

Cato Township Planning Commission
Meeting Minutes
July 11, 2022

The Cato Township Planning Commission met for a special meeting on Monday July 11, 2022, at the Lakeview Community Center.

Meeting called to order:

The special meeting was an agenda item at the township board's regular meeting to discuss the proposed wind ordinance.

Members present:

Phil Morrow, Chairman
David Behrenwald, Cato Board Liaison
Brandi Clark-Hubbard, Secretary
Quanah Striker, Vice Chairman

Absent: Joe Sweet, Commissioner

Others present:

Cato Township Board (Gilbert, Lincoln, Lindsey, Grieser, Behrenwald)
Leslie Abdoo, Attorney from Foster Swift Collins & Smith PC
Approximately 30 members of the public

Joint Discussion with Township Board:

Chairman Morrow opened with a statement to the board about the commission's work on the proposed wind ordinance over the past year and a half. Multiple regular and special meetings were held. Commissioners spent many hours researching, analyzing, discussing, and listening to residents on this topic. The commission worked with Attorney Abdoo throughout the process. Morrow also thanked Cato resident Jamie Snyder for video-recording the meetings and urged the board to invest in technology to continue this going forward. Commissioners worked together to reach a consensus on the proposed ordinance and ultimately voted to send it to the board. The proposed ordinance was also sent to the county planning commission for advisory review. Only one member of the nine-member county commission had specific comments on the proposed wind ordinance related to water setbacks, shadow flicker, height, wire burial, and noise compliance. It was noted that these individual comments do not represent an official position from the county planning commission. Chairman Morrow concluded by asking that the board discuss and approve the proposed ordinance as presented.

Attorney Abdoo discussed her role in assisting the planning commission in drafting the proposed ordinance. She noted she takes her direction from the board and planning commission and assists officials in drafting a lawful and legally defensible ordinance consistent with the township's goals. She then offered to answer any questions from the board on the proposed ordinance. The board had no questions for Attorney Abdoo. Clark-Hubbard asked Attorney Abdoo if she had any concerns from a legal perspective after reviewing the comments received from the county planning commissioner. Attorney Abdoo did not have any specific concerns but mentioned previous discussion with Cato commissioners on determining which lakes, streams, and wetlands would be subject to the proposed setbacks and what land would be left available for siting turbines.

The board had no questions for commission members on the proposed wind ordinance. Striker explained to Lincoln why the commission used the Lmax sound measurement standard which will stream-line the enforcement process. Clark-Hubbard mentioned the various waiver options available for sound, shadow flicker, setbacks, and access driveways.

Gilbert noted the board appreciates the thorough job by the planning commission on the proposed ordinance. Lindsey noted he'd like more time to review. The board voted 4-1 to table a decision on the proposed wind ordinance.

Adjournment:

The special meeting of the planning commission concluded upon the board's vote to table.

Recorded by:

Brandi Clark-Hubbard
Secretary, Cato Township Planning Commission