

# COVERT TOWNSHIP

## PLANNING COMMISSION

MINUTES OF THE April 17, 2024 REGULAR MEETING

6:30 P.M., COVERT TOWNSHP HALL

### Call to Order / Roll Call / Pledge of Allegiance

Chair Rendell called the meeting to order at 6:30 p.m.

Members Present: Robert Brown, Tom Bury, Luke Dennison, Austin Harding, Jena Johnson, Wayne Rendell, Lonze Taylor

Members Absent: None

Others Present: Rebecca Harvey, Township Planning Consultant

### Approval of Agenda

Motion by Brown, seconded by Bury, to approve the agenda of the April 17, 2024 regular meeting, as presented. Motion carried unanimously.

### Approval of Minutes – *March 20, 2024 Regular Meeting*

Motion by Brown, seconded by Harding, to approve the minutes of the March 20, 2024 regular meeting, as presented. Motion carried unanimously.

### Public Comment on Non-Agenda Items

It was suggested that an updated and easier to read Zoning Map was needed for the Board room.

No further public comment was offered on non-agenda items.

### New Business

Chair Rendell stated that no New Business was scheduled for consideration.

## **Ongoing Business**

### ***Text Amendment: Battery Storage Facilities***

Chair Rendell reminded that the Commission had considered draft amendments to Section 2.02 – Definitions and Section 18.34 – Battery Energy Storage Systems (BESS) prepared based on the City of Walker ordinance in March. Following review and discussion, the Planning Commission directed Harvey to request Township Attorney review of the draft text and to consider all review comments provided to develop Draft #2 for continued Planning Commission consideration in April.

Harvey provided an overview of the Township Attorney's review comments/questions of Draft #1 and reviewed the corresponding modifications to the proposed text reflected in Draft #2. She elaborated on the question of using MWH vs. kWh and provided context regarding the types of battery storage systems that would be defined as 'Tier 1' systems (e.g. home battery systems and individual farm, school or commercial systems) in the Ordinance.

Lengthy discussion of Draft #2 ensued, wherein the following was noted:

- Reference to 'an enclosed area' in the Tier 1 and 2 definitions should be revised for clarity. A similar discussion related to the solar energy text was referenced.
- Clarification of 'participating lots' and 'nonparticipating lots' was noted, with specific reference to Subsection B.1.
- The 'noise' standard reflected in Subsection B.8. should be revised to require measurement at the property line rather than 'the outside wall of any residence of a non-participating lot'. The measurement requirements set forth in the Noise Ordinance should be consulted for consistency.
- The text in 'red' in Subsection B.12. is language suggested by the attorney representing a potential BESS applicant . . . and is currently under review by the Township Attorney.
- There is value in seeking review of the draft text by the Township Zoning Administrator and Township Building Official.

Public comment on the discussion was then offered. Questions were raised regarding why the Commission is pursuing a text amendment to allow energy storage facilities in the Township,

noting that the Township already disproportionately supports the energy production industry. Concerns were expressed regarding noise impacts. The Planning Commission was urged to review sample ordinances from other communities and for the Township to become proactive in supporting the current challenge to the existing legislation. It was requested that the Township hold on moving the proposed amendments forward until after the November election and the success of that challenge is known.

David Zubiak, a future 'energy storage systems' applicant, reiterated that he has no issues with the draft text presented, but that he will seek his engineer's comment on the text modifications discussed tonight.

Harvey was directed to revise the draft text as discussed and submit same to the Township Attorney for final review and to the Township Zoning Administrator and Building Official for comment. It was agreed that review of Draft #3 and consideration of the requested technical reviews will be scheduled for the May meeting.

### ***Community Survey Results***

Chair Rendell noted receipt of the raw survey data requested but added that the form in which the data was received made analysis difficult. A general discussion ensued regarding the questions of interest regarding the survey responses.

Several Township residents present expressed their appreciation for the Township's public engagement efforts but noted that better methods for seeking input are needed.

### **Communications**

Harvey reported on the status of the Master Plan/Coastal Management Plan project.

### **Adjournment**

There being no further business to come before the Commission, the meeting was adjourned at 7:45 p.m.

Respectfully Submitted,  
Rebecca Harvey, AICP, PCP  
(McKenna)Township Planning Consultant