comment.

Motion made by Heck, seconded by Duda to recommend the BOC approve the zoning classification change for three parcels of land from Agricultural (AGR) to Business (BUS). Motion carried.

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Roll Call Vote: ZA 2017-01 Tschirhart classification change (AGR) to (BUSINESS)

Mary Babcock	Yea	Charles Bumhoffer	Yea
Bernie Creguer	Yea	Carl Duda	Yea
Terry Heck	Yea	Jeffery Krohn	Yea
Robert McLean	Yea	Dr. Robert Oakes	Yea
Ken Walker	Yea	9-Yea 0-Nay 0-Absent/Abstain	

5. Communications

- A. Sarah Mills, PhD, University of Michigan Gerald R. Ford School of Public Policy, Summary of survey results titled “views of Wind Development from Michigan’s Windfarm Communities.”
- B. MTA Introduction to Planning & Zoning Workshop May 22, 2017 in Frankenmuth.
-All members plan to attend.
- C. City of Harbor Beach Recreation Plan 2017-2021. (Complete Copy in B & Z Office)
- D. Dr. Robert Oakes presented Wall Street Journal article dated March 19, 2017 titled “supreme Court Confusion Could Cost a Family \$410,000.”
- E. Caseville Township Planning Commission 2016 Annual Report.
-Smith states the County Board passed a resolution to not review self-zoned township ordinances.
- F. Sally Kain, Meade Township, submitted Principia Scientific International article dated June 8, 2014 titled “Wind Turbines Cause of Sudden 1,600 Farm Deaths?”
- G. Sally Kain, Meade Township, submitted letter regarding wind and solar power.
- H. Huron County Road Commission requesting support of the Local Bridge Program and the replacement of the Caseville Road Bridge over the Pigeon River-McKinley Twp. Sec 26-27.
Dr. Robert Oakes made a motion, seconded by Robert McLean to send a letter of support.
Motion carried.
- I. Carol Roggenbuck of Rubicon Township, submission of documents pertaining to Cypress Creek Renewables regarding commercial scale solar energy.
- J. Spicer Group provided a sample of two large-scale commercial, utility-connected ground-mounted Solar Energy ordinances.

6. Report of Committees: Bylaws. Continue review with Corporation Counsel.

7. Unfinished Business

- A. Huron County Master Plan. –Continue w/ Spicer Group.
- B. Huron County Hazard Mitigation Plan. -Continue w/ Spicer Group.
- C. Apple Blossom Wind LLC c/o Sempra U.S. Gas & Power. Construction update and plan of the day.
Ryan Johnston, Barton Mallow, and Christian Anguis, Sempra U.S. Gas & Power, were present for updates.
- D. Deerfield Wind Energy Project/Algonquin Power construction update.
Scott Martin, Plant Manager Algonquin Power Company, stated as-built will be submitted to Building & Zoning.
- E. Big Turtle Wind Farm LLC Heritage Sustainable/Terrapin Energy-Phase 2. Construction Complete
 1. Staff to provide update regarding status of Post Construction Compliance Report.
 2. Robert Gaffke, Section 12 of Bloomfield Township, complaint resolution pertaining to noise from Big Turtle Wind Farm Phase II project.

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Xio Cordoba and Blake Schroll were present to answer questions. Mrs. Cordoba states Mr. Gaffke has declined testing at his location at this time. Mr. Gaffke states he has not declined testing, but has declined testing done by Epsilon. Members agree Heritage should continue with Post Construction Compliance Testing.

- F. Dale Hass, Section 11 of Dwight Township, complaint resolution pertaining to noise from Deerfield Wind Energy Project Turbine A-2. Review Algonquin Response dated March 28, 2017.

Mr. Hass expresses concerns with noise from Turbine A-2. He has also requested additional communication from Deerfield Wind Energy officials, Deerfield officials agree.

8. New Business

- A. SPR 2017-02 Filion Manufacturing & Engineering, proposing a 6,702 Square Feet addition to Valley Enterprises, 2147 Lepek Road, Section 15, Bingham Township, Ubyly, Michigan 48475. Office/Tool Room addition located on South side of existing manufacturing building. Expansion to include additional parking to the south and additional 25ft driveway on east side of property. (see plans)

Mr. Smith states the addition complies with the County Ordinance Regulations.

Member Mary Babcock made a motion, seconded by Robert McLean to approve the addition to Valley Enterprises. Motion carried.

Roll Call Vote: SPR 2017-02 Filion Manufacturing-Valley Enterprises

Mary Babcock	Yea	Charles Bumhoffer	Yea
Bernie Creguer	Yea	Carl Duda	Yea
Terry Heck	Yea	Jeffery Krohn	Yea
Robert McLean	Yea	Robert Oakes	Yea
Ken Walker	Yea	9-Yea 0-Nay 0-Absent/Abstain	

- B. Randy Elenbaum, agent for Marjorie Elenbaum Trust and Marilyn Elenbaum Trust, complaint resolution pertaining to noise coming from the ITC Stein Substation located at 2255 Brown Road, Section 34 of Winsor Township. Original complaint filed with Pheasant Run Wind on February 14, 2017.

Mr. Smith states he will be in contact with Neal Bishop of ITC regarding this complaint.

- C. Huron County Board of Commissioners Resolution 17-35, pursuant to MCL 125.3401(3), the County is referring the proposed new amendment, "Amendment to Article XV. Huron County Commercial Solar Energy System Zoning Ordinance [New Section] Section 15.02.9 Moratorium", to the Huron County Planning Commission for consideration and comment on or before May 23, 2017. Set public hearing date?

Dr. Robert Oakes made a motion, seconded by Mary Babcock to set a public hearing date on May 10, 2017 at 7 pm in the District Court Room. Motion carried.

- D. PA 116 Terminations:

- 1. Dykema Gossett PLLC, agent for International Transmission Company (ITC), requesting partial termination of 14.77 acres of land currently owned by Andrew & Phyllis Woycik, under Farmland Development Rights Agreement No. 32-50427-123135, located in Section 34, T16N R14E, Sigel Township, Part of Parcel No. 3226-034-004-00. The application presented indicates the release is for Public Interest and meets one or more conditions of 36111a.(1)(b) of Part 361 of the Natural Resources and Environmental Protection Act.

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Stephen Estey, Dykema Gossett PLLC, is present to answer questions and request partial termination.

Corporation Counsel, Steve Allen, states ITC is not a public body therefore it does not meet requirements for termination.

Robert McLean made a motion, seconded by Terry Heck to deny partial termination request at this time. Motion carried.

Roll Call Vote:

Mary Babcock	Yea	Charles Bumhoffer	Yea
Bernie Creguer	Yea	Carl Duda	Yea
Terry Heck	Yea	Jeffery Krohn	Yea
Robert McLean	Yea	Robert Oakes	Yea
Ken Walker	Yea	9-Yea 0-Nay 0-Absent/Abstain	

E. PA 116 Enrollment Applications: None.

9. Final Public Comment: None.

10. Final Planning Commission Comment:

Dr. Robert Oakes discusses aspects of a planning & zoning flow chart.

11. Adjournment

Being there was no further business to come before the Planning Commission, it was moved on a motion by Member Mary Babcock, to adjourn the meeting and seconded by Member, Dr. Robert Oakes. Motion carried. Adjournment was at 10:12 p.m.

The next regular scheduled meeting will be held on May 3, 2017 at 7:00 p.m., location TBD.

Bernie Creguer, Chairman

Jeffery Krohn, Secretary

Date: _____

P:\bldzone\Documents\PC Minutes April 5, 2017, unapproved