

**NEW HAVEN TOWNSHIP  
PLANNING COMMISSION MEETING**

**August 21, 2023**

Meeting was called to order by Chairman Dan Winters at 7 p.m. at the New Haven Township Hall. Commission members in attendance were:

Mary Eickholt  
Fred Gray  
Norm LeCureaux  
Russ Wing  
Dan Winters

Motion by Fred, second by Norm to approve the agenda; it was approved by voice vote. Motion by Norm, second by Russ to approve the July 10, 2023, meeting minutes; it was approved by voice vote.

There was a Call to the Public for any Non Agenda items, but there was none.

**OLD BUSINESS:**

Dan gave an update on the status of the Shiawassee County Land Use Plan. The County will be rewriting all zoning ordinances.

**NEW BUSINESS:**

Forwarded by Shiawassee County Planning Commission to New Haven Township Planning Commission was the June 28, 2023, draft of the Renewal Energy District Ordinance. The Township has until September 28, 2023, to provide comment to the County on this ordinance prior to their public hearing to be scheduled following the review period.

Chairman Winters read aloud the entire text of the County's proposed Renewable Energy District Draft for the benefit of the Planning Commission members and the many people in the audience. During this reading, and with commission member discussion, a list of recommended changes, questions, and items that need to be clarified were compiled and are listed as an addendum to these minutes. They will be submitted to the Township Board for consideration and amendments prior to sending to the County Planning Commission as the response requested by September 28, 2023.

Motion by Fred, second by Dan to submit list of items discussed and needing clarification to the Township Board. Roll call: Norm, yes; Russ, yes; Fred, yes; Dan, yes. Motion carried.

**PUBLIC COMMENT:**

Public comment included a request for another meeting for further review. Chairman Winters recommended that concerned citizens bring those concerns and questions not already mentioned by the New Haven Planning Commission during its review to the next Township Board Meeting to be added to the existing list so it can be submitted to the County Planning Commission prior to the County's public hearing.

The next meeting date has not been set. Motion Fred, second by Norm to adjourn. Meeting was adjourned at 8:57 p.m.

Mary L. Eickholt  
Planning Commission Secretary

Addendum to August 21, 2023, New Haven Township Planning Commission Minutes

Comments, Questions, Recommendations on  
Shiawassee County Renewable Energy Draft of June 28, 2023

Section 21.2.G Land Uses and Use Categories:

1. A complete definition and differentiation between the term Owner, Operator and Land Owner must be established. Reference is made to responsibilities of Owner where it is not clear if it is meant to refer to the Owner of the utility installation or the Owner of the property who may be leasing property to the Owner of the WECS or SES.
2. K. 1. (page 2) This should also include “SES” (along with the existing WECS).

Article 2, Section 2.25 RE DISTRICT: RENEWABLE ENERGY

1. 2.25.2 Permitted Uses (page 4) the words “by right, by right” appear to be duplicated
2. Section 4.3.X Renewable Energy Facilities:
  - B.1.f Transportation Plan (page 5) - Shiawassee County Road Commission must review and approve
  - B.1.g Emergency Response Plan (page 5) - Equipment, training and funds for emergency response to WECS and SES events should be provided by the WECS or SES owner/operator.
  - B.1.h Reclamation Analysis (pages 5/6) - Subsoil, Topsoil, Surface drainage and field tile must be documented before installation of WECS or SES to ensure proper restoration during decommission process. No topsoil should be removed from the property, but may be used to construct required berms as noted within the ordinance.
  - B.2.c Climb Prevention (page 6) - Establish height requirements for SES and WECS fencing.
  - B.2.f Waste (page 6) - Storage batteries defined as waste
  - B.2.g Liability Insurance (page 6) - Owner not specific enough. Amount of Liability Insurance or formula or process to calculate needed insurance needs to be stated.
  - B.2.h (page 6) – Topic title needed such as “Incident Notification” or other appropriate verbiage. Also, the contact should be more immediate and be done by phone.
  - B.4.a. (page 7) – This “ground improvements” listed should also include “batteries.”
  - B.4.b (page 7) – The method to calculate the WECS development area needs definition.

- B.4.c (page 7) – How is the measurement of 1.5 miles required between projects calculated. The points used to make that calculation needs to be defined for both types of projects – WECS and SES.
- B.5.b (page 7) – Request setback to be minimum of 350 feet not 330 feet as listed in the document. Non-participating property line needs to be defined, if not here, then in the initial Non Participating Parcel description in 21.2.G.K.2 (page 2). Where is the non participating property line measured from when it includes a road—center line of the road, edge of the road?
- B.6.b.i (page 7) – “at its discretion” is too vague when determining allowed variances in setbacks. Criteria must be listed and/or limits established on the amount/percentage of allowable variance.
- B.6.c.i. (page 8) – “at its discretion” is again used that the setback of only 50 feet could be reduced. Limits and guidelines should be established or the “discretion” should be eliminated.
- B.7.a (page 8) – Where is the public right of way measured from for setbacks? Center of road or at a number of feet from the centerline of the road?
- B.7.b (page 8) – Where is the centerline of the right of way and is that different from centerline of the road? Terms used must be consistent throughout the document and should be adequately defined.
- C.3 (page 8/9) – A maintenance plan for the berm should be established, including materials used and mowing and/or weed removal requirements within and outside of the fenced facilities.
- D.1.a.iv (Page 9) – “Owner” referenced should be properly identified or should be stated as “SES or WECS owner”
- D.1.a.vi (page 9) – Further identify “owner” as SES or WECS owner to clarify from whom the County could be seeking reimbursement in the case of decommissioning. Possible real estate lien should also be identified as to whether that includes or excludes property owners who serve as lessor to the owner/operator of the WECS or SES.
- D.2 (page 10) – Twice in this paragraph the term WECS is mistyped as WESC. Insert WESC or SES before the term owner or operator in both instances within this paragraph.
- D.2.a (page 10) – Correct WESC and change to WECS
- D.3 (page 10) – Tile and topsoil should specifically be mentioned as part of the restoration needed to get the “specific character of the site.”
- D.4 (page 10) – Correct WESC and change to WECS
- E.2 (page 11) - Who is responsible for annual inspection and who pays for this inspection
- G.1 (page 11) – Insert the word “permit” after “WECS or SES”