

CHARTER TOWNSHIP OF FLUSHING

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PLANNING COMMISSION MEETING

DATE: APRIL 20, 2009

TIME: 7:00 P.M.

WEB ADDRESS <http://www.flushingtowship.com>

MEMBERS OF PLANNING COMMISSION

Mark J. Newman, Chair

Richard Buell

Jerome Doyle, Vice Chair

Ronald Flowers

Eric Swanson, Secretary

David Gibbs

Mark Purkey, Board of Trustee Representative

Jerald W. Fitch, Building Inspector

Julia A. Morford, Recording Secretary

PRESENT: Newman, Doyle, Swanson, Buell, Flowers, Gibbs, Fitch, and Morford

ABSENT: Purkey

OTHERS PRESENT: 2 other individuals

I. MEETING CALLED TO ORDER at 7:04 p.m. by Planning Commission Chair MARK NEWMAN (NEWMAN) with Roll Call and the Pledge to the American Flag.

II. ADOPTION OF AGENDA: BUELL MOVED, seconded by Doyle to adopt the Agenda as submitted. MOTION CARRIED.

III. APPROVAL OF MINUTES OF MARCH 9, 2009: FLOWERS MOVED, seconded by Gibbs to approve the Minutes of March 9, 2009 as amended. MOTION CARRIED

IV. NEW BUSINESS:

1. Christina Godfrey, Flushing, Michigan 48433

Special Use Permit for a Home Occupation at 7394 W. Mt. Morris Road, Flushing, Michigan, Parcel No. 08-01-300-005.

NEWMAN made reference to the March 9, 2009 meeting regarding an informal hearing from Christina Godfrey regarding a home occupation at 7394 W. Mt. Morris Road, Flushing, Michigan. NEWMAN read the below listed letter of April 16, 2009 which had been received from Christina Godfrey (Tina Godfrey) to the Flushing Township Planning Commission:

“TO WHO IT MAY CONCERN:

Abbies Barber & Styling Shop LLC will not be moving do to situations out of my control. Thank you for all your time and help.

Tina Godfrey

NO FURTHER RESEARCH WILL BE CONDUCTED ON THE ISSUE.

UNFINISHED BUSINESS

1. Discussion Regarding Wind Turbines

NEWMAN has continually asked the Planning Commission Members to research wind turbines. **GIBBS** brought an article entitled “*Gratiot’s Fortunes Shifting in the Wind*” to the Planning Commission Members. The article had come from the April 2009 edition of the *Michigan Farmer Magazine*, page 36.

NEWMAN stated he had been trying to incorporate some of the issues mentioned at the February 9, 2009 Planning Commission Meeting but when he missed the March 2009 Planning Commission Meeting, he saw there was a considerable amount of discussion regarding the wind turbines. He (Newman) would like to incorporate the suggestions from the February and March Meetings for a proposed ordinance. **NEWMAN** felt there should be more discussion regarding the turbines at the current meeting.

COMMENTS/SUGGESTIONS:

1. **NEWMAN** had seen a television ad on Fox News about “Michigan First” that featured a company in Grand Rapids that is developing the personal turbines. In the commercial, there is a man that is standing next to the blade that looks like the man is taller than the blade. **NEWMAN** felt there needed to be both a residential and commercial separate ordinance.
2. **GIBBS** stated they could take a smaller wind mills and put the batteries in the basement and there would be a fire hazard that would be beyond expectation. There would have to be restrictions as to safety.
3. **DOYLE** felt that the Chester Township ordinance was complete. Always refer back to working of each one brought before the Planning Commission and have to have proof to show safety and conditions that was put out to sell the turbine, that should be part of the Planning Commission’s discussion when a turbine was installed. The companies almost have to prove that what they are selling would work.
4. **NEWMAN** stated that someone had made a comment at the March 2009 Planning Commission regarding “succession planning”; what would happen after someone loses.
5. **FLOWERS** stated he read someplace that after ninety (90) days or six (6) months if the turbines were not safe, or if something happened to the turbine that it was not operating, after the ninth (9th) month the turbine would be torn down. The turbine should be operating at the end of nine (9) months. **FLOWERS** felt this should be one of the

clauses in the proposed wind turbine ordinance. If after six (6) months of failing to operate, or failing to use the turbine, contact should be made with the property owner to see if they are going to use the turbine and if nothing is done at the end of the three (3) or nine (9) months then the request would be to go in and tear down.

6. **GIBBS** wanted to know if the township was paying the expense to tear down the turbine?
7. **DOYLE** wanted to know if the turbine was inactive but still safe why should the Planning Commission demand the turbine be torn down?
8. **NEWMAN** stated the word would be “disrepair”.
9. **FLOWERS** stated if it fell into the world of non-working unit it would be torn down.
10. **GIBBS** wanted to know if there was a State Electrical Inspector for wind turbines.
11. **BUELL** stated there was an analogy situation. There hasn’t been an oil well drilled in Flushing Township in many, many years but it is an energy production source that instead of going up, it goes down. When an oil well ceases to produce, there are requirements that it must be plugged and abandoned – the owner of the well is responsible for the cost of the plugging. He (Buell) has never been on the Planning Commission before so don’t know if there has been a request for an oil well, but the State is going to regulate that kind of use of natural resources in the area where there will be State guidelines and State permits that would be necessary. **BUELL** felt the Planning Commission could practically dismiss, in Flushing Township, there will ever be a commercial wind farm operation as it certainly is not feasible as you would have to have the straight line wind that is required similar to Gratiot County. **BUELL** was in Gratiot County on Easter Sunday, where he has family, and the wind as always, was howling; the reason: the land is dead flat, hundred of hundreds of wide open acres without a fence row. Currently, there are test mills in Gratiot plotting the direction and speed of wind and they (Gratiot County) are preparing to lease farms as they did in the oil days, years gone by, and they are getting leases from farmers to install in the area. The farmers are receptive to the idea like they were to oil wells because it is another revenue source from the land that allows them to continue them to farm. There are enough people who are interested enough in the “green” concept that they may choose to attempt something of their own. The best way to start a regulation would be similar to Chester Township and that would be to require a given amount of property in the first place to start with. This would not apply itself to subdivisions. Something in a tower with setbacks in a subdivision on a township lot would be requirements for square footage would not provide enough space for a tower to collapse.
12. **FLOWERS** stated the reason for the height of the towers was to get above the trees or anything so the towers would be unrestricted for the purpose of operating to the fullest. The top of the towers swivel. If a tower was someplace in a forest, the blades would have to be above the trees.
13. **BUELL** stated with a fifty (50) foot tower on a one (1) acre parcel of land, and to make the most efficient use of it, (208’ x 208’), the tower would have to be almost dead center of the property in order to place the tower in such a manner that if the tower collapsed it would not fall on someone else’s land.
14. **GIBBS** stated that someone would come up with the idea to place the tower on top of the house.

15. **DOYLE** wanted to know what the tower ordinance stated about placing a tower on the house.
16. **JERRY FITCH (FITCH)**, Building Inspector, stated the concept would be of a large fan but the towers would be similar to a metal canister with eight (8) to ten (10) blades that would catch the wind.
17. **BUELL** wanted to know if there was any return on investment?
18. **GIBBS** stated it was similar to a generator that ran on less than five (5) amps.
19. **FLOWERS** stated it was advertised on the internet that a person could purchase for \$200 the generator that puts out five (5) amps, which through the system and the grid in the house would run one (1) appliance, whether a sump pump, refrigerator etc. There has to be two (2) batteries connected in a series to collect the five (5) amps that would be putting the amps out because one would be converting the direct current to the alternator.
20. **FLOWERS** stated that after looking at the wind map, there wasn't enough wind to operate the tower. There has to be eight (8) to twelve (12) miles of wind and the tower would have to be in the air fifty (50) feet to get that much wind.
21. **DOYLE** doesn't think that the Township's Ordinance would solve the issue as to where to place the tower as far as safety is concerned.
22. **FLOWERS** stated that solar panels were being made again also.
23. **GIBBS** already has a tower that he could use that has a blade that is sixty-two (62) feet in the air. If he could put something on the tower that would make power, he would give it a try.
24. **DOYLE** wanted to know what would happen if people decided to put a lot of small towers on the roof of their homes?
25. **NEWMAN** is very interested in the safety issue. With the small wind turbines that look like ventilation units, should they be a certain size before the ordinance applies.
26. **NEWMAN** stated there were people that were interested in the wind turbines.
27. **FLOWERS** stated there were several companies that were building wind turbines. Five (5) amps would put out enough power to run one appliance for all day as long as the wind it going.
28. **NEWMAN** stated the problem was with residential turbines on small property.

ISSUES TO BE CONSIDERED:

1. Safety (batteries)
2. When applicant comes before the Planning Commission, the applicant has to present the information.
3. Disrepair or Dismantled
4. Analogy to oil wells (Buell)
5. Structure issues with turbines on the house
6. Size threshold (giant satellite dishes) – new size of large pizza
7. Safety ordinance – it is the responsibility of the applicant
8. If under a certain size – permit not necessary but a permit would be necessary if over a certain size.
9. Proof of liability insurance

ADDITIONAL COMMENTS:

1. **FLOWERS** stated there was a new design now that would spin in a different direction but a lot quieter. Public Act 295 (Planning and Zoning Issues) – which states the Planning Commission could not prohibit must be regulate. A wind performance speed test must be done before a wind turbine is installed. On a small unit of 100 watts or less undersixty (60) foot would be permitted. If the unit was over sixty (60) foot there would have to be a tower ordinance with the height capped at one hundred (100) foot and the set backs one to two times the tower height. If going to one hundred (100) feet, the fall zone would have to be one hundred (100) feet. The large towers at 100 kilowatts or more provide power to grid, with the maximum lot area of twenty (20) acres. There should be two (2) to three (3) acres per windmill (wind farm).
2. **GIBBS** stated about ten (10) years ago, all the power went off on his road. A lot of motors were burned out. If people put in wind turbines and if they don't come up to a specified power, they would burn the motors out.
3. **DOYLE** stated there needed to be electricity all the time but could utilize the energy to fall back on.
4. **FLOWERS** stated that Bueche's new store (Flushing) has a back up generator to run the store.
5. **SWANSON** stated the Chester Township Ordinance required a minimum of three and one-half (3 ½) acres with a two to one offset, with a minimum of eighty (80) feet. SWANSON felt the generators could be placed on the roof. The propeller noise would be the big problem.
6. **FITCH** stated the problem would not be the weight on the roof but the structure of the trusses.
7. **NEWMAN** inquired if **BUELL** would contact the Grand Rapids Company to see if a representative could attend a Planning Commission Meeting with information on the wind turbines.

VI. PUBLIC COMMENTS:**8:06 P.M. – OPENED TO THE PUBLIC FOR NON-AGENDA ITEMS**

Two (2) people gave comments. (One gentleman was interested in installing a wind turbine but was waiting for an ordinance. He wanted to use the tower on his pole barn.)

8:10 P.M. – CLOSED TO THE PUBLIC FOR NON-AGENDA ITEMS**VII. BOARD COMMENTS:**

1. Free Zoning Seminar at Mott Regional Tech Center – April 29, 2009 from 7:00 p.m. to 9:00 p.m. Let the Clerk know if you would like to attend.
2. Not sure as to the progress of Meeting Dates, but will keep the Commission informed as to meeting dates.
3. **FLOWERS** stated he was on the Genesee County Planning Commission - Long Range Transportation Planning for 2030 to 2035. There is a lot of new work being done for the 2030-2035 period with the stimulus money; the projects were shovel

ready when the money was available. **FLOWERS** will be bringing information to the Flushing Township as to the population projections that will be needed for the 2012 Master Plan and the percentage of growth. Interesting Fact: Flint City as soon as four (4) years ago showed 400,000 but now has just over 100,000. **FLOWERS** will keep the Planning Commission up to date.

4. **SWANSON** had a question regarding the “conflict of interest” notes in the Planning Commission Minutes.
5. **NEWMAN** stated there had been a discussion regarding put the Planning Commission on a schedule of only six (6) meetings a year. **NEWMAN** is opposed to the six meetings because he thinks that people need to know there are regular monthly meetings that take place where the business of the township will be addressed each month. There is a mechanism where you could get more meetings scheduled but that puts an additional burden on the residents who if they need to have their issue addressed other than at a regular meeting. If there is a pc meeting the first part of June and something comes up but the Pc won’t meet again until August, does the Planning Commission require the township resident to pay the extra fees for what we call “special meetings”? The PC stopped holding the extra work sessions because of the economy. **NEWMAN** is very concerned that there may be people that have no concept or idea of the kind of work that is accomplished who apparently don’t attend the meeting that comment that “things aren’t getting done.” There wasn’t any consultation when there was a change in elected officials.
6. **DOYLE** felt all the Planning Commission felt the members gave the township more than what they were paid. For the pay, and what is done, there is no way the Township could hire anyone to do what is done at the price that is paid.
7. **GIBBS** stated that someone is not taking into consideration the homework and the times that is taken after members go home to go out and check on issues on their own personal time. There is a lot of time spent on the phone to check out issues.
8. **SWANSON** stated that he spends more time on research outside the meetings.

VIII. MEETING SCHEDULE:

REGULAR SCHEDULED MEETING – MONDAY, MAY 11, 2009 AT 7:00 P.M.

REGULAR SCHEDULED MEETING – MONDAY, JUNE 8, 2009 AT 7:00 P.M.

REGULAR SCHEDULED MEETING – MONDAY, JULY 13, 2009 AT 7:00 P.M.

IX. ADJOURNMENT: Due to lack of business matters, **NEWMAN** adjourned the meeting at 8:25 p.m.

MARK J. NEWMAN, Chair

JULIA A. MORFORD, Recording Secretary

ERIC SWANSON, Secretary

Date of Approval

Planningminutes 04/20/09