

MINUTES OF THE CALEDONIA TOWNSHIP PLANNING COMMISSION

OPEN MEETING

August 5th, 2021

6:00 PM Call Solar Ordinance Public Hearing to Order

The Solar Ordinance Public Hearing to Order was called to order by Nancy Beck, at 6:00 p.m. at the Caledonia Township Hall, Spruce, Michigan.

Pledge of Allegiance.

Roll Call:

Chair	Nancy Beck	Present
Vice Chair	Jim Klarich	Present
Secretary	Jim Gilbert	Present
Member	Susie Morrell	Present
Trustee	Anthony Sobeck	Present

Chair Opens Public Hearing with opening remarks about the Solar Ordinance.

1. Explanation- This Public Hearing is to gather Caledonia Township Constituents comments and concerns about the Solar Ordinance. This will allow the Planning Commission the ability to address any concerns that may arise from amendment of this ordinance.
2. Explain that there will be a final Public Hearing before the Planning Commission sends the recommendation to the Township Board of Trustees for the adoption or modifications.

Public Comments

Jim Farrar- I am from Spruce. About the Solar Panel, I don't have anything against Solar or Wind Energy, but I still say that all components to make up the farm should be 100% American made, 5-10 year from now it may be available if it is not today. I think what China unleashed on this planet not to mention violation against humanity that the China government still will not discuss. Why would we fund that government? I just don't understand why at this level we have a choice. This Planning Commission can adopt the wording that it is 100% American made, not 70, 75, 80 %. This is not helping anyone in Caledonia Township. I think that this Township should adopt the correct words. I don't think we should subsidize the Chines government to become the next OPEC. Government for the people by the people

Verne I totally agree with Jim, that they say that they will use is a roll of black tape, the only thing they create that will last is COVID

Rob MicKinnon - I would like to express my positive impact on solar farming as farms in the township. As a farm we have had to change our farming techniques multiple times. The government is promoting solar power as a our nation is using more power every day. With the gas, oil and coal being regulated back and prices increase it is obvious that green power is the way of the future. Our elected Township Officials now have the responsibility to set an ordinance for solar farming. Be fair to the township, landowners, solar company and the public. I ask that the township officials make a fair ordinance for all.

Rod Door- I am totally against the farm, downstate where I live, they had a small farm. They look bad and have not been very good. That's all I have to say

Pam MicKinnon- I liked to say to gentlemen who got up a spoke about our country. But the fact is that the products are from China. If you put a cap on it then our children will, there children will. They are going to be the person that brings stuff to your table.

I had a lot of stuff, and I didn't want to do this. There are a lot of things that you are not considering about Solar. Yes, down states they are taking over but the governor signed an executive order granting 3.4 million acres (May 2019) to Solar. Solar is not harmful. Cattle can still graze; it does not impact the animals. Animals are actually safer with Solar because they do not get disturbed. We worry about land value doing down, the visual appearance, etc I hope you all taken into consideration the builders that build your barns. God Bless America

Dave Regal- I support the solar ordinance it is one of the ways our country can move forward. One way is through family farms, family farms are dropping substantially due to the pressures. The farm is trying to make a living, he is getting squeezed due to the pressure. Wait until whenever is not going to help the farm trying to get through the next day, week and year. I hope you put heavy focus on American made products. But we need to open, we developed the technology but allow other countries to take the lead. The farm essentially is paying the price because we as society do not want to take the lead. It think using good science and mitigation as many factors while supporting farms is what will help farms in the future.

Betsy Lehndorff- I spoken before about how much I am in favor of this. It will help

as much as possible. I think you have done a lot to create this ordinance with as little restriction as possible. My brother was in the military, and I respect you veterans.

I have one question, it says Cedar, but then says other types. I am not sure that it is covering everything. Thank you for your time and willingness to put this together.
Recommendations

Motion to Adjourn from Solar Ordinance Public Hearing,

The Lot Size Public Hearing was called to order by Nancy Beck, at 6:30 p.m. at the Caledonia Township Hall, Spruce, Michigan.

Chair Opens Public Hearing with opening remarks about the Lot Size Amendment.

1. Explanation- This Public Hearing is to gather Caledonia Township Constituents comments and concerns about the Amendment. This will allow the Planning Commission the ability to address any concerns that may arise from amendment of this ordinance.
2. Explain that there will be a final Public Hearing before the Planning Commission sends the recommendation to the Township Board of Trustees for the adoption or modifications.

Public Comments

Ken Gibson- Questions I have is that on the website it says lake front property, next question in the current ordinance 100ft lot is 100,000 sq ft. the next question is this lot size has been this since 1988. Why are we going to shrink the size, if you have a lot of record if you buy it you cannot build on it. It's not fair that they buy the lot they can do anything with it. If you get a land use permit it's for the lot for life. Some of them have been there since 1915. I don't understand.

Michell Gibson, I myself am not for shrinking the lots size. My reasonings are many, we talked about solar farms but as we were told it was for Lake Lots only. If that is for Lake Lots only it is a issue for me and opens up lawsuits. I for one could sell and split my property my neighbors would not appreciate it. Our predecessors set the lot size, so let leave it. We are setting up our self to failure. You see the Air BnB's which preservation is lost, not to mention septic. It has been brought to the Panel at least 3 times and was taken to the board and told to bring it back for review over and over. I don't think Caledonia needs to lose the pristine for a tax

base

Steve Stovall- I agree with you totally I am on her side.

Tom Drieden- Little piece of heaven on this lot, a little research on the plates before I was born. I live on Genison Park and it was plated years ago, it was plated 100 ft, or 90 ft lots, I don't think there is a single lot that hasn't been split into multiple sections they are all over the board. It was all over the place. I see nothing with a 90 ft lot, the gentlemen bought it, and can't do anything with it. I think it is worth a lot and have someone come in and build and enhance our community. He appears to be a gentleman that will add value to our area. He is going to put something very nice, and it's going to be great. We are not going to create a small area of south end of Hubbard Lake. There are people here who want to enjoy Hubbard Lake. I think they will enhance them area I have owned my lot for 40 years and lived there for 30 years. I would be proud to have them as my neighbor

Ingrid Smart- I own property on Pine Street. I am the 3rdd generation on Pine Street. I love Pine Street; it is heaven to me. I know that lot has been 80 ft for a very long time, I don't really understand how the ability was allowed to make a lot that you couldn't build on. Someone allowed it to be purchased at 80ft, if it was a plotted lot even before the 100ft rule came into effect it isn't grandfathered in. If the landowner was not notified of the change and the landowner want to build it should be authorized. It would be an advantage for the owner to build a functioning structure not a camper or trailer. I think it would raise our property value. I am for it

Barn Tanning- I think there is a specific lot in reference here. We shouldn't take our entire ordinance for one person. I think we need to look at it more specifically. I am in architect business, and I see this size changes. They are rescinding ordinances and changing them back. I think we can look at it on a case-by-case situation for variances, but we should keep our environment the same. Thank you

Marly Neighborham- I live on Oaks Street, I am going to say I am 100% opposed to a lot size modification. I live in the Crystal Springs area, which serves 37 homes. I believe the property was formally owned by someone who had a host of 200 ft lots, when the parents passed away the daughter sold lots. The new owners knew when they purchased it that it was not within the regulation. Our well is for our community, and he thinks he can tap into it, it is already over strained and he thinks he can tap into the well. We are already having problems with our well. If

you are to agree to that it should be a variance and not everyone. We bought our property for the pristine nature of our community. I just would like to go on record to say that I am against any variance at all and opposed to what you have on paper.

John Gormelly- I am here as a representative of the land owner that we are discussing. In 1923, 90ft was legal and your clerk signed it. These lots were never combined, and you have to go into the system to modify the lot. They have been 2 lots, since 1923. It has existed in 1923 that is the issue at the circuit court. If the property owner around looked at the plat they would no. Long before the

Gail Thorton- I served on this commission for over 11 year, I was on the board when this lot was taxed. When the previous owner died the family decided to split, they were told that it was not going to be build able, I am disappointed with this Township,
I would ask you to talk to speak with the neighbors. We cannot change for one lot.

Earl Waken- I am with a lot fo these people that the whole lake shouldn't be changed from 100ft, I stand in favor of giving them a variance.

Dan Taylor- How many people are on Hubbard Lake, we heard 3 generations, we are on 4th generation 63 years. My mom grew up on Hubbard Lake, we have been on Hubbard Lake for 120 years, I don't think anyone else can say that. If you live downstate and you brought your children here there are incredible memories. These people want to do that, they want to enjoy what we have for 40-50-60 years. I think over 10ft we are being selfish, we all have things in our lives that cause us trouble. Sometimes its our neighbors, these are nice people. I live in a community in Fenton, it 60ft, to have a good neighbor is to be a good neighbor. It comes down to Love thy neighbor. I walked down that road this morning, they are not going to put a mansion on that property, they are actually talking putting 14ft on something is that offending the neighbors. Ma'am, as for Crystal Springs nobody knows why they did it, but I know whey that mansion was built they tied in 2 spots on it. I can see taking away the memories we have of Hubbard Lake that we all have from these people. How many vacant lots are there in this township on the lake? Maybe we have 1 vacant lot in this Township. I see it as being very selfish.

Shawn Thorton- I grew up on that road, I understand that there is a process for variances, but I thought we are here to look at changing Caledonia lot size from 100ft to 80ft. I am confused why there is change to the ordinance when there is a variance with ZBA. I am confused why since January when it has been brought to the Planning Commission on multiple occasions and denied each time. I would

like to know why we are here doing this. Nonconforming lots where grandfathered. Thank you very much, if we could find out how many lots this is impacting in our Township

Peggy Briggs- I live on the lake and am reluctant to say where because I have a 67ft lot. I feel blessed beyond measures to be back at Hubbard Lake, it is a very special place. I was complete oblivious to ordinances. I guess we were grandfathered in, doing things from Texas, 1500 miles away. I think going 90ft for these people should be considered.

Betsy Lehndorff- I am a former Pine Street Resident and former Planning Commission Secretary, and I've talked to a lot of you. I've talked to Jim, Jack and I've also gone over our ordinances, minutes, even the Planning Commission Minutes at one point dating back to 1974, when they were handwritten.

I support changing the minimum lot width size for R-1 single family residence from a minimum of 100 feet to 80 feet if... it is the only solution to an issue about a single parcel that has really brought all of us here. I couldn't find out how many other parcels—this zoning change would affect, because our township assessor is on vacation, He is back August 9th.

I do know I moved here in 2011 because this area was cheap, it had clean air and clean water and in a time climate change it's a good place to hang out.

At the moment, I see we are going through growing pains as a township. We don't have a professionally staffed zoning department or a professional township manager. And despite all of our hard work, we don't know what we don't know. Blaming each other doesn't solve our problems. Fighting isn't going to solve it. We have to work together in a constructive way. Zoning issues are very emotional and challenging, even if it is only one property owner against another.

We need to think about what is best for this community, because this area is going to grow, and quote Nancy Beck, we need to use common sense.

Loyal Bennet- I do not have property on the Lake, its not the lake I grew up on. But I am not in favor of changing this lot. If you change the lot, where do you get the space for other essentials like septic, and water. This lot in questions, I looked at and if I was spending the lot on the lake I would think that I would check and see if this lot is buildable. I don't know how much money, its just that if you change it for one you have to change it for all of them. Like the old board, when the Dollar General came in, they wanted large signs, they voted it down. Again, I just cant see this is personal, why I would want a home on a 80ft lot with neighbors

close to me. I like my 6 acres in the woods. I am against the ordinance change. If the individual wants to fight it and the court decided then so be it. I don't think you should change it, leave it as it is. There are only a half dozen lots in the township/

Mary Dorf- I am not in favor of change the ordinance but am in favor of a case-by-case situation.

Richard Renault- I have a few properties in the township, we bought this lot with the intention of making it a retirement home. When we bought this property, we knew it was a buildable lot. We looked at the zoning ordinance to see what it says, section 6.3 (Review 6.3) it says specifically that says any nonconforming lot before the ordinance can be used even if the area and width. Somehow mystically it was no longer acceptable. They said it was split and joined, I talked with Troy Summers, he brought out records. Details from lots in Alcona records, shows that it should never have been combined. Records show that it is still conformed and grandfathered in 1923. As for the well, we applied for the variance and new that we could not attach to the Crystal Springs well, we have an estimate for Webb Well Drilling. Oak Street make a lot of noise about this and we don't understand why. Are we using rule of law or the loudest crowd? I appreciate how the township is working to make sure things are done correctly. I am not for or against the change, I am about making sure we right a wrong.

Nancy Read letter- Amy Chrzan

Mary Hinckle- When the Renaldas purchased the property and we came to a hearing, we were asked if we want it built on. We would rather see a home built on it, rather than a campground. I think we need to look at the variance for the people and not change the ordinance. I am in support of the variance.

Salley Marshall- I am the newbie in the area, I am 100% in favor of letting the Renault Build on the property.

Mike Boneckrich- I own a piece of property, in the township. I feel your pain in the zoning. I personally have been a victim of the zoning selective situation. Nobody reads the ordinance from front to back. You have to apply the standard fairly and equally. I think what you need to do is relook at the ordinance and pay a professional to do the zoning. Not this board but the ZBA has disapproved every variance.

Recommendations

Motion to Adjourn from Lot Size Amendment Public Hearing, 7:25 PM

The Regular Meeting was called to order by Nancy Beck, at 7:39 p.m. at the Caledonia Township Hall, Spruce, Michigan.

MOTION: by Klarich the August 5th, 2021 Agenda be approved with the following additions.

SUPPORT: by Sobeck, Motion carried.

MOTION: by Klarich to approve the **June 7th, 2021 MINUTES** as submitted by email and reviewed at July 12th, 2021 meeting.

SUPPORT: by Sobeck, Motion carried.

CITIZEN COMMENTS CONCERNING ITEMS NOT ON THE AGENDA:

Lehndorff- My believe that the Renaults are entitled to a hearing, the first ZBA there was not a quorum. Cindy Smith was a Township Employee and could not be on the ZBA I don't know why; 2nd reason there has been transfer of information and should be changed. The Township Attorney stated that it was an erroneous vote. A rehearing or a new hearing can be approved by the Planning Commission for the Renaults. So they have a rational reason for a new hearing because they ZBA has not meet since 9 November so they have not had 21 days since the approval of ZBA minutes.

Mockeridge Family- We are here to discuss the illegal trespassing of your previous Zoning Administrator and your Acting Zoning Administrator Township Supervisor. They illegally entered out property with the adjacent landowner and took photos of our property. We have gone to the Alcona County equalization and other entities to ensure we had all the proper information. It was not until after Ken Gibson and our adjacent land owner brought things up that this became an issue. Many things have been done illegally and we want this board to establish rules that govern the acceptable practice for the Zoning Administrator. We have been singled out here and have had to deal with lots of stuff from illegal search of our property. We have a FOIA and I know that all the information has not been submitted, I know it. We have proof and we are going to court over this, I am not paying fees to lose. You know that when the Township loses, they will have to pay all restitution for this and that is not what you want. You need a new lawyer because yours sucks... He really does, in his own words, he said well I didn't read the ordinance in it entirety. This is sad, it's a sad day when we allow the government to walk on private property without proper notification.

REPORTS:

Zoning Board of Appeals— No Report.

Board of Trustees- Met on June 9th discussed the following:

- Approved Special Meeting Minutes
- Recovery Fund (American Recovery Funds)

- Wording in Land Use Permits
- Zoning Administration position, postponed so that the members could talk to candidates
- Replace upstairs door was approved
- Website is getting redone by Jordan Michael
- Hall Rental Agreement Amendment will be looked at it at next meeting
- Camera at North End Park

UNFINISHID BUSINESS:

1. Solar Ordinance Final Discussion- Finalize the below items for the Solar Ordinance and then set a date for Public Meeting.
 - a. Klarich discussed Issue with 100% American made stated that we do not make this mandatory for building on private property.
 - b. Morrell- Who will enforce if building companies are all American, Licensed Michigan Contractors. Pinegate Renewables in Ashville, NC and using licensed Michigan Contractors.
 - c. Gilbert-
 - d. Webb- We don't want to spend money we don't have to in order to get materials. It cost over \$20K to get stuff shipped from China the highest price ever. We want to ensure that we are able to support but we need to ensure that project is a success. We don't want to over legislate the process.
 - e. Sobeck-

Add to statement for American made; J5 Solar Energy Facility Products are highly encouraged to be U.S.A based materials, supplies and sources.

MOTION: by Gilbert that we accepted the changes and send them to the NEMGOC for final review send to the Township Board and set the date of August 27th for the open hearing starting at 6:00 PM.

SUPPORT: by Klarich, Motion carried.

MOTION: by Klarich that table the lot size until NEMCOG and attorney review.

SUPPORT: by Gilbert, Motion carried.

RECOMMENDATION: by Klarich that the Renault lot size variance be reviewed once again at the ZBA **SUPPORT:** by Gilbert, Motion carried.

2. Map Zoning Amendment
 - a. Discussion-

MOTION: by Sobeck that we go with NEMCOG recommendation of changing map zoning for Hubbard Lake.

SUPPORT: by Sobeck, Motion carried.

NEW BUSINESS:

NEXT PLANNING COMMISSION MEETING – September 13th, 2021 at 7:00 P.M for Township Planning Commission.

PUBLIC COMMENT:

Topics for future discussion are as followed:

1. Upgrading Internet

MOTION: by Gilbert to adjourn at 9:00 P.M.
Motion carried.

SUPPORT by Klarich;

Respectfully Submitted,


James Gilbert
Secretary

P.C. Minutes – July 7th, 2021 (Approved)