

Keene Township Planning Commission

Minutes from Special Meeting – Monday, March 11, 2024

Denny Briggs called the meeting to order at 7:00 with the Pledge of Allegiance.

Roll call:

Present: Denny Briggs, Christine Hendrick, Ray Krieger, Matt Stahlin, Corey Wojcik, Cori Wilber

Absent: Nancy Soloman

There were approximately 15 members of the community present along with Zoning Administrator Jeanne Vandersloot.

Changes to the agenda:

Jeanne requested that the PC discuss food truck fees to provide a recommended amount to the Board. Added to agenda before Old Business.

Denny stated he would like to discuss PC Officer terms. Added to agenda under New Business.

Matt motioned to accept the agenda as amended. Corey seconded. All approved. Motion carried.

Approval of last meeting minutes:

Cori noted that her last name is spelled Wilber (not Wilbur), and that under “Changes to Agenda” on the 3/5/24 meeting minutes, it should show that Cori requested to add an agenda item regarding procedural questions.

Cori motioned to approve meeting minutes as amended. Matt seconded. All approved. Motion carried.

Report from Township Board Rep:

Per Corey, nothing significant to report.

Report from Zoning Administrator:

Jeanne stated she had already given a monthly Zoning Report at the March 5th meeting.

Public Comment – Topics not on the agenda:

None.

Old Business:

- Discussion regarding permit fee for food trucks. The Board will set the fee when/if they approve the ordinance. If following the standard fee schedule, it'd be \$50 per vendor, per year. However, with only 1 commercial and 1 industrial parcel in the township, and since it's not anticipated that the same vendor would be here numerous times per year, the PC members agreed that the fee should be lower than \$50. Recommendation to the Board is a nominal fee, possibly just enough to cover the township's administrative costs for processing the application.

- At the 2-6-24 meeting, the PC had been told by Jeanne that they did not need to elect new Officers, as the terms were 2 years. Cori inquired about this at the 3-5-24 PC meeting due to the PC bylaws stating Officers would serve 1 year terms. Denny looked into the discrepancy and reported that it indeed should be 1 year terms, so the PC should nominate and elect Officers for 2024.
 - Corey made a motion to re-elect Nancy as secretary — IF she accepts, since she was not in attendance. Matt seconded. All approved.
 - Matt made a motion to re-elect Ray as the Vice Chair, and Corey seconded. All approved.
 - Ray motioned to re-elect Denny as the Chairperson, and Matt seconded. All approved.

New Business:

- **Solar Ordinance**
 - Nathan Wolff from the audience mentioned that he had spoken with local realtor Heather Jones with Five Star Realty. She indicated that properties around solar fields are not seeing their property VALUES affected, but their RESALE value is. Nathan would like to see something added to the ordinance about non-participating property owners being reimbursed for that loss.
 - Denny suggested that the PC approach the ordinance by starting with the simplest sections first. All agreed.
 - Discussion about the duration of construction and that there should be certain times of day that construction noise is allowed, specifically due to the volume of pile driving. PC agreed on M-F 8a to 4p, no holidays and no weekends, unless the neighboring property owners agree to alternate times.

- Discussed pollinators. Christine asked about what kind of plants should be planted. Consensus to revisit this section later.
- Sandy Smiley from the audience brought up concern that all solar fields she has seen have dead trees around them. Kelly Bruinekool suggested keeping the landscaping requirements somewhat generic so the contractors can determine what would work best for that installation.
- Concerns were raised about companies going bankrupt and what would happen in that instance if the site was no longer being maintained. Christine stated she had spoken with a land use attorney who said responsibility would then fall to the landowner. Denny stated it would depend on how the performance bond is written and what the maturity date is. Talked about possibly requiring an escrow account (held by an intermediary party) to cover unsatisfactory facility upkeep.
- Discussed the current process for zoning violations and how to prevent an energy company from simply paying the fines over and over without any ‘serious’ consequences. Bob Schafer suggested adding wording to the effect of “Permit is granted on the condition that the terms of this contract are followed.” Christine asked Jeanne if she could send her the current fine citation process by email. Jeanne agreed.
- Noise levels. State ordinance allows a higher DB level than the Keene Twp 2023 ordinance had. Cori asked that this be tabled to allow for more individual research. Bob asked for clarification on whether the DB level should or would be the same during construction or if a higher noise level would be allowed during that time.
- Christine asked what accommodations could be available for residents who may need to relocate during construction. After much discussion, it was decided to request that the township’s attorney be consulted on this. Consensus (prior to legal opinion) was that wording should be included to allow people with health conditions to apply either prior to or during construction if they need to relocate, and that the energy company would cover the associated costs.
- Nathan Wolff stated that if the township intends to have someone go door to door to the neighboring properties prior to construction (in addition to the required notification they’ll receive through the mail), that he would volunteer to assist.
- Panel height at full tilt was discussed. State law says 25 feet max. Our 2023 ordinance was 18 feet. Bob said he spoke with Invenergy Rep Dan Tucci, who stated they could work with 18ft height limits, as there are different options for solar panel configurations. Cori brought up a concern that if the panels are 18 feet at full tilt and the screening is only required to be 6 or 8 feet, then the screening may not be effective. Adding a section that Keene Twp may require shorter panels if needed if homes are adjacent.

Public Comment – Any Topic:

- Nathan Wolff thanked everyone in attendance for working cohesively and respectfully during this meeting.

Planning Commission Discussion:

- Matt made a motion to adjourn. Denny seconded. All approved. The meeting adjourned at 8:53pm.

Minutes recorded by Cori Wilber.