

GARFIELD TOWNSHIP PLANNING COMMISSION

Regular Meeting

OCTOBER 18, 2018-6:30 p.m.
CRUMP CONSERVATION CLUB
781 W. PREVO Road, Linwood, MI 48634

MINUTES

1. Meeting called to order by chairperson, Lee Deary at 6:30 p.m.
2. Pledge was recited.
3. Roll call was taken: All members present: Lee Deary, Kathleen Niemiec, Greg Jacobs and Leroy Day.
4. Attendance: 50
5. Minutes from previous meeting of October 4, 2018 were approved with the following corrections:
 - (7. Unfinished business
 - a. Presentation by Norm Stephens regarding the **many** aspects of utility-scale wind turbines.
 - b. Shadow Flicker: ... limit shadow flicker on participating properties **at occupied buildings...**
 - d. Setbacks: ...2000 feet or **four times the maximum height tip to ground, whichever is greater** from the nearest...)
6. Public Comment: 12 which included residents, non-residence and DTE rep.with slide presentation.
7. Unfinished business:
 - a. Studied Beaver Township Ordinance and found it to be a good template.
 - b. Security Bond:Discussed Beaver Township Ordinance (d) #20. Escrow, Bond or Letter of irrevocable credit equal to 125% of the total decommissioning and reclamation costs. All costs incurred will be paid by operator. Motion with support: Jacobs/Day to adopt Beaver Township Ordinance #20 with the above amendments. 4 yeas, 0 nays, motion carried.
 - c. Cost of special use permit for WECS tabled until December.
 - d. Noise Level: Discussed Beaver Township Ordinance (d) #7, Utility-Scale WECS shall not exceed 45dB(A) (Lmax)/55 dB(C) (Lmax) at the property line or lease unit boundary closest to the WECS, measured in accordance with the protocol set forth in

Section 13 (ii)

- (ii) A copy of a noise modeling and analysis report completed by a third-party acoustician acceptable to the Township and the site plan shall show locations of equipment identified as a source of noise which is placed, based on the analysis, so that the Utility Grid WECS shall not exceed the maximum permitted sound pressure levels. The noise modeling and analysis shall conform to the most current protocol for The International Electrotechnical Commission (IEC) 61400, Parts 11 and 14, The International Organization for Standardization (ISO) 9613-2, and ANSI S12.62, including all tolerances and uncertainties. After installation of the WECS, sound pressure level measurements shall be performed by a third party, acoustician acceptable to the Township according to the procedures in the most current version of The American National Standards Institute (ANSI) S12.9, Part 3 and ANSI S12.100 for measurements (with an observer). All sound pressure levels shall be measured with a sound meter that meets or exceeds the most current version of ANSI S1.4 specifications for a Type II sound meter. Documentation of the actual sound pressure level measurements shall be provided to Beaver Township within 60 days of the commercial operation of the project and as requested to respond to a noise complaint from a resident.

Motion with support: Niemiec/Day to adopt Beaver Township Ord. (d)#7

4 yeas, 0 nays, motion carried.

e. Minimum Lot Size: Need to ask attorney

f. Minimum Ground Clearance: Discussed Beaver

Township's(d)#5.

Motion with support to adopt Beaver Townships above ord:
Jacobs/Day, 4 yeas, 0 nays. Motion carried.

g. Construction Codes: Discussed Beaver Township (d) #8.

Motion with support to adopt Beaver Township's above ord:
Jacobs/Day, 4 yeas, 0 nays. Motion carried.

h. Discussed Beaver Township's Transmission Lines (d) #6.

Motion with support to adopt Beaver Township above ord:
Jacobs/Day, 4 yeas, 0 nays. Motion carried.

i. Safety: Discussed Beaver Township's (d) #9. Motion with support to adopt Beaver Township above ord with the following amendments: (ii) All spent lubricants and cooling fluids shall be properly and safely removed in 60 days from the site of the WECS. (vi) Each WECS shall be equipped with a manual brake. Each WECS shall have automatic braking device with battery back up capable of stopping the WECS operation in high winds. Niemiec/Jacobs, 4 yeas, 0 nays.

j. Visual Impact: Discussed Beaver Township's Ord. (d) #10.

Motion with support to adopt Beaver Township above ord:
Day/Niemiec, 4 yeas, 0 nays. Motion carried.

k. Discussed what we need waivers on: setbacks, shadow

flicker,

sound & de-commissioning. To be discussed in December meeting.

- l. interference: Discussed Beaver Township's Ord. (d) #13; Motion with support to adopt above ord. with exception of sentence "person receiving that signal interference." Jacobs/Niemiec, 4 yeas, 0 nays. (Ask Attorney about wording)
- m. Substations: Discussed Beaver Township's Ord (d) #14. Motion with support to accept above ord with the exception of the word "may" to be changed to "shall". Jacobs/Niemiec, 4 yeas, 0 nays. Motion carried.
- n. Inspection: Discussed Beaver Township's Ord. (d) #15. Motion with support to adopt above ord with adding the words: "on annual basis" after consultant. Jacobs/Niemiec, 4 yeas, 0 nays. Motion carried.
- o. Complaints and Resolution: Discussed Beaver Township's Ord (d) #16. Motion with support to adopt above ord with the following changes: (i) Garfield Township Board, (ii) Garfield Township Board, (iv) the entire deposit or the investigation shall be returned to the owner or operator who submitted the funds. Jacobs/Day, 4 yeas, 0 nays. Motion carried. (Will ask attorney about (iv)).

8. New business:

- a. Received letter from Concerned Citizens of Bay County-informative.

9. Report from zoning administrator-No report

10. Next planning commission meeting is December 4, 2018 at 6:30 p.m. at Garfield Township Hall.

11. Meeting adjourned at 10:23 p.m.

Minutes submitted by Planning Commission Secretary-Kathleen Niemiec