

VEVAY TOWNSHIP PLANNING COMMISSION
Regular Meeting
Wednesday, December 4, 2019
Vevay Township Hall – 6:30 p.m.

MINUTES

Members present: Jack Cady, John Lazet, Chris Lewis, Pattie McNeilly, Jim Minster, Al Winters, and Bruce Walker.

Member absent: None.

Other Persons present: Zoning Administrator David Vincent.

I. Call to Order: The meeting was called to order at 6:30 p.m. by Chair McNeilly.

II. Pledge of Allegiance

The audience joined the Commission in reciting the Pledge of Allegiance.

III. Set/Amend Agenda

The agenda was accepted as presented.

IV. Approval of Minutes: Regular Meeting/Public Hearing of November 6, 2019

Amend page 1 in the header by correcting the date to November “6”.

Amend page 2, top paragraph, by inserting after “lot” a space and “(MTS)”.

MOTION Cady, seconded by Walker, to approve the November 6, 2019, regular meeting minutes as amended.

CARRIED 7-0.

V. Brief Public Comment

There was no public comment.

VI. Reports

A. November 2019 Building Report

Commissioners had received the Building report, summarizing the two permits issued, including adding antennas on a tower, and new construction of a residence.

B. November 2019 Zoning/Enforcement Report by David Vincent

The report indicates that during the month of November, there have been no new complaints, nor further progress on any of the pending complaints. However, late in the month new complaints were received and there was some progress on other complaints, which will be reflected in the December report. In summary, the report indicates the Township has received 28 complaints so far in 2019, indicating 13 complaints have been closed due to resolution, compliance, or information being provided to the complainant. The fifteen pending complaints are in various stages of being addressed or remediated, and include: three concerning junk/buildings; two concerning trash on property and vehicle parking; metal roofing coming off of a barn; two cases of living in a camper/recreational vehicle; a non-compliant sign; blight; inappropriate outside storage on a rear lot line; non-permitted kennel operation; renting a barn to grow marijuana; outdoor storage building on a vacant lot (MTS); and a complaint of deliberate blocking of an easement road to a business.

Commission – discussed with Mr. Vincent the actions taken and the progress or lack thereof on various properties.

VII. Pending Business

A. Site plan request from Danny Mercer for Ground Mount Solar Array – 2874 Rolfe Road

The Commission reviewed the various Ordinance requirements as reflected in the submitted documents, and several questions were asked of Mr. Mercer. Following a review of the application and discussing various details with Mr. Mercer, the Commission made the following findings:

1. SSES Authorization, Review and Approval Procedures:

a. An SSES is an authorized accessory use in all districts. SSES mounted on the ground by way of posts or other support structure mounted on or in the ground shall be subject to Planning Commission approval, upon the receipt of a complete application and the Planning Commission finds that the application complies with the standards of this subsection (A). – Conditions met.

b. An application for a SSES need not include a site plan prepared according to Chapter 14, but the application shall include a scaled property line survey showing north arrow; property dimensions, bearings, lot area, legal description, and parcel or lot number; the location and footprint of existing driveways, buildings and structures and distances of buildings and structures from lot lines; existing public and private right-of-ways and easements; existing location of septic drain field and potable water well and other existing and proposed utility locations; and structures on adjacent properties within 100 feet of a shared lot line. The Zoning Administrator may require a property line survey prepared by a Michigan-licensed surveyor, and the delineation of existing structures on the property as part of such survey, in the case where a more detailed or official delineation of property lines and structures is necessary to ensure compliance with this Section. – Conditions met. To complete the application, the applicant added to the Township copy of their application the lot area, distances of buildings from lot lines, location of the septic drain field, the potable water well, and the location of the existing utility line.

2. SSES General Provisions

a. Mechanical equipment, excluding solar panels, shall be screened from view from public streets and any property within a designated Agricultural or Residential District, by a masonry wall,

evergreen vegetation or other screening measure of a similar effectiveness and structural integrity. – N/A.

b. Solar energy system equipment, excluding solar collection panels, are prohibited in a front yard and may be installed in a required side and rear yard setback but shall not be located within ten (10) feet of a lot line. – Conditions met as the proposed location is significantly behind the residence and over 150 feet from the north property line.

c. Solar collection panels shall be placed such that concentrated solar radiation or solar glare shall not be directed onto nearby properties and public roads. The applicant shall submit documentation to verify compliance with this section. When deemed necessary, the Zoning Administrator may require a report from a registered civil engineer or other professional deemed qualified by the Zoning Administrator, attesting to the glare and radiation impact on nearby properties and public roads. – Conditions met. The installer forwarded to Mr. Vincent the manufacturer's findings on their panels not producing glare.

d. Solar collection panels shall not cause the district's maximum lot coverage standards to be exceeded. Where solar collection panels are to result in an increase of 8,000 square feet or more of impervious surface, the application shall include a drainage plan prepared by a registered civil engineer showing how storm water runoff will be managed so as not to encourage erosion or additional drainage upon adjacent properties, and the flooding of drainage courses serving the property including roadside ditches. – Conditions met or N/A.

a. If detergents are to be used to clean solar panels, details on the type of detergent, frequency and quantity of use, and storm water quality protection measures shall be provided. Any necessary permits from outside agencies for off-site discharge shall be provided. – N/A.

4. Ground-Mounted Systems

a. Ground mounted solar collection panels shall comply with the standards for accessory structures for the district in which the panels are to be located except that in no case shall the panels exceed fifteen (15) feet in height in a designated Agricultural or Residential District. – Conditions met. The arrays will be under 10 feet tall at the highest point of the structures. The setbacks, size, placement, height and number of structures allowed comply with the standards for accessory structures on a four acre parcel in the Agricultural District.

b. In the case of a ground mounted solar panel(s) located on a lot that is adjacent to a lot in a designated Agricultural or Residential District, a minimum twenty (20) foot wide greenbelt shall be established between the panel(s) and all lot lines. On any side of the panels, the greenbelt shall be of a length equal to the length of the panel(s) plus an additional twenty (20) feet at each end of the panels so as to screen the panel(s) when viewed from an angle. The greenbelt shall be planted with one (1) evergreen tree per twenty (20) linear feet of greenbelt and such trees shall be spaced no less than fifteen (15) feet and no greater than twenty-five (25) feet apart. In addition, three (3) shrubs shall be located between the spaced evergreen trees. Shrubs shall be a minimum height of three (3) feet at the time of their planting. Trees shall be a minimum height equal to seventy-five percent (75%) of the height of the panel(s). Required greenbelts need not be in the immediate area of the panels that the plantings are intended to screen if the planting locations provide for the intended screening effect. No tree shall be located within five (5) feet of

a lot line. All plants material shall be maintained in a healthy condition to provide the necessary screening.

1. A greenbelt shall not be required along any side of ground-mounted panels where such side is a minimum distance of 150' from the lot line to which it generally faces. In addition, the Planning Commission may permit a maximum fifty percent (50%) reduction in the number and size of shrub and tree plantings where the adjacent property is vacant and not likely to be developed within the next five (5) years based on nearby development trends during the preceding five (5) years, where natural features are present that serve to assist in the screening of the panel(s) such as existing topographic or vegetative conditions, where existing structures will assist in the screening of the panel(s), and/or where other conditions may be present that make typical screening requirements ineffective or otherwise unnecessary. – All but one condition met. As the distances from the array to the north, east, and south lot lines are over 150 feet, no additional screening is needed on those sides. On the western side, the array will be about 250 feet from the nearest residence, and there is already some level of vegetation to assist in screening. The Commission permitted a fifty percent reduction in the number of shrub and tree plantings on the west side, requiring 2 evergreen trees and 2 shrubs. The applicants will work with the Zoning Administrator on meeting the requirements for the west side greenbelt.

**MOTION Minster, seconded Cady, that following discussion with the applicant, the application is conditionally complete; all appropriate documents listed in Section 3.27 have been submitted in appropriate form except as noted below; that no additional screening is needed beyond the requirements for the west side; that it will not be located in the front yard, but the back yard; that there would be no glare directed onto the road or other properties; that it would meet the size requirements of not exceeding 8000 square feet for the parcel; that the proposed footings are in compliance with Ordinance requirements and that the proposed height would be under the 15 foot allowable maximum; that the applicant will work with the Zoning Administrator to complete and detail on page A-001 (1) the 50% reduced vegetation screening for the west lot line greenbelt, (2) verification that glare would not be directed towards Rolfe Road, and (3) adding the distance of the array from Rolfe Road and the west lot line; and therefore the application is conditionally approved once the three additions as previously listed are completed.
CARRIED 7-0.**

B. Proposed ZO Amendment Re: Chapter 3 Section 3.27 Solar Energy Systems

Comm. Lewis had previously distributed a revised proposed draft dated 12/4/2019 that incorporated the input from the regular November 6, 2019, Planning Commission meeting.

Commission - went through the draft paragraph by paragraph, and asked for changes to reflect:

- Whether screening of non-panel mechanical equipment needs to be included as there have been no free-standing equipment proposals for the last several applications submitted to the Township;
- More clarity in how a person may apply for a tracking solar array;
- More clarity in what screening is appropriate when, and when vegetative screening is preferred over constructed structures such as walls, fences, etc.
- Allowing more leeway in locating arrays on flat roofs.

C. Zoning Ordinance Possible Amendments

Various Commissioners are working on language addressing home occupations, accessory structures, and screening.

VIII. Any Other Business

No other business was discussed.

IX. Additional Public Comment

There was no public comment.

X. Adjournment

There being no further business, the meeting was adjourned at 8:51 p.m.

John Lazet, Secretary