
MEMO

DATE: DECEMBER 3, 2023
TO: INTERESTED PARTIES
FROM: WHEATFIELD TOWNSHIP PLANNING COMMISSION
RE: PLANNING COMMISSION RECOMMENDS APPROVAL OF DRAFT WIND ENERGY SYSTEM AMENDMENTS

During the November 14, 2023, meeting of the Wheatfield Township Board of Trustees, the Board passed a resolution in opposition to the limit on local control of then proposed legislation that would greatly scale back the standards of our draft amendments on wind energy systems and transfer final approval of such developments to the Michigan Public Service Commission. On November 28, 2023, Governor Whitmer signed the legislation into law as 2023 PA 233. The law impacts utility-scale wind energy systems “with a nameplate capacity of 100 megawatts or more,” and goes into effect on November 29, 2024. (See link on website for *Analysis of 2023 PA 233 Wind Siting Requirements*.)

After two years of learning and listening to residents’ concerns, the Planning Commission believes that the current draft reflects the wishes of residents and is as restrictive as possible under state law. On November 29, 2023, following the October 11, 2023, public hearing, the Planning Commission recommended to the Board approval of the August 17, 2023, draft Wind Energy System (WES) amendment with one change tightening it even further. The change prohibits shadow flicker from infringing on any parcel that is not participating with the development. It previously only prohibited shadow flicker from dwellings on those parcels. The change was incorporated into the December 1, 2023, draft. (See link on website for the *Draft Amendments – Wind Energy Systems – 12-1-23*.)

By adopting our recommendation, the Board would put in place regulations for any utility-scale wind developments that might arise between now and the effective date of the new law. They would also apply to any utility scale development under the 100 megawatt capacity even after the effective date. A summary of the recommended draft amendments is also available. (Please see link on website for an updated *Summary of WES Amendments - December 2023*. Note: Some unofficial summaries/comparisons being circulated are known to be inaccurate.)

If you have any questions about the decision to move ahead or the details of the draft ordinance, please contact me at planning@wheatfieldtwpmi.gov.

Regards,

Michael B. Kapp | Chair
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