

DELTA COUNTY PLANNING COMMISSION MEETING
Delta County Service Center
Wednesday September 15, 2021

- I. Call to Order. The meeting was called to order at 5:30 p.m. by Chair Williams.
- II. Pledge of Allegiance.
- III. Roll Call. Member(s) present: Christine Williams, John Malnar, John Denholm, Gary Plante, Renee Barron and Randy Scott. Dave Moyle absent.
- IV. Approval of the August 2, 2021 minutes.
Motion to approve, w/ correction, made by Randy Scott and seconded by John Denholm. Vote: Yes-6 No-0. Motion carried.
- V. Approval of agenda.
Motion to approve made by Renee Barron and seconded by Gary Plante. Vote: Yes-6 No-0. Motion carried.
- VI. Public Comment.
 1. Bob VanDamme, Rock - the 1.5-mile overlay is very restrictive. It's all 2nd and 3rd generation farms in St. Nicholas. He is 70 years old and there will be no one taking over his farm.
 2. Dennis Ness – a registered Professional Engineer with over 40 years of experience in construction and the longest serving member on Delta County Construction Board of Appeals. The proposed draft is over-complicated and intrusive. If the intent is to eliminate solar as a viable renewable energy resource then this ordinance is “mission accomplished”. Page 2 para. L Solar Energy Overlay District: 3-mile corridor is an artificial constraint that precludes a utility company from evaluating other potential sites that could be considered. Page 2 para O Lake Effect: birds land on the lake all the time and slow to landing speed and settle gently onto the water. If they thought a solar panel was a lake I'm sure they could manage a landing without fatal consequences. Viable energy resource for or against. Growth in wind and solar. Would expect to move onto other counties. Three minutes is not nearly enough time to speak.
 3. Cooper Johnson (via zoom) - economic development, space on transmission lines to connect to, tens of thousands clean energy, part of conservation to county, neighboring to Wisconsin.
 4. Rory Mattson. - kills it for big and small projects. Fought with Tom Casperson, Delta County did not want more restrictions.
- VII. Declaration of Conflict of Interest. Renee, contract with Invenergy.

Motion to approve made by John Denholm and seconded by Randy Scott. Vote: Yes-6 No-0. Motion carried.

VIII. New Business.

IX. Unfinished Business: Solar Ordinance Draft – Commissioner’s review:

- Drive around townships; cost effective limit to transmission lines is 1.5-miles. Future (new) transmission line trunks can be included into mapping to see which parcels would be affected.
- ATC doesn’t own to Garden, DTE does; data will be obtained.
- Maps: “White” areas could be feasible for solar. What individual parcels (red block, red blotches condensed areas) look like in GIS; put parcels into database; what fits into corridors, private ownership, and 1-mile corridor along lake shore line. The 1.5-mile (bubble – purple line) came from power developers. Size of development, build more and expand more. Second map, data from 2016, shows tree canopy and vegetation (light green haze), a guidance document only and not even close to being used or distributed to the public. A lot of feedback for distance/setbacks from lake shores. We removed forest lands, townships with no jurisdiction and State land.
- The 1-mile corridor (blue line) from lake shore, Bay de Noc and Big Bay de Noc, is extensive and will work toward lessening; suggested 1,000 ft. The 1-mile cuts off a lot of Garden and Fairbanks that could be suitable for solar. Was difficult to find defined setbacks distances in regard to lake shore. Conflicts on setbacks and the overlay districts would win.
- Drilling holes into aquifers and open up land water; rare, but possible well contamination; valuable, important resource to protect. Not our call, would be Health Department and DEQ. SESC, depends on where and how close to bodies of water.
- Not farmed in last five years, would not be farmable with growth of scrub brush; not utilized farm land; and Brownfield or capped landfills may be feasible for solar. Farm the sun 365 days and do not need to re-plant. There is farming that works very well under solar panels and also provides shade for cattle grazing when panels are placed at 14’ or 21’ high.
- Maps evolved from talks with several developers, training, and tools for where development does or could exist. Decommissioning, say in 25 years, property would go back to previous land use. Green on map may not be just forest. Underlying setback distances, recognizing those districts and govern setbacks. Information for people who don’t live here and may migrate here would be able to determine where solar could potential be in the future.
- The term “utility scale” (refers to Industrial) is being used to be consistent with other ordinances.

- Small, medium, large and utility scale are common sizes. Not always ground mounted, may also be put on large industrial building.
- We cannot govern PA116, certain rules and a process which is done through the State.
- Lake effect: panels may look like a lake/large body of water from overhead and Loons may interpret it as a lake and land and then unable to obtain flight without water. Also, wet parking lots.
- Fencing: wood posts at a certain height and larger, open, square fencing to create a barrier for safety. Did not want fencing, but it is required for utility scale and will need to comply with the National Electric Code.
- Berms – strip topsoil or bring in topsoil from somewhere else would introduce evasive weeds and plants. Berms are discouraged.
- Glare, short period of time throughout seasons. Glare on roadways and traffic would be a Road Commission and MDOT.
- Property values – sub-committee reviewed an analysis on neighboring properties and there wasn't an effect on value.
- Public hearing set for October 4th. Copy of final Draft to Brandon and Building & Zoning prior to Public Hearing Notice published in paper. Could have two public hearings if needed. Let anyone who is a stake holder in this aware of meeting date.

X. Correspondence. Invenergy and Renee per Chris.

XI. Public Comment.

1. Bob VanDamme – what I'm hearing tonight is that you are actively discouraging jobs, tax benefits, funds for schools and roads, and progress. You have a terrible tough job here, but you're driving potential projects from Delta County and sending them elsewhere. Marquette County in regard to Test Panels said sure, put them up, but Delta County said no. Been a farmer all his life and it should not be not farmed in 5 years, but rather owned your farm for 5 years. Birds landing on panels thinking they are lakes, "bird brain" proves it. The 1.5-mile overlay cuts my farm in half. No one would see the panels except me, and not my neighbors. Why should my neighbors be able to say what I can do on my land within 300' of his lot line, when it's wooded and they wouldn't see it anyway? Paying taxes for 50 years. Why make it harder for large companies?
2. Rory Mattson – you need to talk to more developers. Overlay 1.5-mile to ATC lines, underground or overhead they will get to transfer stations. Who's going to enforce it (Dan)? PA116 taken care of. Like to see documentation on number of Loons landing on panels. Deforestation, don't do it this way. A good example is that I have 40 acres with a planted monoculture AG crop (which is

nearing harvest) harvest in 20-25 years, if not harvested bugs and disease will destroy. Traffic issues is MDOT. Environmental takes care of lake. Setbacks ruin it for bigger scale. Get rid of 5-year plan.

3. Dennis Ness – language is so vague, how is the County Zoning Administrator, Dan or person in Dan’s position, supposed to handle this? Plowed dirt up can be plowed back. Berms are used for landscaping all the time and prevent erosion. Ground water, rock and soil disturbance is not an issue. Too much not defined. Land owner carries bond for decommission. Review ordinance every 5 years, not possible; who in the county is going to tell you or determine the numbers and years? Three minutes is not nearly enough time.
4. Tim Barron, science teacher his whole life – glare from solar panels, glare is an enemy of solar and has not been an issue. They absorb as much sun as possible.
5. Ann Okonkek, Cornell – thank you for your work and methodical review of solar. The remarks on driving away solar companies, sounds like they partnered with you. Good first draft. Compliments to all of you. Public involvement of businesses and people. The draft ordinance will be available on the website on Saturday and will a zoom link will be available for the October 4th meeting?
6. Cooper Johnson (via zoom) – thank you Chris and Planning Commission for working on ordinance. Constituents in county, critical to keep working together, values of communities, develops broad support, good stewards. Designed to attract birds, provide run off. Fencing design, a safety feature to keep small wildlife in and large animals and people out. Protect all interest. Maintain low environmental impact.
7. Sam (via zoom) – colleague of Cooper’s, just listening in.

XII. Board Member Comments. Appreciate feedback from public tonight.

XIII. Adjournment.

Motion to adjourn at 7:27 p.m. made by John Malnar and seconded by Randy Scott.