

**CLAYTON TOWNSHIP PLANNING COMMISSION**  
**REGULAR MEETING AGENDA**  
**OCTOBER 22, 2024, 6:00 P.M.**  
**CLAYTON TOWNSHIP HALL**

Kevin DePottey  
Corey Potter  
Rick Caruso  
Kathleen Norris

Jon Mieczkowski  
George Sippert  
Richard Derby

**TED HENRY, ZONING ADMINISTRATOR, #810-691-5258**

**ROLLCALL**

**APPROVE PROPOSED AGENDA**

**APPROVAL OF MINUTES: SEPTEMBER 24, 2024 Pgs. 2-3**

**COMMUNICATION:**

- 1. Township Board recommended to take action on business licenses and homeowner business to develop 1 ordinance**
- 2. News Release – Commission approves application process for renewable energy and energy storage siting Pgs. 4-9**

**REPORT OF OFFICERS AND ZONING ADMINISTRATOR:**

**PUBLIC COMMENT:**

**NEW BUSINESS / DISCUSSIONS**

- 1. Report from Mr. Caruso from the Township Board's 1<sup>st</sup> reading of Land Division Ordinances and all its chapters**
- 2. Round table discussion on business licenses/homeowner business Pgs. 10-12**

**OLD BUSINESS / DISCUSSIONS**

**ADDITIONAL ITEMS**

**FUTURE ITEMS**

- 1. Nuisance signs**
- 2. Rental Ordinance**

**ADDITIONAL COMMENTS**

**ADJOURNMENT**

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**CHARTER TOWNSHIP OF CLAYTON  
PLANNING COMMISSION MINUTES  
SEPTEMBER 24, 2024**

Chairman DePottey opened the meeting at 6:00 p.m.

**ROLL CALL**

**Members Present:** Rick Caruso, Richard Derby, Corey Potter, Jon Mieczkowski, Kevin DePottey, Kathleen Norris

**Members Absent:** George Sippert

**Others Present:**

Ken Tucker/Township Attorney

**APPROVAL OF PROPOSED AGENDA**

**Action Taken:** Motion by Potter, supported by Mieczkowski, to approve the proposed agenda for the September 24, 2024, Clayton Township Planning Commission meeting.

**MOTION CARRIED.**

**APPROVAL OF MINUTES: August 27, 2024**

**ACTION TAKEN:** Motion by Derby, supported by Potter to approve minutes of August 27, 2024.

**MOTION CARRIED.**

**COMMUNICATION:**

None

**REPORT OF OFFICERS AND ZONING ADMINISTRATOR:**

Discussion of Assessor's request for Zoning Administrator with regards to land splits and combinations

**PUBLIC COMMENT:**

None

**NEW BUSINESS:**

Mr. DePottey opened the Public Hearing regarding proposed amended Clayton Township Zoning Ordinances @ approximately 6:07 p.m.

**PUBLIC COMMENT:**

None

Public Hearing was closed at 6:10 p.m.

**Action Taken:** Motion by Mieczkowski, supported by Potter to recommend the Township Board to approve the proposed amended Township Zoning Ordinances. Roll Call Vote: 6 Yes/0 No

**OLD BUSINESS**

Discussed separating storage containers out of Ordinance 152.027 and making it a standalone ordinance

**ADDITIONAL COMMENTS FROM BOARD MEMBERS**

None

**FUTURE ITEMS:**

Wants the Township Board's recommendation on which one of the items to address next: business licenses, homeowner business or nuisance signs

**PUBLIC COMMENT**

No Comment

**ADJOURNMENT**

**Action Taken:** Motion by Potter, supported by Norris, to adjourn the Planning Commission meeting at 6:37 p.m.

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Kevin DePottey, Chairperson

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Rick Caruso, Secretary

Ted Henry

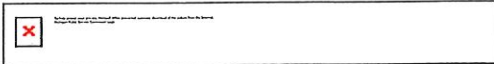
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**From:** Michigan Public Service Commission <MPSC@govsubscriptions.michigan.gov>  
**Sent:** Thursday, October 10, 2024 10:57 AM  
**To:** Ted Henry  
**Subject:** Commission approves application process for renewable energy and energy storage siting

## NEWS RELEASE

Gretchen Whitmer, Governor  
Dan Scripps, Chair  
Katherine Peretick, Commissioner  
Alessandra Carreon, Commissioner

[www.michigan.gov/mpsc](http://www.michigan.gov/mpsc)



**FOR IMMEDIATE RELEASE** Oct. 10, 2024

**News media contact:** [Matt Helms](#) 517-284-8300

**Customer Assistance:** 800-292-9555

### **Commission approves application process for renewable energy and energy storage siting**

The Michigan Public Service Commission today adopted application instructions and procedures that electric providers and independent power producers must use when seeking the Commission's approval for siting of renewable energy projects under [Public Act \(PA\) 233 of 2023](#).

PA 233, approved by the Legislature and Gov. Gretchen Whitmer, [gave the MPSC](#) siting authority for utility-scale solar, wind and energy storage projects under specified conditions.

The Commission in February 2024 directed MPSC Staff to file recommendations on application filing instructions, guidance related to compatible renewable energy ordinances, or CREOs, and other matters. Staff held eight public meetings to engage with experts, local government officials, project developers and other interested persons. Staff conducted research, site visits and consultations with experts in fields such as land use planning and zoning, renewable energy, local government, sound engineering and farmland preservation.

The application instructions were developed to advise applicants throughout the process of obtaining a certificate for a renewable energy facility, aiming to clarify pre-application requirements, fees, required application documents and exhibits, how to submit a completed application, and how to obtain more information.

Today's order summarizes comments from various participants in the Staff's implementation process, and addresses multiple key topics raised by commenters. Among other actions, the Commission:

- Adopted a narrow definition of a CREO, expressly limiting the ordinances to requirements that are “no more restrictive than the provisions included in Sec 226(8)” of PA 233. A CREO may only contain requirements for setback, fencing, height, sound, and other applicable conditions outlined in Sec 226(8) and may not contain more restrictive requirements.
- Restricted the meaning of Affected Local Unit of government, or ALU, to include only local governments that exercise zoning jurisdiction.
- Found that PA 233 doesn’t support creation of a CREO dispute resolution process that would allow renewable energy developers to forgo filing for approval of an energy facility through the local siting process if the chief elected official in each ALU provides notification that the ALU has a CREO.
- Found that it will review the entirety of a proposed renewable energy project when it is located in multiple local communities in which some have CREOs and some do not.
- Noted that PA 233 expressly authorizes the Commission to “condition its grant of the application on the applicant taking additional reasonable action related to the impacts of the proposed energy facility,” and lists some of the conditions that the Commission may include in a certificate. The Commission, therefore, may condition a certificate on the applicant taking additional reasonable action related to the impacts of the proposed energy facility, including requirements that developers make a good-faith effort to maintain the property where the energy facility is located during construction and operation of the facility.

PA 233 takes effect Nov. 29, 2024. In today’s order, the Commission clarified that under the new law, the siting process must originate at the local level in most instances. The Commission can only consider applications in instances in which the relevant unit(s) of government have denied an application, failed to either approve or deny an application within 120 days or added additional provisions more restrictive than those contained in state law while an application is pending. The only exceptions to a project starting at the local level are where a local government has in place a moratorium on project development or where the local government requests that the developer use the statewide application process at the Commission instead of the local siting process. Finally, the Commission acknowledged that the local siting process remains available to project developers while noting that it was providing no guidance on siting processes that fall outside the Commission’s jurisdiction.

### **COMMISSION OKs INDIANA MICHIGAN POWER CO. ENERGY AGREEMENTS**

The MPSC today approved power agreements involving Indiana Michigan Power Co. ([Case No. U-21189](#)). The Commission approved I&M’s amended 30-year, 100-megawatt (MW) power purchase agreement (PPA) for the Elkhart County Solar Project; a new 30-year, 180-MW PPA for the Hoosier Line Solar Project; a new 20-year, 100-MW PPA for the Meadow Lake IV Wind Project, and a new 6-year, 143-MW capacity only purchase agreement with the Lawrenceburg Generation Station.

### **MPSC APPROVES INDIANA MICHIGAN POWER CO. POWER SUPPLY COST RECOVERY PLAN**

The MPSC approved Indiana Michigan Power Co.’s application for its power supply cost recovery (PSCR) plan for the 2024 planning year ([Case No. U-21427](#)). The Commission approved I&M’s PSCR factor of 11.44 mills per kilowatt-hour and accepted the company’s five-year forecast. The Commission, however, warned the utility that it may not recover all costs under its intercompany power agreement with the Ohio Valley Electric Corp. without evidence of good faith efforts to minimize costs, including potential renegotiation of the contract.

## COMMISSION AUTHORIZES DTE ELECTRIC ACCOUNTING MEASURE TO MAINTAIN PACE OF TREE TRIMMING

The MPSC today authorized DTE Electric Co. to implement a one-time accounting measure to pull ahead up to \$15 million of in tree trimming surge funding ([Case No. U-21799](#)). Previous Commission orders permitted DTE Electric to accrue a regulatory asset of \$52.7 million for tree trim surge expenses incurred in 2024, and a regulatory asset of \$43.7 million for tree trim surge costs incurred in 2025. DTE Electric requested to pull ahead \$15 million of the \$43.7 million, allowing the utility to maintain its current tree trimming through the end of 2024. Without being able to accelerate the \$15 million, DTE Electric said it would have to slow down its tree trimming for the remainder of 2024 so it doesn't spend more than previously authorized, and such a slowdown could adversely impact the company's tree-trimming plans for 2025. The company will reduce costs deferred in 2025 by an equal amount.

For information about the MPSC, visit [www.michigan.gov/mpsc](http://www.michigan.gov/mpsc), sign up for its [monthly newsletter](#) or other [listservs](#). Follow the MPSC on [Facebook](#), [X/Twitter](#) or [LinkedIn](#).

To look up cases from today's meeting, access the [MPSC's E-Dockets filing system](#). Watch recordings of the MPSC's meetings on the [MPSC's YouTube channel](#).

**DISCLAIMER:** This document was prepared to aid the public's understanding of certain matters before the Commission and is not intended to modify, supplement, or be a substitute for the Commission's orders. The Commission's orders are the official action of the Commission.

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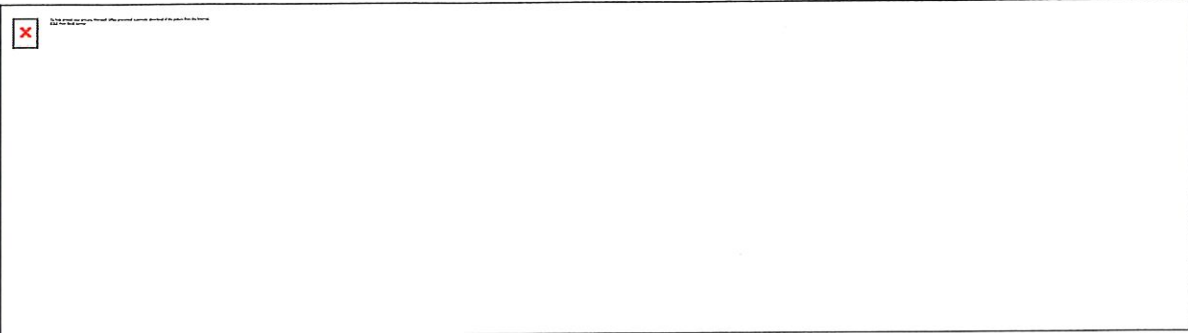
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Ted Henry

**From:** MI Dept. of Environment, Great Lakes, and Energy  
<EGLE@govsubscriptions.michigan.gov>  
**Sent:** Thursday, October 17, 2024 9:02 AM  
**To:** Ted Henry  
**Subject:** EGLE announces first nine recipients of Renewables Ready Communities Awards

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**FOR IMMEDIATE RELEASE:**

Oct. 17, 2024

Jeff Johnston, EGLE Public Information Officer, [JohnstonJ14@Michigan.gov](mailto:JohnstonJ14@Michigan.gov), 517-231-9304

## **Nine communities receive first round of Renewables Ready Communities Awards**

***EGLE announces grants that will help build out enough utility-scale solar to power 700,000 Michigan households***

**LANSING, Michigan** —Today, the Michigan Department of Environment, Great Lakes, and Energy (EGLE) announced the first round of grants from the [Renewables Ready Communities Awards](#) (RRCA), made available by Governor Gretchen Whitmer's Fiscal Year 2024 budget.

RRCA grants aim to accelerate the buildout of large-scale renewable energy projects, like wind, solar, and storage, by providing flexible incentives to local units of government that permit and host the projects. RRCA grants are provided in addition to the tax revenue and community benefits already received by host communities.

"Expanding access to renewable energy is critical to meeting the goals of the MI Healthy Climate Plan, the state's climate action plan; protecting our land, air, and water; reducing unhealthy air emissions; and lowering energy costs for families," said EGLE Director Phil Roos. "Today's grants from the Renewables Ready Communities Awards will support the build out of enough renewable energy projects to power 700,000 Michigan households while providing the communities that host the projects with additional revenue for community improvements and services."

Deploying renewable energy at scale is essential to meeting the state's [MI Healthy Climate Plan](#) goals. The RRCA is a key tool to meeting the state's 60% renewable energy and 100% clean energy standards set under the [recently enacted clean energy laws](#).

The first round of grants from the RRCA will support the deployment of 700 megawatts (MW) of solar energy, enough clean energy to power 700,000 Michigan households.

The first round of the RRCA grants totaled \$3.5 million, supporting nine local units of government:

- Freshwater Solar I & II:
  - Day Township in Montcalm County, \$1.5 million.
  
- Groveland Mine Solar
  - Felch Township in Dickinson County, \$141,000.
  - Norway Township in Dickinson County, \$252,500.
  - Sagola Township in Dickinson County, \$106,500.
  
- Little Trout Solar
  - Belknap Township in Presque Isle County, \$152,500.
  - Presque Isle County, \$375,000.
  - Pulawski Township in Jackson County, \$106,500.
  
- Mission Road Solar Park
  - Isabella County, \$375,000.
  - Isabella Township in Isabella County, \$375,000.

These grants provide funds for communities to make improvements and offer additional services to their residents. Examples include road and bridge repairs, fire department upgrades, park and playground enhancements, accessibility accommodations and grounds improvements, energy upgrades for public buildings, and streetlight upgrades.

There is no deadline to apply for this funding opportunity. Grants from RRCA will remain available until funds are depleted.

For more information on the RRCA, including eligibility requirements, funding amounts, and awardee obligations, visit [EGLE's Renewables Ready Communities Award website](#).

Earlier this year, EGLE was [awarded \\$129.1 million](#) from the Biden-Harris administration's Inflation Reduction Act's (IRA) Climate Pollution Reduction Grant (CPRG) program to scale this program; launch a pilot to build renewable energy projects on brownfields; strengthen EGLE's community [Renewable Energy Academy](#) that provides technical assistance for local and tribal governments to improve planning, siting, and permitting processes for renewable energy facilities; support clean energy-related workforce development programs; and develop a comprehensive strategy to meet the state's 60% renewable energy by 2030 goals.

In addition to the CPRG award, the state has undertaken several efforts to accelerate the deployment of renewable energy resources. To date, the state has set renewable, storage, and clean energy standards, supporting a market for clean energy growth; streamlined the [process and taxation](#) for permitting renewable energy projects; [removed barriers](#) to clean energy deployment; incentivized and provided [technical assistance](#) to host communities; provided resources to support the deployment of large-scale, [community-serving, and rooftop solar](#); onshored the [renewable supply chain](#) and supported clean

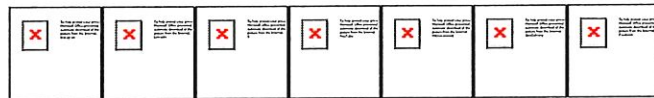


energy manufacturing; [led by example](#) by powering state government with 100% renewable energy and deploying projects on state-owned properties; and more.

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**CHARTER TOWNSHIP OF CLAYTON  
GENESEE COUNTY, MICHIGAN**

**ORDINANCE NO. 2013-445**

**ORDINANCE AMENDING SITE DEVELOPMENT REQUIREMENTS; GENERAL  
REGULATIONS BY TYPE**

AN ORDINANCE AMENDING SECTION 152.007 OF CHAPTER 152 OF TITLE XV OF  
THE CODE OF ORDINANCES FOR THE CHARTER TOWNSHIP OF CLAYTON,  
DEFINING HOME OCCUPATION

**THE CHARTER TOWNSHIP OF CLAYTON ORDAINS:**

As used in this Ordinance, Title XV, Chapter 152, Section 152.007 of the Code of Ordinances of  
the Charter Township of Clayton shall be amended to provide as follows:

**SECTION 1**

Section 152.007, the definition of Home Occupation shall be replaced with the following  
language:

**HOME OCCUPATION.** A Home Occupation consists of an accessory use of a  
residence. It shall be clearly secondary to the use of the parcel as a residence. The Home  
Occupation shall take place within the primary structure and be limited to no more than  
twenty-five percent (25%) of the total actual floor area. A resident must be the primary  
employee.

**SECTION 2**

All other provisions of Chapter 152 inconsistent with the provision of this Ordinance are hereby  
repealed. All other provisions of Chapter 152 shall be and are hereby ratified.

**SECTION 3**

This Ordinance shall be published in a newspaper of general circulation within the Township of  
Clayton, Genesee County Michigan, and shall become effective thirty (30) days following  
publication.

**SECTION 4**

A copy of this Ordinance may be inspected at the Township Clerk's office at the Clayton  
Township Hall, 2011 S. Morrish Rd., Swartz Creek, MI 48473, during regular business hours.

We hereby certify that the foregoing Ordinance was adopted on Second Reading by the Charter Township of Clayton Board of Trustees on 09.12.13.

Public Hearing: 05.21.13

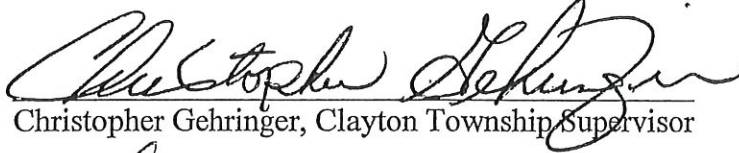
First Reading Approved: 08.08.13

Second Reading Approved: 09.12.13

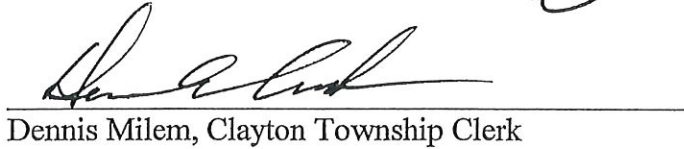
Adopted: 09.12.13

Published: 09.24.13

**CHARTER TOWNSHIP OF CLAYTON:**

  
Christopher Gehringer, Clayton Township Supervisor

9-12-13  
Date

  
Dennis Milem, Clayton Township Clerk

9/12/2013  
Date

**HOME OCCUPATION.** An accessory use of a residence. It shall be clearly secondary to the use of the parcel as a residence. The **HOME OCCUPATION** shall take place within the primary structure and be limited to no more than 25% of the total actual floor area. A resident must be the primary employee.