

Sidney Township Board Minutes
Special Meeting
November 19, 2024

The Sidney Township Board Special Meeting held at the Sidney Township Hall at 3019 S Grow Road Sidney, Michigan on November 19, 2024 was called to order by Supervisor Peterman at 6:00 p.m. followed by the pledge of allegiance.

ATTENDENCE: Supervisor: Terry Peterman, Clerk: Carrie Wills, Treasurer: Corinda Stover Trustee: Ray Leyrer, Trustee, Erik Benko

AGENDA:

A motion was made by Leyrer and seconded by Benko to approve the Township Board agenda with additions under New Business for Attorney for MET Tower and ZBA Refund for Rose Hodges. Motion carried

OLD BUSINESS

Renewable energy ordinances

Wind

A correction is needed in the paragraph: "Section 16.08(MM) of the Township Zoning Ordinance is amended to clarify that Commercial WECS are permitted only in Section 30 as a special land use as follows:" Should be corrected to say Section 19. Wills will contact Attorney Abdo to make the correction.

A motion was made by Leyrer and seconded by Benko to approve Ordinance 24-01 An Ordinance to Amend the Zoning Ordinance to Regulate Wind Energy Systems in Accordance with PA233 of 2023 as presented by the Planning Commission with the change as noted above.

Roll Call Vote: Stover – yes, Wills – yes, Leyrer – yes, Benko – yes, Peterman – yes. Motion carried.

Solar

A correction is needed in the paragraph: "Section 16.08(MM) of the Township Zoning Ordinance is amended to provide that solar farms are only permitted as a special land use on property in Section 30 of the Township as follows:" Should be corrected to say Section 19. Wills will contact Attorney Abdo to make the correction.

A motion was made by Leyrer and seconded by Benko to approve Ordinance 24-02 An Ordinance to Amend the Zoning Ordinance to Regulate Solar Energy Systems in Accordance with PA233 of 2023 as presented by the Planning Commission with the above stated correction.

Roll Call Vote: Stover – yes, Wills – yes, Leyrer – yes, Benko – yes, Peterman – yes. Motion carried.

Battery Storage Systems

A motion was made by Leyrer and seconded by Benko to approve Ordinance 24-03 An Ordinance to Amend the Zoning Ordinance to Regulate Utility-Scale Battery Energy Storage Systems and to Create Renewable Energy Overlay Zoning District as presented by the Planning Commission. Motion carried.

Roll Call Vote: Stover – yes, Wills – yes, Leyrer – yes, Benko – yes, Peterman – yes. Motion carried.

NEW BUSINESS:

Refund to Property Owner for Canceled ZBA Meeting

A property owner on Lakeside Drive, Derby Lake had asked for a permit to construct a metal storage building on her property. Because the building would be closer to the street than is required in the zoning ordinance, a ZBA meeting would be needed to get a variance. The property owner's husband passed away prior to the meeting so she wanted to cancel the hearing as she is not certain what she should do now. The fee to conduct the variance meeting was \$375. However, there was a cost to publish the notice in the newspaper and a cost for postage to mail letters to the property owners within 300 feet of the lot where the new structure would be constructed. The board discussed how the refund should be handled. The board has never refunded for a variance meeting but this type of situation has never come up.

A motion was made by Wills and seconded by Stover to refund the ZBA meeting fee to Rose Hodges minus the cost of the newspaper publication of the meeting notice (\$109.40) and the cost of the postage to mail the letters to residents within 300 feet of the property (\$9.24). Deducted from the \$375 fee, the refund would be \$256.36.

Have Foster Swift Handle the Matter of the Letter Concerning the MET Tower

The letter sent to Welders regarding the removal of the MET tower has had no response. The board needs to decide how to handle the situation. Because the board has taken board action to now use Foster Swift for legal matters should it be turned over to them or continue to work with Jourdan Rasmussen, the attorney that sent the letter on our behalf.

A motion was made by Leyrer and seconded by Benko to ask Foster Swift to review the MET tower situation and give us direction on how we should proceed. Benko will contact the attorney to explain what is going on.
Motion carried,

CITIZENS COMMENTS

Laura Engel asked how long before the ordinances will be on the website. The attorney will make the corrections to the ordinances, then it has to be published in the newspaper. Depends on how long it takes to get those things taken care of.

Additional Comments:

Corinda: We should have Martin check the new smoke and vape store on the corner of Sidney Road and Sheridan Road to make sure they are in compliance with township rules. There are no marijuana sales allowed in Sidney Township.

Has anyone heard anything about the solar farm we were told about at one of our meetings. Apparently they are getting leases but no applications for permits have been submitted.

ADJOURNMENT

A motion was made by Stover and seconded by Leyrer to adjourn the meeting at 6:15 p.m. Motion carried.

Carrie Wills
Sidney Twp Clerk