

**White Oak Township Planning Commission  
Meeting Minutes  
May 17, 2021**

The meeting was called to order at 7:00 p.m. with the reciting of the Pledge of Allegiance. In attendance were Aaron Graf, John Kemler, David Mullins, Missy Noll, Megan Willis-Redfern, Tom Brimhall, Leela Vernon, Dorwin Marshall, Leslie Dickinson from Foster, Swift and Chris Khorey from McKenna.

Also in attendance were citizens, Joe Walker, Duane Walker, Mike Glenn, Susan Phelps, Rick and Katy Martinez, Daniel Orr, Suzin Greenway, Richard Morrison, Melissa Varesi, Deanna Varesi, Allen Baker, Galena Baker, Matt Vidito, Ray Gongla, Frank Xerri, Addison Varesi, Jennifer & Ray Gongla, Pete Crawford, Eduardo Yglesias, Carolyn Tucker, Ralph Tucker, Chris Holzer, Bob and Judy McManaman, Mandy and Darryl Urquhart, Pat O'Brien, Rusty Bloom, Al Cravin, Gary Wilcox, Richard Guinan, Dorwin Marshall, Rodney Nemeth, Kathy Nemeth, Bernie Mayr, Briana Brown, Roger Brown and Paula Warren.

Also in attendance was Nick Alexander and Brian O'Shea (Apex).

**Approval of Minutes:** A motion was made by John Kemler that the minutes from the April 20, 2021 meeting be approved; Megan Willis-Redfern seconded. Motion carried.

**Wind Ordinance:**

Aaron provided an update to all the concerned citizens – introducing Leslie Dickinson from Foster, Swift, Collins & Smith from Mike Homier's team. We have received Mr. Homier's thoughts and revisions to our draft Wind and Solar Ordinances. We have two proposed directions to go:

1. Work on the Master Plan and make it possible for property owners that own contiguous property to the M1 District, to petition the Board to rezone their property to M1.
2. Open other property to be eligible for wind turbines.

The problem with just allowing the current M1 zoned property is "exclusionary zoning". It would be the developers burden of proof to make an argument that there is a "demonstrated need" in the Township for the wind turbines. Need to be careful as to how restrictive we are.

Chris indicated that we could go another way and get away from any zoning district and open the application process to any property owner that wanted to be a participating parcel. We could add restrictions that protected property owner's that were non-participating. Add a buffer zone. This empowers the property owner. Discussion was had regarding this putting a huge burden on the Township in order to make sure all restrictions were adhered to.

Concerned citizens had the following questions/concerns:

- The height restrictions. *It was indicated that this has been addressed in the draft.*
- Flight path of hospital helicopters and other small planes. *It was indicated that this has been addressed in the draft.*
- To help with legal fees, in case Apex sues the Township, set aside money from the application process in an escrow for legal fees.
- Harm to wildlife.
- The high voltage lines going across their property.
- Brought a Michigan Wind Map that lists our area as poor to marginal.
- Asked about test towers.
- Noise. *It was indicated that this has been addressed in the draft.*
- Would like meetings advertised more.
- Wanted to know the time frame for a Zoning Ordinance. Leslie indicated that once the Zoning Ordinance is completed and the Planning Commission agrees upon the language, the Notice of the Public Hearing must be published and posted at the Hall. Must be a 15-day notice. Then the recommendation is sent to the Board, then, if necessary, it is sent to the County to review – and there is a 30-day waiting period and then goes back to the Township Board to adopt.

If the concerned citizens do not like the way the Planning Commission is going, they can petition for a referendum.

After discussions about their concerns and the reference of their concerns that is currently in the draft ordinance, they were thankful the Planning Commission appears to be looking out for their interests and the Township in a whole as the majority are not in favor of Apex coming into our community and Township.

### **Planning Commission Discussion:**

The Planning Commission decided to keep pursuing the M1 district as the only district that would accept wind turbines, but due to the concern that the M1 district is not very large a more defensible position would be to update the Master Plan with language regarding the possible expansion of the M1 district. Therefore, since it is imperative to get the Master Plan language done first to defend the Wind Ordinance, the Planning Commission decided to write an ordinance for a Moratorium on Wind Turbines for one (1) year while the Master Plan and Wind Ordinance is formalized. Chris Khorey will bring an example of an M1 district expansion overlay on the Master Plan Township map to the June 28<sup>th</sup> Planning Commission meeting. This Public Hearing will be held at the next Planning Commission meeting (6/28/21). The notice needs to be published, put on website and posted at the Hall. The Planning Commission will vote on it and then it will go to the Board at their July 14<sup>th</sup> meeting. The approval will be published within 15 days and then it will take effect 7 days after that.



**Next Meeting:**

Next meeting is scheduled for June 28, 2021, at 7:00 p.m.

**Adjournment:**

Motion to adjourn was made by John Kemler; seconded by David Mullins. Motion carried. Meeting adjourned at 8:25 p.m.

Respectfully submitted,

Missy Noll  
Planning Commission Chair