

Cato Township Planning Commission
Meeting Minutes
May 11, 2022

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

Meeting called to order:

Chairman Morrow called the meeting to order at 5:00pm with the Pledge of Allegiance.

Members present:

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

Others present:

David Kelsey, Cato Zoning Administrator
Leslie Abdoo, Attorney from Foster Swift Collins & Smith PC
9 members of the public per sign-in sheet (3 from Cato Township, 6 from other townships)

Approval of Agenda:

Clark-Hubbard moved and Striker supported to approve the meeting agenda as presented, with the addition of an agenda item for the zoning administrator's report. All in favor, motion carried.

April 13, 2022 Meeting Minutes:

Behrenwald moved and Striker supported to approve the April meeting minutes as presented, with a correction on the wind/solar moratorium publish date to March 10, 2022. All in favor, motion carried.

Public Comment:

Morrow opened public comment at 5:07pm. The commission heard from the following individuals:

- Ben Reynolds (Douglass Township) discussed the need for a 3 to 4 mile wind turbine setback from the airport because of risks related to dodging and turbulence. He called for a setback from lakes of 1 to 1.5 miles to protect the watershed and migratory birds, and also because sound travels more audibly across water.
- Three letters were received from one retired and two current Lakeview school teachers: Katharine Andersen, Pete Wurm, and Delaina Friedman. The letters were read aloud by commission members. All expressed support for the Montcalm Wind Project because of potential tax revenue for the school system and other public services, along with the need for clean energy. Wind projects in Isabella and Gratiot counties were referenced.
- An email from Cato resident Jamie Snyder was also read aloud which called for a 4 mile wind turbine setback from the airport due to concerns from local pilots. She also provided the Isabella County Road Commission's March 24, 2022 meeting minutes that mention ongoing road repairs from a previous wind project. She also provided a video link of a

presentation given by two Missouri residents who shared their experiences living among wind turbines.

Morrow closed public comment at 5:16pm.

Board Liaison Update:

Moratorium – Attorney Abdoo discussed that the deadline to publish notice of a “police power” ordinance is 30 days after board approval. The Cato board approved the police power ordinance for the wind/solar moratorium on February 7, 2022; however, the notice was not published in the newspaper until March 10, 2022. Because no wind/solar permit applications were received during that time, no further action is required. However, Attorney Abdoo stressed the importance that notice must be published in the newspaper 15 days in advance of the upcoming wind ordinance public hearing in order to comply with the Zoning Enabling Act. Attorney Abdoo and Chairman Morrow will work with the township clerk to ensure proper notice takes place.

Master Plan – Behrenwald reported that the township clerk spoke with McKenna Land Planners at the MTA conference. They could either do a remote diagnostic review of the current master plan at a cost of approximately \$1,500 or a full review at a cost of \$7,500 to \$15,000 depending on how much assistance the commission provides. Morrow also provided the name of Rowe Professional Services who worked on the Village of Lakeview’s master plan. Attorney Abdoo is familiar with both firms and recommends the township ask each to submit proposals.

Website – there are still some commission minutes missing on the website. The commission will follow up again with the township clerk.

Zoning Administrator Update:

Kelsey provided log sheets for 2022 zoning permits issued. No permits were issued in January, February, or March, and the following 6 permits were issued in April:

David & Lisa Jensen	11990 N Lakeview Rd	Doublewide
Paige Hamlin	6979 Tamarack Rd	Barn in front of home (variance)
John & Kelly Harris	7025 W Almy Rd	Home
Ben Stout	10600 Cutler Rd	Pole barn
David Zwingman	6673 Hemlock Dr	Roof on upper deck & extend lower deck & walkway
Main Farms	9485 N Lake Rd	Barn

Kelsey indicated there are some concerns with the current ordinance on page 34 involving accessory buildings (Section 3.11). The commission will add these items for consideration at a future meeting. Any changes in the zoning ordinance will require a public hearing.

Zoning forms – Motion by Striker and supported by Behrenwald to accept the “Special Use Permit Application” and “Variance Application” standard forms provided by Attorney Abdoo. These will be posted to the township’s website along with the “Zoning Amendment Application” approved at April’s meeting. Existing fees are the following: zoning permit - \$40, special land use permit - \$200, zoning variance - \$200. Attorney Abdoo mentioned the board should consider a resolution to set a separate fee for wind turbine special land use permits, as these will require more township time and resources to review. Zoning amendment requests usually do not have a fee since most are initiated by the commission; however, a request to rezone a property should have an associated fee. Attorney Abdoo noted these are usually the same fee as the special land use permits.

Old Business:

Wind Ordinance review – Attorney Abdo provided commissioners with an updated working draft of the wind ordinance from the April meeting. Commissioners reviewed all updates on the working draft starting with item 1. Purpose and Intent through the end of the ordinance at item K. Effective Date. Commissioners agreed to make further edits to setbacks from the airport and bodies of water, township notification of extraordinary events, and several other grammatical changes.

Commissioners agreed to hold a public hearing on the proposed wind ordinance at the June 8, 2022 regular commission meeting. This will be part of the agenda. Attorney Abdo will provide draft language for the notice of public hearing to be submitted to the Lakeview Area News no later than Monday May 16, 2022, so it will be published in the Thursday May 19, 2022 edition. This will satisfy the 15 day notice requirement of the Zoning Enabling Act. Notice will also be posted on the township hall door and website. Attorney Abdo will send an updated wind ordinance draft to Chairman Morrow so that it can be distributed to commissioners and posted for public viewing on the township's website prior to the public hearing. After the public hearing the draft ordinance will be submitted to the Montcalm County Planning Commission for review. Behrenwald to ask that the wind ordinance be added to the township board's July 11, 2022 regular meeting agenda for consideration and approval.

New Business:

Sample solar ordinance will be reviewed at a future meeting.

Commissioners are also invited to attend a seminar on May 26, 2022 hosted by the Montcalm County Planning Commission where a presenter from Michigan State University Extension will discuss the impact of climate change on the farming community.

Next Meeting:

The next meeting of the commission is a regular meeting scheduled for June 8, 2022 at 5:00pm.

Adjournment:

There being no further business to come before the commission, a motion was made by Morrow and supported by Striker to adjourn the meeting at approximately 7:09pm.

Recorded by:

Brandi Clark-Hubbard
Secretary, Cato Township Planning Commission

NOTE:

The following documents were provided to the commission by members of the public:

- 3 letters in support of wind project from Lakeview teachers Katharine Andersen, Pete Wurm, Delaina Friedman
- Email, Isabella County Road Commission minutes, and video link from Cato resident Jamie Snyder with concerns on wind turbines